

Listed below are key characters (in bold) for searching within this file.

Hold down the control key and select the “f” key. Enter either a key character from the list below or document name and select enter for a list of documents containing the search word you entered.

APL – all documents behind this target sheet pertain to the original application submitted by the Applicant.

PBM1 – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

PBR1 - all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

CC1 - all documents behind this target sheet are any City Council memos/reports that went to the City Council.

DRC1 - all documents behind this target sheet are those pertaining to the post review of the project by the Development Review Coordinator.

MISC1 - all documents behind this target sheet are those that may not be included in any of the categories above.

APL



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life www.portlandmaine.gov

Planning & Urban Development Department

Penny St. Louis Littell, Director

Planning Division

Alexander Jaegerman, Director

December 19, 2008

Ryan Senatore, Associate
TFH Architects
80 Middle Street
Portland, Maine, 04101

RE: Extension of Site Plan Approval.
Estates of Longfellow Inn, 130 Eastern Promenade
Application ID # 2007-0123

Dear Ryan:

I received your request on behalf of Casco Bay Ventures for a one (1) year extension of site plan approval for the Estates of Longfellow Inn located at 130 Eastern Promenade. I understand that your request is based on the fact that a court appeal has delayed progress on the development.

Section 14-525 (f) of the Land Use Code states:

Where the approval or any related land use approval granted to the same applicant by any agency of the city with respect to the same development is appealed to any court by an opponent of the development, the applicant shall be granted further extensions, beyond the expiration of said period, where the applicant has exercised due diligence with respect to defending such appeal, which extensions shall not last beyond one (1) year from entry of final judgment.

In my capacity as Planning Division Director for the City of Portland, I am granting your request to extend your site plan approval. The extension period will commence on January 22, 2009 and shall extend for one (1) year beyond on the effective date of final judgment. If there are any questions, please contact Molly Casto, Senior Planner at (207) 874-8901 or by email at mpc@portlandmaine.gov.

Sincerely,

Alexander Jaegerman, Planning Division Director

cc: Mr. Waldon Geyer
Casco Bay Ventures
233 Woodville Road
Falmouth, Maine 04105

Electronic Distribution:

Danielle West-Chuta, Associate Corporation Counsel
Tammy Munson, Inspections Division Director
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
Phil DiPierro, Development Review Coordinator



City of Portland, Maine Site Plan Checklist

- analysis of waterways
✓ use - exp
✓ elevation - to determine
height finished grade

- show parking
- storm water (amount)

2007-0123 - R. Legonsky
Application Number ratio
no screening of parking
no fire dept check
Section 14-525
financial capability

The Estates of Longfellow Inn
Project Name, Address of Project

Casco Bay Ventures

Submitted () & Date Item Required Information

(b,c) more checking - on # of legal units

Right title + Interest

yes	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
yes	(2)	Name and address of applicant and name of proposed development	a
yes	(3)	Scale and north points	b
yes	(4)	Boundaries of the site	c
yes	(5)	Total land area of site	d
yes	(6)	Topography - existing and proposed (2 feet intervals or less)	e
	(7)	Plans based on the boundary survey including:	2
no	(8)	Existing soil conditions	a
NA	(9)	Location of water courses, marshes, rock outcroppings and wooded areas	b
no	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
need - elevations floor plans. see "inn"	(11)	Approx location of buildings or other structures on parcels abutting the site	d
no	(12)	Location of on-site waste receptacles	e
no letters of consent	(13)	Public utilities	e
more info needed	(14)	Water and sewer mains	e
	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
not delineated	(18)	Parking areas	g
	(19)	Loading facilities	g
unclear -	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
	(21)	Curb and sidewalks	g
	(22)	Landscape plan showing:	h
	(23)	Location of existing proposed vegetation	h
no yes	(24)	Type of vegetation	h
yes	(25)	Quantity of plantings	h
yes	(26)	Size of proposed landscaping	h
no	(27)	Existing areas to be preserved	h
no	(28)	Preservation measures to be employed	h
no	(29)	Details of planting and preservation specifications	h
none show	(30)	Location and dimensions of all fencing and screening	i
no	(31)	Location and intensity of outdoor lighting system	j
	(32)	Location of fire hydrants, existing and proposed	k
Scott Reas	(33)	Written statement	c
not clear	(34)	Description of proposed uses to be located on site	l
yes	(35)	Quantity and type of residential, if any	l
yes	(36)	Total land area of the site	b2
no	(37)	Total floor area and ground coverage of each proposed building and structure	b2
no	(38)	General summary of existing and proposed easements or other burdens	c3
no	(39)	Method of handling solid waste disposal	4
no	(40)	Applicant's evaluation of availability of off-site public facilities, including sewer, water and streets	5
no	(41)	Description of any problems of drainage or topography, or a representation that there are none	6
no	(42)	An estimate of the time period required for completion of the development	7
	(43)	A list of all state and federal regulatory approvals to which the development may be subject to	8

no screening of parking

July 12, 2007

**Mr. Alex Jaegerman
Director, Planning Division
Portland City Hall
389 Congress Street
Portland, Maine 04101**

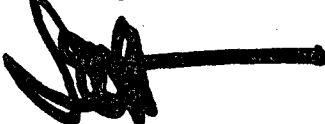
Dear Mr. Jaegerman,

On behalf of Wally Geyer and Anthony Salem, of Casco Bay Ventures, we are submitting the enclosed Site Plan Application for their "The Estates of Longfellow Inn at 130 Eastern Promenade" project here in Portland.

This project entails the renovation of an existing eleven-unit apartment building, including the demolition of a portion of the existing building, the construction of an addition, and the elimination of two units for a final total of nine units. Construction is scheduled to commence in August of 2007 and to be completed in December of 2008.

If you have any questions or need further information, please contact Will Tinkelenberg at (207)773-7029 or myself. Thank you,

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Scott Teas', followed by a long horizontal line.

**T. Scott Teas, NCARB, AIA
Principal**

Minor Site Plan Review

- ☒ Less than 10,000 sq. ft. (\$400.00)
☐ After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

- ☐ Planning Staff Review (\$250.00)
☐ Planning Board Review (\$500.00)

Who billing will be sent to:

CASCO BAY VENTURES
223 WOODVILLE ROAD
FALMOUTH, MAINE 04105

Submittals shall include (7) separate **folded** packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans checklist
- d. 1 set of 11x17 plans

Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: portlandmaine.gov

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

This application is for site review only; a Building Permit application and associated fees will be required prior to construction.

Signature of Applicant::

Date:

Wally Iger Casco Bay Ventures

7-12-07

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that it, **130 Eastern Prom, LLC, a Maine Limited Liability Company**, whose mailing address is 130 Eastern Promenade, Portland, Maine 04101, in consideration of One and No/100 Dollars (\$1.00), and other valuable consideration paid by **Casco Bay Ventures, a Maine Corporation** with a principal place of business at 223 Woodville Road, Falmouth, Maine, 04105, the receipt whereof it does hereby acknowledge, does hereby **GIVE, GRANT, BARGAIN, SELL AND CONVEY, WITH WARRANTY COVENANTS** unto the said **Casco Bay Ventures**, its successors and assigns forever, the following described premises:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the same, unto Grantee herein, together with all the privileges and appurtenances thereunto belonging to the said, **130 Eastern Prom, LLC** its successors and assigns forever. Grantor does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, free of all encumbrances, and that Grantor does have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that Grantor, and its successors, shall and will warrant and defend the same to the said Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said **130 Eastern Prom, LLC** has caused these presents to be signed and its corporate seal by **James Salisbury**, its Authorized Member, thereunto duly authorized, as of this day of May, 2007.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF**

Witness

STATE OF MAINE
COUNTY OF

130 Eastern Prom, LLC

By its Authorized Member, James Salisbury

May 9, 2007

Then personally appeared the above-named, **James Salisbury**, Authorized Member of the said **130 Eastern Prom, LLC**, and acknowledged the foregoing instrument to be his free act and deed, in his said capacity, before me,

Notary Public/Attorney at Law

MAINE REAL ESTATE TAX PAID

PBM1

**Memorandum
Department of Planning and Development
Planning Division**



To: Chair Patterson and Members of the Portland Planning Board

From: Molly Casto, Planner

Date: Prepared on: December 6, 2007
Prepared for: December 11, 2007 Workshop

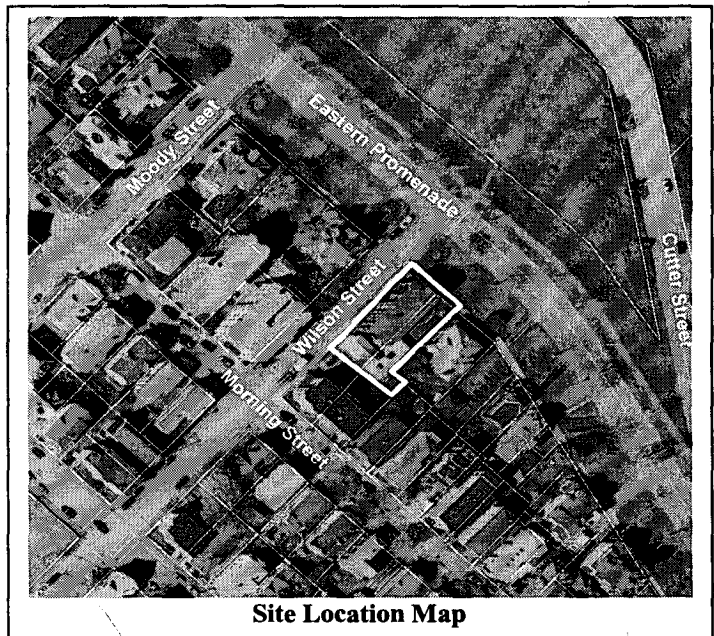
Re: The Estates of Longfellow Inn. 130 Eastern Promenade
CBL: 003 C001001
Application #: 2007-0123

I. INTRODUCTION

Casco Bay Ventures of Falmouth, Maine has requested a Planning Board workshop to review a proposal to renovate and add a three-story addition to the existing building at 130 Eastern Promenade. The project is to be reviewed according to the City of Portland standards for subdivision and for site plan. The site is located within an R-6 Residential zone.

Notice of the application and workshop was sent to 111 area property owners and was advertised in the Portland Press Herald and on the City website.

Representatives for the applicant include TFH Architects and Back Bay Boundary, Inc., both of Portland, Maine.



Site Location Map

II. FINDING OF FACT

Total Land area:	7,905.9 ^{of} acres (.18 acres)
Zone:	R-6 Residential
Existing Use:	11-unit apartment building with 2-car garage.
Proposed Use:	7-unit apartment building with paved 7-car parking lot.

III. SITE DESCRIPTION

The site, located at the corner of Eastern Promenade and Wilson Street contains an eleven (11) unit residential structure composed of a three-story frame building with a single story addition and a two-car garage. The existing building is currently vacant.

IV. PROPOSED DEVELOPMENT

The applicant proposes to renovate the existing three-story frame building and to add a three story, three-unit addition off the southeast side. The proposed building will contain seven (7) apartments ranging in size from 1,123 to 1,442 gross sq. ft (excluding porches, decks and balconies). The applicant proposes to demolish the existing garage in order to accommodate a seven (7) car parking lot with covered parking for five (5) full-size cars and two (2) additional surface parking spaces for compact size vehicles (see submitted plans- Attachment 11(e)).

The total square footage of the proposed building footprint is 3,891 sq. ft. The total gross square footage of the proposed development is 10,534 gross sq. ft. The proposal includes a remaining 2,006 sq. ft of landscaped open space.

V. WAIVER REQUEST- SECTION 14-483

The applicant has submitted a letter to the Planning and Inspections Divisions requesting that the Planning Board grant an exemption from the requirements of Section 14-483- Preservation and Replacement of Housing Units (see Attachment 10). Section 14-483 requires the review and approval of the Planning Authority. The applicant is seeking to reduce the number of units in this building from eleven (11) to seven (7).

Section 14-483 is intended to limit the net loss of housing units in the City caused by the demolition of residential property, the conversion of housing units to nonresidential uses or the elimination of housing units as the result of the reduction or consolidation of such units within a residential property. The

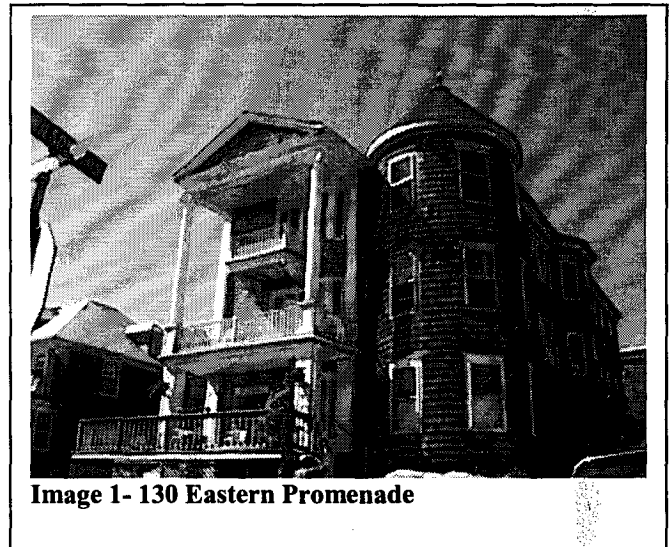


Image 1- 130 Eastern Promenade

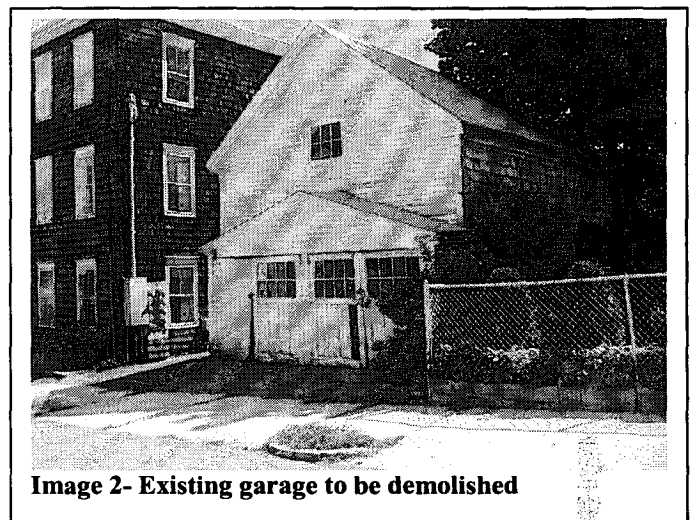


Image 2- Existing garage to be demolished

provisions of this section apply in all zoning districts in cases where three or more lawfully existing dwellings, including dwelling units within multi-family buildings, are demolished, converted to non-residential uses, or eliminated through the reduction or consolidation of units within a residential property within a five (5) year period. The applicant has submitted documentary evidence that they meet exemption criteria (6) as outlined in this section of the Ordinance. Criteria 6 of the exemption criteria (14-483 (n)) states:

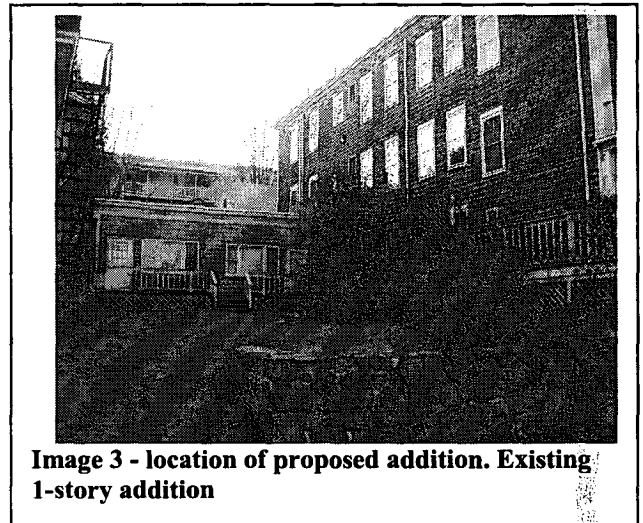
(6) Existing residential structure which, exclusive of additions thereto, contain more dwelling units than they were originally designed and built to accommodate and which are being modified to contain fewer dwelling units, subject to the condition that the number of dwelling units originally intended to be accommodated in such structures can be established by documentary evidence.

The applicant is seeking to reduce the number of units from eleven (11) to seven (7). The applicant has submitted documentation to support their determination that the building at 130 Eastern Promenade was originally built and occupied as a building with three (3) dwelling units (see Attachment 10).

VI. ZONING

As stated above, the site is located in the R-6 Residential zone. The applicant's initial proposal, submitted in July 2007, called for nine (9) units. A letter was submitted to the Planning Division from Bruce A. McGlaufflin, Esq. of Petrucci, Martin and Haddow, challenging Marge Schmuckal's initial zoning interpretation. This letter has been included for the Board's reference as Attachment 9. Based on this letter, Marge re-evaluated the proposal and determined that the application did not meet the requirements of Section 14-388 of the City Code - Nonconformity as to area of dwelling units. This section states:

A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the area per dwelling regulations of the zone in which it is located.



The current lot size is 7,905.9 sq. ft and the existing development on the site with eleven (11) units is currently non-conforming as to land area per dwelling unit requirements of the R-6 zone. The R-6 zone requires 1,000 sq. ft per unit for the first three (3) units, and 1,200 sq. ft. for any additional units. In this case, in order for the nine (9)-unit proposal to meet Section 14-388, the lot size would need to be 10,200 sq. ft. Based on Marge's determination after this issue was brought to her attention, the applicant's proposal was subsequently denied by Zoning (see letter from Zoning Administrator, dated September 26, 2007 to applicants- Attachment 8-a).

Mr. McGlaufflin also challenged Marge's interpretation of Section 14-382(d)- *Expansion of non-conforming structure*. This section reads:

Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity. This subsection shall not apply to buildings located within shoreland zones and existing on June 15, 1992, which are nonconforming only as to setbacks from wetlands, tributary streams or other water bodies, which shall be regulated in accordance with subsection (f)(1) d. of this section.

Marge determined that this section of the Ordinance does not restrict any new additions outside the confined shell of the existing nonconforming building. Rather, she interprets this section of the Ordinance to allow new addition(s) if no new nonconformity is created and there is no increase of any existing nonconformity. Marge's letter to Attorney McGlaulin, dated September 26, 2007 (Attachment 8-b) notified him of his right to appeal her decision within thirty (30) days.

In November, the applicant submitted revisions, reducing the number of units to seven (7). Marge has reviewed the applicant's letter and their revised submittals and has determined that the reduction in the number of units brings the proposal into compliance with Section 14-388 (see memorandum from Marge Schmuckal- Attachment 7).

Bruce McGlaulin submitted a follow-up letter, hand delivered to the Planning Division on December 6, 2007, maintaining that the proposal continues to violate Section 14-382(d), notwithstanding Marge's September 26, 2007 interpretation. In the letter Attorney McGlaulin requests that the Planning Board reject the application based on Section 14-382(d). Corporation Counsel has reviewed the December 6, 2007 letter and determined that it is the jurisdiction of the Zoning Board of Appeals and not the Planning Board to review appeals to zoning interpretations. The right to appeal this determination, however, terminated thirty (30) days from the date of Marge's September 26, 2007 letter. Corporation Counsel's response to Attorney McGlaulin's letter is included as Attachment 12.

The enlargement of the building, as proposed in the current submittals, meets the R-6 zone setbacks.

The applicant is not required by zoning (Section 14-332) to incorporate additional parking into their proposal because the proposal does not increase the number of units. The only requirement is that they not reduce off-street parking to less than what exists currently. At present, the property can accommodate two to three parking spaces in the existing garage. The applicant proposes to increase off-street parking to seven (7) parking spaces.

The following chart compares the dimensional requirements of the R-6 zone to the proposed development:

Standard	R-6 Requirements	Proposed Development
Min. Lot Size	4,500 sq. ft	7,905.9 sq. ft.
Min. Area per Unit	1000 sq. ft/DU for existing building. 1,200 sq. ft. after first 3 DU's = <u>7,800</u> sq. ft minimum	7,905.9 sq. ft.
Min. Street Frontage	40 ft	Approx. 65 ft
Min. Front Yard	10 ft	5 ft- existing bldg / <u>15 ft</u> – bldg addition
Min. Side Yard	10 ft	Approx. 2.5 ft- existing bldg/ <u>10 ft</u> - bldg addition
Min. Rear Yard	20 ft	20 ft
Max. Lot Coverage	50%	49.20%
Min. Lot Width	50 ft	Approx. 65 ft
Min. Structure Height	Min. of 2 stories of living space	3 stories
Max. Structure Height	45 ft	Approx. 39 ft.
Open Space Req.	Min width/length = min. 15 ft and slope = <10%.	Approx. (15.7 x 29.3 ft.) + 18.6 x 10 ft.) Open space (25.4%). Slope = < 10%
Parking	2-3 based on existing development	7

VII. RIGHT, TITLE OR INTEREST

The applicant submitted a warranty deed as appropriate evidence of ownership of the property (see Attachment 2).

VIII. FINANCIAL CAPACITY

The applicant submitted a letter from Bangor Savings Bank with their original application stating that the applicant has the financial capacity to complete the project (see Attachment *). This letter refers to the original nine (9) units development and refers to condominium units, which, according to the applicant is inaccurate as they are proposing rental units. The applicant confirmed in a letter to Marge Schmuckal, Zoning Administrator, dated September 10, 2007 that the project includes rental units only (see letter- Attachment 3(b)). The applicant has been asked to submit an updated letter, which accurately represents the current proposal.

IX. PRELIMINARY STAFF REVIEW

The proposed development has been reviewed by staff for conformance with the relevant review standards of the subdivision and site plan ordinances.

- **Subdivision Recording Plat**

The proposed 3-story addition contains three dwelling units and is therefore defined as a subdivision.

According to Section 14-493 of the City Code of Ordinances - Definitions, a subdivision is defined as:

... The division of a lot, tract or parcel of land into three (3) or more lots, including lots of forty (40) acres or more, within any five-year period whether accomplished by sale, lease, development, buildings or otherwise and as further defined in 30-A M.R.S.A. Section 4401. The term subdivision shall also include the division of a new structure or structures on a tract or parcel of land into three (3) or more dwelling units within a five-year period and the division of an existing structure or structures previously used for commercial or industrial use into three (3) or more dwelling units within a five-year period. The area included in the expansion of an existing structure is deemed to be a new structure for the purposes of this paragraph. A dwelling unit shall include any part of a structure, which, through sale or lease, is intended for human habitation, including single-family and multifamily housing condominiums, time-share units and apartments.

The recording plat is included as Sheet C1.1- Attachment 11(d). Any conditions of approval that the Planning Board places on the subdivision must be shown on the final plat.

- **Traffic, Parking and Pedestrian Circulation**

As stated in the zoning section of this memorandum, the applicant is not required to increase the number of off- street parking spaces due to an overall reduction in the number of units. The applicant, however, has chosen to incorporate seven (7) parking spaces into their proposal. Five (5) of these are standard sized spaces (approx. 9' x 19') located under a building overhang. The remaining two (2) are compact –sized surface parking spaces (7'6" x 15').

Jim Carmody, Traffic Engineer, has reviewed parking and circulation and submitted the following comments:

I have reviewed the plan showing the parking layout. The layout is sufficient in dimensions of the parking spaces including 2 compact spaces, and the aisle width meets city standards. There is adequate width for vehicles to maneuver and able to exit the parking area going forward.

A buffer of arborvitae has been proposed around the parking area. The two existing cedar trees and two existing elms between the proposed lot and the abutter's parking lot at 14 Wilson Street will be preserved, providing additional screening (see submitted landscape plan. Sheet C1.4- Attachment 11(g)).

Continuation of the Wilson Street Sidewalk:

Section 14-498- *Technical and Design Standards*, of the Subdivision Ordinance grants Public Works the authority to promulgate technical and design standards for subdivisions and site plans. Section 14-498 (8) – *sidewalks and curbs* states:

Sidewalks shall be constructed on each side of each street in accordance with article III of chapter 25. Sidewalks to be used by pedestrians are to be so located as to minimize contacts with normal automotive traffic, with preference given to interior walks away from streets in common open space in block interiors.

Section 14-499 of the Subdivision Ordinance lists required improvements for all subdivisions. 14-499 (d) states:

Sidewalks and curbs shall be constructed as required in section 14-498.

The applicant proposes to repair a portion of and to add street trees to the existing concrete sidewalk along Wilson Street. Currently, there is concrete sidewalk on both sides of Wilson Street and along the frontage on the Eastern Promenade. There is a crosswalk across the E. Prom on the right east side of Wilson Street, however there is no sidewalk linking to it across the Prom's grass esplanade. With the exception of the intersection at Moody Street and Eastern Prom, which has a similarly disconnected pedestrian system, all remaining intersections along the Prom (Congress; Turner; Quebec; Melbourne; Montreal and Walnut) include sidewalks along the edge of curb on the esplanade connecting to at least one crosswalk across the Prom (Congress Street has crosswalks on both sides).



Image 4 - Existing sidewalk on Wilson Street

The 2004 Eastern Promenade Master Plan identifies the intersections at Wilson and Moody Streets as potentially hazardous locations for pedestrians and lists it as a *priority one public safety issue*. The report states, under *Priority One* in the introduction to the *Implementation* section:

On Eastern Promenade, it is recommended to expand the walk and crosswalk system.

In the detailed cost estimates under Priority One, the expansion of the crosswalk at Wilson is specifically listed (Eastern Promenade Master Plan (2004) pp. 65).

The Report's Summary Recommendations section addresses appropriate pavement materials. It states that sidewalks on both sides of the Eastern Promenade should be replaced with brick as required for consistency with the City's sidewalk material policy for historic parks (Eastern Promenade Master Plan (2004) pp. 4). The City's Sidewalk Replacement Material Policy map from District 1 corresponds to this, indicating that brick sidewalks should be used in this area.

Based on the above information, the Planning Board may want to recommend the inclusion of brick sidewalk along the south-east side of the esplanade at Wilson Street and Eastern Promenade to be included as part of this proposal.

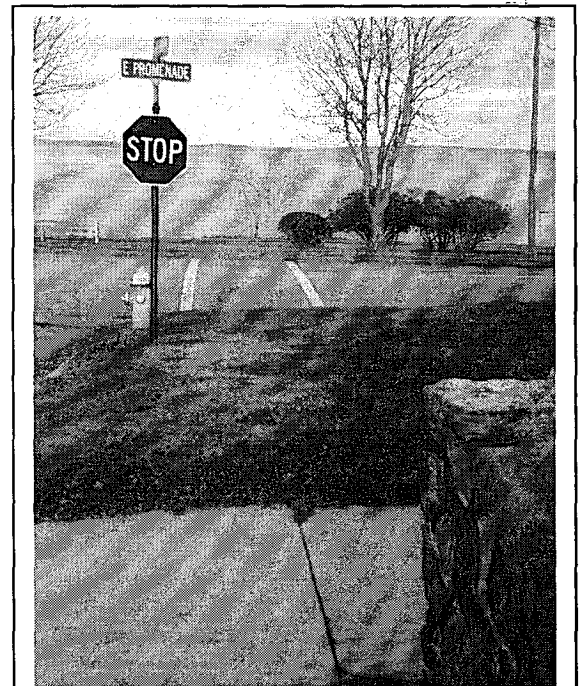


Image 5- Esplanade at intersection of Wilson and Eastern Promenade.

- **Public Utilities and Solid Waste**

The applicant has submitted a letter, dated September 18th, from Public Works stating that they have adequate capacity to handle wastewater flows from the proposed development. The applicant has also submitted a letter from Portland Water District (PWD) dated August 1, 2007 stating that they have adequate capacity to serve the development. While the letter from PWD refers to a nine-unit development, the proposed reduction in the number of units to seven should not affect their ability to service the project. The applicant has submitted letters from both Central Maine Power (CMP), dated August 17, 2007 and Northern Utilities dated August 7, 2007 indicating that there is both sufficient electrical capacity and availability of natural gas in that location to service the proposed project. These four letters have been included as Attachment 4(a) through 4(d).

The applicant proposes locating trash bins with wheels at the far end of the proposed parking area. These trash bins will be screened on three sides with existing or proposed vegetation. Planning staff has requested additional information from the applicant concerning whether they will rely on City services or a private trash hauling company for solid waste management.

- **Exterior Lighting**

The applicant has submitted a detailed lighting plan showing 3 exterior lighting fixtures (Sheet C-1.5- Attachment 11(h)). Proposed lighting is positioned to illuminate the parking area and entrance on the Wilson Street-side of the building. The applicant has not yet submitted catalogue cuts for the proposed fixtures. The Portland Technical and Design Standards and Guidelines stipulate that exterior lighting shall be adequate for the safety of users of the site but shall not cause glare or direct spillover to adjacent properties or create visual distraction to motorists on adjacent streets. According to the submitted photometric plan, the illumination levels of the proposed lighting meet the standards of the Portland Technical and Design Standards, Section XV (4).

- **Fire Safety**

The applicant submitted a life safety plan (Sheet G-1.2- Attachment 11(b)) and fire department checklist for review. Captain Greg Cass of the Portland Fire Department has reviewed and approved these materials.

- **Stormwater**

The submitted stormwater plan is included as Attachment 5. Engineering review comments from Dan Goyette, Consulting Development Review Engineer, are included as Attachment 6. Dan recommends minor revisions to the site plans pertaining to stormwater management. He also addresses two notes, which should be included on the boundary survey stating that, the project survey coincides with approved City standards. City Technical Standards stipulate that the rate of runoff of stormwater leaving the site after development shall not exceed the pre development rate. The City recognizes the difficulties that on-site detention poses to urban development. As the amount of impervious coverage increases, the quantity of water leaving the site will inevitably increase with it. The rate and quality of runoff, however, must be regulated. The submitted stormwater report shows that there will be a slight increase in flow for the post development site conditions. The capacity of the existing combined sewer system and the effect of the proposal's stormwater and sanitary sewer flows on the system must be verified and taken into account in the design prior to approval.

- b. Letter from Northern Utilities - dated August 7, 2007
 - c. Letter from Portland Water District - dated August 1, 2007
 - d. Letter from Portland Public Works - dated September 18, 2007
- 5. Revised Stormwater management report - dated November 19, 2007
- 6. Memorandum from Dan Goyette, Consulting Engineer from Woodard and Curran - dated December 4, 2007
- 7. Memorandum from Marge Schmuckal - dated November 2, 2007
- 8. Zoning determinations from Marge Schmuckal- dated September 26, 2007
 - a. Letter addressed to Wally Geyer and Anthony Salem of Casco Bay Ventures
 - b. Letter to Bruce A. McGlauflin, Esq.
- 9. Letter from Bruce A McGlauflin, Esq. - dated September 4, 2007
- 10. Letter from Wally Geyer, Casco Bay Ventures requesting exemption from Section 14-483 of the City Code - dated October 22, 2007
- 11. Revised Plans with cover sheet - dated November 20, 2007
 - a. General Notes- Sheet G-1.1
 - b. Life Safety Plan- Sheet G-1.2
 - c. Boundary Survey
 - d. Subdivision Plan – Sheet C-1.1
 - e. Site Plan – Sheet C-1.2
 - f. Details – Sheet C-1.3
 - g. Landscaping Plan – Sheet C-1.4
 - h. Lighting Plan – Sheet C-1.5
 - i. Basement and Roof Plan – Sheet A-1.1
 - j. First Floor Plan – Sheet A-1.2
 - k. Second Floor Plan – Sheet A-1.3
 - l. Third Floor Plan – Sheet A-1.4
 - m. Exterior Elevations – Sheet A-2.1
- 12. Letter from Bruce A. McGlauflin Esq., dated December 6, 2007
- 13. Letter from Penny Littell, Associate Corporation Counsel to Attorney Bruce McGlauflin, dated December 7, 2007.

**Memorandum
Department of Planning and Development
Planning Division**



To: Chair Tevanian and Members of the Portland Planning Board
From: Molly Casto, Planner
Date: January 22, 2008
Re: 130 Eastern Promenade - The Estates at Longfellow Inn
Application #: 2007-0123
Revised Motions- Planning Board Report 05-08

Attached are the amended motions for the Planning Board's consideration concerning the above captioned development proposal. Specifically, a third motion has been added concerning the Preservation and Replacement Housing standards, which was not included in Planning Board Report 05-08.

I. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant, public comment received at the public hearing and the information contained in Planning Report # 05-08 relevant to standards for subdivision and site plan regulations, and the Portland Planning Board finds:

1. That the subdivision plan The Estates at Longfellow Inn at 130 Eastern Promenade **[is / is not]** in conformance with the subdivision standards of the land use code, **subject to the following conditions:**

Potential Conditions of Approval

1. The final recording plat meeting the requirements of Portland's Subdivision Ordinance and listing conditions imposed by the Planning Board will be submitted for the Planning Board's Signature.
2. That the plan **[is / is not]** in conformance with the site plan standards of the land use code, **subject to the following conditions:**

Potential Conditions of Approval

1. That the revised boundary survey submitted by the applicant be reviewed and approved by Public Works prior to the issuance of a building permit.
2. All final plan sheets must be stamped and signed by a professional engineer.
3. All comments submitted by Public Works in their memorandum dated January 16, 2008 must be addressed and approved by Public Works prior to the issuance of a building permit.
4. All comments submitted by Jeff Tarling, City Arborist pertaining to the submitted landscaping plan and identified in his review letter dated January 18, 2008 must be addressed and approved by him prior to the issuance of a building permit.
5. The proposed street tree along the Eastern Promenade should be revised to show an Autumn Blaze Maple (*Acer freemanii*). This change to the plans must be reviewed and approved by Jeff Tarling, City Arborist prior to the issuance of a building permit.

3. That the plan [is / is not] in conformance with the Preservation and Replacement Housing standards of the land use code.

PBR1

PLANNING BOARD REPORT #: 05-08

**THE ESTATES AT LONGFELLOW INN
130 EASTERN PROMENADE**

CASCO BAY VENTURES, APPLICANT

SITE PLAN AND SUBDIVISION REVIEW

Submitted to:
Portland Planning Board
Portland, Maine

Submitted by:
Molly Casto, Planner

Prepared on: January 18, 2008
Meeting Date: January 22, 2008

I. INTRODUCTION

Casco Bay Ventures has requested subdivision and site plan review and approval for their proposal to renovate and add a three-story addition to the existing building at 130 Eastern Promenade. The project is to be reviewed according to the City of Portland standards for subdivision and for major site plan. The site is located within an R-6 Residential zone.

Notice of the public hearing was sent to 111 area property owners and was advertised in the Portland Press Herald and on the City website.

Representatives for the applicant include TFH Architects and Back Bay Boundary, Inc., both of Portland, Maine.



II. FINDINGS FOR 130 EASTERN PROMENADE

Total Land area:	7,905.9 square feet (.18 acres)
Tax Map:	Tax Map 3-C Lots 1 and 2
Zone:	R-6 Residential
Existing Use:	11-unit apartment building with 2-car garage.
Proposed Use:	7-unit apartment building with paved 7-car parking lot.
Parking:	Proposal to remove garage and construct a seven-car parking lot on site.

III. SITE DESCRIPTION

The site, located at the corner of Eastern Promenade and Wilson Street contains a vacant, eleven (11) unit residential structure composed of a three-story frame building containing nine (9) units, with a single story addition containing two (2) units and a two-car garage.

IV. PROPOSED DEVELOPMENT

The applicant proposes to renovate the existing three-story frame building, demolish the one-story addition and add a three story, three-unit addition on the southeast side. The proposed building will contain seven (7) apartments ranging in size from 1,123 to 1,442 gross sq. ft (excluding porches, decks and balconies). The



applicant proposes to demolish the existing garage in order to accommodate a seven (7) car parking lot including covered parking for five (5) full-size cars and two (2) additional outside parking spaces for compact size vehicles (see submitted plans- Attachment 14(e)).

The total square footage of the proposed building footprint is 3,891 sq. ft. The total gross square footage of the proposed development is 10,534 gross sq. ft. The proposal includes a remaining 2,006 sq. ft of landscaped open space.

V. WAIVER REQUEST- SECTION 14-483

The applicant has submitted a letter to the Planning and Inspections Divisions requesting that the Planning Board grant an exemption from the requirements of Section 14-483- Preservation and Replacement of Housing Units (see Attachment 13). Section 14-483 requires the review and approval of the Planning Authority. The applicant is seeking to reduce the number of units in this building from eleven (11) to seven (7).

Section 14-483 is intended to limit the net loss of housing units caused by the demolition, consolidation or conversion of residential property. The provisions of this section apply in all zoning districts in cases where three or more lawfully existing dwellings, including dwelling units within multi-family buildings, are demolished, converted to non-residential uses, or eliminated through the reduction or consolidation of units within a residential property within a five (5) year period. The applicant has submitted documentary evidence that they meet exemption criteria (6) as outlined in this section of the Ordinance. Criteria 6 states:

(6) Existing residential structure which, exclusive of additions thereto, contain more dwelling units than they were originally designed and built to accommodate and which are being modified to contain fewer dwelling units, subject to the condition that the number of dwelling units originally intended to be accommodated in such structures can be established by documentary evidence.

The applicant is seeking to reduce the number of units from eleven (11) to seven (7). The applicant has submitted documentation to support their determination that the building at 130 Eastern Promenade was originally built and occupied as a building with three (3) dwelling units in 1903 (see Attachment 13). The number of dwelling units subsequently increased when the building was converted to hotel use as the *Ye Longfellow Inn* in 1916.

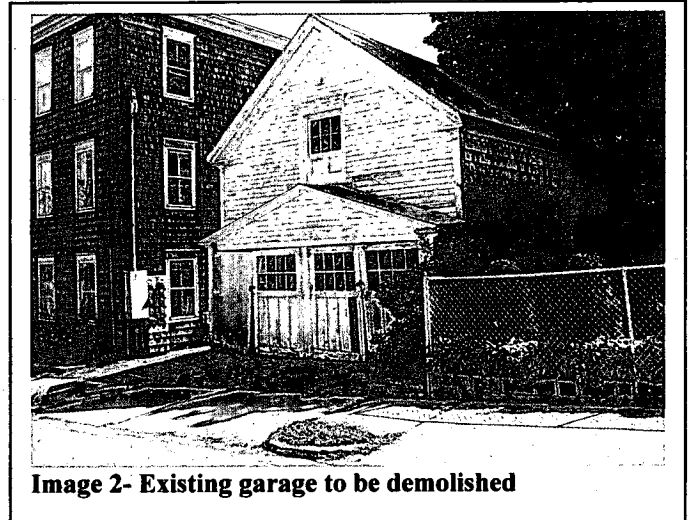


Image 2- Existing garage to be demolished

VI. ZONING

Marge Schmuckal, Zoning Administrator, has reviewed this project for compliance with the City's zoning requirements. Her memo is attached as Attachment 9 and contains the following conclusions:

- The seven (7) requested dwelling units would meet the land area per dwelling unit requirements of the R-6 zone.
- The seven (7) units would require a minimum lot size of 7,800 sq ft of land area. Currently the lot is 7,905.9 square feet, which is in excess of the minimum lot size required.
- The applicant is not prohibited from enlarging the building under section 14-388.
- The enlargement can meet the R-6 zone setbacks as currently shown.

Two abutters to the project have raised concerns about Marge's interpretation of Section 14-382(d) of the City Code with the Planning Board. Those concerns, including a request that the Board table this matter, are included as Attachment 13 (Public Comment). Corporation Counsel's Office indicated at the December 11, 2007 workshop that the Planning Board does not have the authority to make zoning determinations. Such determinations are exclusively within the purview of the Zoning Administrator and the Zoning Board of Appeals.

Parking requirements:

The applicant is not required by zoning (Section 14-332) to incorporate additional parking into their proposal because the proposal does not increase the number of units. The only requirement is that they not reduce off-street parking to less than what exists currently. At present, the property can accommodate approximately two parking spaces in the existing garage. The applicant proposes to increase off-street parking to seven (7) parking spaces, providing one parking space for each unit.

The following chart compares the dimensional requirements of the R-6 zone to the proposed development:

Standard	R-6 Requirements	Proposed Development
Min. Lot Size	4,500 sq. ft	7,905.9 sq. ft.
Min. Area per Unit	1000 sq. ft/DU for existing building. 1,200 sq. ft. after first 3 DU's = <u>7,800</u> sq. ft minimum for 7 units	7,905.9 sq. ft.
Min. Street Frontage	40 ft	Approx. 65 ft
Min. Front Yard	10 ft	5 ft- existing bldg / <u>15 ft</u> - bldg addition
Min. Side Yard	10 ft	Approx. 2.5 ft- existing bldg/ <u>10 ft</u> - bldg addition
Min. Rear Yard	20 ft	20 ft
Max. Lot Coverage	(50%) <u>40%</u>	49.20%
Min. Lot Width	50 ft	Approx. 65 ft
Min. Structure Height	Min. of 2 stories of living space	3 stories of living space
Max. Structure Height	45 ft	Approx. 39 ft.
Open Space Req.	Min width/length = min. 15 ft and slope = <10%.	Approx. (15.7 x 29.3 ft.) + 18.6 x 10 ft.) Open space (25.4%). Slope = < 10%

VII. RIGHT, TITLE OR INTEREST

The applicant submitted a warranty deed as appropriate evidence of ownership of the property (see Attachment 2).

VIII. FINANCIAL CAPACITY

Casco Bay Ventures submitted a letter from Bangor Savings Bank, dated January 2, 2008 stating that the applicant has the financial capacity to complete the project (see Attachment 3).

IX. NEIGHBORHOOD MEETING

Casco Bay Ventures held a neighborhood meeting, a required by City ordinance, on December 27, 2007. Documentation from that meeting is included as Attachment 6

X. SUBDIVISION AND SITE PLAN REVIEW

The proposed development has been reviewed by Planning staff for conformance with the relevant review standards of the subdivision and site plan ordinances. Staff comments are highlighted in this report.

Subdivision Recording Plat

The proposed 3-story addition contains three dwelling units and is therefore defined as a subdivision.

According to Section 14-493 of the City Code of Ordinances - Definitions, a subdivision is defined as:

... The division of a lot, tract or parcel of land into three (3) or more lots, including lots of forty (40) acres or more, within any five-year period whether accomplished by sale, lease, development, buildings or otherwise and as further defined in 30-A M.R.S.A. Section 4401. The term subdivision shall also include the division of a new structure or structures on a tract or parcel of land into three (3) or more dwelling units within a five-year period and the division of an existing structure or structures previously used for commercial or industrial use into three (3) or more dwelling units within a five-year period. The area included in the expansion of an existing structure is deemed to be a new structure for the purposes of this paragraph. A dwelling unit shall include any part of a structure, which, through sale or lease, is intended for human habitation, including single-family and multifamily housing condominiums, time-share units and apartments.

The recording plat is included as Attachments 14-d. Any conditions of approval that the Board places on the subdivision must be shown on the plat. A revised plat meeting these requirements must be submitted pending the Planning Board's decision.

Boundary Survey

Public Works submitted comments on December 4, 2007 addressing two notes, which should be included on the boundary survey stating that, the project survey coincides with approved City standard. The applicant has submitted a revised boundary survey, however, this has not yet been reviewed and approved by Public Works.

Planning staff recommends including review and approval of the revised boundary survey by Public Works as a condition of approval.

1. Water and Air Pollution

The project will not result in undue water or air pollution. The site is not within a flood plain and the project will be served by public water and public sewers.

2. Water

The project has sufficient water available and will not cause an unreasonable burden on the existing water supply. Water for domestic use and fire suppression will be provided by a six inch cast iron water main on the east side of Wilson Street. The applicant has submitted a letter from Portland Water District (PWD) dated August 1, 2007 stating that they have adequate capacity to serve the development (see Attachment 4-c). While the letter from PWD refers to a nine-unit development, which had been proposed in earlier versions of the proposal, the proposed reduction to seven units does not impact their ability to service the project.

3. Soil Erosion

The applicant proposes to erect silt fencing as a soil and sedimentation control measure prior to commencing work. Erosion control details have been provided on sheet C1-3 of the submitted plans (Attachment 14). Dan Goyette, Consulting Engineer to the Department of Public Works, has reviewed and approved the proposed erosion control measures.

4. Traffic, Parking and Pedestrian Circulation

As stated in the zoning section of this memorandum, the applicant is not required to increase the number of off-street parking spaces due to an overall reduction in the number of units. The applicant, however, has chosen to incorporate seven (7) parking spaces into their proposal. Five (5) of these are standard sized spaces (approx. 9' x 19') located under a building overhang. The remaining two (2) are compact-sized surface parking spaces (7'6" x 15').

Jim Carmody, Traffic Engineer, has reviewed parking and circulation and submitted the following comments:

I have reviewed the plan showing the parking layout. The layout is sufficient in dimensions of the parking spaces including 2 compact spaces, and the aisle width meets city standards. There is adequate width for vehicles to maneuver and able to exit the parking area going forward.

A buffer of arborvitae has been proposed around the parking area. The two existing cedar trees and two existing elms between the proposed lot and the abutter's parking lot at 14 Wilson Street will be preserved, providing additional screening (see submitted landscape plan. Sheet C1.4- Attachment 14(g).

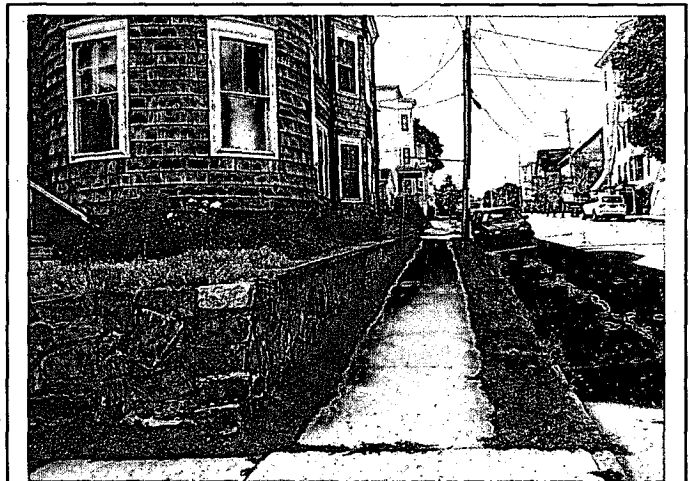


Image 4 - Existing sidewalk on Wilson Street

Continuation of the Wilson Street Sidewalk:

Section 14-498- *Technical and Design Standards*, of the Subdivision Ordinance grants Public Works the authority to promulgate technical and design standards for subdivisions and site plans. Section 14-498 (8) – *sidewalks and curbs* states:

Sidewalks shall be constructed on each side of each street in accordance with article III of chapter 25. Sidewalks to be used by pedestrians are to be so located as to minimize contacts with normal automotive traffic, with preference given to interior walks away from streets in common open space in block interiors.

Section 14-499 of the Subdivision Ordinance lists required improvements for all subdivisions. 14-499 (d) states:

Sidewalks and curbs shall be constructed as required in section 14-498.

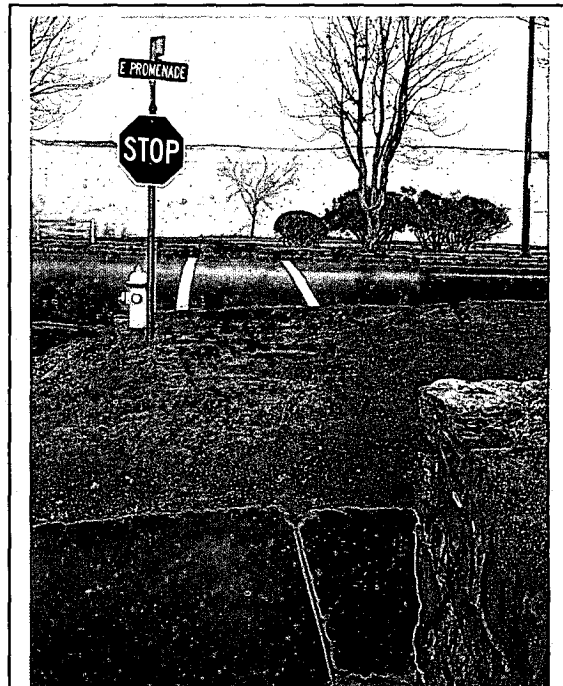


Image 5- Esplanade at intersection of Wilson and Eastern Promenade.

The applicant proposes to repair a portion of and to add street trees to the existing concrete sidewalk along Wilson Street. Currently, there is concrete sidewalk on both sides of Wilson Street and along the frontage on the Eastern Promenade. There is a crosswalk across the E. Prom on the right east side of Wilson Street, however there is no sidewalk linking to it across the Prom's grass esplanade. With the exception of the intersection at Moody Street and Eastern Prom, which has a similarly disconnected pedestrian system, all remaining intersections along the Prom (Congress; Turner; Quebec; Melbourne; Montreal and Walnut) include sidewalks along the edge of curb on the esplanade connecting to at least one crosswalk across the Prom (Congress Street has crosswalks on both sides).

The 2004 Eastern Promenade Master Plan states, under *Priority One* in the introduction to the *Implementation* section:

On Eastern Promenade, it is recommended to expand the walk and crosswalk system.

The Report's Summary Recommendations section addresses appropriate pavement materials. It states that sidewalks on both sides of the Eastern Promenade should be replaced with brick as required for consistency with the City's sidewalk material policy for historic parks (Eastern Promenade Master Plan (2004) pp. 4). The City's Sidewalk Replacement Material Policy map from District 1 corresponds to this, indicating that brick sidewalks should be used in this area.

Based on the above information, the applicant has revised their proposal to include new brick sidewalk connecting the sidewalk at Wilson Street to the crosswalk along Eastern Promenade. Public Works has reviewed the proposal to leave the existing sidewalk as concrete and determined that, so long as any disturbance is less than 10 feet and kept within two sections of concrete sidewalk, the disturbed area may be repaired with concrete. For a larger disturbance, the applicant must replace disturbed sections with brick sidewalk (see Attachment 8). This could apply for the proposed sewer connection on the Eastern Promenade side. The applicant proposes to dig pits on both sides and jack a pipe under the existing retaining wall and concrete sidewalk. The depth of the wall footing and the pipe elevation, however, remain uncertain until they actually dig into the ground.

The applicant has included this requirement as a note on the plans.

5. Stormwater-

The submitted stormwater plan is included as Attachment 5. Engineering review comments from Dan Goyette, Consulting Development Review Engineer, are included as Attachment 7. Dan recommends minor revisions to the site plans pertaining to stormwater management. City Technical Standards stipulate that the rate of runoff of stormwater leaving the site after development shall not exceed the pre development rate. The City recognizes the difficulties that on-site detention poses to urban development. As the amount of impervious coverage increases, the quantity of water leaving the site will inevitably increase with it. The rate and quality of runoff, however, must be regulated. The submitted stormwater report shows that there will be a slight increase in flow for the post development site conditions. The capacity of the existing combined sewer system and the effect of the proposal's stormwater and sanitary sewer flows on the system must be verified and taken into account in the design prior to approval. The applicant submitted revisions addressing Dan's comments on January 2, 2008 (see Attachments 16 and 17). These revisions have been submitted to but have not yet been approved by Public Works.

Planning staff recommends including a condition of approval that revisions to the stormwater management plan must be reviewed and approved by Public Works prior to the issuance of a building permit.

6. Public Utilities

The applicant has submitted a letter, dated September 18th, from Public Works stating that they have adequate capacity to handle wastewater flows from the proposed development. The applicant has also submitted a letter from Portland Water District (PWD) dated August 1, 2007 stating that they have adequate capacity to serve the development. The applicant has also submitted letters from both Central Maine Power (CMP), dated August 17, 2007 and Northern Utilities dated August 7, 2007 indicating that there is both sufficient electrical capacity and availability of natural gas in that location to service the proposed project. These letters have been included as Attachment 4. The applicant proposes to install all electric utility connections underground.

7. Solid Waste Disposal

The applicant proposes locating trash bins with wheels at the rear of the proposed parking area enclosed behind a gated stockade fence. There will be a row of arborvitae along three sides of the trash storage area, providing additional screening.

8. Groundwater

This proposed development will be served by public water and sewer, thus it will not adversely affect the quality or quantity of ground water.

9. Flood Hazard/Shoreland

The proposed development is not located within a flood plain zone or a shoreland zone.

10. Wetlands

No wetlands have been identified on this proposed site.

11. Comprehensive Plan

The components of the Comprehensive Plan relevant to this residential subdivision include:

- Eastern Promenade Master Plan – Adopted November 2003
- Housing: Sustaining Portland's Future – Adopted November 2002

The above two elements of Portland's Comprehensive Plan encourage housing to be created in Portland near neighborhood assets and to develop in a way that supports goals related to landscape character and public infrastructure along the Eastern Promenade. The Estates at Longfellow Inn is an infill redevelopment project located near businesses, services, mass transit and open space (Eastern Promenade park).

12. Exterior Lighting

The applicant has submitted a detailed lighting plan showing 3 exterior lighting fixtures (Sheet C-1.5- Attachment 14(h)). Proposed lighting is positioned to illuminate the parking area and entrance on the Wilson Street-side of the building. The Portland Technical and Design Standards and Guidelines stipulate that exterior lighting shall be adequate for the safety of users of the site but shall not cause glare or direct spillover to adjacent properties or create visual distraction to motorists on adjacent streets. According to the submitted photometric plan, the illumination

levels of the proposed lighting meet the standards of the Portland Technical and Design Standards, Section XV (4).

13. Fire Safety

The applicant submitted a life safety plan (Sheet G-1.2- Attachment 14(b)) and fire department checklist for review. Captain Greg Cass of the Portland Fire Department has reviewed and approved these materials.

14. Landscaping

The applicant has submitted a revised landscaping plan for review (Sheet C1.4- Attachment 14(g)). The applicant proposes to add assorted perennials and a weeping cherry (*prunus snowfozam*) above the retaining wall along Eastern Promenade. The plans include measures to both enhance and preserve the existing planting beds along the Eastern Prom and Wilson Street frontages with summer annuals and perennial species. As previously stated, the applicant proposes to plant forty five (45) arborvitaes around the parking area as screening. In addition there are two mature cedar and two mature elm trees along the southwest property boundary, between the proposed parking area and an abutter's existing parking lot. The submitted landscaping plan identifies measures to preserve these trees during construction.

The applicant proposes two street trees along Wilson Street as required by Section VI .5.B (1) of the Technical and Design Standards (see submitted landscape plan - Attachment 14(g)). In addition, the applicant has met with Jeff Tarling, City Arborist concerning proposed landscaping along the Eastern Promenade frontage and has designed their landscaping to coincide with landscaping improvements currently being designed and implemented along the Eastern Promenade

Jeff submitted review comments for the most recent plans (see Attachment 10). In summary, Jeff notes that the landscape treatment of ornamental shrubs and landscape beds fits into the character of the nearby residential landscape. Jeff noted that the proposed Elm tree along the Eastern Promenade should be revised to an Autumn Blaze Maple in order to reflect revisions to the Eastern Promenade Street Tree Plan, Atlantic Street to Wilson Street segment, as designed by Regina S. Leonard, Landscape Architect and submitted by Woodard and Curran for the Eastern Promenade Master Plan Improvements. Jeff also suggests the following conditions of approval:

1. To meet the 2-trees per residential unit guidelines as required by the Technical and Design Standards, a contribution for 10 additional trees to the City Tree Fund is recommended. The project unit calculations would require 14 trees and the project is placing four with the project area. The new trees would help fill gaps or replace missing trees in the surrounding neighborhood of the project.
2. That impact to the Eastern Prom lawn area be limited during construction. This would include: no storage of trucks, equipment, or materials on the lawn area. All damaged areas to be repaired in a timely manor, the sidewalk pedestrian way along the Eastern Prom be maintained in good condition during construction work.
3. The project team or contractor shall contact Parks & Recreation concerning construction activities that might affect the Eastern Prom and park areas.

15. Relationship to existing development

The proposed building is shown in context with the surrounding structures on the submitted site plan. In terms of preservation of views, the applicable Site Plan Standard reads as follows:

View corridors: The placement and massing of proposed development shall not substantially obstruct those public views to landmarks and natural features from those locations identified on the View Corridor Protection Plan, a copy of which is on file in the department of planning and urban development;

The proposed development is not located in an area identified in the View Corridor Protection Plan. As requested by the Board at the December workshop, Corporation Counsel has provided a memorandum advising the Board on their review of potential view diminution (see Attachment 15).

16. Urban Design

The proposal shall be evaluated in terms of Section 14-526 (15) of the Site Plan standards. This section states:

Two-family, special needs independent living unit, multiple-family development, lodging houses, bed and breakfasts, and emergency shelters shall meet the following standards:

a. Proposed structures and related site improvements shall meet the following standards:

- 1. (a) The exterior design of the proposed two-family structures, lodging houses and emergency shelters, including architectural style, facade materials, roof pitch, building form and height, shall be designed to complement and enhance the nearest residential neighborhood;*

Carrie Marsh, Urban Designer for the City of Portland reviewed the submitted site plan and elevation drawings and has submitted the following comments (see Carrie's email- Attachment 11)

The building design is consistent with the nearest residential neighborhood in terms of architectural style, facade materials, roof pitch, building form and height. The elevations indicate a building that is similar in scale to the structure across Wilson Street, and other buildings along the Prom. The design therefore appears to be consistent with the Site Plan Standards.

XI. STAFF RECOMMENDATION

Staff recommends that the Planning Board approve the Estates at Longfellow Inn subdivision and site plan with the proposed waivers and conditions of approval.

XII. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant, public comment received at the public hearing and the information contained in Planning Report # 05-08 relevant to standards for subdivision and site plan regulations, and the Portland Planning Board finds:

1. That the subdivision plan The Estates at Longfellow Inn at 130 Eastern Promenade [is / is not] in conformance with the subdivision standards of the land use code, **subject to the following conditions:**

Potential Conditions of Approval

1. The final recording plat meeting the requirements of Portland's Subdivision Ordinance and listing conditions imposed by the Planning Board will be submitted for the Planning Board's Signature.
2. That the plan [is / is not] in conformance with the site plan standards of the land use code, **subject to the following waivers and conditions:**
 1. That the revised boundary survey submitted by the applicant be reviewed and approved by Public Works prior to the issuance of a building permit.
 2. All final plan sheets must stamped and signed by a professional engineer.
 3. All comments submitted by Public Works in their memorandum dated January 16, 2008 must be addressed and approved by Public Works prior to the issuance of a building permit.
 4. All comments submitted by Jeff Tarling, City Arborist pertaining to the submitted landscaping plan and identified in his review letter dated January 18, 2008 must be addressed and approved by him prior to the issuance of a building permit.
 5. The proposed street tree along the Eastern Promenade should be revised to show an Autumn Blaze Maple (*Acer freemanii*). This change to the plans must be reviewed and approved by Jeff Tarling, City Arborist prior to the issuance of a building permit.

XIII. ATTACHMENTS:

1. Site Plan application and cover letter
2. Evidence of Right, Title or Interest- Warranty Deed
3. Letter from Bangor Savings Bank - dated January 2, 2008
4. Utility Capacity Letters
 - a. Letter from Central Maine Power - dated August 17, 2007
 - b. Letter from Northern Utilities - dated August 7, 2007
 - c. Letter from Portland Water District - dated August 1, 2007
 - d. Letter from Portland Public Works - dated September 18, 2007
5. Revised Stormwater management report - dated November 19, 2007
6. Evidence of Neighborhood Meeting
7. Memorandum from Dan Goyette, Consulting Engineer from Woodard and Curran - dated December 4, 2007

8. Memorandum from Dan Goyette dated December 19, 2007
9. Memorandum from Marge Schmuckal - dated November 2, 2007
10. Memorandum from Jeff Tarling, City Arborist – dated January 18, 2008
11. Memorandum from Carrie Marsh – dated January 18, 2008
12. Zoning determination addressed to Wally Geyer and Anthony Salem of Casco Bay Ventures from Marge Schmuckal- dated September 26, 2007
13. Letter from Wally Geyer, Casco Bay Ventures requesting exemption from Section 14-483 of the City Code - dated October 22, 2007
14. Revised Plans with cover sheet - dated November 20, 2007
 - a. General Notes- Sheet G-1.1
 - b. Life Safety Plan- Sheet G-1.2
 - c. Boundary Survey
 - d. Subdivision Plan – Sheet C-1.1
 - e. Site Plan – Sheet C-1.2
 - f. Details – Sheet C-1.3
 - g. Landscaping Plan – Sheet C-1.4
 - h. Lighting Plan – Sheet C-1.5
 - i. Basement and Roof Plan – Sheet A-1.1
 - j. First Floor Plan – Sheet A-1.2
 - k. Second Floor Plan – Sheet A-1.3
 - l. Third Floor Plan – Sheet A-1.4
 - m. Exterior Elevations – Sheet A-2.1
15. Memorandum from Penny Littell, Associate Corporation Counsel re: property rights in view preservation. – Dated January 16, 2008
16. Letter of response to Public Works comments, from LCE, PA dated January 2, 2008
17. Revised drainage plan and pipe calculations- January 2, 2008
18. Public Comment
 - a. Letter from Bruce McGlaulin, Esq. Petrucelli, Martin & Haddow, LLP. Dated September 4, 2007
 - b. Letter from Bruce McGlaulin, Esq. Petrucelli, Martin & Haddow, LLP. Dated December 6, 2007
 - c. Letter from Bruce McGlaulin, Esq. Petrucelli, Martin & Haddow, LLP. Dated December 17, 2007
 - d. Letter from Bruce McGlaulin, Esq. Petrucelli, Martin & Haddow, LLP. Dated January 8, 2008
 - e. Letter from Bruce McGlaulin, Esq. Petrucelli, Martin & Haddow, LLP. Dated January 17, 2008

Scott - 9 month long process

- orig. 9 units - did not meet zoning

- reduced units from 9-7.

design consistent w/ spirit of prom, historic nature of bldg.

- D. Silk - snow removal?
- trash?

- would prefer to see trash under overhang nearer the street

- where would snow go?

Public Comment:

Bruce McLaughlin - rep. Tennes & Ciccomencini.

- cited letters. - nonconforming structure. Wants Board to determine this - cited ordinance. 14-526 (a)(17).

- technical points

deed - not in name of applicant
no finding on R-6 infill
dev. standards

- stormwater - concentration
at side of Turner's bldg.

- open space

14-526(a)(28) - open space.

Imme Kotsch :

Dore Dawson

Misty -

§ Jonice - asked Penny to clarify
Board's authority

Penny - zoning delegated by
state legislature to ZBA.

Thatcher : no questions

D. Silk - condition of approval
that Marge verify open
space.

Lee :

- concerned about open space
- % - should be verified prior
to hearing.


wants better screening of
trach - is there a way to
provide more protection.

A cover? - A condition of
approval.

D. Silk - motion
conditions ①

*Lee - condition that
applicant provide updated
deed showing current
owner (correlation).

2nd - D. Silk
motion passes



passes 1-0.

site plan : D Silk

Ⓢ

* Added condition of determination of open space. - prior to recording of recording plat

* added condition that track be completely enclosed, including top, to be reviewed & approved by Planning Authority.

- R-6 infill does not apply
- zoning determ. is not of purview of Board.

M.P. - 2nd.

motion passes 1-0

D.S. - Presw. Housing
Motion
does meet.

2nd. Lee
Passes 7-0.

The Estates of Longfellow Inn at 130 Eastern Promenade in Portland, Maine

BUILDING PERMIT APPLICATION

Fire Department Requirements

JULY 12, 2007

APPLICANT: CASCO BAY VENTURES
223 WOODVILLE ROAD
FALMOUTH, MAINE 04105
(207)797-7752

PROJECT ARCHITECT: T. SCOTT TEAS, NCARB, AIA
PRINCIPAL
TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND, MAINE 04101
(207)775-6141

ARCHITECT'S CONTACT: WILL TINKELENBERG
(207)773-7029

PROPOSED USE OF STRUCTURE: SEE "CODE SUMMARY" ON DRAWING G-1.1

**SQUARE FOOTAGE OF
PROPOSED STRUCTURE:** SEE "CODE SUMMARY" ON DRAWING G-1.1

**EXISTING AND PROPOSED FIRE
PROTECTION OF STRUCTURE:** UNPROTECTED WOOD FRAME WITH NEW
NFPA 13R SPRINKLER SYSTEM

SUPPRESSION SYSTEM: PLANS TO BE SUBMITTED BY SPRINKLER
CONTRACTOR

DETECTION SYSTEM: SEE DRAWING G-1.2, LIFE SAFETY PLANS

LIFE SAFETY PLAN: SEE DRAWING G-1.2, LIFE SAFETY PLANS

ELEVATORS: NONE

18 September 2007

Mr. Will Tinkelenberg,
T.F.H. Architects,
100 Commercial Street,
Portland, Maine 04101

Corrected Copy

**RE: The Capacity to Handle Wastewater Flows, from the Proposed Renovation of a
Multi-Family Residential Building, at 130 Eastern Promenade.**

Dear Mr. Tinkelenberg:

The existing ten-inch diameter vitrified clay sewer pipe located in the Eastern Promenade has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat** the total anticipated wastewater flows of **1,046 GPD**, from the proposed residential renovation.

Anticipated Wastewater Flows from the Proposed Residential Rehabilitation Project:

4 Proposed One-Bedroom Units @ 180 GPD/Unit	= 720 GPD
5 Proposed Two-Bedroom Units @ 180 GPD/Unit	= 900 GPD
Less Existing Wastewater Flows of	= <u>(574 GPD)</u>
Total Proposed Net Increase in Wastewater Flows for this Project	= 1,046 GPD

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects.

If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank J Brancely, B.A., M.A.
Senior Engineering Technician

FJB

cc: Alexander Q. Jaegerman, Director, Planning Division, Department of Planning, and Urban Development, City of Portland
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file

56540

WARRANTY DEED

with Covenants

KNOW ALL MEN BY THESE PRESENTS,

THAT We, LAWRENCE V. TIRRELL and BEVERLY W. TIRRELL, both of the City of Saco, in the County of York and State of Maine, in consideration of One Dollar and other good and valuable consideration paid by 130 Eastern Prom, LLC, a Maine limited liability company, and having a principal place of business located at 130 Eastern Promenade, Portland, ME 04101, the receipt whereof We do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said 130 Eastern Prom, LLC, its successors and assigns forever,

A certain lot or parcel of land, with the buildings thereon, situated on the Westerly side of the Eastern Promenade in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the corner formed by the intersection of the Westerly sideline of said Eastern Promenade and the Southerly sideline of Wilson Street; thence Westerly by said Wilson Street 114.70 feet to a point distant 80 feet Easterly from Morning Street; thence Southerly on a line parallel with said Morning Street 40 feet to a point; thence Easterly on a line parallel with said Wilson Street 115.71 feet to said Eastern Promenade; thence Northerly by said Eastern Promenade 40 feet to the point begun at. Being a part of Block 1 on a plan recorded in Cumberland County Registry of Deeds, Plan Book 4, Page 18.

ALSO another certain lot or parcel of land, with any buildings thereon, situated in said City of Portland, being bounded and described as follows:

Beginning at a point on the Westerly side of Eastern Promenade distant 40 feet Southerly from the corner formed by the intersection of the Westerly sideline of said Promenade and the Southerly sideline of Wilson Street, which point is in the Southeastern corner of a lot of land sold to Emma A. Calhoun, January 25, 1899, by George B. Upham; thence Southerly by the said Promenade 45.23 feet to the strip of land sold to S.P. Beckett by the Deering Heirs in 1874, by deed recorded in said Registry, Book 410, Page 557; thence Westerly by said land sold to said Beckett 116.65 feet to a point distant 80 feet Easterly from Morning Street; thence Northerly on a line parallel with said Morning Street 45.46 feet to said lot sold to Emma A. Calhoun; thence Easterly on a line parallel with said Wilson Street and by said lot sold to Emma A. Calhoun 115.07 feet to that begun at. Being a part of Block of land marked 1 in plan recorded in said Registry, Plan Book 4, Page 18.

EXCEPTING and RESERVING from the above described premises so much thereof as was conveyed by Harry H. Pease to George T. Denly by deed recorded in said Registry, Book 845, Page 70, and not reconveyed by said Denly to said Pease by deed recorded in said Registry, Book 855, Page 476, being a lot 20 feet in width and 97.1 feet in depth.

