

# Munjoy Heights

79 Walnut Street

Site Plan Application



September 27, 2013

Submitted by:



P.O. Box 8816  
Portland, Maine 04104  
(207) 221-5746



A.2

P.O. Box 8816  
Portland, ME 04104  
Office: 207-221-5746  
Fax: 207-221-2822  
[www.redfernproperties.com](http://www.redfernproperties.com)

September 27, 2013

City of Portland  
Planning Division  
389 Congress Street, 4<sup>th</sup> Floor  
Portland, ME 04101

Re: Munjoy Heights Preliminary Site Plan Application

Dear Sir or Madam:

Redfern Munjoy LLC, dba Redfern Properties, is pleased to submit the attached Level III Preliminary Site Plan Application. The detailed proposal herein contemplates a new infill residential development at the corner of Walnut and Sheridan Streets. The project consists of 29 townhouse style residences, featuring progressive designs and built to the highest standards for energy efficiency. We believe that the proposal is very consistent with the principals of "smart growth" as outlined in the City's master plan.

The subject property is located to the West of Walnut Street at Sheridan Street and is being assembled from 7 separate land purchases. An attached letter from our counsel describes the status of the abandoned paper street known as "Sheridan Street", based on our many discussions with City staff. Also, there is an existing trail on the properties known as "Jack Path", maintained by Portland Trails. We are working closely with Portland Trails and will be providing them with an easement which will be further detailed in our Final Application.

Please do not hesitate to contact me or any of our project consultants to discuss this application. We appreciate your consideration of our proposal.

Sincerely,



Jonathan Culley  
Redfern Munjoy LLC

**Munjoy Heights  
Level III Site Plan – Preliminary Application**

**Table of Contents**

**Cover Sheet (1 page)**

**Cover Letter (1 page)**

**Table of Contents (1 page)**

**Completed Application Form, Fee Worksheet, & Checklist (5 pages)**

**Neighborhood Meeting Invitation (1 page)**

**Project Data (1 page)**

**Evidence of Right, Title, and Interest - Purchase and Sale Agreements and letter from  
Thomas Jewell, Esq. (33 pages)**

**Design Narrative (2 pages)**

**Zoning Analysis (1 pages)**

**Fire Safety Analysis (1 page)**

**Written Request for Waivers (1 page)**

**Evidence of Financial and Technical Capacity (2 pages)**

**Traffic Analysis (6 pages)**

**Floor plans and Elevations (9 pages)**

**Boundary Survey (1 page)**

**Preliminary Site Plan by Acorn Engineering (8 pages)**

**Evidence of Utilities Capacity to Serve (13 pages)**

**Preliminary Geotechnical Report (11 pages)**

A. 4

PROJECT NAME: Munjoy Heights

PROPOSED DEVELOPMENT ADDRESS:  
79 Walnut Street

PROJECT DESCRIPTION:  
New Construction of 29 Residential Townhomes.

CHART/BLOCK/LOT: 12-F-2 (partial), F-4, F-7, F-18, 12-G-6, 12-H-1, H-3, H-5, H-7, H-9, H-13, H-17, H-17, H-22 PRELIMINARY PLAN 9/24/2013 (date)  
FINAL PLAN \_\_\_\_\_ (date)

CONTACT INFORMATION: Applicant's Contact for electronic plans  
Name: **Ryan Senatore**  
e-mail: **ryan@senatorearchitecture.com**  
work #: **207-650-6414**

<b>Applicant – must be owner, Lessee or Buyer</b> Name: <b>Jonathan Culley</b> Business Name, if applicable: <b>Redfern Munjoy LLC</b> Address: <b>P.O. Box 8816</b> City/State : <b>Portland, ME</b> Zip Code: <b>04104</b>	<b>Applicant Contact Information</b> Work # <b>207-221-5746 (prefer cell)</b> Home# Cell # <b>207-776-9715</b> Fax# <b>207-221-2822</b> e-mail: <b>jonathan@redfernproperties.com</b>
<b>Owner – (if different from Applicant)</b> Name: Address: City/State : Zip Code:	<b>Owner Contact Information</b> Work # Home# Cell # Fax# e-mail:
<b>Agent/ Representative</b> Name: Address: City/State : Zip Code:	<b>Agent/Representative Contact information</b> Work # Cell # e-mail:
<b>Billing Information</b> Name: <b>Redfern Munjoy LLC</b> Address: <b>P.O. Box 8816</b> City/State : <b>Portland, ME</b> Zip Code <b>04104</b>	<b>Billing Information</b> Work # <b>See Applicant</b> Cell # Fax# e-mail:

<b>Engineer</b> Name: <b>Will Savage/Acorn Engineering</b> Address: <b>P.O. Box 3372</b> City/State: <b>Portland, ME</b> Zip Code: <b>04104</b>	<b>Engineer Contact Information</b> Work # <b>207-317-1884</b> Cell #                                      Fax# e-mail: <b>wsavage@acorn-engineering.com</b>
<b>Surveyor</b> Name: <b>James Nadeau/Nadeau Land Surveyors</b> Address: <b>918 Brighton Ave</b> City/State: <b>Portland, ME</b> Zip Code: <b>04102</b>	<b>Surveyor Contact Information</b> Work # <b>207-878-7870</b> Cell #                                      Fax# <b>207-878-7871</b> e-mail: <b>jim@nadeaulandsurveys.com</b>
<b>Architect</b> Name: <b>Ryan Senatore/Ryan Senatore Architecture</b> Address: <b>565 Congress St, Suite 304</b> City/State: <b>Portland, ME</b> Zip Code: <b>04101</b>	<b>Architect Contact Information</b> Work # <b>207-650-6414</b> Cell # <b>207-650-6414</b> Fax# e-mail: <b>ryan@senatorearchitecture.com</b>
<b>Attorney</b> Name: <b>Tom Jewell/Jewell &amp; Bulger</b> Address: <b>477 Congress Street, Suite 1104</b> City/State: <b>Portland, ME</b> Zip Code: <b>04101</b>	<b>Attorney Contact Information</b> Work # <b>207-774-6665</b> Cell #                                      Fax# <b>207-774-1626</b> e-mail: <b>tjewell@jewellandbulger.com</b>

A 6

<b>Engineer</b> Name: Address: City/State :                      Zip Code:	<b>Engineer Contact Information</b> Work # Cell #                      Fax# e-mail:
<b>Surveyor</b> Name: Address: City/State :                      Zip Code:	<b>Surveyor Contact Information</b> Work # Cell #                      Fax# e-mail:
<b>Architect</b> Name: Address: City/State :                      Zip Code:	<b>Architect Contact Information</b> Work # Cell #                      Fax# e-mail:
<b>Attorney</b> Name: Address: City/State :                      Zip Code:	<b>Attorney Contact Information</b> Work # Cell #                      Fax# e-mail:

**APPLICATION FEES:**

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

<b>Level III Development (check applicable reviews)</b> <input type="checkbox"/> Less than 50,000 sq. ft. (\$500.00) <input checked="" type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000) <input type="checkbox"/> over 300,000 sq. ft. (\$5,000) <input type="checkbox"/> Parking lots over 11 spaces (\$1,000) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)  <b>Plan Amendments (check applicable reviews)</b> <input type="checkbox"/> Planning Staff Review (\$250) <input type="checkbox"/> Planning Board Review (\$500)  The City invoices separately for the following: <ul style="list-style-type: none"> <li>• Notices (\$.75 each)</li> <li>• Legal Ad (% of total Ad)</li> <li>• Planning Review (\$40.00 hour)</li> <li>• Legal Review (\$75.00 hour)</li> </ul> Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.	<b>Other Reviews (check applicable reviews)</b> <input type="checkbox"/> Traffic Movement (\$1,000) <input type="checkbox"/> Stormwater Quality (\$250) <input checked="" type="checkbox"/> Subdivisions (\$500 + \$25/lot) # of Lots <u>30</u> x \$25/lot = <u>750</u> <input type="checkbox"/> Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots ___ x \$200/lot = ___ <input type="checkbox"/> Other _____ <input type="checkbox"/> Change of Use <input type="checkbox"/> Flood Plain <input type="checkbox"/> Shoreland <input type="checkbox"/> Design Review <input type="checkbox"/> Housing Replacement <input type="checkbox"/> Historic Preservation
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*\$ 1000 + 500 + 750 = \$ 2,250  
 Paid by check*

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

A.8

**APPLICATION SUBMISSION:**

1. All site plans and written application materials must be submitted electronically on a CD or DVD with each plan submitted as separate files, with individual file names (see submittal requirements document attached).
2. In addition, one (1) paper set of the plans (full size), one (1) paper set of plans (11 x 17), paper copy of written materials, and the application fee must be submitted to the Planning Division Office to start the review process.