EXHIBIT

A

MAINE REAL ESTATE TAX PAID

Attachment 3



January 2, 2008

City Planner
City of Portland

Re: Casco Bay Ventures Inc.: 130 Eastern Promenade

To Whom It May Concern:

Based upon meetings with the developer, information received to date, along with our experience with the developer, Casco Bay Ventures Inc. has the financial capacity and development expertise to complete the proposed development of 130 Eastern Promenade into 7 apartment units. Please call me at 541-2710 with any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "M. O'Reilly", is written over a horizontal line.

Michael P. O'Reilly
Vice President
Commercial Lending

Jun. 7. 2007 2:37PM

Bangor Savings Bank

No. 2208 P. 2/2

Attachment 3(a)

Bangor
Savings Bank

You matter more.

June 7, 2007

Planning Department
City of Portland
389 Congress Street
Portland, ME 04101

Re: 130 Eastern Promenade, Portland, Me

To Whom It May Concern:

Based upon meetings with the developer, information received to date, along with the experience of the borrower, Wally Geyer and Casco Bay Ventures have the financial capacity and development expertise to complete the proposed redevelopment of 130 Eastern Promenade into 9 condominium units. Please call me with any further questions.

Sincerely,



Michael P. O'Reilly
Vice President
Commercial Lending

TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

September 10, 2007

Ms. Marge Schmuckal
Zoning Administrator
Planning & Development Department
Portland City Hall
389 Congress Street
Portland, Maine 04101

RE: "The Estates of Longfellow Inn at 130 Eastern Promenade"

Dear Marge,

On behalf of Wally Geyer and Anthony Salem, of Casco Bay Ventures, I am contacting you regarding their "The Estates of Longfellow Inn at 130 Eastern Promenade" project here in Portland. As requested, this letter is to confirm that this project does *not* include any condominiums, but rental units only. The reference to "9 condominium units" in the June 7, 2007 Bangor Savings Bank letter to the Planning Department is erroneous; the letter should have said "9 rental units." Should there be any other references to condominiums in the Site Plan Application materials, they too are similarly incorrect.

If you have any questions or need further information, please don't hesitate to contact me. By phone I am best reached at (207)773-7029.

Sincerely,



Will Tinkelenberg

cc: Molly Casto, Planner
Wally Geyer, Casco Bay Ventures
Scott Teas, TFH Architects



Central Maine Power

August 17, 2007

TFH Architects
100 Commercial St
Portland, ME 04101
Attn: Will Tinkelenberg

RE: Electrical Capacity for Casco Bay Ventures

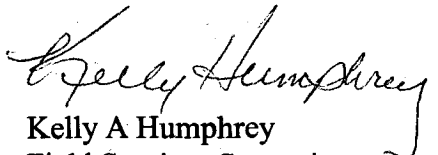
Dear Mr. Tinkelenberg:

This letter is to inform you that Central Maine Power Company has sufficient electrical capacity in the area of 130 Eastern Promenade, Portland, to serve your proposed development, "The Estates of Longfellow Inn at 130 Eastern Promenade in Portland, Maine."

Please forward site plans, electrical loads, voltage requirements, and appropriate schedules when available so we can coordinate our utilities with the project.

If you have any questions or if I can be of further assistance, please give me a call at (207) 828-2885.

Sincerely,


Kelly A Humphrey
Field Services Supervisor
Central Maine Power Company

An equal opportunity employer

162 Canco Rd. | Portland, ME 04103

www.cmpco.com


An Energy East Company



Northern Utilities
Natural Gas
A NiSource Company

August 7, 2007

Will Tinkelenberg
TFH Architects
100 Commercial St
Portland ME 04101

AUG 10 2007

RE: Sisters 130 Eastern Promenade, Portland ME

Dear Will,

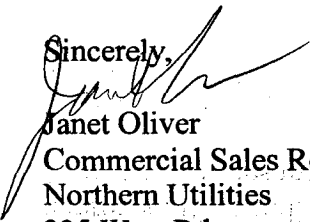
Northern Utilities confirms the availability of natural gas service for the location indicated above.

There is an existing gas main in front of #130 that may be used to supply natural gas to the facility. Whether this main will be of sufficient capacity to serve this new project or if an extension of facilities is needed to provide the necessary service will be determined at such time as full construction details including natural gas flow and pressure requirements are supplied to this office.

Installation of facilities will be subject to any restrictions imposed by regulatory or other governmental agencies. This letter assumes all necessary municipal permits will be approved. If extending natural gas facilities is required to serve this new project, Northern Utilities may require a contribution in aid of construction from the owner.

This letter does not constitute a commitment or contract to deliver natural gas to the above address. An application and/or contract must be signed before any work can begin. I hope this "letter of natural gas availability" meets your needs. Please contact me if further assistance is needed.

Sincerely,


Janet Oliver

Commercial Sales Representative
Northern Utilities
325 West Rd
Portsmouth NH 03801
603-436-0310 x5344
603-431-0820 fax
joliver@nisource.com



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

August 1, 2007

TFH Architects
100 Commercial Street
Portland, ME 04101

RECEIVED
AUG 06 2007
BY: _____

Attn: Will Tinkelenberg
Re: 130 Eastern Promenade - Portland, ME
Ability to serve with PWD water

Dear Mr. Tinkelenberg:

This letter is to confirm that there should be an adequate supply of clean and healthful water to serve the needs of the proposed 9-unit apartment building at 130 Eastern Promenade in Portland. According to District records, there is a 6-inch diameter cast iron water main on the east side of Wilson Street and an 8-inch diameter cast iron water main on the south side of Eastern Promenade that could serve your needs. There is a hydrant located 50' north of the property, at the corner of Wilson Street and Eastern Promenade.

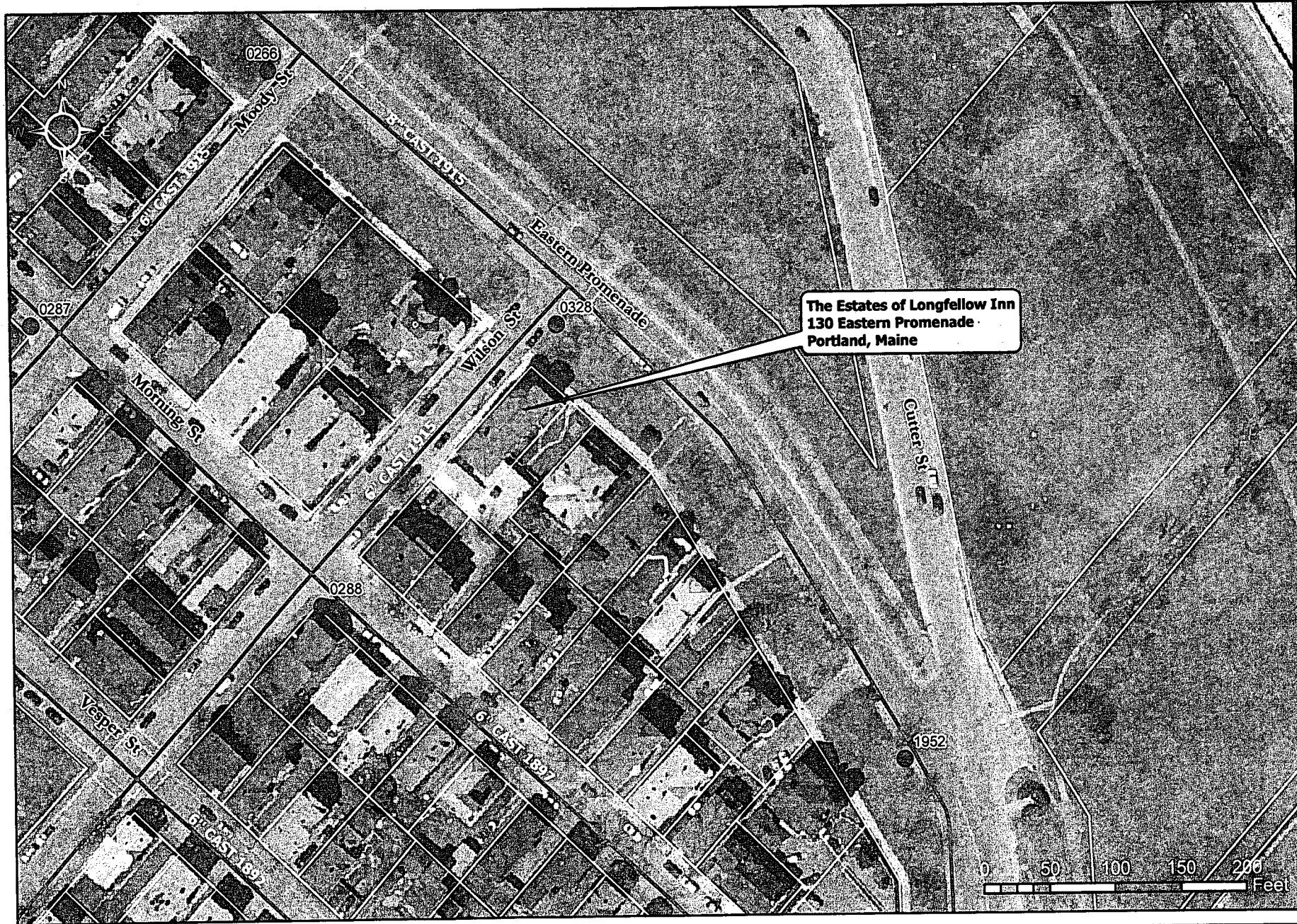
The current data from the nearest hydrant with valid test flow data indicates there should be adequate capacity of water to serve the needs of your proposed project.

Hydrant Location: 50' north of the property
Hydrant Number: SPD-HYD00328
Static Pressure: 56 psi
Flow: 919 gpm
Last Tested: 6/24/1991

Any existing services that won't be reused as part of this project will need to be shut and cut at the main. Please notify your mechanical engineer of these results so that they can design your system to best fit the noted conditions. If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District

Rico Spugnardi, P.E.
Business Development Engineer



PORTLAND WATER DISTRICT
 225 Douglass Street
 Portland, ME 04104

Drawn By: JCP
 Date: 8/1/07

Scale: As Noted

The Estates of Longfellow Inn
 130 Eastern Promenade

Portland

This map is suitable for preliminary study and analysis pending review of additional information. The data shown are only as accurate as the original data source(s) from which they were developed; resulting inconsistencies and data "mis-matching" may be evident.

Prepared for:
 TFH Architects

Sheet No. 1 of 1

Attachment 4(c)

18 September 2007

Mr. Will Tinkelenberg,
T.F.H. Architects,
100 Commercial Street,
Portland, Maine 04101

Corrected Copy

**RE: The Capacity to Handle Wastewater Flows, from the Proposed Renovation of a
Multi-Family Residential Building, at 130 Eastern Promenade.**

Dear Mr. Tinkelenberg:

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Anticipated Wastewater Flows from the Proposed Residential Rehabilitation Project:

4 Proposed One-Bedroom Units @ 180 GPD/Unit	= 720 GPD
5 Proposed Two-Bedroom Units @ 180 GPD/Unit	= 900 GPD
Less Existing Wastewater Flows of	= <u>(574 GPD)</u>
Total Proposed Net Increase in Wastewater Flows for this Project	= 1,046 GPD

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects.

If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank J Brancely, B.A., M.A.
Senior Engineering Technician

FJB

cc: Alexander Q. Jaegerman, Director, Planning Division, Department of Planning, and Urban Development, City of Portland
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland

LAND CONSULTING ENGINEERS, PA

**STORMWATER MANAGEMENT REPORT
130 EASTERN PROMENADE
PORTLAND, MAINE**

September 18, 2007

Revised November 19, 2007

Introduction

130 Eastern Promenade is located on the southeast corner of the intersection of Eastern Promenade and Wilson Street in Portland, Maine. Stormwater runoff from this project ultimately discharges to the curb and gutter systems of Wilson Street and the Eastern Promenade, which drain into the catch basin at the intersection of Eastern Promenade and Cutter Street.

Casco Bay Ventures plans to renovate the Site, which includes replacing an attached garage structure with a parking area at the southwest end of the property. The main structure will also be renovated as shown on the attached plan.

This report discusses the Site's hydrological conditions and quantifies the stormwater runoff generated in the existing and proposed conditions.

Data Collection and Assumptions

Site Data was gathered from field observations and AutoCAD files and drawings provided by Will Tinkelenberg, the Architect. This data was used to create a HydroCAD stormwater model, which is based on the United States Department of Agriculture's (USDA) Technical Release 20 (TR-20) and Technical Release 55 (TR-55) hydraulic programs.

Curve numbers (CNs) assigned to differing land cover and soil types were taken from tables within the HydroCAD software, which are from the SCS TR-55 manual, revised 1986. 24-hour rainfall depths were taken from the City of Portland Ordinances. Time of concentrations were entered via direct entry and were assumed to be 5 minutes.



Existing and proposed watershed subcatchments are shown on attached Drawing D1 and D2 entitled "Existing Conditions Drainage Map" and "Proposed Conditions Drainage Map", respectively. Modeling assumptions made for both conditions are summarized in the attached HydroCAD output.

Existing Site Conditions

The 0.18± acre Site currently hosts a multi-unit residential building and attached garage. Walkways and decks connect to these structures. The remainder of the property is mostly grassed. The Site currently has 5,177 square feet of impervious area, which includes roof, driveway, and walkways.

The Site generally slopes from east to west toward the Eastern Promenade. Slopes are generally mild. According to the United States Department of Agriculture and Soil Conservation Service Issued August 1974, on-Site soils include Hinckley Gravelly Sandy Loam, which have an "A" Hydrological Soil Grouping (HSG) classification.

Proposed Site Conditions

The renovations will include removing the existing garage structure and replacing it with a parking area. The main structure will be expanded to the southeast as shown on the plan. The building entrance at the proposed parking area will also be modified.

Land cover changes include converting impervious walkway and building areas into lawn areas, and lawn areas into building areas. The proposed Site will have 6,216 square feet of impervious area, an increase of approximately 1,039 square feet.

Stormwater runoff from the proposed parking area will be collected by a drainage inlet and piped to the City's combined sewer system along the Eastern Promenade. The Architect has discussed the possibility of also connecting roof leaders into this system. The size, type, and capacity of the City's sewer system will need to be verified prior to connecting into the system.



November 19, 2007

Water Quantity

The table below compares peak flows leaving the Site for the 2, 10, and 25 year storm events.

**Table Comparing Peak Flows
130 Eastern Promenade - November 19, 2007**

Storm Event	Existing Conditions Peak Flow (cfs)	Proposed Condition Peak Flow (cfs), Total	Proposed Condition Peak Flow (cfs) Not Including 1,300 of Parking Area
2-year	0.21	0.29	0.22
10-year	0.54	0.66	0.52
25-year	0.71	0.83	0.66

The proposed renovations to the Site will cause a slight increase in overall stormwater runoff. This increase is 0.12 cfs in the 25 year storm and is relatively insignificant. With 1,300 of the parking area draining to the sewer system, the peak flows are decreased in all but the 2-year storm as shown in the last column of the table above.

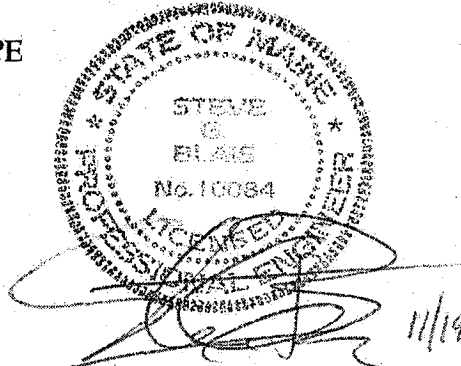
Conclusions

This project will not cause a significant increase in stormwater runoff as a result of the renovations described in this report and shown on the attached Drawing D2. Stormwater runoff from the proposed parking lot and some of the roofs will be collected and drained to the City's combined sewer system. The City's system needs to be analyzed to verify it has proper capacity to handle this connection.

LAND CONSULTING ENGINEERS, PA

Steve G. Blais, PE

Enclosures



967 BROADWAY • SOUTH PORTLAND, MAINE • 04106
PHONE: 207.767.7300 • E-MAIL: SBLAIS@LCEPA.COM



Existing Conditions



Proposed Conditions



Proposed Conditions
not including 1,300 SF
Parking



Drainage Diagram for 07126-130 Eastern Promenade
Prepared by LAND CONSULTING ENGINEERS, PA 11/19/2007
HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

07126-130 Eastern Promenade

Type III 24-hr 2-Yr Rainfall=2.60"

Prepared by LAND CONSULTING ENGINEERS, PA

Page 2

HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

11/19/2007

Subcatchment 1.1S: Proposed Conditions

Runoff = 0.29 cfs @ 12.08 hrs, Volume= 0.020 af, Depth= 1.33"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Type III 24-hr 2-Yr Rainfall=2.60"

Area (sf)	CN	Description
1,529	39	>75% Grass cover, Good, HSG A
6,216	98	Paved parking & roofs
160	77	Fallow, bare soil, HSG A
7,905	86	Weighted Average
1,689		Pervious Area
6,216		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1.1S-2: Proposed Conditions not including 1,300 SF Parking

Runoff = 0.22 cfs @ 12.08 hrs, Volume= 0.015 af, Depth= 1.19"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Type III 24-hr 2-Yr Rainfall=2.60"

Area (sf)	CN	Description
1,529	39	>75% Grass cover, Good, HSG A
4,916	98	Paved parking & roofs
160	77	Fallow, bare soil, HSG A
6,605	84	Weighted Average
1,689		Pervious Area
4,916		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1S: Existing Conditions

Runoff = 0.21 cfs @ 12.08 hrs, Volume= 0.014 af, Depth= 0.96"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Type III 24-hr 2-Yr Rainfall=2.60"

Area (sf)	CN	Description
2,260	39	>75% Grass cover, Good, HSG A
5,177	98	Paved parking & roofs
468	77	Fallow, bare soil, HSG A
7,905	80	Weighted Average

07126-130 Eastern Promenade*Type III 24-hr 2-Yr Rainfall=2.60"*

Prepared by LAND CONSULTING ENGINEERS, PA

Page 3

HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

11/19/2007

2,728
5,177Pervious Area
Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	53		0.18		Direct Entry,

07126-130 Eastern Promenade

Type III 24-hr 10-Yr Rainfall=4.50"

Prepared by LAND CONSULTING ENGINEERS, PA

Page 4

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11/19/2007

Subcatchment 1.1S: Proposed Conditions

Runoff = 0.66 cfs @ 12.07 hrs, Volume= 0.045 af, Depth= 3.00"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-Yr Rainfall=4.50"

Area (sf)	CN	Description
1,529	39	>75% Grass cover, Good, HSG A
6,216	98	Paved parking & roofs
160	77	Fallow, bare soil, HSG A
7,905	86	Weighted Average
1,689		Pervious Area
6,216		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1.1S-2: Proposed Conditions not including 1,300 SF Parking

Runoff = 0.52 cfs @ 12.07 hrs, Volume= 0.036 af, Depth= 2.82"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-Yr Rainfall=4.50"

Area (sf)	CN	Description
1,529	39	>75% Grass cover, Good, HSG A
4,916	98	Paved parking & roofs
160	77	Fallow, bare soil, HSG A
6,605	84	Weighted Average
1,689		Pervious Area
4,916		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1S: Existing Conditions

Runoff = 0.54 cfs @ 12.08 hrs, Volume= 0.037 af, Depth= 2.46"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-Yr Rainfall=4.50"

Area (sf)	CN	Description
2,260	39	>75% Grass cover, Good, HSG A
5,177	98	Paved parking & roofs
468	77	Fallow, bare soil, HSG A
7,905	80	Weighted Average

07126-130 Eastern Promenade*Type III 24-hr 10-Yr Rainfall=4.50"*

Prepared by LAND CONSULTING ENGINEERS, PA

Page 5

HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

11/19/2007

2,728

Pervious Area

5,177

Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	53		0.18		Direct Entry,

07126-130 Eastern Promenade

Type III 24-hr 25-Yr Rainfall=5.40"

Prepared by LAND CONSULTING ENGINEERS, PA

Page 6

HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

11/19/2007

Subcatchment 1.1S: Proposed Conditions

Runoff = 0.83 cfs @ 12.07 hrs, Volume= 0.058 af, Depth= 3.84"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
1,529	39	>75% Grass cover, Good, HSG A
6,216	98	Paved parking & roofs
160	77	Fallow, bare soil, HSG A
7,905	86	Weighted Average
1,689		Pervious Area
6,216		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1.1S-2: Proposed Conditions not including 1,300 SF Parking

Runoff = 0.66 cfs @ 12.07 hrs, Volume= 0.046 af, Depth= 3.64"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
1,529	39	>75% Grass cover, Good, HSG A
4,916	98	Paved parking & roofs
160	77	Fallow, bare soil, HSG A
6,605	84	Weighted Average
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4,916		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1S: Existing Conditions

Runoff = 0.71 cfs @ 12.07 hrs, Volume= 0.049 af, Depth= 3.24"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs

Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
2,260	39	>75% Grass cover, Good, HSG A
5,177	98	Paved parking & roofs
468	77	Fallow, bare soil, HSG A
7,905	80	Weighted Average

07126-130 Eastern Promenade*Type III 24-hr 25-Yr Rainfall=5.40"*

Prepared by LAND CONSULTING ENGINEERS, PA

Page 7

HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

11/19/2007

2,728 Pervious Area
5,177 Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	53		0.18		Direct Entry,

SOIL SURVEY

Cumberland County, Maine

UNITED STATES DEPARTMENT OF AGRICULTURE

Soil Conservation Service

In cooperation with

MAINE AGRICULTURAL EXPERIMENT STATION

Issued August 1974

SOIL LEGEND

The first capital letter is the initial one of the soil name. A second capital letter, A, B, C, D, or E, shows the slope. Most symbols without a slope letter are those of nearly level soils, but some are for land types that have a considerable range of slope. A final number, 2, in the symbol shows that the soil is eroded.

SYMBOL	NAME	SYMBOL	NAME
Au	Au Grax loamy sand	La	Limerick-Succa silt loams
BgB	Belgrade very fine sandy loam, 0 to 8 percent slopes	LyB	Lyman fine sandy loam, 3 to 8 percent slopes
BgC2	Belgrade very fine sandy loam, 8 to 15 percent slopes, eroded	LyC	Lyman fine sandy loam, 8 to 15 percent slopes
Bo	Biddeford silt loam	LzB	Lyman very rocky fine sandy loam, 3 to 8 percent slopes
BuB	Buxton silt loam, 3 to 8 percent slopes	LzC	Lyman very rocky fine sandy loam, 8 to 20 percent slopes
BuC2	Buxton silt loam, 8 to 15 percent slopes, eroded	LzE	Lyman very rocky fine sandy loam, 20 to 45 percent slopes
CaB	Canaan sandy loam, 3 to 8 percent slopes	Md	Made land
CaC	Canaan sandy loam, 8 to 15 percent slopes	MeC	Melrose fine sandy loam, 8 to 15 percent slopes
CeB	Canaan very rocky sandy loam, 3 to 8 percent slopes	MkB	Merrimac fine sandy loam, 3 to 8 percent slopes
CeC	Canaan very rocky sandy loam, 8 to 20 percent slopes	MkC	Merrimac fine sandy loam, 8 to 15 percent slopes
CeE	Canaan very rocky sandy loam, 20 to 60 percent slopes	On	Ondawa fine sandy loam
Ck	Coastal beaches	PbB	Paxton fine sandy loam, 3 to 8 percent slopes
Cu	Cut and fill land	PbC	Paxton fine sandy loam, 8 to 15 percent slopes
DeA	Deerfield loamy sand, 0 to 3 percent slopes	PbD	Paxton fine sandy loam, 15 to 25 percent slopes
DeB	Deerfield loamy sand, 3 to 8 percent slopes	PIB	Paxton very stony fine sandy loam, 3 to 8 percent slopes
Du	Dune land	PIC	Paxton very stony fine sandy loam, 8 to 15 percent slopes
EmB	Elimwood fine sandy loam, 0 to 8 percent slopes	PFD	Paxton very stony fine sandy loam, 15 to 25 percent slopes
Gp	Gravel pits	PkB	Peru fine sandy loam, 0 to 8 percent slopes
HfB	Hartland very fine sandy loam, 3 to 8 percent slopes	PkC	Peru fine sandy loam, 8 to 15 percent slopes
HfC2	Hartland very fine sandy loam, 8 to 15 percent slopes, eroded	PIB	Peru very stony fine sandy loam, 0 to 8 percent slopes
HfD2	Hartland very fine sandy loam, 15 to 25 percent slopes, eroded	PIC	Peru very stony fine sandy loam, 8 to 15 percent slopes
HgB	Herman sandy loam, 3 to 8 percent slopes	Py	Podunk fine sandy loam
HgC	Herman sandy loam, 8 to 15 percent slopes	RbA	Ridgebury fine sandy loam, 0 to 3 percent slopes
HgD	Herman sandy loam, 15 to 25 percent slopes	RgA	Ridgebury very stony fine sandy loam, 0 to 3 percent slopes
HhB	Herman very stony sandy loam, 3 to 8 percent slopes	Ro	Rock land
HhC	Herman very stony sandy loam, 8 to 15 percent slopes	Ru	Runney fine sandy loam
HhD	Herman very stony sandy loam, 15 to 30 percent slopes	Sd	Saugatuck loamy sand
HkC	Herman extremely stony sandy loam, 8 to 20 percent slopes	Sn	Scantic silt loam
HkE	Herman extremely stony sandy loam, 20 to 60 percent slopes	So	Scarboro sandy loam
HiB	Hinckley gravelly sandy loam, 3 to 8 percent slopes	Sp	Sabago mucky peat
HIC	Hinckley gravelly sandy loam, 8 to 15 percent slopes	SuC2	Suffield silt loam, 8 to 15 percent slopes, eroded
HID	Hinckley gravelly sandy loam, 15 to 25 percent slopes	SuD2	Suffield silt loam, 15 to 25 percent slopes, eroded
HnB	Hinckley-Suffield complex, 3 to 8 percent slopes	SuE2	Suffield silt loam, 25 to 45 percent slopes, eroded
HnC	Hinckley-Suffield complex, 8 to 15 percent slopes	Sz	Swanton fine sandy loam
HnD	Hinckley-Suffield complex, 15 to 25 percent slopes	Tm	Tidal marsh
HrB	Hollis fine sandy loam, 3 to 8 percent slopes	Wa	Walpole fine sandy loam
HrC	Hollis fine sandy loam, 8 to 15 percent slopes	Wg	Whately fine sandy loam
HrD	Hollis fine sandy loam, 15 to 25 percent slopes	Wh	Whitman fine sandy loam
HsB	Hollis very rocky fine sandy loam, 3 to 8 percent slopes	WmB	Windsor loamy sand, 0 to 8 percent slopes
HsC	Hollis very rocky fine sandy loam, 8 to 20 percent slopes	WmC	Windsor loamy sand, 8 to 15 percent slopes
HsE	Hollis very rocky fine sandy loam, 20 to 35 percent slopes	WmD	Windsor loamy sand, 15 to 30 percent slopes
		Wrb	Woodbridge fine sandy loam, 0 to 8 percent slopes
		WrC	Woodbridge fine sandy loam, 8 to 15 percent slopes
		WsB	Woodbridge very stony fine sandy loam, 0 to 8 percent slopes
		WsC	Woodbridge very stony fine sandy loam, 8 to 15 percent slopes

WORKS

Highways and roads

Divided

Good motor

Poor motor

Trail

Highway markers

National Interstate

U. S.

State or county

Railroads

Single track

Multiple track

Abandoned

Bridges and crossings

Road

Trail

Railroad

Ferry

Grade

R. R. over

R. R. under

Buildings

School

Church

Mine and quarry

Gravel pit

Power line

Breakwater, Jetty

Airway beacon

Cemetery

Dams

Levee

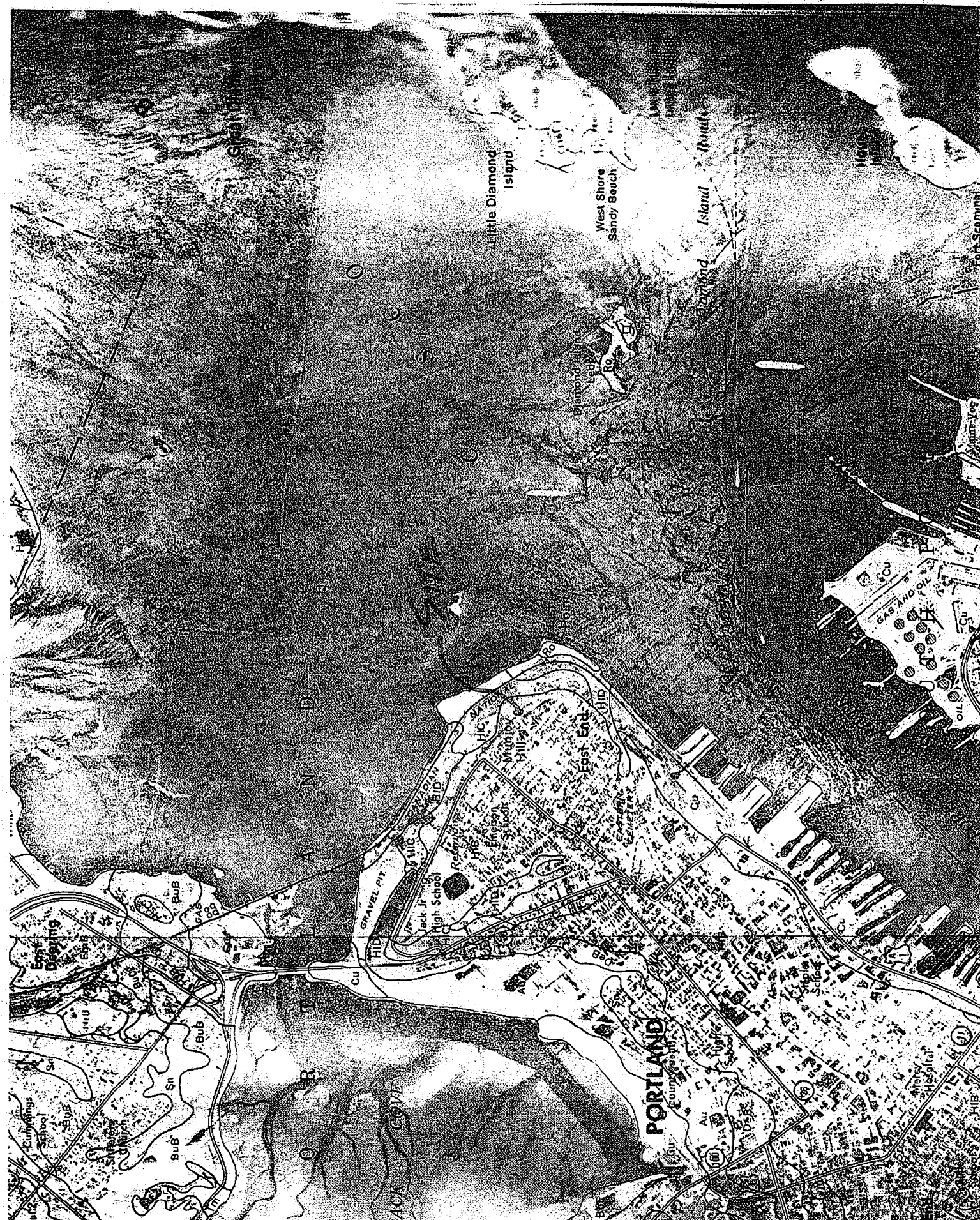
Tanks

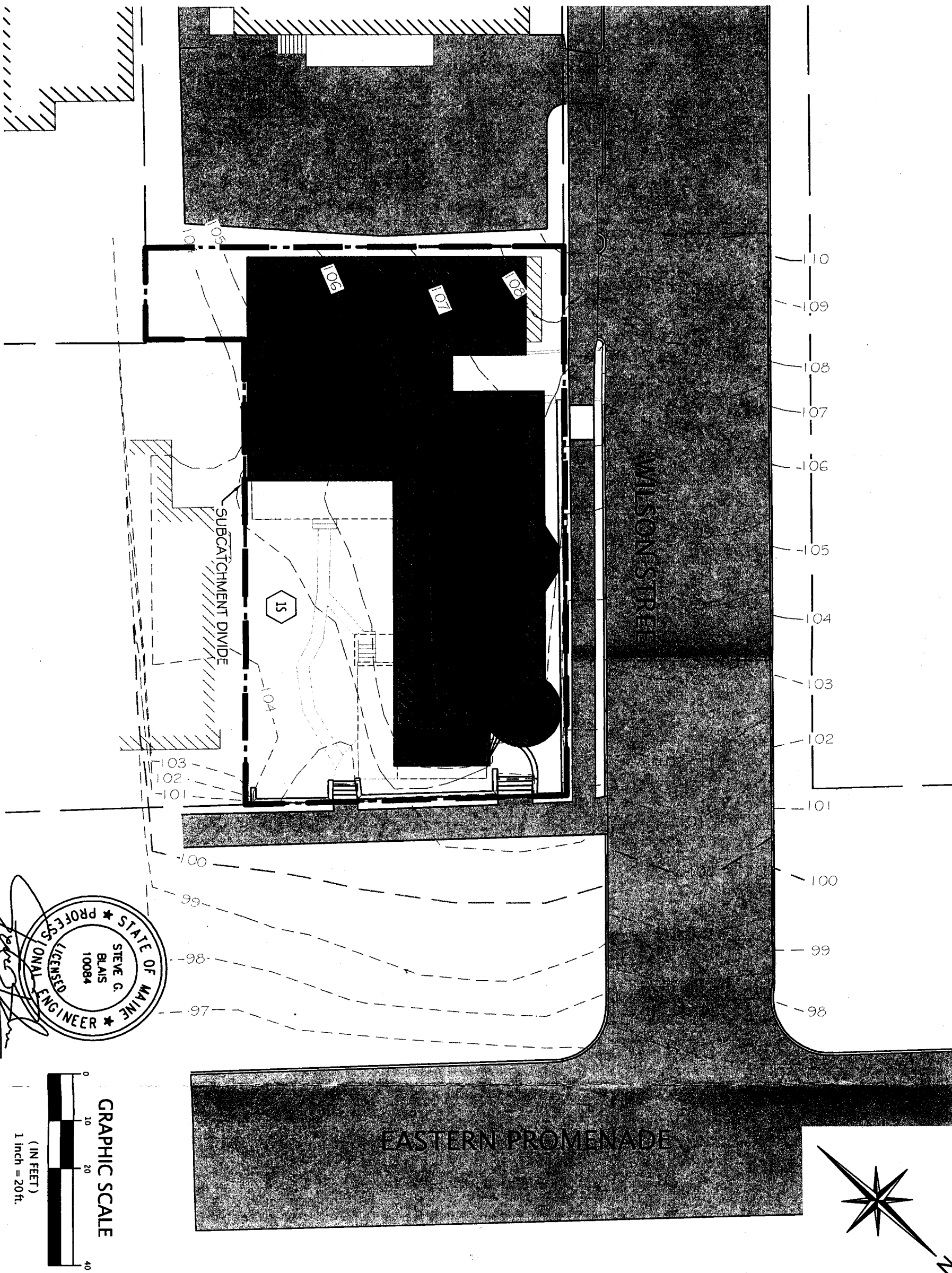
Lighthouse

Forest fire or boundary

Spot

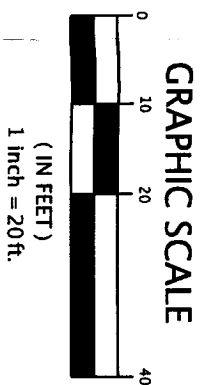
Location of spot





09/18/07

STEVE G. BLAIS
10084
LICENSED PROFESSIONAL ENGINEER
STATE OF MAINE



EXISTING CONDITIONS DRAINAGE MAP

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE
 PORTLAND
 MAINE

SCALE: 1"=20' C.I.: 1' DATE: 09/18/07

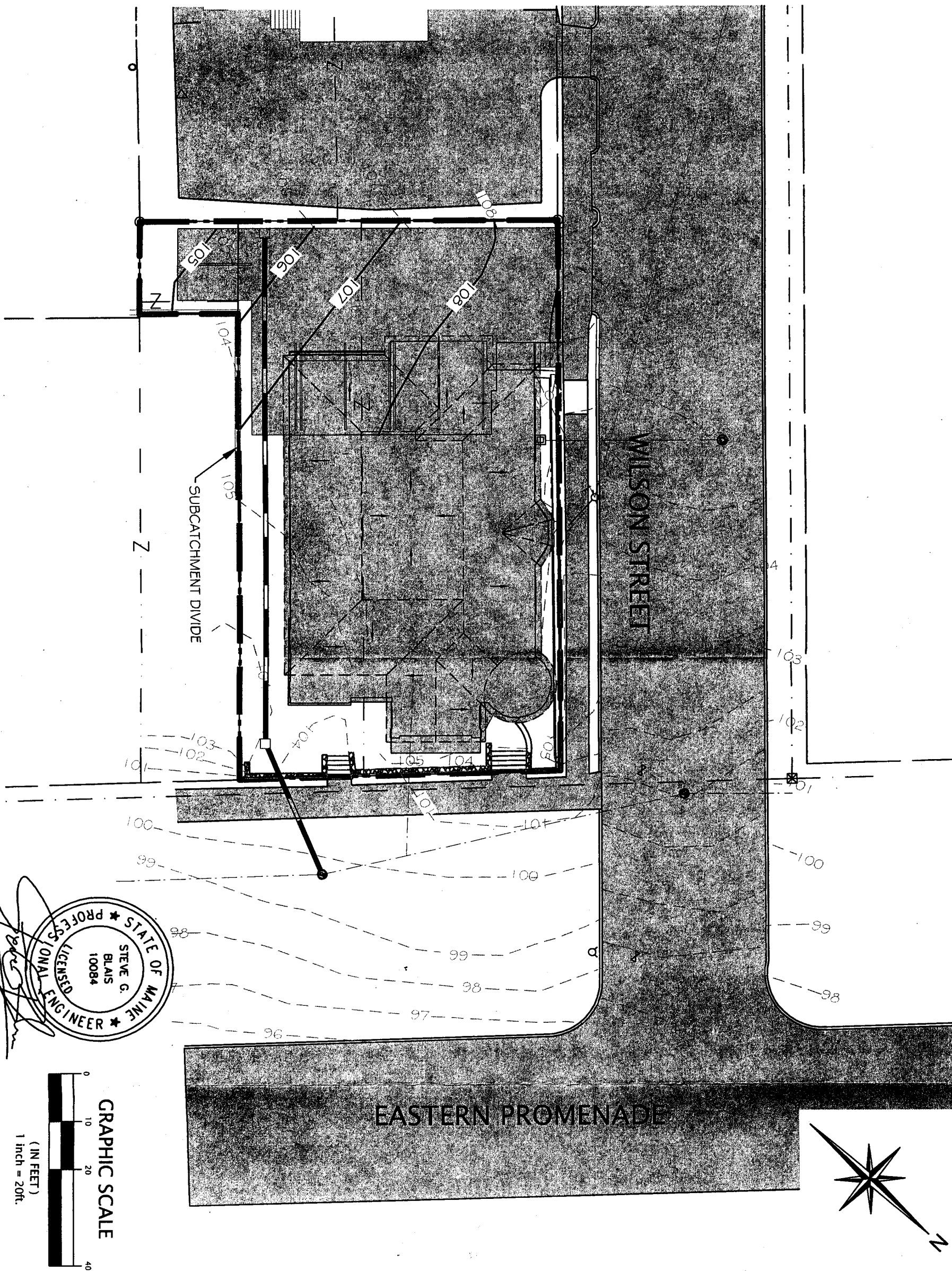
LAND CONSULTING ENGINEERS, PA

967 BROADWAY
 SOUTH PORTLAND, MAINE 04106
 (207) 767-7300

D1

DRAWING

LC07126



11/19/07

STEVE G. BLAIS
10084
STATE OF MAINE
PROFESSIONAL ENGINEER

PROPOSED CONDITIONS DRAINAGE MAP

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE
 PORTLAND
 MAINE

SCALE: 1"=20' C.I.: 1' DATE: 11/19/07

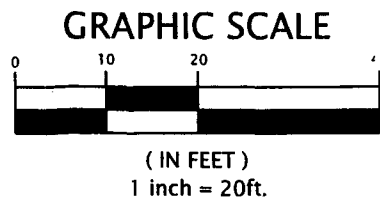
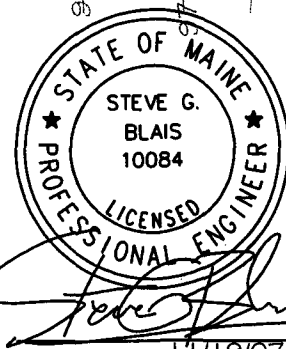
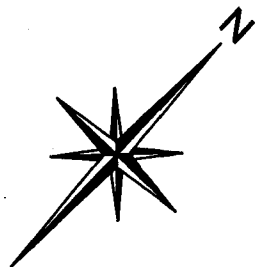
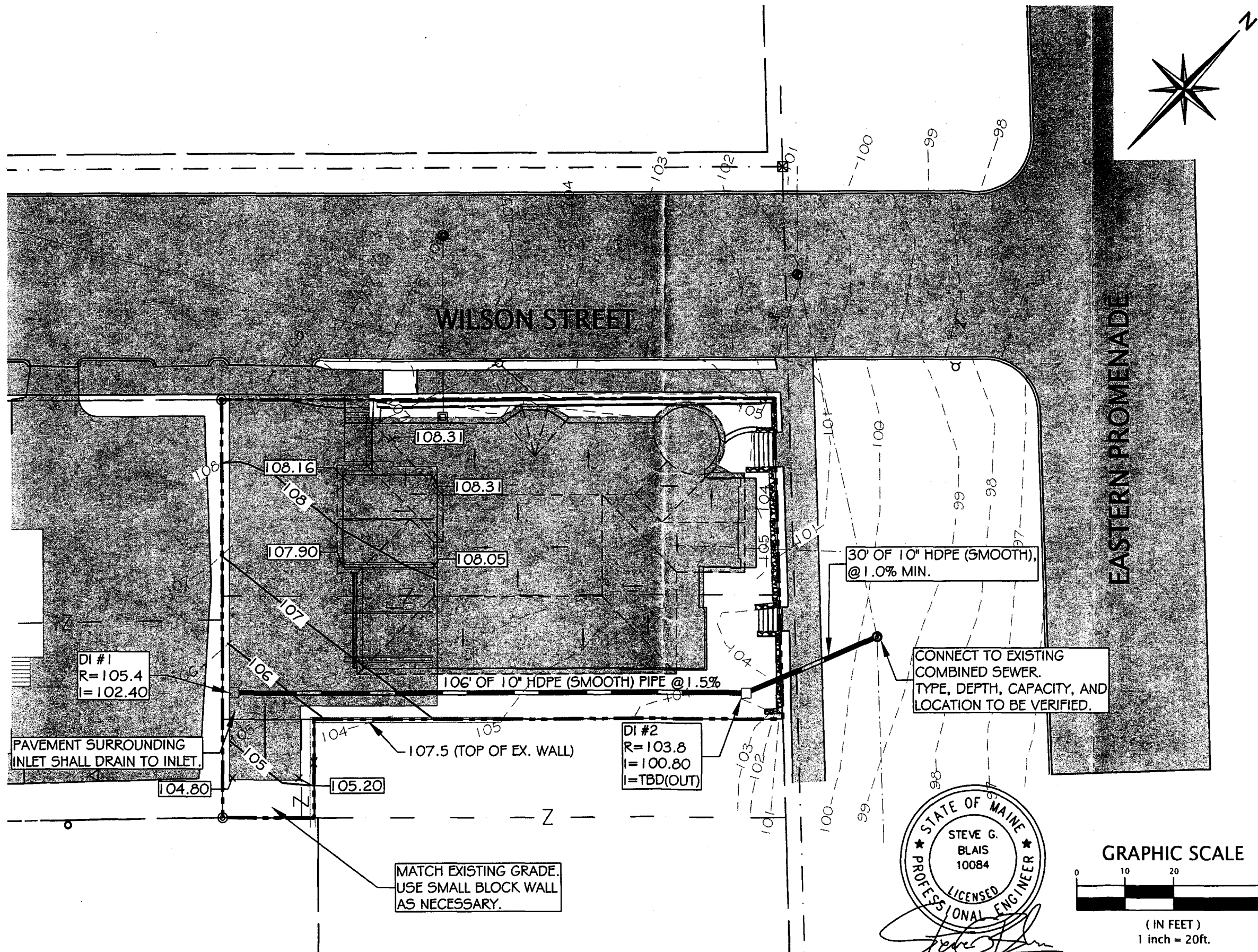
LAND CONSULTING ENGINEERS, PA

967 BROADWAY
 SOUTH PORTLAND, MAINE 04106
 (207) 767-7300

DRAWING

D2

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 LCE07126

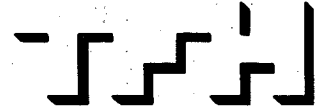


DRAINAGE IMPROVEMENTS PLAN

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE
PORTLAND
MAINE

DRAWING

D3



TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

NEIGHBORHOOD MEETING CERTIFICATE

I, Scott Teas, hereby certify that a neighborhood meeting was held on December 27, 2007 at 172 eastern Promenade at 6.30 p.m.

I also certify that on December 13, 2007, invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development and the residents on the "interested parties" list.

Signed,

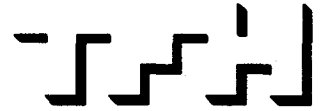
A handwritten signature in black ink, appearing to be 'T. Scott Teas', written over a horizontal line.

T. Scott Teas, NCARB, AIA
Principal

1/2/08 (date)

Attached to this Certification are:

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



December 13, 2007

Dear Neighbor:

On behalf of Wally Geyer of Casco Bay Ventures, please join us for a neighborhood meeting to discuss our plans for the proposed project "The Estates of Longfellow Inn" located at 130 Eastern Promenade in Portland.

Meeting Location: 172 Eastern Promenade
Meeting Date: December 27, 2007
Meeting Time: 6:30 P.M.

If you have any questions please call 207.775.6141

Sincerely,

TFH Architects

Note: Under Section 14-32-C of the City Code of Ordinances, an applicant for a major development, subdivision of over five lots / units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal.



TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

SIGN-IN SHEET

DATE: December 27, 2007, 6.30 P.M.
LOCATION: 172 Eastern Promenade, Portland, Maine
PURPOSE: Neighborhood Meeting for "The Estates of Longfellow Inn", at 130 Eastern Promenade, Portland, Maine

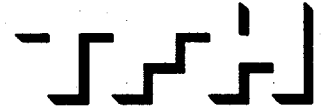
Lucy & Bob Tanner
126 Eastern Promenade

Colleen Beland
20 Morning St

Diane Davison
29 Morning St

Dan + Connie Haley
140 Eastern Prom

Jill Davison
29 Morning St.



MEETING MINUTES

DATE: December 27, 2007, 6.30 P.M.
LOCATION: 172 Eastern Promenade, Portland, Maine
PURPOSE: Neighborhood Meeting for "The Estates of Longfellow Inn", at 130 Eastern Promenade, Portland, Maine

PRESENT: Scott Teas TFH Architects
Susanne Aldrian TFH Architects
Wally Geyer Casco Bay Ventures
Neighbors see attached Sign-in Sheet

ITEMS:

1. Responding to a question of Ms. Tanner, Scott Teas points out that the existing 2 story barn and the one story addition as part of the non-confirming structure will be demolished and the proposed addition will be build within the required set back limitations. The zoning department of the city of Portland had already decided that all the zoning requirements have been met by the currently proposed design (question Mr. Tanner).
2. The storm water drainage system, which will be a great improvement towards the existing drainage, is being explained (question Mr. Tanner). The connection of the storm water to the combined sewer has been coordinated with the Civil Engineer of Land Consulting Engineers and the Planner of the City of Portland (question Mr. Haley).
3. Since there is not sufficient room for snow storage on the back side of the property, the owner Wally Geyer will have plowed snow hauled off the property (question Mr. Haley).
4. Ms. Tanner points out that there may not be enough parking proposed, since some of the future tenants might have two (or more) cars. Response: The proposed parking (1 space per unit) exceeds the number of required spaces, since the number of parking spaces will be increased and the number of dwelling units decreased.
5. Respecting the historic streetscape of the Eastern Promenade Mr. Haley finds that the front elevation features too much glass. Response: The glass, besides providing view for the tenants, functions as a separating transition between existing and proposed building.
6. Mr. Davison criticizes that the proposed addition will cut off the existing water view, and decrease the property value, of 14 Wilson Street. He would like to see a lower, narrower addition being proposed. Scott Teas responds that the owner of 14 Wilson Street doesn't own a view corridor and the zoning requirements are met (see #1). Wally Geyer feels that converting 130 eastern Promenade into upscale housing will increase the value of the adjacent properties.
7. A shadow study (question of Ms. Davison) will be prepared for the Public Hearing.
8. Mr. Haley points out that the proposed development will be the only building on Eastern Promenade which will be tight within the setback requirements. Response: The developer has to optimize the square footage in order to make a profit.
9. Construction will start in spring 2008. Construction vehicles will enter the site from Wilson Street (response to question of Ms. Haley). The time of construction will approximately be one year.



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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

September 26, 2007

Bruce A. McGlaufflin
Petrucelli, Martin & Haddow, LLP
50 Monument Square
P.O. Box 17555
Portland, ME 04112-8555

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Attorney McGlaufflin,

I am in receipt of your letter to Molly Casto in the Planning Division concerning the development of the property located at 130 Eastern Promenade.

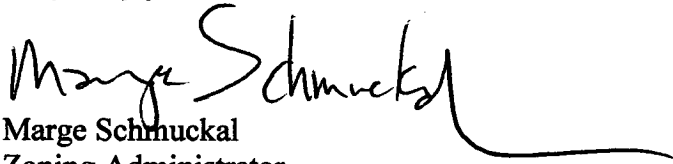
You have cited section 14-382(d) of the Nonconforming Use and Nonconforming Buildings section of the ordinance which reads, "Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity". Currently, the existing building is nonconforming as to space and bulk and dimensional requirements. I disagree that this section of the ordinance restricts any new addition outside of the confined shell of the existing building. I interpret this section of the ordinance to allow new additions(s) if no new nonconformity is created and there is no increase of any existing nonconformity. I believe that the proposal submitted for review meets this section of the Land Use Zoning Ordinance.

You have also cited section 14-388 within the same division of the nonconformity section of the ordinance and is titled "Nonconformity as to area of dwelling". This section reads, "A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the area per dwelling regulations of the zone in which it is located". This section of the ordinance is pretty clear. It seems to say that zoning should not allow any additions or enlargements unless the area per dwelling unit regulation is made to conform to the underlying zone. It is very severe in its wordage and would restrict additions on even single family homes on undersized lots. In the past it has been the practice of this office to allow additions and enlargements on undersized lots relating to area per

dwelling unit as long as all other underlying zone requirements are met. Since this section of the ordinance has been brought to my attention, I must abide by its wordage. The applicant of 130 Eastern Promenade has been notified that their proposal is not meeting zoning requirements at this time based upon section 14-388 of the zoning ordinance.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is require to file an appeal.

Very truly yours,


Marge Schmuckal
Zoning Administrator

CC: Molly Casto, Planner
Alex Jaegerman, Planning Director
Barbara Barhydt, Development Review Services Manager
File

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglaulin@petrucellimartin.com

September 4, 2007

Ms. Molly Casto
Planning and Inspections Department
City of Portland
389 Congress St.
Portland, Maine 04101

RE: 130 Promenade East

Dear Ms. Casto:

Thank you for speaking to me on the phone about the proposed development at 130 Promenade East, which abuts property owned by my clients, Nicolino & Patricia Ciccomancini. The Ciccomancinis own a three-story apartment building at 14 Wilson Street. You indicated to me that Casco Bay Ventures, Inc., the owner of 130 Promenade East, has submitted an application, that the application is being reviewed as a subdivision application, and that it is currently scheduled for planning board review at a workshop scheduled for October 9, 2007. The purpose of this letter is to express the Ciccomancinis' opposition and to draw your attention, and the planning board's attention, to specific requirements in the zoning ordinance, which we feel provide clear and sufficient basis for denying the application.

We begin with the understanding that the existing building or buildings are non-conforming as to bulk and space requirements in the ordinance. In particular, the existing buildings do not conform to the ten-foot setback requirements and the overall square footage requirement in the R-6 zone. Both the principal structure and the one-story addition fail to comply with the ten-foot side setback and the lot size (7,905.9 sq. ft.) does not comply with the minimum square footage of 1,000 sq. ft. per unit (11 units x 1,000). See Section 14-139(1)(a) and (b)(1). Because 130 Promenade East is a grandfathered nonconforming building, no alterations or additions are allowed except in strict compliance with the Zoning Ordinance provisions governing nonconforming buildings.

Ms. Molly Casto
September 4, 2007
Page 2

The proposed alterations and addition fail to comply with at least two of these provisions, Sections 14-382(d) and 14-388.

Section 14-382(a) states that no alterations, modifications or additions may be made to a nonconforming building, except as provided in Division 23. Subsection (d) of Section 14-382 states that a building which is nonconforming as to space, bulk or dimensional requirements may be altered, modified or added to if the proposed changes to existing exterior walls or roofs would be within the space occupied by the existing shell of the building. The proposed addition and renovation are not confined to the space occupied by the existing shell.

Under Section 14-388, a building that is nonconforming as to area per dwelling unit may not be enlarged unless the resulting building is made to conform to all area per dwelling regulations. The proposed structure does not so conform. The R-6 zone requirements mandate 1,000 sq. ft. per unit for the first three units, and 1,200 sq. ft. for the next six units, resulting in a total required lot area of 10,200 sq. ft. for the proposed 11 units. The application must be denied because the lot consists of only 7,905.9 square feet.

We also read the ordinance as requiring site plan review for this application. Section 14-136(a)(2)(f) requires site plan review for any alteration of a multi-family dwelling structure that was in residential use on December 2, 1987. One of the applicable site plan review requirements states:

The bulk, location or height of proposed buildings and structure minimizes, to the extent feasible, any substantial diminution in the value or utility to neighboring structures under different ownership and not subject to a legal servitude in favor of the site being developed.

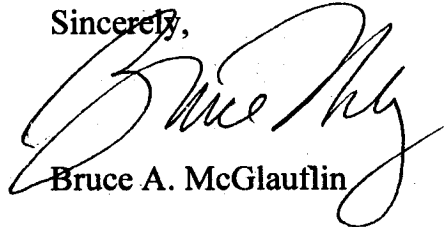
Section 14-526(a)(4). If Casco Bay Ventures, Inc. is allowed to proceed with a three-story addition, it will substantially diminish the value of the Ciccomancinis' property at 14 Wilson Street because it will completely block the expansive views enjoyed by the residents of the six-unit apartment building. The height of the proposed building maximizes, not minimizes, the diminution of value of the Ciccomancinis' property.

Thus, based on an initial review of the application and the City's Zoning Ordinance, there are at least three distinct and separate reasons why the application should be denied. A more detailed review may uncover additional reasons related to

Ms. Molly Casto
September 4, 2007
Page 3

parking and other applicable requirements and standards. We request that you bring these concerns to the Planning Administrator and the Planning Board at your earliest convenience. Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read "Bruce McGlaulin".

Bruce A. McGlaulin

BMcG/d

cc: Nicolino & Patricia Ciccomancini

TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

November 20, 2007

Molly Casto, Planner
Planning Division
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

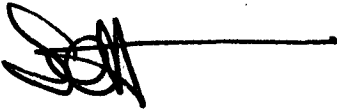
Re: "The Estates of Longfellow Inn at 130 Eastern Promenade", Portland, ME

Dear Molly,

Please find enclosed revised drawings - see list below - and Stormwater Management Report for "The Estates of Longfellow Inn at 130 Eastern Promenade" in Portland, ME.

We hope to be scheduled for the next "workshop" session on December 11, 2007. Please contact me or Susanne Aldrian at (207) 775-6141, if you need any additional information.

Sincerely,



T. Scott Teas, NCARB, AIA
Principal

Cc: Wally Geyer, Casco Bay Ventures
Scott Teas, TFH Architects
Encl.: Stormwater Management Report (8 sets)
Drawings (7 sets full size, 1 set 11x17):

- G1.1 Cover Sheet
- G1.2 Life Safety Plans
- Existing Conditions Survey
- C1.1 Subdivision Plan
- C1.2 Site Plan
- C1.4 Landscaping Plan
- C1.5 Site Lighting Plan
- A1.1 Basement and Roof Plan
- A1.2 First Floor Plan
- A1.3 Second Floor Plan
- A1.4 Third Floor Plan
- A2.1 Exterior Elevations



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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

September 26, 2007

Wally Geyer and Anthony Salem
Casco Bay Ventures
223 Woodville Road
Falmouth, ME 04105

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Mr. Geyer and Mr. Salem,

I am in receipt of a letter from Bruce A. McGlaufflin of Petruccelli, Martin & Haddow, LLP that outlines some zoning sections of the ordinance that he believes relate to your property at 130 Eastern Promenade and its proposed renovations.

Attorney McGlaufflin cites section 14-382(d) of the Nonconforming Use and Nonconforming Buildings section of the ordinance which reads, "Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity". Currently, the existing building is nonconforming as to space and bulk and dimensional requirements. I disagree that this section of the ordinance restricts any new addition outside of the confined shell of the existing building. I interpret this section of the ordinance to allow new addition(s) if no new nonconformity is created and there is no increase of any existing nonconformity. I believe that your proposal meets the section of the Land Use Zoning Ordinance.

Attorney McGlaufflin also cites section 14-388 within the same division of the nonconformity section of the ordinance and is titled "Nonconformity as to area of dwelling". This section reads, "A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the area per dwelling regulations of the zone in which it is located". This section of the ordinance is pretty clear. It seems to say that zoning should not allow any additions or enlargements unless the area per dwelling unit regulation is made to conform to the underlying zone. It is very severe in it's wordage and would restrict additions on even single family homes on undersized lots. In the past it has been the practice of this office to allow additions and enlargements on undersized lots relating to area per dwelling unit as long as all other

underlying zone requirements are met. Since this section of the ordinance has been brought to my attention, I must abide by its wordage. Your property and your current proposal must be denied based upon the current lot size and the area of dwelling unit requirements of the underlying R-6 zone. I understand that you are reducing the legal number of dwelling units from eleven (11) to nine (9). Your current given lot size is 7,905.9 square feet in size and is nonconforming for land area per dwelling unit. To maintain your proposal for nine dwelling units, your lot size would need to be 10,200 square feet in area.

Based on section 14-388 of the zoning ordinance, I am denying your proposal.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,



Marge Schmuckal
Zoning Administrator

Cc: Will Tinkelenberg, TFH Architects, 100 Commercial Street, Portland, ME 04101
~~Molly Casto, Planner~~
Alex Jaegerman, Planning Director
Barbara Barhydt, Development Review Services Manager

TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

October 22, 2007

Ms. Molly Casto, Planner
Planning Division
389 Congress Street
Portland, Maine 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Molly,

Enclosed please find a letter to Marge Schmuckal from Wally Geyer of Casco Bay Ventures which describes, along with documentation, their determination that the building at 130 Eastern Promenade was originally built and occupied as a building with three dwelling units, such that their "The Estates of Longfellow Inn" project is exempt from the requirements of Section 14-483 of the Land Use Ordinance, "Preservation and Replacement of Housing Units."

Also included are revised floor plans and a revised site plan, which reflect the building as it has been redesigned to accommodate only seven apartment dwelling units, rather than the previously proposed nine units, as necessary to satisfy Sections 14-439, "Dimensional Requirements" and 14-388, "Nonconformity as to Area of Dwelling," of the Ordinance. At 7,905.9 square feet, the current given lot satisfies the minimum requirement of 7,800 square feet for seven units.

Pending Marge's review, please schedule us for the next soonest available Planning Board Workshop. We understand that some materials previously submitted for Site Plan Review may need to be revised in conjunction with the redesigned building; once the Workshop is scheduled please let us know by what date such revised materials should be submitted.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,



Will Tinkelenberg

cc: Wally Geyer, Casco Bay Ventures
T. Scott Teas, TFH Architects
Encl: Letter to Marge Schmuckal from Wally Geyer, October 9, 2007
"C-1.2, Site Plan,"
"A-1.2, First Floor Plan,"
"A-1.3, Second Floor Plan,"
"A-1.4, Third Floor Plan,"
*All drawings revised October 19, 2007; Full-size & 11 x 17 copies included.

CASCO BAY VENTURES

223 Woodville Road
Falmouth, Maine 04101

October 9, 2007

Marge Schmuckal
Zoning Administrator
Portland City Hall, Room 315
389 Congress Street
Portland, Maine 04101

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Ms. Schmuckal,

On September 26, 2007, we received a denial letter for our current project at 130 Eastern Promenade. We are writing to amend our proposed application based upon our revised plans and section 14-480 found within the zoning code.

We were denied our permit based on section 14-388 of the zoning ordinance because our given lot size was smaller than the land area needed for the nine units we had proposed. We have now changed our proposal and have reduced the number of units from nine (9) in the previous proposal to seven (7) units. Through reducing the number of units we are now within the underlying zoning requirements.

The code also discusses in detail the preservation and replacement of housing units. If the number of dwelling units decreases on a property, replacement housing must be built or the developer must pay a fee, unless the property meets one of the codes listed exemptions. Through examination we have discovered that the loss of housing units from the current eleven (11) to the proposed (7) seven units at 130 Eastern Promenade should be exempt from division 29 of the code regarding the replacement of housing units.

Through careful research, we have discovered that 130 Eastern Promenade was originally built as a three family flat. The home was built as a residence in 1903, for Harry Pease, Harry Russell and Franklin Yeaton. Over the years, others bought out Russell and Yeaton. Then in 1916, Harry Pease became the buildings sole owner. During that same year Mr. Pease turned his residence into Ye Longfellow Inn. According to section 14-480 of the zoning ordinance, "existing residential structures which, exclusive of additions thereto, contain more dwelling units than they were originally designed and built to accommodate and which are being modified to contain fewer dwelling units, subject to the condition that the number of dwelling units originally intended to be accommodated in such structures can be established by documentary evidence."

The attached primary source documentary evidence clearly shows that the building was intended for three dwelling units. Attached you will find Sanborn Fire Insurance Maps dating from 1896 through 1928. The Sanborn Insurance Map for 1896 shows that 130 Eastern Promenade was not yet built. Then the Sanborn Fire Insurance Map of 1909 shows that 130 Eastern Promenade was classified as a framed three story flat. The final Sanborn Insurance Map of 1928 shows that 130 Eastern Promenade had become an inn known as Ye Longfellow Inn. Further evidence of the buildings change of usage is found in the City Directories of 1903, 1915 and 1916. The City Directory of 1903 is the first directory to list a residence being located on the property. At that time the building had Harry Pease, Harry Russell and Franklin Yeaton listed as the properties owners/tenants. Then in 1916, the building is listed as Ye Longfellow Inn and as the home of Harry H. Pease. The Portland Business Directory of 1916 lists Ye Longfellow Inn as a hotel. The prior City Directory of 1915 neither lists the businesses name in the business section nor does the business appear in the street directory.

Due to our revised plans and the supporting documentary evidence, we are confident that our project as amended meets all zoning requirements.

Feel free to contact us with any questions you may have.

Sincerely,

Wally Geyer
Casco Bay Ventures

PORTLAND STREET DIRECTORY 1916

LEFT SIDE

RIGHT SIDE

DUNPHY'S LANE

WARD 4

From 12 York

Mrs Nora Mulkern

1 Mrs Margaret Mulkern

Miss Mary Gorham

Bernard Lerman

Vacant

8 Vacant

DURHAM STREET

WARD 8

From 46 Brighton avenue to opposite 472 St John

Alfred L Turner

Charles H Small

Perley O Dresser

Oari A Hilland

G Waldon Smith

Charles S Lord

Charles G Smith

Daniel K Smith

John L Merryman

Howard R Stevens

Henry F Owen

George E Mace

Deane street

Nathan Oliford school

Payson street

William J Langzettel

Howard O Laxabee

St John street

St John street

DYER STREET

WARD 8

From 180 Franklin to 51 Wilmet

8 David Robinson

5 Robert M Bloom

Nathan Rubin

7 William Cooper

11 George T Harding

A Judson Conary

Walter T Joyce

18 Arthur Woodman

Wilmet street

Mrs Rosina Sutherland

Elmer M Stuart

Fred Cameron

Charles W Lincoln

Patrick G Bradley

Wilmet street

EASTERN PROMENADE

WARD 1

From 1 Atlantic to junction North and Washington avenue

Edgar G Sprague

16 Manjoy street

Mrs Effie I Jordan

Charles B Stowers

James T Jack

Rev Joshua M Frost

Charles L Jack

Beckett street

James M Gibson

Roy W Reed

Rev Frederick S Walker

Eugene A Spaulding

George F Reynolds

53 Vesper street

William L Blake

William N Taylor

82 Morning street

Robert D Libby

Mrs Lydia J Libby

George B Verrill

Harry H Russell

George T Dealy

5 Henry F Merrill

18 (rear) William O Tapley

Mrs Josephine M Stevens

17 John B T Weatherbee

John P McConville

19 Miss Jennie M Berry

James A Trott

(rear) George A Brown

Raymond D Patchin

21 Miss Martha J Clark

(rear) John E Bradley

27 Walter W Duffett

29 Vacant

88 Dr John H Connellan private hospital

89 Edward M Lang

(rear) Jeremiah H Connolly

47 George L Garrish

58-75 Fort Allen Park

81 Mrs Bertha E Cleveland

91 Roscoe S Davis

98 Vacant

95-97 East Commercial street

PORTLAND STREET DIRECTORY 1916

133

LEFT SIDE

RIGHT SIDE

EASTERN PROMENADE—Continued

180 Ye Longfellow Inn

Harry E Pease

184-186 Wilson street

140 Samuel D Plummer

150 John W Griffin

154-156 Moody street

180 Mrs Sarah E Towle

186 Abraham Goodside

Michael J Flaherty

188 Morris Maiman

170 William T Starr

172 Albert E Smith

174 John H Montgomery

176 George E Macgowan

182 Mrs Mary E O'Connor

Fred D Harvey

188 Lindsay B Griffin

192-196 Congress street

208 Wallace B Adams

210 James A Keniston

Warren Brown

214 John B Peterson

218 Moses M Gould

Charles A Patten

E Rae Moody

224 Benjamin Press

224A Joseph S Bernstein

228 Mrs Isabella M Stewart

280-282 Turner street

258-260 Quebec street

278-280 Malbourne street

288 John J Nissen

292 Richard E Harvey

294 Atwood O Tubbs

296-300 Montreal street

318-320 Walnut street

452-460 North street

468 Washington avenue

EDGEW

From 1200 Washington

20 John J O'Connor

80 Mrs Mary J McGowan

84 William E Dolley

— Vacant

— Beechwood avenue

— Beechwood avenue

EDWARDS STREET

WARD 8

From 1190 Congress to 842 Brighton avenue

7 George M Milne

198 Erlon M Richardson

— Brighton avenue

— Brighton avenue

EIGHT STREET

WARD 9

From Lexington avenue, northerly to Broadway

— John A Murphy

— Arthur F Fielding

— William S Spear

— Broadway

— Broadway

ELEANOR STREET

WARD 9

From 1268 Forest avenue, southerly

Archie O Laffin

Hans H Madsen

Byron B Durgan painter

William W Darrell

J Everett Low

Malvin L Loring

Willard L Wyman

Alfred LeMay

The Portland
City directory of
1916 shows that
the property has
become an Inn.

EXPRESS AND
FREIGHT SERVICE

ESS

TERMINAL
76 CROSS STREET
TELEPHONE 3567 - 3568

's (Retail)—Continued

se P 1920 Forest av
anjamin K 89 Sawyer S P
seph H 27 Portland
G 1 Waldo
K N 228 York
922 Congress
S 888 Congress
ny 107 Federal
y Mrs 110 Veranda
H 952 Congress
H 819 Forest av
L 94 Middle
ur F 84 Munjoy and P I
atus G 45 Moody
ton E 427 Preble S P
Curtis 587 Cottage rd S P
man G 82 Ocean S P
L COMPANY 112 Exchange
s 1228)
(D 948 Forest av
94-796 Congress
ward J 181 Pearl
18 W Commercial

Guns and Sporting Goods

ms Co 210 Federal
Market
H 210 Federal

's and Cornice Makers

PUS CO 390 Com'l (see p 1280)
LOGUE 452 Fore (see page
PARKER 54 Cross (see p 18)
J & CAIN 222 Com'l (see p 6)
JHN E & SON 81 Cross (see
8)
IAM H CO (THE) (galvanised
Fore (see page 1288)

Gymnasiums

tic Club 80 Spring
Free
Oak

**and Brown Tail Moth
Exterminators**

PHILBROOK 18 Exchange
1229)

***Hair Dresser**

OTHE P MISS 586 Congress
se page 10)

Hair Workers

Miss r 188 Summit
l 518 Congress
Mrs 586a Congress rm 88
P 587 Congress rm 18 (see
Parlors 562 Congress rm 416

Hardware

ting Scale Co 85 Market rm
Co 57 Middle
O (carriage) 195 Commercial
1239)
epicantile Co 463 Wash av
lker Co 6 Monument sq
BROUSE CO (THE) 148 and
(see page 1240)
BE CO 11 Monument sq and
see head lines street dir)

LAUGHLIN THOMAS CO (THE) 148 Fore
and 184 Commercial (see page 7)
MADSEN & ALLEN CO 875 Forest av (see
foot lines street directory)
Marine Hardware and Equipment Co foot
High S P
STEVENS A E & CO (wagon) 9 Union (see
page 1280)
Sulkowitch Hardware & Paint Co 378 Fore
Talbot Brooks & Ayer 268 Middle
TILTON CHARLES A & CO 115 Sawyer S P

The City of
Portland's Business
Directory of 1916
Shows that in
1916 Ye Longfellow
Inn was in
business.

Gl
Go
Hc

Ayer Houston & Co (fur and felt) 2 Beach

Hats, Caps and Furs

COB THE HATTER 207 Middle (see
general directory)
GREENOUGH BYRON & CO (wholesale
Middle (see page 7)
McCarthy John J 261 Middle
SCHLOSSBERG L H 591 Congress (see
general directory)
Schwarz D W 257 Middle
Snyder Inc 9 Monument sq

Hay and Straw

Knight Turner H Ocean S P
LAPPIN JNO J & CO 12 Pearl (see
Smart Harold K 119 Westbrook
Spear Albert E 28 Preble

***Heating and Ventilating Contractors**

HASKINS JOSEPH T Jr 86 Veranda
page 1287)
HUTCHINSON MELVILLE C 188 Beach
(see side lines street directory)
KANE & STEVENSON 7-9 Washington
(see page 16)
LIBBY E D & SON 10 Sewall (see
MOULTON ARTHUR H 75 Union (see
NASH F & O B CO 390 Fore (see
NASH O M & D W 6 Exchange (see
TILTON O A & CO 115 Sawyer S P
page 1184

***Hermetically Sealed Goods**

BURNHAM & MORRILL CO 45 Water (see
page 5)
PORTLAND PACKING CO 26 York (see
page 8)
TWITCHELL-CHAMPLIN CO (THE) 252
Commercial (see page 9)

***Horse Boots**

BAILEY JAMES CO (THE) 264 Middle (see
head lines street directory)

***Horse Clothing**

BAILEY F O CARRIAGE CO (INC) 165
Middle (see side lines street directory)
BAILEY JAMES CO (THE) 264 Middle (see
head lines street directory)
GREENOUGH BYRON & CO (wholesale) 181
Middle (see page 7)

Horse Dealers

Rich Dewar & Son 1150 Congress

***Horse Furnishing Goods**

BAILEY F O CARRIAGE CO (INC) 165
Middle (see side lines general directory)
BAILEY JAMES CO (THE) 264 Middle (see
head lines street directory)

Horseshoers

(See also Blacksmiths)

Chase Gilbert E 637 Forest av
Clayton Joseph H 501 Fore
Fullerton Edward W 32 Union
Gwinn Charles 60 Cross
Lannon James E 157 Kennebec

***Hose and Packing**

PORTLAND RUBBER CO 259 Middle (see
top lines general directory)

Hosiery and Gloves

Miley Co (The) 563 Congress
OVAN MOORE & CO 505 Congress (see adv
general directory)

Hospitals and Dispensaries

Children's Hospital (The) 91 Danforth and
88 High
Connellan John W (private) 83 Eastern prom
Edward Mason Dispensary 65 India
Gordon Lillian A Mrs (private) 93 Stevens
avenue
King's Dr (private) 139 William
Maine Eye and Ear Infirmary 9 Bramhall
Maine General 2-22 Arsenal
Maternity Hospital (private) 109 Emery
St Barnabas (private) 231 Woodford

***Hot Water Heating**

DAVIS H E CO 88 Forest av (see adv gen-
eral directory)
KANE & STEVENSON 7-9 Washington av
(see page 16)
MOULTON ARTHUR H 75 Union (see p 15)
NASH F & O B CO 390 Fore (see page 27)
NASH O M & D W 6 Exchange (see p 27)
WILLEY & CALHOUN 46 Market (see adv
general directory)

Hotels

American House 29 Free
Atlantic House 185 and 187 Fore

Avenue House Island av Peaks Island
Bay View House Island av P I
Casco Bay House Long Island
Central House 137 Pres
Old House Cottage rd O E
Columbia Hotel 645 Congress
Congress Sq Hotel 579 and 581 Congress
Falmouth Hotel 212-214 Middle
Grand Trunk Hotel 179 Fore
Granite Spring Hotel Long Island
Harbor View House Peaks Island
HOTEL BRUNSWICK 21 Preble (see p 22)
Hotel Florence 43 India
Hotel Temple 22 Temple
Imperial Hotel 104 Park
Innes House Island av Peaks Island
Knickerbocker (The) Peaks Island
Lafayette Hotel 638 Congress
Monument Sq Hotel 247 Federal
New Adams House 15 Temple
New Chase House 484 Congress
New Rochester Hotel (The) 97 Elm
Oceanic Peaks Island
Park Hotel 121 Forest av
Peaks Island House Peaks Island
Preble House 475 Congress
Terminal Hotel 339-343 Congress
Tolman Hotel 6 Tolman pl
West End Hotel 298 St John
Windsor Hotel 196 Middle
Ye Headland Inn Peaks Island
Ye Longfellow Inn 180 Eastern promenade

Hotels (Apartment)

Berkeley 72 Park av
Boyd 65 Spring
Bristol 312 Congress
Carroll 9a Myrtle
Clifford 18 Clifford
Colonial 177 High
Elks 45 Spring
Ellsworth 895 Congress
Everett Chambers 51a Oak
Fessenden 15 Shepley
Florentine 41 Chestnut
Hampton 94 Park av
Harlan 115 Congress
Lawlor 150 Congress
Los Angeles 421 Cumberland av
Marlborough 184 High
Marshall 626a Congress
Newton 124 Brackett
Oaks 76 Park av
Ocean View 101 Danforth
Parkhurst 91 State
Raymond 65 Morning
Sherman 111 Sherman
Sherwood 92 Park
Shepley 18 Casco
Somerset 638 Congress
St Regis 8-10 Weymouth
St Francis 12 Weymouth
Stanley 5 Smith
Stateway 59 State and 188 Danforth
Tecumseh 65 Sherman
Trelawny 655 Congress
Tyler 65 Spring
Ulysses 98 Grant
Vaughan Hall 216 Vaughan
Wardsworth 80a Preble
Warren 82 Park av
Wellington 361 Congress
Weymouth 849 Congress
Wiggin 198 High
Wilton 881 Congress
Windsor 286 State
Woodbury 118 Franklin

***House Finish Mfrs.**

ALLEN W A CO 125 Somerset (see p 1285)
BERLIN MILLS CO 404 Commercial (see
adv general directory)

EVENING EXPRESS

LARGEST DAILY
CIRCULATION
IN MAINE.

PORTLAND STREET DIRECTORY.

141

LEFT SIDE.

RIGHT SIDE.

DUNPHY'S LAKE—CONTINUED.

- | | |
|----------------------|--------------------------|
| 3 Mrs. Hannah Lee | 4 Michael Ney |
| 5 Mrs. Mary Haley | 6 Benjamin B. Dyer |
| 7 John W. Wilkins | 8 Pasquale Cefalo |
| 9 Mrs. Sophia Decost | 10 Mrs. Annie F. Cameron |

DYER STREET.

WARD 3.

From 150 Franklin to 51 Wilnot.

- | | |
|------------------------|--------------------------|
| 3 Neal Johnson | 3 Joseph H. Marston |
| 4 Clarence E. Horr | 4 Watson R. Gribbin, jr. |
| 5 Jesse S. Felt | 5 Joseph F. Colley, jr. |
| 6 Lewis W. Littlefield | 7 Mrs. Amanda Hill |
| 7 Wilnot street | 13 Vacant |
| | 14 Wilnot street |

EASTERN PROMENADE.

WARD 1.

From 1 Atlantic to junction North and Washington avenue.

- | | |
|----------------------------|--------------------------------|
| 8 Ernest A. Randall | 5 Harry F. Merrill |
| 12, 16 Munjoy street | 17 John G. Munroe |
| | 18 Mrs. Catherine Lightford |
| | 19 Charles A. Neal |
| | 20 James A. Trott |
| | 21 (rear) Alexander L. Isatt |
| | 21 John M. L. Jackson |
| | 21 Mrs. Jerusha S. Clark |
| | 21 (rear) Ernest E. Gammage |
| | 27 Walter W. Duffett |
| | 29 Oakley C. Curtis |
| | 33 Mrs. Elvira S. Randall |
| | 39 William B. Thomas |
| | 47 (rear) Jeremiah H. Connolly |
| | 47 John J. Gerrish |
| | 53 George L. Gardiah |
| | 53 Mrs. Sarah M. Ricker |
| | 55-75 Fort Allen Park |
| | 75 Fort Allen Park place |
| | 81 Lewis W. Cleveland |
| | 91 Roscoe S. Davis |
| | 93 Mrs. Catherine McCarthy |
| | 95, 97 East Commercial street |
| | 191-195 Congress street |
| | Cleaves Monument |
| 22 James P. Jordan | |
| 23 John H. Richardson | |
| 24 Zerkert J. Willard | |
| 25 Charles S. Webster | |
| 26 Beckett street | |
| 27 Mrs. Lizzie E. Dennison | |
| 28 Charles L. Jack | |
| 29 Benjamin Thompson | |
| 30 Mrs. William Gray | |
| 31-33 Vesper street | |
| 34 William L. Blace | |
| 35 William N. Taylor | |
| 36-38 Morning street | |
| 39 Robert D. Libby | |
| 40 Arthur C. Libby | |
| 41 Harry H. Pease | |
| 42 Harry H. Russell | |
| 43 Franklin Yeaton | |
| 44 136 Wilson street | |
| 45 Samuel D. Plummer | |
| 46 166 Moody street | |
| 47 Bealie A. Boudway | |
| 48 Alfred Southworth | |
| 49 Robert S. Laughlin | |
| 50 Lindsey B. Griffin | |
| 51-196 Congress street | |
| 52 John R. Peterson | |
| 53 Moses M. Gould | |
| 54 Charles A. Patten | |
| 55 Neal D. Gould | |

Shoes and Leather Binding and everything pertaining to Mill Supplies.
TALBOT, BROOKS & AYER,
169 MIDDLE, 235 AND 245 FEDERAL STREETS.

Year 1903

Portland City
directory of 1903
shows that three
tenants/owners live
at 130 Eastern
Promenade.

L. W. CLEVELAND CO. ELECTRICAL ENGINEERS
288 CONGRESS ST. AND CONTRACTORS.
ESTIMATES AND SPECIFICATIONS FOR EVERY KIND OF ELECTRICAL WORK.
TELEPHONE CONNECTION.

132

PORTLAND STREET DIRECTORY 1915

LEFT SIDE

RIGHT SIDE

EASTERN PROMENADE—Continued

- | | |
|----------------------------|----------------------------|
| 40 Roy W Reed | 21 Martha J Clark |
| Eugene A Spaulding | (rear) John E Bradley |
| 48 Gertrude H Weeks | 27 Walter W Duffett |
| 48-52 Vesper street | 29 Oakley C Curtis |
| 54 William L Blake | 33 Vacant |
| 54 William E Taylor | 39 Edward M Lang |
| 58-62 Morning street | (rear) Jeremiah H Connolly |
| 84 Robert D Libby | 47 George L Gerriah |
| 102 Mrs Lydia J Libby | 53-75 Port Allen Park |
| 108 George B Verrill | 81 Mrs Bertha E Cleveland |
| 114 Harry E Russell | 91 Roscoe S Davis |
| 126 George T Dealy | 93 Vacant |
| 130 Harry E Pease | 95-97 East Commercial |
| George F Reynolds | |
| Nat W Brown | |
| 134-136 Wilson street | |
| 140 Samuel D Plummer | |
| 150 John W Griffin | |
| 154-156 | |
| 180 Mrs Sarah E Towle | |
| 166 Abraham Goodside | |
| Michael J Flaherty | |
| 168 Morris Maiman | |
| 170 William T Starr | |
| 172 Albert E Smith | |
| 174 John H Montgomery | |
| 176 George E Macgowan | |
| 182 Mrs Mary E O'Connor | |
| Fred D Harvey | |
| 188 Lindsay B Griffin | |
| 192-196 Congress street | |
| 208 Novello Crafts | |
| Rev Wilhelm M Petterson | |
| 210 James A Keniston | |
| 214 John R Peterson | |
| 218 Moses M Gould | |
| Charles A Patten | |
| E Rae Moody | |
| 224 Benjamin Treas | |
| Samuel Wolf | |
| 224A Charles E Warren | |
| 228 Mrs Isabella M Stewart | |
| 230-232 Turner street | |
| 258-260 Quebec street | |
| 278-280 Melbourne street | |
| 288 John J Nissen | |
| 292 Richard E Harvey | |
| 294 Atwood O Tubbs | |
| 296-300 Montreal street | |
| 316-320 Walnut street | |
| 452-460 North street | |
| 468— Washington avenue | |

Portland City
directory of 1915
Shows that three
tenants/ owners
live at 130 Eastern
Promenade.

EDGEWOOD AVENUE

WARD 9

- From 1200 Washington avenue to Beachwood avenue
- | | |
|-----------------------|------------------|
| 20 John J O'Connor | |
| 30 Mrs Mary J McGowan | |
| 34 William E Dolley | 25 Vacant |
| Beachwood avenue | Beachwood avenue |

EDWARDS STREET

WARD 8

- From 312 Brighton avenue to 1190 Congress
- | | |
|-----------------|------------------|
| Congress street | 7 George M Milne |
| | Congress street |

Opticians. Kodak Supplies.
H. E. MURDOCK CO. Y. M. C. A. BUILDING.

CLOTHING ON CREDIT, IF YOU WANT IT
PURITAN CLOTHING CO.
571 CONGRESS STREET
TELEPHONE 1338-W

***Hospitals (Private)**

THE EVELYN W MRS S Pleasant av
(see adv general directory)

***Hot Naphtha Cleaners**

MRS H L & CO 1181 Forest av 181
Woodford 158 Free (see head lines
general directory)

***Hot Water Heating**

MRS E E CO 38 Forest av (see adv gen-
eral directory)
MRS & STEVENSON 7-9 Washington av
(see page 19)
MRS ARTHUR H 75 Union (see
page 15)
MRS E O CO 390 Fore (see p 24)
MRS E & D W 6 Birch (see p 24)
MRS & CALHOUN 46 Market (see adv
general directory)

Hotels

Indian House 29 Free
Indian House 185 and 187 Fore
Indian House Island av Peaks Island
Bay Hotel Long Island
Bay Hotel 187 Free
Oak House rear 481 Congress
Cottage Cottage rd C E
Indian Hotel 645 Congress
Mrs Sq Hotel 578 and 581 Cong
Hotel (The) 16 Elm
Hotel 212 214 Middle
The Spring Hotel Long Island
The View House Peaks Island
The BEUNSWICK 21 Preble (see page
22)

Florence 43 India
Temple 23 Temple
Hotel 104 Oak
House Island av Peaks Island
Shooker (The) Peaks Island
Hotel 638 Congress
Hotel 84 Hotel 247 Federal
House 15 Temple
House 454 Congress
Hotel 121 Forest av
Island House Peaks Island
House 475 Congress
Hotel 989-943 Congress
Rochester Hotel (The) 97 Elm
Hotel 6 Tolman place
Hotel 293 St John
Hotel 196 Middle
Island Inn Peaks Island

Hotels (Apartment)

78 Park av
65 Spring
813 Congress
177 High
55 Spring Congress
Chambers 51a Oak
15 Shepley
41 Chestnut
12 Weymouth
94 Park av

Harlan 115 Congress
Lawlor 150 Congress
Los Angeles 431 Cumberland av
Lyndon 16a Deering
Marborough 184 High
Marshall 626a Congress
Munjoy 102 Congress
Newton 134 Brackett
Oaks 76 Park av
Ocean View 101 Danforth
Parkhurst 91 State
Quincy 7 Quincy
Raymond 55 Morning
Sherman 111 Sherman
Sherwood 92 Park
Shepley 18 Oase
Simpson 68 Mellon
Somerset 633 Congress
St Regis 810 Weymouth
Stateway 59 State and 188 Danforth
Tremaine 65 Sherman
Trenbury 665 Congress
Tyler 56 Spring
Ulysses 98 Grant
Vaughan Hall 216 Vaughan
Wardsworth 30a Preble
Warren 82 Park av
Whitney 122 Neal and 59 West
Wiggin 198 High
Wilton 881 Congress
Windsor 286 State
Woodbury 113 Franklin

***House Finish Mfrs.**

ALLEN W A & CO 125 Somerset (see page
1184)
BERLIN MILLS CO
adv general dire
DEERING RUFUS O
page 1180)
DOTEN S H & A I
1184)

***House Furn**

DAVIS E S CO 10
Federal (see be
FOSS T F & SONS
adv general dire
general directory
PORTERHOUSE MITCHELL
523 Congress (see
TOLMAN BRADFOR
327 Cumberland
eral directory)

Ice Ore

Deering Ice Cream C
SIMMONS & HAM
Commercial (see
rectory)
West End Dairy Co

Ice I

Brackett W E & Co
Deering Ice Co 143 N
Libby & Co 300 Fed.
Merrill William A L
Phinney Charles G S
PORTLAND SEBAG
mercial (see foot lines general dir)
Sebag Ice Co 303 Commercial
Trafalgar Harvey H Peaks Island

***Illuminating Windows**

SPENCE BELL & CO 90 Canal Boston (see
page opp Glass)

E. G. PAGE BOX CO. BOXES AND PACKING CASES
Manufacturers of
100 MILL AT BAR MILLS, ME.
CAMBRIDGEPORT, MASS.

Business directory
of 1915 shows
that Le Longfellow
Inn does not
yet exist.

EASTERN

PROMENADE

Sanborn
Insurance Map
of 1896. This
map shows that
130 Eastern Promenade
had not yet been
built. The green
area represents
where 130 is located.

VESPER

MORNING

WILSON

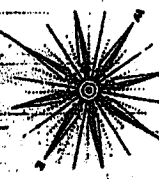
PORTLAND
RAILROAD

MOODY

EASTERN

PROMENADE

E. CONNIE



As shown on the Sanborn Insurance Map of 1909, the area shown is the site of the former Wilson Hotel, which was destroyed by fire in 1907. The site is now occupied by the Wilson Hotel, which was built in 1908.

WILSON

Sanborn Insurance Map of 1909. This map shows that 130 Eastern Promenade is a 3-story flat. An enlarged picture can be found on the next page. Green area shows its location.

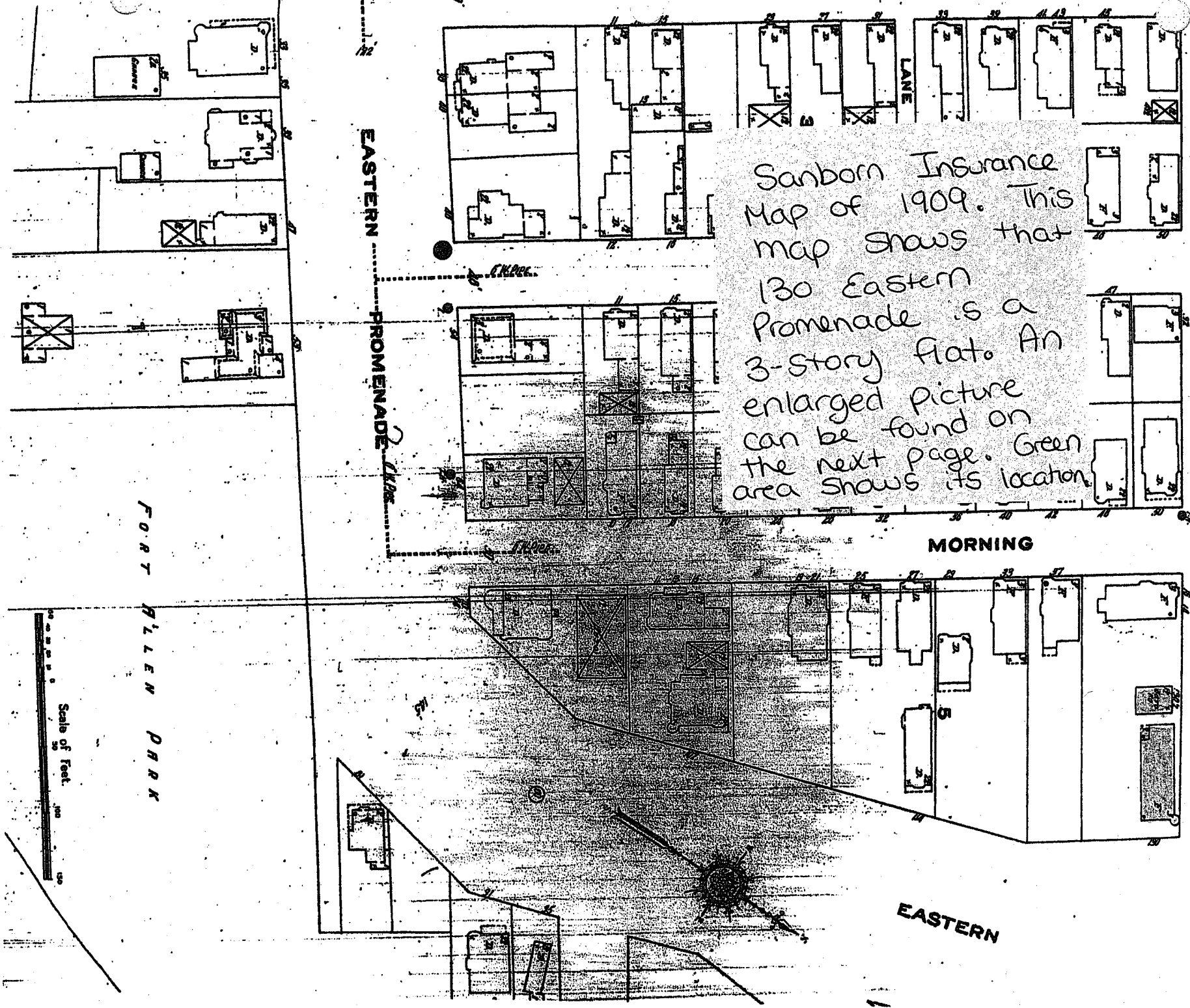
MORNING

EASTERN

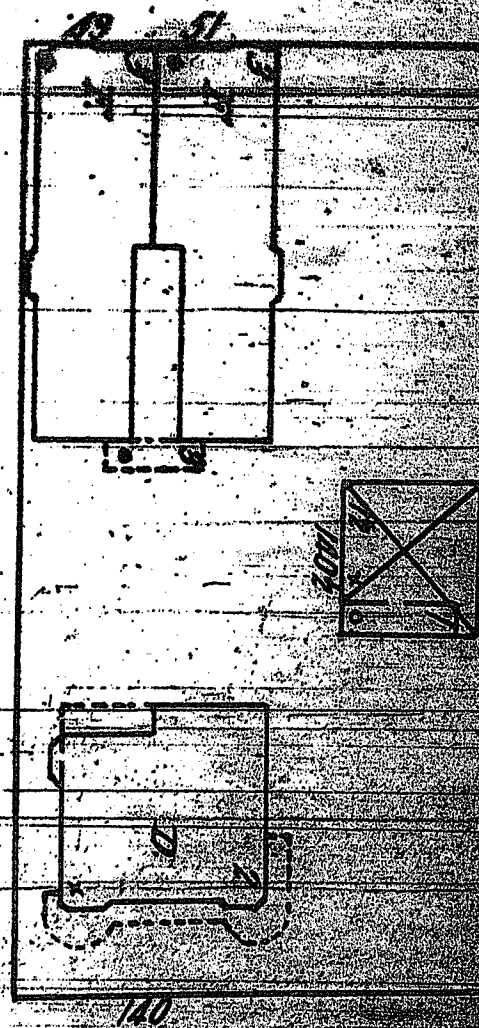
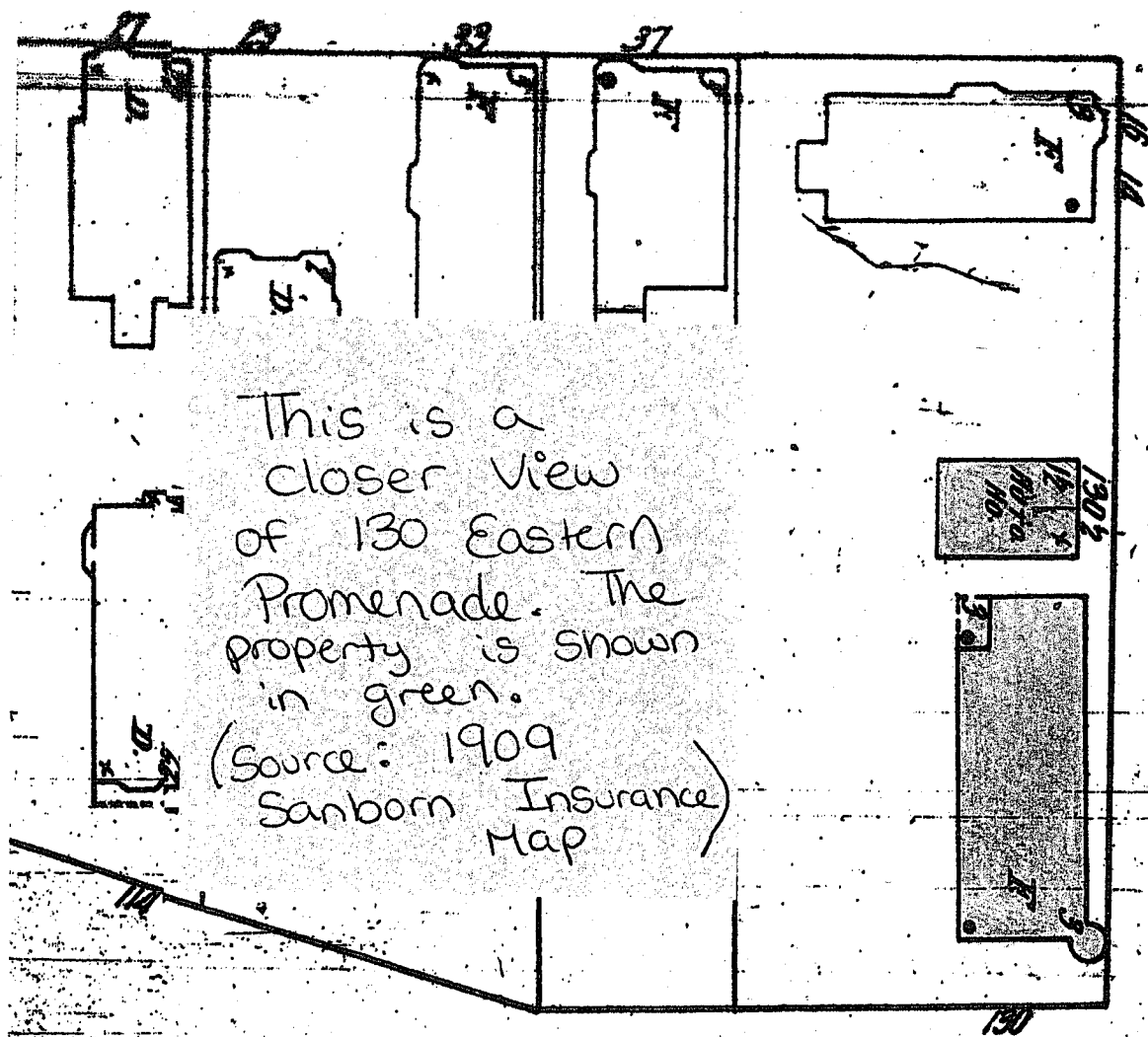
EASTERN PROMENADE

FORT ALLEN PARK

Scale of Feet



MORNING



EASTERN

VESPER

WILSON

MOODY

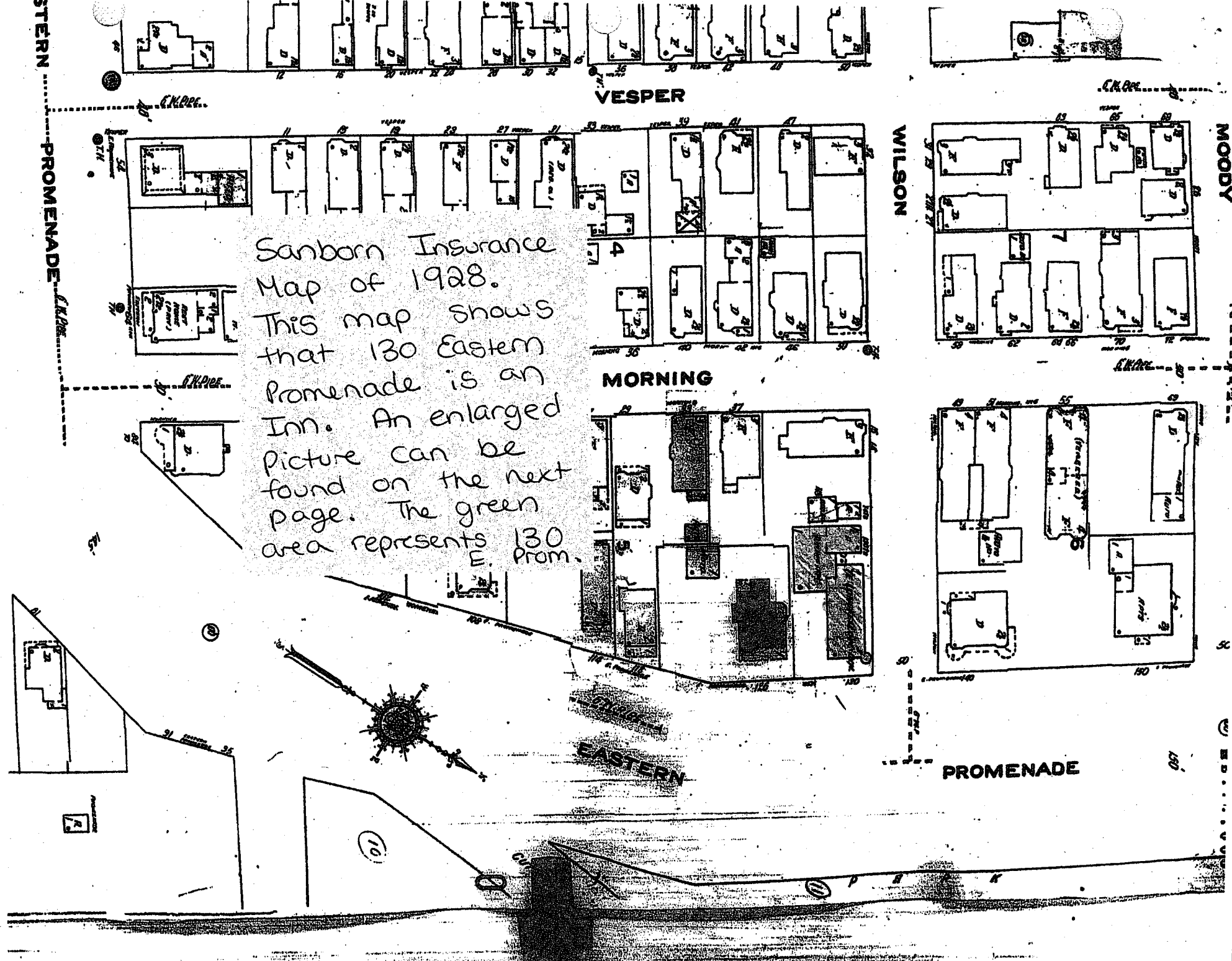
MORNING

PROMENADE

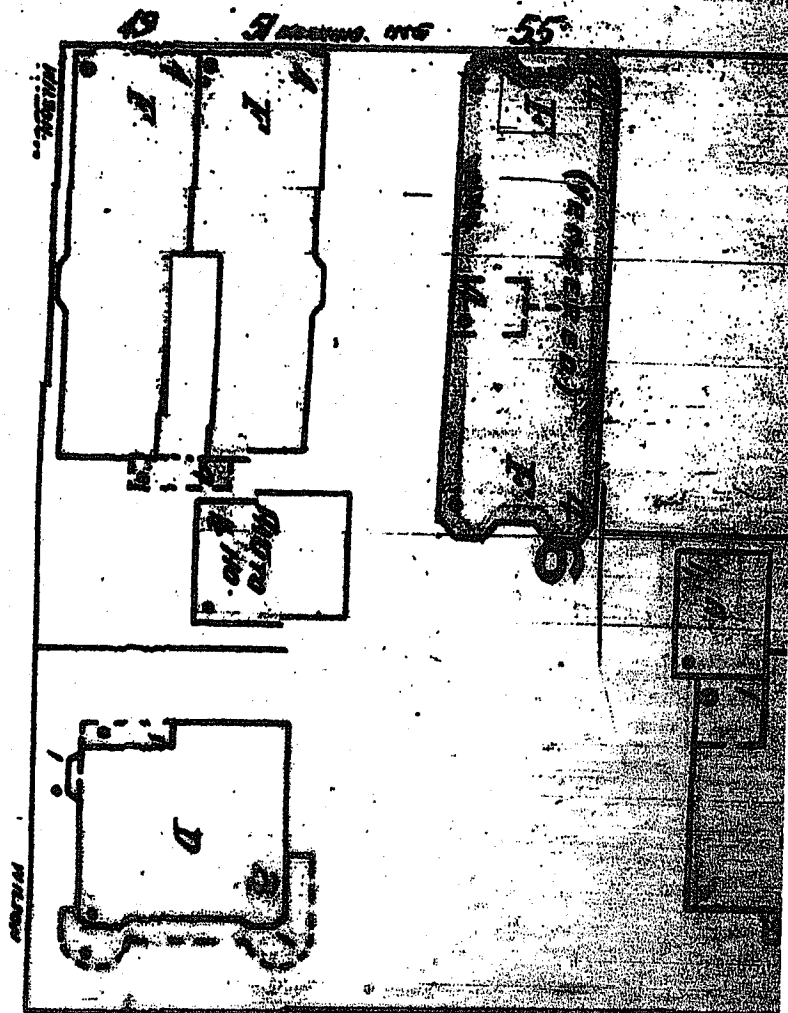
EASTERN

STERN
PROMENADE

Sanborn Insurance
Map of 1928.
This map shows
that 130 Eastern
Promenade is an
Inn. An enlarged
picture can be
found on the next
page. The green
area represents 130
E. Prom.



This is a
Closer view of
130 Eastern Prom.
The property is
Shown in green.
(Source: 1928
Sanborn Insurance
Map)



Key for reading

Sanborn Insurance Maps.

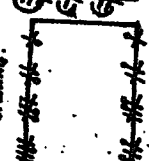
(Source: 1928
Sanborn Insurance
Map of Portland)

KEY

	Fire proof construction
	Iron building
	Brick building with metal cornice
	frame
	side
	stone front
	Brick special
	with frame side
	frame building
	iron clad
	special
	Adobe building
	Stable
	Horizontal steam boiler
	Vertical
	Automatic sprinklers
	Automatic fire alarm
	Independent electric plant

WALL	1ST	ONLY
WALL	1ST	ONLY
	SKYLIGHT LIGHTING	TOP STORY ONLY
	SKYLIGHT LIGHTING	TWO STORIES
	SKYLIGHT LIGHTING	THREE STORIES
D	DWELLING	
F	FLAT	
S	STORE	

CHIMNEY FROM LEFT
TO RIGHT, LOOKING
TOWARD BUILDING
AND NOT TOWARD
OPENING.



	Brick chimney
	Iron
	Fire alarm box
	Hydrant
	Elevation

Wall 1st no openings through it
" " " " with openings
Fire wall 6 inches above roof

12
18
24

Opening in division wall
" " " " with iron door
standard iron door

Windows with iron shutters
Window opening in first-story
second
2nd & 3rd stories
2nd & 4th

Windows

27

Reference to
adjoining sheet



THE ESTATES OF LONGFELLOW INN

AT 130 EASTERN PROMENADE IN PORTLAND, MAINE

BY

CASCO BAY VENTURES

223 WOODVILLE ROAD

FALMOUTH, ME 04105

(207)-797-7752

DRAWING LIST

G-1.1	COVER SHEET
G-1.2	LIFE SAFETY PLAN
	EXISTING CONDITIONS SURVEY
C-1.1	SUBDIVISION PLAN
C-1.2	SITE PLAN
C-1.4	LANDSCAPING PLAN
C-1.5	SITE LIGHTING
A-1.1	BASEMENT AND ROOF PLAN
A-1.2	FIRST FLOOR PLAN
A-1.3	SECOND FLOOR PLAN
A-1.4	THIRD FLOOR PLAN
A-2.1	EXTERIOR ELEVATIONS

SITE PLAN REVIEW SET
Not for Construction
NOV 20, 2007

© 2007 TFH ARCHITECTS

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 778 6141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

DATE:

PROJECT No. 0610

DRAWN BY: SA

CHECKED BY: TST

SCALE AS NOTED


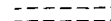
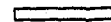


SHEET TITLE:
GENERAL NOTES

G-1.1





SPRINKLER SYSTEM:

PROVIDE NFPA 13A SPRINKLER SYSTEM IN ACCORDANCE WITH IBC 903.3.1.2, NFPA, AND ALL APPLICABLE CODES & REGULATIONS. SPRINKLER SYSTEM TO BE DESIGNED AND INSTALLED BY QUALIFIED SPRINKLER CONTRACTOR.

LEGEND

-  EXISTING CONSTRUCTION TO REMAIN
-  DEMOLITION
-  NEW CONSTRUCTION
-  1 HOUR RATED NEW CONSTRUCTION
-  1 HOUR RATED EXISTING CONSTRUCTION

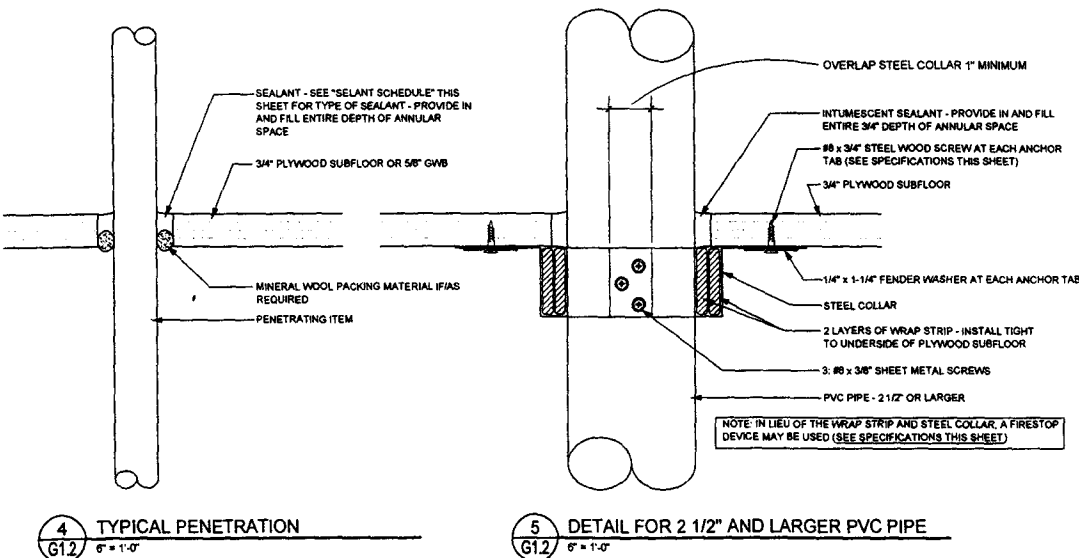
NOTE: SEE A-3.1 FOR CONSTRUCTION ASSEMBLIES

-  ILLUMINATED EXIT SIGN
-  EMERGENCY LIGHT
-  SMOKE DETECTOR
-  CARBON MONOXIDE

NOTE: ALL SMOKE DETECTORS TO BE 120V WITH BATTERY BACK-UP; ALL DETECTORS WITHIN ANY ONE APARTMENT TO BE INTERCONNECTED

1 FIRST FLOOR LIFE SAFETY PLAN
1/8" = 1'-0"

2 SECOND FLOOR LIFE SAFETY PLAN
1/8" = 1'-0"



4 TYPICAL PENETRATION
6\"/>

5 DETAIL FOR 2 1/2\"/>

SPECIFICATIONS

WRAP STRIP: 1/4\"/>

FIRESTOP DEVICE: IN LIEU OF THE WRAP STRIP AND STEEL COLLAR, A FIRESTOP DEVICE MAY BE USED AS FOLLOWS:

FOR 3\"/>

FOR 4\"/>

DO NOT USE FIRESTOP DEVICE AT JOINTS (JOINT FLANGES) IN PIPE; PROVIDE WRAP STRIP AND STEEL COLLAR

STEEL COLLAR: WRAP STRIP MANUFACTURER'S STEEL COLLAR, FABRICATED FROM .016 INCH THICK GALVANIZED SHEET STEEL, WIDTH TO MATCH WRAP STRIP (1 1/2\"/>

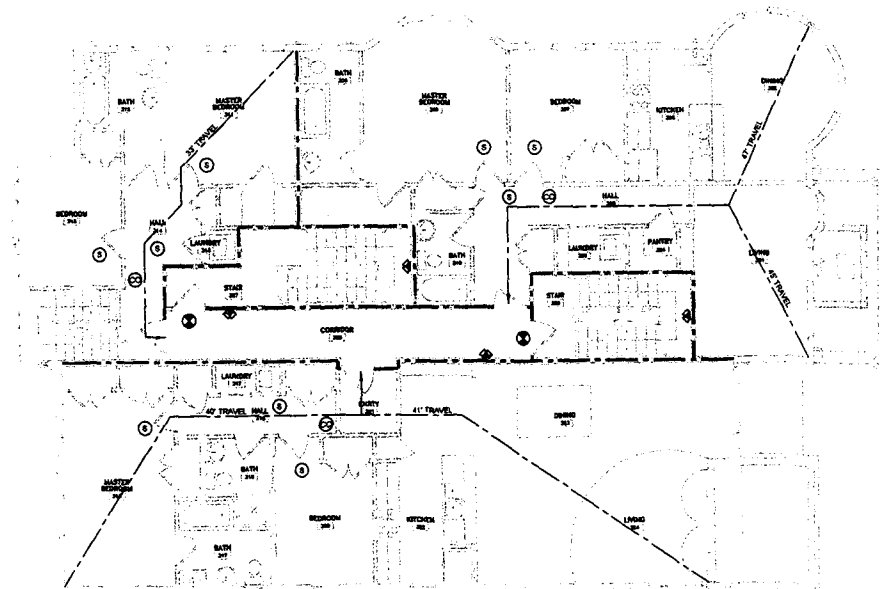
INTUMESCENT SEALANT: ONE-PART, INTUMESCENT, LATEX ELASTOMER TESTED TO ASTM E 814. MINIMUM EXPANSION OF 3x AT 1000°F. 3M \"FIRE BARRIER SEALANT CP 2506\" OR EQUAL.

FIRESTOP SEALANT: SINGLE COMPONENT NONCOMBUSTIBLE FIRE RATED SEALANT TESTED TO ASTM E 814. TESTED TO 3000°F. \"BOSS 136 FIRESTOP/DRAFT SEALANT\" MANUFACTURED BY ACCUMETRIC, LLC, OR EQUAL.

SEALANT SCHEDULE:

INTUMESCENT SEALANT: PROVIDE AT ALL PENETRATIONS THROUGH RATED CONSTRUCTION FOR PENETRATING ITEMS INCLUDING BUT NOT LIMITED TO: PVC PIPE; ROOF LEADER PIPES; GAS PIPES & LINES; SPRINKLER PIPES; ELECTRICAL & COMMUNICATIONS CABLES & WIRES; AND ALARM SYSTEM WIRES. DO NOT USE INTUMESCENT SEALANT AT DOMESTIC HOT WATER OR HYDRONIC HEATING SYSTEM PIPES.

FIRESTOP SEALANT: PROVIDE AT ALL PENETRATIONS THROUGH RATED CONSTRUCTION FOR PENETRATING ITEMS INCLUDING DOMESTIC HOT AND COLD WATER PIPES AND HYDRONIC HEATING SYSTEM PIPES.



3 THIRD FLOOR LIFE SAFETY PLAN
1/8\"/>

SITE PLAN REVIEW SET
Not for Construction
NOV 20, 2007

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

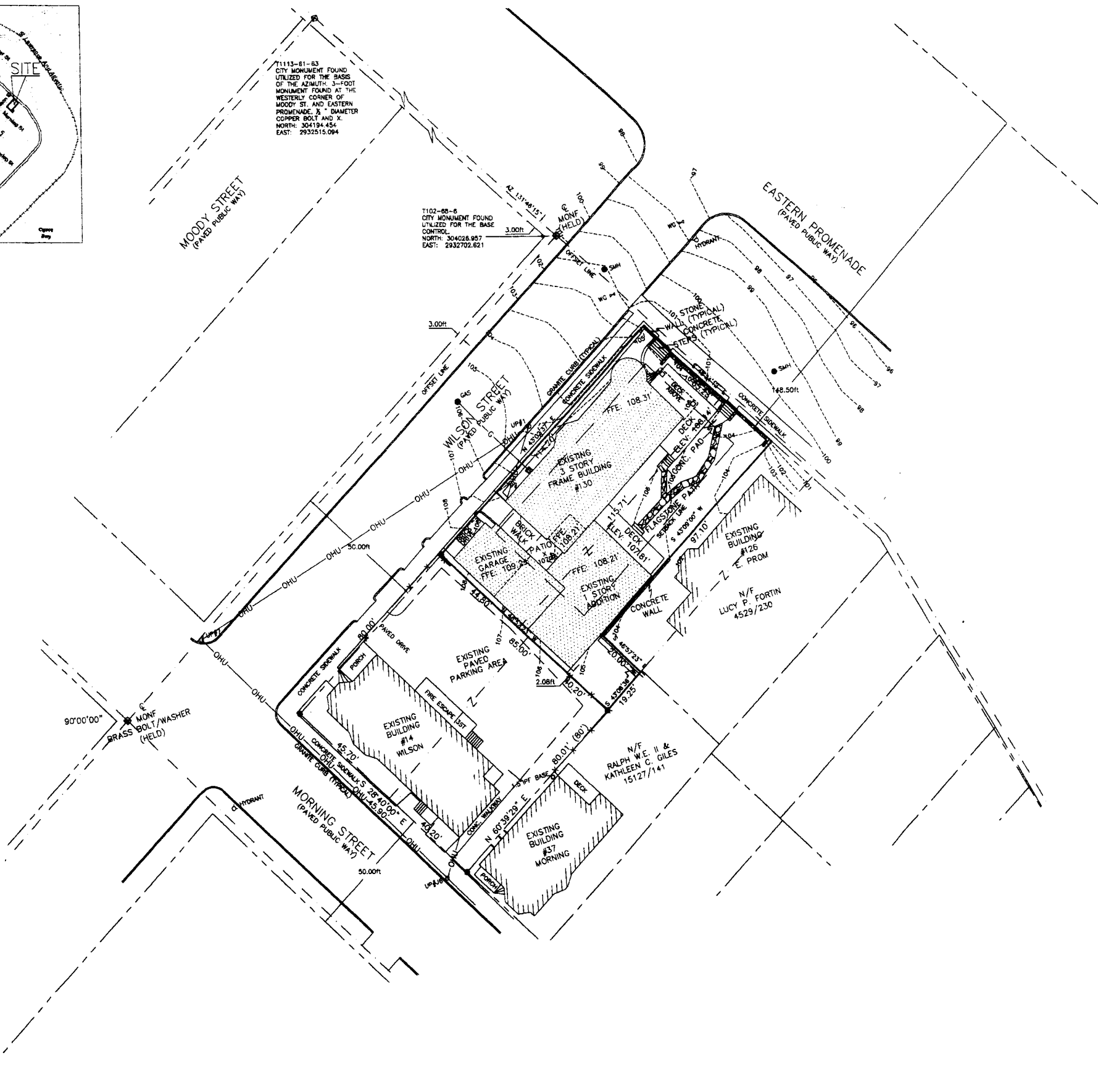
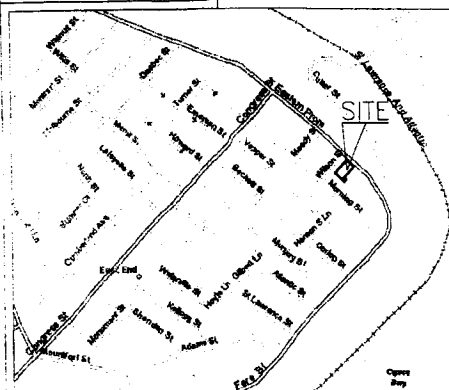
REVISIONS:

DATE:
PROJECT No: 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED

SHEET TITLE:
LIFE SAFETY PLAN

G1.2

SITE LOCATION MAP:



GENERAL NOTES:

1. RECORD OWNER OF PARCEL: 130 EASTERN PROM, LLC, BOOK 1407B PAGE 001 AS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS (C.C.R.D.).
2. BEARINGS ARE BASED UPON TWO CITY OF PORTLAND 3-FOOT OFFSET MONUMENTS SHOWN ON THIS PLAT. HORIZONTAL DATUM IS BASED UPON THE NORTH AMERICAN DATUM 1983 (NAD83) WEST ZONE. SEE PLAN FOR DESCRIPTIONS AND COORDINATES OF EACH MONUMENT. THIS SURVEY WAS PERFORMED UTILIZING THE FOLLOWING EQUIPMENT: LIETZ SOKKISHA SET 4 TOTAL STATION, LIETZ SDR 33 DATA COLLECTOR, HAND-HELD MAGNETIC COMPASS.
3. AREA OF SUBJECT PARCEL: 7,905.9 SQ. FT., 0.18 ACRES
4. REFERENCE IS MADE TO THE FOLLOWING PLANS:
 - a.) CITY OF PORTLAND TAX ASSESSOR PLAN NO. 3, BLOCK C, LOTS 1&2, PORTLAND, MAINE, DATED RETRACED 09/30/1965.
 - b.) EXISTING CONDITIONS PLAN AT 172 EASTERN PROMENADE, PORTLAND, MAINE, FOR CASCO BAY VENTURES, DATED , BY BACK BAY BOUNDARY, INC., NO. 2005111, NOT RECORDED.
 - c.) CONDOMINIUM PLAT, PROMENADE ESTATES CONDOMINIUMS, AT 108 EASTERN PROMENADE, PORTLAND, MAINE, FOR WALLY GEYER, DATED 10/11/2005, BY BACK BAY BOUNDARY, INC., NO. 2005122, NOT RECORDED.
 - d.) PROMENADE ESTATES CONDOMINIUM, AT 108 EASTERN PROMENADE, PORTLAND, MAINE, FOR ANTHONY W. SALEM, JOB NUMBER: 2005122 REVISION 1, BY BACK BAY BOUNDARY, INC., DATED NOVEMBER 29, 2005, NOT RECORDED.
5. THERE WERE NO APPARENT EASEMENTS OR RESTRICTIONS BURDENING OR BENEFITING SUBJECT PROPERTY AT THE TIME OF THIS SURVEY.
6. BENCHMARK = HIGHEST POINT ON 'M' MONUMENT @ NORTHWEST CORNER OF ST. LAWRENCE AND FORE STREETS (ELEVATION = 69.35') BASED ON N.G.V.D. 1929 CITY OF PORTLAND DATUM.

ZONING:

ZONE: R-6 RESIDENTIAL ZONE
 SETBACKS: FRONT - 10 FT (< AVERAGE OF ABUTTER LOTS)
 REAR - 20 FT
 SIDE - 1-3 STORIES - 10 FT, 4 STORIES - 12 FT
 MINIMUM LOT SIZE: 4500 SQ FT
 MINIMUM LOT WIDTH: 50 FT
 MAXIMUM BUILDING HEIGHT: 45 FT
 MAXIMUM LOT COVERAGE: 40%

FLOOD NOTE:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 14B, WHICH BEARS AN EFFECTIVE DATE OF JULY 07, 1986, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

LEGEND:

- | | | |
|-----|------------------------------|---|
| CRF | Granite Monument Found 6"x6" | (50.00') Distance from reference |
| CRF | Capped 5/8" Rebar Found | Plan or deed. |
| | Name # 2303, | N/F Now Or Formerly |
| IPF | Iron Pipe Found | 12345/99 Deed Book/Page |
| | | of Local Registry |
| SMH | Sewer Manhole | |
| WG | Water Gate | |
| GAS | Gas Valve | |
| --- | Abutter Line | --- Edge of traveled way |
| --- | Property Line | --- OHU --- Overhead Utility |
| --- | Street Line | --- Utility Pole |
| --- | Setback Line | ---101--- Contour Line |
| --- | Old Lot Line | --- Z --- Indicates Ownership in Common |

BOUNDARY SURVEY/SITE PLAN AT 130 EASTERN PROMENADE, PORTLAND, MAINE

FOR: 130 EASTERN PROM, LLC

PREPARED BY:
BACK BAY BOUNDARY, INC.
 LAND SURVEYING
 643 FOREST AVENUE
 PORTLAND, MAINE 04101
 207-774-2855 FAX 207-347-4346

DRAWN BY: PJM
 CHECKED BY: RTG
 SCALE: 1" = 20'
 DATE OF SURVEY: 09/07/2006
 JOB NUMBER: 2006082
 SHEET: 1 OF 1
 DRAWER: 2006 NO: 082

REVISIONS:

STATE OF MAINE, CUMBERLAND SS
 REGISTRY OF DEEDS

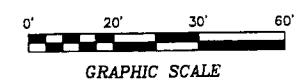
RECEIVED 2008
 AT : H .M. AND RECORDED IN
 PLAN BOOK PAGE

REVISED 01-10-2008: ROTATED DRAWING TO STATE PLANE COORDINATES AND
 RELABLED BEARINGS

LOCATION: 130 EASTERN PROMENADE, PORTLAND, MAINE

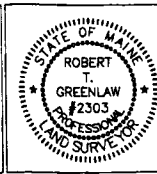
STATE OF MAINE, CUMBERLAND SS
 REGISTRY OF DEEDS

RECEIVED 2008
 AT : H .M. AND RECORDED IN
 PLAN BOOK PAGE



FIELD BOOK: 20 PAGE: 72

Handwritten signature/initials

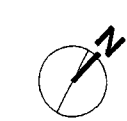
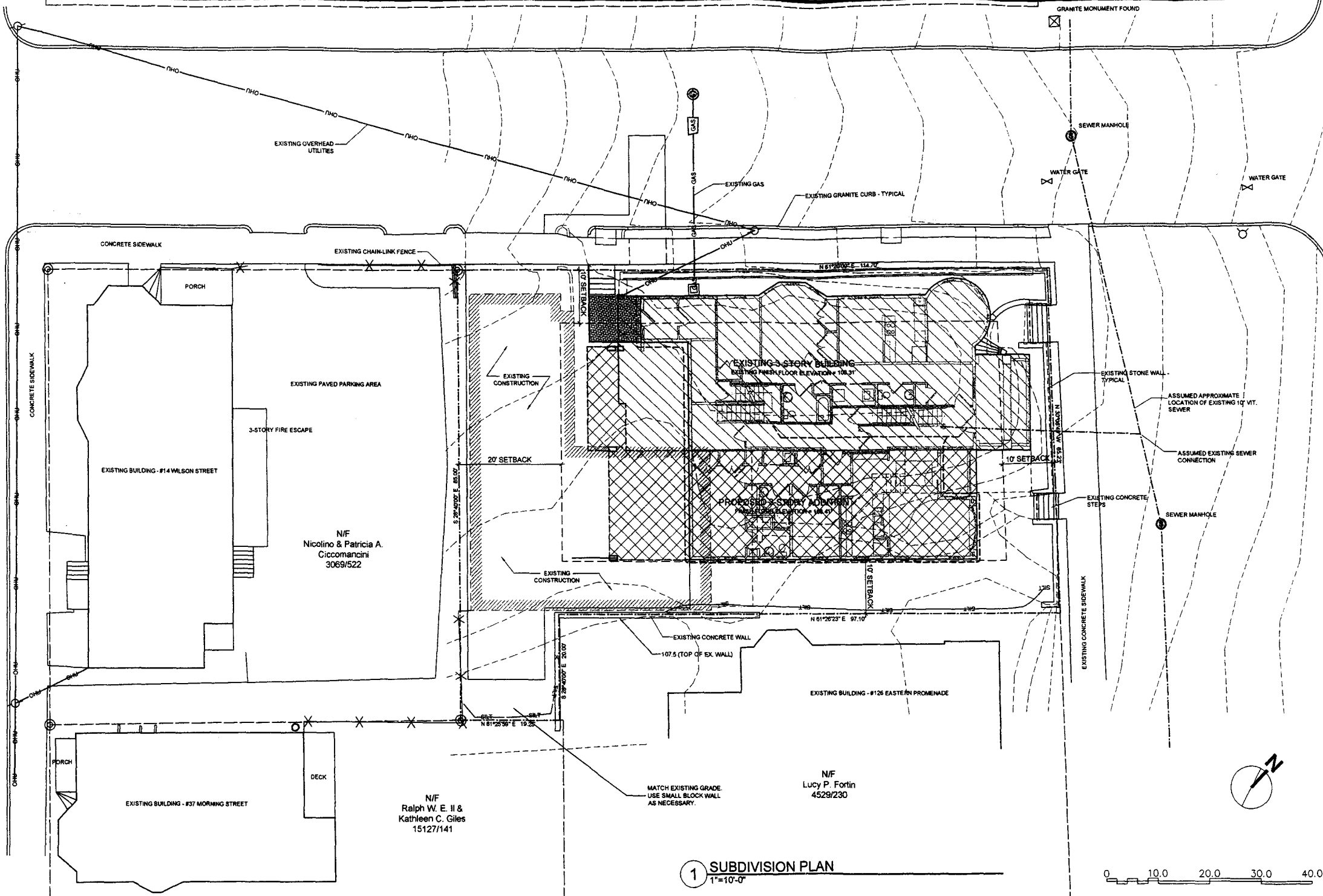


CERTIFICATE:

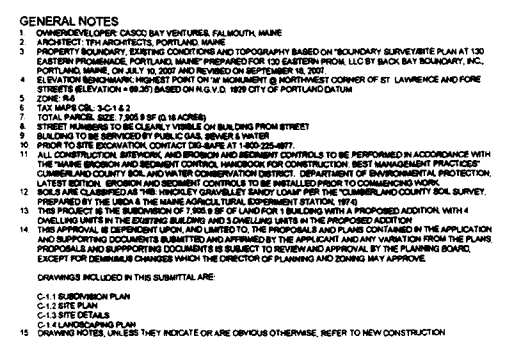
I HEREBY CERTIFY THAT THIS SURVEY CONFORMS TO THE MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' STANDARDS OF PRACTICE AS ADOPTED APRIL 01, 2001 WITH THE FOLLOWING EXCEPTIONS:

- a) NO WRITTEN REPORT
- b) NO NEW DESCRIPTION
- c) NO NEW CORNERS WERE SET

ROBERT T. GREENLAW P.L.S., #2303
 V. PRESIDENT BACK BAY BOUNDARY, INC. DATE: JANUARY 10, 2008



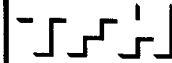
SUBDIVISION PLAN
APPROVED BY THE CITY OF PORTLAND
PLANNING BOARD

[illegible]

- 1.) Survey date changed to "September 18, 2007." This is the date on the latest Back Bay Boundary survey CAD file as of 11/08/07.
- 2.) Note 13 changed from 6 to 4 dwelling units in the existing building.
- 3.) If an additional "C" sheet is created for lighting, it should probably be included in the list in Note 14.