The application must be complete, including but not limited to the contact information, project data, application checklists, wastewater capacity, plan for fire department review, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
  - a. Application form that is completed and signed.
  - b. Cover letter stating the nature of the project.
  - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
5. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist for a detailed list of submission requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site <http://www.portlandmaine.gov/citycode/chapter014.pdf>

**APPLICANT SIGNATURE:**

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

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

Signature of Applicant: 	Date: 9/27/2013
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Jonathan Colley



**Neighborhood Meeting Certification**

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least ten (10) days prior to the neighborhood meeting), invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change.
2. Residents on the "interested parties" list.
3. A digital copy of the notice was also provided to the Planning Office ([imy@portlandmaine.gov](mailto:imy@portlandmaine.gov)) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,

  
Jonathan Culler

10/17/2013 (date)

Attached to this certification are:

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

B.2



P.O. Box 8816  
Portland, ME 04104  
Office: 207-221-5746  
Fax: 207-221-2822  
[www.redfernproperties.com](http://www.redfernproperties.com)

September 30, 2013

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a new residential development at the corner of Walnut and Sheridan Streets. The project consists of 29 residential townhomes.

Meeting Location: East End Community Center, 195 North Street  
Meeting Date: Wednesday, October 16  
Meeting Time: 6:00pm

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

If you have any questions, please contact me at 207-221-5746 or [jonathan@redfernproperties.com](mailto:jonathan@redfernproperties.com). I hope to see you at the meeting.

Sincerely,

A handwritten signature in black ink, appearing to read "Jonathan Culley", with a large, sweeping flourish extending to the right.

Jonathan Culley  
Redfern Properties LLC

## Munjoy Heights

Neighborhood Meeting Sign-In Sheet  
October 16, 2013, 6pm - East End Community School

Name	Address	Email (optional)
BEN AUSTIN	OWNER 12 EAST COVE ST. PORTLAND, ME	
Jolee Groulx Gallyp	89 Sheridan St Portland	joleegroulx@gmail.com
Dorothy Rodney	#6 Walnut St	charity.rodney@yahoo.com
RAMON ANASTACIO	159 WASHINGTON AVE	ranastacio61@yahoo.com
Joe Walsh	12 East Cove St. #2	
CAROL McCRACKEN	1 North St -	ca10cken@hotmail.com
Ben Buss	12 East Cove St	bbuss@casconpump.com
Judith Rastl	340 Eastern Promenade, #155	
John Rastl	" " " "	JRASTL5@GMAIL.COM
Michelle King	151 North St	mking@hmrproperties.com
Jasmine Patten	" "	island@hmrproperties.com
David Wiggins	177 Cedar St ? - 1st	
Alex Haynes	178 Washington Ave -	meprunedmire@gmail.com
Tom Killman	36 St Lawrence ce	tellmanx@yahoo.com
PETER BASS	29 Waterville st.	
Eileen Ballard	640 Ocean Ave.	
Laura Ballard	89 Walnut St	lauraballard@gmail.com
Brooks Mares	7 Tremont St	
Chip Wood	146 Belle St.	chip@newheightgroup.com

# Munjoy Heights

Neighborhood Meeting Sign-In Sheet  
October 16, 2013, 6pm - East End Community School

Name

Address

Email (optional)

ANDREW MOSSER

115 MADRELINER

Ray Waterhouse

105 Portledge Cir

RWaterhouse<sup>at Maria's</sup> @RR.com

Alina Waterhouse

" " "

Sej Harris

170 Anderson St

Ann Landsberg

105 North St #2

alandsberg@aol.com

Vana Carmona

105 North St #1

vana.carmona@gmail.com

Patty Walker

Susan Hewitt

50 Main St apt 1

shewitt@crocker.com

**Munjoy Heights**  
**Neighborhood Meeting**  
**October 16, 2013, 6pm East End Community Room**

Meeting Minutes

The meeting began at 6:05pm. Jonathan Culley of Redfern Properties introduced the team which also included Ryan Senatore, Architect and Soren DeNiord, Landscape Architect.

Jonathan Culley provided background on Redfern Properties, including recent projects, and shared Redfern's core values including commitments to urban infill and sustainable development.

Culley described the location of the property, and pointed out its proximity to public parks and green spaces. He described the development in general terms, 29 energy-efficient townhomes.

Culley spoke about the discussions with Portland Trails to preserve and enhance "Jack Path" and to evaluate a trail connection to East Cove St.