C1.1

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES



TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND, MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

Land Consulting Engineers, PA
967 Broadway
South Portland, ME 04106
Tel: 207-767-7300
Fax: 1-800-267-2033
Structural
Bridley Engineering, Inc.
80 Bridge St., Suite 200
Westbrook, ME 04092
Ph: 207-854-5465 ext. 19
Fax: 207-854-8706

SITE PLAN REVIEW SET
Not for Construction
JAN 15, 2008

REVISIONS:

DATE:

PROJECT No. 0610

DRAWN BY: SA

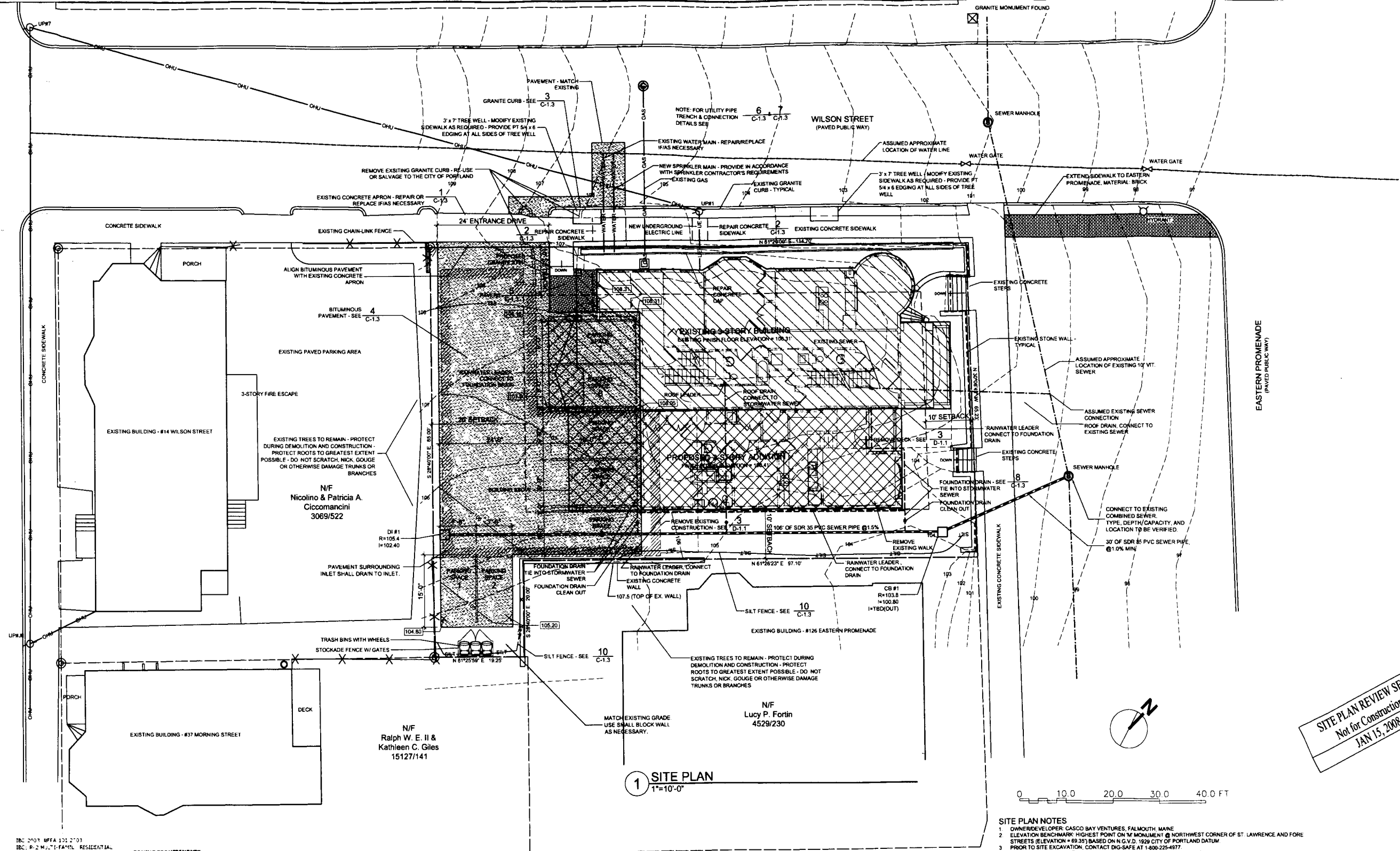
CHECKED BY: TST

SCALE: AS NOTED

SHEET TITLE:

SITE PLAN

C1.2



1 SITE PLAN
1"=10'-0"

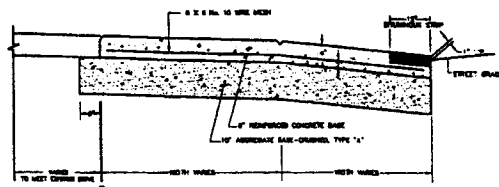
CODE SUMMARY	
BUILDING CODE	IBC 2003, NFPA 101 2003
CONSTRUCTION	IBC, R-2 MULTIFAMILY RESIDENTIAL
FLOOR	NTPA RESIDENTIAL APARTMENT EDITION
SPRINKLER	IBC, TYPE 1 & 2 COVERED FRAME
	NFPA TYPE 1 & 2
	3" BASEM-TT
	NFPA 127
BUILDING AREA	
31 First Floor	10,534 GSF
42 Second Floor	1,123 GSF
23 Third Floor	1,153 GSF
APARTMENT AREAS	
Apartment 1	1,123 GSF
Apartment 2	1,153 GSF
Apartment 3	1,153 GSF
Apartment 4	1,442 GSF
Apartment 5	1,202 GSF
Apartment 6	1,111 GSF
Apartment 7	1,311 GSF
AREA OF ADDITION	
54 First Floor	4,223 GSF
15 Second Floor	1,162 GSF
15 Third Floor	1,600 GSF
15 Fourth Floor	1,457 GSF

ZONING REQUIREMENTS		
Zone:	R-4 Residential	
Requirement	Existing 13 Unit Apartment Building; portion to be removed; remaining to be replaced; addition to be built; conversion to 7 total units.	
Description	Requirement	Max sq. Space
Maximum lot size	4.50 ac	7,404 sq ft
Minimum area per unit	7.00 sq ft	7,404 sq ft
Minimum Street Frontage	40 ft	65' 4"
Front Yard	10'	No (Existing Building)
Side Yard	10'	Yes, Adjacent
Back Yard	10'	No (Existing Building)
Maximum Lot Coverage	50%	Yes, Adjacent
Footprint	50'	44-20'
Maximum Lot Width	50'	3,691.00 sq ft
Maximum Structure Height	45'	65' 4"
Open Space Ratio	20%	45'
Parking	0	2,000.00 sq ft

open space created more meet criteria

open space created more do not meet criteria - 25% 4%

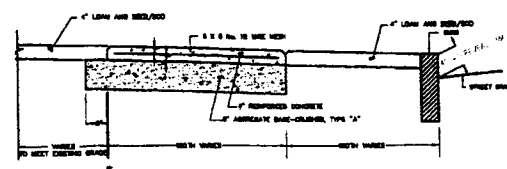
- SITE PLAN NOTES**
- OWNER/DEVELOPER: CASCO BAY VENTURES, FALMOUTH, MAINE
 - ELEVATION BENCHMARK: HIGHEST POINT ON "N" MONUMENT @ NORTHWEST CORNER OF ST. LAWRENCE AND FORE STREETS (ELEVATION = 69.35') BASED ON N.G.V.D. 1929 CITY OF PORTLAND DATUM
 - PRIOR TO SITE EXCAVATION, CONTACT DIG-SAFE AT 1-800-225-4977
 - PROPERTY BOUNDARY: EXISTING CONDITIONS AND TOPOGRAPHY BASED ON "BOUNDARY SURVEY/SITE PLAN AT 130 EASTERN PROMENADE, PORTLAND, MAINE" PREPARED FOR 130 EASTERN PROMENADE, LLC BY BACK BAY BOUNDARY, INC., PORTLAND, MAINE, ON JULY 10, 2007 AND REVISED ON AUGUST 29, 2007.
 - TAX MAPS CBL 34-1 & 2
 - TOTAL PARCEL SIZE: 7.8668 SF (0.18 ACRES)
 - ALL CONSTRUCTION, SITEWORK, AND EROSION AND SEDIMENT CONTROLS TO BE PERFORMED IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES" CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. EROSION AND SEDIMENT CONTROLS TO BE INSTALLED PRIOR TO COMMENCING WORK
 - UTILITY CONNECTIONS WITHIN STREET RIGHTS-OF-WAY: BUILDER TO ACQUIRE STREET OPENING PERMIT(S) FROM THE DEPARTMENT OF PUBLIC WORKS. POST PERFORMANCE BONDS AS REQUIRED; COORDINATE PRE-CONSTRUCTION MEETINGS AND INSPECTIONS WITH THE CITY OF PORTLAND AND/OR UTILITY COMPANIES AS APPLICABLE.
 - CURBING THAT IS NOT RE-USED REMAINS THE PROPERTY OF THE CITY OF PORTLAND AND IS TO BE DELIVERED TO THE CITY'S OUTER CONGRESS STREET STOCKYARD
 - NEW PAVEMENT WITHIN STREET RIGHTS-OF-WAY TO MATCH EXISTING PAVEMENT MATERIALS AND THICKNESSES
 - ALL SITE WORK TO BE EXECUTED IN ACCORDANCE WITH THE SITE PLAN. PRIOR CITY APPROVAL REQUIRED FOR ALTERATIONS TO OR DEVIATIONS FROM THE PLANS.
 - PRIOR TO CONSTRUCTION, BUILDER TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE CITY AS REQUIRED.
 - NO WORK WILL BE ALLOWED IN THE R.O.W. UNTIL THE MORATORIUM FOR THE STREET HAS BEEN LIFTED, AND WEATHER PERMITS CONSTRUCTION
 - IF DISTURBANCE TO THE EXISTING SIDEWALK TAKES PLACE DURING CONSTRUCTION, IT MAY BE REPAIRED WITH CONCRETE IF THE DISTURBED LENGTH IS LESS THAN 10' AND KEPT WITHIN 2 SECTIONS OF CONCRETE SIDEWALK. IF A LARGER DISTURBED AREA OF SIDEWALK TAKES PLACE, THE SECTIONS MUST BE REPLACED WITH BRICK SIDEWALK IF THE SIDEWALK IS NOT PART OF THE HISTORIC AREA (ALONG WILSON STREET), THE OPTION EXISTS FOR CONCRETE PAVEMENT BRICKS TO BE USED AS AN ALTERNATIVE TO CLAY BRICK.
- GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)**
- DRAWING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.
 - LAYOUT: UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD & RISER LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.
- *SEE G-1.1 FOR SELECT SPECIFICATIONS



NOTE: FINISH CONCRETE TO MIMIC WORN SURFACE OF EXISTING SIDEWALK TO GREATEST EXTENT POSSIBLE

NOTE: USE TYPE 1 CEMENT TO MATCH COLOR OF EXISTING CONCRETE SIDEWALKS

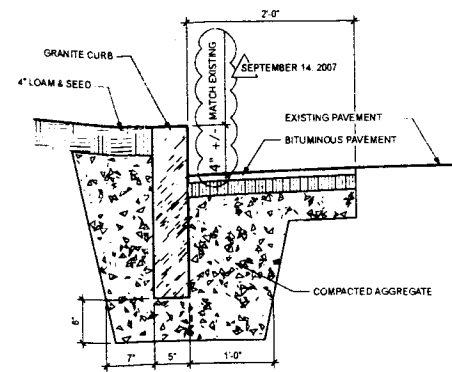
1 CONCRETE DRIVEWAY APRON
C-1.3 NOT TO SCALE



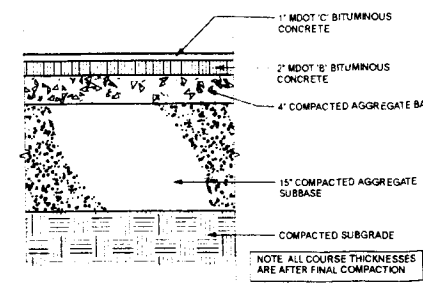
NOTE: FINISH CONCRETE TO MIMIC WORN SURFACE OF EXISTING SIDEWALK TO GREATEST EXTENT POSSIBLE

NOTE: USE TYPE 1 CEMENT TO MATCH COLOR OF EXISTING CONCRETE SIDEWALKS

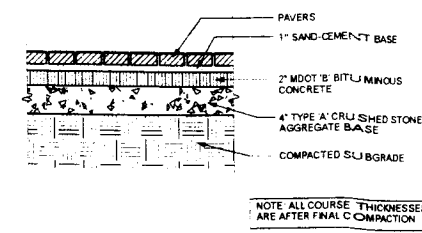
2 CONCRETE SIDEWALK
C-1.3 NOT TO SCALE



3 CURB DETAIL
C-1.3 Scale: 1" = 1'-0"

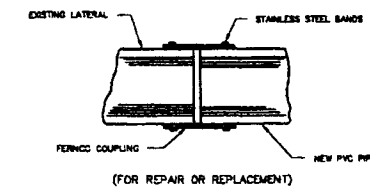


4 BITUMINOUS PAVEMENT
C-1.3 Scale: 1" = 1'-0"

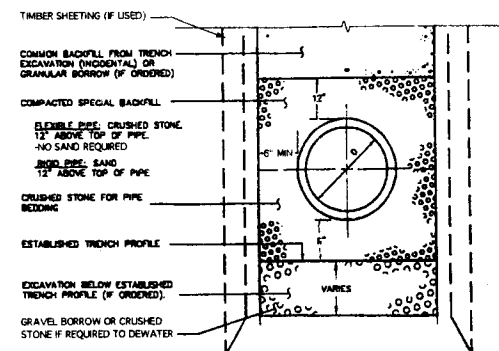


5 PAVERS
C-1.3 Scale: 1" = 1'-0"

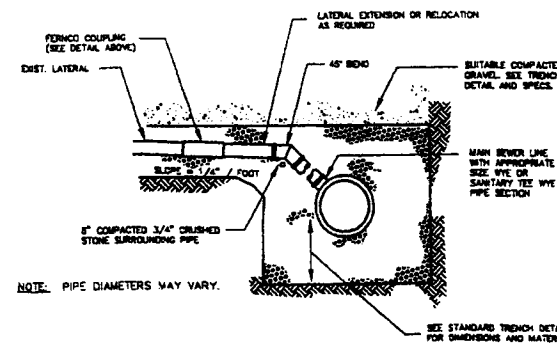
1. LOCATIONS AND ELEVATIONS OF STUBS SHOWN ON THE PLANS ARE TO BE CONSIDERED AS APPROXIMATE AND MAY BE ADJUSTED AS DIRECTED TO SUIT FIELD CONDITIONS.
2. HOUSE CONNECTIONS AND CATCH BASIN CONNECTIONS TO THE MAIN LINE OF THE SEWER SHALL CONSIST OF AN APPROPRIATE 4" BRANCH CONNECTION AS SHOWN ON THE PLANS, OR AS DIRECTED. ACTUAL 4" LOCATIONS FOR HOUSE CONNECTIONS AND CATCH BASIN CONNECTIONS SHALL BE DETERMINED DURING CONSTRUCTION. THE CONTRACTOR SHALL KEEP A COMPLETE RECORD OF 4" LOCATIONS WHICH SHALL BE GIVEN TO THE CITY OF PORTLAND UPON COMPLETION OF THE CONTRACT.



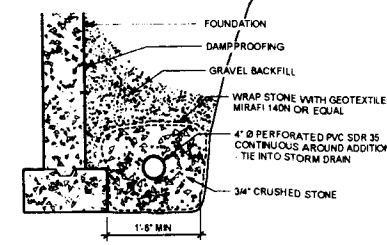
(FOR REPAIR OR REPLACEMENT)



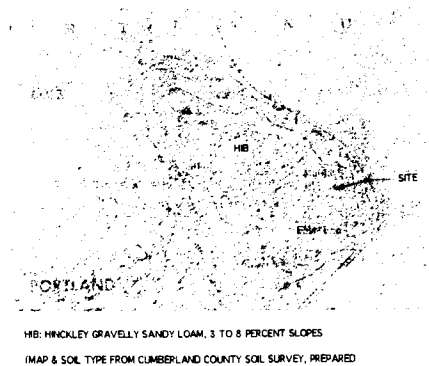
6 PIPE TRENCH
C-1.3 NOT TO SCALE



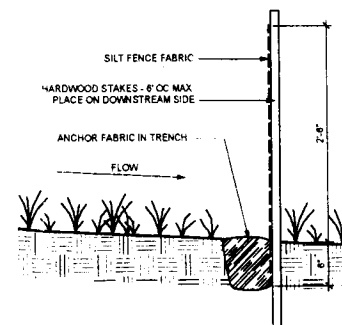
7 PIPE LATERAL CONNECTION
C-1.3 NOT TO SCALE



8 FOUNDATION DRAIN
C-1.3 Scale: 3/4" = 1'-0"



9 SOILS MAP
C-1.3 NOT TO SCALE



10 SILT FENCE DETAIL
C-1.3 Scale: 1" = 1'-0"

- EROSION CONTROL NOTES**
1. ALL CONSTRUCTION, SITEWORK, AND EROSION AND SEDIMENT CONTROLS TO BE PERFORMED IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION, BEST MANAGEMENT PRACTICES (BMP) CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP), LATEST EDITION."
 2. THE BUILDER SHALL ONLY DISTURB THE AREAS OF THE PROPOSED CONSTRUCTION AND GRADING. ANY DISTURBANCE OUTSIDE THESE LIMITS MUST BE APPROVED BY THE ARCHITECT.
 3. THE BUILDER SHALL BE RESPONSIBLE FOR EMPLOYING EROSION CONTROL METHODS BEYOND THE CONTROLS SHOWN ON THE PLANS IF AND AS NECESSARY IN ORDER TO MEET THE ABOVE REFERENCED DEP EROSION CONTROL STANDARDS.
 4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR RE-GRADING. ALL DISTURBED AREAS ON SITE NOT COVERED BY BUILDINGS OR DESIGNATED PARKING AREAS, DRIVEWAYS, OR SIDEWALKS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED, AS DESCRIBED IN THE MAINE DEP BMP STANDARDS.
 5. PERMANENT SEEDING OR STABILIZATION SHALL BE PERFORMED IMMEDIATELY AFTER FINAL GRADING IS COMPLETED OR TEMPORARY MEASURES SHALL BE APPLIED SUCH AS MULCHING OR SEEDING UNTIL PERMANENT MEASURES ARE IN PLACE.
 6. WITHIN 7 CALENDAR DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT, MULCH MUST BE SPREAD ON ANY EXPOSED SOILS.
 7. THE BUILDER SHALL STABILIZE ANY SOIL STOCKPILES WHICH WILL REMAIN UNUSED FOR MORE THAN 7 DAYS, OR PRIOR TO A STORM EVENT.
 8. ALL EROSION CONTROL DEVICES MUST BE CHECKED WEEKLY AND AFTER EACH SIGNIFICANT RAINFALL TO MINIMIZE PONDING, DAMAGE, DETERIORATION OR UNDERMINING. ANY PROBLEMS SHALL BE REPAIRED IMMEDIATELY. TRAPPED SEDIMENT SHALL BE REMOVED WHEN IT HAS ACCUMULATED TO NO MORE THAN HALF THE ORIGINAL HEIGHT OF ANY BARRIER.
 9. WHERE CONSISTENT WITH JOB SAFETY REQUIREMENTS, ALL MATERIALS EXCAVATED FROM TRENCHES SHALL BE PLACED ON THE UPHILL SIDES OF SUCH TRENCHES.
 10. SEDIMENT BARRIERS MUST BE MAINTAINED UNTIL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
 11. EROSION CONTROL DEVICES SHALL BE REMOVED WITHIN 30 DAYS OF FINAL STABILIZATION.
 12. SEEDING AREAS SHALL BE FERTILIZED AND RESEED AS NECESSARY TO ENSURE VEGETATION IS ESTABLISHED.
 13. ALL FINAL SEEDING SHALL BE COMPLETED WITHIN 7 DAYS FOLLOWING FINAL GRADING.
 14. ALL AREAS SHALL BE MULCHED IMMEDIATELY AFTER SEEDING.
 15. SEEDING SHALL BE PERFORMED BETWEEN APRIL 15th AND OCTOBER 1st. BEYOND THOSE DATES, DORMANT SEEDING SHALL BE APPLIED AT DOUBLE THE APPLICATION RATE, AND ALL FERTILIZING, SEEDING AND MULCHING SHALL BE COMPLETED ON THE SAME DAY IMMEDIATELY AFTER THE LOAM IS SPREAD.

*SEE G-11 FOR SELECT SPECIFICATIONS



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The Estates of Longfellow Inn
130 Eastern Promenade, Portland, Maine
Casco Bay Ventures

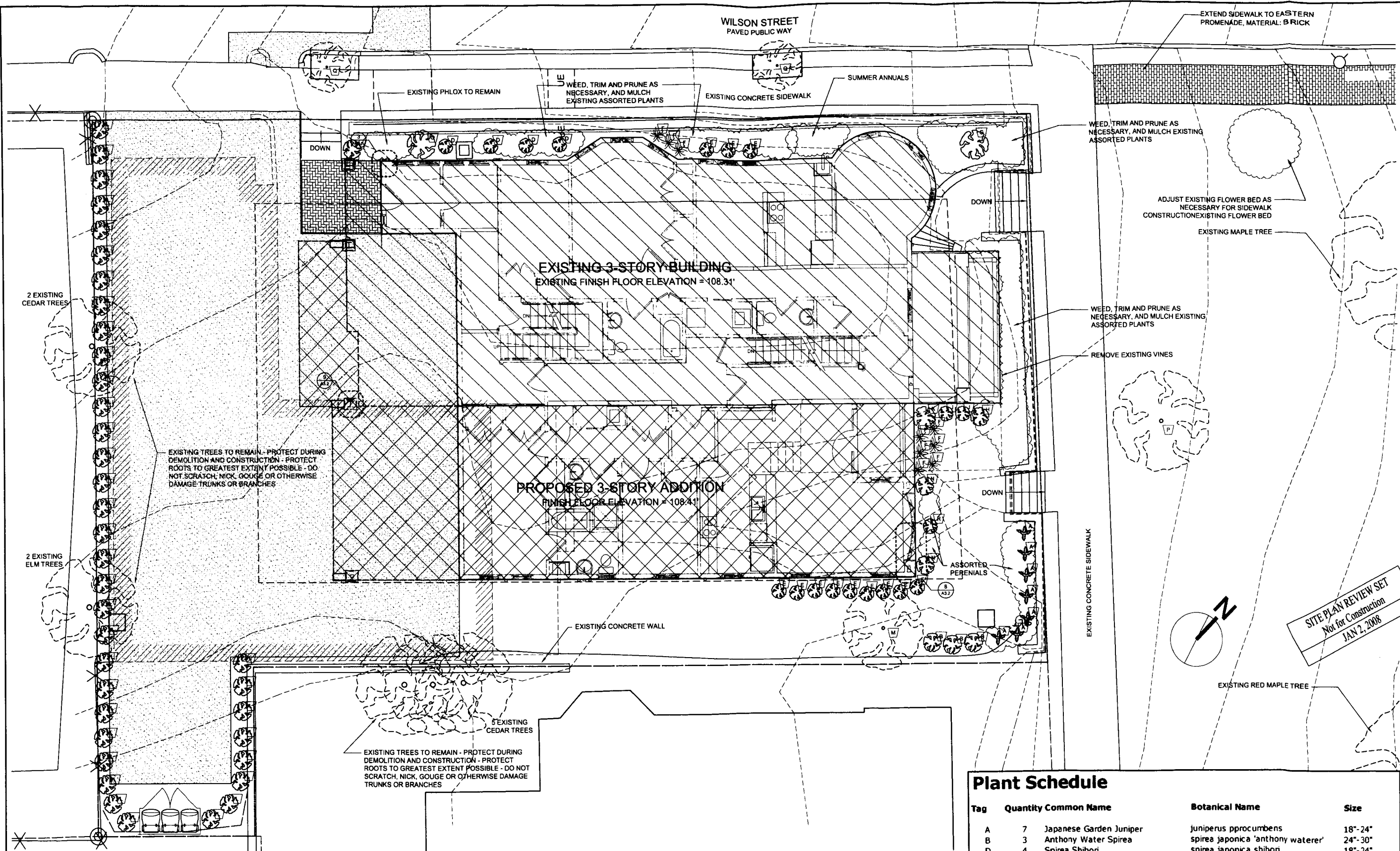
TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND, MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS

REVISIONS

DATE September 14, 2007
PROJECT No. 0610
DRAWN BY WJT
CHECKED BY TST
SCALE As Noted
SHEET TITLE Site Details

C-1.3



1 LANDSCAPING PLAN
3/16"=1'-0"

LANDSCAPE PLAN NOTES

- IF DISTURBANCE TO THE EXISTING SIDEWALK TAKES PLACE DURING CONSTRUCTION, IT MAY BE REPAIRED WITH CONCRETE IF THE DISTURBED LENGTH IS LESS THAN 10', AND KEPT WITHIN 2 SECTIONS OF CONCRETE SIDEWALK. IF A LARGER DISTURBED AREA OF SIDEWALK TAKES PLACE, THE SECTIONS MUST BE REPLACED WITH BRICK SIDEWALK. IF THE SIDEWALK IS NOT PART OF THE HISTORIC AREA (ALONG WILSON STREET), THE OPTION EXISTS FOR CONCRETE PAVER BRICKS TO BE USED AS AN ALTERNATIVE TO CLAY BRICK.

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

- DRAWING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.
- LAYOUT: UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD & RISER LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.

Plant Schedule

Tag	Quantity	Common Name	Botanical Name	Size
A	7	Japanese Garden Juniper	juniperus pprocumbens	18"-24"
B	3	Anthony Water Spirea	spirea japonica 'anthony waterer'	24"-30"
D	4	Spirea Shibori	spirea japonica shibori	18"-24"
E	12	Hydrangea Annabella	hydrangea arborescens 'annabella'	18"-24"
F	9	Day Lily		
G	1	Hydrangea PG	hydrangea paniculata grandiflora	36"-48"
H	1	Miss Kim Lilac	syringa patula	24"-30"
J	2	Blue Hydrangea	nikko blue hydrangea	18"-24"
K	1	Dwarf Burning Bush	euonymus alatus compactus	30"-36"
L	40	Arborvitae		48"-60" Tall
M	1	Snow Fountains® Weeping Cherry	prunus 'snowfozam'	10'
N	2	PJM Rhododendron	rhododendron 'pjm'	24"-30"
O	1	Diablo Ninebark	physocarpus opulifolius 'monlo'	36"-48"
P	1	Princeton American Elm	ulmus americana 'princeton'	2 1/2" Caliper
Q	2	Ginkgo	ginkgo biloba	2" Caliper
R	1	Gold Thread Cypress	chamaecyparis pisifera 'filifera aurea'	18"-24"

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THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

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PORTLAND MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

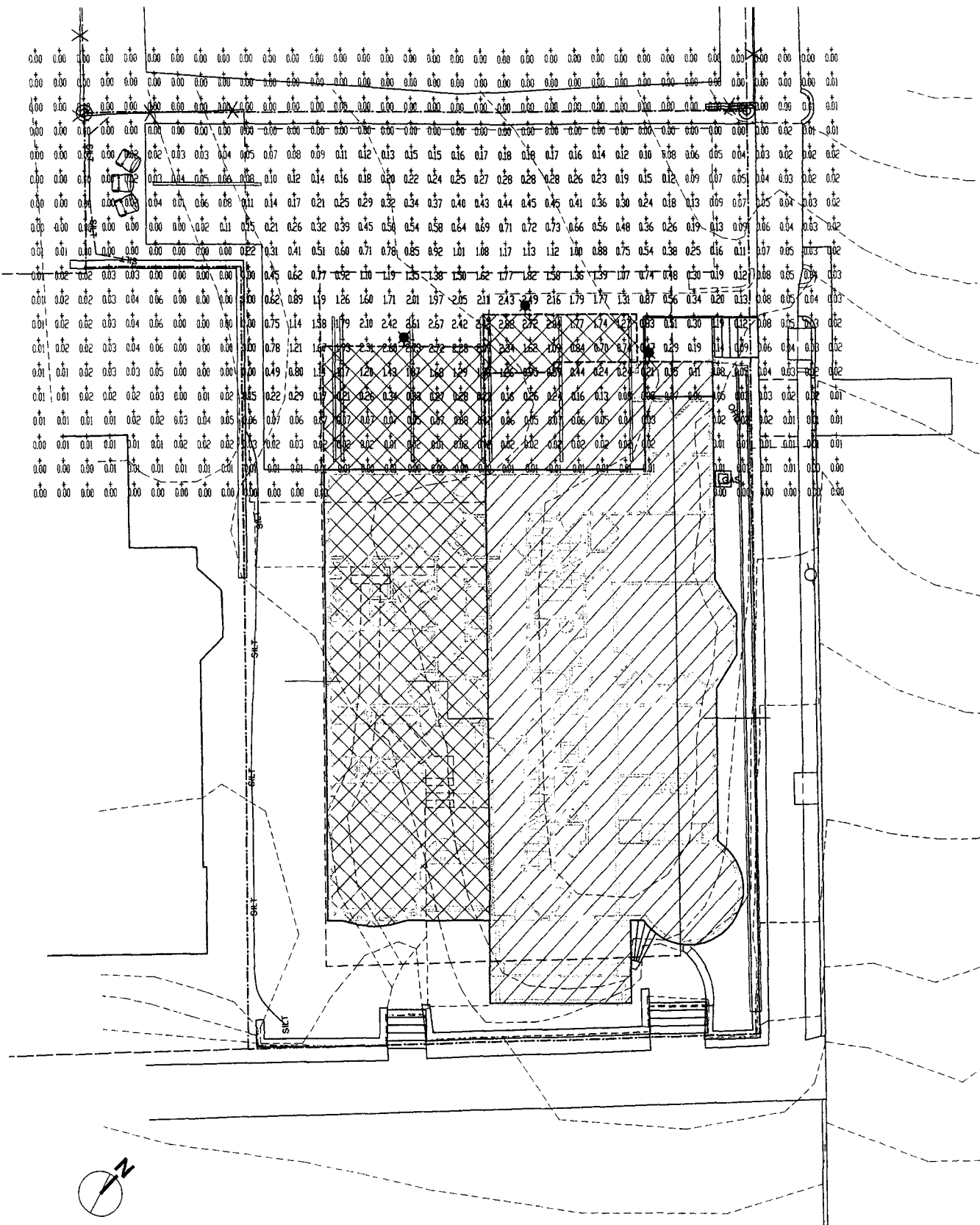
CONSULTANTS:
CDA
Civil Consulting Engineers, P.A.
807 Broadway
South Portland, ME 04106
Tel: 207-787-7300
Fax: 1-888-201-2233
DRAFTER:
Shelley Engineering, Inc.
80 Bridge St., Suite 200
Westbrook, ME 04092
Ph: 207 884 5483 ext. 18
Fax: 207 884 6708

SITE PLAN REVIEW SET
Not for Construction
JAN 2, 2008

REVISIONS:

DATE:
PROJECT No. 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED
SHEET TITLE:
LANDSCAPING
PLAN


C1.4



1 SITE LIGHTING
1/8"=1'-0"



2 SOUTHWEST ELEVATION
3/16"=1'-0"

130 EASTERN PROMENADE LUMINAIRE SCHEDULE						
TYP	SYMBOL	DESCRIPTION	LAMP	LUMENS	MOUNTING / BALLAST	LLF QTY
A		KIM WF 22-23 / 70MHood/oc WALL FORMS WALL MOUNTED LUMINA	(1) 70MH	515	N/A	0.80 3

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THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

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PORTLAND MAINE 04101
TELEPHONE 207 775 8141
ARCHITECTURE PLANNING

CONSULTANTS:

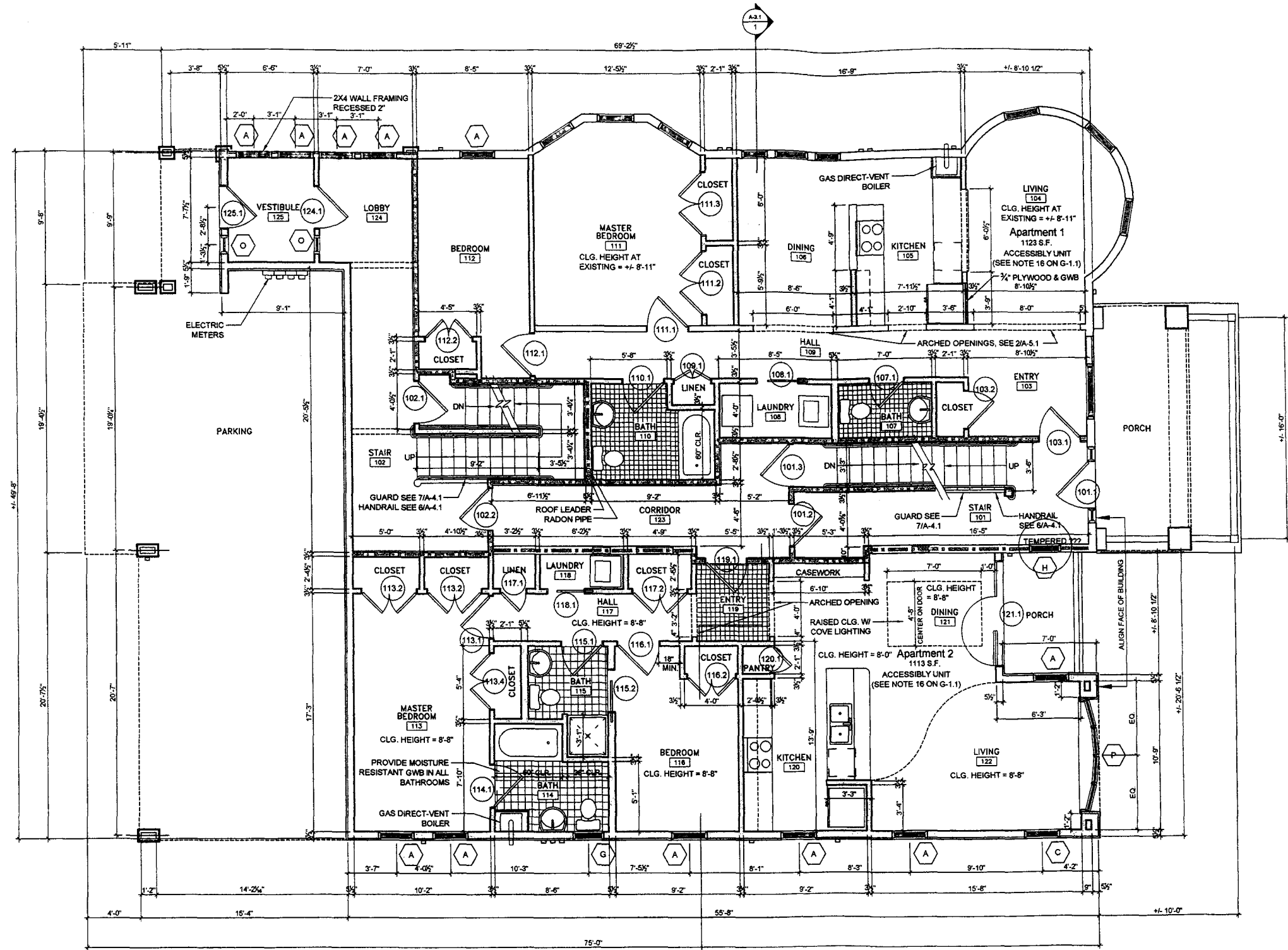
REVISIONS:

DATE:
PROJECT No. 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED

SHEET TITLE:
SITE LIGHTING

SITE PLAN REVIEW SET
Not for Construction
NOV 20, 2007

C-1.5



1 FIRST FLOOR PLAN
1/4" = 1'-0"

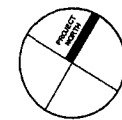
LEGEND

	EXISTING CONSTRUCTION TO REMAIN
	DEMOLITION
	NEW CONSTRUCTION
	1 HOUR RATED NEW CONSTRUCTION
	1 HOUR RATED EXISTING CONSTRUCTION

NOTE: SEE A-3.1 FOR CONSTRUCTION ASSEMBLIES

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

- DRAWING NOTES:** DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS, REFER TO NEW CONSTRUCTION.
- LAYOUT:** UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD AND RISER LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.



0 2' 4' 8'
SCALE: 1/4" = 1'-0"

SITE PLAN REVIEW SET
Not for Construction
NOV 20, 2007

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

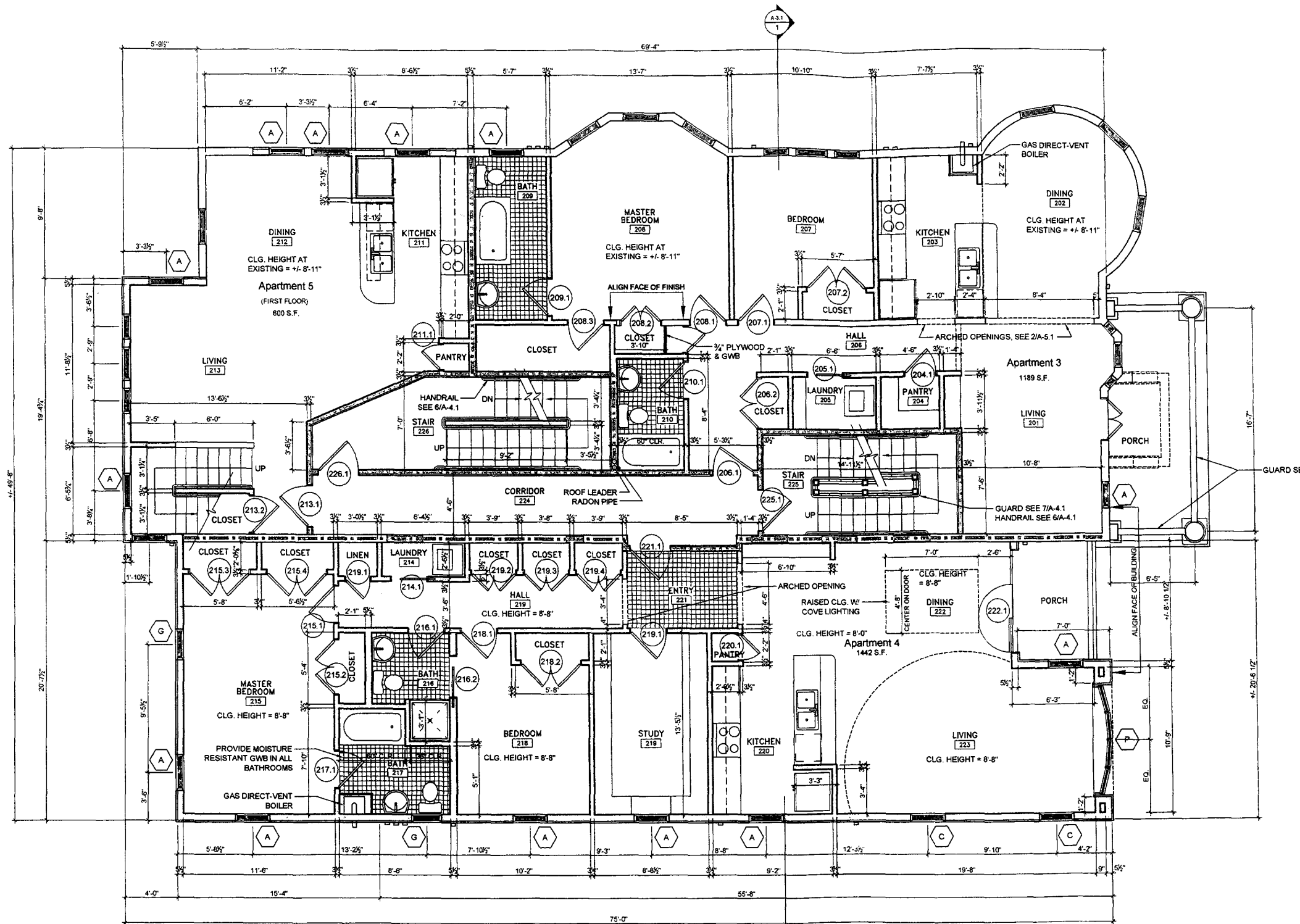
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PORTLAND MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

DATE: MAY 16, 2007
PROJECT No. 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED
SHEET TITLE:
1ST FLOOR PLAN

A1.2



1 FIRST FLOOR PLAN
A1.2 1/4" = 1'-0"

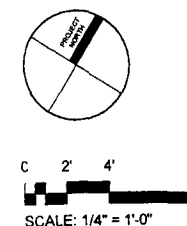
LEGEND

- EXISTING CONSTRUCTION TO REMAIN
- DEMOLITION
- NEW CONSTRUCTION
- 1 HOUR RATED NEW CONSTRUCTION
- 1 HOUR RATED EXISTING CONSTRUCTION

NOTE: SEE A-3.1 FOR CONSTRUCTION ASSEMBLIES

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

1. DRAWING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS, REFER TO NEW CONSTRUCTION.
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SITE PLAN REVIEW SET
Not for Construction
NOV 20, 2007

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THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

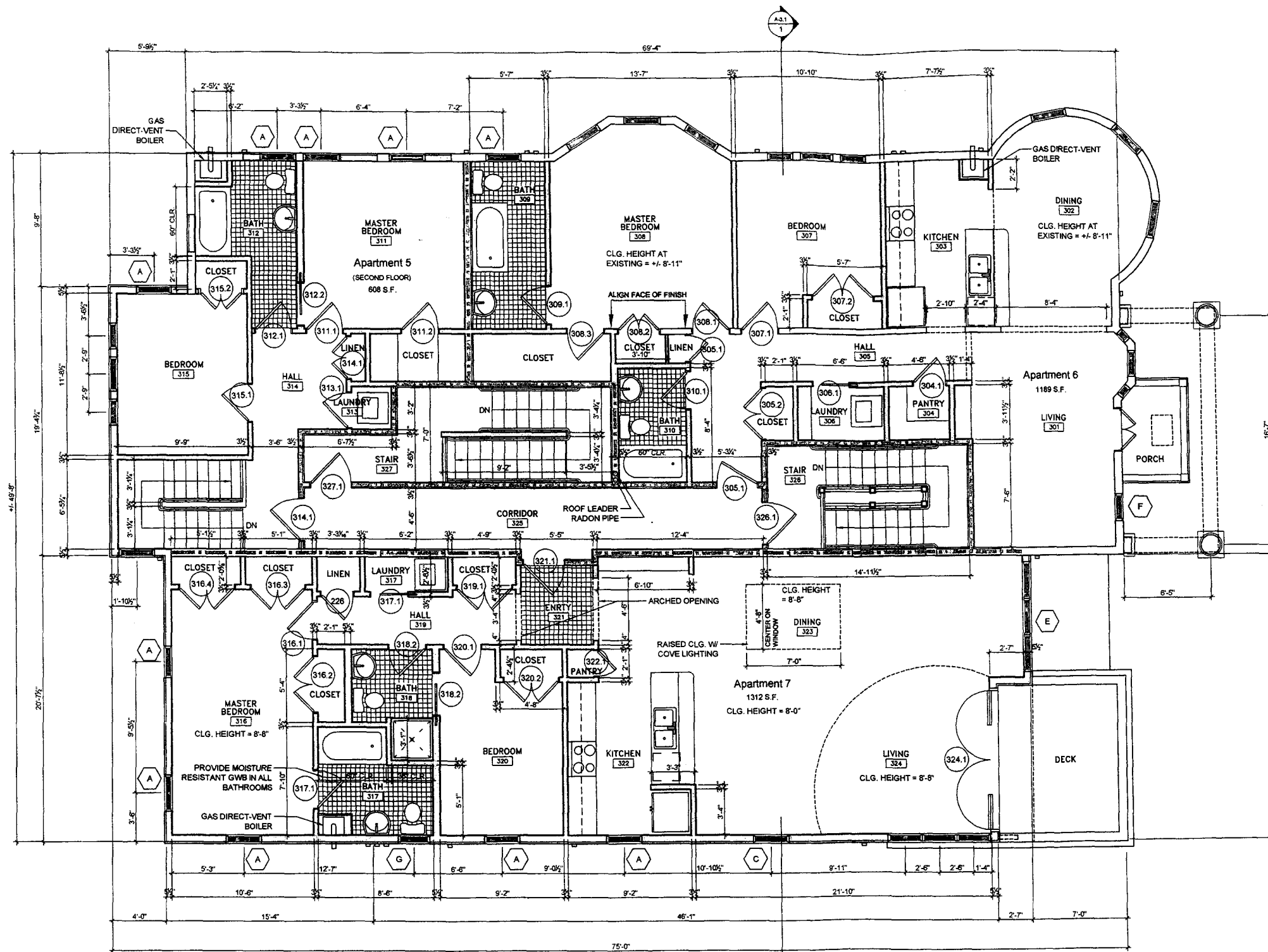
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TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

DATE
PROJECT No 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED
SHEET TITLE:
2ND FLOOR PLAN

A1.3



1 FIRST FLOOR PLAN
1/4" = 1'-0"

LEGEND

- EXISTING CONSTRUCTION TO REMAIN
- DEMOLITION
- NEW CONSTRUCTION
- 1 HOUR RATED NEW CONSTRUCTION
- 1 HOUR RATED EXISTING CONSTRUCTION

NOTE: SEE A-3.1 FOR CONSTRUCTION ASSEMBLIES

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

1. DRAWING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS, REFER TO NEW CONSTRUCTION.
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THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

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100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 8141
ARCHITECTURE PLANNING

CONSULTANTS:

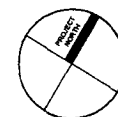
REVISIONS:

DATE:
PROJECT No. 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED

SHEET TITLE:
3RD FLOOR PLAN

A1.4

SITE PLAN REVIEW SET
Not for Construction
NOV 20, 2007



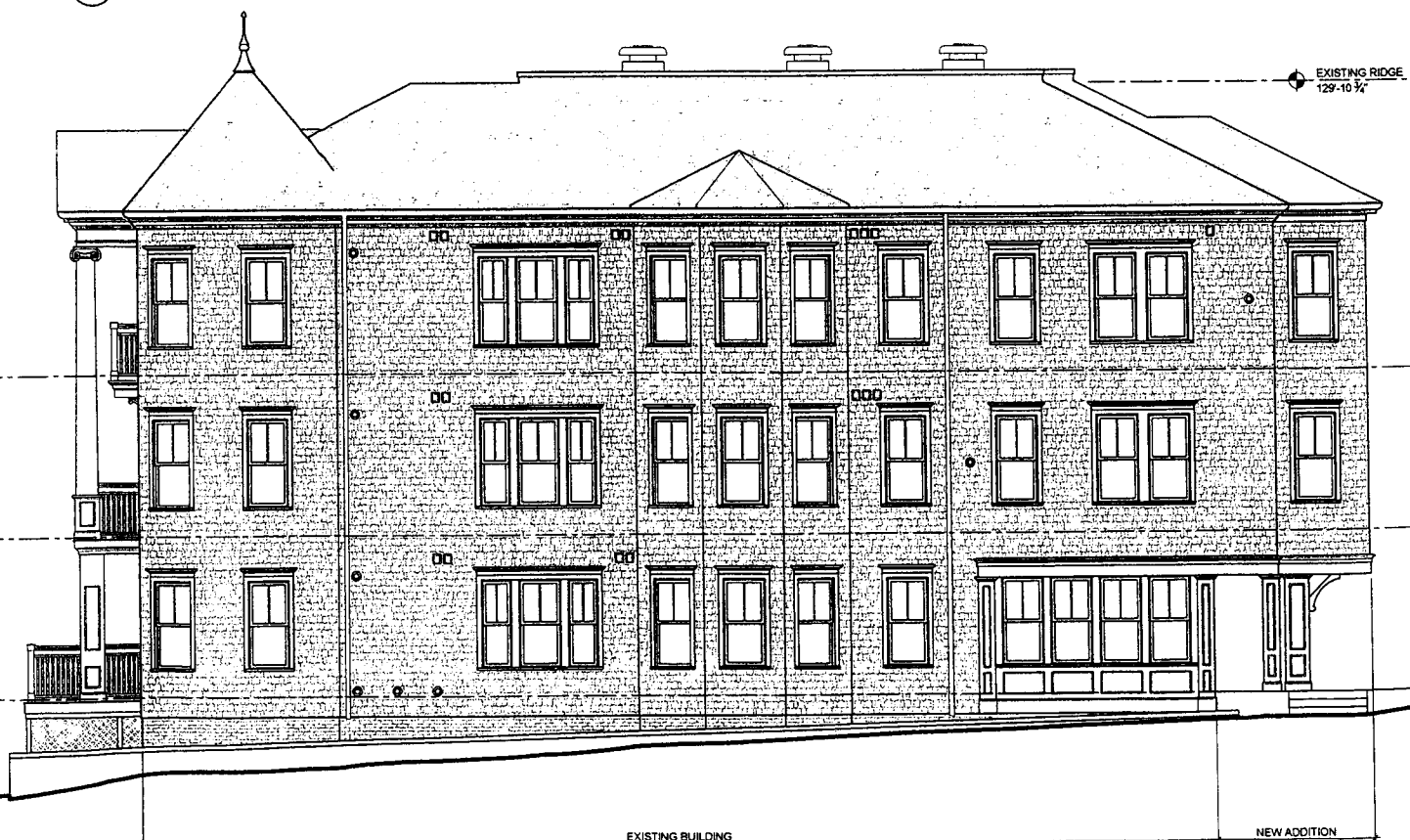
0 2' 4' 8'
SCALE: 1/4" = 1'-0"



1 SOUTHEAST ELEVATION
A2.1 3/16" = 1'-0"



2 NORTHEAST ELEVATION
A2.1 3/16" = 1'-0"



3 NORTHWEST ELEVATION
A2.1 3/16" = 1'-0"



4 SOUTHWEST ELEVATION
A2.1 3/16" = 1'-0"

SITE PLAN REVIEW SET
Not for Construction
NOV 20, 2007

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THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES



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PORTLAND MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

DATE:

PROJECT No. 0610

DRAWN BY: SA

CHECKED BY: TST

SCALE: AS NOTED

SHEET TITLE:
EXTERIOR
ELEVATIONS

A2.1

To: Chair Tevanian and Members of the Portland Planning Board
From: P. Littell, Associate Corporation Counsel
Date: January 16, 2008

Re: Property Rights in View Preservation

At the last Planning Board meeting I was asked by a Board Member whether a developer may erect a building which impacts the previously existing views from abutting properties.

First, there is no common law right to view preservation. Absent some sort of preservation easement or private covenant on or over an abutting property, a building may be built which blocks preexisting views from a neighboring property.

The Portland Site Plan Ordinance does contain one standard dealing with view preservation. That is found in Section 14-526 (a)(19). It states:

(19) View corridors: The placement and massing of proposed development shall not substantially obstruct those public views to landmarks and natural features from those locations identified on the View Corridor Protection Plan, a copy of which is on file in the department of planning and urban development;

I have had an opportunity to review the referenced View Corridor Protection Plan. This document protects view corridors in the downtown area but does not extend to Munjoy Hill or the Eastern Promenade. As a result, this standard is inapplicable to the development before you.

Att. 18

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglaufin@petrucellimartin.com

September 4, 2007

Ms. Molly Casto
Planning and Inspections Department
City of Portland
389 Congress St.
Portland, Maine 04101

RE: 130 Promenade East

Dear Ms. Casto:

Thank you for speaking to me on the phone about the proposed development at 130 Promenade East, which abuts property owned by my clients, Nicolino & Patricia Ciccomancini. The Ciccomancinis own a three-story apartment building at 14 Wilson Street. You indicated to me that Casco Bay Ventures, Inc., the owner of 130 Promenade East, has submitted an application, that the application is being reviewed as a subdivision application, and that it is currently scheduled for planning board review at a workshop scheduled for October 9, 2007. The purpose of this letter is to express the Ciccomancinis' opposition and to draw your attention, and the planning board's attention, to specific requirements in the zoning ordinance, which we feel provide clear and sufficient basis for denying the application.

We begin with the understanding that the existing building or buildings are non-conforming as to bulk and space requirements in the ordinance. In particular, the existing buildings do not conform to the ten-foot setback requirements and the overall square footage requirement in the R-6 zone. Both the principal structure and the one-story addition fail to comply with the ten-foot side setback and the lot size (7,905.9 sq. ft.) does not comply with the minimum square footage of 1,000 sq. ft. per unit (11 units x 1,000). See Section 14-139(1)(a) and (b)(1). Because 130 Promenade East is a grandfathered nonconforming building, no alterations or additions are allowed except in strict compliance with the Zoning Ordinance provisions governing nonconforming buildings.

Ms. Molly Casto
September 4, 2007
Page 2

The proposed alterations and addition fail to comply with at least two of these provisions, Sections 14-382(d) and 14-388.

Section 14-382(a) states that no alterations, modifications or additions may be made to a nonconforming building, except as provided in Division 23. Subsection (d) of Section 14-382 states that a building which is nonconforming as to space, bulk or dimensional requirements may be altered, modified or added to if the proposed changes to existing exterior walls or roofs would be within the space occupied by the existing shell of the building. The proposed addition and renovation are not confined to the space occupied by the existing shell.

Under Section 14-388, a building that is nonconforming as to area per dwelling unit may not be enlarged unless the resulting building is made to conform to all area per dwelling regulations. The proposed structure does not so conform. The R-6 zone requirements mandate 1,000 sq. ft. per unit for the first three units, and 1,200 sq. ft. for the next six units, resulting in a total required lot area of 10,200 sq. ft for the proposed 11 units. The application must be denied because the lot consists of only 7,905.9 square feet.

We also read the ordinance as requiring site plan review for this application. Section 14-136(a)(2)(f) requires site plan review for any alteration of a multi-family dwelling structure that was in residential use on December 2, 1987. One of the applicable site plan review requirements states:

The bulk, location or height of proposed buildings and structure minimizes, to the extent feasible, any substantial diminution in the value or utility to neighboring structures under different ownership and not subject to a legal servitude in favor of the site being developed.

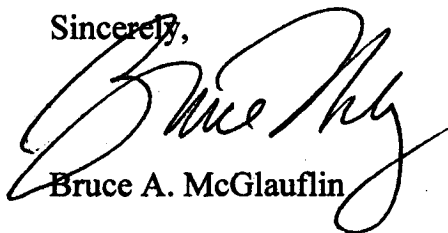
Section 14-526(a)(4). If Casco Bay Ventures, Inc. is allowed to proceed with a three-story addition, it will substantially diminish the value of the Ciccomancinis' property at 14 Wilson Street because it will completely block the expansive views enjoyed by the residents of the six-unit apartment building. The height of the proposed building maximizes, not minimizes, the diminution of value of the Ciccomancinis' property.

Thus, based on an initial review of the application and the City's Zoning Ordinance, there are at least three distinct and separate reasons why the application should be denied. A more detailed review may uncover additional reasons related to

Ms. Molly Casto
September 4, 2007
Page 3

parking and other applicable requirements and standards. We request that you bring these concerns to the Planning Administrator and the Planning Board at your earliest convenience. Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. McGlaulin", is written over the printed name.

Bruce A. McGlaulin

BMcG/d

cc: Nicolino & Patricia Ciccomancini

MISC1



PORTLAND MAINE

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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

February 5, 2008

Bruce A McGlaufflin
Petrucelli, Martin & Haddow, LLP
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

RE: Casco Bay Ventures, 130 Promenade East

Dear Mr. McGlaufflin:

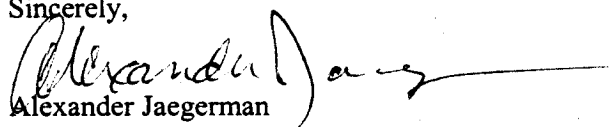
Molly Casto, Planner with Portland's Department of Planning and Development, received your letter dated February 1, 2008 regarding Ms. Marge Schmuckal's (Zoning Administrator) determination that the above project meets the open space requirement of the R-6 zone. In the letter, you argue that the plan does not meet the applicable open space ratio.

You request that this item be sent back to the Planning Board at their next meeting to reconsider their approval of this project. The Planning Board does not have the authority to review the Zoning Administrator's determination, so this item will not be included on their upcoming agenda. I will include a copy of this correspondence as a communication in the packet, but please be advised that there will be no discussion by the Board and no comments taken from the public.

You may seek an interpretation of the zoning decision from the Zoning Board of Appeals within thirty (30) days of the Zoning Administrator's determination. Any inquiries you may have should be directed to Marge Schmuckal, Zoning Administrator.

Thank you for your attention to this matter.

Sincerely,


Alexander Jaegerman
Planning Division Director

cc: Barbara Barhydt, Development Review Services Manager
Molly Casto, Planner/
Marge Schmuckal, Zoning Administrator
Penny Littell, Associate Corporation Counsel

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petruccellimartin.com

Via Hand Delivery

February 1, 2008

Ms. Molly Casto
Planning and Inspections Department
City of Portland
389 Congress St.
Portland, Maine 04101

RE: Casco Bay Ventures, 130 Promenade East

Dear Molly:

Thank you for providing a copy of the attached site plan showing green shaded sections representing what Casco Bay Ventures considers to be "open space." I understand that this document was submitted by Casco Bay Ventures to Ms. Schmuckal for purposes of satisfying the open space requirements of the Land Use Ordinance. I note that the document is not full size and does not explain how the square footage of the area was measured. I had the area measured using a computer assisted design software program at 1,485.26 square feet, which is only 18.8% of the site area. See the enclosed computer print-out. This is clearly insufficient to satisfy the open space requirement found in §14-139(1)(h).

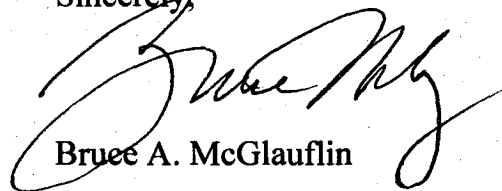
Even if the applicant can demonstrate that their 20.48% measurement is reliable, it should be found insufficient. First, it should be reduced because it includes the trash bin area. Second, it should be rejected because it relies on skinny strips of area that cannot possibly be considered either "open" or "space" in any meaningful or functional sense of those words. When the 20% rule for the R-6 Zone is read together with the site plan standards for open space, it is clear that the concept of "open space" has a functional component to it that cannot be satisfied by a collection of meaningless strips that have no function or use. Section 14-526(a)(15)(a)(1)(b)(3) states that open space "shall be integrated into the development site . . . shall be designed to compliment and enhance the building form and development proposed on the site. Open space functions may include,

Ms. Molly Casto
February 1, 2008
Page 2

but are not limited to, buffers and screening from streets and neighboring property, yard space, etc." These strips have not been meaningfully integrated into the site plan design. They are scraps leftover from the design of a massive structure that is clearly oversized for the site.

For these reasons, Casco Bay Ventures' site plan does not meet the open space condition placed on the Planning Board's approval and should be sent back to the Planning Board for denial. Please bring this letter to the attention of the Planning Board and the Zoning Administrator. We request that the Planning Board schedule the matter for its next workshop. Thank you for your assistance.

Sincerely,



Bruce A. McGlaulin

BMcG/d

cc: Mr. & Mrs. Nicolino Ciccomancini
Terry N. Snow, Esquire

EXHIBIT

tabbies

A

TOA AREA
103.25383 SOURCE/FET

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2007-0123

Date: 2/1/2008

I have received a copy of the calculations for the open space ratio for this project. The project is meeting the minimum requirements for open space in the R-6 zone.

All the R-6 zone requirements are being met in regard to this project.

Marge Schmuckal
Zoning Administrator



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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

August 22, 2007

Mr. Waldon Geyer
Casco Bay Ventures
233 Woodville Road
Falmouth, ME 04105

Scott Teas
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Mr Geyer and Mr. Teas:

Thank you for your application for a proposed renovation and building addition at 130 Eastern Promenade. Staff review of your application submissions has generated the following comments:

Boundary Survey

1. Certain abutters have not been identified on the submitted Boundary Survey. Please include property owner information for all abutters (e.g.-name, lot info).
2. The graphic scale on the submitted boundary survey is incorrect. Please submit a revised Boundary Survey with a clear graphic scale.

Site Plans

1. A number of plan sheets are listed on the submitted index of drawings (sheet G-1.1), however, they have not been included with the submission. The missing sheets include G-1.2 *Life Safety Plans*, D-1.1 *Demolition*, A-3.2 *Building Sections at Entrance Addition*, A-4.1 *Stairs Section and Details*, A-4.2 *Details* and A-5.1 *Door and Window Schedules*.
2. Please submit a map providing information on existing soil conditions for the project area.
3. The submitted site plans do not identify the location of on-site solid waste receptacles. Please submit a description of your proposal for solid waste removal and revised plans showing all receptacles, incorporating adequate visual screening.
4. The submitted curb detail should clearly identify a 7" curb reveal, as specified in the City of Portland Technical Standards.

4. The submitted curb detail should clearly identify a 7" curb reveal, as specified in the City of Portland Technical Standards.
5. No details have been provided for the concrete sidewalk repair, the section of pavers to be installed at the northwestern corner of the building, or for connections to existing utilities. Please provide this information on revised plans.
6. The parking proposal you have submitted must be revised. City Traffic Engineers have reviewed the submitted plans (sheet SK-3) and have determined that the proposed configuration is unworkable. Please reconfigure your parking proposal, addressing the following issues:
 - a. The proposed driveway is too narrow. City Technical Standards require that two-way driveways for multi-family developments be a minimum of 24 feet wide.
 - b. Only a portion of the driveway radius on the submitted plans proposes granite curbing. The full radius of the driveway should be designed and constructed of granite curb.
 - c. The parking spaces on the proposed plans are too small. City Technical Standards define standard parking spaces as 9'x19'. You are permitted to incorporate compact spaces (7.5' x 15') for 35% of your total parking.
7. The submitted landscape plans are insufficient. Jeff Tarling, City Arborist has reviewed the submitted plans. Please revise your landscape plans, addressing the following issues:
 - a. The proposed amount of landscaping is insufficient. Proposed landscaping at the front of the development should be extended along the entire frontage above the existing stonewall. It should continue, wrapping around the building, on the Wilson Street side above the existing granite wall. Jeff suggests incorporating ornamentals such as dogwoods in these areas.
 - b. Historically, there were two elms growing on the existing sidewalk and esplanade, along the frontage of the project area on the Eastern Promenade. In order to fulfill the goals of the Eastern Promenade Master Plan, which seeks to restore and preserve the historic landscape of this area, one of these elms should be replaced in this location along the esplanade. In order to preserve water views from the proposed development, it would be acceptable to remove the two existing norway maples along the frontage of the project area on the Eastern Promenade, and replace them with two elms in the same locations.
 - c. Please include one street tree along the Wilson Street side of the proposed development. This tree should be either an armstrong red maple or an upright english oak.
 - d. The proposed parking area requires visual screening between it and the parking lot on the abutting property along Wilson Street. The plans describe an existing chain link fence along the length of the proposed

parking area; however, this fence does not exist on site. Please include a buffer to provide visual screening along the length of the proposed parking. Jeff Tarling suggests either a line of arborvitae between the existing elm tree and maple trees or a 6' wall with vines between the two trees. These two trees should be maintained and temporary measures to preserve them during construction activity should be described on the revised plans.

- e. City Code requires that residential developments incorporate two street trees per unit into their project proposals. Due to site constraints, this is not feasible in this location. As an alternative, you are required to pay into the City Tree Fund for the remaining 16 trees that would be required for this development. Funds from this account are used to plant trees in other, more suitable locations of the City. I have attached the contribution form for the City Tree Fund to this letter. At \$200 per tree, you should contribute a total of \$3,200. Contributions, along with the completed contribution form can be submitted to the Planning Division, 4th floor of Portland City Hall.
- 8. Please submit a photometric lighting plan providing information on exterior lighting type, design and intensity.
 - 9. No stormwater calculations have been provided. You state that the total impervious surface will increase, however, there will be a net decrease in total runoff. This should be quantified using Hydrocad or another appropriate calculation method.
 - 10. A drainage swale has been included on the submitted site plans at the northwestern corner of the building, near the section of pavers. Please provide grading and details for this swale. This swale may need to be taken into consideration in the stormwater calculations.
 - 11. Please submit an erosion control plan, providing details including timing for the installation and removal of erosion control measures.

Please note that the Planning Authority may request additional information to review the proposal according to applicable laws, ordinances and regulations. If you have any questions, feel free to contact me at 874-8901 or by email at mpc@portlandmaine.gov.

Sincerely,



Molly Casto, Planner

cc: Barbara Barhydt, Development Review Services Manager



PORTLAND MAINE

Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov

Planning and Development Department

Lee D. Urban, Director

Planning Division

Alexander Jaegerman, Director

November 29, 2007

Mr. Waldon Geyer
Casco Bay Ventures
233 Woodville Road
Falmouth, ME 04105

Scott Teas
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Messrs. Geyer and Teas:

Thank you for your revised plans for a proposed renovation and building addition at 130 Eastern Promenade. You have been scheduled for a Planning Board workshop on December 11th. The workshop sessions begin at 3:30pm and you are second on the agenda. Staff review of your revised submittals has generated the following preliminary requests and comments:

1. Please submit an estimation of the total project cost for this development.
2. The letter of financial capacity you submitted from Bangor Savings Bank, dated June 7, 2007 refers to nine (9) condominium units. Please submit an updated letter reflecting the change from nine (9) to seven (7) units and, if it is still the case, that these are not intended as condominiums. If the project is now proposed as condominiums, please let me know.
3. Please submit a brief description of how trash will be managed and whether you will be using existing City services or a private trash hauler.
4. Please submit a brief construction plan outlining the proposed sequence of construction with approx. start and end dates.
5. Please submit catalogue cuts of the proposed exterior lighting fixtures. For your information, The Portland Technical and Design Standards and Guidelines

stipulate that exterior lighting shall be adequate for the safety of users of the site but shall not cause glare or direct spillover to adjacent properties or create visual distraction to motorists on adjacent streets. All proposed lighting must incorporate "cut-off" fixtures.

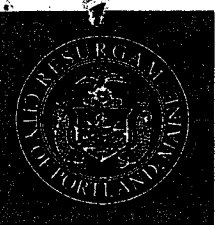
Please note that the Planning Authority may request additional information during our review of the proposal according to applicable laws, ordinances and regulations. If you have any questions, feel free to contact me at 874-8901 or by email at mpc@portlandmaine.gov.

Sincerely,



Molly Casto, Planner

cc: Barbara Barhydt, Development Review Services Manager



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

July 20, 2007

Planning Division
Alexander Jaegerman, Director

Mr. Waldon Geyer
Casco Bay Ventures
233 Woodville Road
Falmouth, ME 04105

Scott Teas
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Mr Geyer and Mr. Teas:

Thank you for your recent application for development review under the City of Portland's Land Use Code. Marge Schmuckal, Zoning Administrator, and I reviewed your submission and request that additional material be provided, so we may distribute the application for development review. A copy of City's Site Plan Ordinance (Article V) of the Land Use Code is attached and includes a complete list of the required information and the standards that will apply in reviewing the proposed site plan. A preliminary list of the information needed for your application includes:

1. Right, Title and Interest for the Proposal
2. Zoning information, including:
 - a. Analysis of lot coverage;
 - b. Explanation of the proposed uses;
 - c. Exterior elevations with finished grades to determine building height; and
 - d. Layout and number of proposed parking area.
3. The Fire Department's checklist for site plans is attached for your use. Those items need to be addressed for review.
4. The exterior elevations, exterior materials and floor plans should be submitted.
5. Letters from utility companies stating they can accommodate the proposed changes;
6. The details of the parking area layout, the design of ingress and egress of vehicles to and from the site, the number of proposed spaces and screening of the parking should be shown; and
7. Information on the how the stormwater plan for the site.

Please note that the Planning Authority may request additional information to review the proposal according to applicable laws, ordinances and regulations. We will be pleased to distribute your application for review once the additional information is submitted. If you have any questions, please contact me at 874-8699.

Sincerely,

Barbara Barhydt
Development Review Services Manager

cc: Alexander Jaegerman, Planning Division Director
Marge Schmuckal, Zoning Administrator
Penny Littell, Associate Corporation Counsel



PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST

A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
7. Hydrant locations
8. Water main[s] size and location
9. Access to any fire department connections
10. Access to all structures [min. 2 sides]
11. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.
12. Elevators shall be sized to fit an 81" x 23" stretcher and two personnel.

Some structures may require Fire flows using annex H of NFPA 1



Central Maine Power

August 17, 2007

TFH Architects
100 Commercial St
Portland, ME 04101
Attn: Will Tinkelenberg

RE: Electrical Capacity for Casco Bay Ventures

Dear Mr. Tinkelenberg:

This letter is to inform you that Central Maine Power Company has sufficient electrical capacity in the area of 130 Eastern Promenade, Portland, to serve your proposed development, "The Estates of Longfellow Inn at 130 Eastern Promenade in Portland, Maine."

Please forward site plans, electrical loads, voltage requirements, and appropriate schedules when available so we can coordinate our utilities with the project.

If you have any questions or if I can be of further assistance, please give me a call at (207) 828-2885.

Sincerely,

Kelly A Humphrey
Field Services Supervisor
Central Maine Power Company

An equal opportunity employer

162 Canco Rd. | Portland, ME 04103

www.cmpco.com


An Energy East Company

18 September 2007

Mr. Will Tinkelenberg,
T.F.H. Architects,
100 Commercial Street,
Portland, Maine 04101

Corrected Copy

**RE: The Capacity to Handle Wastewater Flows, from the Proposed Renovation of a
Multi-Family Residential Building, at 130 Eastern Promenade.**

Dear Mr. Tinkelenberg:

The existing ten-inch diameter vitrified clay sewer pipe located in the Eastern Promenade has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat** the total anticipated wastewater flows of **1,046 GPD**, from the proposed residential renovation.

Anticipated Wastewater Flows from the Proposed Residential Rehabilitation Project:

4 Proposed One-Bedroom Units @ 180 GPD/Unit	= 720 GPD
5 Proposed Two-Bedroom Units @ 180 GPD/Unit	= 900 GPD
Less Existing Wastewater Flows of	= <u>(574 GPD)</u>
Total Proposed Net Increase in Wastewater Flows for this Project	= 1,046 GPD

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects.

If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank J Brancely, B.A., M.A.
Senior Engineering Technician

FJB

cc: Alexander Q. Jaegerman, Director, Planning Division, Department of Planning, and Urban Development, City of Portland
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file



August 7, 2007

Will Tinkelenberg
TFH Architects
100 Commercial St
Portland ME 04101

AUG 10 2007

RE: Sisters 130 Eastern Promenade, Portland ME

Dear Will,

Northern Utilities confirms the availability of natural gas service for the location indicated above.

There is an existing gas main in front of #130 that may be used to supply natural gas to the facility. Whether this main will be of sufficient capacity to serve this new project or if an extension of facilities is needed to provide the necessary service will be determined at such time as full construction details including natural gas flow and pressure requirements are supplied to this office.

Installation of facilities will be subject to any restrictions imposed by regulatory or other governmental agencies. This letter assumes all necessary municipal permits will be approved. If extending natural gas facilities is required to serve this new project, Northern Utilities may require a contribution in aid of construction from the owner.

This letter does not constitute a commitment or contract to deliver natural gas to the above address. An application and/or contract must be signed before any work can begin. I hope this "letter of natural gas availability" meets your needs. Please contact me if further assistance is needed.

Sincerely,


Janet Oliver

Commercial Sales Representative
Northern Utilities
325 West Rd
Portsmouth NH 03801
603-436-0310 x5344
603-431-0820 fax
joliver@nisource.com



CUSTOMER SERVICE

OFFICE HOURS

8:30 A.M. - 4:30 P.M.

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

August 1, 2007

TFH Architects
100 Commercial Street
Portland, ME 04101

Attn: Will Tinkelenberg
Re: 130 Eastern Promenade - Portland, ME
Ability to serve with PWD water

RECEIVED
AUG 06 2007
BY: _____

Dear Mr. Tinkelenberg:

This letter is to confirm that there should be an adequate supply of clean and healthful water to serve the needs of the proposed 9-unit apartment building at 130 Eastern Promenade in Portland. According to District records, there is a 6-inch diameter cast iron water main on the east side of Wilson Street and an 8-inch diameter cast iron water main on the south side of Eastern Promenade that could serve your needs. There is a hydrant located 50' north of the property, at the corner of Wilson Street and Eastern Promenade.

The current data from the nearest hydrant with valid test flow data indicates there should be adequate capacity of water to serve the needs of your proposed project.

Hydrant Location: 50' north of the property
Hydrant Number: SPD-HYD00328
Static Pressure: 56 psi
Flow: 919 gpm
Last Tested: 6/24/1991

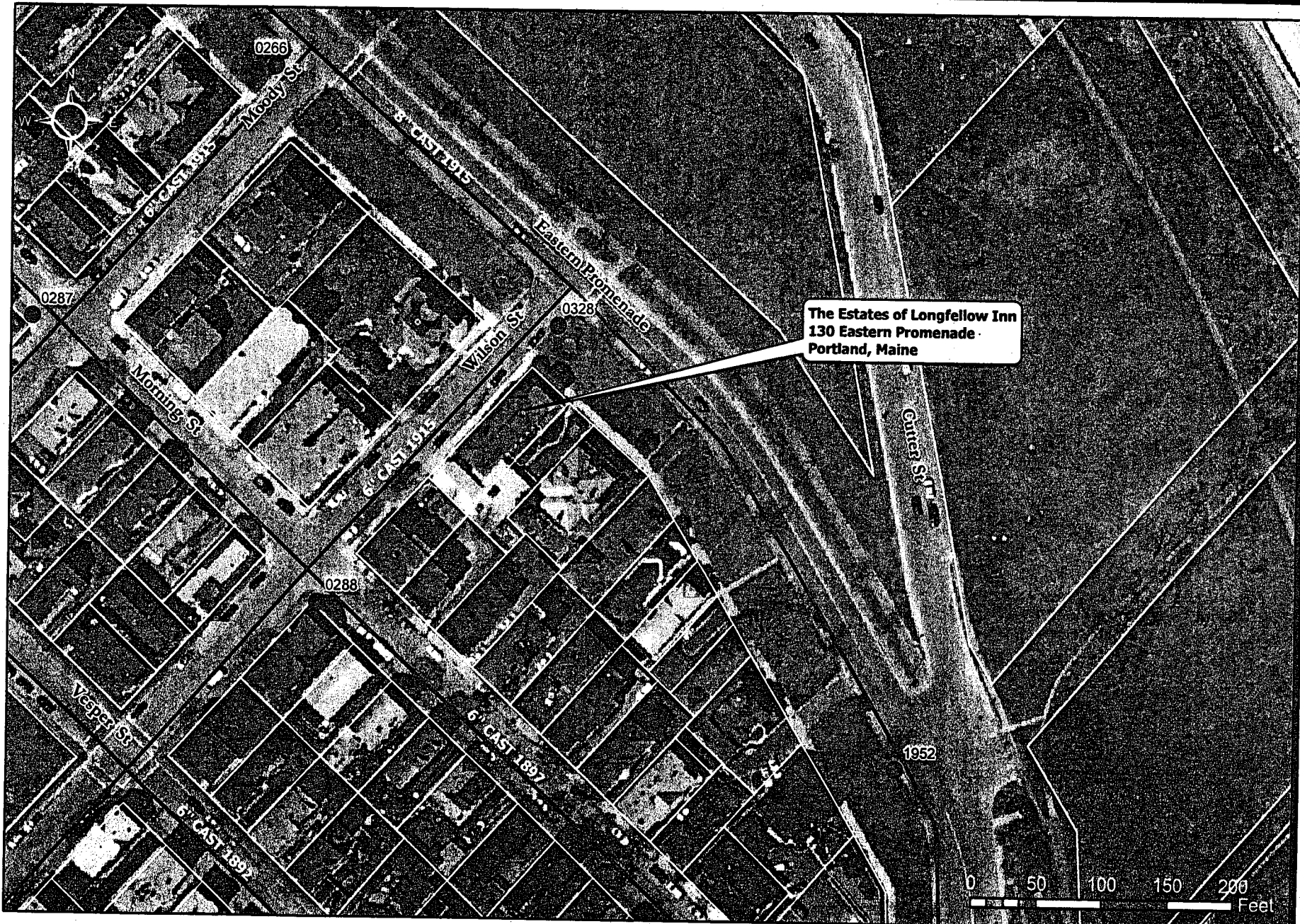
Any existing services that won't be reused as part of this project will need to be shut and cut at the main. Please notify your mechanical engineer of these results so that they can design your system to best fit the noted conditions. If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District

Rico Spugnardi, P.E.
Business Development Engineer

PO-Adequacy-130 Eastern Promenade-TFH Architects 07

225 DOUGLASS STREET P.O. BOX 3553 PORTLAND, MAINE 04104-3553
PHONE: 207.761.8310 FAX: 207.879.5837 E-MAIL: CUSTOMERHELP@PWD.ORG WEB: WWW.PWD.ORG



The Estates of Longfellow Inn
130 Eastern Promenade
Portland, Maine



PORTLAND WATER DISTRICT
225 Douglass Street
Portland, ME 04104

Drawn By: JCP
Date: 8/1/07

Scale: As Noted

The Estates of Longfellow Inn
130 Eastern Promenade

Portland

This map is suitable for preliminary study and analysis pending review of additional information. The data shown are only as accurate as the original data source(s) from which they were developed; resulting inaccuracies and data "mis-matching" may be evident.

Prepared for:
TFH Architects

Sheet No. 1 of 1

SCHEDULE A

A certain lot or parcel of land, with the buildings thereon, situated on the Westerly side of the Eastern Promenade in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the corner formed by the intersection of the Westerly sideline of said Eastern Promenade and the Southerly sideline of Wilson Street; thence Westerly by said Wilson Street 114.70 feet to a point distant 80 feet Easterly from Morning Street; thence Southerly on a line parallel with said Morning Street 40 feet to a point; thence Easterly on a line parallel with said Wilson Street 115.71 feet to said Eastern Promenade; thence Northerly by said Eastern Promenade 40 feet to the point begun at. Being a part of Block I on a plan recorded in Cumberland County Registry of Deeds, in Plan Book 4, Page 18.

Also another certain lot or parcel of land, with any buildings thereon, situated in said City of Portland, being bounded and described as follows:

Beginning at a point on the Westerly side of Eastern Promenade distant 40 feet southerly from the corner formed by the intersection of the Westerly sideline of said Promenade and the Southerly sideline of Wilson Street, which point is in the Southeasterly corner of a lot of land sold to Emma A. Calhoun, January 25, 1899, by George B. Uphom; thence Southerly by the said Promenade 45.23 feet to the strip of land sold to S. P. Beckett by the Deering Heirs in 1874, by deed recorded in said Registry, Book 410, Page 557; thence Westerly by said land sold to said Beckett 116.65 feet to a point distant 80 feet Easterly from Morning Street; thence Northerly on a line parallel with said Morning Street 45.46 feet to said lot sold to Emma A. Calhoun; thence Easterly on a line parallel with said Wilson Street and by said lot sold to Emma A. Calhoun 115.07 feet to that begun at. Being a part of Block of land marked I in plan recorded in said Registry, Plan Book 4, Page 18.

Excepting and reserving from the above described premises so much thereof as was conveyed by Harry H. Pease to George T. Dealy by deed recorded in said Registry, Book 845, page 70, and not reconveyed by said Dealy to said Pease by deed recorded in said Registry in Book 855, page 476, being a lot 20 feet in width and 97.1 feet in depth.

Meaning and intending to convey the same premises described above in deed to 130 Eastern Prom, LLC from Lawrence V. Tirrell and Beverly W. Tirrell dated August 19, 1998 and recorded in the Cumberland County Registry of Deeds in Book 14078, Page 001.

Received
Recorded Register of Deeds
May 09, 2007 03:08:24P
Cumberland County
Pamela E. Lovley

RECEIVED

July 27, 2007

AUG - 1 2007

Ms. Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street
Portland, Maine 04101

City of Portland
Planning Division

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Barbara,

Thank you for your letter in response to our site plan review application for the "Estates of Longfellow Inn" project at 130 Eastern Promenade. Enclosed, with the exception of letters from the utility companies, you will find the additional material that you requested.

Drawing G-1.1, the Cover Sheet, includes code and zoning information such as lot coverage and proposed uses. Drawing A-2.1 shows the building elevations, and for determining the height of the building Drawing A-3.1 is included. Cross Section 2 on A-3.1 shows the height of the building as approximately 38'-7". At its lowest point, grade is roughly four feet below the First Floor elevation, for a total height of 42'-7" +/- . Please see SK-2 for parking information.

Thank you for the Fire Department's checklist. These items have been addressed; please see "Fire Department Requirements."

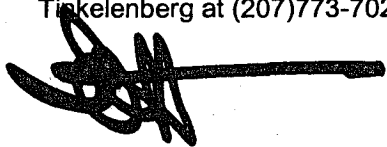
See A-2.1, Elevations, for exterior materials, and A-1.1 through A-1.4 for the floor plans.

Because this project represents a reduction in the number of dwelling units from the eleven that are existing to the nine that are proposed, we are not anticipating that any of the utility companies will be unable to accommodate this project. However, we have sent letters to them requesting that they confirm this, and we will forward their responses once we receive them.

See SK-2 regarding parking. It is our understanding that because there are fewer than seven spaces, screening is not required.

While there is a total increase in the site's impervious area, enough runoff is now directed into the storm drain such that there is a net decrease in total runoff. Please see SK-1, Stormwater.

If you have any questions or need further information, please don't hesitate to contact me, or Will Tinkelenberg at (207)773-7029.

A handwritten signature in black ink, appearing to be "T. Scott Teas", followed by a horizontal line.

Sincerely,

T. Scott Teas, NCARB, AIA
Principal

cc: Wally Geyer, Casco Bay Ventures
Encl: Title Deed
"Fire Department Requirements," July 12, 2007
May 16, 2007 Drawings G-1.1, A-1.1 through A-1.4, A-2.1 & A-3.1
SK-1, Stormwater
SK-2, Parking

18 September 2007

Mr. Will Tinkelenberg,
T.F.H. Architects,
100 Commercial Street,
Portland, Maine 04101

Corrected Copy

**RE: The Capacity to Handle Wastewater Flows, from the Proposed Renovation of a
Multi-Family Residential Building, at 130 Eastern Promenade.**

Dear Mr. Tinkelenberg:

The existing ten-inch diameter vitrified clay sewer pipe located in the Eastern Promenade has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat** the total anticipated wastewater flows of **1,046 GPD**, from the proposed residential renovation.

Anticipated Wastewater Flows from the Proposed Residential Rehabilitation Project:

4 Proposed One-Bedroom Units @ 180 GPD/Unit	= 720 GPD
5 Proposed Two-Bedroom Units @ 180 GPD/Unit	= 900 GPD
Less Existing Wastewater Flows of	= <u>(574 GPD)</u>
Total Proposed Net Increase in Wastewater Flows for this Project	= 1,046 GPD

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects.

If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

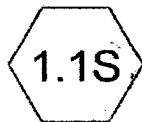
Frank J Brancely, B.A., M.A.
Senior Engineering Technician

FJB

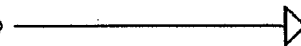
cc: Alexander Q. Jaegerman, Director, Planning Division, Department of Planning, and Urban Development, City of Portland
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file



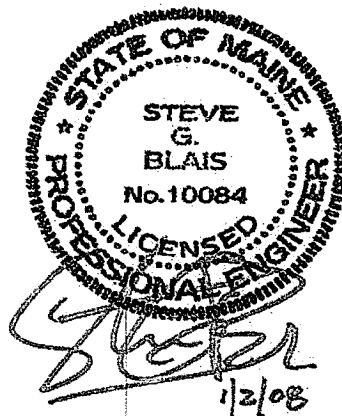
Existing Conditions



Proposed Conditions



Pipe Capacity Calc.



Drainage Diagram for 07126-130 Eastern Promenade
Prepared by LAND CONSULTING ENGINEERS, PA 1/2/2008
HydraCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

07126-130 Eastern Promenade

Type III 24-hr 25-Yr Rainfall=5.40"

Prepared by LAND CONSULTING ENGINEERS, PA

Page 2

HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

1/2/2008

Subcatchment 1.1S: Proposed Conditions

Runoff = 0.83 cfs @ 12.07 hrs, Volume= 0.058 af, Depth= 3.84"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
1,529	39	>75% Grass cover, Good, HSG A
6,216	98	Paved parking & roofs
160	77	Fallow, bare soil, HSG A
7,905	86	Weighted Average
1,689		Pervious Area
6,216		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1S: Existing Conditions

Runoff = 0.71 cfs @ 12.07 hrs, Volume= 0.049 af, Depth= 3.24"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
2,260	39	>75% Grass cover, Good, HSG A
5,177	98	Paved parking & roofs
468	77	Fallow, bare soil, HSG A
7,905	80	Weighted Average
2,728		Pervious Area
5,177		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	53		0.18		Direct Entry,

Reach 1R: Pipe Capacity Calc.

Inflow Area = 0.181 ac, Inflow Depth = 3.84" for 25-Yr event
 Inflow = 0.83 cfs @ 12.07 hrs, Volume= 0.058 af
 Outflow = 0.83 cfs @ 12.07 hrs, Volume= 0.058 af, Atten= 0%, Lag= 0.1 min

Routing by Stor-Ind+Trans method, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
 Max. Velocity= 4.23 fps, Min. Travel Time= 0.1 min
 Avg. Velocity = 1.41 fps, Avg. Travel Time= 0.2 min

07126-130 Eastern Promenade

Type III 24-hr 25-Yr Rainfall=5.40"

Prepared by LAND CONSULTING ENGINEERS, PA

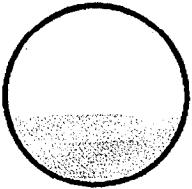
Page 3

HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

1/2/2008

Peak Storage= 4 cf @ 12.07 hrs, Average Depth at Peak Storage= 0.32'
Bank-Full Depth= 0.83', Capacity at Bank-Full= 2.59 cfs

10.0" Diameter Pipe, n= 0.011
Length= 20.0' Slope= 0.0100 '/'
Inlet Invert= 0.00', Outlet Invert= -0.20'





January 2, 2008
LCE File.: 07126

Susanne Aldrian
TFH Architects
100 Commercial Street
Portland, ME 04101

**Re: The Estates of Longfellow Inn - 130 Eastern Promenade, Portland, ME
Response to Comments**

Dear Susanne:

The following responses address comments from Woodard & Curran's
December 4, 2007 Memorandum:

- *An engineering details sheet was not included ...*

Response: As we discussed, TFH has a detail sheet of most of the items listed in the comment. LCE will add a utility structure detail to Drawing D3.

- *The stormwater report shows that there will be a slight increase in flow for the post development site conditions. In addition, the possibility of connecting roof leaders into the stormwater system was referenced in the report. The capacity of the existing combined sewer system, and the effect of the proposed project's stormwater and sanitary flows on the system needs to be verified and taken into account in the design prior to the approval of the project.*

Response: The drawings have been updated to reflect roof leader connections into the stormwater system. The stormwater runoff from this project currently flows overland into the curb and gutter system of the Eastern Promenade. It appears this flow enters the combined stormwater system at the Cutter Street intersection via a catch basin.

The proposed project will increase the stormwater peak flows by 0.12 cfs in the 25-year, and 10-year storm events. There will be a 0.08 cfs increase in the 2-year storm event. According to our discussions with Woodard & Curran, this small increase in stormwater runoff should not be a problem.



January 2, 2008

- *The stormwater report does not include any calculations to determine adequate pipe sizing for the projected stormwater flows.*

Response: We have added a reach to the HydroCAD drainage model to represent a 10" pipe sloping at 1%. As shown on the attached printout, such a pipe can handle 25-year stormwater flows from the entire Site.

- *All drain inlet structures for the project should be catch basins with 3' sumps and casco traps.*

Response: We have replaced the drain inlet that connects to the City sewer system with a 3' sump catch basin with a casco bay trap. Per our discussion with Woodard & Curran, the drain inlet in the parking lot does not have this requirement.

- *The piping connecting DI#1, DI#2, and the sewer manhole in the esplanade is called out as a HDPE (smooth). This piping should be SDR 35 PVC sewer pipe.*

Response: The piping has been changed to SDR 35 PVC pipe as shown on the attached Drawings.

We trust that we have addressed these comments adequately. Please call me if you have any questions or require further information.

Sincerely,

LAND CONSULTING ENGINEERS, PA

Steve G. Blais, PE

Enclosures:

Drawing D-4 (24"x36") Revised January 2, 2008

TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING



January 28, 2008

Molly Casto
Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Molly,

Please find attached the revised Landscaping Plan and the revised Site Detail Sheet for your use.

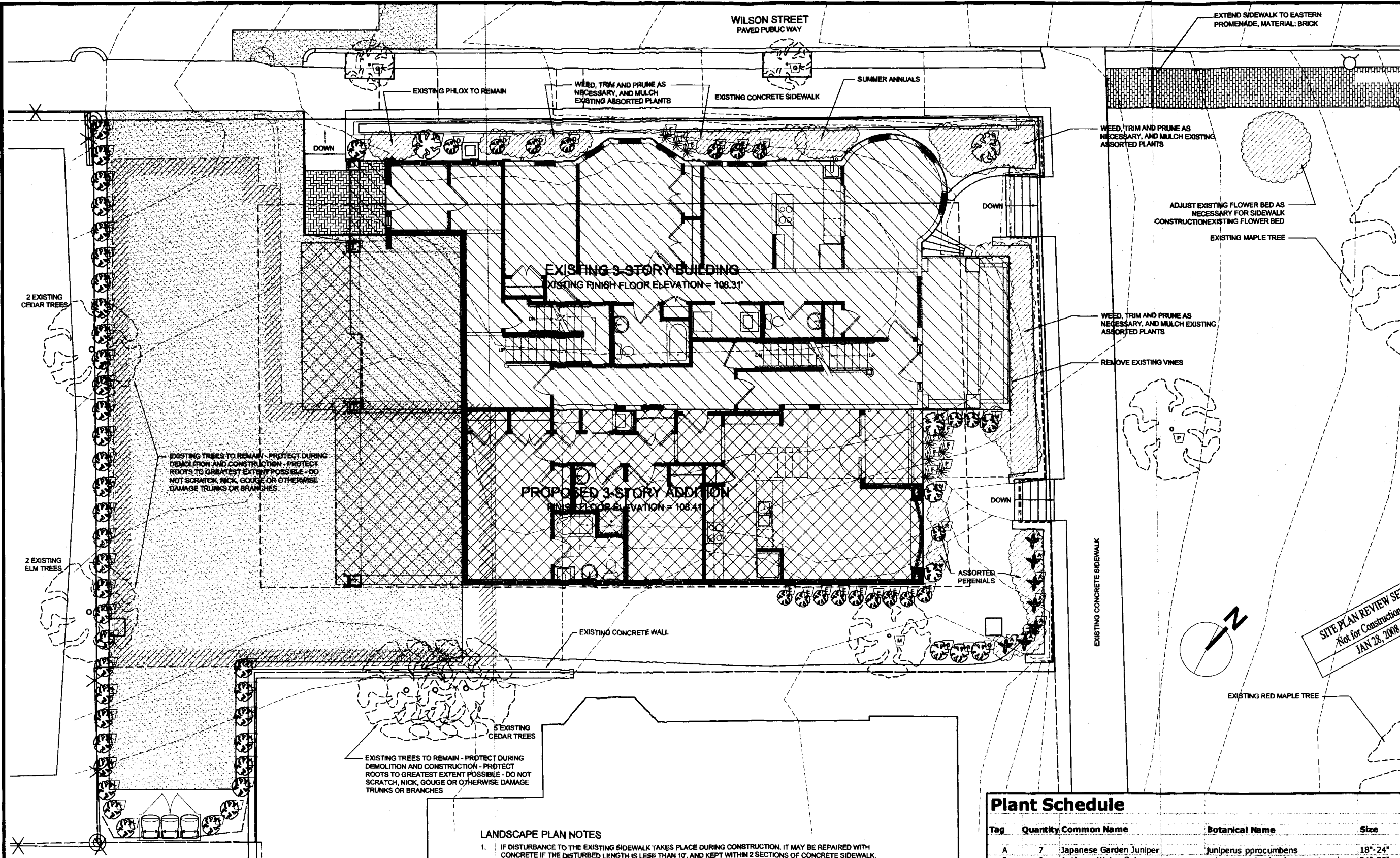
Sincerely,

A handwritten signature in black ink, appearing to read 'S. Aldrian', with a long horizontal stroke extending to the right.

Susanne Aldrian
Project Architect

Cc: TFH file
Wally Geyer, Casco Bay Ventures

Encl.: C-1.3 Site Details - dated 01.28.08 (2 full-size, 1 11x17)
C-1.4 Landscaping Plan - dated 01.28.08 (2 full size, 1 11x17)



1 LANDSCAPING PLAN
3/16"=1'-0"

- LANDSCAPE PLAN NOTES**
- IF DISTURBANCE TO THE EXISTING SIDEWALK TAKES PLACE DURING CONSTRUCTION, IT MAY BE REPAIRED WITH CONCRETE IF THE DISTURBED LENGTH IS LESS THAN 10', AND KEPT WITHIN 2 SECTIONS OF CONCRETE SIDEWALK. IF A LARGER DISTURBED AREA OF SIDEWALK TAKES PLACE, THE SECTIONS MUST BE REPLACED WITH BRICK SIDEWALK. IF THE SIDEWALK IS NOT PART OF THE HISTORIC AREA (ALONG WILSON STREET), THE OPTION EXISTS FOR CONCRETE PAVEMENT BRICKS TO BE USED AS AN ALTERNATIVE TO CLAY BRICK.
 - IMPACT TO THE EASTERN PROM LAWN AREA HAS TO BE LIMITED DURING CONSTRUCTION. THIS INCLUDES: NO STORAGE OF TRUCKS, EQUIPMENT AND MATERIALS ON THE LAWN AREA. ALL DAMAGED AREAS HAVE TO BE REPAIRED IN A TIMELY MANNER. THE SIDEWALK PEDESTRIAN WAY ALONG THE EASTERN PROM HAS TO BE MAINTAINED IN GOOD CONDITION DURING CONSTRUCTION WORK. THE PROJECT TEAM OR CONTRACTOR SHALL CONTACT PARK & RECREATION CONCERNING CONSTRUCTION ACTIVITIES THAT MIGHT EFFECT THE EASTERN PROM PARK AREAS.

- GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)**
- DRAWING NOTES:** DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.
 - LAYOUT:** UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD & RISER LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.

Plant Schedule

Tag	Quantity	Common Name	Botanical Name	Size
A	7	Japanese Garden Juniper	Juniperus procumbens	18"-24"
B	3	Anthony Water Spirea	spirea japonica 'anthony waterer'	24"-30"
D	4	Spirea Shiroburi	spirea japonica shibori	18"-24"
E	12	Hydrangea Annabella	hydrangea arborescens 'annabella'	18"-24"
F	9	Day Lily		
G	1	Hydrangea PG	hydrangea paniculata grandiflora	36"-48"
H	1	Miss Kim Lilac	syringa patula	24"-30"
J	2	Blue Hydrangea	nikko blue hydrangea	18"-24"
K	1	Dwarf Burning Bush	euonymus alatus compactus	30"-36"
L	40	Arborvitae		48"-60" Tall
M	1	Snow Fountains® Weeping Cherry	prunus 'snowfountains'	10'
N	2	PJM Rhododendron	rhododendron 'pjm'	24"-30"
O	1	Diablo Ninebark	physocarpus opulifolius 'monlo'	36"-48"
P	1	Autumn Blaze Maple	acer x freemanii	2 1/2" Caliper
Q	2	Ginkgo	ginkgo biloba	2" Caliper
R	1	Gold Thread Cypress	chamaecyparis pisifera 'filifera aurea'	18"-24"

© 2007 TFH ARCHITECTS

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND, MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:
CSC Consulting Engineers, PA
1400 Broadway
Portland, ME 04102
Tel: 207-625-1234
Fax: 207-625-1235

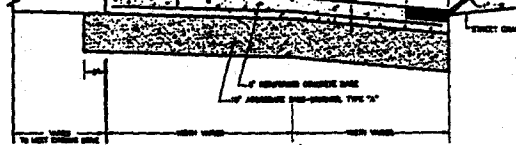
Site Plan Review Set
Not for Construction
JAN 28, 2008

REVISIONS:

DATE:	
PROJECT No.	0610
DRAWN BY:	SA
CHECKED BY:	TST
SCALE:	AS NOTED

SHEET TITLE:
LANDSCAPING PLAN

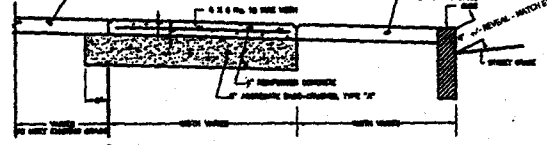
C1.4



NOTE: FINISH CONCRETE TO MATCH WORN SURFACE OF EXISTING SIDEWALK TO GREATEST EXTENT POSSIBLE

NOTE: USE TYPE 1 CEMENT TO MATCH COLOR OF EXISTING CONCRETE SIDEWALKS

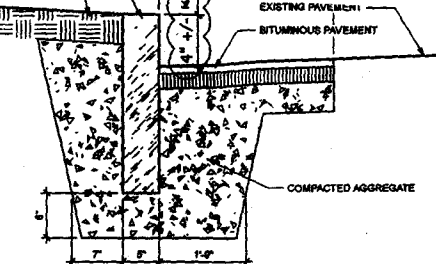
1 CONCRETE DRIVEWAY APRON
C-1.3 NOT TO SCALE



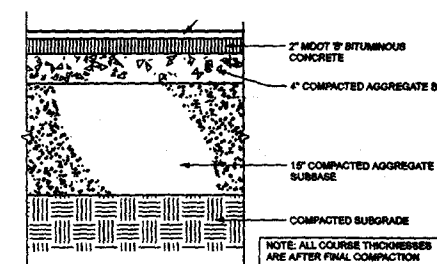
NOTE: FINISH CONCRETE TO MATCH WORN SURFACE OF EXISTING SIDEWALK TO GREATEST EXTENT POSSIBLE

NOTE: USE TYPE 1 CEMENT TO MATCH COLOR OF EXISTING CONCRETE SIDEWALKS

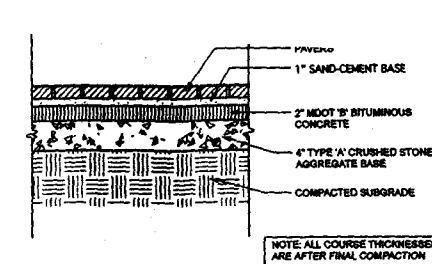
2 CONCRETE SIDEWALK
C-1.3 NOT TO SCALE



3 CURB DETAIL
C-1.3 Scale: 1" = 1'-0"



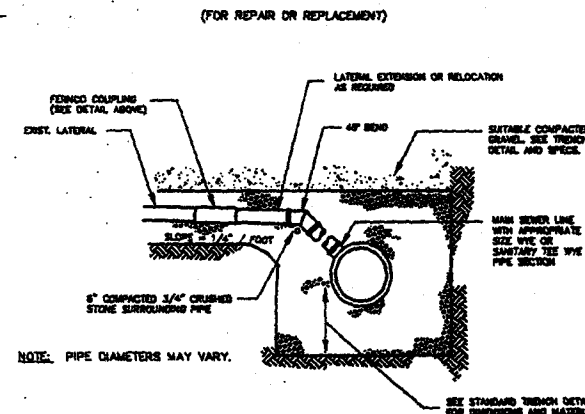
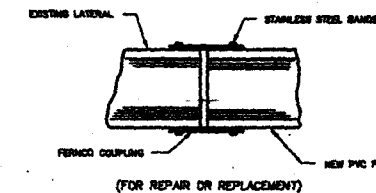
4 BITUMINOUS PAVEMENT
C-1.3 Scale: 1" = 1'-0"



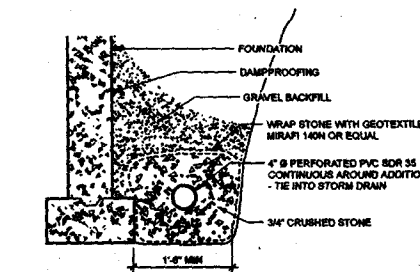
5 PAVERS
C-1.3 Scale: 1" = 1'-0"

1. LOCATIONS AND ELEVATIONS OF STUES SHOWN ON THE PLANS ARE TO BE CONSIDERED AS APPROXIMATE AND MAY BE ADJUSTED AS DIRECTED TO SUIT FIELD CONDITIONS.

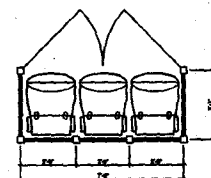
2. HOUSE CONNECTIONS AND CATCH BASIN CONNECTIONS TO THE MAIN LINE OF THE SEWER SHALL CONSIST OF AN APPROPRIATE "Y" BRANCH CONNECTION AS SHOWN ON THE PLANS, OR AS DIRECTED. ACTUAL "Y" LOCATIONS FOR HOUSE CONNECTIONS AND CATCH BASIN CONNECTIONS SHALL BE DETERMINED BY THE CONTRACTOR. THE CONTRACTOR SHALL KEEP A COMPLETE RECORD OF "Y" LOCATIONS WHICH SHALL BE GIVEN TO THE CITY OF PORTLAND UPON COMPLETION OF THE CONTRACT.



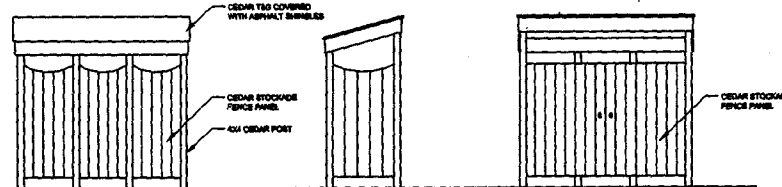
7 PIPE LATERAL CONNECTION
C-1.3 NOT TO SCALE



8 FOUNDATION DRAIN
C-1.3 Scale: 3/4" = 1'-0"

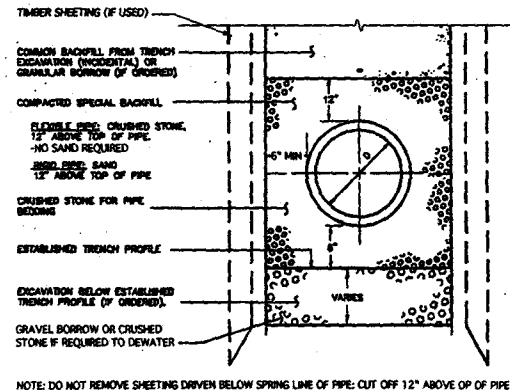


FLOOR PLAN

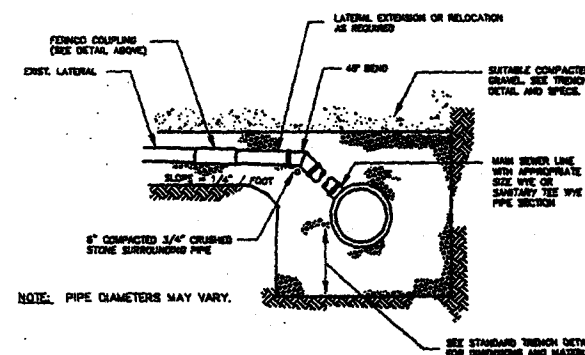


BACK ELEVATION SIDE ELEVATION FRONT ELEVATION

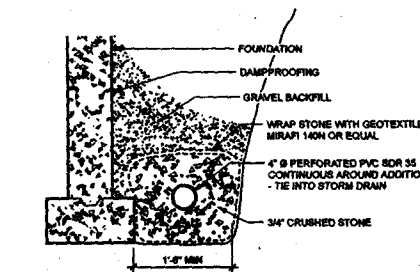
11 TRASH ENCLOSURE
C-1.3 Scale: 1/4" = 1'-0"



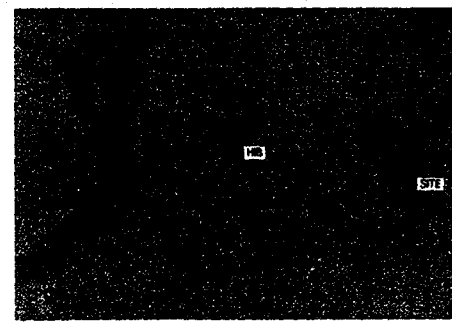
12 PIPE TRENCH
C-1.3 NOT TO SCALE



13 PIPE LATERAL CONNECTION
C-1.3 NOT TO SCALE



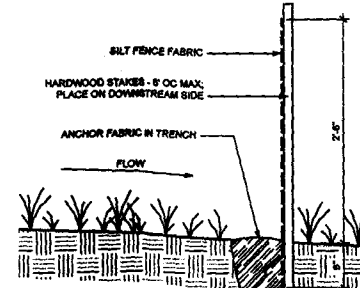
14 FOUNDATION DRAIN
C-1.3 Scale: 3/4" = 1'-0"



HIS: HICKLEY GRAVELLY SANDY LOAM, 3 TO 8 PERCENT SLOPES

(MAP & SOIL TYPE FROM CUMBERLAND COUNTY SOIL SURVEY, PREPARED BY THE USDA & THE MAINE AGRICULTURAL EXPERIMENT STATION, 1974)

15 SOILS MAP
C-1.3 NOT TO SCALE



16 SILT FENCE DETAIL
C-1.3 Scale: 1" = 1'-0"

EROSION CONTROL NOTES

1. ALL CONSTRUCTION, SITEWORK, AND EROSION AND SEDIMENT CONTROLS TO BE PERFORMED IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES (BMP)" CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP), LATEST EDITION.
2. THE BUILDER SHALL ONLY DISTURB THE AREAS OF THE PROPOSED CONSTRUCTION AND GRADING. ANY DISTURBANCE OUTSIDE THESE LIMITS MUST BE APPROVED BY THE ARCHITECT.
3. THE BUILDER SHALL BE RESPONSIBLE FOR EMPLOYING EROSION CONTROL METHODS BEYOND THE CONTROLS SHOWN ON THE PLANS IF AND AS NECESSARY IN ORDER TO MEET THE ABOVE REFERENCED DEP EROSION CONTROL STANDARDS.
4. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR RE-GRADING. ALL DISTURBED AREAS ON SITE NOT COVERED BY BUILDINGS OR OBSERVATION PARKING AREAS, DRIVEWAYS, OR SIDEWALKS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED, AS DESCRIBED IN THE MAINE DEP BMP STANDARDS.
5. PERMANENT SEEDING OR STABILIZATION SHALL BE PERFORMED IMMEDIATELY AFTER FINAL GRADING IS COMPLETED OR TEMPORARY MEASURES SHALL BE APPLIED SUCH AS MULCHING OR SEEDING UNTIL PERMANENT MEASURES ARE IN PLACE.
6. WITHIN 7 CALENDAR DAYS FOLLOWING THE COMPLETION OF ANY SOIL DISTURBANCE, AND PRIOR TO ANY STORM EVENT, MULCH MUST BE SPREAD ON ANY EXPOSED SOILS.
7. THE BUILDER SHALL STABILIZE ANY SOIL STOCKPILES WHICH WILL REMAIN UNUSED FOR MORE THAN 7 DAYS, OR PRIOR TO A STORM EVENT.
8. ALL EROSION CONTROL DEVICES MUST BE CHECKED WEEKLY AND AFTER EACH SIGNIFICANT RAINFALL TO MINIMIZE PONDING, DAMAGE, DETERIORATION OR UNDESIRABLE. ANY PROBLEMS SHALL BE REPAIRED IMMEDIATELY. TRAPPED SEDIMENT SHALL BE REMOVED WHEN IT HAS ACCUMULATED TO NO MORE THAN HALF THE ORIGINAL HEIGHT OF ANY BARRIER.
9. WHERE CONSISTENT WITH JOB SAFETY REQUIREMENTS, ALL MATERIALS EXCAVATED FROM TRENCHES SHALL BE PLACED ON THE UPWIND SIDES OF SUCH TRENCHES.
10. SEDIMENT BARRIERS MUST BE MAINTAINED UNTIL DISTURBED AREAS ARE PERMANENTLY STABILIZED.
11. EROSION CONTROL DEVICES SHALL BE REMOVED WITHIN 30 DAYS OF FINAL STABILIZATION.
12. SEEDING AREAS SHALL BE FERTILIZED AND RESEEDING AS NECESSARY TO ENSURE VEGETATION IS ESTABLISHED.
13. ALL FINAL SEEDING SHALL BE COMPLETED WITHIN 7 DAYS FOLLOWING FINAL GRADING.
14. ALL AREAS SHALL BE MULCHED IMMEDIATELY AFTER SEEDING.
15. SEEDING SHALL BE PERFORMED BETWEEN APRIL 1ST AND OCTOBER 1st. BEYOND THOSE DATES, DORMANT SEEDING SHALL BE APPLIED AT DOUBLE THE APPLICATION RATE, AND ALL FERTILIZING, SEEDING AND MULCHING SHALL BE COMPLETED ON THE SAME DAY IMMEDIATELY AFTER THE LOAM IS SPREAD.

PROGRESS SET ONLY
Not for Construction
JAN 28, 2008

The Estates of Longfellow
130 Eastern Promenade, Portland, Me
Casco Bay Ventures

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 8141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

DATE:
PROJECT No. 0610
DRAWN BY: WJT
CHECKED BY: TST
SCALE: As Noted

SHEET TITLE:
Site Details

C-1.3

September 18, 2007

Chair Michael Patterson and Members of the Portland Planning Board
Planning Board, City of Portland
Portland City Hall
389 Congress Street
Portland, Maine 04101

RE: "The Estates of Longfellow Inn at 130 Eastern Promenade"

Dear Chair Patterson and Members of the Portland Planning Board,

On behalf of Wally Geyer and Anthony Salem, of Casco Bay Ventures, I am contacting you regarding their "The Estates of Longfellow Inn at 130 Eastern Promenade" project here in Portland. In conjunction with our Site Plan Application for this project, previously submitted in mid-July of this year, we would like to request waivers of three of the standards identified in the City of Portland's "Technical and Design Standards and Guidelines."

Curb Height: Section I, "Street Design, Alignment and Grade Standards," Paragraph 9, "Standards and Specifications" and Figure 1-13, "Concrete Sidewalk and Driveway Construction" of the Design Standards require that curbs have a 7" reveal. The existing curb along Wilson Street, at the location where we are proposing a new infill curb, has a reveal of approximately 4". We request a waiver of the 7" requirement so that the top of the new curb can be made continuous with the top of the existing curb, as shown in Detail 2 on C-1.3.


Consistent with the relatively dense urban fabric that characterizes the neighborhood, and in response to the similarly tight constraints of the site itself, we have designed a parking area for only four cars that features three 17 foot spaces and one 15 foot space, all 7 ½ feet wide, and that also features a 17 ½ foot wide entrance drive off of Wilson Street. Currently there is no off-street parking associated with the building; the four proposed spaces are consistent with the intent of the Ordinance to create off-street parking, even though in this case they are not required in that there is no increase in the number of dwelling units. We met with Jim Carmody and Molly Casto at the site, and after reviewing the conditions of the site and the merits of our design, Jim indicated that our proposal is appropriate and that we should request the following waivers:

Entrance Drive Width: Section III, "Traffic Design Standards and Guidelines," Paragraph 2, "Driveway Design," Subparagraph (A)(b) requires that the width of the entrance drive be 24 feet. Our proposed entrance drive has a width of approximately 17'-6". This width is both in response to the limited space available and it also preserves the existing curb cut. We feel that this width is adequate given the very limited number of vehicles using the parking area, the very limited traffic on Wilson Street, and the existence of numerous other driveways in the neighborhood that feature similar widths or less. We request that the 24-foot width requirement be waived.

Compact Spaces: Section III, "Traffic Design Standards and Guidelines," Paragraph 3, "Parking Lot/Parking Space Design," Subparagraph (A) stipulates that standard spaces be 19 feet by 9 feet, and Subparagraph (B) defines compact spaces as being 15 feet by 7 ½ feet. Because of the limited space, and because this parking is not required, we request that the requirement for providing standard spaces be waived. As indicated above, all of the proposed spaces meet or exceed the dimensions for compact spaces. Parking spaces will be assigned to specific dwelling units, and the rental agreements for those units will stipulate that the tenants may only park compact automobiles in their designated spaces.

Thank you for your consideration of these waiver requests. If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'Will Tinkelenberg', with a long horizontal line extending to the right.

Will Tinkelenberg

cc: Molly Casto, Planner
Wally Geyer, Casco Bay Ventures
Scott Teas, TFH Architects

TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

September 14, 2007

Ms. Molly Casto, Planner
Planning Division
389 Congress Street
Portland, Maine 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Molly,

Enclosed please find revised drawings, including "G-1.1, General," the life safety drawings, the site drawings, and the boundary survey. Also included is the preceding warranty deed for this property, all as requested.

We are planning on submitting the subdivision plan, a photometric exterior lighting plan, waiver requests, letters from the utility companies, and storm water calculations early next week.

We have removed the "swayle" from the drawings; in retrospect this term was a bit of a misnomer. The area in question receives no contribution from rainwater other than that directly from the sky. The intent was simply to slope the grade effectively away from the building given the area's recessed shape. Grades are established on the site plan with a spot grade and a contour.

We have adjusted some of the topography at the south corner of the site, both to accommodate solid waste receptacles and with respect to the existing low concrete wall there.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,



Will Tinkelenberg

cc: Wally Geyer, Casco Bay Ventures
Scott Teas, TFH Architects
Encl: Preceding Warranty Deed (BK 14078 PG 001)
Boundary Survey, August 29, 2007
"G-1.1, General," September 14, 2007
"G-1.2, Life Safety," May 16, 2007
"C-1.2, Site Plan," September 14, 2007
"C-1.3, Site Details," September 14, 2007
"C-1.4, Landscaping Plan," September 14, 2007

September 18, 2007

Ms. Molly Casto, Planner
Planning Division
389 Congress Street
Portland, Maine 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Molly,

Enclosed please find the subdivision plan, a photometric exterior lighting plan, a letter to the Planning Board regarding waiver requests, letters from the utility companies, and a stormwater management report.

If you have any questions or need further information, please don't hesitate to contact me.

Sincerely,



Will Tinkelenberg

cc: Wally Geyer, Casco Bay Ventures
Scott Teas, TFH Architects
Encl: "C-1.1, Subdivision Plan," September 18, 2007
"SK-4, Site Lighting," September 18, 2007
Stormwater Management Report, September 18, 2007
Letter to Chair Patterson and Members of the Portland Planning Board, September 18, 2007
Letter from Portland Water District, August 1, 2007
Letter from Northern Utilities Natural Gas, August 7, 2007
Letter from Central Maine Power, August 17, 2007
Letter from Portland Public Works, September 18, 2007



December 11, 2007

Molly Casto
Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Molly,

Following receipt of your recent comments, we have revised the site layout for the Estates of Longfellow Inn project. Attached here are the following drawings to describe the current proposal:

Revised Site plan C1.2
(2) full-size copies, (1) 11x17 copy

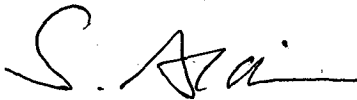
Dated December 11, 2007

Please note the following items:

1. The previously submitted existing conditions survey is tied to the vertical datum of NGVD 1929 – see general note # 6. A revised existing conditions survey will be added to the final site plan review submission referring to the NAD 1983 (HARN) Datum and the U.S. Survey Foot as the unit of measure. This will be indicated in a general note.
2. An engineering detail sheet, which wasn't in need of revision, had been previously submitted to the Planning Division.
3. Following note has been added to the Site Plan: "No work will be allowed in the R.O.W. until the Moratorium for the street has been lifted, and weather permits construction."
4. The compact parking spaces # 1 and 2 have been approved by Jim Carmody, Traffic Engineer.
5. The assumed approximate location of the water line has been added to the revised site plan.
6. The capacity of the existing combined sewer system, and the effect of the proposed project's stormwater and sanitary sewer flows on the system is currently being verified by our Civil Engineer Land Consulting Engineers, PA (LCE) and will be taken into account in the design.
7. Calculations to determine pipe sizing for the projected stormwater flow will be included in the final submission of the stormwater report.

8. The foundation drain will be connected to the stormwater sewer. The internal roof leader drain will be directed out to the esplanade before it ties into the combined sewer line. The site plan has been revised accordingly.
9. The drain inlet DI#2 has been revised to a catch basin with 3' sumps and casco traps (see CB#1 on site plan C1.2). The drain inlet DI#1 does not have to change according to discussions with Lauren Swett at Woodard & Curran, the review engineer.
10. The piping connecting the drain inlets and the sewer manhole have been revised to SDR 35 PVC sewer pipe.
11. In response to Public Works recommendation the sidewalk on Wilson Street will be extended to Eastern Promenade. The site plan C1.2 has been revised accordingly.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Aldrian', with a stylized flourish at the end.

Susanne Aldrian
Project Architect
TFH Architects

Cc: Wally Geyer, Casco Bay Ventures
TFH file

MORNING STREET
(PAVED PUBLIC WAY)

WILSON STREET
(PAVED PUBLIC WAY)

EASTERN PROMENADE
(PAVED PUBLIC WAY)

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

© 2007 TFH ARCHITECTS

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

SITE PLAN REVIEW SET, REV. 11
Not for Construction
DEC 11, 2007

REVISIONS:

DATE:

PROJECT No. 0610

DRAWN BY: SA

CHECKED BY: TST

SCALE: AS NOTED

SHEET TITLE:

SITE PLAN

C1.2

*SEE G-1.1 FOR SELECT SPECIFICATIONS

1 SITE PLAN
1"=10'-0"

0 10.0 20.0 30.0 40.0 FT

SITE PLAN NOTES

- OWNER/DEVELOPER: CASCO BAY VENTURES, FALMOUTH, MAINE
- ELEVATION BENCHMARK: HIGHEST POINT ON "M" MONUMENT @ NORTHWEST CORNER OF ST. LAWRENCE AND FORE STREETS (ELEVATION = 69.35) BASED ON N.G.V.D., 1929 CITY OF PORTLAND DATUM.
- PRIOR TO SITE EXCAVATION, CONTACT DIG-SAFE AT 1-800-225-4877.
- PROPERTY BOUNDARY, EXISTING CONDITIONS AND TOPOGRAPHY BASED ON "BOUNDARY SURVEY/SITE PLAN AT 130 EASTERN PROMENADE, PORTLAND, MAINE" PREPARED FOR 130 EASTERN PROM. LLC BY BACK BAY BOUNDARY, INC., PORTLAND, MAINE, ON JULY 10, 2007 AND REVISED ON AUGUST 28, 2007.
- TAX MAPS CBL 34-1 & 2
- TOTAL PARCEL SIZE: 7,905.9 SF (0.18 ACRES)
- ALL CONSTRUCTION, SITEWORK, AND EROSION AND SEDIMENT CONTROLS TO BE PERFORMED IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION BEST MANAGEMENT PRACTICES" CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. EROSION AND SEDIMENT CONTROLS TO BE INSTALLED PRIOR TO COMMENCING WORK.
- UTILITY CONNECTIONS WITHIN STREET RIGHTS-OF-WAY: BUILDER TO ACQUIRE STREET OPENING PERMIT(S) FROM THE DEPARTMENT OF PUBLIC WORKS, POST PERFORMANCE BONDS AS REQUIRED, COORDINATE PRE-CONSTRUCTION MEETINGS AND INSPECTIONS WITH THE CITY OF PORTLAND AND/OR UTILITY COMPANY(S) AS APPLICABLE.
- CURBING THAT IS NOT RE-USED REMAINS THE PROPERTY OF THE CITY OF PORTLAND AND IS TO BE DELIVERED TO THE CITY'S OUTER CONGRESS STREET STOCKYARD.
- NEW PAVEMENT WITHIN STREET RIGHTS-OF-WAY TO MATCH EXISTING PAVEMENT MATERIALS AND THICKNESS.
- ALL SITE WORK TO BE EXECUTED IN ACCORDANCE WITH THE SITE PLAN, PRIOR CITY APPROVAL REQUIRED FOR ALTERATIONS TO OR DEVIATIONS FROM THE PLANS.
- PRIOR TO CONSTRUCTION, BUILDER TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE CITY AS REQUIRED.
- NO WORK WILL BE ALLOWED IN THE R.O.W. UNTIL THE MORATORIUM FOR THE STREET HAS BEEN LIFTED, AND WEATHER PERMITS CONSTRUCTION.

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

- DRAWING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.
- LAYOUT: UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD & RISER LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.

CODE SUMMARY
BUILDING CODE
OCCUPANCY

IBC 2003, NFPA 101 2003
IBC: R-2 MULTI-FAMILY RESIDENTIAL
NFPA: RESIDENTIAL, APARTMENT BUILDING

IBC: TYPE 5-8 WOOD FRAME
NFPA: TYPE V - 000
3 + BASEMENT
NFPA 13R

FLOORS
SPRINKLER

BUILDING AREA
01-First Floor
02-Second Floor
03-Third Floor

(GSF includes covered Porches, Deck & Balcony;
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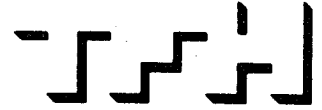
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NFPA: RESIDENTIAL



December 13, 2007

Dear Neighbor:

On behalf of Wally Geyer of Casco Bay Ventures, please join us for a neighborhood meeting to discuss our plans for the proposed project "The Estates of Longfellow Inn" located at 130 Eastern Promenade in Portland.

Meeting Location: 172 Eastern Promenade

Meeting Date: December 27, 2007

Meeting Time: 6:30 P.M.

If you have any questions please call 207.775.6141

Sincerely,

TFH Architects

Note: Under Section 14-32-C of the City Code of Ordinances, an applicant for a major development, subdivision of over five lots / units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal.



January 2, 2008

Molly Casto
Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Molly,

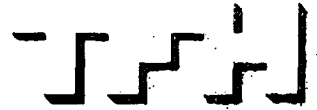
Following receipt of your recent comments, we have revised the site layout for the Estates of Longfellow Inn project. Attached here are the following drawings and documents to describe the current proposal:

Revised Site plan C1.2	dated Jan 2, 2008
Revised Landscaping Plan C1.4	"
Revised Existing Conditions Survey	"
Additional Drainage Plan D1.0	"
Pipe Calculations	"
Letter of Response to Comments	"
(7) full-size copies, (1) 11x17 copy	
Neighborhood Meeting Certificate	"
(1) copy	

Sincerely,

T. Scott Teas, NCARB, AIA
Principal

Cc: Wally Geyer, Casco Bay Ventures
TFH file



TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

January 2, 2008

Molly Caslo
Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Fax: 207-756-8258

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Molly,

Please find attached the requested letter from Bangor Savings Bank.

Sincerely,

Susanne Aldrian
Project Architect

Cc: TFH file



January 15, 2008

Molly Casto
Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Molly,

Please find attached the revised boundary survey (2 full size, 1 11x17 copy) for The Estates of Longfellow Inn.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Aldrian', with a stylized, flowing script.

Susanne Aldrian
Project Architect

Cc: TFH file

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that it, **130 Eastern Prom, LLC**, a **Maine Limited Liability Company**, whose mailing address is 130 Eastern Promenade, Portland, Maine 04101, in consideration of One and No/100 Dollars (\$1.00), and other valuable consideration paid by **Casco Bay Ventures, a Maine Corporation** with a principal place of business at 223 Woodville Road, Falmouth, Maine, 04105, the receipt whereof it does hereby acknowledge, does hereby **GIVE, GRANT, BARGAIN, SELL AND CONVEY, WITH WARRANTY COVENANTS** unto the said **Casco Bay Ventures**, its successors and assigns forever, the following described premises:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the same, unto Grantee herein, together with all the privileges and appurtenances thereunto belonging to the said, **130 Eastern Prom, LLC** its successors and assigns forever. Grantor does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, free of all encumbrances, and that Grantor does have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that Grantor, and its successors, shall and will warrant and defend the same to the said Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said **130 Eastern Prom, LLC** has caused these presents to be signed and its corporate seal by **James Salisbury**, its Authorized Member, thereunto duly authorized, as of this day of May, 2007.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF**

Witness

STATE OF MAINE
COUNTY OF

130 Eastern Prom, LLC

By its Authorized Member, James Salisbury

May 9, 2007

Then personally appeared the above-named, **James Salisbury**, Authorized Member of the said **130 Eastern Prom, LLC**, and acknowledged the foregoing instrument to be his free act and deed, in his said capacity, before me,

Notary Public/Attorney at Law

MAINE REAL ESTATE TAX PAID

BK 14078P6001

56540

WARRANTY DEED

with Covenants

KNOW ALL MEN BY THESE PRESENTS,

THAT We, LAWRENCE V. TIRRELL and BEVERLY W. TIRRELL, both of the City of Saco, in the County of York and State of Maine, in consideration of One Dollar and other good and valuable consideration paid by 130 Eastern Prom, LLC, a Maine limited liability company, and having a principal place of business located at 130 Eastern Promenade, Portland, ME 04101, the receipt whereof We do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said 130 Eastern Prom, LLC, its successors and assigns forever,

A certain lot or parcel of land, with the buildings thereon, situated on the Westerly side of the Eastern Promenade in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the corner formed by the intersection of the Westerly sideline of said Eastern Promenade and the Southerly sideline of Wilson Street; thence Westerly by said Wilson Street 114.70 feet to a point distant 80 feet Easterly from Morning Street; thence Southerly on a line parallel with said Morning Street 40 feet to a point; thence Easterly on a line parallel with said Wilson Street 115.71 feet to said Eastern Promenade; thence Northerly by said Eastern Promenade 40 feet to the point begun at. Being a part of Block I on a plan recorded in Cumberland County Registry of Deeds, Plan Book 4, Page 18.

ALSO another certain lot or parcel of land, with any buildings thereon, situated in said City of Portland, being bounded and described as follows:

Beginning at a point on the Westerly side of Eastern Promenade distant 40 feet Southerly from the corner formed by the intersection of the Westerly sideline of said Promenade and the Southerly sideline of Wilson Street, which point is in the Southeasterly corner of a lot of land sold to Emma A. Calhoun, January 25, 1899, by George B. Upham; thence Southerly by the said Promenade 45.23 feet to the strip of land sold to S.P. Beckett by the Deering Heirs in 1874, by deed recorded in said Registry, Book 410, Page 557; thence Westerly by said land sold to said Beckett 116.65 feet to a point distant 80 feet Easterly from Morning Street; thence Northerly on a line parallel with said Morning Street 45.46 feet to said lot sold to Emma A. Calhoun; thence Easterly on a line parallel with said Wilson Street and by said lot sold to Emma A. Calhoun 115.07 feet to that begun at. Being a part of Block of land marked I in plan recorded in said Registry, Plan Book 4, Page 18.

EXCEPTING and RESERVING from the above described premises so much thereof as was conveyed by Harry H. Pense to George T. Denly by deed recorded in said Registry, Book 845, Page 70, and not reconveyed by said Denly to said Pense by deed recorded in said Registry, Book 855, Page 476, being a lot 20 feet in width and 97.1 feet in depth.

EXHIBIT

A

MAINE REAL ESTATE TAX PAID

MODE = MEMORY TRANSMISSION

START=JAN-07 14:19

END=JAN-07 14:22

FILE NO.=789

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	8	98294481	008/008	00:01:59

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Wally Geyer [cc: Terry Snow Esq.]

Company: Casco Bay Ventures

Fax #: Geyer- 775-0530 / Snow- 829-4481

Date: January 7, 2008

From: Molly Casto, Planner

You should receive 8 page(s) including this cover sheet.

Comments:

Hello Wally:

I have spoken with Penny Littell, Associate Corporation Counsel and she continues to advise our department and the Planning Board that the Board does not have the jurisdiction to review zoning determinations. The Zoning Administrator maintains that, because this is a plan revision under the same application and application number as your initial proposal and not a new application, they are not eligible to request a new zoning determination. If you have any additional concern over this I suggest contacting Marge or Penny directly.

If you need additional copies of any of the correspondence between Mr. McGlaflin, Marge and Penny over the past few months, please let me know and I will forward that information to you.

Thanks-

Molly Casto

MODE = MEMORY TRANSMISSION

START=JAN-07 14:16

END=JAN-07 14:18

FILE NO.=787

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Scott Tcas

Company: TFH Architects

Fax #: 773-0194

Date: January 7, 2008

From: Molly Casto, Planner

You should receive 8 page(s) including this cover sheet.

Comments:

Good Afternoon Scott-

I have spoken with Penny Littell, Associate Corporation Counsel and she continues to advise our department and the Planning Board that the Board does not have the jurisdiction to review zoning determinations. Zoning maintains that, because this is a plan revision under the same application and application number as your initial proposal and not a new application, they are not able to request a new zoning determination. If you have any concern over this I suggest contacting Marge or Penny directly.

If you or Wally need additional copies of any of the correspondence between Mr. McGlauffin, Marge and Penny over the past few months, please let me know and I will forward that information to you.

Thanks-

Molly Casto



**STORMWATER MANAGEMENT REPORT
130 EASTERN PROMENADE
PORTLAND, MAINE
September 18, 2007**

Introduction

130 Eastern Promenade is located on the southeast corner of the intersection of Eastern Promenade and Wilson Street in Portland, Maine. Stormwater runoff from this project ultimately discharges to the curb and gutter systems of Wilson Street and the Eastern Promenade, which drain into the catch basin at the intersection of Eastern Promenade and Cutter Street.

Casco Bay Ventures plans to renovate the Site, which includes replacing an attached garage structure with a parking area at the southwest end of the property. The main structure will also be renovated as shown on the attached plan.

This report discusses the Site's hydrological conditions and quantifies the stormwater runoff generated in the existing and proposed conditions.

Data Collection and Assumptions

Site Data was gathered from field observations and AutoCAD files and drawings provided by Will Tinkelenberg, the Architect. This data was used to create a HydroCAD stormwater model, which is based on the United States Department of Agriculture's (USDA) Technical Release 20 (TR-20) and Technical Release 55 (TR-55) hydraulic programs.

Curve numbers (CNs) assigned to differing land cover and soil types were taken from tables within the HydroCAD software, which are from the SCS TR-55 manual, revised 1986. 24-hour rainfall depths were taken from the City of Portland Ordinances. Time of concentrations were entered via direct entry and were assumed to be 5 minutes.

Existing and proposed watershed subcatchments are shown on attached Drawing D1 and D2 entitled "Existing Conditions Drainage Map" and



Water Quantity

The table below compares peak flows leaving the Site for the 2, 10, and 25 year storm events.

Table Comparing Peak Flows
130 Eastern Promenade - September 18, 2007

Storm Event	Existing Conditions Peak Flow (cfs)	Proposed Condition Peak Flow (cfs), No Detention	Proposed Condition Peak Flow (cfs) Not Including Flows From 628 SF Flat Roof
2-year	0.21	0.23	0.20
10-year	0.54	0.58	0.52
25-year	0.71	0.75	0.68

The proposed renovations to the Site will cause a slight increase in overall stormwater runoff. This increase is less than 6% in the 25 year storm and is relatively insignificant. If the runoff from the proposed flat portion of the roof is not included, the Site's overland stormwater runoff would decrease slightly as shown in the last column in the table above.

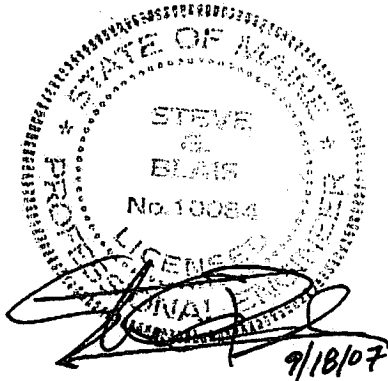
Conclusions

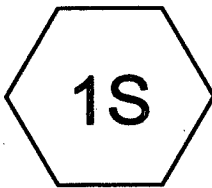
This project will not cause a significant increase in stormwater runoff as a result of the renovations described in this report and shown on the attached Drawing D2.

LAND CONSULTING ENGINEERS, PA

Steve G. Blais, PE

Enclosures





Existing Conditions



Proposed Conditions



**Proposed Conditions
w/out Flat Roof Runoff**



Drainage Diagram for 07126-130 Eastern Promenade
Prepared by LAND CONSULTING ENGINEERS, PA 9/18/2007
HydroCAD® 8.00 s/n 003530 © 2006 HydroCAD Software Solutions LLC

Subcatchment 1.1S: Proposed Conditions

Runoff = 0.23 cfs @ 12.08 hrs, Volume= 0.016 af, Depth= 1.07"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-Yr Rainfall=2.60"

Area (sf)	CN	Description
2,072	39	>75% Grass cover, Good, HSG A
5,784	98	Paved parking & roofs
49	77	Fallow, bare soil, HSG A
7,905	82	Weighted Average
2,121		Pervious Area
5,784		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1S: Existing Conditions

Runoff = 0.21 cfs @ 12.08 hrs, Volume= 0.014 af, Depth= 0.96"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-Yr Rainfall=2.60"

Area (sf)	CN	Description
2,260	39	>75% Grass cover, Good, HSG A
5,177	98	Paved parking & roofs
468	77	Fallow, bare soil, HSG A
7,905	80	Weighted Average
2,728		Pervious Area
5,177		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	53		0.18		Direct Entry,

Subcatchment 2S: Proposed Conditions w/out Flat Roof Runoff

Runoff = 0.23 cfs @ 12.08 hrs, Volume= 0.016 af, Depth= 1.07"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 2-Yr Rainfall=2.60"

Area (sf)	CN	Description
2,072	39	>75% Grass cover, Good, HSG A
5,784	98	Paved parking & roofs
49	77	Fallow, bare soil, HSG A
7,905	82	Weighted Average

07126-130 Eastern Promenade*Type III 24-hr 2-Yr Rainfall=2.60"*

Prepared by LAND CONSULTING ENGINEERS, PA

Page 7

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9/18/2007

2,121
5,784Pervious Area
Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-Yr Rainfall=4.50"

Area (sf)	CN	Description
2,072	39	>75% Grass cover, Good, HSG A
5,784	98	Paved parking & roofs
49	77	Fallow, bare soil, HSG A
7,905	82	Weighted Average
2,121		Pervious Area
5,784		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1S: Existing Conditions

Runoff = 0.54 cfs @ 12.08 hrs, Volume= 0.037 af, Depth= 2.46"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-Yr Rainfall=4.50"

Area (sf)	CN	Description
2,260	39	>75% Grass cover, Good, HSG A
5,177	98	Paved parking & roofs
468	77	Fallow, bare soil, HSG A
7,905	80	Weighted Average
2,728		Pervious Area
5,177		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	53		0.18		Direct Entry,

Subcatchment 2S: Proposed Conditions w/out Flat Roof Runoff

Runoff = 0.58 cfs @ 12.07 hrs, Volume= 0.040 af, Depth= 2.64"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 10-Yr Rainfall=4.50"

Area (sf)	CN	Description
2,072	39	>75% Grass cover, Good, HSG A
5,784	98	Paved parking & roofs
49	77	Fallow, bare soil, HSG A
7,905	82	Weighted Average

Subcatchment 1.1S: Proposed Conditions

Runoff = 0.58 cfs @ 12.07 hrs, Volume= 0.040 af, Depth= 2.64"

07126-130 Eastern Promenade*Type III 24-hr 10-Yr Rainfall=4.50"*

Prepared by LAND CONSULTING ENGINEERS, PA

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9/18/2007

2,121
5,784Pervious Area
Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1.1S: Proposed Conditions

Runoff = 0.75 cfs @ 12.07 hrs, Volume= 0.052 af, Depth= 3.44"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
2,072	39	>75% Grass cover, Good, HSG A
5,784	98	Paved parking & roofs
49	77	Fallow, bare soil, HSG A
7,905	82	Weighted Average
2,121		Pervious Area
5,784		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

Subcatchment 1S: Existing Conditions

Runoff = 0.71 cfs @ 12.07 hrs, Volume= 0.049 af, Depth= 3.24"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
2,260	39	>75% Grass cover, Good, HSG A
5,177	98	Paved parking & roofs
468	77	Fallow, bare soil, HSG A
7,905	80	Weighted Average
2,728		Pervious Area
5,177		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	53		0.18		Direct Entry,

Subcatchment 2S: Proposed Conditions w/out Flat Roof Runoff

Runoff = 0.75 cfs @ 12.07 hrs, Volume= 0.052 af, Depth= 3.44"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 0.00-48.00 hrs, dt= 0.01 hrs
Type III 24-hr 25-Yr Rainfall=5.40"

Area (sf)	CN	Description
2,072	39	>75% Grass cover, Good, HSG A
5,784	98	Paved parking & roofs
49	77	Fallow, bare soil, HSG A
7,905	82	Weighted Average

07126-130 Eastern Promenade*Type III 24-hr 25-Yr Rainfall=5.40"*

Prepared by LAND CONSULTING ENGINEERS, PA

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9/18/2007

2,121	Pervious Area
5,784	Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,

07126-130 Eastern Promenade*Type III 24-hr 100-Yr Rainfall=6.70"*

Prepared by LAND CONSULTING ENGINEERS, PA

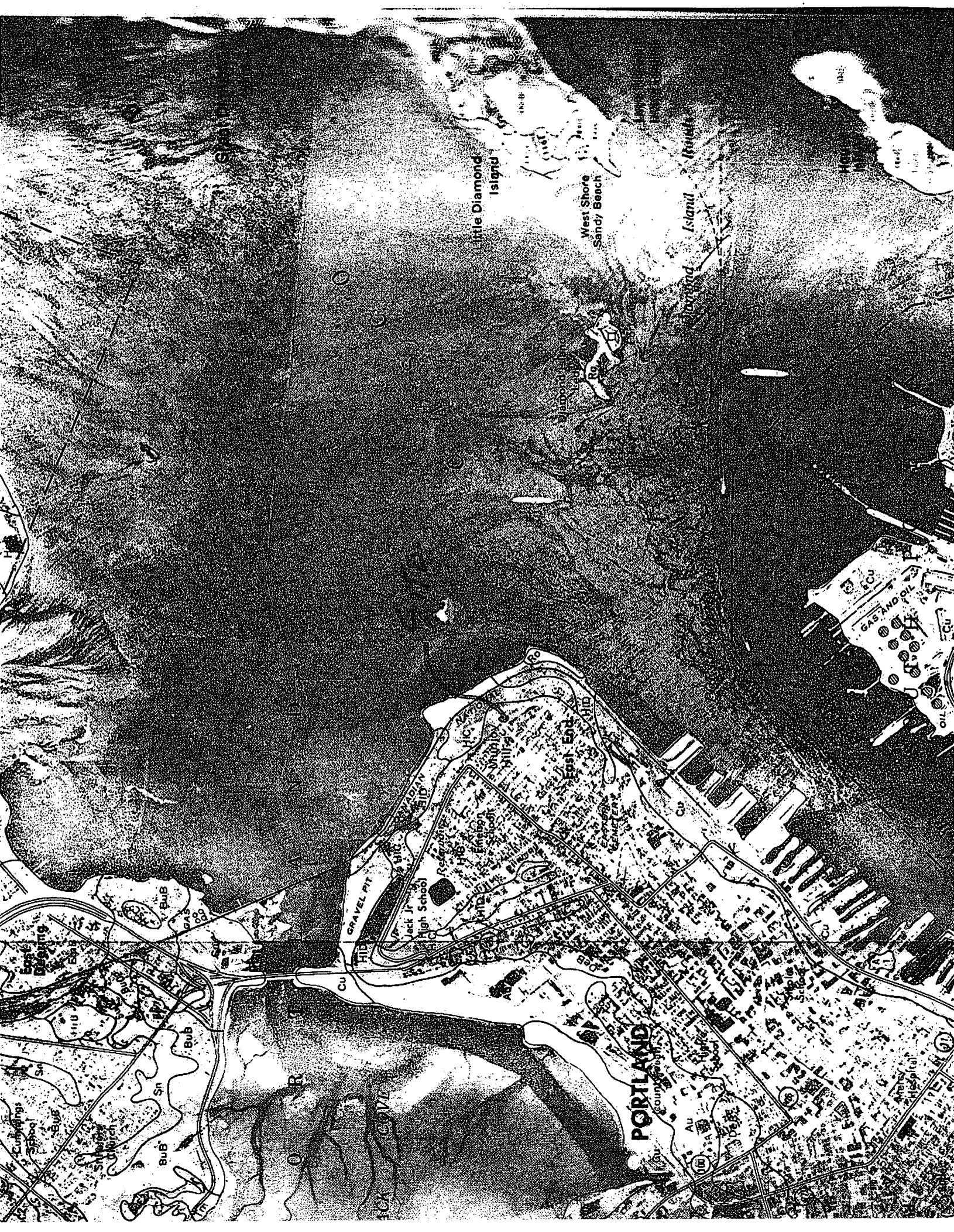
Page 13

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9/18/2007

2,121
5,784Pervious Area
Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
5.0	32		0.11		Direct Entry,



LAND CONSULTING ENGINEERS, PA

January 2, 2008
LCE File.: 07126

Susanne Aldrian
TFH Architects
100 Commercial Street
Portland, ME 04101

**Re: The Estates of Longfellow Inn - 130 Eastern Promenade, Portland, ME
Response to Comments**

Dear Susanne:

The following responses address comments from Woodard & Curran's
December 4, 2007 Memorandum:

- *An engineering details sheet was not included ...*

Response: As we discussed, TFH has a detail sheet of most of the items listed in the comment. LCE will add a utility structure detail to Drawing D3.

- *The stormwater report shows that there will be a slight increase in flow for the post development site conditions. In addition, the possibility of connecting roof leaders into the stormwater system was referenced in the report. The capacity of the existing combined sewer system, and the effect of the proposed project's stormwater and sanitary flows on the system needs to be verified and taken into account in the design prior to the approval of the project.*

Response: The drawings have been updated to reflect roof leader connections into the stormwater system. The stormwater runoff from this project currently flows overland into the curb and gutter system of the Eastern Promenade. It appears this flow enters the combined stormwater system at the Cutter Street intersection via a catch basin.

The proposed project will increase the stormwater peak flows by 0.12 cfs in the 25-year, and 10-year storm events. There will be a 0.08 cfs increase in the 2-year storm event. According to our discussions with Woodard & Curran, this small increase in stormwater runoff should not be a problem.



January 2, 2008

- *The stormwater report does not include any calculations to determine adequate pipe sizing for the projected stormwater flows.*

Response: We have added a reach to the HydroCAD drainage model to represent a 10" pipe sloping at 1%. As shown on the attached printout, such a pipe can handle 25-year stormwater flows from the entire Site.

- *All drain inlet structures for the project should be catch basins with 3' sumps and casco traps.*

Response: We have replaced the drain inlet that connects to the City sewer system with a 3' sump catch basin with a casco bay trap. Per our discussion with Woodard & Curran, the drain inlet in the parking lot does not have this requirement.