Culley then presented a slide showing the green/sustainable features of the development, including: proximity to parks, pedestrian connectivity, progressive stormwater treatment, orientation of buildings for solar gain, super-efficient building envelopes, comprehensive landscaping strategy, and alternative energy.

Culley then turned the floor over to Ryan Senatore, Architect. Senatore presented a 'Site Section' diagram showing the retaining walls and describing how the buildings have been designed to fit into the hill.

Senatore then presented a 'Walnut Street Streetscape' to show the building on Walnut Street in the context of neighboring buildings. He described the way in which he used texture, scale, and massing to fit with the neighborhood context.

Senatore then presented a 'Rendering Looking North' and a 'Rendering Looking from West' and described the architectural design elements.

Soren DeNiord presented an aerial image of the property. He discussed how the property is currently dominated by non-native invasive plant species, including Norway Maples, Bittersweet, and Bamboo and how these species propagate throughout the city, causing some ecological harm. He described how our tree replanting/replenishment plans will focus on more ecologically suitable native species.

Soren then presented an image with the proposed building and discussed landscaping strategies including replanting of mature trees, green walls, ornamental grasses, etc.

Soren introduced the idea of a Woonurf, which is a Dutch term meaning "living street". He discussed how this concept would make the inner core of the development friendly to both pedestrians and

vehicles and provide a welcoming pedestrian experience for those passing through the neighborhood via Jack Path.

The presentation was concluded and the floor was opened for questions and comments. Questions and comments included:

Q. What will the impact be on parking and traffic?

A. Culley indicated that we had commissioned a traffic study and that he would email the traffic study to anyone interested.

Q. Are there any zone changes requested?

A. Culley answered that the project was completely compliant with the R-6 zone and that no zone changes or variances were being requested.

Q. How will the pedestrian rights to 'Jack Path' be protected? What rights will the easement permit?

A. Culley described how he was working with Portland Trails to provide a perpetual access easement that would protect the rights of the public to use the space.

Jaime Parker of Portland Trails also described the type of easements that have been used previously.

Q. How long will construction take and what are the hours of Construction?

A. Culley explained that Redfern had hired Wright-Ryan Construction and the construction schedule was 10-11 months. The hours of construction are dictated by City Ordinance, though Culley did not know the allowed morning start time. In response to a similar question Culley committed to pursuing the idea of a neighborhood email list to update neighbors on construction developments.

Q. What are the heights and locations of the retaining walls?

A. Culley responded that the heights and locations varied throughout the site and that he could not answer the question specifically but that he would follow up with a more precise answer.

Q. How would the property be owned after development?

A. Culley answered that the townhomes would be individually owned but the grounds would be owned by a Condominium Association.

Q. What type of trees will be planted?

A. Soren DeNiord described that while the plan is still developing there were a number of ideas. He suggested 12'-14' tall trees are optimal as they adapt more easily and grow healthier than larger trees.

The two concerns that were noted by at least two people were around the loss of Jack Path in its current form and the lack of affordability in this development and the impact of gentrification on Munjoy Hill. Culley responses to these concerns are below:

Loss of Jack Path in its current form:

Culley responded that Redfern was committed to working with Portland Trails and was striving to improve trail connectivity (by pursuing a connection to East Cove St.) and also by making Jack Path very inviting. Culley suggested that the concept of Woonurf may make Jack Path more widely used by the

Community. While he conceded that Jack Path would change from his current form, he asked the group to give the team a chance to develop a different, but very appealing, Jack Path.

Challenge of Gentrification and High Price of Housing:

Culley explained that he was a big supporter of diversity in housing types and affordability and that was one of the things that made Munjoy Hill appealing. He noted his support for Avesta and the good work that they do to build new affordable housing, but explained that Redfern is a 'market-rate' developer, suggesting that there is an important role for both low-income and market rate developers. He also noted that this project is in the shadow of Bayview Heights which is federally subsidized housing, in very close proximity to Island View Apartments which accepts Section 8 vouchers and also nearby Avesta's Munjoy Commons on North Street.

The meeting was adjourned at 7:22pm.

## PROJECT DATA

(The following information is required where applicable, in order complete the application)

<b>Total Site Area</b>	69,288 sf = 1.59 acres
<b>Proposed Total Disturbed Area of the Site</b>	69,288 sf = 1.59 acres sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)	
<b>IMPERVIOUS SURFACE AREA</b>	
• Proposed Total Paved Area	16,659 sq. ft.
• Existing Total Impervious Area	6,113 sq. ft.
• Proposed Total Impervious Area	38,992 sq. ft.
• Proposed Impervious Net Change	32,879 sq. ft.
<b>BUILDING AREA</b>	
• Proposed Building Footprint	2,688+ 4266+ 3555+ 2844+ 3964+ 5016 = 22,333 sq. ft.
• Proposed Building Footprint Net change	22,333 - 2773 = 19,560 sq. ft.
• Existing Total Building Floor Area	4,484 sq. ft.
• Proposed Total Building Floor Area	75,240 (includes garages) sq. ft.
• Proposed Building Floor Area Net Change	70,756 sq. ft.
• New Building	Yes (yes or no)
<b>ZONING</b>	
• Existing	R6 Residential Zone
• Proposed, if applicable	R6 Residential Zone
<b>LAND USE</b>	
• Existing	Vacant
• Proposed	Residential
<b>RESIDENTIAL, IF APPLICABLE</b>	
• Proposed Number of Affordable Housing Units	(0) Zero
• Proposed Number of Residential Units to be Demolished	(2) Two
• Existing Number of Residential Units	(2) Two
• Proposed Number of Residential Units	(29) Twenty Nine
• Subdivision, Proposed Number of Lots	(1) One
<b>PARKING SPACES</b>	
• Existing Number of Parking Spaces	(0) Zero
• Proposed Number of Parking Spaces	(34) Thirty Four
• Number of Handicapped Parking Spaces	(0) Zero
• Proposed Total Parking Spaces	(34) Thirty Four
<b>BICYCLE PARKING SPACES</b>	
• Existing Number of Bicycle Parking Spaces	(0) Zero
• Proposed Number of Bicycle Parking Spaces	(0) Outside (each unit has garage space)
• Total Bicycle Parking Spaces	(0) Zero
<b>ESTIMATED COST OF PROJECT</b>	\$11 million



## SUMMARY OF P&S Agreements as submitted by applicant September, 2013

*Summary Prepared by Staff - copies of actual submitted Agreements available for reference at the PB Meetings*

Parcel	Registry of Deeds Book/Page	Seller	Effective Date
0 Sheridan CBL 12-H-13	24188/65	Four Sills LLC	2.3.2013
202-204 Sheridan CBL 12-G-6	7274/26	Francis O'Connor; Nelson Nadeau	3.21.2013
Off Sheridan CBL 12-F-Lots 4 & 7 and 12-H-Lots 1,3,5,& 7	07962/7	North Street Realty Trust; Craig coffin, Trustee	6.5.2012
128 R North Street	30842/114	Raymond C Maxwell	9.20.2013
1 East Cove Street	3993/100	Dennis E and Gladys A Lovejoy	July 2013
79 Walnut	15638/275	Katherine P Richman; Nikki Lee Green	7.31.2013
Small piece rear of land fronting Washington	Part of 25470/272	Raymond H and Alina Waterhouse	10.1.2013

**JEWELL & BULGER, P.A.**

*Attorneys at Law*  
477 Congress Street, Suite 1104  
Portland, ME 04101-3453  
T: (207) 774-6665  
F: (207) 774-1626

**Thomas F. Jewell, Esq.**  
tjewell@jewellandbulger.com

**Paul S. Bulger, Esq.**  
pbulger@jewellandbulger.com

September 24, 2013

City of Portland  
Planning Department  
389 Congress Street  
Portland, Maine

Re: Application of Redfern Munjoy, LLC regarding Munjoy Heights

Dear Sirs:

I am submitting this letter concerning the application of Redfern Munjoy, LLC, concerning the Munjoy Heights project centered around the abandoned paper street, known as Sheridan Street, being the portion of Sheridan Street north of Walnut Street.

The title interests affecting paper streets include the fee interest, public rights, and the rights of lot owners in the subdivision.

**THE FEE INTEREST**

The Applicant has under contract all of the land abutting this abandoned paper street. Pursuant to Title 33, MRS Sec. 469-A, there is a presumption that the developer conveyed all of its interest in the "proposed, unaccepted way" to the abutters unless expressly reserved or subsequently filed a notice to preserve the claim to title to the street.

Our title examination has found no reservation of rights or subsequent claim of the developer, therefore, the Applicant, upon acquisition of the parcels, shall acquire the fee title interest to Sheridan Street, north of Walnut Street.

**PUBLIC RIGHTS**

It appears that the City intended to preserve public rights to this portion of Sheridan Street, but inadvertently released them.