- *The piping connecting DI#1, DI#2, and the sewer manhole in the esplanade is called out as a HDPE (smooth). This piping should be SDR 35 PVC sewer pipe.*

Response: The piping has been changed to SDR 35 PVC pipe as shown on the attached Drawings.

We trust that we have addressed these comments adequately. Please call me if you have any questions or require further information.

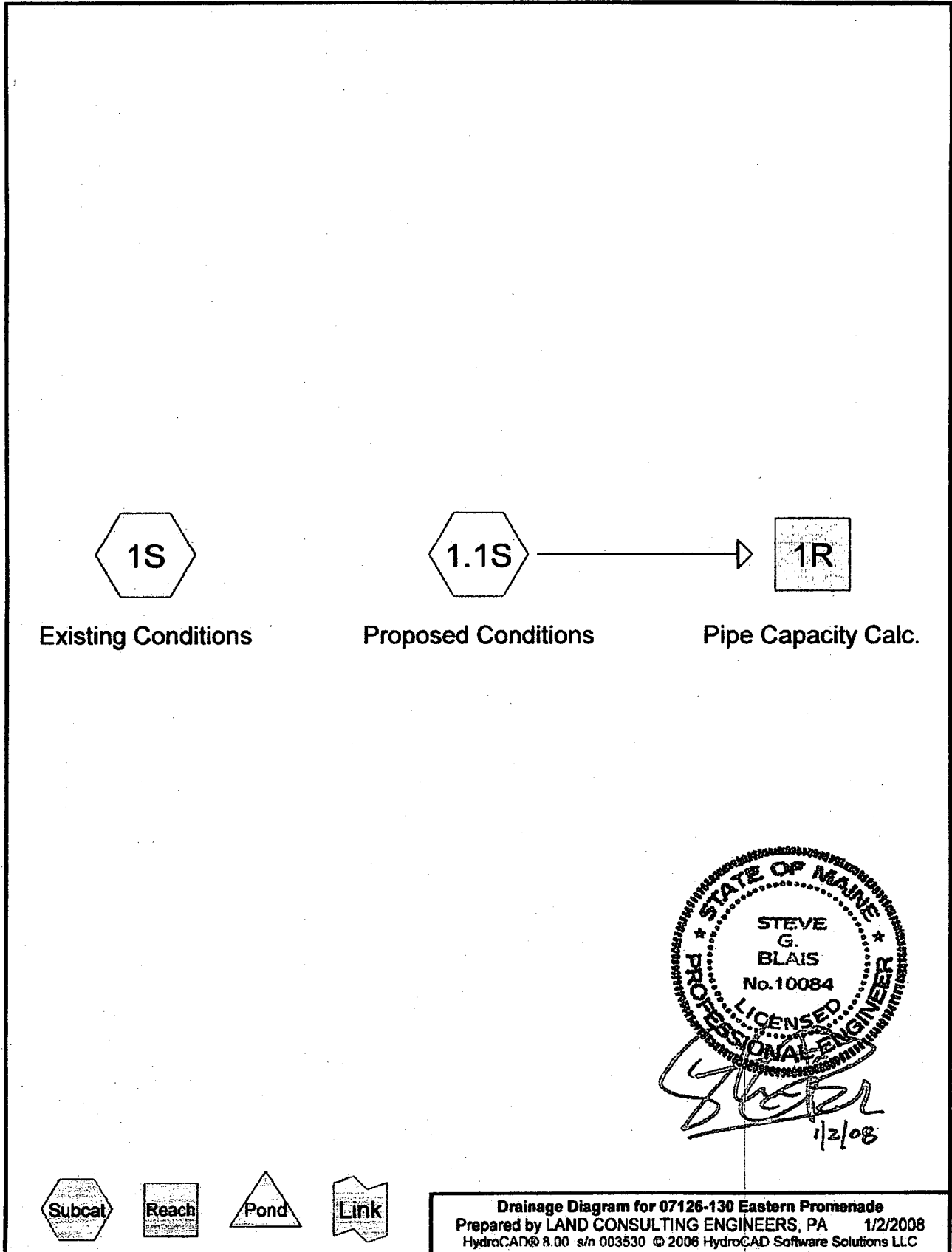
Sincerely,

LAND CONSULTING ENGINEERS, PA

Steve G. Blais, PE

Enclosures:

Drawing D-4 (24"x36") Revised January 2, 2008



07126-130 Eastern Promenade

Type III 24-hr 25-Yr Rainfall=5.40"

Prepared by LAND CONSULTING ENGINEERS, PA

Page 3

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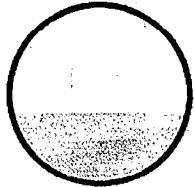
1/2/2008

Peak Storage= 4 cf @ 12.07 hrs, Average Depth at Peak Storage= 0.32'
Bank-Full Depth= 0.83', Capacity at Bank-Full= 2.59 cfs

10.0" Diameter Pipe, $n=0.011$

Length= 20.0' Slope= 0.0100 '/'

Inlet Invert= 0.00', Outlet Invert= -0.20'





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Corporation Counsel
Gary C. Wood

Associate Counsel
Elizabeth L. Boynton
Penny Littell
James R. Adolf
Mary E. Costigan

December 7, 2007

BY FAX: 207-775-2360

Bruce A. McGlaulin, Esq.
Petrucelli, Martin & Haddow, LLP
50 Monument Square
P.O. Box 17555
Portland, ME 04112-8555

Re: 130 Eastern Promenade

Dear Attorney McGlaulin:

I am writing in my capacity as attorney to the Portland Planning Board. I am in receipt of your December 6, 2007 letter addressed to Molly Casto (attention Marge Schmuckal and the Members of the Planning Board) relating to the site plan/subdivision application for 130 Eastern Promenade. In that letter you raise arguments relating to the zoning interpretation of Portland City Code §14-382(d). When Zoning Administrator Marge Schmuckal made her interpretation as to the applicability of this provision to 130 Eastern Promenade, in September 2007, you were advised of the opportunity to appeal that interpretation to the Zoning Board of Appeals. No appeal was ever filed.

The Planning Board is not the appropriate body to address zoning issues. All zoning matters must be taken up by the ZBA, a separate administrative body within the City of Portland. I will be so advising the Planning Board and wanted to provide you with advance notice of my advice to them. You are certainly free to appear and provide testimony (written or oral) on any site plan or subdivision issues of concern.



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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

February 5, 2008

Petrucelli, Martin & Haddow, LLP
Attorneys at Law
50 Monument Square
P.O. Box 17555
Portland, Maine 04112-8555

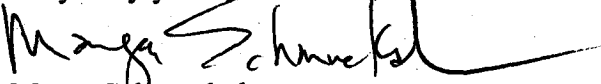
Attn: Bruce A. McGlaflin

RE: 130 Eastern Promenade – 003-C-001 – R-6 Zone – application #2007-0123

Dear Attorney McGlaflin,

I am in receipt of a copy of your letter to Ms. Molly Casto concerning my determination memo regarding the property at 130 Eastern Promenade dated 2/1/2008. Please note that you have the right to appeal my decision before the Zoning Board of Appeals. If you wish to exercise your right to appeal, you have thirty (30) days from the date of that memo in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,


Marge Schmuckal
Zoning Administrator

Faxed & sent 2/5/08

Cc: Penny Littell, Associate Corporation Counsel
~~Molly Casto, Planner~~
Alex Jaegerman, Director of the Planning Division
Barbara Barhydt, Development Review Coordinator



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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

January 18, 2008

Bruce A. McGlaufflin
c/o Petruccelli, Martin & Haddow, LLP
50 Monument Square
PO Box 17555
Portland, Maine 04112-8555

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Attorney McGlaufflin,

I am in receipt of your request dated January 7, 2008 for a determination letter concerning the property located at 130 Eastern Promenade. I have attached a copy of my determination letter in regard to your concerns.

If you have any other questions regarding this matter, please do not hesitate to contact me at 874-8695.

Very truly yours,

Marge Schmuckal
Zoning Administrator

Cc: ✓ Molly Casto, Planner
Alex Jaegerman, Planning director
Barbara Barhydt, Development Review Services Manager
Penny Littell, Corporation Counsel
File



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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

September 26, 2007

Bruce A. McGlauflin
Petrucelli, Martin & Haddow, LLP
50 Monument Square
P.O. Box 17555
Portland, ME 04112-8555

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Attorney McGlauflin,

I am in receipt of your letter to Molly Casto in the Planning Division concerning the development of the property located at 130 Eastern Promenade.

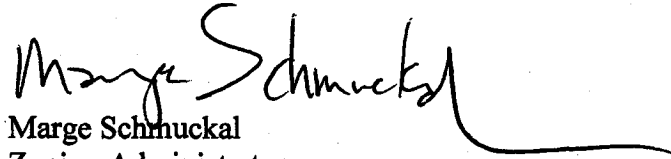
You have cited section 14-382(d) of the Nonconforming Use and Nonconforming Buildings section of the ordinance which reads, "Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity". Currently, the existing building is nonconforming as to space and bulk and dimensional requirements. I disagree that this section of the ordinance restricts any new addition outside of the confined shell of the existing building. I interpret this section of the ordinance to allow new additions(s) if no new nonconformity is created and there is no increase of any existing nonconformity. I believe that the proposal submitted for review meets this section of the Land Use Zoning Ordinance.

You have also cited section 14-388 within the same division of the nonconformity section of the ordinance and is titled "Nonconformity as to area of dwelling". This section reads, "A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the area per dwelling regulations of the zone in which it is located". This section of the ordinance is pretty clear. It seems to say that zoning should not allow any additions or enlargements unless the area per dwelling unit regulation is made to conform to the underlying zone. It is very severe in its wordage and would restrict additions on even single family homes on undersized lots. In the past it has been the practice of this office to allow additions and enlargements on undersized lots relating to area per

dwelling unit as long as all other underlying zone requirements are met. Since this section of the ordinance has been brought to my attention, I must abide by its wordage. The applicant of 130 Eastern Promenade has been notified that their proposal is not meeting zoning requirements at this time based upon section 14-388 of the zoning ordinance.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is require to file an appeal.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator

CC: Molly Casto, Planner
Alex Jaegerman, Planning Director
Barbara Barhydt, Development Review Services Manager
File

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

Hand Delivered

January 7, 2008

Marge Schmuckal, Zoning Administrator
City of Portland
389 Congress Street
Portland, Maine 04112-8555

RE: 130 Eastern Promenade

Dear Ms. Schmuckal:

This firm represents Nicolino and Patricia Ciccomancini and Robert and Lucy Tanner, owners of 14 Wilson Street and 126 Eastern Promenade. These properties directly abut 130 Eastern Promenade, which is owned by Casco Bay Ventures and which is the subject of Casco Bay's site plan/subdivision application for an addition at 130 Eastern Promenade. The purpose of this letter is to request that you issue a zoning determination as to whether Casco Bay's *current* proposal as shown on Land Consulting Engineers, P.A. plan dated November 19, 2007, complies with Section 14-382(d) of the Land Use Code. It is our contention that the proposal cannot satisfy Section 14-382(d) because it involves proposed changes in exterior walls and roofs that are not confined within the space occupied by the existing shell of the building.

As you may recall, I presented this issue to you once before on behalf of the Ciccomancinis with respect to a *different* set of plans that involved nine residential units instead of the current seven. I also objected to those plans based on a violation of Section 14-388. You issued a determination dated September 26, 2007, in which you rejected Casco Bay's first plan based on a violation of Section 14-388, but not Section 14-382(d). The Ciccomancinis did not appeal that determination because they were not aggrieved by your determination that the proposal could not proceed.

On December 7, 2007, I addressed a letter to Penny Littell, Esquire, and copied it to you by fax. Enclosed is a copy of the letter and the fax cover sheet. In that letter, I

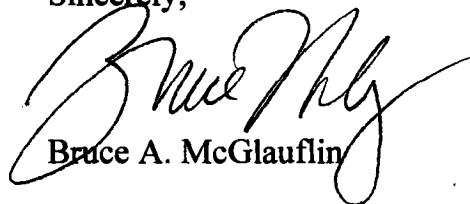
Marge Schmuckal, Zoning Administrator
City of Portland
January 7, 2008
Page 2

requested that you make another determination on the *new* Casco Bay proposal. Because this letter was not addressed to you (although the fax cover sheet was addressed to you), it is understandable that it may not have been brought to your attention. That December 7th request for a zoning determination was made on behalf of the Ciccomancinis and I reiterate it here.

At the time of the December 7th letter, I did not represent the Tanners. Today's request for a zoning determination is made on behalf of the Tanners as well as the Ciccomancinis. The Tanners were not party to the request made on Casco Bay's first proposal and they had no notice of your September 26th determination on that proposal.

Thank you for your assistance. I look forward to your response.

Sincerely,



Bruce A. McGlaulin

BMcG/d

Enclosure

cc: Mr. & Mrs. Nicolino Ciccomancini
Dr. & Mrs. Robert Tanner
Penny Littel, Esquire (hand delivered)
James R. Adolf, Esquire (hand delivered)
Wally Geyer, Casco Bay Ventures

COPY

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

December 7, 2007

Via Fax

Penny Littell, Esq., Associate Corporation Counsel
389 Congress Street
Portland, Maine 04112-8555

Re: 130 Eastern Promenade

Dear Penny:

This letter is in response to your letter of December 07, 2007 in which you indicate that the Planning Board is not the appropriate body to address zoning issues and that my argument relating to the interpretation of §14-382 (d) should not be considered by the Board in its review of Casco Bay's site plan application. I respectfully disagree with your interpretation of the Planning Board's jurisdiction. Under site plan review, the Planning Board must make a determination that the applicant's proposal meets all of the criteria set forth in 14-526 in including the criterion that the applicant "has submitted all information required by this article and that the development complies with all applicable provisions of this Code" §14-526 (a)(17). Thus, the Planning Board is required to make a determination as to whether or not the proposal satisfies §14-382 (d) of the Code.

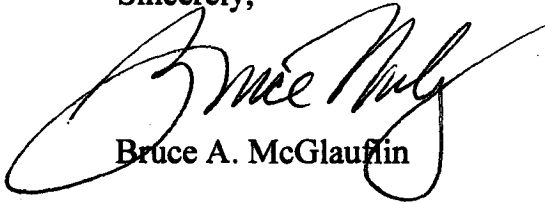
I understand that the Planning Board may rely on a preliminary determination by the Zoning Administrator with respect to such zoning requirements. For that reason, I requested that Ms. Casto send a copy of my December 6th letter to Ms. Schmuckal as well as the Planning Board. By copying this letter to Ms. Schmuckal and her counsel James Adolf, Esq., I request that a preliminary determination be made on the application of section 14-382 (d) to the new proposal. I did not appeal Ms. Schmuckal's previous determination (in her September 26, 2007 letter) because the then pending application was denied on alternative grounds. There was no reason nor basis for an appeal since my client was not aggrieved, the application was withdrawn, and any appeal would have been moot.

Penny Littell, Esq.
December 7, 2007
Page 2

It would be in the interest of all the parties to have this zoning issue addressed and decided before the Planning Board expends any time and energy on Casco Bay's new proposal.

Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. McGlauffin", written over a horizontal line.

Bruce A. McGlauffin

BMcG/ed

cc: Molly Casto
Marge Schmuckal
James R. Adolf, Esq.
Nicolino Ciccomancini (via U.S. postal service)

MEMORY TRANSMISSION REPORT

TIME : 12-07-2007 04:49PM
TEL NUMBER : 207-775-2360
NAME : PETRUCCELLI MARTIN

FILE NUMBER : 786
DATE : 12-07 04:48PM
TO : 8748497
DOCUMENT PAGES : 003
START TIME : 12-07 04:48PM
END TIME : 12-07 04:49PM
SENT PAGES : 003
STATUS : OK

FILE NUMBER : 786

*** SUCCESSFUL TX NOTICE ***

PETRUCCELLI, MARTIN & HADDOW, LLP
ATTORNEYS AT LAW
50 MONUMENT SQUARE
POST OFFICE BOX 17555
PORTLAND, MAINE 04112-8555

TELEPHONE
(207) 775-0200

TELECOMMER
(207) 775-2360

FAX COVER SHEET

TO: Penny Littell, James R. Adolf, Marge Schmuckal and Molly Casto
FAX: 874-8497
FROM: Bruce A. McGlaulin, Esq.
DATE: December 7, 2007
RE: 130 Eastern Promenade
PAGES: 5 (Including this page)
NOTES: Please call with any questions or concerns.

___ WHEN CHECKED, HARD COPY TO FOLLOW VIA U. S. MAIL

IF YOU ARE HAVING DIFFICULTIES RECEIVING THIS TRANSMISSION,
PLEASE CONTACT TTESTER AT (207) 775-0200.

This message is intended only for the use of the individual to which it is addressed, and may contain information that is privileged, confidential, or exempt from disclosure under the applicable law. If the reader of this message is not the intended recipient or the employer or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us at the above address via U.S. Postal Service.

MODE = MEMORY TRANSMISSION

START=SEP-28 11:29

END=SEP-28 11:30

FILE NO.=552

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	97752360	003/003	00:00:49

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: BRUCE A. McGLAUGHLIN

Company: PETRUCCELLI, MARTIN AND HADDOW, LLP

Fax #: (207) 775-2360

Date: SEPT. 28, 2007

From: MOLLY CASTO, PLANNER

You should receive 3 page(s) including this cover sheet.

Comments:

Bruce -
 Attached is Margie's letter, addressed to Wally Geyer
 and Anthony Salem of Cocoa Bay Ventures. Feel free to
 call if you have any additional questions.

- Molly Casto



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

September 26, 2007

Wally Geyer and Anthony Salem
Casco Bay Ventures
223 Woodville Road
Falmouth, ME 04105

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Mr. Geyer and Mr. Salem,

I am in receipt of a letter from Bruce A. McGlaufflin of Petruccelli, Martin & Haddow, LLP that outlines some zoning sections of the ordinance that he believes relate to your property at 130 Eastern Promenade and its proposed renovations.

Attorney McGlaufflin cites section 14-383(d) of the Nonconforming Use and Nonconforming Buildings section of the ordinance which reads, "Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity". Currently, the existing building is nonconforming as to space and bulk and dimensional requirements. I disagree that this section of the ordinance restricts any new addition outside of the confined shell of the existing building. I interpret this section of the ordinance to allow new addition(s) if no new nonconformity is created and there is no increase of any existing nonconformity. I believe that your proposal meets the section of the Land Use Zoning Ordinance.

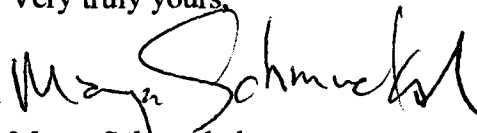
Attorney McGlaufflin also cites section 14-388 within the same division of the nonconformity section of the ordinance and is titled "Nonconformity as to area of dwelling". This section reads, "A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the area per dwelling regulations of the zone in which it is located". This section of the ordinance is pretty clear. It seems to say that zoning should not allow any additions or enlargements unless the area per dwelling unit regulation is made to conform to the underlying zone. It is very severe in its wordage and would restrict additions on even single family homes on undersized lots. In the past it has been the practice of this office to allow additions and enlargements on undersized lots relating to area per dwelling unit as long as all other

underlying zone requirements are met. Since this section of the ordinance has been brought to my attention, I must abide by its wordage. Your property and your current proposal must be denied based upon the current lot size and the area of dwelling unit requirements of the underlying R-6 zone. I understand that you are reducing the legal number of dwelling units from eleven (11) to nine (9). Your current given lot size is 7,905.9 square feet in size and is nonconforming for land area per dwelling unit. To maintain your proposal for nine dwelling units, your lot size would need to be 10,200 square feet in area.

Based on section 14-388 of the zoning ordinance, I am denying your proposal.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,



Marge Schmuckal
Zoning Administrator

Cc: Will Tinkelenberg, TFH Architects, 100 Commercial Street, Portland, ME 04101
Molly Casto, Planner
Alex Jaegerman, Planning Director
Barbara Barhydt, Development Review Services Manager

MODE = MEMORY TRANSMISSION

START=SEP-13 15:12

END=SEP-13 15:17

FILE NO.=520

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	634	2	92077730194	000/005	00:00:00

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Scott Teas & Will Tinkelenburg

Company: TFH Architects

Fax #: (207) 773-0194

Date: Sept. 13, 2007

From: Molly Cooks, Planner

You should receive 4 page(s) including this cover sheet.

Comments:

F41- This letter came into our office. I am forwarding it to you for your reference. I also mailed a hard copy to your office and to Cosco Bay Ventures.

- Molly



PORTLAND MAINE

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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

September 13, 2007

Mr. Waldon Geyer
Casco Bay Ventures
233 Woodville Road
Falmouth, ME 04105

Scott Teas
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Mr Geyer and Mr. Teas:

We received the attached letter, dated September 4, 2007 from Bruce A. McGlaughlin, Esq. regarding the proposed addition and renovation at 130 Eastern Promenade and are forwarding it for your reference. Marge Schmuckal, Zoning Administrator has taken the issues identified in the letter under advisement. We will be in touch with you shortly with Marge's interpretation.

If you have any questions, please contact me at 874-8901 or by email at mpc@portlandmaine.gov.

Sincerely,

Molly Casto, Planner

cc: Barbara Barhydt, Development Review Services Manager
Penny Littell, Associate Corporation Counsel
Alex Jaegerman, Director of Planning Division
Marge Schmuckal, Zoning Administrator

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

September 4, 2007

Ms. Molly Casto
Planning and Inspections Department
City of Portland
389 Congress St.
Portland, Maine 04101

RE: 130 Promenade East

Dear Ms. Casto:

Thank you for speaking to me on the phone about the proposed development at 130 Promenade East, which abuts property owned by my clients, Nicolino & Patricia Ciccomancini. The Ciccomancinis own a three-story apartment building at 14 Wilson Street. You indicated to me that Casco Bay Ventures, Inc., the owner of 130 Promenade East, has submitted an application, that the application is being reviewed as a subdivision application, and that it is currently scheduled for planning board review at a workshop scheduled for October 9, 2007. The purpose of this letter is to express the Ciccomancinis' opposition and to draw your attention, and the planning board's attention, to specific requirements in the zoning ordinance, which we feel provide clear and sufficient basis for denying the application.

We begin with the understanding that the existing building or buildings are non-conforming as to bulk and space requirements in the ordinance. In particular, the existing buildings do not conform to the ten-foot setback requirements and the overall square footage requirement in the R-6 zone. Both the principal structure and the one-story addition fail to comply with the ten-foot side setback and the lot size (7,905.9 sq. ft.) does not comply with the minimum square footage of 1,000 sq. ft. per unit (11 units x 1,000). See Section 14-139(1)(a) and (b)(1). Because 130 Promenade East is a grandfathered nonconforming building, no alterations or additions are allowed except in strict compliance with the Zoning Ordinance provisions governing nonconforming buildings.

Ms. Molly Casto
September 4, 2007
Page 2

The proposed alterations and addition fail to comply with at least two of these provisions, Sections 14-382(d) and 14-388.

Section 14-382(a) states that no alterations, modifications or additions may be made to a nonconforming building, except as provided in Division 23. Subsection (d) of Section 14-382 states that a building which is nonconforming as to space, bulk or dimensional requirements may be altered, modified or added to if the proposed changes to existing exterior walls or roofs would be within the space occupied by the existing shell of the building. The proposed addition and renovation are not confined to the space occupied by the existing shell.

Under Section 14-388, a building that is nonconforming as to area per dwelling unit may not be enlarged unless the resulting building is made to conform to all area per dwelling regulations. The proposed structure does not so conform. The R-6 zone requirements mandate 1,000 sq. ft. per unit for the first three units, and 1,200 sq. ft. for the next six units, resulting in a total required lot area of 10,200 sq. ft. for the proposed 11 units. The application must be denied because the lot consists of only 7,905.9 square feet.

We also read the ordinance as requiring site plan review for this application. Section 14-136(a)(2)(f) requires site plan review for any alteration of a multi-family dwelling structure that was in residential use on December 2, 1987. One of the applicable site plan review requirements states:

The bulk, location or height of proposed buildings and structure minimizes, to the extent feasible, any substantial diminution in the value or utility to neighboring structures under different ownership and not subject to a legal servitude in favor of the site being developed.

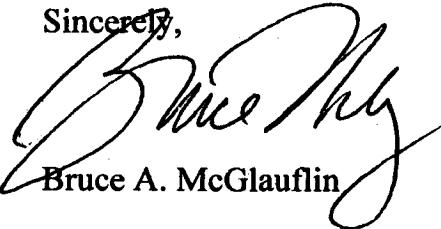
Section 14-526(a)(4). If Casco Bay Ventures, Inc. is allowed to proceed with a three-story addition, it will substantially diminish the value of the Ciccomancinis' property at 14 Wilson Street because it will completely block the expansive views enjoyed by the residents of the six-unit apartment building. The height of the proposed building maximizes, not minimizes, the diminution of value of the Ciccomancinis' property.

Thus, based on an initial review of the application and the City's Zoning Ordinance, there are at least three distinct and separate reasons why the application should be denied. A more detailed review may uncover additional reasons related to

Ms. Molly Casto
September 4, 2007
Page 3

parking and other applicable requirements and standards. We request that you bring these concerns to the Planning Administrator and the Planning Board at your earliest convenience. Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. McGlaulin", written over the printed name.

Bruce A. McGlaulin

BMcG/d

cc: Nicolino & Patricia Ciccomancini

From: john profenno <japro_1999@yahoo.com>{PRIVATE }
To: <mpc@portlandmaine.gov>
Date: 1/22/2008 6:33:04 PM
Subject: 130 Eastern Promenade

Dear Ms. Castro,

The plan to renovate and add a three story addition to 130 Eastern Promenade should be considered very carefully. Part of the reason that the Eastern Promenade is so unique is due to its architectural homogeneity. Any serious break in this skyline will simply be the thin edge of the wedge and allow other owners to do the same. In a short period of time we could end up losing something very special that we have in Portland. Please proceed with caution.

John Profenno
31 Vesper Street
Portland, ME 04101

Never miss a thing. Make Yahoo your homepage.

**Memorandum
Department of Planning and Development
Planning Division**



To: Penny Littell
From: Molly Casto, Planner
Date: January 25, 2008
Re: 130 Eastern Promenade- Longfellow Estates
Updated Warranty Deed- Casco Bay Ventures

Attached are the original and updated warranty deed for 130 Eastern Promenade. The original, listing 130 Eastern Promenade, LLC as grantee along with an updated deed listing Casco Bay Ventures as grantee are both attached.

Could you confirm in writing whether this meets the Board's condition of approval from the 1/22/08 Public Hearing? I copied the condition below:

An updated deed for the property showing the current owner as Casco Bay Ventures (the applicant) must be reviewed and approved by the Planning Authority prior to recording of the recording plat.

*Molly - I have
reviewed the attached
deeds and find the
applicant has satisfied
the P.B. Condition of
Approval noted above.
Penny Littell
1/25/08*

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that it, **130 Eastern Prom, LLC**, a Maine Limited Liability Company, whose mailing address is 130 Eastern Promenade, Portland, Maine 04101, in consideration of One and No/100 Dollars (\$1.00), and other valuable consideration paid by **Casco Bay Ventures, a Maine Corporation** with a principal place of business at 223 Woodville Road, Falmouth, Maine, 04105, the receipt whereof it does hereby acknowledge, does hereby **GIVE, GRANT, BARGAIN, SELL AND CONVEY, WITH WARRANTY COVENANTS** unto the said **Casco Bay Ventures**, its successors and assigns forever, the following described premises:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the same, unto Grantee herein, together with all the privileges and appurtenances thereunto belonging to the said, **130 Eastern Prom, LLC** its successors and assigns forever. Grantor does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, free of all encumbrances, and that Grantor does have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that Grantor, and its successors, shall and will warrant and defend the same to the said Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said **130 Eastern Prom, LLC** has caused these presents to be signed and its corporate seal by **James Salisbury**, its Authorized Member, thereunto duly authorized, as of this day of May, 2007.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF**

Witness

STATE OF MAINE
COUNTY OF

130 Eastern Prom, LLC

By its Authorized Member, **James Salisbury**

May 9, 2007

Then personally appeared the above-named, **James Salisbury**, Authorized Member of the said **130 Eastern Prom, LLC**, and acknowledged the foregoing instrument to be his free act and deed, in his said capacity, before me,

Notary Public/Attorney at Law

MAINE REAL ESTATE TAX PAID

SCHEDULE A

A certain lot or parcel of land, with the buildings thereon, situated on the Westerly side of the Eastern Promenade in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the corner formed by the intersection of the Westerly sideline of said Eastern Promenade and the Southerly sideline of Wilson Street; thence Westerly by said Wilson Street 114.70 feet to a point distant 80 feet Easterly from Morning Street; thence Southerly on a line parallel with said Morning Street 40 feet to a point; thence Easterly on a line parallel with said Wilson Street 115.71 feet to said Eastern Promenade; thence Northerly by said Eastern Promenade 40 feet to the point begun at. Being a part of Block I on a plan recorded in Cumberland County Registry of Deeds, in Plan Book 4, Page 18.

Also another certain lot or parcel of land, with any buildings thereon, situated in said City of Portland, being bounded and described as follows:

Beginning at a point on the Westerly side of Eastern Promenade distant 40 feet southerly from the corner formed by the intersection of the Westerly sideline of said Promenade and the Southerly sideline of Wilson Street, which point is in the Southeasterly corner of a lot of land sold to Emma A. Calhoun, January 25, 1899, by George B. Uphom; thence Southerly by the said Promenade 45.23 feet to the strip of land sold to S. P. Beckett by the Deering Heirs in 1874, by deed recorded in said Registry, Book 410, Page 557; thence Westerly by said land sold to said Beckett 116.65 feet to a point distant 80 feet Easterly from Morning Street; thence Northerly on a line parallel with said Morning Street 45.46 feet to said lot sold to Emma A. Calhoun; thence Easterly on a line parallel with said Wilson Street and by said lot sold to Emma A. Calhoun 115.07 feet to that begun at. Being a part of Block of land marked I in plan recorded in said Registry, Plan Book 4, Page 18.

Excepting and reserving from the above described premises so much thereof as was conveyed by Harry H. Pease to George T. Dealy by deed recorded in said Registry, Book 845, page 70, and not reconveyed by said Dealy to said Pease by deed recorded in said Registry in Book 855, page 476, being a lot 20 feet in width and 97.1 feet in depth.

Meaning and intending to convey the same premises described above in deed to 130 Eastern Prom, LLC from Lawrence V. Tirrell and Beverly W. Tirrell dated August 19, 1998 and recorded in the Cumberland County Registry of Deeds in Book 14078, Page 001.

Received
Recorded Register of Deeds
May 09, 2007 03:08:24P
Cumberland County
Pamela E. Lovley

BK 14078P6001

56540

WARRANTY DEED

with Covenants

KNOW ALL MEN BY THESE PRESENTS,

THAT We, LAWRENCE V. TIRRELL, and BEVERLY W. TIRRELL, both of the City of Saco, in the County of York and State of Maine, in consideration of One Dollar and other good and valuable consideration paid by 130 Eastern Prom. LLC, a Maine limited liability company, and having a principal place of business located at 130 Eastern Promenade, Portland, ME 04101, the receipt whereof We do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said 130 Eastern Prom. LLC, its successors and assigns forever,

A certain lot or parcel of land, with the buildings thereon, situated on the Westerly side of the Eastern Promenade in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the corner formed by the intersection of the Westerly sideline of said Eastern Promenade and the Southerly sideline of Wilson Street; thence Westerly by said Wilson Street 114.70 feet to a point distant 80 feet Easterly from Morning Street; thence Southerly on a line parallel with said Morning Street 40 feet to a point; thence Easterly on a line parallel with said Wilson Street 115.71 feet to said Eastern Promenade; thence Northerly by said Eastern Promenade 40 feet to the point begun at. Being a part of Block 1 on a plan recorded in Cumberland County Registry of Deeds, Plan Book 4, Page 18.

ALSO another certain lot or parcel of land, with any buildings thereon, situated in said City of Portland, being bounded and described as follows:

Beginning at a point on the Westerly side of Eastern Promenade distant 40 feet Southerly from the corner formed by the intersection of the Westerly sideline of said Promenade and the Southerly sideline of Wilson Street, which point is in the Southeasterly corner of a lot of land sold to Emma A. Calhoun, January 25, 1899, by George B. Uphorn; thence Southerly by the said Promenade 45.23 feet to the strip of land sold to S.P. Beckett by the Deering Heirs in 1874, by deed recorded in said Registry, Book 410, Page 557; thence Westerly by said land sold to said Beckett 116.65 feet to a point distant 80 feet Easterly from Morning Street; thence Northerly on a line parallel with said Morning Street 45.46 feet to said lot sold to Emma A. Calhoun; thence Easterly on a line parallel with said Wilson Street and by said lot sold to Emma A. Calhoun 115.07 feet to that begun at. Being a part of Block of land marked 1 in plan recorded in said Registry, Plan Book 4, Page 18.

EXCEPTING and RESERVING from the above described premises so much thereof as was conveyed by Harry H. Pease to George T. Denly by deed recorded in said Registry, Book 845, Page 70, and not reconveyed by said Denly to said Pease by deed recorded in said Registry, Book 855, Page 476, being a lot 20 feet in width and 97.1 feet in depth.

EXHIBIT

A

MAINE REAL ESTATE TAX PAID

BK 14078PG002

Being Parcels I and II only conveyed to the within Grantors by Warranty Deed of William Rubin, dated December 1, 1979 and recorded in said Registry of Deeds in Book 4538, Page 271.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof, to the said 130 Eastern Prom, LLC, its successors and assigns, to its own use and behoof forever.

AND WE DO COVENANT with the said Grantee, its successors and assigns, that We are lawfully seized in fee of the premises, that they are free of all encumbrances, except as aforesaid and except for any and all state, federal and local land use regulations, ordinances, statutes and acts and zoning laws and ordinances of the City of Portland; and that We have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that We and our heirs shall and will warrant and defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, We, the said Lawrence V. Tirrell and Beverly W. Tirrell, have hereunto set our hands and seals, this 19th day of the month of August, 1998.

Signed, Sealed and Delivered
in Presence of:

[Signature]

Lawrence V. Tirrell
Lawrence V. Tirrell

to her

[Signature]
Beverly W. Tirrell

STATE OF MAINE
COUNTY OF CUMBERLAND, ss

August 19, 1998

Then personally appeared the above named Lawrence V. Tirrell and Beverly W. Tirrell and acknowledged the foregoing instrument to be their free acts and deeds.

Before me,

[Signature]
Notary Public / Attorney-at-Law

My Notary commission
expires on: 1/1/00

Drew A. Anderson
(Print or Type Name)

RECEIVED
RECORDED REGISTRY OF DEEDS
1998 AUG 20 AM 9:48
CUMBERLAND COUNTY
John B. Quinn

ard Approval: January 22, 2008				
vision. + waiver of housing replacement granted				
ade - The Estates at Longfellow Inn				
Condition	Notes			
That the revised boundary survey submitted by the applicant be reviewed and approved by Public Works prior to the issuance of a building permit.	dan reviewed and approved this.			
All final plan sheets must stamped and signed by a professional engineer.				
All comments submitted by Public Works in their memorandum dated January 16, 2008 must be addressed and approved by Public Works prior to the issuance of a building permit.	comments to Susanne (1/26/08) - I			
All comments submitted by Jeff Tarling, City Arborist pertaining to the submitted landscaping plan and identified in his review letter dated January 18, 2008 must be addressed and approved by him prior to the issuance of a building permit.	forwarded these comments again to applicant by email. (1/25/08)			
The proposed street tree along the Eastern Promenade should be revised to show an Autumn Blaze Maple (<i>Acer freemanii</i>). This change to the plans must be reviewed and approved by Jeff Tarling, City Arborist prior to the issuance of a building permit.				
That the trash enclosure, as identified on the plans, be completely enclosed, including the top. The proposed enclosure must be reviewed and approved by the Planning Authority prior to the issuance of a building permit.	applicant submitted revised detail drawing showing trash enclosure with 4 sides and top			
Evidence must be submitted to the Planning Authority that the proposal meets the required open space ratio as defined in the City Code. This evidence must be reviewed and approved by the City Zoning Administrator prior to recording of the recording plat.	Marge reviewed and approved. See Marge's 1.31.08 memo - ui			
An updated deed for the property showing the current owner as Casco Bay Ventures (the applicant) must be reviewed and approved by the Planning Authority prior to recording of the recording plat.	reviewed and signed off			



January 29, 2008

Molly Casto
Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Molly,

Please find attached the Warranty Deed for 130 Eastern Promenade.

Sincerely,

Susanne Aldrian
Project Architect

Cc: TFH file
Wally Geyer, Casco Bay Ventures

Encl.: Warranty Deed

WARRANTY DEED

KNOW ALL BY THESE PRESENTS, that it, **130 Eastern Prom, LLC**, a **Maine Limited Liability Company**, whose mailing address is 130 Eastern Promenade, Portland, Maine 04101, in consideration of One and No/100 Dollars (\$1.00), and other valuable consideration paid by **Casco Bay Ventures, a Maine Corporation** with a principal place of business at 223 Woodville Road, Falmouth, Maine, 04105, the receipt whereof it does hereby acknowledge, does hereby **GIVE, GRANT, BARGAIN, SELL AND CONVEY, WITH WARRANTY COVENANTS** unto the said **Casco Bay Ventures**, its successors and assigns forever, the following described premises:

SEE SCHEDULE A ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the same, unto Grantee herein, together with all the privileges and appurtenances thereunto belonging to the said, **130 Eastern Prom, LLC** its successors and assigns forever. Grantor does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, free of all encumbrances, and that Grantor does have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that Grantor, and its successors, shall and will warrant and defend the same to the said Grantee, its successors and assigns, forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said **130 Eastern Prom, LLC** has caused these presents to be signed and its corporate seal by **James Salisbury**, its Authorized Member, thereunto duly authorized, as of this day of May, 2007.

**SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF**

Witness

STATE OF MAINE
COUNTY OF

130 Eastern Prom, LLC

By its Authorized Member, James Salisbury

May 9, 2007

Then personally appeared the above-named, **James Salisbury**, Authorized Member of the said **130 Eastern Prom, LLC**, and acknowledged the foregoing instrument to be his free act and deed, in his said capacity, before me,

Notary Public/Attorney at Law

MAINE REAL ESTATE TAX PAID

SCHEDULE A

A certain lot or parcel of land, with the buildings thereon, situated on the Westerly side of the Eastern Promenade in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the corner formed by the intersection of the Westerly sideline of said Eastern Promenade and the Southerly sideline of Wilson Street; thence Westerly by said Wilson Street 114.70 feet to a point distant 80 feet Easterly from Morning Street; thence Southerly on a line parallel with said Morning Street 40 feet to a point; thence Easterly on a line parallel with said Wilson Street 115.71 feet to said Eastern Promenade; thence Northerly by said Eastern Promenade 40 feet to the point begun at. Being a part of Block I on a plan recorded in Cumberland County Registry of Deeds, in Plan Book 4, Page 18.

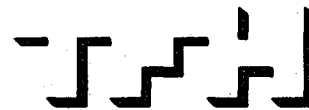
Also another certain lot or parcel of land, with any buildings thereon, situated in said City of Portland, being bounded and described as follows:

Beginning at a point on the Westerly side of Eastern Promenade distant 40 feet southerly from the corner formed by the intersection of the Westerly sideline of said Promenade and the Southerly sideline of Wilson Street, which point is in the Southeasterly corner of a lot of land sold to Emma A. Calhoun, January 25, 1899, by George B. Uphom; thence Southerly by the said Promenade 45.23 feet to the strip of land sold to S. P. Beckett by the Deering Heirs in 1874, by deed recorded in said Registry, Book 410, Page 557; thence Westerly by said land sold to said Beckett 116.65 feet to a point distant 80 feet Easterly from Morning Street; thence Northerly on a line parallel with said Morning Street 45.46 feet to said lot sold to Emma A. Calhoun; thence Easterly on a line parallel with said Wilson Street and by said lot sold to Emma A. Calhoun 115.07 feet to that begun at. Being a part of Block of land marked I in plan recorded in said Registry, Plan Book 4, Page 18.

Excepting and reserving from the above described premises so much thereof as was conveyed by Harry H. Pease to George T. Dealy by deed recorded in said Registry, Book 845, page 70, and not reconveyed by said Dealy to said Pease by deed recorded in said Registry in Book 855, page 476, being a lot 20 feet in width and 97.1 feet in depth.

Meaning and intending to convey the same premises described above in deed to 130 Eastern Prom, LLC from Lawrence V. Tirrell and Beverly W. Tirrell dated August 19, 1998 and recorded in the Cumberland County Registry of Deeds in Book 14078, Page 001.

Received
Recorded Register of Deeds
May 09, 2007 03:08:24P
Cumberland County
Pamela E. Lovley



January 31, 2008

Molly Casto
Planner
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Molly,

Following receipt of your recent comments, we have revised the site layout for the Estates of Longfellow Inn project. Attached here are the following drawings and documents to describe the current proposal:

Revised Site plan C1.2
Revised Drainage Plan D1.0
2 full size, 11x17 each

dated Jan 31, 2008
Jan 29, 2008

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Aldrian', with a long horizontal line extending from the end.

Susanne Aldrian
Project Architect

Cc: Wally Geyer, Casco Bay Ventures
TFH file

Infrastructure Financial Contribution Tree Fund

Amount \$ 2000.00

Parks Department Account Number: 242-3400-341-00-00
Project PR0018

Project Name: The Estates of Longfellow Inn

Application ID #: 2007-0123
(from Site Plan Application Form)

Project Location: 130 Eastern Promenade, Portland, ME 04101

Project Description: Renovation of existing apartment building, demolition of a portion and construction of addition

Funds intended for: To meet the 2 trees per residential unit Guidelines

Applicant's Name: Waldon Geyer w/ Casco Bay Ventures

Applicant's Address: 223 Woodville Road, Falmouth ME 04105

Expiration:

☐ If funds are not expended or encumbered for the intended purpose by _____, funds, or any balance of remaining funds, shall be returned to contributor within six months of said date.

☒ Funds shall be permanently retained by the City.

☐ Other (describe in detail) _____

Form of Contribution:

☐ Escrow Account

☒ Cash Contribution

Interest Disbursement: Interest on funds to be paid to contributor only if project is not commenced.

Terms of Draw Down of Funds: The City shall periodically draw down the funds via a payment requisition from Public Works, which form shall specify use of City Account # shown above.

Date of Form: 01.28.2008

Planner: Molly Casto

Person Completing Form:  Susanne Aldrian TFH

- Attach the approval letter, condition of approval or other documentation of the required contribution.
- The original form, copy of the check, copy of report of receipts and all attachments shall be given to Debbie Marquis.
- The original check, copy of this form, and all attachments shall be filed by the Planning Division Office Manager.
- A copy of all of the above documents shall be given to the following people:

Peggy Axelson (Finance), Michael Bobinsky (Public Works), Michael Farmer (Public Works), Kathi Earley (Public Works), Jeff Tarling (Parks), Alexander Jaegerman (Planning), Barbara Barhydt (Planning), Planner for project and Applicant.

Susanne Aldrian

From: Jeff Tarling [JST@portlandmaine.gov]
Sent: Friday, January 18, 2008 2:01 PM
To: Molly Casto
Cc: Barbara Barhydt
Subject: 130 Eastern Prom Landscape Plan Review

Hi Molly -

I reviewed the landscape plan for the 130 Eastern Prom Project and offer the following review & comment:

The proposed plan shows 2 new street-trees to be planted along Wilson Street. (The tree locations can be adjusted due to window spacing etc within the building footprint along the Wilson Street frontage.) An additional street-tree on the Eastern Prom side, following the recent species recommendation of the Eastern Prom master plan recommendations. This would complete the specified number of trees and spacing along the Eastern Prom frontage of the project. On the project property one additional ornamental crabapple is proposed on the South side of the project near the addition. Overall the landscape treatment of ornamental shrubs and landscape beds fits into the character of the nearby residential landscape.

Recommendations / Conditions -

1) To meet the 2-trees per residential unit guidelines a contribution for 10 additional trees to be planted in the project vicinity is recommended. The project unit calculations would require 14 trees and the project is placing four with the project area. The new trees would help fill gaps or replace missing trees in the surrounding neighborhood of the project.

2) That impact to the Eastern Prom lawn area be limited during construction. This would include: no storage of trucks, equipment, materials on the lawn area. All damaged areas to be repaired in a timely manor, the sidewalk pedestrian way along the Eastern Prom be maintained in good condition during construction work.

The project team or contractor shall contact Parks & Recreation concerning construction activities that might effect the Eastern Prom and park areas.

CASCO BAY VENTURES, INC.

223 WOODVILLE ROAD

FALMOUTH, ME 04105

207-797-7752

PEOPLES HERITAGE BANK, N.A.

PORTLAND, ME 04101

52-7445/2112

6176

1/29/2008

PAY TO THE
ORDER OF:

City of Portland

\$ **2,000.00

Two Thousand and 00/100*****

DOLLARS

City of Portland

MEMO

Tree Donation 130 Eastern Prom

CASCO BAY VENTURES, INC.

[Signature]
AUTHORIZED SIGNATURE

⑈006176⑈ ⑆211274450⑆ 7999068892⑈

MP
Security features. Details on back.

CASCO BAY VENTURES, INC.

6176

City of Portland

1/29/2008

2,000.00

Banknorth

Tree Donation

2,000.00

From: Jeff Tarling
To: Barbara Barhydt ; Molly Casto
Date: 2/8/2008 11:36:11 AM
Subject: Re: 130 E. Prom Conditions of Approval

Molly -

I have reviewed the proposed 130 Eastern Promenade landscape plan and find the proposal meets the landscape requirements.

We would ask that the applicant contact the Parks & Recreation Department prior to doing construction work on the actual promenade, ie. sidewalk or access over park property. Construction impact to the Eastern Promenade should be kept to a minimum with no storage of materials, trucks / equipment. The applicant / contractor shall be responsible for any repairs to turf, trees or sidewalks if damaged.

Jeff Tarling
City Arborist

CC: Phillip Labbe

MODE = MEMORY TRANSMISSION

START=SEP-17 08:54

END=SEP-17 08:56

FILE NO.=523

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	8	97730194	006/006	00:01:41

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: Will Tinbelenburg, Consultant

Company: TFH Architects

Fax #: (207) 773-0194

Date: 9/17/07

From: Molly Castro, Planner

You should receive 5 page(s) including this cover sheet.

Comments:

Will -

I faxed this to the TFH office on 9/13 - I called to follow up this morning and it appears not to have arrived on your end (?) - Here it is again. Pls. confirm rcpt.

Thank you!

(* - A hard copy has also been mailed to you, Scott and Molly.)

Molly

September 13, 2007

Mr. Waldon Geyer
Casco Bay Ventures
233 Woodville Road
Falmouth, ME 04105

Scott Teas
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Mr Geyer and Mr. Teas:

We received the attached letter, dated September 4, 2007 from Bruce A. McGlaughlin, Esq. regarding the proposed addition and renovation at 130 Eastern Promenade and are forwarding it for your reference. Marge Schmuckal, Zoning Administrator has taken the issues identified in the letter under advisement. We will be in touch with you shortly with Marge's interpretation.

If you have any questions, please contact me at 874-8901 or by email at mpc@portlandmaine.gov.

Sincerely,

Molly Casto, Planner

cc: Barbara Barhydt, Development Review Services Manager
Penny Littel, Associate Corporation Counsel
Alex Jaegerman, Director of Planning Division
Marge Schmuckal, Zoning Administrator

Will Tinkelenburg
TFH Architects
100 Commercial Street
Portland, ME 04101

MODE = MEMORY TRANSMISSION

START=DEC-10 08:37

END=DEC-10 08:39

FILE NO.=721

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	97730194	003/003	00:00:50

-CITY OF PORTLAND

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: Scott Teas (re: 130 E. Prom)

Company: TFH Architects

Fax #: 773-0194

Date: 12/10/07

From: Molly Ceato, Planner

You should receive 3 page(s) including this cover sheet.

Comments:

Attached is the formal response from Corporation Counsel to the letter from Bruce McGlawlin, dated Dec. 6. Penny's response was faxed to Attorney McGlawlin's office on Friday. I thought you would want a copy for your records. Pls. call w/ any questions.

- Molly

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To:

Scott Teas (re: 130 E. Prom)

Company:

TFH Architects

Fax #:

773-0194

Date:

12/10/07

From:

Molly Ceato, Planner

You should receive 3 page(s) including this cover sheet.

Comments:

Attached is the formal response from Corporation Counsel to the letter from Bruce McGlawlin, dated Dec. 6. Penny's response was faxed to Attorney McGlawlin's office on Friday. I thought you would want a copy for your records. Pls. call w/ any questions.

- Molly

MODE = MEMORY TRANSMISSION

START=DEC-18 09:55

END=DEC-18 09:57

FILE NO.=750

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	a	97730194	007/007	00:01:48

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Scott Teas

Company: TFH Architects

Fax #: 773-0194

Date: December 18, 2007

From: Molly Casto, Planner

You should receive 6 page(s) including this cover sheet.

Comments:

Good morning Scott-

Since Susanne is away, I am forwarding this information to you directly. Please be sure that this letter gets to Wally Geyer. Attached is the most recent letter our office has received from Attorney McGlaulin re: the proposed development at 130 Eastern Promenade. Mr. McGlaulin attached his letter, dated December 7th as a reference so I am forward this to you again as well.

I have spoken with Penny Littell, Associate Corporation Counsel and she continues to advise our department and the Planning Board that the Board does not have the jurisdiction to review zoning determinations. She conveyed this to the Planning Board at the December 11, 2007 meeting.

If you need additional copies of any of the correspondence between Mr. McGlaulin, Marge and Penny over the past few months, please let me know and I will forward that information to you.

Thanks-

Molly Casto

**City of Portland
Department of Planning and Development
Planning Division**

389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Scott Teas

Company: TFH Architects

Fax #: 773-0194

Date: December 18, 2007

From: Molly Casto, Planner

You should receive 6 page(s) including this cover sheet.

Comments:

Good morning Scott-

Since Susanne is away, I am forwarding this information to you directly. Please be sure that this letter gets to Wally Geyer. Attached is the most recent letter our office has received from Attorney McGlaflin re: the proposed development at 130 Eastern Promenade. Mr. McGlaflin attached his letter, dated December 7th as a reference so I am forward this to you again as well.

I have spoken with Penny Littell, Associate Corporation Counsel and she continues to advise our department and the Planning Board that the Board does not have the jurisdiction to review zoning determinations. She conveyed this to the Planning Board at the December 11, 2007 meeting.

If you need additional copies of any of the correspondence between Mr. McGlaflin, Marge and Penny over the past few months, please let me know and I will forward that information to you.

Thanks-

Molly Casto

**City of Portland
Department of Planning and Development
Planning Division**

389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Wally Geyer [cc: Terry Snow Esq.]

*(x cc to Terry Snow per
Wally Geyer's
request.)*

Company: Casco Bay Ventures

Fax #: Geyer- 775-0530 / Snow- 829-4481

Date: December 18, 2007

From: Molly Casto, Planner

You should receive 18 page(s) including this cover sheet.

Comments:

Hello Wally:

I am forwarding the following letters regarding your proposal at 130 Eastern Promenade. While I think you have gotten copies of many of these already, I am providing the full set, as you requested, just to be certain. Included is the most recent letter our office has received from Attorney Bruce McGlaulin re: The Estates at Longfellow Inn at 130 Eastern Promenade.

I have communicated with Penny Littell, Associate Corporation Counsel concerning this most recent correspondence and she continues to advise our department and the Planning Board that the Board does not have the jurisdiction to review zoning determinations. She communicated this to the Planning Board at the December 11, 2007 meeting, which you attended. In light of Mr. McGlaulin's continued requests to the Planning Board to deny the application, however, I wanted to be sure that you had a clear understanding of his arguments, the zoning determination that was made in September 2007 and the City's position on this matter.

Feel free to contact me if you have any further questions.

Thanks-

Molly Casto

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAULFIN
bmcglauflin@petrucellimartin.com

September 4, 2007

Ms. Molly Casto
Planning and Inspections Department
City of Portland
389 Congress St.
Portland, Maine 04101

RE: 130 Promenade East

Dear Ms. Casto:

Thank you for speaking to me on the phone about the proposed development at 130 Promenade East, which abuts property owned by my clients, Nicolino & Patricia Ciccomancini. The Ciccomancinis own a three-story apartment building at 14 Wilson Street. You indicated to me that Casco Bay Ventures, Inc., the owner of 130 Promenade East, has submitted an application, that the application is being reviewed as a subdivision application, and that it is currently scheduled for planning board review at a workshop scheduled for October 9, 2007. The purpose of this letter is to express the Ciccomancinis' opposition and to draw your attention, and the planning board's attention, to specific requirements in the zoning ordinance, which we feel provide clear and sufficient basis for denying the application.

We begin with the understanding that the existing building or buildings are non-conforming as to bulk and space requirements in the ordinance. In particular, the existing buildings do not conform to the ten-foot setback requirements and the overall square footage requirement in the R-6 zone. Both the principal structure and the one-story addition fail to comply with the ten-foot side setback and the lot size (7,905.9 sq. ft.) does not comply with the minimum square footage of 1,000 sq. ft. per unit (11 units x 1,000). See Section 14-139(1)(a) and (b)(1). Because 130 Promenade East is a grandfathered nonconforming building, no alterations or additions are allowed except in strict compliance with the Zoning Ordinance provisions governing nonconforming buildings.

Ms. Molly Casto
September 4, 2007
Page 2

The proposed alterations and addition fail to comply with at least two of these provisions, Sections 14-382(d) and 14-388.

Section 14-382(a) states that no alterations, modifications or additions may be made to a nonconforming building, except as provided in Division 23. Subsection (d) of Section 14-382 states that a building which is nonconforming as to space, bulk or dimensional requirements may be altered, modified or added to if the proposed changes to existing exterior walls or roofs would be within the space occupied by the existing shell of the building. The proposed addition and renovation are not confined to the space occupied by the existing shell.

Under Section 14-388, a building that is nonconforming as to area per dwelling unit may not be enlarged unless the resulting building is made to conform to all area per dwelling regulations. The proposed structure does not so conform. The R-6 zone requirements mandate 1,000 sq. ft. per unit for the first three units, and 1,200 sq. ft. for the next six units, resulting in a total required lot area of 10,200 sq. ft. for the proposed 11 units. The application must be denied because the lot consists of only 7,905.9 square feet.

We also read the ordinance as requiring site plan review for this application. Section 14-136(a)(2)(f) requires site plan review for any alteration of a multi-family dwelling structure that was in residential use on December 2, 1987. One of the applicable site plan review requirements states:

The bulk, location or height of proposed buildings and structure minimizes, to the extent feasible, any substantial diminution in the value or utility to neighboring structures under different ownership and not subject to a legal servitude in favor of the site being developed.

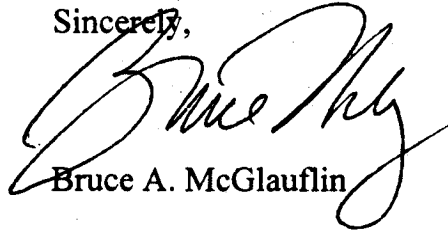
Section 14-526(a)(4). If Casco Bay Ventures, Inc. is allowed to proceed with a three-story addition, it will substantially diminish the value of the Ciccomancinis' property at 14 Wilson Street because it will completely block the expansive views enjoyed by the residents of the six-unit apartment building. The height of the proposed building maximizes, not minimizes, the diminution of value of the Ciccomancinis' property.

Thus, based on an initial review of the application and the City's Zoning Ordinance, there are at least three distinct and separate reasons why the application should be denied. A more detailed review may uncover additional reasons related to

Ms. Molly Casto
September 4, 2007
Page 3

parking and other applicable requirements and standards. We request that you bring these concerns to the Planning Administrator and the Planning Board at your earliest convenience. Thank you for your consideration of these concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. McGlaufflin", written over the printed name.

Bruce A. McGlaufflin

BMcG/d

cc: Nicolino & Patricia Ciccomancini



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Lee Urban- Director of Planning and Development

Marge Schmuckal, Zoning Administrator

September 26, 2007

Wally Geyer and Anthony Salem
Casco Bay Ventures
223 Woodville Road
Falmouth, ME 04105

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Mr. Geyer and Mr. Salem,

I am in receipt of a letter from Bruce A. McGlauflin of Petruccelli, Martin & Haddow, LLP that outlines some zoning sections of the ordinance that he believes relate to your property at 130 Eastern Promenade and its proposed renovations.

Attorney McGlauflin cites section 14-383(d) of the Nonconforming Use and Nonconforming Buildings section of the ordinance which reads, "Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity". Currently, the existing building is nonconforming as to space and bulk and dimensional requirements. I disagree that this section of the ordinance restricts any new addition outside of the confined shell of the existing building. I interpret this section of the ordinance to allow new addition(s) if no new nonconformity is created and there is no increase of any existing nonconformity. I believe that your proposal meets the section of the Land Use Zoning Ordinance.

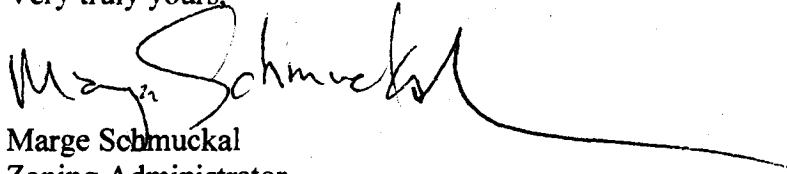
Attorney McGlauflin also cites section 14-388 within the same division of the nonconformity section of the ordinance and is titled "Nonconformity as to area of dwelling". This section reads, "A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the area per dwelling regulations of the zone in which it is located". This section of the ordinance is pretty clear. It seems to say that zoning should not allow any additions or enlargements unless the area per dwelling unit regulation is made to conform to the underlying zone. It is very severe in its wordage and would restrict additions on even single family homes on undersized lots. In the past it has been the practice of this office to allow additions and enlargements on undersized lots relating to area per dwelling unit as long as all other

underlying zone requirements are met. Since this section of the ordinance has been brought to my attention, I must abide by its wordage. Your property and your current proposal must be denied based upon the current lot size and the area of dwelling unit requirements of the underlying R-6 zone. I understand that you are reducing the legal number of dwelling units from eleven (11) to nine (9). Your current given lot size is 7,905.9 square feet in size and is nonconforming for land area per dwelling unit. To maintain your proposal for nine dwelling units, your lot size would need to be 10,200 square feet in area.

Based on section 14-388 of the zoning ordinance, I am denying your proposal.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is required to file an appeal.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator

Cc: Will Tinkelenberg, TFH Architects, 100 Commercial Street, Portland, ME 04101
Molly Casto, Planner
Alex Jaegerman, Planning Director
Barbara Barhydt, Development Review Services Manager



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*Lee Urban- Director of Planning and Development
Marge Schmuckal, Zoning Administrator*

September 26, 2007

Bruce A. McGlauflin
Petrucelli, Martin & Haddow, LLP
50 Monument Square
P.O. Box 17555
Portland, ME 04112-8555

RE: 130 Eastern Promenade, corner of Wilson Street – 003-C-001 & 002 – R-6 Zone
Site Plan #2007-0123

Dear Attorney McGlauflin,

I am in receipt of your letter to Molly Casto in the Planning Division concerning the development of the property located at 130 Eastern Promenade.

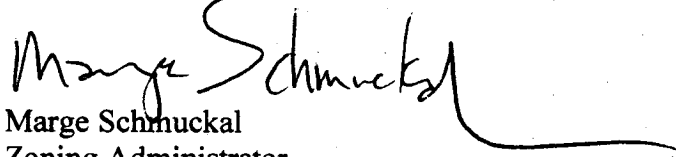
You have cited section 14-382(d) of the Nonconforming Use and Nonconforming Buildings section of the ordinance which reads, "Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity". Currently, the existing building is nonconforming as to space and bulk and dimensional requirements. I disagree that this section of the ordinance restricts any new addition outside of the confined shell of the existing building. I interpret this section of the ordinance to allow new additions(s) if no new nonconformity is created and there is no increase of any existing nonconformity. I believe that the proposal submitted for review meets this section of the Land Use Zoning Ordinance.

You have also cited section 14-388 within the same division of the nonconformity section of the ordinance and is titled "Nonconformity as to area of dwelling". This section reads, "A building nonconforming as to the regulations governing area per dwelling unit shall not be enlarged unless such building, including such addition or enlargement, is made to conform to all the area per dwelling regulations of the zone in which it is located". This section of the ordinance is pretty clear. It seems to say that zoning should not allow any additions or enlargements unless the area per dwelling unit regulation is made to conform to the underlying zone. It is very severe in its wordage and would restrict additions on even single family homes on undersized lots. In the past it has been the practice of this office to allow additions and enlargements on undersized lots relating to area per

dwelling unit as long as all other underlying zone requirements are met. Since this section of the ordinance has been brought to my attention, I must abide by its wordage. The applicant of 130 Eastern Promenade has been notified that their proposal is not meeting zoning requirements at this time based upon section 14-388 of the zoning ordinance.

You have the right to appeal my decision. If you wish to exercise your right to appeal, you have 30 days from the date of this letter in which to appeal. If you should fail to do so, my decision is binding and not subject to appeal. Please contact this office for the necessary paperwork that is require to file an appeal.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marge Schmuckal", with a long horizontal flourish extending to the right.

Marge Schmuckal
Zoning Administrator

CC: **Molly Casto, Planner**
Alex Jaegerman, Planning Director
Barbara Barhydt, Development Review Services Manager
File

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petruccellimartin.com

Via Hand Delivery

December 6, 2007

Ms. Molly Casto
Planning and Inspections Department
City of Portland
389 Congress St.
Portland, Maine 04101

RE: 130 Promenade East

Dear Ms. Casto:

Please bring this letter to the attention of Marge Schmuckal and the Members of the Planning Board for consideration in advance of the workshop that is scheduled for December 11, 2007, on Casco Bay Ventures, Inc.'s proposed renovations at 130 Promenade East.

My clients, Nicolino and Patricia Ciccomancini, object to the expansion of the existing, nonconforming structure at 130 Promenade East because it will create an unsightly obstruction to the views enjoyed from their three story apartment building at 14 Wilson Street and substantially devalue their property. The expansion will eliminate any real yard space at 130 Promenade East and unlawfully expand a nonconforming structure.

The current site plan is very similar to the site plan application that was filed this summer. That application was withdrawn after I submitted my letter dated September 4, 2007, objecting to the application because it violated §14-388 (nonconformity as to area per dwelling unit) and §14-382(d) (expansion of non-conforming structure). When the Zoning Administrator agreed with my interpretation of §14-388, but not my interpretation of §14-382(d), Casco Bay withdrew their application. This new application is designed to conform with §14-388 by reducing the number of units from eleven to seven. The new

Ms. Molly Casto
December 6, 2007
Page 2

application, however, still violates §14-382(d) notwithstanding the Zoning Administrator's interpretation of that provision.

Section 14-382(d) states:

(d) Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity. This subsection shall not apply to buildings located within shoreland zones and existing on June 15, 1992, which are nonconforming only as to setbacks from wetlands, tributary streams or other water bodies, which shall be regulated in accordance with subsection (f)(1)d. of this section.

There are two necessary conditions specified by this section: (i) the proposed changes to existing exterior walls and/or roofs must be "within the space occupied by the existing shell of the building," *and* (ii) the changes will not create any new nonconformity nor increase any existing nonconformity. The Zoning Administrator stated in her September 26, 2007, letter that she interprets this section as *only* requiring the second condition. This interpretation is inconsistent with the plain wording of this section, which is expressly limited to circumstances "where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building."

This interpretation is also inconsistent with general principles of zoning law which favor the elimination, not the expansion, of nonconforming structures and requires strict construction of zoning provisions relating to any expansion of nonconforming structures. *Lewis v. Maine Coast Artists*, 2001 ME 75, P 26, 770 A.2d 644. The general rule is that nonconforming structures should not be enlarged even when the alteration does not increase the nonconformity. "When an ordinance prohibits enlargement of a nonconforming building, a landowner cannot as a matter of right alter the structure, even if the alteration does not increase the nonconformity." *Id.* (citing *Shackford and Gooch*, 468 A.2d 102, 105 (ME. 1984).

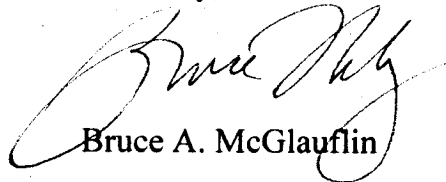
Because the proposed addition substantially expands the existing shell, Casco Bay cannot satisfy the circumstances required by §14-382(d) to permit any alteration, modification or addition to their nonconforming structure. The Planning Board is obligated to apply the Ordinance as written. It would be particularly unjust for the

Ms. Molly Casto
December 6, 2007
Page 3

Planning Board to fail to enforce §14-382(d) as written in this circumstance because it is the substantial expansion of the shell of the structure that adversely affects the value of the Ciccomancinis' neighboring property as well as other abutting properties. The impact of the bulk of the proposed structure on neighboring property values is also a separate matter for the Board's consideration. Section 14-136(a)(2)(f) requires that the bulk, location or height of any proposed structure must *minimize* any substantial diminution in value. In this case, the addition maximizes such diminution in value.

Because the proper interpretation of §14-382(d) presents a threshold issue, we have not done a full review of the proposed design and its compliance with other site plan review provisions. For the foregoing reasons, we request that the Planning Board reject the application as an unlawful expansion of a nonconforming structure under §14-382(d).

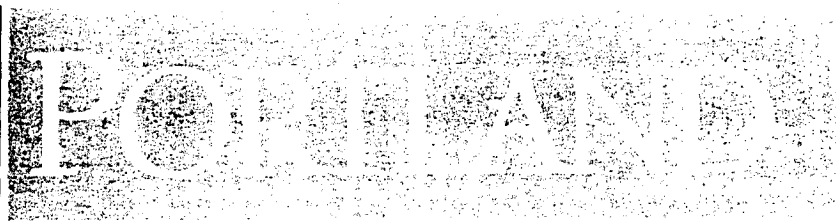
Sincerely,



Bruce A. McGlaflin

BMcG/d

cc: Nicolino & Patricia Ciccomancini



Strengthening a Remarkable City. Building a Community for Life

www.portlandmaine.gov

Corporation Counsel
Gary C. Wood

Associate Counsel
Elizabeth L. Boynton
Penny Littell
James R. Adolf
Mary E. Costigan

December 7, 2007

BY FAX: 207-775-2360

Bruce A. McGlaulin, Esq.
Petrucelli, Martin & Haddow, LLP
50 Monument Square
P.O. Box 17555
Portland, ME 04112-8555

Re: 130 Eastern Promenade

Dear Attorney McGlaulin:

I am writing in my capacity as attorney to the Portland Planning Board. I am in receipt of your December 6, 2007 letter addressed to Molly Casto (attention Marge Schmuckal and the Members of the Planning Board) relating to the site plan/subdivision application for 130 Eastern Promenade. In that letter you raise arguments relating to the zoning interpretation of Portland City Code §14-382(d). When Zoning Administrator Marge Schmuckal made her interpretation as to the applicability of this provision to 130 Eastern Promenade, in September 2007, you were advised of the opportunity to appeal that interpretation to the Zoning Board of Appeals. No appeal was ever filed.

The Planning Board is not the appropriate body to address zoning issues. All zoning matters must be taken up by the ZBA, a separate administrative body within the City of Portland. I will be so advising the Planning Board and wanted to provide you with advance notice of my advice to them. You are certainly free to appear and provide testimony (written or oral) on any site plan or subdivision issues of concern.

Bruce A. McGlaulin, Esq.

12/7/07

Page 2

Thank you for your attention to this matter.