In order to preserve public rights, the City would have had to comply with the provisions of Title 23, MRS Sec. 3032(1-A) by filing an appropriate notice at the Registry of Deed by September 29, 1997. The City did file a notice of the applicable Council Order at the Registry at Book 13326, Page 19. The Notice specify the continuation of Poplar Street (the original name of

Sheridan Street) at Page 26 and referenced a plan recorded at Book 51, Page 297. That particular plan only includes the area of Sheridan Street south of Walnut Street. Sheridan Street, north of Walnut, is shown in an 1802 subdivision plan recorded at deed 36, Page 247. (Please note that both of the registry references are not to Plan references, but to regular Books.) Since the Council order referenced the wrong plan, public rights to Sheridan Street, north of Walnut Street have been abandoned by the City.

This analysis and conclusion regarding the abandonment of public rights have been reviewed and accepted by William Clark at Public Services and Lawrence Walden at Corporation Counsel.

### **PRIVATE RIGHTS**

Even though the Applicant holds the fee, and public rights in the way have been abandoned, there are currently extant private rights to utilize this portion of Sheridan Street in all lot owners included in the original subdivision plan recorded at Book 36, Page 247. The Applicant is currently undertaking an action to eliminate these rights pursuant to Title 33 MRS Sec. 3033.

Once Notice is filed, which we expect will happen in the next couple of weeks, owners of lots in the subdivision will have up to one year to file notice of claim. The applicant will own all lots with frontage on this portion of Sheridan Street. All other lots in the subdivision set forth in Book 36, Page 247 have frontage on other streets. In the unlikely event a claim is asserted, we anticipate that the Court would deny it as clearly no contestant would be able to establish that they have suffered "unreasonable limits" on their ability to access a public way, body of water, or common land, as set forth in Title 33, Sec. 3033 (3)(B).

### **CONCLUSION**

We submit that the Applicant has sufficient right, title or interest in the portion of Sheridan Street, north of Walnut Street, to proceed with its application.

Yours truly,



Thomas F. Jewell, Esq.

TFJ/t

September 23, 2013

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

**Re: Munjoy Heights Design Narrative**

The proposed buildings to be located at 79 Walnut Street on Munjoy Hill comprise a 29 unit urban condominium development. The project, Munjoy Heights, consists of 6 buildings ranging from 4 units to 6 units per building. The intent of the site design is similar in characteristic to an urban street pulling the buildings on either side closer to one another creating a more dense built environment.

The buildings are townhouse style residential units ranging from 3 stories to 4 stores in height. All of the units contain a garage, private roof top decks and most will include private residential elevators. The building designs reflect the program beyond with clear a delineation between units though the use of vertical elements in a contrasting color. The scale of the buildings is broken down by these vertical elements as well as the use of strong horizontal deck elements. The Southwest facing elevations of all of the buildings have a larger amount glazing to maximize the views toward Back Cove and Mt. Washington as well as to capture passive solar energy.

The exterior materials of the building consist durable / low maintenance products, these include fibercement clapboard siding and exposed fastener fibercement panels, fiberglass clad exterior windows, a colored parge coating at the above grade foundation walls, and an EPDM roof membrane. The two siding materials (clapboard and panel) interplay to further break down the scale of the elevations and add visual interest to reinforce the design concept. These two siding materials are of a similar base color but differing brightness and saturation. The third 'highlight' color is a vibrant red/orange intended to reinforce the design concept and building program, this color was chosen to contrast the more

207-650-6414

senatorearchitecture.com

ryan@senatorearchitecture.com

67 Gray Rd, Gorham ME 04038

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RYAN SENATORE **ARCHITECTURE**

subdued siding colors and recall a predominant 'brick' material integral with Portland's History.

Munjoy Heights is designed to incorporate many energy efficiency measures including a building envelope with increased insulation, low flow plumbing fixtures, high efficiency mechanical systems, and an option for roof top photovoltaic solar array's.

We look forward to discussing the vision for Munjoy Heights at the upcoming meeting.

Sincerely,



Ryan Senatore, AIA LEED-AP

Principal

207-650-6414

senatorearchitecture.com

ryan@senatorearchitecture.com

67 Gray Rd, Gorham ME 04038

August 19, 2013

**Munjoy Heights**

79 Walnut Street, Portland, Maine

**Zoning Analysis**

Zone: R6 Residential Zone 14-135

CBL: Portland Tax Map 012, Block H, Lots 1, 3, 5, 7, 9 (portion), 13, 17 and 22,  
Block G, Lot 6, and Block F, Lots 2 (portion), 4, 7, 18, 19 and 20

Street Address: 79 Walnut Street

Lot Size: 69,288 sf = 1.59 acres

**Uses Allowed:** Multifamily Residential**Dimensional Requirements:**

	Required	Provided
Minimum Lot Size: Residential Use	4,500 sf	69,288 sf
Minimum Street Frontage	40 feet	76.4 feet
Front Yard Setback	10 feet or average	0 ft
Side Yard Setback	10 ft (3 stories) 12 ft (4 stories)	10 feet 12 feet
Rear Yard Setback	20 feet	20 feet
Maximum Lot Coverage	40%	32%
Minimum Lot Width	40 ft	76.4 feet
Maximum building height	45 feet	40.5 feet (avg. gd)
Open Space Ratio	30%	49%
Max. number of Dwelling Units	1 per 1000 for first three, then 1 per 1200 = 58 units	29 units
On-site Parking: Residential: 1 per dwelling Unit	29 spaces	34 spaces

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senatorearchitecture.com

ryan@senatorearchitecture.com

67 Gray Rd, Gorham ME 04038

September 23, 2013

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

**Re: West End Place Summary of Fire Safety**

Munjoy Heights will be protected by a full NFPA 13R sprinkler system. The buildings will be designed in accordance with NFPA 101 2009, IRC 2009 and IBC 2009, to include appropriate fire separations between dwelling units.

We have met with Jeanne Bourke from the Code Enforcement department and Captain Chris Pirone from the Fire Department to review preliminary plans to discuss the overall design of the building in relation to applicable codes.

During the development of construction documents additional fire safety details will be generated and submitted as part of the building permit package to the City of Portland.

Please feel free to contact me with any questions during your site plan review.

Sincerely,



Ryan Senatore, AIA LEED BD+C

Principal

207-650-6414

senatorearchitecture.com

ryan@senatorearchitecture.com

67 Gray Rd, Gorham ME 04038

## Written Request for Waivers

Munjoy Heights is a 29-unit vertical urban infill development set on the western slopes of Munjoy Hill. Each three to four story unit will have a dedicated garage with approximately 1,900 to 2,400 sf of livable space comprised of 3 bedroom units. Portland has zoned this area as R-6 Residential Zone.

The proposed project is located to the west of Walnut Street in Portland. The proposed lot is a combination of multiple properties which presently include Portland Tax Map 012, Block H, Lots 1, 3, 5, 7, 9 (portion), 13, 17 and 22, Block G, Lot 6, and Block F, Lots 2 (portion), 4, 7, 18, 19 and 20 that consists of 54,652 square feet (1.25 acres) of land area.

The existing vacated paper street will also be claimed and is 20,684 square feet (0.47 acres) of land area. There is an existing two story building residing on Block H, Lot 9 which shall remain. The single family on Block F, Lot 19 and 20 and multi-family on Block H, Lot 17 shall be removed.

The following is a list of known project related waivers.

1. **Public Transit Access** - The applicant requests a waiver from the public transit facility due to the site constraints, insufficient right-of-way and project is not anticipated to generate public transit usage due the use of the site.
2. **Bicycle Parking Spaces** - The applicant is requesting a waiver to the bicycle parking space requirements. Bicycle parking shall be provided in each unit's garage space.
3. **Motorcycle and Scooter Parking** - The applicant is requesting a waiver to the motorcycle and scooter parking requirements. Motorcycle and Scooter parking space shall be available within each unit's garage space.
4. **Street Trees** - Given the limited frontage, proposed number of street trees and space constraints within 10 ft of the property line along the street frontage the applicant is requesting a waiver to locate the 29 street trees within the property.





Attachment J.1



P.O. Box 8816  
Portland, ME 04104  
Office: 207-221-5746  
Fax: 207-221-2822  
[www.redfernproperties.com](http://www.redfernproperties.com)

September 27, 2013

City of Portland  
Planning Division  
389 Congress Street, 4<sup>th</sup> Floor  
Portland, ME 04101

Re: Munjoy Heights/Financial and Technical Capacity

Dear Sir or Madam:


Redfern Properties LLC has a strong track record of delivering residential development projects in Portland. Recent completed projects include Harborview Townhomes, while we will soon break ground at West End Place.

Our technical capacity to deliver the Munjoy Heights project will be significantly enhanced by our partnership with Wright-Ryan Construction, which will be acting as Construction Manager. You are likely aware that Wright-Ryan has a stellar track record for delivering complex construction projects in Portland and beyond.