Sincerely,



Penny Littell

Associate Corporation Counsel

Cc: Michael Patterson, Chair, Portland Planning Board

Portland Planning Board, Members

Molly Casto

Marge Schmuckal

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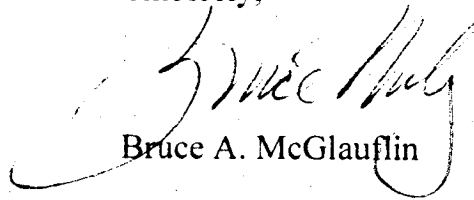
PETRUCCELLI, MARTIN & HADDOW, LLP

Penny Littell, Esq.
December 7, 2007
Page 2

It would be in the interest of all the parties to have this zoning issue addressed and decided before the Planning Board expends any time and energy on Casco Bay's new proposal.

Thank you for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce A. McGlaulin", is written over the typed name.

Bruce A. McGlaulin

BMcG/ed

cc: Molly Casto
Marge Schmuckal
James R. Adolf, Esq.
Nicolino Ciccomancini (via U.S. postal service)

Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
Page 2

proceed directly to a hearing; and because I have an unavoidable conflict on January 22nd. I have an all-day trial in Ellsworth on that day and will be unable to attend the public hearing to represent the interests of the two immediately adjacent abutters. If this dispositive issue is not addressed up front, my clients will be forced to incur the expense of having appraisals performed to determine the impact of the addition on their property values and the Applicant will continue to incur expenses on a project that is in clear violation of the Code.

I take this opportunity to more fully explain why this issue is dispositive and why the Board should not avoid confronting it at this juncture in the proceedings. As explained in the enclosed December 7 letter, the Ciccomancinis are not foreclosed from making this argument for failure to appeal Ms. Schmuckal's September 26th determination. There was no basis for appealing that determination because it was in the Ciccomancinis' favor – they won and the application was withdrawn.¹ Because the application was rejected by Ms. Schmuckal, the Ciccomancinis were in no sense aggrieved by the decision. It is no different from winning a court case in which you make several arguments; even though the court rejects all but one of the arguments, you still won and have no basis for appealing the arguments you lost.

Even if the Ciccomancinis were foreclosed from making this argument now, the Tanners are not. They have separate interests and were not "party" to Ms. Schmuckal's determination. Mr. Tanner presented the same argument to the Board on December 11th, but the Board declined to respond to him.

The Board *must* make a determination on Section 14-382(d), because it is obligated to make a specific finding under Section 14-526(a)(17) that the application complies with *all* applicable provisions of the Code -- this includes compliance with Section 14-382(d). Because Ms. Schmuckal's September 26th determination on this point was clearly erroneous, the Planning Board would be seriously remiss to rely on it. The determination was clearly erroneous because it directly contradicts the words in

¹ Apparently, the current proposal is being treated as a revision of the July 12 application even though no revised application form has been submitted. The Application was for a specific plan and design with nine units. Those Plans, and therefore that application, were rejected. The Applicant has submitted a completely new proposal with a new design and site plan that involves 7 units. The November 20, 2007, Plans showing seven units are not revisions of the earlier Plans. The Board's choice to treat this administratively as one application and one proceeding, does not alter the operative fact that the Applicant's July 12 proposal was rejected. The Ciccomancinis assumed that Casco Bay had given up. They received no notice of the "amended" application until early December long after the 30 day appeal period ended.

PETRUCCELLI, MARTIN & HADDOW, LLP

Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
Page 3

Section 14-382(d). Ms. Schmuckal interprets the provision as if the following words were deleted:

where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building.

Only by deleting these words, could this provision mean that an addition may be made to the building beyond the existing shell so long as it does not create any new nonconformity or increase any existing nonconformity. When these words are not ignored, the provision clearly permits an addition to the building *only* if: 1) there is no new nonconformity or increase in nonconformity, *and* 2) any changes to the exterior walls and/or roofs are kept within the existing shell of the building.

The Board will commit clear error if it adopts Ms Schmuckal's interpretation when it is called upon to determine that the application complies with all applicable provisions of the Code. Such clear error will be subject to reversal by the Superior Court, rendering all of the time and cost expended by the Board and the parties for naught. The Ciccomancinis and the Tanners have a right to have their interests protected in accordance with the Land Use Code, and the Planning Board Members have the duty to interpret and to apply the Code, *as written*.

For the foregoing reasons, I request that you postpone the January 22nd public hearing and schedule another meeting to fully consider this threshold issue.

Sincerely,



Bruce A. McGlaulin

BMcG/d

cc: Nicolino and Patricia Ciccomancini
Robert and Lucy Tanner
Wally Geyer, Casco Bay Ventures

MODE = MEMORY TRANSMISSION

START=DEC-18 14:02

END=DEC-18 14:07

FILE NO.=751

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: Wally Geyer [cc: Terry Snow Esq.]

Company: Casco Bay Ventures

Fax #: Geyer- 775-0530 / Snow- 829-4481

Date: December 18, 2007

From: Molly Casto, Planner

You should receive 18 page(s) including this cover sheet.

Comments:

Hello Wally:

I am forwarding the following letters regarding your proposal at 130 Eastern Promenade. While I think you have gotten copies of many of these already, I am providing the full set, as you requested, just to be certain. Included is the most recent letter our office has received from Attorney Bruce McGlaufflin re: The Estates at Longfellow Inn at 130 Eastern Promenade.

I have communicated with Penny Littell, Associate Corporation Counsel concerning this most recent correspondence and she continues to advise our department and the Planning Board that the Board does not have the jurisdiction to review zoning determinations. She communicated this to the Planning Board at the December 11, 2007 meeting, which you attended. In light of Mr. McGlaufflin's continued requests to the Planning Board to deny the application, however, I wanted to be sure that you had a clear understanding of his arguments, the zoning determination that was made in September 2007 and the City's position on this matter.

Feel free to contact me if you have any further questions.

Thanks-

Molly Casto

TFH ARCHITECTS 80 MIDDLE STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

December 16, 2008

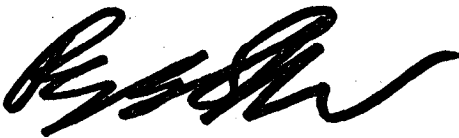
Alex Jaegerman
Director, Planning Division
City of Portland
389 Congress Street
Portland, ME 04101

Re: The Estates of Longfellow Inn, 130 Eastern Promenade, Portland, Maine

Dear Alex,

On behalf of Wally Geyer of Casco Bay Ventures, I am requesting that the Planning approval, Building permit and Demolition permit timelines for "The Estates of Longfellow Inn, 130 Eastern Promenade" be extended a period of one (1) year. We are making this request as a result of the legal process that has been taking place over the course of the past year related to the project. Please review and verify with us that under the given circumstances the time extension will be granted by the City of Portland.

Sincerely,



Ryan Senatore, AIA LEED-AP
Associate

Cc: Marge Schmuckal, City of Portland
Molly Casto, City of Portland
Tammy Munson, City of Portland
Wally Geyer, Casco Bay Ventures

From: Penny Littell
To: Molly Casto
Date: 1/16/2008 4:16:32 PM
Subject: views

Below is a copy of my memo to the PB. I will send the original interoffice.

To: Chair Tevanian and Members of the Portland Planning Board
From: P. Littell, Associate Corporation Counsel
Date: January 16, 2008

Re: Property Rights in View Preservation

At the last Planning Board meeting I was asked by a Board Member whether a developer may erect a building which impacts the previously existing views from abutting properties.

First, there is no common law right to view preservation. Absent some sort of preservation easement or private covenant on or over an abutting property, a building may be built which blocks preexisting views from a neighboring property.

The Portland Site Plan Ordinance does contain one standard dealing with view preservation. That is found in Section 14-526 (a)(19). It states:

(19) View corridors: The placement and massing of proposed development shall not substantially obstruct those public views to landmarks and natural features from those locations identified on the View Corridor Protection Plan, a copy of which is on file in the department of planning and urban development;

I have had an opportunity to review the referenced View Corridor Protection Plan. This document protects view corridors in the downtown area but does not extend to Munjoy Hill or the Eastern Promenade. As a result, this standard is inapplicable to the development before you.

September 11, 2007

Mr. Alex Jaegerman
Director, Planning Division
Portland City Hall
389 Congress Street
Portland, Maine 04101

RE: "The Estates of Longfellow Inn at 130 Eastern Promenade"

Dear Mr. Jaegerman,

On behalf of Wally Geyer and Anthony Salem, of Casco Bay Ventures, I am contacting you regarding their "The Estates of Longfellow Inn at 130 Eastern Promenade" project here in Portland, and their interest in acquiring a demolition permit prior to completion of the site plan review process. As you may recall, this project entails the renovation of an existing eleven-unit apartment building, including the demolition of a portion of the existing building, the construction of an addition, and the elimination of two units for a final total of nine units.

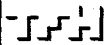
Previously, we met with Marge Schmuckal in October of 2006, at which time she confirmed our understanding that, because the number of units is to be reduced, this project would not constitute a subdivision, and that for this reason, and in all other respects, only a Minor Site Plan Review would be necessary.

Eight weeks ago, on July 16th, we submitted the Site Plan Application for this project. Almost six weeks later, on August 24th, we were informed that because three of the units are within an addition, this project is in fact a subdivision, such that a Major Site Plan Review is now required. This of course significantly disrupts our client's original schedule, which included commencing with construction in August, or September at the latest. Now, the workshop with the Planning Board is not even scheduled until October, which leaves Wally very concerned that construction will not start prior to the expiration of his bank financing. Given the state of the housing market, re-establishing this financing should it expire would be unlikely.



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The Estates of Longfellow Inn
 130 Eastern Promenade, Portland, Maine
 Casco Bay Ventures



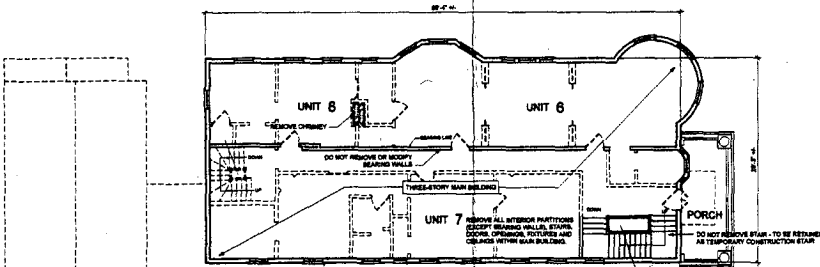
TFH ARCHITECTS
 100 COMMERCIAL STREET
 PORTLAND, MAINE 04101
 TELEPHONE: 207.775.6141
 ARCHITECTURE PLANNING

CONSULTANTS:

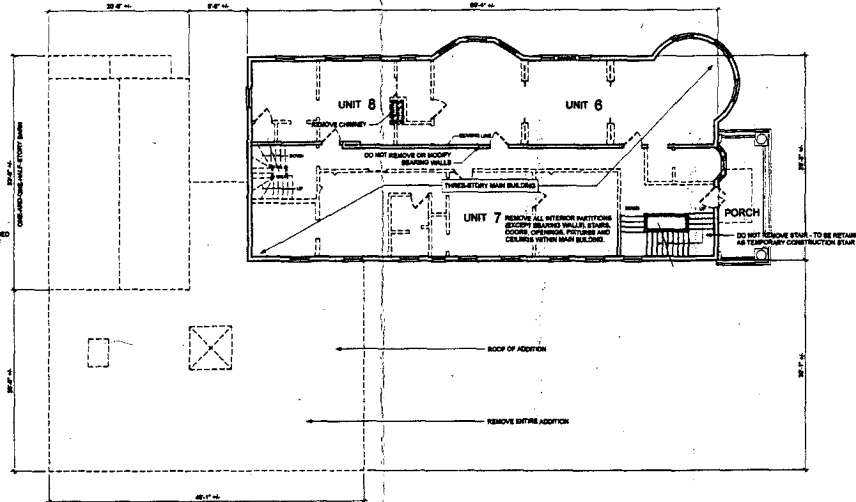
REVISIONS:

DATE: May 14, 2007
 PROJECT NO: D-1.1
 DRAWN BY: VUT
 CHECKED BY: TST
 SCALE: As Noted
 SHEET TITLE: Demolition

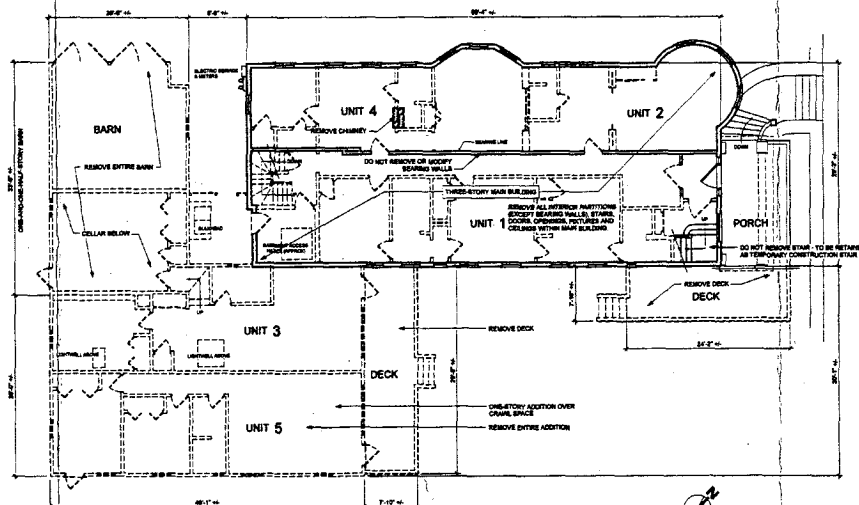
D-1.1



Third Floor Demolition Plan
 Scale: 1/8" = 1'-0"



Second Floor Demolition Plan
 Scale: 1/8" = 1'-0"



First Floor Demolition Plan
 Scale: 1/8" = 1'-0"

NOTE: DEMOLITION CONTRACTOR AND/OR BUILDER TO CONFIRM THAT ACTUAL LOCATION OF BEARING WALLS ARE AS INDICATED. IF NOT, BRING TO THE ARCHITECT'S ATTENTION FOR RESOLUTION.

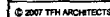
LEGEND

- EXISTING CONSTRUCTION TO REMAIN
- DEMOLITION
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION TO BE 1-HOUR RATED
- 1-HOUR RATED CONSTRUCTION

NOTE: SEE A-2.1 FOR CONSTRUCTION ASSEMBLIES

DEMOLITION NOTES: (SEE D-1.1 FOR GENERAL NOTES)
 D-1.1 DEMOLITION DRAWING NOTES: DEMOLITION DRAWING NOTES REFER TO EXISTING CONSTRUCTION.
 D-1.1 FLOOR TO FLOOR, FLOOR TO FLOOR DIMENSION IS 10'-0" H.

SEE A-1.1 FOR SELECT SPECIFICATIONS



The Estates of Longfellow Inn
130 Eastern Promenade, Portland, Maine
Casco Bay Ventures

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 0141
ARCHITECTURE PLANNING

CONSULTANTS	
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REASONS:

DATE: May 18, 2007

PROJECT No. 0810

DRAWN BY: YUT

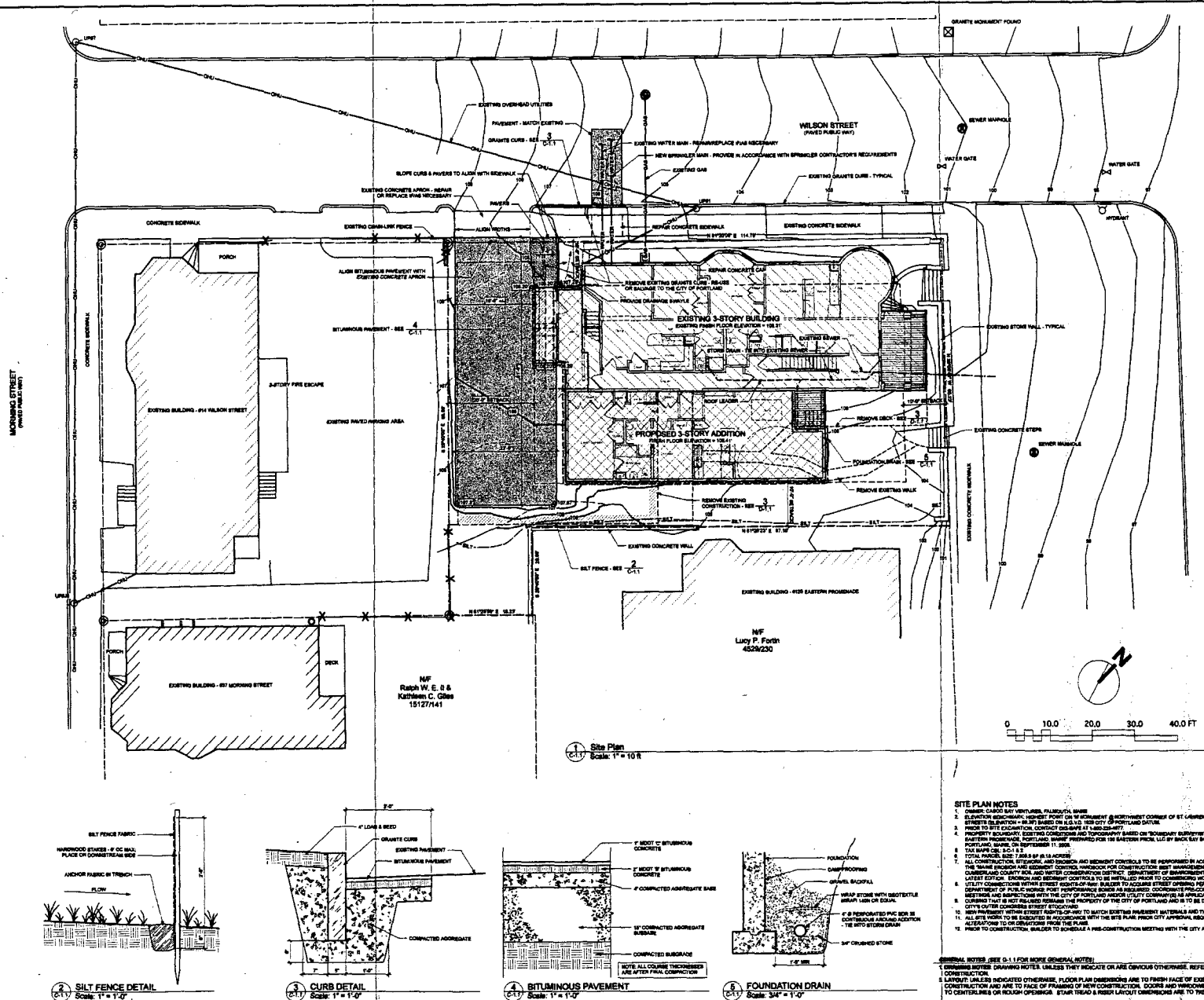
CHECKED BY: TST

SCALE As Noted

SHEET TITLE:

Site Plan

C-1.1



GENERAL NOTES (SEE 0-1.1 FOR MORE GENERAL NOTES)

1. EXISTING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.

2. DIMENSIONS INDICATED OTHERWISE: FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONS TO CENTERLINES OR RUGH OPENINGS. STAIR TREAD & ROSET LAYOUT DIMENSIONS ARE TO TREAD NOBES.

*SEE Q-1.1 FOR SELECT SPECIFICATIONS



PORTLAND MAINE

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Planning and Development Department

Lee D. Urban, Director

Planning Division

Alexander Jaegerman, Director

September 18, 2007

Will Tinkelenberg
11 Ledel Lane
Durham, Maine 04222

Mr. Waldon Geyer
Casco Bay Ventures
233 Woodville Road
Falmouth, ME 04105

RE: Estates of Longfellow Inn, 130 Eastern Promenade, (Application ID # 2007-0123)

Dear Will:

We received your request to obtain a demolition permit from the City's Inspection Division prior to site plan approval. We have reviewed your concerns, however, due to the fact that the project is still under review and will soon be before the Planning Board, we cannot grant your request at this time.

If there are any questions, please contact the Planning Staff.

Sincerely,

Alexander Jaegerman, Planning Division Director

cc: Inspections Department
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
Phil DiPierro, Development Review Coordinator
Penny Littell, Corporation Counsel
Todd Merkle, Public Works

Scott Teas
TFH Architects
100 Commercial Street
Portland, ME 04101

From: Jeff Tarling
To: Molly Casto
Date: 1/18/2008 2:00:49 PM
Subject: 130 Eastern Prom Landscape Plan Review

Hi Molly -

I reviewed the landscape plan for the 130 Eastern Prom Project and offer the following review & comment:

The proposed plan shows 2 new street-trees to be planted along Wilson Street. (The tree locations can be adjusted due to window spacing etc within the building footprint along the Wilson Street frontage.) An additional street-tree on the Eastern Prom side, following the recent species recommendation of the Eastern Prom master plan recommendations. This would complete the specified number of trees and spacing along the Eastern Prom frontage of the project. On the project property one additional ornamental crabapple is proposed on the South side of the project near the addition. Overall the landscape treatment of ornamental shrubs and landscape beds fits into the character of the nearby residential landscape.

Recommendations / Conditions -

1) To meet the 2-trees per residential unit guidelines a contribution for 10 additional trees to be planted in the project vicinity is recommended. The project unit calculations would require 14 trees and the project is placing four with the project area. The new trees would help fill gaps or replace missing trees in the surrounding neighborhood of the project.

2) That impact to the Eastern Prom lawn area be limited during construction. This would include: no storage of trucks, equipment, materials on the lawn area. All damaged areas to be repaired in a timely manor, the sidewalk pedestrian way along the Eastern Prom be maintained in good condition during construction work.

The project team or contractor shall contact Parks & Recreation concerning construction activities that might effect the Eastern Prom and park areas.

CC: Barbara Barhydt

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2007-0123

Date: 11/2/2007

On October 22, 2007, the applicant submitted further information showing that he is exempt from the Housing Replacement Ordinance by using 14-483(n)(6). Documentation has been submitted showing that the original building was built as three (3) dwelling units. They are now asking to revise their plans to allow seven (7). The ordinance requires the planning authority's approval on this section of the ordinance. It appears they could be meeting this section of the ordinance.

The seven (7) requested dwelling units would meet the land area per dwelling unit requirements of the R-6 zone. The seven (7) units would require a minimum lot size of 7,800 sq ft of land area. Currently the lot is 7,905.9 square feet which is in excess of the minimum lot size required. The applicant is not prohibited from enlarging the building under section 14-388. The enlargement can meet the R-6 zone setbacks as currently shown.

Marge Schmuckal
Zoning Administrator

MEMORANDUM



TO: Molly Casto
FROM: Dan Goyette, PE, and Lauren Swett, EIT
DATE: January 16, 2008
RE: Estates of Longfellow Inn

Woodard & Curran has reviewed the response to comments provided for The Estates of Longfellow Inn. The project proposes to renovate and add to an existing multifamily residential building located at 130 Eastern Promenade in Portland. The garage for the existing building will be demolished and replaced with paved parking, and an expansion will be added to the building to provide room for seven units.

Documents Reviewed

- Response to Comments Letter and additional information for 130 Eastern Promenade, Portland, Maine, prepared by Land Consulting Engineers, PA, on behalf of Casco Bay Ventures, dated January 2, 2008.
- Plan Sheets for The Estates of Longfellow Inn, including C1.2, C1.4, and D3 prepared by TFH Architects and Land Consulting Engineers on behalf of Casco Bay Ventures, dated January 2, 2008.

Comments

- All plan sheets must be stamped and signed by a professional engineer.
- An engineering details sheet was not included with this submission. The response letter from Land Consulting Engineers references a TFH detail sheet, however this has not been included. Woodard & Curran sent a review memo on August 13, 2007 with comments regarding details, however updated and additional details have never been reviewed.
- The utilities detail sheet includes catch basin and casco trap details. The casco trap should also be included on the catch basin detail to show proper installation.
- The PVC line directing surface and roof drainage to the combined sewer line should connect directly into the combined sewer line and not into the existing sewer manhole.

Please contact our office if you have any questions.

DRG/LJS
203943

From: Carrie Marsh
To: Casto, Molly
Date: 1/16/2008 2:33:05 PM
Subject: 130 Eastern Promenade

The elevations for the Estates of Longfellow Inn at 130 Eastern Promenade were presented for design review according to Site Plan Standards 14-526 (15). The building design is consistent with the nearest residential neighborhood in terms of architectural style, facade materials, roof pitch, building form and height. The elevations indicate a building that is similar in scale to the structure across Wilson Street, and other buildings along the Prom. The design therefore appears to be consistent with the Site Plan Standards.

Carrie M. Marsh, AICP, Urban Designer
City of Portland, Division of Planning
389 Congress Street, Portland, ME 04101
Ph: 207-874-8723 Fax: 207-756-8258

MEMORANDUM



TO: Molly Casto
FROM: Dan Goyette, PE, and Lauren Swett, EIT
DATE: December 4, 2007
RE: Estates of Longfellow Inn

Woodard & Curran has reviewed the site plan submission for The Estates of Longfellow Inn. The project proposes to renovate and add to an existing multifamily residential building located at 130 Eastern Promenade in Portland. The garage for the existing building will be demolished and replaced with paved parking, and an expansion will be added to the building to provide room for seven units.

Documents Reviewed

- Stormwater Management Report, 130 Eastern Promenade, Portland, Maine, prepared by Land Consulting Engineers, PA, on behalf of Casco Bay Ventures, dated November 19, 2007.
- Plan Sheets for The Estates of Longfellow Inn, including G1.1, G1.2, Existing Conditions Survey, C1.1, C1.2, C1.4, C1.5, A1.1-A1.4, and A2.1, prepared by TFH Architects on behalf of Casco Bay Ventures, dated November 20, 2007.

Comments

- The applicant should confirm that the survey for the project coincides with approved City standards. The survey needs to be tied to the vertical datum of NGVD 1929. Also, the project needs to be tied to the Maine State Plane Coordinate System (2-zone projection), West Zone using the NAD 1983 (HARN) Datum and the U.S. Survey Foot as the unit of measure. These items should be indicated in the general notes provided on the survey.
- An engineering details sheet was not included with this submission. This sheet should include details showing conformance with City of Portland design standards for items including pavement, curbing, utility structures and connections, pipe trenching, and erosion control. The site plan references details on Sheet C1.3, which was not included in this submission.
- No work will be allowed in the R.O.W. until the Moratorium for the street has been lifted, and weather permits construction.
- Parking spaces 1 and 2 do not meet the City of Portland design standards. Parking spaces should be have a depth of 19' and a width of 9'.
- The site plan shows the location of water gates, however the water line itself is not shown.
- The stormwater report shows that there will be a slight increase in flow for the post development site conditions. In addition, the possibility of connecting roof leaders into the stormwater system was referenced in the report. The capacity of the existing combined sewer system, and the effect of the proposed project's stormwater and sanitary sewer flows on the system needs to be verified and taken into account in the design prior to the approval of the project.
- The stormwater report does not include any calculations to determine adequate pipe sizing for the projected stormwater flows.
- Piping from foundation drains should be directed out to the esplanade before it is tied into the combined sewer line.
- All drain inlet structures for the project should be catch basins with 3' sumps and casco traps.
- The piping connecting DI #1, DI #2, and the sewer manhole in the esplanade is called out as HDPE (smooth). This piping should be SDR 35 PVC sewer pipe.

Please contact our office if you have any questions.

DRG/LJS
203943

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2007-0123

Date: 9/26/2007

see letter - section 14-388 prohibits the proposed addition on this property - See letter. Zoning must deny this proposal based upon this section of the ordinance.

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2007-0123

Date: 8/24/2007

8/23/07 meeting with Alex, Penny, Molly and me confirmed that by State Law and its definition, this project must go through the subdivision process for the 3 new units in the new addition. I will be calling the owner to have him start the condominium process for the tenants.

From: Gregory Cass
To: Molly Casto
Date: 11/29/2007 4:02:39 PM
Subject: Re: 130 Eastern Prom.

The new proposal is approved also.
Thanks
Greg

>>> Molly Casto 11/29/2007 3:17:41 PM >>>
Hi Greg-

You signed off in UI on the proposed renovation and addition at 130 E. Prom back in August. Since then, they have submitted revised plans reducing the # of proposed units from 9 to 7. The footprint is the same but the parking configuration is slightly different.

Does your approval still stand or do you want to submit comments on the revisions?

Do they need to submit a revised checklist?

let me know. Thanks!
Molly



MEMORANDUM

TO: Molly Casto
FROM: Dan Goyette, PE, and Lauren Swett, EIT
DATE: August 13, 2007
RE: Estates of Longfellow Inn

Woodard & Curran has reviewed the site plan application for the Estates of Longfellow Inn, located at 130 Eastern Promenade. The project proposes to renovate an existing 11-unit apartment building, including the demolition of one section of the building and the construction of a new addition, resulting in a 9-unit apartment building.

Documents Reviewed

- Site Plan Review Application for Estates of Longfellow Inn, prepared by TFH Architects for Casco Bay Ventures. The initial application was dated July 16, 2007, and additional information was provided on July 27, 2007.
- Engineering Plan Sheets for the Estates of Longfellow Inn, including a Boundary Survey/Site Plan and sheets G-1.1, C-1.1, C-1.2, A-1.1 to A-1.4, A-2.1, and A-3.1 prepared by TFH Architects for Casco Bay Ventures, dated May 16, 2007.

Stormwater and Erosion Control Comments:

- No stormwater calculations have been provided. The applicant states that the total impervious surface will increase, but there will be a net decrease in total runoff. This should be quantified using Hydrocad or another calculation method.
- A drainage swale has been called out on the site plans to be located at the northwestern corner of the building, near the section of pavers. No grading or details have been provided for this swale. The swale may need to be taken into consideration in the stormwater calculations.
- An erosion control plan, providing details including timing for the installation and removal of erosion control measures should be included.

General Comments

- A number of plan sheets are listed on the Index of Drawings on sheet G 1.1, however they have not been included with this submission. These sheets include G-1.2 Life Safety Plans, D-1.1 Demolition, A-3.2 Building Sections at Entrance Addition, A-4.1 Stairs Sections & Details, A-4.2 Details, and A-5.1 Door and Window Schedules.
- The curb detail should show a 7" curb reveal, as specified in the City of Portland technical standards.
- No details have been provided for the concrete sidewalk repair, the section of pavers to be installed at the northwestern corner of the building, or for connections to existing utilities.
- No information has been provided regarding exterior lighting for the building. A photometric lighting plan should be submitted.
- No reference has been made to the method of solid waste disposal, or the need or location of a dumpster at the site.

Please contact our office if you have any questions.

DRG/LJS
203943

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

Hand Delivered

January 8, 2008

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

RE: 130 Promenade East

Dear Mr. Patterson:

Please find enclosed a copy of my letter of this same date to Marge Schmuckal requesting that she issue a zoning determination as to the compliance of Casco Bay Venture's current proposal with Section 14-382(d) of the Land Use Code. As you know from my previous submissions to the Planning Board, it is my contention that the Planning Board has an independent obligation to make a determination on Casco Bay's compliance with Section 14-382(d) and that it would be in everyone's best interest for the Planning Board to make that determination as a threshold matter before proceeding to a public hearing. Because the Planning Board's attorney has advised the Planning Board not to make an independent determination on Section 14-382-(d), I have sent the enclosed letter to Ms. Schmuckal.

Nevertheless, I reiterate my request for a threshold determination from the Planning Board and that the Public Hearing on this matter be postponed until that threshold determination can be made. If the Planning Board declines to make that

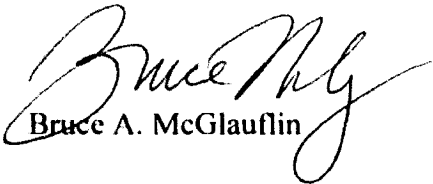
PETRUCCELLI, MARTIN & HADDOW, LLP

Michael J. Patterson, Chair
Portland Planning Board
January 7, 2008
Page 2

determination, I nevertheless reiterate my request that the Public Hearing be postponed pending the outcome of a determination by the Zoning Administrator, and, if necessary, the Zoning Board of Appeals.

Thank you for your consideration.

Sincerely,



Bruce A. McGlaufflin

BMcG/d
Enclosure

cc: Mr. & Mrs. Nicolino Ciccomancini
Dr. & Mrs. Robert Tanner
Marge Schmuckal (hand deliver)
Penny Littel, Esquire (hand deliver)
James R. Adolf, Esquire (hand deliver)
Wally Geyer, Casco Bay Ventures

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

Hand Delivered

January 7, 2008

Marge Schmuckal, Zoning Administrator
City of Portland
389 Congress Street
Portland, Maine 04112-8555

RE: 130 Eastern Promenade

Dear Ms. Schmuckal:

This firm represents Nicolino and Patricia Ciccomancini and Robert and Lucy Tanner, owners of 14 Wilson Street and 126 Eastern Promenade. These properties directly abut 130 Eastern Promenade, which is owned by Casco Bay Ventures and which is the subject of Casco Bay's site plan/subdivision application for an addition at 130 Eastern Promenade. The purpose of this letter is to request that you issue a zoning determination as to whether Casco Bay's *current* proposal as shown on Land Consulting Engineers, P.A. plan dated November 19, 2007, complies with Section 14-382(d) of the Land Use Code. It is our contention that the proposal cannot satisfy Section 14-382(d) because it involves proposed changes in exterior walls and roofs that are not confined within the space occupied by the existing shell of the building.

As you may recall, I presented this issue to you once before on behalf of the Ciccomancinis with respect to a *different* set of plans that involved nine residential units instead of the current seven. I also objected to those plans based on a violation of Section 14-388. You issued a determination dated September 26, 2007, in which you rejected Casco Bay's first plan based on a violation of Section 14-388, but not Section 14-382(d). The Ciccomancinis did not appeal that determination because they were not aggrieved by your determination that the proposal could not proceed.

On December 7, 2007, I addressed a letter to Penny Littell, Esquire, and copied it to you by fax. Enclosed is a copy of the letter and the fax cover sheet. In that letter, I

Voice: 207.775.0200

www.petrucellimartin.com

Facsimile: 207.775.2360

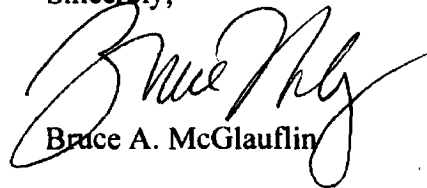
Marge Schmuckal, Zoning Administrator
City of Portland
January 7, 2008
Page 2

requested that you make another determination on the *new* Casco Bay proposal. Because this letter was not addressed to you (although the fax cover sheet was addressed to you), it is understandable that it may not have been brought to your attention. That December 7th request for a zoning determination was made on behalf of the Ciccomancinis and I reiterate it here.

At the time of the December 7th letter, I did not represent the Tanners. Today's request for a zoning determination is made on behalf of the Tanners as well as the Ciccomancinis. The Tanners were not party to the request made on Casco Bay's first proposal and they had no notice of your September 26th determination on that proposal.

Thank you for your assistance. I look forward to your response.

Sincerely,



Bruce A. McGlaulin

BMcG/d
Enclosure

cc: Mr. & Mrs. Nicolino Ciccomancini
Dr. & Mrs. Robert Tanner
Penny Littel, Esquire (hand delivered)
James R. Adolf, Esquire (hand delivered)
Wally Geyer, Casco Bay Ventures

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BY HAND

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglaulin@petrucellimartin.com

Via Hand Delivery

December 17, 2007

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

RE: 130 Promenade East

Dear Planning Board Members:

This firm represents two abutters to the proposed addition at 130 Eastern Promenade -- Nicolino & Patricia Ciccomancini at 14 Wilson Street and Lucy and Robert Tanner at 126 Eastern Promenade. The purpose of this letter is to make two requests on behalf of these abutters: 1) that the public hearing scheduled for January 22, 2008 be postponed, and 2) that the Board place the matter on another meeting agenda to more fully address the application's compliance with Section 14-382(d) of the Land Use Code.

At the December 11, 2007, workshop, the Planning Board rejected my contention that the proposed addition constitutes an illegal expansion of a nonconforming structure under Section 14-382(d). This was based on advice from legal counsel stating that Mr. Ciccomancini had failed to appeal the Zoning Administrator's September 26th decision on this point. Unfortunately, the Board did not have the benefit of my written response to this legal argument, which is set forth in the enclosed letter. That letter was faxed to Ms. Littell shortly after her letter of the same day was faxed to me. Although Ms. Casto was listed as a recipient of the fax, she did not receive it and did not include it in your December 11th packet. For the reasons stated in the enclosed letter, as expanded on below, Section 14-382(d) must be addressed by the Board.

I request that the hearing be postponed and this legal issue be scheduled for another meeting because I do not believe the Board has had a full opportunity to consider it; because a ruling on it will avoid unnecessary expenses that would be incurred if we

COPY

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmclaflin@petruccellimartin.com

December 7, 2007

Via Fax

Penny Littell, Esq., Associate Corporation Counsel
389 Congress Street
Portland, Maine 04112-8555

Re: 130 Eastern Promenade

Dear Penny:

This letter is in response to your letter of December 07, 2007 in which you indicate that the Planning Board is not the appropriate body to address zoning issues and that my argument relating to the interpretation of §14-382 (d) should not be considered by the Board in its review of Casco Bay's site plan application. I respectfully disagree with your interpretation of the Planning Board's jurisdiction. Under site plan review, the Planning Board must make a determination that the applicant's proposal meets all of the criteria set forth in 14-526 including the criterion that the applicant "has submitted all information required by this article and that the development complies with all applicable provisions of this Code" §14-526 (a)(17). Thus, the Planning Board is required to make a determination as to whether or not the proposal satisfies §14-382 (d) of the Code.

I understand that the Planning Board may rely on a preliminary determination by the Zoning Administrator with respect to such zoning requirements. For that reason, I requested that Ms. Casto send a copy of my December 6th letter to Ms. Schmuckal as well as the Planning Board. By copying this letter to Ms. Schmuckal and her counsel James Adolf, Esq., I request that a preliminary determination be made on the application of section 14-382 (d) to the new proposal. I did not appeal Ms. Schmuckal's previous determination (in her September 26, 2007 letter) because the then pending application was denied on alternative grounds. There was no reason nor basis for an appeal since my client was not aggrieved, the application was withdrawn, and any appeal would have been moot.

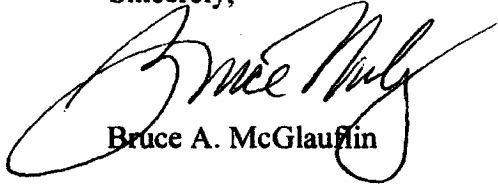
PETRUCCELLI, MARTIN & HADDOW, LLP

Penny Littell, Esq.
December 7, 2007
Page 2

It would be in the interest of all the parties to have this zoning issue addressed and decided before the Planning Board expends any time and energy on Casco Bay's new proposal.

Thank you for your assistance.

Sincerely,



Bruce A. McGlauffin

BMcG/ed

cc: Molly Casto
Marge Schmuckal
James R. Adolf, Esq.
Nicolino Ciccomancini (via U.S. postal service)

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

Via Hand Delivery

December 6, 2007

Ms. Molly Casto
Planning and Inspections Department
City of Portland
389 Congress St.
Portland, Maine 04101

RE: 130 Promenade East

Dear Ms. Casto:

Please bring this letter to the attention of Marge Schmuckal and the Members of the Planning Board for consideration in advance of the workshop that is scheduled for December 11, 2007, on Casco Bay Ventures, Inc.'s proposed renovations at 130 Promenade East.

My clients, Nicolino and Patricia Ciccomancini, object to the expansion of the existing, nonconforming structure at 130 Promenade East because it will create an unsightly obstruction to the views enjoyed from their three story apartment building at 14 Wilson Street and substantially devalue their property. The expansion will eliminate any real yard space at 130 Promenade East and unlawfully expand a nonconforming structure.

The current site plan is very similar to the site plan application that was filed this summer. That application was withdrawn after I submitted my letter dated September 4, 2007, objecting to the application because it violated §14-388 (nonconformity as to area per dwelling unit) and §14-382(d) (expansion of non-conforming structure). When the Zoning Administrator agreed with my interpretation of §14-388, but not my interpretation of §14-382(d), Casco Bay withdrew their application. This new application is designed to conform with §14-388 by reducing the number of units from eleven to seven. The new

Ms. Molly Casto
December 6, 2007
Page 2

application, however, still violates §14-382(d) notwithstanding the Zoning Administrator's interpretation of that provision.

Section 14-382(d) states:

(d) Alteration, modification or addition may be made to a building which is lawfully nonconforming as to space and bulk or any dimensional requirement where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building, and would not create any new nonconformity nor increase any existing nonconformity. This subsection shall not apply to buildings located within shoreland zones and existing on June 15, 1992, which are nonconforming only as to setbacks from wetlands, tributary streams or other water bodies, which shall be regulated in accordance with subsection (f)(1)d. of this section.

There are two necessary conditions specified by this section: (i) the proposed changes to existing exterior walls and/or roofs must be "within the space occupied by the existing shell of the building," and (ii) the changes will not create any new nonconformity nor increase any existing nonconformity. The Zoning Administrator stated in her September 26, 2007, letter that she interprets this section as *only* requiring the second condition. This interpretation is inconsistent with the plain wording of this section, which is expressly limited to circumstances "where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building."

This interpretation is also inconsistent with general principles of zoning law which favor the elimination, not the expansion, of nonconforming structures and requires strict construction of zoning provisions relating to any expansion of nonconforming structures. *Lewis v. Maine Coast Artists*, 2001 ME 75, P 26, 770 A.2d 644. The general rule is that nonconforming structures should not be enlarged even when the alteration does not increase the nonconformity. "When an ordinance prohibits enlargement of a nonconforming building, a landowner cannot as a matter of right alter the structure, even if the alteration does not increase the nonconformity." *Id.* (citing *Shackford and Gooch*, 468 A.2d 102, 105 (ME. 1984).

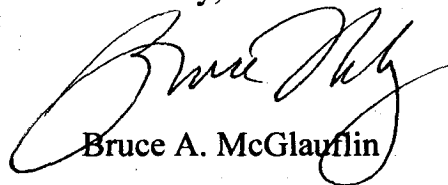
Because the proposed addition substantially expands the existing shell, Casco Bay cannot satisfy the circumstances required by §14-382(d) to permit any alteration, modification or addition to their nonconforming structure. The Planning Board is obligated to apply the Ordinance as written. It would be particularly unjust for the

Ms. Molly Casto
December 6, 2007
Page 3

Planning Board to fail to enforce §14-382(d) as written in this circumstance because it is the substantial expansion of the shell of the structure that adversely affects the value of the Ciccomancinis' neighboring property as well as other abutting properties. The impact of the bulk of the proposed structure on neighboring property values is also a separate matter for the Board's consideration. Section 14-136(a)(2)(f) requires that the bulk, location or height of any proposed structure must *minimize* any substantial diminution in value. In this case, the addition maximizes such diminution in value.

Because the proper interpretation of §14-382(d) presents a threshold issue, we have not done a full review of the proposed design and its compliance with other site plan review provisions. For the foregoing reasons, we request that the Planning Board reject the application as an unlawful expansion of a nonconforming structure under §14-382(d).

Sincerely,



Bruce A. McGlaulin

BMcG/d

cc: Nicolino & Patricia Ciccomancini

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

Via Hand Delivery

December 17, 2007

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

RE: 130 Promenade East

Dear Planning Board Members:

This firm represents two abutters to the proposed addition at 130 Eastern Promenade -- Nicolino & Patricia Ciccomancini at 14 Wilson Street and Lucy and Robert Tanner at 126 Eastern Promenade. The purpose of this letter is to make two requests on behalf of these abutters: 1) that the public hearing scheduled for January 22, 2008 be postponed, and 2) that the Board place the matter on another meeting agenda to more fully address the application's compliance with Section 14-382(d) of the Land Use Code.

At the December 11, 2007, workshop, the Planning Board rejected my contention that the proposed addition constitutes an illegal expansion of a nonconforming structure under Section 14-382(d). This was based on advice from legal counsel stating that Mr. Ciccomancini had failed to appeal the Zoning Administrator's September 26th decision on this point. Unfortunately, the Board did not have the benefit of my written response to this legal argument, which is set forth in the enclosed letter. That letter was faxed to Ms. Littell shortly after her letter of the same day was faxed to me. Although Ms. Casto was listed as a recipient of the fax, she did not receive it and did not include it in your December 11th packet. For the reasons stated in the enclosed letter, as expanded on below, Section 14-382(d) must be addressed by the Board.

I request that the hearing be postponed and this legal issue be scheduled for another meeting because I do not believe the Board has had a full opportunity to consider it; because a ruling on it will avoid unnecessary expenses that would be incurred if we

Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
Page 2

proceed directly to a hearing; and because I have an unavoidable conflict on January 22nd. I have an all-day trial in Ellsworth on that day and will be unable to attend the public hearing to represent the interests of the two immediately adjacent abutters. If this dispositive issue is not addressed up front, my clients will be forced to incur the expense of having appraisals performed to determine the impact of the addition on their property values and the Applicant will continue to incur expenses on a project that is in clear violation of the Code.

I take this opportunity to more fully explain why this issue is dispositive and why the Board should not avoid confronting it at this juncture in the proceedings. As explained in the enclosed December 7 letter, the Ciccomancinis are not foreclosed from making this argument for failure to appeal Ms. Schmuckal's September 26th determination. There was no basis for appealing that determination because it was in the Ciccomancinis' favor – they won and the application was withdrawn.¹ Because the application was rejected by Ms. Schmuckal, the Ciccomancinis were in no sense aggrieved by the decision. It is no different from winning a court case in which you make several arguments; even though the court rejects all but one of the arguments, you still won and have no basis for appealing the arguments you lost.

Even if the Ciccomancinis were foreclosed from making this argument now, the Tanners are not. They have separate interests and were not "party" to Ms. Schmuckal's determination. Mr. Tanner presented the same argument to the Board on December 11th, but the Board declined to respond to him.

The Board *must* make a determination on Section 14-382(d), because it is obligated to make a specific finding under Section 14-526(a)(17) that the application complies with *all* applicable provisions of the Code -- this includes compliance with Section 14-382(d). Because Ms. Schmuckal's September 26th determination on this point was clearly erroneous, the Planning Board would be seriously remiss to rely on it. The determination was clearly erroneous because it directly contradicts the words in

¹ Apparently, the current proposal is being treated as a revision of the July 12 application even though no revised application form has been submitted. The Application was for a specific plan and design with nine units. Those Plans, and therefore that application, were rejected. The Applicant has submitted a completely new proposal with a new design and site plan that involves 7 units. The November 20, 2007, Plans showing seven units are not revisions of the earlier Plans. The Board's choice to treat this administratively as one application and one proceeding, does not alter the operative fact that the Applicant's July 12 proposal was rejected. The Ciccomancinis assumed that Casco Bay had given up. They received no notice of the "amended" application until early December long after the 30 day appeal period ended.

Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
Page 3

Section 14-382(d). Ms. Schmuckal interprets the provision as if the following words were deleted:

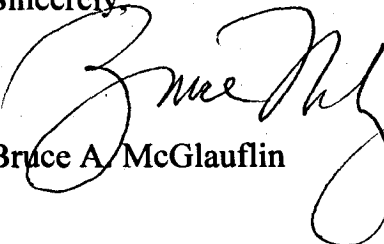
where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building.

Only by deleting these words, could this provision mean that an addition may be made to the building beyond the existing shell so long as it does not create any new nonconformity or increase any existing nonconformity. When these words are not ignored, the provision clearly permits an addition to the building *only* if: 1) there is no new nonconformity or increase in nonconformity, *and* 2) any changes to the exterior walls and/or roofs are kept within the existing shell of the building.

The Board will commit clear error if it adopts Ms Schmuckal's interpretation when it is called upon to determine that the application complies with all applicable provisions of the Code. Such clear error will be subject to reversal by the Superior Court, rendering all of the time and cost expended by the Board and the parties for naught. The Ciccomancinis and the Tanners have a right to have their interests protected in accordance with the Land Use Code, and the Planning Board Members have the duty to interpret and to apply the Code, *as written*.

For the foregoing reasons, I request that you postpone the January 22nd public hearing and schedule another meeting to fully consider this threshold issue.

Sincerely,



Bruce A. McGlaulin

BMcG/d

cc: Nicolino and Patricia Ciccomancini
Robert and Lucy Tanner
Wally Geyer, Casco Bay Ventures

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

December 7, 2007

Via Fax

Penny Littell, Esq., Associate Corporation Counsel
389 Congress Street
Portland, Maine 04112-8555

Re: 130 Eastern Promenade

Dear Penny:

This letter is in response to your letter of December 07, 2007 in which you indicate that the Planning Board is not the appropriate body to address zoning issues and that my argument relating to the interpretation of §14-382 (d) should not be considered by the Board in its review of Casco Bay's site plan application. I respectfully disagree with your interpretation of the Planning Board's jurisdiction. Under site plan review, the Planning Board must make a determination that the applicant's proposal meets all of the criteria set forth in 14-526 in including the criterion that the applicant "has submitted all information required by this article and that the development complies with all applicable provisions of this Code" §14-526 (a)(17). Thus, the Planning Board is required to make a determination as to whether or not the proposal satisfies §14-382 (d) of the Code.

I understand that the Planning Board may rely on a preliminary determination by the Zoning Administrator with respect to such zoning requirements. For that reason, I requested that Ms. Casto send a copy of my December 6th letter to Ms. Schmuckal as well as the Planning Board. By copying this letter to Ms. Schmuckal and her counsel James Adolf, Esq., I request that a preliminary determination be made on the application of section 14-382 (d) to the new proposal. I did not appeal Ms. Schmuckal's previous determination (in her September 26, 2007 letter) because the then pending application was denied on alternative grounds. There was no reason nor basis for an appeal since my client was not aggrieved, the application was withdrawn, and any appeal would have been moot.

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAULFIN
bmcglauflin@petrucellimartin.com

Hand Delivered

January 8, 2008

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

RE: 130 Promenade East

Dear Mr. Patterson:

Please find enclosed a copy of my letter of this same date to Marge Schmuckal requesting that she issue a zoning determination as to the compliance of Casco Bay Venture's current proposal with Section 14-382(d) of the Land Use Code. As you know from my previous submissions to the Planning Board, it is my contention that the Planning Board has an independent obligation to make a determination on Casco Bay's compliance with Section 14-382(d) and that it would be in everyone's best interest for the Planning Board to make that determination as a threshold matter before proceeding to a public hearing. Because the Planning Board's attorney has advised the Planning Board not to make an independent determination on Section 14-382-(d), I have sent the enclosed letter to Ms. Schmuckal.

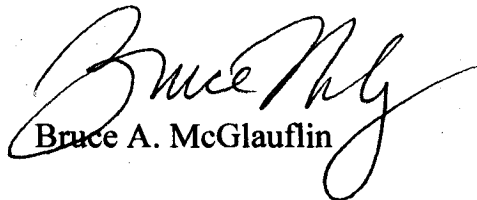
Nevertheless, I reiterate my request for a threshold determination from the Planning Board and that the Public Hearing on this matter be postponed until that threshold determination can be made. If the Planning Board declines to make that

Michael J. Patterson, Chair
Portland Planning Board
January 7, 2008
Page 2

determination, I nevertheless reiterate my request that the Public Hearing be postponed pending the outcome of a determination by the Zoning Administrator, and, if necessary, the Zoning Board of Appeals.

Thank you for your consideration.

Sincerely,



Bruce A. McGlauflin

BMcG/d
Enclosure

cc: Mr. & Mrs. Nicolino Ciccomancini
Dr. & Mrs. Robert Tanner
Marge Schmuckal (hand deliver)
Penny Littel, Esquire (hand deliver)
James R. Adolf, Esquire (hand deliver)
Wally Geyer, Casco Bay Ventures

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

DEBORAH MCKENNEY
dmckenney@petrucellimartin.com

Hand Delivered

January 17, 2008

Molly Casto, City Planner
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 130 Eastern Promenade

Dear Molly,

Enclosed please find eleven sets of photographs of the 130 Promenade East site, some with views from the Ciccomancinis' abutting property. Please include these photographs in the packet for the Board's review at the upcoming public hearing.

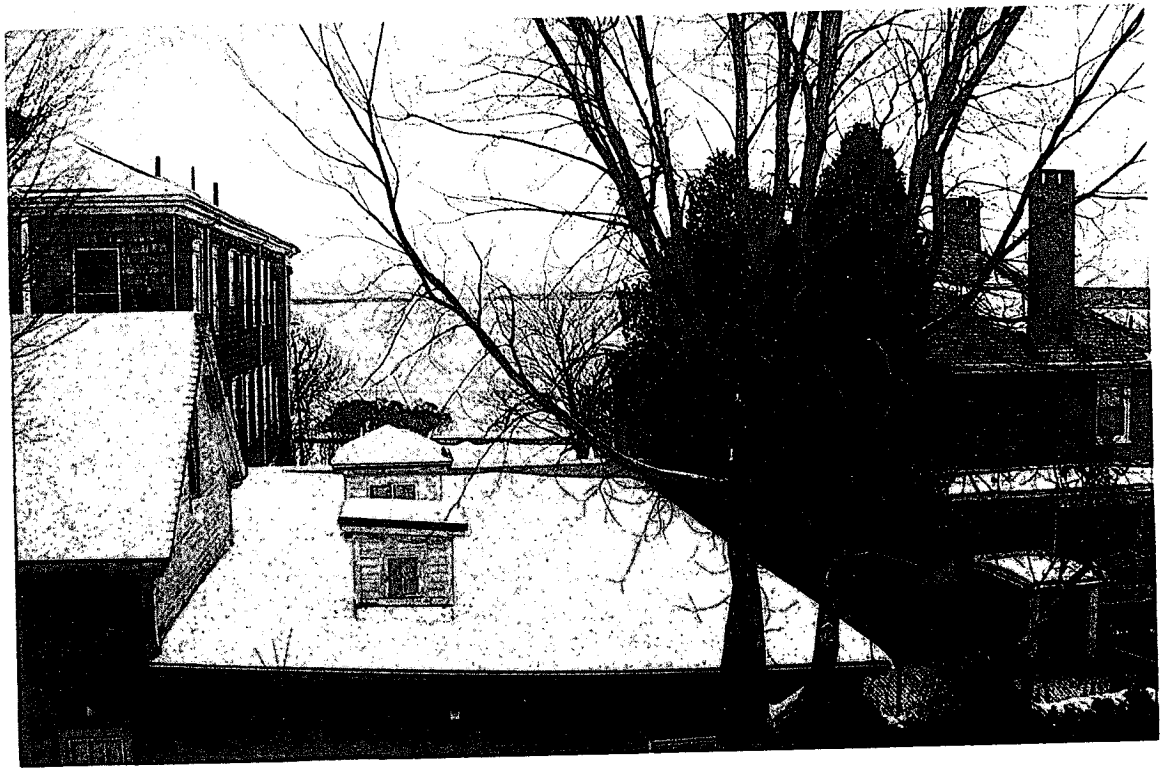
Thank you for your assistance.

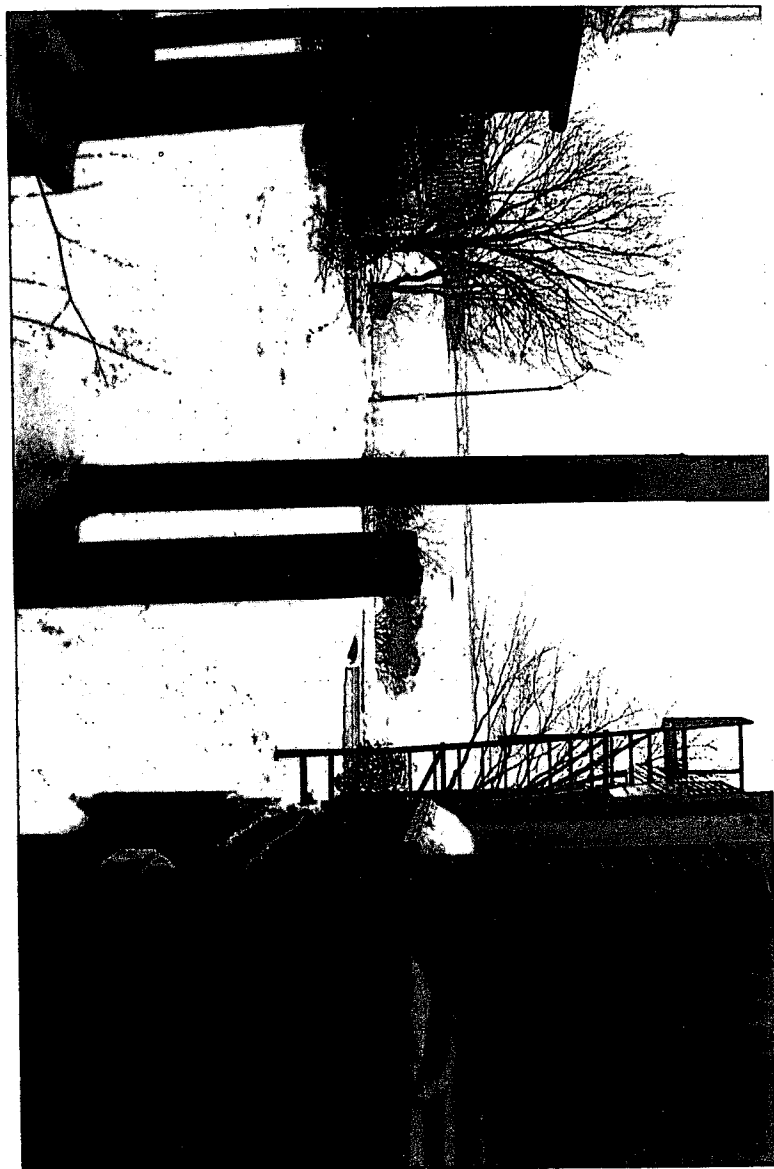
Sincerely,

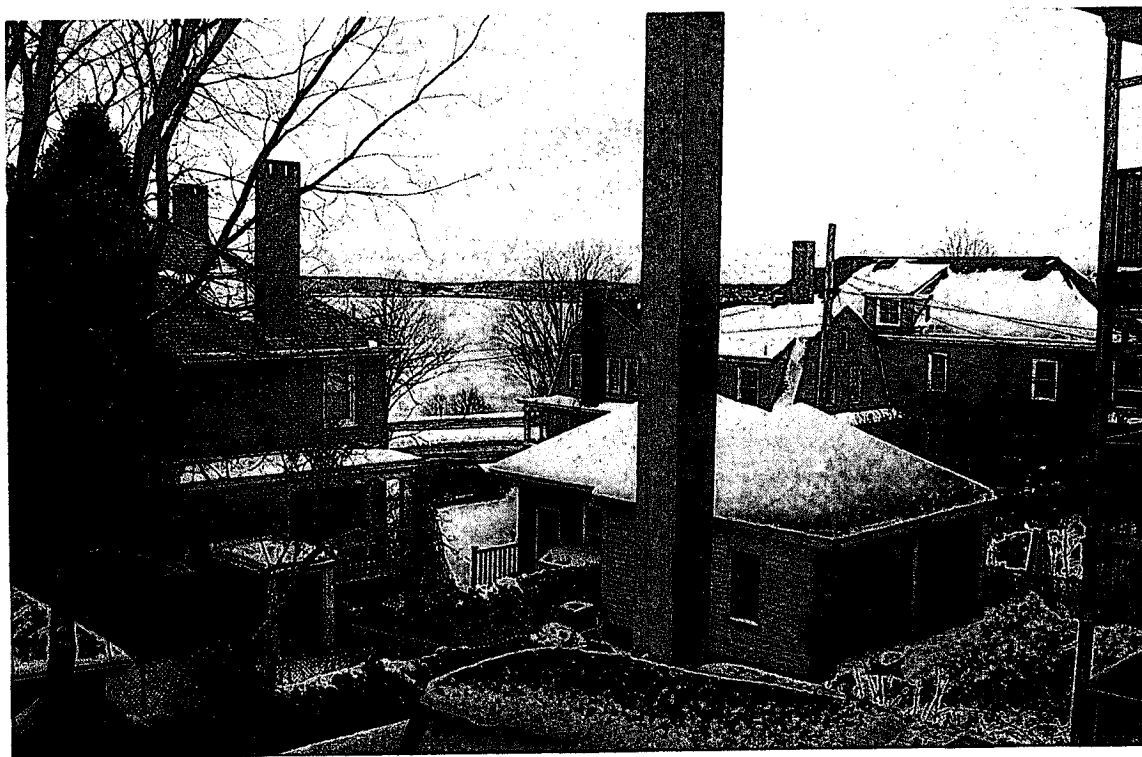


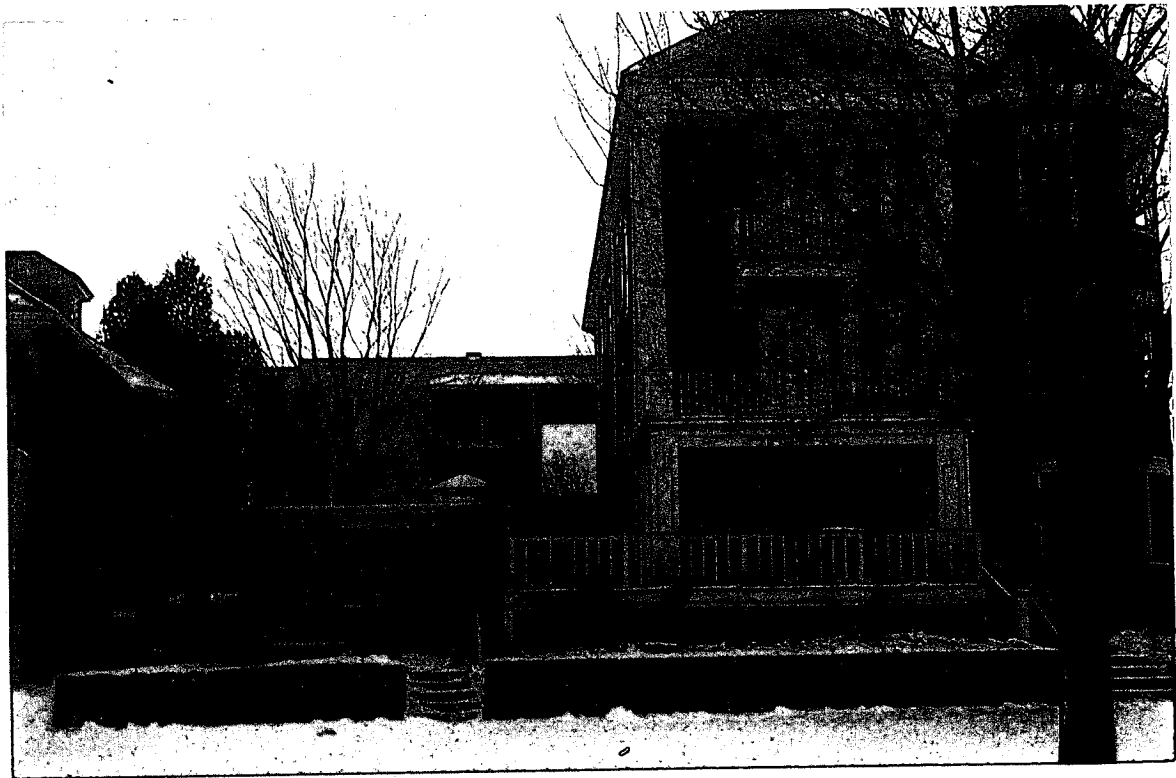
Deborah McKenney, Assistant to
Bruce A. McGlaulin, Esquire

/d
Enclosures









PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law

50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petruccellimartin.com

Via Hand Delivery

December 17, 2007

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

RE: 130 Promenade East

Dear Planning Board Members:

This firm represents two abutters to the proposed addition at 130 Eastern Promenade -- Nicolino & Patricia Ciccomancini at 14 Wilson Street and Lucy and Robert Tanner at 126 Eastern Promenade. The purpose of this letter is to make two requests on behalf of these abutters: 1) that the public hearing scheduled for January 22, 2008 be postponed, and 2) that the Board place the matter on another meeting agenda to more fully address the application's compliance with Section 14-382(d) of the Land Use Code.

At the December 11, 2007, workshop, the Planning Board rejected my contention that the proposed addition constitutes an illegal expansion of a nonconforming structure under Section 14-382(d). This was based on advice from legal counsel stating that Mr. Ciccomancini had failed to appeal the Zoning Administrator's September 26th decision on this point. Unfortunately, the Board did not have the benefit of my written response to this legal argument, which is set forth in the enclosed letter. That letter was faxed to Ms. Littell shortly after her letter of the same day was faxed to me. Although Ms. Casto was listed as a recipient of the fax, she did not receive it and did not include it in your December 11th packet. For the reasons stated in the enclosed letter, as expanded on below, Section 14-382(d) must be addressed by the Board.

I request that the hearing be postponed and this legal issue be scheduled for another meeting because I do not believe the Board has had a full opportunity to consider it; because a ruling on it will avoid unnecessary expenses that would be incurred if we

Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
Page 2

proceed directly to a hearing; and because I have an unavoidable conflict on January 22nd. I have an all-day trial in Ellsworth on that day and will be unable to attend the public hearing to represent the interests of the two immediately adjacent abutters. If this dispositive issue is not addressed up front, my clients will be forced to incur the expense of having appraisals performed to determine the impact of the addition on their property values and the Applicant will continue to incur expenses on a project that is in clear violation of the Code.

I take this opportunity to more fully explain why this issue is dispositive and why the Board should not avoid confronting it at this juncture in the proceedings. As explained in the enclosed December 7 letter, the Ciccomancinis are not foreclosed from making this argument for failure to appeal Ms. Schmuckal's September 26th determination. There was no basis for appealing that determination because it was in the Ciccomancinis' favor – they won and the application was withdrawn.¹ Because the application was rejected by Ms. Schmuckal, the Ciccomancinis were in no sense aggrieved by the decision. It is no different from winning a court case in which you make several arguments; even though the court rejects all but one of the arguments, you still won and have no basis for appealing the arguments you lost.

Even if the Ciccomancinis were foreclosed from making this argument now, the Tanners are not. They have separate interests and were not "party" to Ms. Schmuckal's determination. Mr. Tanner presented the same argument to the Board on December 11th, but the Board declined to respond to him.

The Board *must* make a determination on Section 14-382(d), because it is obligated to make a specific finding under Section 14-526(a)(17) that the application complies with *all* applicable provisions of the Code -- this includes compliance with Section 14-382(d). Because Ms. Schmuckal's September 26th determination on this point was clearly erroneous, the Planning Board would be seriously remiss to rely on it. The determination was clearly erroneous because it directly contradicts the words in

¹ Apparently, the current proposal is being treated as a revision of the July 12 application even though no revised application form has been submitted. The Application was for a specific plan and design with nine units. Those Plans, and therefore that application, were rejected. The Applicant has submitted a completely new proposal with a new design and site plan that involves 7 units. The November 20, 2007, Plans showing seven units are not revisions of the earlier Plans. The Board's choice to treat this administratively as one application and one proceeding, does not alter the operative fact that the Applicant's July 12 proposal was rejected. The Ciccomancinis assumed that Casco Bay had given up. They received no notice of the "amended" application until early December long after the 30 day appeal period ended.

Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
Page 3

Section 14-382(d). Ms. Schmuckal interprets the provision as if the following words were deleted:

where the proposed changes in existing exterior walls and/or roofs would be within the space occupied by the existing shell of the building.

Only by deleting these words, could this provision mean that an addition may be made to the building beyond the existing shell so long as it does not create any new nonconformity or increase any existing nonconformity. When these words are not ignored, the provision clearly permits an addition to the building *only* if: 1) there is no new nonconformity or increase in nonconformity, *and* 2) any changes to the exterior walls and/or roofs are kept within the existing shell of the building.

The Board will commit clear error if it adopts Ms Schmuckal's interpretation when it is called upon to determine that the application complies with all applicable provisions of the Code. Such clear error will be subject to reversal by the Superior Court, rendering all of the time and cost expended by the Board and the parties for naught. The Ciccomancinis and the Tanners have a right to have their interests protected in accordance with the Land Use Code, and the Planning Board Members have the duty to interpret and to apply the Code, *as written*.

For the foregoing reasons, I request that you postpone the January 22nd public hearing and schedule another meeting to fully consider this threshold issue.

Sincerely,


Bruce A. McGlaulin

BMcG/d

cc: Nicolino and Patricia Ciccomancini
Robert and Lucy Tanner
Wally Geyer, Casco Bay Ventures

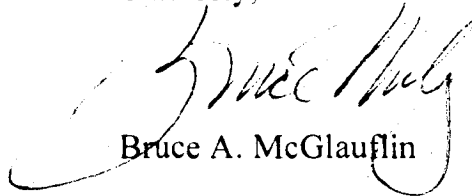
PETRUCCELLI, MARTIN & HADDOW, LLP

Penny Littell, Esq.
December 7, 2007
Page 2

It would be in the interest of all the parties to have this zoning issue addressed and decided before the Planning Board expends any time and energy on Casco Bay's new proposal.

Thank you for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce A. McGlaulin", is written over a horizontal line.

Bruce A. McGlaulin

BMcG/ed

cc: Molly Casto
Marge Schmuckal
James R. Adolf, Esq.
Nicolino Ciccomancini (via U.S. postal service)

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

emailed to PB on 1/3

BY HAND

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglaufin@petrucellimartin.com

Via Hand Delivery

December 17, 2007

Michael J. Patterson, Chair
Portland Planning Board
c/o Molly Casto -- City of Portland
389 Congress Street
Portland, Maine 04101

RE: 130 Promenade East

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Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
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The Board *must* make a determination on Section 14-382(d), because it is obligated to make a specific finding under Section 14-526(a)(17) that the application complies with *all* applicable provisions of the Code -- this includes compliance with Section 14-382(d). Because Ms. Schmuckal's September 26th determination on this point was clearly erroneous, the Planning Board would be seriously remiss to rely on it. The determination was clearly erroneous because it directly contradicts the words in

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Michael J. Patterson, Chair
Portland Planning Board
December 17, 2007
Page 3

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For the foregoing reasons, I request that you postpone the January 22nd public hearing and schedule another meeting to fully consider this threshold issue.

Sincerely,


Bruce A. McGlauflin

BMcG/d

cc: Nicolino and Patricia Ciccomancini
Robert and Lucy Tanner
Wally Geyer, Casco Bay Ventures

PETRUCCELLI, MARTIN & HADDOW, LLP

Attorneys at Law
50 Monument Square
Post Office Box 17555
Portland, Maine 04112-8555

BRUCE A. MCGLAUFLIN
bmcglauflin@petrucellimartin.com

December 7, 2007

Via Fax

Penny Littell, Esq., Associate Corporation Counsel
389 Congress Street
Portland, Maine 04112-8555

Re: 130 Eastern Promenade

Dear Penny:

This letter is in response to your letter of December 07, 2007 in which you indicate that the Planning Board is not the appropriate body to address zoning issues and that my argument relating to the interpretation of §14-382 (d) should not be considered by the Board in its review of Casco Bay's site plan application. I respectfully disagree with your interpretation of the Planning Board's jurisdiction. Under site plan review, the Planning Board must make a determination that the applicant's proposal meets all of the criteria set forth in 14-526 in including the criterion that the applicant "has submitted all information required by this article and that the development complies with all applicable provisions of this Code" §14-526 (a)(17). Thus, the Planning Board is required to make a determination as to whether or not the proposal satisfies §14-382 (d) of the Code.

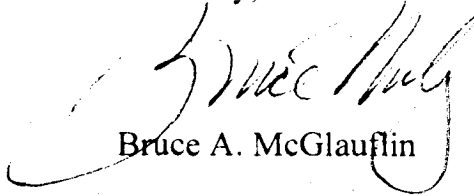
I understand that the Planning Board may rely on a preliminary determination by the Zoning Administrator with respect to such zoning requirements. For that reason, I requested that Ms. Casto send a copy of my December 6th letter to Ms. Schmuckal as well as the Planning Board. By copying this letter to Ms. Schmuckal and her counsel James Adolf, Esq., I request that a preliminary determination be made on the application of section 14-382 (d) to the new proposal. I did not appeal Ms. Schmuckal's previous determination (in her September 26, 2007 letter) because the then pending application was denied on alternative grounds. There was no reason nor basis for an appeal since my client was not aggrieved, the application was withdrawn, and any appeal would have been moot.

Penny Littell, Esq.
December 7, 2007
Page 2

It would be in the interest of all the parties to have this zoning issue addressed and decided before the Planning Board expends any time and energy on Casco Bay's new proposal.

Thank you for your assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce A. McGlauflin", written over a horizontal line.

Bruce A. McGlauflin

BMcG/ed

cc: Molly Casto
Marge Schmuckal
James R. Adolf, Esq.
Nicolino Ciccomancini (via U.S. postal service)

MORNING STREET
(PAVED PUBLIC WAY)

WILSON STREET
(PAVED PUBLIC WAY)

EASTERN PROMENADE
(PAVED PUBLIC WAY)

© 2007 TFH ARCHITECTS

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND, MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

DATE: 10/1/07
PROJECT NO.: 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED
SHEET TITLE: SITE PLAN

REVISIONS:

DATE: 10/1/07
PROJECT NO.: 0610
DRAWN BY: SA
CHECKED BY: TST
SCALE: AS NOTED
SHEET TITLE: SITE PLAN

SHEET TITLE:
SITE PLAN

C1.2

CODE SUMMARY
BUILDING CODE
OCCUPANCY

CONSTRUCTION
FLOORS
SPRINKLER

BUILDING AREA
01-First Floor
02-Second Floor
03-Third Floor

(GSF includes covered Porches, Deck & Balcony;
GSF excludes Covered Parking)

APARTMENT AREAS
Apartment 1
Apartment 2
Apartment 3
Apartment 4
Apartment 5
Apartment 6
Apartment 7

AREA OF ADDITION
04-First Floor
05-Second Floor
06-Third Floor

(GSF includes covered Porches & Deck;
GSF excludes Covered Parking)

ZONING REQUIREMENTS

Zone:
Synopsis:

Description
Minimum Lot Size
Minimum Lot Area
Minimum Street Frontage
Front Yard
Side Yard
Rear Yard
Maximum Lot Coverage
Footprint
Minimum Lot Width
Maximum Structure Height
Open Space Ratio
Open Space
Parking

Minimum Lot Size
Minimum Lot Area
Minimum Street Frontage
Front Yard
Side Yard
Rear Yard
Maximum Lot Coverage
Footprint
Minimum Lot Width
Maximum Structure Height
Open Space Ratio
Open Space
Parking

Minimum Lot Size
Minimum Lot Area
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Open Space Ratio
Open Space
Parking

1 SITE PLAN
1"=10'-0"

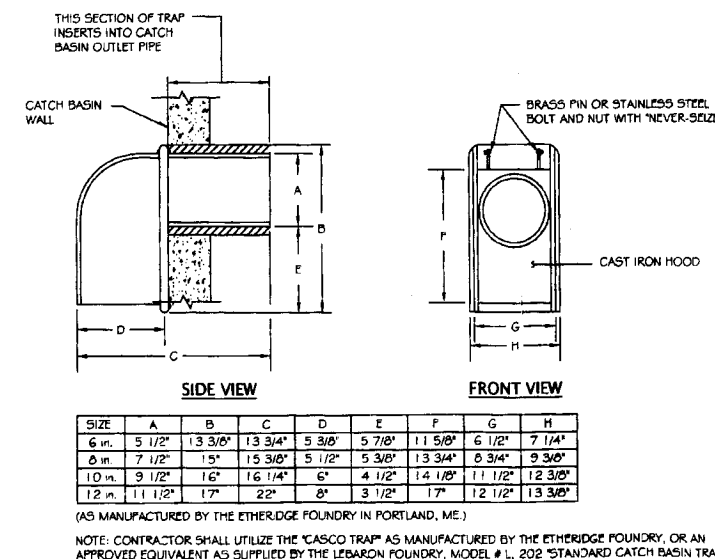
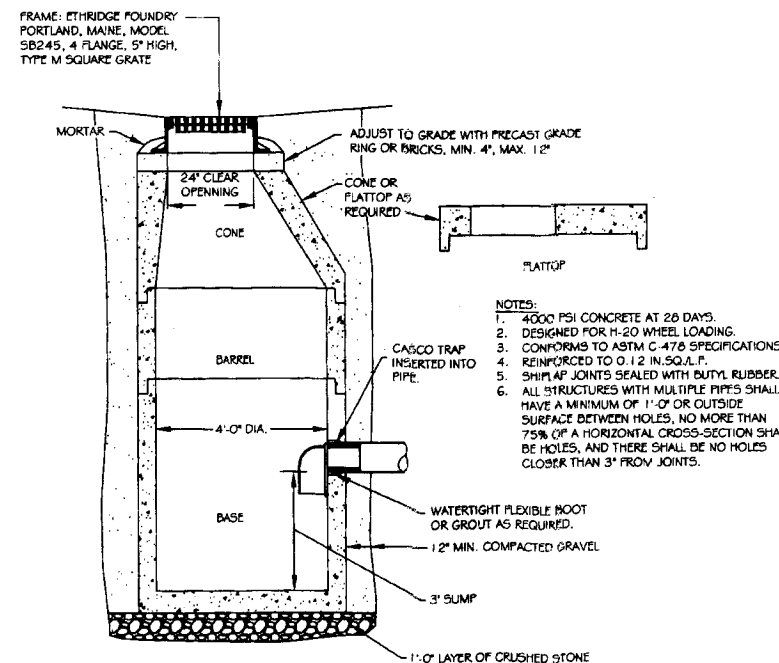
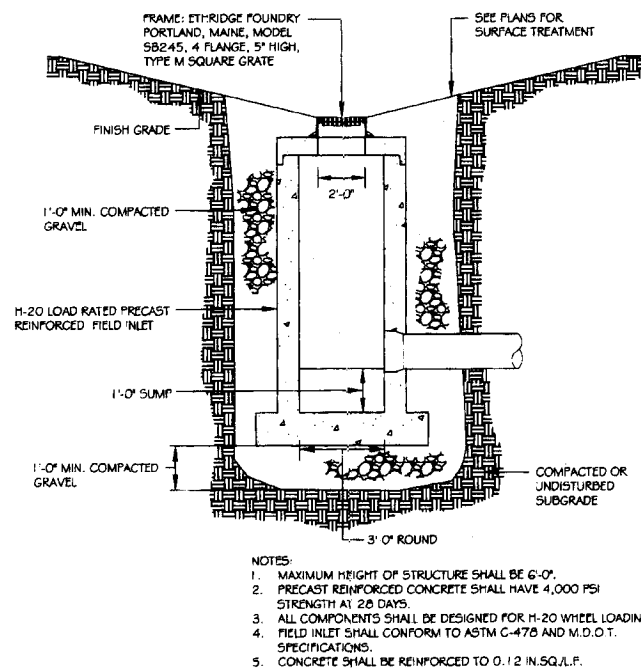
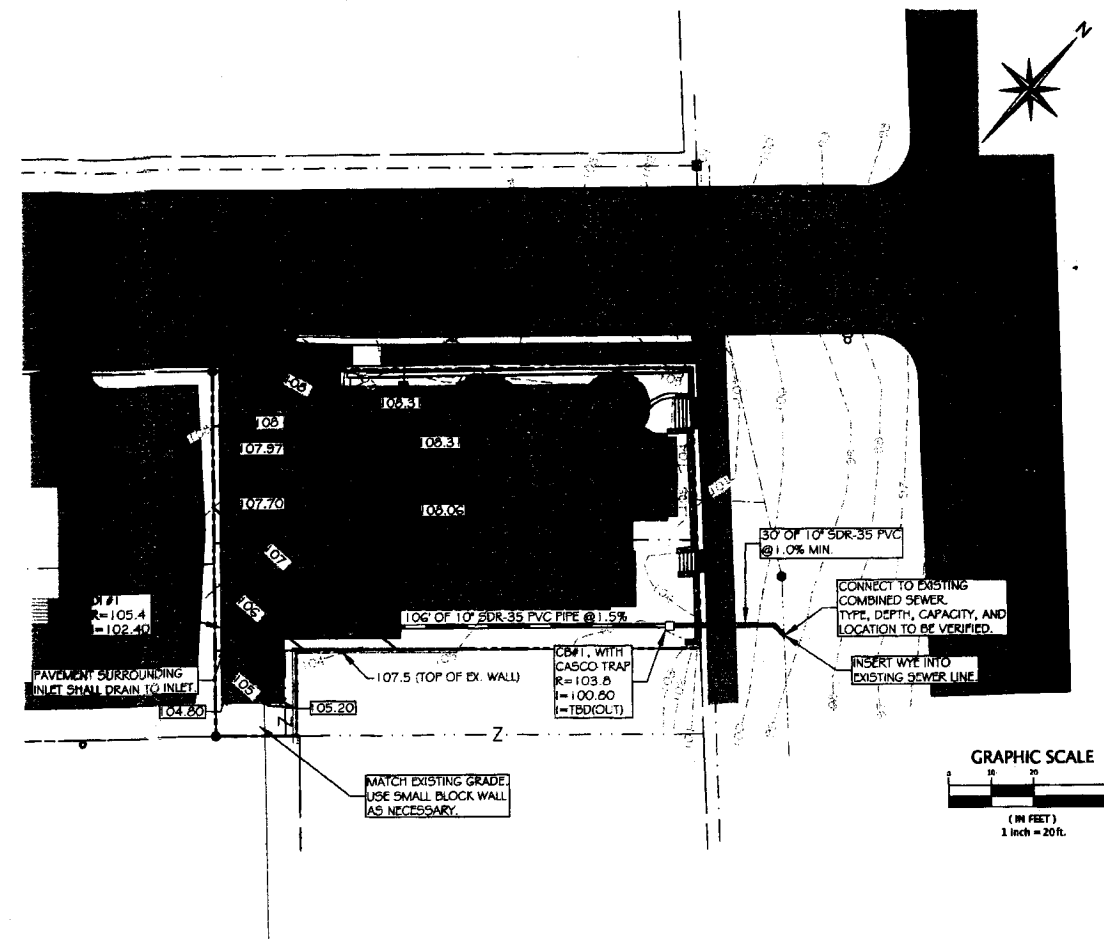
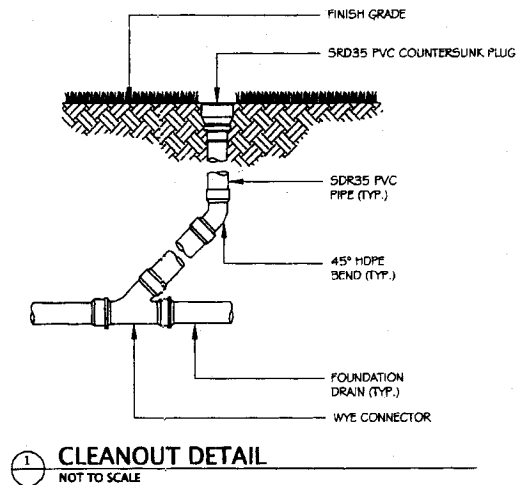
SITE PLAN NOTES

- OWNER/DEVELOPER: CASCO BAY VENTURES, FALMOUTH, MAINE
- ELEVATION BENCHMARK: HIGHEST POINT ON "M" MONUMENT @ NORTHWEST CORNER OF ST. LAWRENCE AND FORT STREETS (ELEVATION = 88.35') BASED ON N.G.V.D. 1929 CITY OF PORTLAND DATUM.
- PRIOR TO SITE EXCAVATION, CONTACT DIG-SAFE AT 1-800-225-4877.
- PROPERTY BOUNDARY: EXISTING CONDITIONS AND TOPOGRAPHY BASED ON "BOUNDARY SURVEY/SITE PLAN AT 130 EASTERN PROMENADE, PORTLAND, MAINE" PREPARED FOR 130 EASTERN PROM. LLC BY BACK BAY BOUNDARY, INC., PORTLAND, MAINE, ON JULY 10, 2007 AND REVISED ON AUGUST 28, 2007.
- TAX MAPS CBL 3-C-1 & 2
- TOTAL PARCEL SIZE: 7,206.9 SF (0.16 ACRES)
- ALL CONSTRUCTION, SITEWORK AND EROSION AND SEDIMENT CONTROLS TO BE PERFORMED IN ACCORDANCE WITH THE MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES (CLIMBAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. EROSION AND SEDIMENT CONTROLS TO BE INSTALLED PRIOR TO COMMENCING WORK.
- UTILITY CONNECTIONS WITHIN STREET RIGHTS-OF-WAY: BUILDER TO ACQUIRE STREET OPENING PERMIT(S) FROM THE DEPARTMENT OF PUBLIC WORKS; POST PERFORMANCE BONDS AS REQUIRED; COORDINATE PRE-CONSTRUCTION MEETINGS AND INSPECTIONS WITH THE CITY OF PORTLAND AND/OR UTILITY COMPANY(S) AS APPLICABLE.
- CURBING THAT IS NOT RE-USED REMAINS THE PROPERTY OF THE CITY OF PORTLAND AND IS TO BE DELIVERED TO THE CITY'S OUTER CONCRETE STREET STOCKYARD.
- NEW PAVEMENT WITHIN STREET RIGHTS-OF-WAY TO MATCH EXISTING PAVEMENT MATERIALS AND THICKNESSES.
- ALL SITEWORK TO BE EXECUTED IN ACCORDANCE WITH THE SITE PLAN; PRIOR CITY APPROVAL REQUIRED FOR ALTERATIONS TO OR DEVIATIONS FROM THE PLANS.
- PRIOR TO CONSTRUCTION, BUILDER TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE CITY AS REQUIRED.
- NO WORK WILL BE ALLOWED IN THE R.O.W. UNTIL THE MORATORIUM FOR THE STREET HAS BEEN LIFTED, AND WEATHER PERMITS CONSTRUCTION.
- IF DISTURBANCE TO THE EXISTING SIDEWALK TAKES PLACE DURING CONSTRUCTION, IT MAY BE REPAIRED WITH CONCRETE IF THE DISTURBED LENGTH IS LESS THAN 10' AND KEPT WITHIN 2 SECTIONS OF CONCRETE SIDEWALK. IF A LARGER DISTURBED AREA OF SIDEWALK TAKES PLACE, THE SECTIONS MUST BE REPLACED WITH BRICK SIDEWALK. IF THE SIDEWALK IS NOT PART OF THE HISTORIC AREA (ALONG WILSON STREET), THE OPTION EXISTS FOR CONCRETE PAVEMENT TO BE USED AS AN ALTERNATIVE TO CLAY BRICK.
- IMPACT TO THE EASTERN PROM LAW AREA HAS TO BE LIMITED DURING CONSTRUCTION. THIS INCLUDES: NO STORAGE OF TRUCKS, EQUIPMENT AND MATERIALS ON THE LAWN AREA. ALL DAMAGED AREAS HAVE TO BE REPAIRED IN A TIMELY MANNER. THE SIDEWALK PEDESTRIAN WAY ALONG THE EASTERN PROM HAS TO BE MAINTAINED IN GOOD CONDITION DURING CONSTRUCTION WORK. THE PROJECT TEAM OR CONTRACTOR SHALL CONTACT PARK & RECREATION CONCERNING CONSTRUCTION ACTIVITIES THAT MIGHT AFFECT THE EASTERN PROM PARK AREAS.

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

- DRAWING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.
- LAYOUT: UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD & RISE LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.

*SEE G-1.1 FOR SELECT SPECIFICATIONS



SIZE	A	B	C	D	E	F	G	H
6 in.	5 1/2"	13 3/8"	13 3/4"	5 3/8"	5 7/8"	11 5/8"	6 1/2"	7 1/4"
8 in.	7 1/2"	15"	15 3/8"	5 1/2"	5 3/8"	13 3/4"	8 3/4"	9 3/8"
10 in.	9 1/2"	16"	16 1/4"	6"	4 1/2"	14 1/8"	11 1/2"	12 3/8"
12 in.	11 1/2"	17"	22"	8"	3 1/2"	17"	12 1/2"	13 3/8"

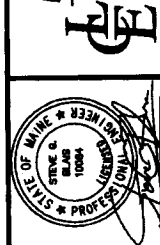
(AS MANUFACTURED BY THE ETHERIDGE FOUNDRY IN PORTLAND, ME.)

NOTE: CONTRACTOR SHALL UTILIZE THE "CASCO TRAP" AS MANUFACTURED BY THE ETHERIDGE FOUNDRY, OR AN APPROVED EQUIVALENT AS SUPPLIED BY THE LEBARON FOUNDRY, MODEL # L 202 "STANDARD CATCH BASIN TRAP"

SITE PLAN REVIEW - NOT FOR CONSTRUCTION 1/29/08

DRAINAGE IMPROVEMENTS PLAN & DETAILS
THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE
PORTLAND MAINE

LAND CONSULTING ENGINEERS, PA
967 BROADWAY
SOUTH PORTLAND, MAINE 04106
(207) 767-7300



SCALE: AS SHOWN C.I.: AS SHOWN DATE: 11/19/07

DRAWING
D3
LCE 07126

NO.	DATE	DESCRIPTION	REVISIONS
3	1/29/08	PER CITY COMMENTS	
2	1/24/08	REVISE PARKING LOT GRADING PER ITL COMMENTS	
1	1/23/08	PER CITY COMMENTS	

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:
CBL
Land Consulting Engineers, PA
187 Broadway
South Portland, ME 04106
Tel: 207-767-7200
Fax: 1-800-257-3039
STRUCTURAL
Shelley Engineering Inc
100 Bridge St. Suite 200
Westbrook, ME 04092
Ph: 207-864-2444 ext. 19
Fax: 207-864-2708

REVISIONS:

DATE:

PROJECT No. 0610

DRAWN BY: SA

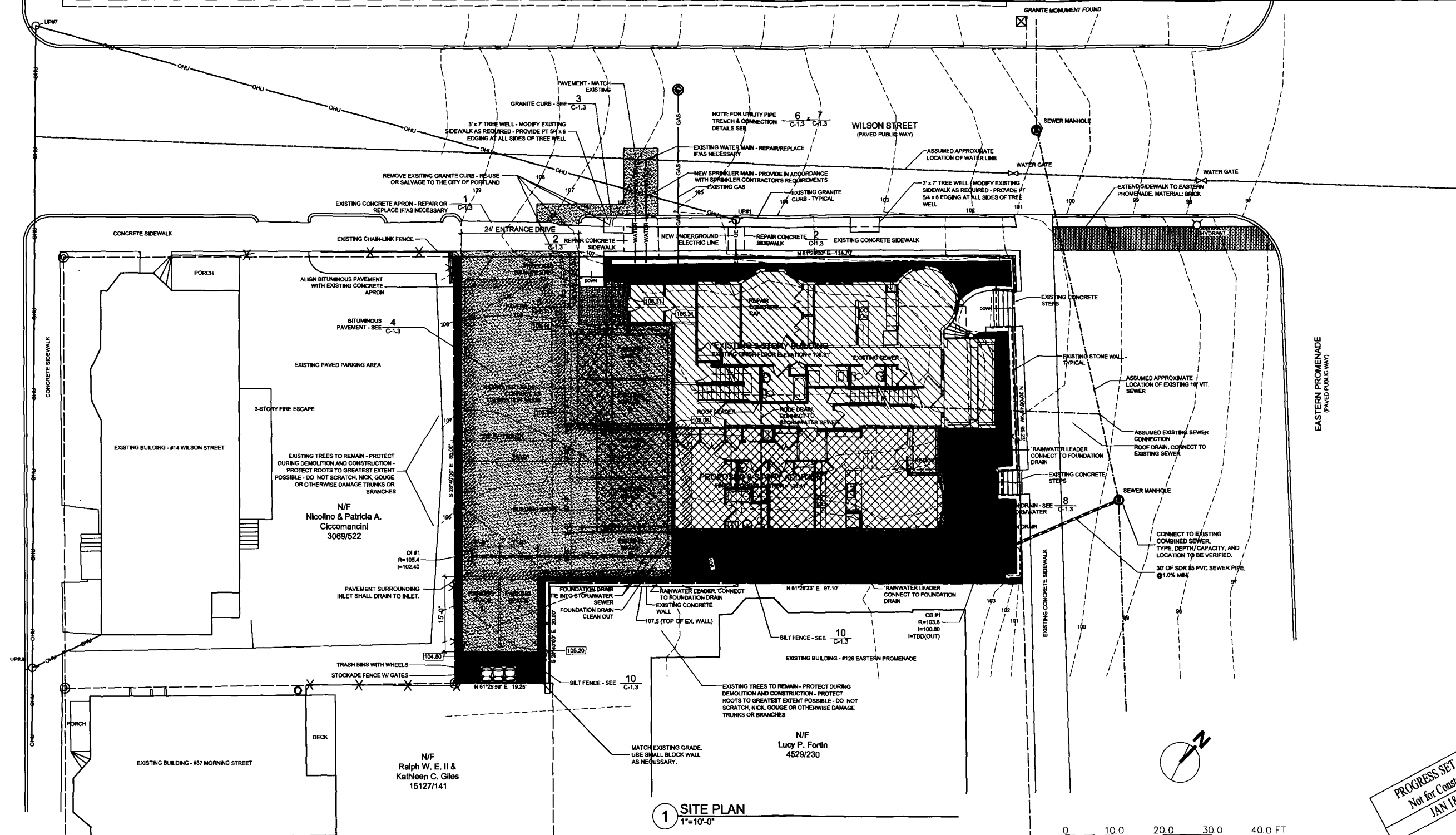
CHECKED BY: TST

SCALE: AS NOTED

SHEET TITLE:

SITE PLAN

C1.2



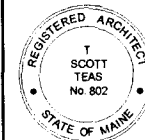
1 SITE PLAN
1"=10'-0"

OPEN SPACE (NOT INCLUDING WALLS AND WALKWAYS),
SEE GREEN HATCHING:
LOT SIZE: 1618.9 SF
7905.9 SF
OPEN SPACE RATIO: 20.48 %

CODE SUMMARY	
BUILDING CODE	IBC 2003; NFPA 101 2003
OCCUPANCY	IBC: R-2 MULTI-FAMILY RESIDENTIAL NFPA: RESIDENTIAL, APARTMENT BUILDING
CONSTRUCTION	IBC: TYPE V - 5 B WOOD FRAME NFPA: TYPE V - 000
FLOORS	3 + BASEMENT
SPRINKLER	NFPA 13R
BUILDING AREA	
01-First Floor	3,111 GSF
02-Second Floor	3,830 GSF
03-Third Floor	3,593 GSF
(GSF includes covered Porches, Deck & Balcony; GSF excludes Covered Parking)	
APARTMENT AREAS	
Apartment 1	1,123 GSF
Apartment 2	1,113 GSF
Apartment 3	1,189 GSF
Apartment 4	1,443 GSF
Apartment 5	1,206 GSF
Apartment 6	1,189 GSF
Apartment 7	1,312 GSF
(GSF excludes covered Porches, Deck & Balcony)	
AREA OF ADDITION	
04-First Floor	4,223 GSF
05-Second Floor	1,606 GSF
06-Third Floor	1,457 GSF
(GSF includes covered Porches & Deck; GSF excludes Covered Parking)	

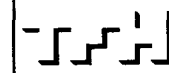
ZONING REQUIREMENTS	
Zone:	R-6 Residential
Synopsis:	Existing 11 Unit Apartment Building; portion to be removed; remaining to be renovated; addition to be built; conversion to 7 total Units
Description	
Minimum Lot Size	4,500 sf
Minimum area per unit	7,905.9 sf
Minimum Street Frontage	40 ft
Front Yard	10 No (Existing Building) 10 Yes (Addition)
Side Yard	10 No (Existing Building) 10 Yes (Addition)
Rear Yard	10 Yes (Addition)
Maximum Lot Coverage	50% 49.20%
Footprint	3,891.00 sf
Minimum Lot Width	50 65' +
Maximum Structure Height	45 < 45
Open Space Ratio	20% 25.40%
Open Space Parking	0 7 2,006.00 sf

- SITE PLAN NOTES**
- OWNER/DEVELOPER: CASCO BAY VENTURES, FALMOUTH, MAINE
 - ELEVATION BENCHMARK: HIGHEST POINT ON "M" MONUMENT @ NORTHWEST CORNER OF ST. LAWRENCE AND FORE STREETS (ELEVATION = 69.35) BASED ON A.G.V.D. 1889 CITY OF PORTLAND DATUM.
 - PRIOR TO SITE EXCAVATION, CONTACT DIS-SAFE AT 1-800-225-4877.
 - PROPERTY BOUNDARY, EXISTING CONDITIONS AND TOPOGRAPHY BASED ON "BOUNDARY SURVEY/SITE PLAN AT 130 EASTERN PROMENADE, PORTLAND, MAINE" PREPARED FOR 130 EASTERN PROM, LLC BY BACK BAY BOUNDARY, INC., PORTLAND, MAINE, ON JULY 10, 2007 AND REVISED ON AUGUST 29, 2007.
 - TAX MAPS CBL: 3-C-1 & 2
 - TOTAL PARCEL SIZE: 7,905.9 SF (0.18 ACRES)
 - ALL CONSTRUCTION, SITEWORK, AND EROSION AND SEDIMENT CONTROLS TO BE PERFORMED IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION; BEST MANAGEMENT PRACTICES" CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. EROSION AND SEDIMENT CONTROLS TO BE INSTALLED PRIOR TO COMMENCING WORK.
 - UTILITY CONNECTIONS WITHIN STREET RIGHTS-OF-WAY: BUILDER TO ACQUIRE STREET OPENING PERMIT(S) FROM THE DEPARTMENT OF PUBLIC WORKS; POST PERFORMANCE BONDS AS REQUIRED; COORDINATE PRE-CONSTRUCTION MEETINGS AND INSPECTIONS WITH THE CITY OF PORTLAND AND/OR UTILITY COMPANY(S) AS APPLICABLE.
 - CURBS THAT IS NOT RE-USED REMAINS THE PROPERTY OF THE CITY OF PORTLAND AND IS TO BE DELIVERED TO THE CITY'S OUTER CONGRESS STREET STOCKYARD.
 - NEW PAVEMENT WITHIN STREET RIGHTS-OF-WAY TO MATCH EXISTING PAVEMENT MATERIALS AND THICKNESSES.
 - ALL SITE WORK TO BE EXECUTED IN ACCORDANCE WITH THE SITE PLAN; PRIOR CITY APPROVAL REQUIRED FOR ALTERATIONS TO OR DEVIATIONS FROM THE PLANS.
 - PRIOR TO CONSTRUCTION, BUILDER TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE CITY AS REQUIRED.
 - NO WORK WILL BE ALLOWED IN THE R.O.W. UNTIL THE MORATORIUM FOR THE STREET HAS BEEN LIFTED, AND WEATHER PERMITS CONSTRUCTION.
 - IF DISTURBANCE TO THE EXISTING SIDEWALK TAKES PLACE DURING CONSTRUCTION, IT MAY BE REPAIRED WITH CONCRETE IF THE DISTURBED LENGTH IS LESS THAN 10', AND KEPT WITHIN 2 SECTIONS OF CONCRETE SIDEWALK. IF A LARGER DISTURBED AREA OF SIDEWALK TAKES PLACE, THE SECTIONS MUST BE REPLACED WITH BRICK SIDEWALK. IF THE SIDEWALK IS NOT PART OF THE HISTORIC AREA (ALONG WILSON STREET), THE OPTION EXISTS FOR CONCRETE PAVEMENT BRICKS TO BE USED AS AN ALTERNATIVE TO CLAY BRICK.
- GENERAL NOTES** (SEE G-1.1 FOR MORE GENERAL NOTES)
- DRAWING NOTES:** DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.
 - LAYOUT:** UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD & RISER LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.
- *SEE G-1.1 FOR SELECT SPECIFICATIONS



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The Estates of Longfellow Inn
130 Eastern Promenade, Portland, Maine
Casco Bay Ventures



TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND, MAINE 04101
TELEPHONE 207 775 8141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS SUMMARY

1. OCTOBER 18, 2007: BUILDING REDESIGNED
1.) Building redesigned as seven (7) Dwelling Units

REVISIONS:

1. October 19, 2007

DATE: May 16, 2007

PROJECT No. 0610

DRAWN BY: WJT

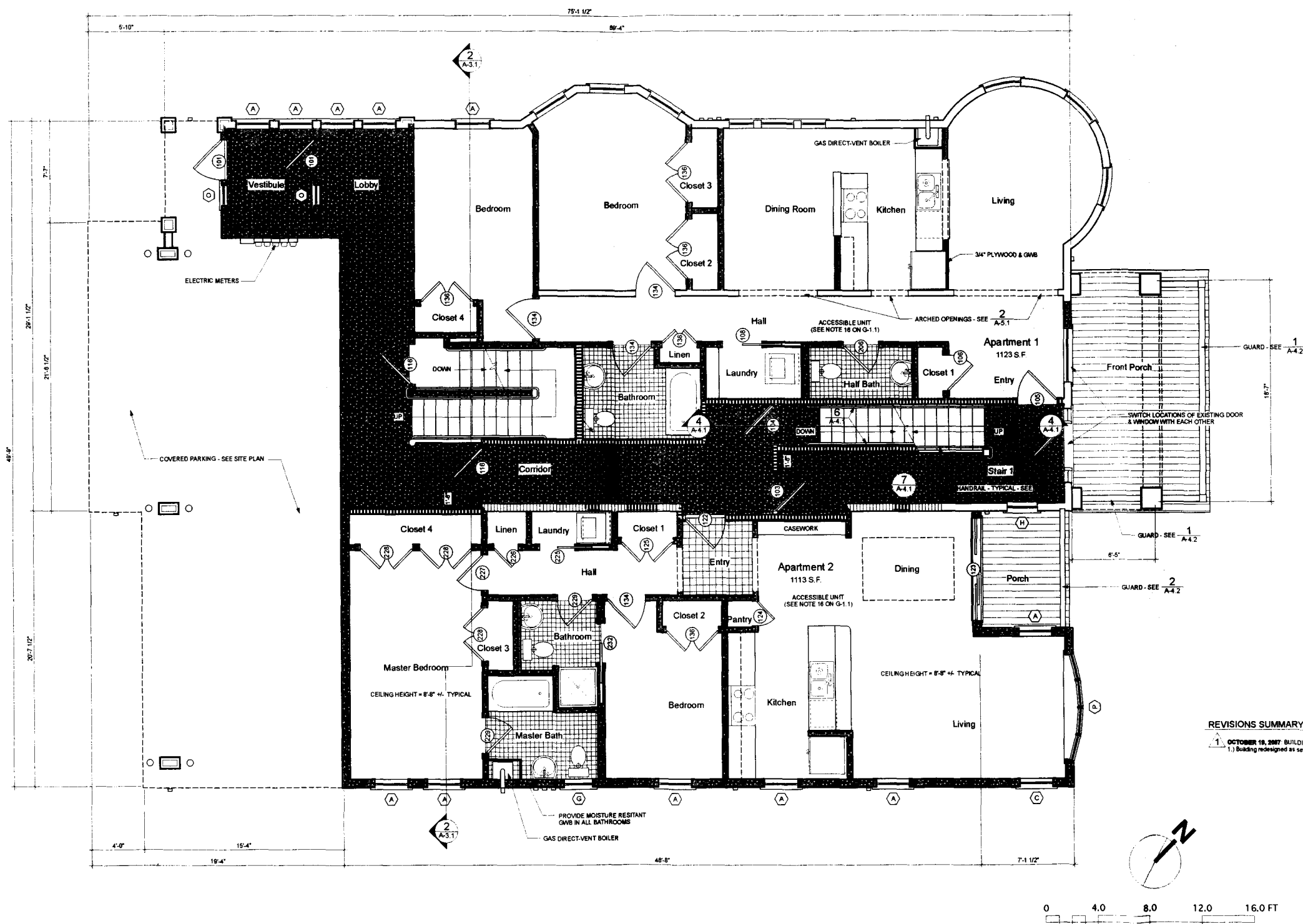
CHECKED BY: TST

SCALE: As Noted

SHEET TITLE:

First Floor Plan

A-1.2



1 First Floor Plan
Scale: 1/4" = 1'-0"

LEGEND

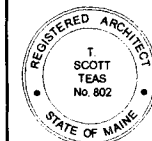
- EXISTING CONSTRUCTION TO REMAIN
- DEMOLITION
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION TO BE 1-HOUR RATED
- 1-HOUR RATED CONSTRUCTION

NOTE: SEE A-3.1 FOR CONSTRUCTION ASSEMBLIES

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

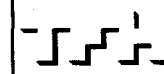
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TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

1. October 19, 2007

DATE: May 16, 2007

PROJECT No. 0610

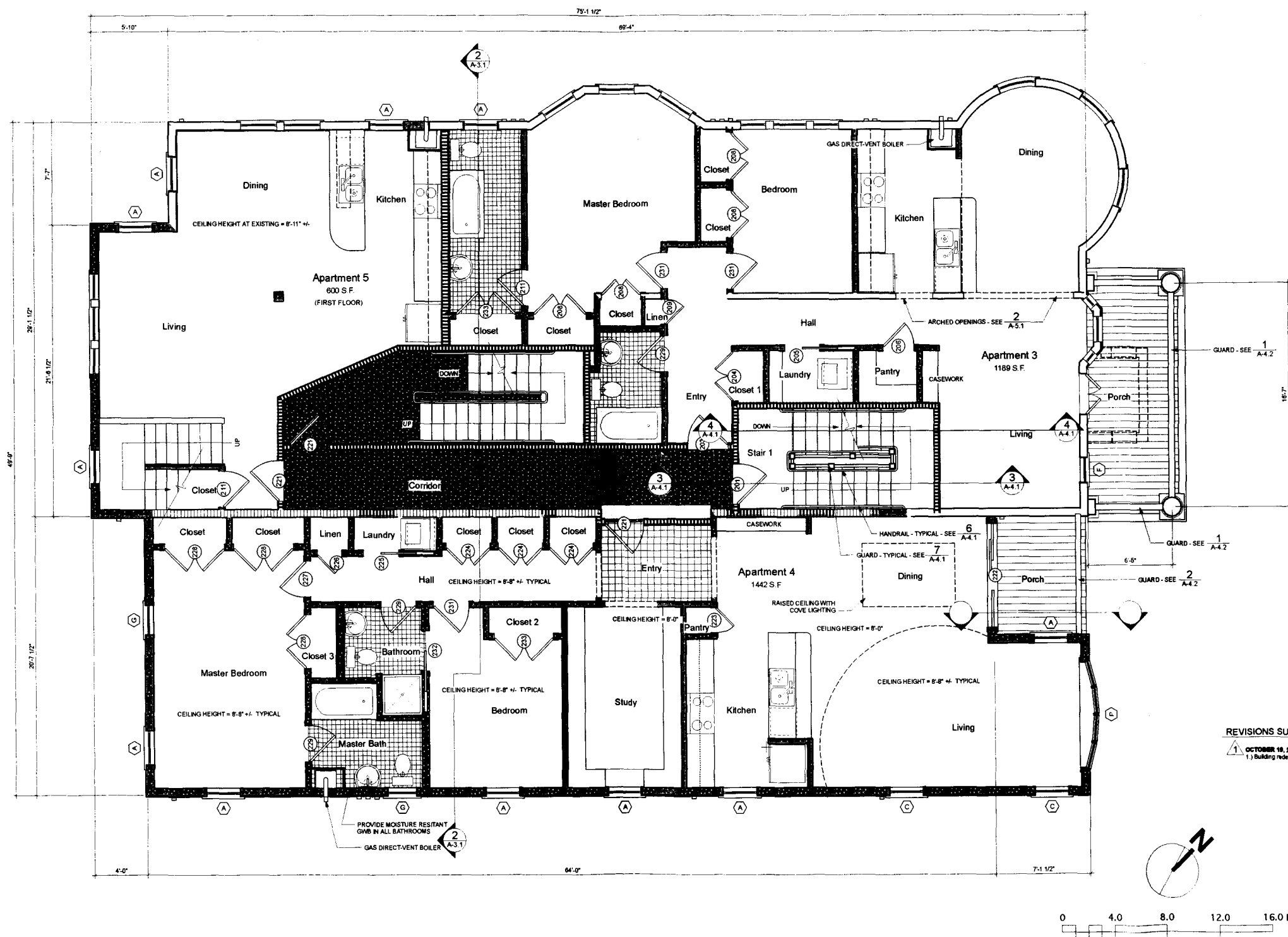
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CHECKED BY: TST

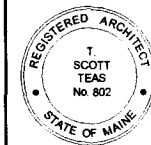
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SHEET TITLE:
Second Floor Plan

A-1.3

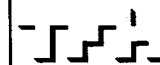


1 Second Floor Plan
A-1.3
Scale: 1/4" = 1'-0"



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TELEPHONE 207 775 8141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:
1 October 19, 2007

DATE: May 16, 2007

PROJECT No: 0610

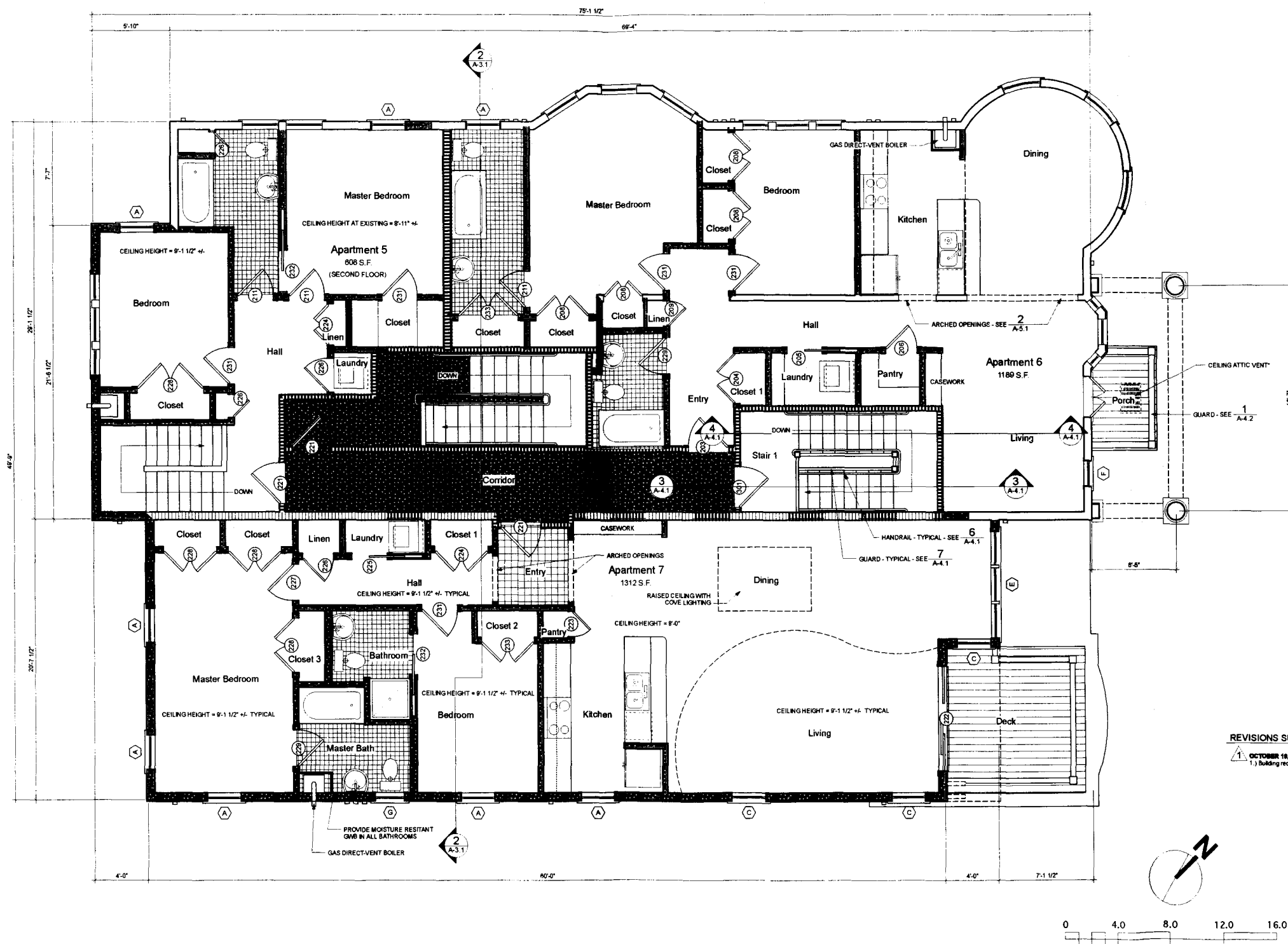
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CHECKED BY: TST

SCALE: As Noted

SHEET TITLE:
Third Floor Plan

A-1.4



1 Third Floor Plan
A-1.4
Scale: 1/4" = 1'-0"

LEGEND

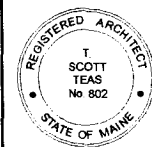
- EXISTING CONSTRUCTION TO REMAIN
- DEMOLITION
- NEW CONSTRUCTION
- EXISTING CONSTRUCTION TO BE 1-HOUR RATED
- 1-HOUR RATED CONSTRUCTION

NOTE: SEE A-3.1 FOR CONSTRUCTION ASSEMBLIES

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

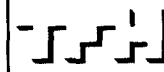
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*SEE G-1.1 FOR SELECT SPECIFICATIONS



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130 Eastern Promenade, Portland, Maine
Casco Bay Ventures



TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND, MAINE 04101
TELEPHONE 207 775 8141
ARCHITECTURE PLANNING

CONSULTANTS:

REVISIONS:

1. July 27, 2007
2. September 14, 2007
3. October 19, 2007

DATE: May 16, 2007

PROJECT No: 0610

DRAWN BY: WJT

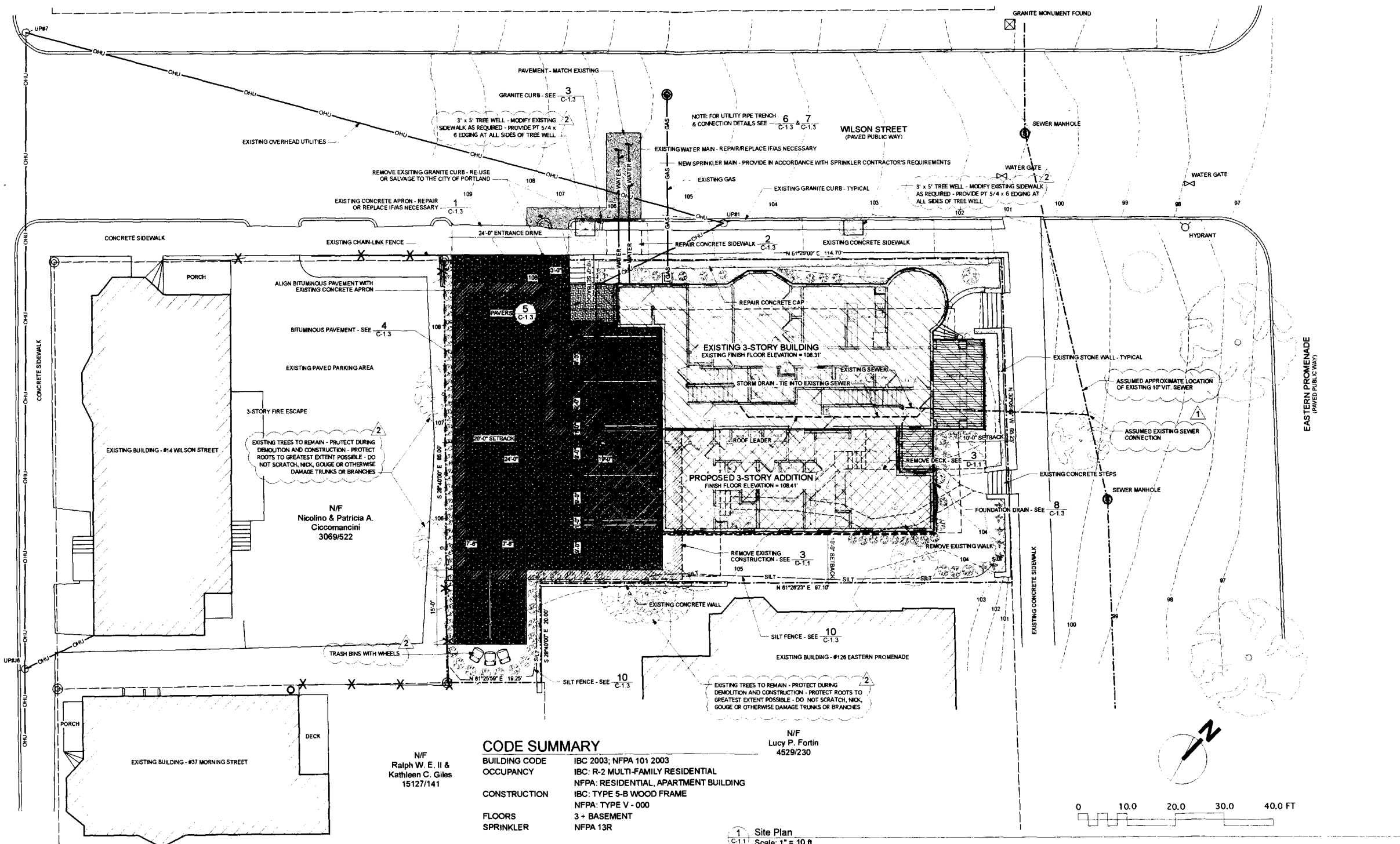
CHECKED BY: TST

SCALE: As Noted

SHEET TITLE:

Site Plan

C-1.2



ZONING REQUIREMENTS

Zone:	R-6 Residential		
Synopsis:	Existing 11 Unit Apartment Building; portion to be removed; remaining to be renovated; addition to be built; conversion to 7 total Units		
Description	Requirement	Design Specs	
Minimum Lot Size	4,500 sf	7,905.9 sf	
Minimum area per unit	7,800 sf	7,905.9 sf	
Minimum Street Frontage	40 ft	65' +/-	
Front Yard	10'	No (Existing Building)	
Side Yards	10'	Yes (Addition)	
Rear Yard	10'	No (Existing Building)	
	20'	Yes (Addition)	
Maximum Lot Coverage	50%	Yes	49.2 %
	Footprint		3,891.00 sf
Minimum Lot Width	50'	65' +	
Maximum Structure Height	45'	< 45'	
Open Space Ratio	20%		25.4 %
	Open Space		2,006.00 sf
Parking	0	7	

CODE SUMMARY

BUILDING CODE	IBC 2003; NFPA 101 2003
OCCUPANCY	IBC: R-2 MULTI-FAMILY RESIDENTIAL NFPA: RESIDENTIAL, APARTMENT BUILDING
CONSTRUCTION	IBC: TYPE 5-B WOOD FRAME NFPA: TYPE V - 000
FLOORS	3 + BASEMENT
SPRINKLER	NFPA 13R

BUILDING AREA	10,834 GSF
01-First Floor	3,111 GSF
02-Second Floor	3,830 GSF
03-Third Floor	3,593 GSF

(GSF includes covered Porches, Deck & Balcony;
GSF excludes Covered Parking)

APARTMENT AREAS	8,576 GSF
Apartment 1	1,123 GSF
Apartment 2	1,113 GSF
Apartment 3	1,189 GSF
Apartment 4	1,442 GSF
Apartment 5	1,208 GSF
Apartment 6	1,189 GSF
Apartment 7	1,312 GSF

(GSF excludes covered Porches, Deck & Balcony)

AREA OF ADDITION	4,223 GSF
04-First Floor	1,160 GSF
05-Second Floor	1,806 GSF
06-Third Floor	1,457 GSF

(GSF includes covered Porches & Deck;
GSF excludes Covered Parking)

N/F
Lucy P. Fortin
4529/230

1 Site Plan
Scale: 1" = 10 ft

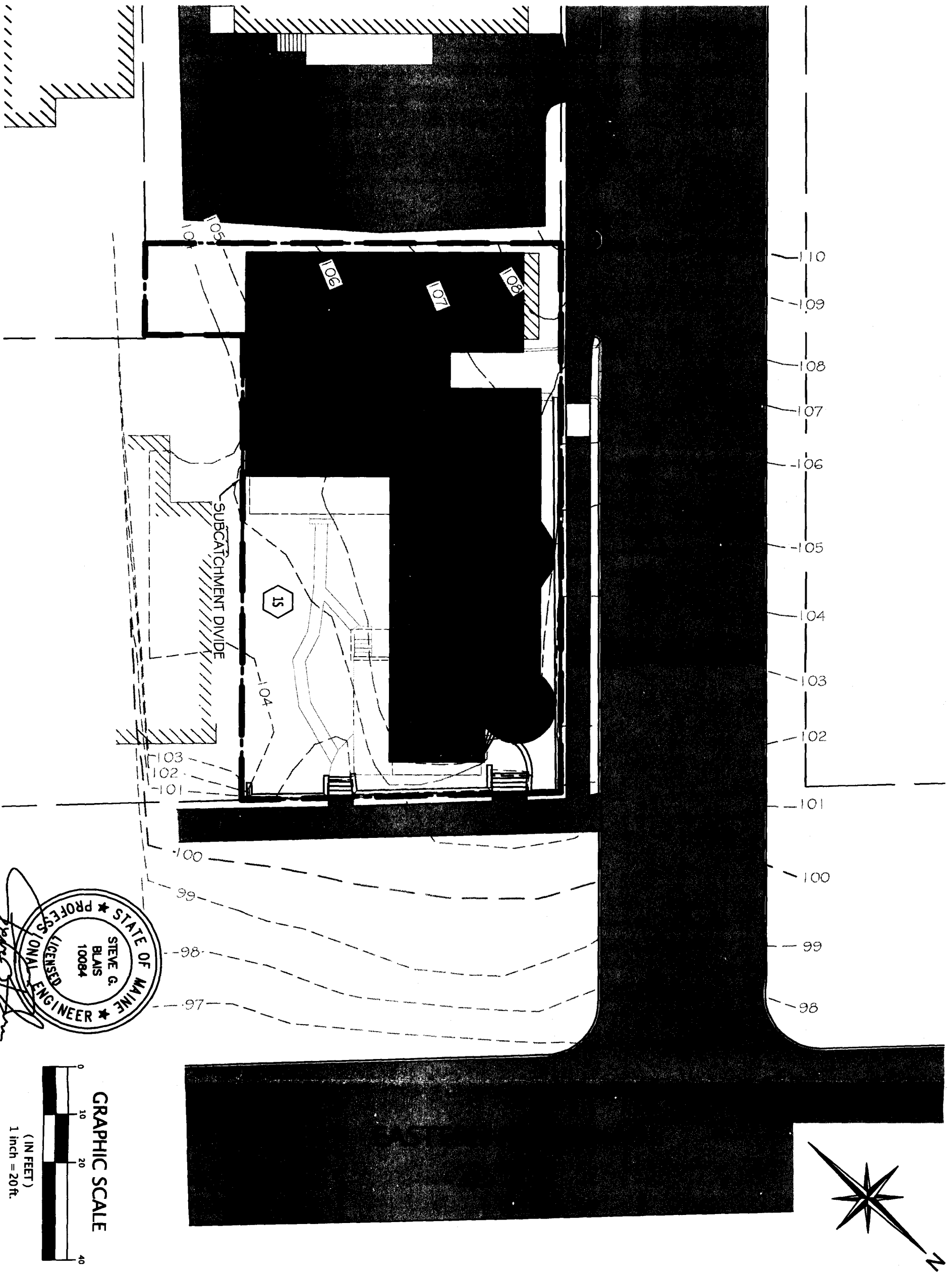
SITE PLAN NOTES

1. OWNER/DEVELOPER: CASCO BAY VENTURES, FALMOUTH, MAINE
2. ELEVATION BENCHMARK: HIGHEST POINT ON "M" MONUMENT @ NORTHWEST CORNER OF ST. LAWRENCE AND FORE STREETS (ELEVATION = 48.35) BASED ON N.G.V.D. 1928 CITY OF PORTLAND DATUM
3. PRIOR TO SITE EXCAVATION, CONTACT DIG-SAFE AT 1-800-225-4977
4. PROPERTY BOUNDARY: EXISTING CONDITIONS AND TOPOGRAPHY BASED ON "BOUNDARY SURVEY/STAKE PLAN AT 130 EASTERN PROMENADE, PORTLAND, MAINE" PREPARED FOR 130 EASTERN PROM. LLC BY BACK BAY BOUNDARY, INC. PORTLAND, MAINE ON JULY 10, 2007 AND REVISED ON AUGUST 29, 2007
5. TAX MAPS CBL 3C-1 & 2
6. TOTAL PARCEL SIZE: 7,905.9 SF (0.18 ACRES)
7. ALL CONSTRUCTION, SITEWORK, AND EROSION AND SEDIMENT CONTROLS TO BE PERFORMED IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES" CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. EROSION AND SEDIMENT CONTROLS TO BE INSTALLED PRIOR TO COMMENCING WORK.
8. UTILITY CONNECTIONS WITHIN STREET RIGHTS-OF-WAY: BUILDER TO ACQUIRE STREET OPENING PERMIT(S) FROM THE DEPARTMENT OF PUBLIC WORKS; POST PERFORMANCE BONDS AS REQUIRED; COORDINATE PRE-CONSTRUCTION MEETINGS AND INSPECTIONS WITH THE CITY OF PORTLAND AND/OR UTILITY COMPANY(S) AS APPLICABLE.
9. CURBING THAT IS NOT REUSED REMAINS THE PROPERTY OF THE CITY OF PORTLAND AND IS TO BE DELIVERED TO THE CITY'S OUTER CONGRESS STREET STOCKYARD.
10. NEW PAVEMENT WITHIN STREET RIGHTS-OF-WAY TO MATCH EXISTING PAVEMENT MATERIALS AND THICKNESSES.
11. ALL SITE WORK TO BE EXECUTED IN ACCORDANCE WITH THE SITE PLAN; PRIOR CITY APPROVAL REQUIRED FOR ALTERATIONS TO OR DEVIATIONS FROM THE PLANS.
12. PRIOR TO CONSTRUCTION, BUILDER TO SCHEDULE A PRE-CONSTRUCTION MEETING WITH THE CITY AS REQUIRED.

GENERAL NOTES (SEE G-1.1 FOR MORE GENERAL NOTES)

1. DRAWING NOTES: DRAWING NOTES, UNLESS THEY INDICATE OR ARE OBVIOUS OTHERWISE, REFER TO NEW CONSTRUCTION.
5. LAYOUT: UNLESS INDICATED OTHERWISE, FLOOR PLAN DIMENSIONS ARE TO FINISH FACE OF EXISTING CONSTRUCTION AND ARE TO FACE OF FRAMING OF NEW CONSTRUCTION. DOORS AND WINDOWS ARE DIMENSIONED TO CENTERLINES OR ROUGH OPENINGS. STAIR TREAD & RISER LAYOUT DIMENSIONS ARE TO TREAD NOSINGS.

*SEE G-1.1 FOR SELECT SPECIFICATIONS



09/18/07

GRAPHIC SCALE

(IN FEET)
1 inch = 20 ft.

EXISTING CONDITIONS DRAINAGE MAP

THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE

PORTLAND
MAINE

SCALE: 1"=20'

C.I.: 1'

DATE: 09/18/07

LAND CONSULTING ENGINEERS, PA

967 BROADWAY
SOUTH PORTLAND, MAINE 04106
(207) 767-7300

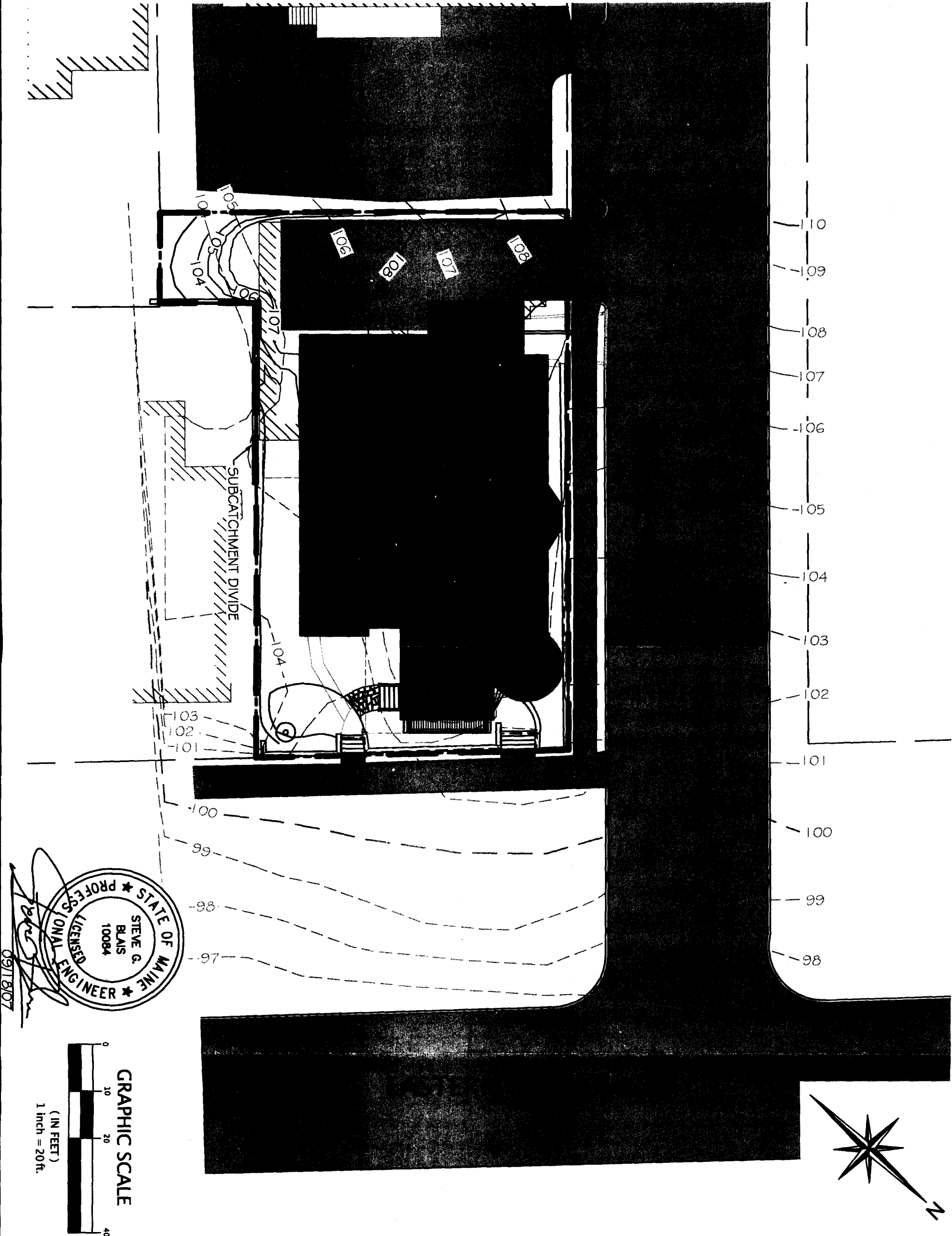
LCE

DRAWING

D1

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LCE07126



D2 DRAWING	PROPOSED CONDITIONS DRAINAGE MAP THE ESTATES OF LONGFELLOW INN 130 EASTERN PROMENADE PORTLAND MAINE		LAND CONSULTING ENGINEERS, PA 967 BROADWAY SOUTH PORTLAND, MAINE 04106 (207) 767-7300
	SCALE: 1"=20'	C.I.: 1'	



MORNING STREET
(PAVED PUBLIC WAY)

WILSON STREET
(PAVED PUBLIC WAY)

EASTERN PROMENADE
(PAVED PUBLIC WAY)

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THE ESTATES OF LONGFELLOW INN
130 EASTERN PROMENADE, PORTLAND, ME
CASCO BAY VENTURES

TFH ARCHITECTS
100 COMMERCIAL STREET
PORTLAND MAINE 04101
TELEPHONE 207 775 6141
ARCHITECTURE PLANNING

CONSULTANTS:

CSB
Lynn Consulting Engineers, PA
187 Broadway
Portland, ME 04101
Tel: 207-767-7800
Fax: 1-800-567-0505
CSB
CSB Engineering, Inc.
100 Main St., Suite 200
Portland, ME 04101
Tel: 207-864-0000 ext. 10
Fax: 207-864-0000

SITE PLAN REVIEW SET
Not for Construction
JAN 2, 2008

REVISIONS:

DATE:

PROJECT No. 0610

DRAWN BY: SA

CHECKED BY: TST

SCALE: AS NOTED

SHEET TITLE:

SITE PLAN

C1.2

CODE SUMMARY	IBC 2003; NFPA 101 2003
BUILDING CODE	IBC: TYPE 5 - MULTI-FAMILY RESIDENTIAL
OCCUPANCY	NFPA: RESIDENTIAL APARTMENT BUILDING
CONSTRUCTION	IBC: TYPE 5 - B WOOD FRAME
FLOORS	NFPA: TYPE V - 000
SPRINKLER	NFPA: LSR
BUILDING AREA	10,834 GSF
01-First Floor	3,111 GSF
02-Second Floor	3,839 GSF
03-Third Floor	3,884 GSF
(GSF includes covered Porches, Deck & Balcony)	
APARTMENT AREAS	8,576 GSF
Apartment 1	1,123 GSF
Apartment 2	1,113 GSF
Apartment 3	1,189 GSF
Apartment 4	1,443 GSF
Apartment 5	1,208 GSF
Apartment 6	1,189 GSF
Apartment 7	1,312 GSF
(GSF includes covered Porches, Deck & Balcony)	
AREA OF ADDITION	4,278 GSF
04-First Floor	1,160 GSF
05-Second Floor	1,400 GSF
06-Third Floor	1,718 GSF
(GSF includes covered Porches & Deck)	
(GSF includes Covered Parking)	

ZONING REQUIREMENTS	Minimum	Maximum	Design Source
Zone:	R-6 Residential		
Setbacks:	Existing 11' Left Apartment Building, portion to be "improved" remaining to be renovated; addition to be built; conversion to 7 total units.		
Minimum Lot Size	4,500 sf	7,905.9 sf	
Minimum area per unit	7,800 sf	7,905.9 sf	
Minimum Street Frontage	40 ft	65' 4"	
Front Yard	10'	30' (Existing Building)	
Side Yard	10'	Yes (Addition)	
Rear Yard	10'	No (Existing Building)	
Minimum Lot Coverage	50%	Yes (Addition)	
Footprint		49.20%	
Minimum Lot Width	50'	3,891.00 sf	
Maximum Structure Height	45'	65' 4"	
Open Space Ratio	20%	< 45'	
Open Space		25.40%	
Parking	0	2,006.00 sf	

1 SITE PLAN
1"=10'-0"

SITE PLAN NOTES

- OWNER/DEVELOPER: CASCO BAY VENTURES, FALMOUTH, MAINE
- ELEVATION BENCHMARK: HIGHEST POINT ON "M" MONUMENT @ NORTHWEST CORNER OF ST. LAWRENCE AND FORE STREETS (ELEVATION = 68.37') BASED ON N.G.V.D. 1929 CITY OF PORTLAND DATUM.
- PRIOR TO SITE EXCAVATION, CONTACT DIG-SAFE AT 1-800-225-4877.
- PROPERTY BOUNDARY, EXISTING CONDITIONS AND TOPOGRAPHY BASED ON "BOUNDARY SURVEY/SITE PLAN AT 130 EASTERN PROMENADE, PORTLAND, MAINE" PREPARED FOR 130 EASTERN PROM. LLC BY BACK BAY BOUNDARY, INC., PORTLAND, MAINE, ON JULY 10, 2007 AND REVISED ON AUGUST 28, 2007.
- TAX MAPS CBL: 3-C-1 & 2
- TOTAL PARCEL SIZE: 7,105.9 SF (0.16 ACRES)
- ALL CONSTRUCTION, SITEWORK, AND EROSION AND SEDIMENT CONTROL TO BE PERFORMED IN ACCORDANCE WITH THE "MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES" CLIMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT, DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. EROSION AND SEDIMENT CONTROLS TO BE INSTALLED PRIOR TO COMMENCING WORK.
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