With respect to financial capacity, please see the attached letter from Bangor Savings Bank, one of several lenders who have expressed interest in providing a construction loan.

In summary, we are confident in our ability to deliver Munjoy Heights in an efficient and competent manner, minimizing disruption to the City and the immediate neighborhood. Please contact me with any related questions.

Sincerely,

  
Jonathan Culley

J.2

# Bangor Savings Bank

City of Portland, Planning Division  
389 Congress Street, 4<sup>th</sup> Floor  
Portland, ME 04101

September 25, 2013

RE: Munjoy Heights

To Whom It May Concern:

I have worked with Redfern Properties LLC and related entities in a commercial lending capacity for more than seven years and have been closely involved in all of their development projects. Over that time, Redfern and its principals, Jonathan and Catherine Culley have demonstrated the financial wherewithal and industry expertise to successfully develop and sell more than 40 residential units.

Bangor Savings Bank has provided the financing for Redfern's past two projects located at 121 & 127 York Street and will be entertaining the financing of the proposed 29 unit project referred to as Munjoy Heights. We look forward to beginning substantive discussions around financing this project, once approvals are in place and plans are finalized.

Should you have any questions feel free to contact me at 207-944-1731.

Sincerely,



Joe Delano  
Vice President  
Bangor Savings Bank

William J. Bray, P.E.  
235 Bancroft Street  
Portland, Maine 04102  
Phone (207) 774-3603  
[trafficolutions@maine.re.com](mailto:trafficolutions@maine.re.com)



July 27, 2013

## Traffic Assessment Proposed Munjoy Heights

### INTRODUCTION

Redfern Properties, LLC is proposing an urban in-fill development on Sheridan Street Extension, just west of the Walnut Street intersection. The proposed project will include 29 condominium/townhouse units with 1,800 to 2,600 square feet of livable space and a dedicated garage.

Access to the proposed project is provided with construction of a 20' wide private driveway connection across Sheridan Street Extension, a vacated "paper" street, to Walnut Street.

This document estimates the peak hour trip generation of the proposed project during typical weekday AM and PM peak travel times; reviews existing roadway safety conditions adjacent to the site, and provides an assessment of vehicle sight distance at the proposed driveway intersection with Sheridan Street Extension and at the Walnut Street intersection.

### SITE TRAFFIC

The eighth edition of the Institute of Transportation Engineers (ITE) "TRIP GENERATION" manual was used to determine the volume of site trips generated by the proposed multi-use project. The ITE publication provides numerous Land-Use categories and the average volume of trips generated by each category. The following Land-Use categories and trip rates were used in that effort:

#### Land-Use Code 230 – Residential Condominium/Townhouse

Weekday Street Peak Hour – AM Peak	= 0.44 trips/dwelling unit
Weekday Street Peak Hour – PM Peak	= 0.52 trips/dwelling unit
Weekday AM Peak Hour – Generator	= 0.44 trips/dwelling unit
Weekday PM Peak Hour – Generator	= 0.52 trips/dwelling unit

Accordingly, the proposed project can be expected to generate a low of 13 vehicle trips during the morning peak commuter hour and a high of 15 trips in the PM peak hour of the site.

### EXISTING SAFETY CONDITIONS

The Maine Department of Transportation's (MDOT) Accident Records Section provided the latest three-year (2010 through 2012) crash data for the section of Walnut Street between North Street and Washington Avenue. MaineDOT's report follows:

**2010 through 2012 Accident Records**

<u>Location</u>	<u>Total Accidents</u>	<u>Critical Rate Factor</u>
1. Walnut Street @ Washington Avenue	7	1.52
2. Walnut Street @ Sheridan Street	1	1.60
3. Walnut Street btw. Washington Avenue and Sheridan Street	2	2.31
4. Walnut Street btw. North Street and Poplar Street	1	1.68

The MaineDOT considers any roadway intersection or segment a high crash location if both of the following criteria are met:

- *8 or more accidents*
- *A Critical Rate Factor greater than 1.00*

As the data presented in the table shows, the incidence of traffic crashes for the noted section of Walnut Street is below MaineDOT's criteria for identification of a high crash location.

**VEHICLE SIGHT DISTANCE**

The City of Portland's Technical Standards require where driveways enter an existing street that vehicle sight distance conform to standards established by the Maine Department of Transportation as contained in their publication, Chapter 299, Highway Driveway and Entrance Rules. The stated standards are as follows:

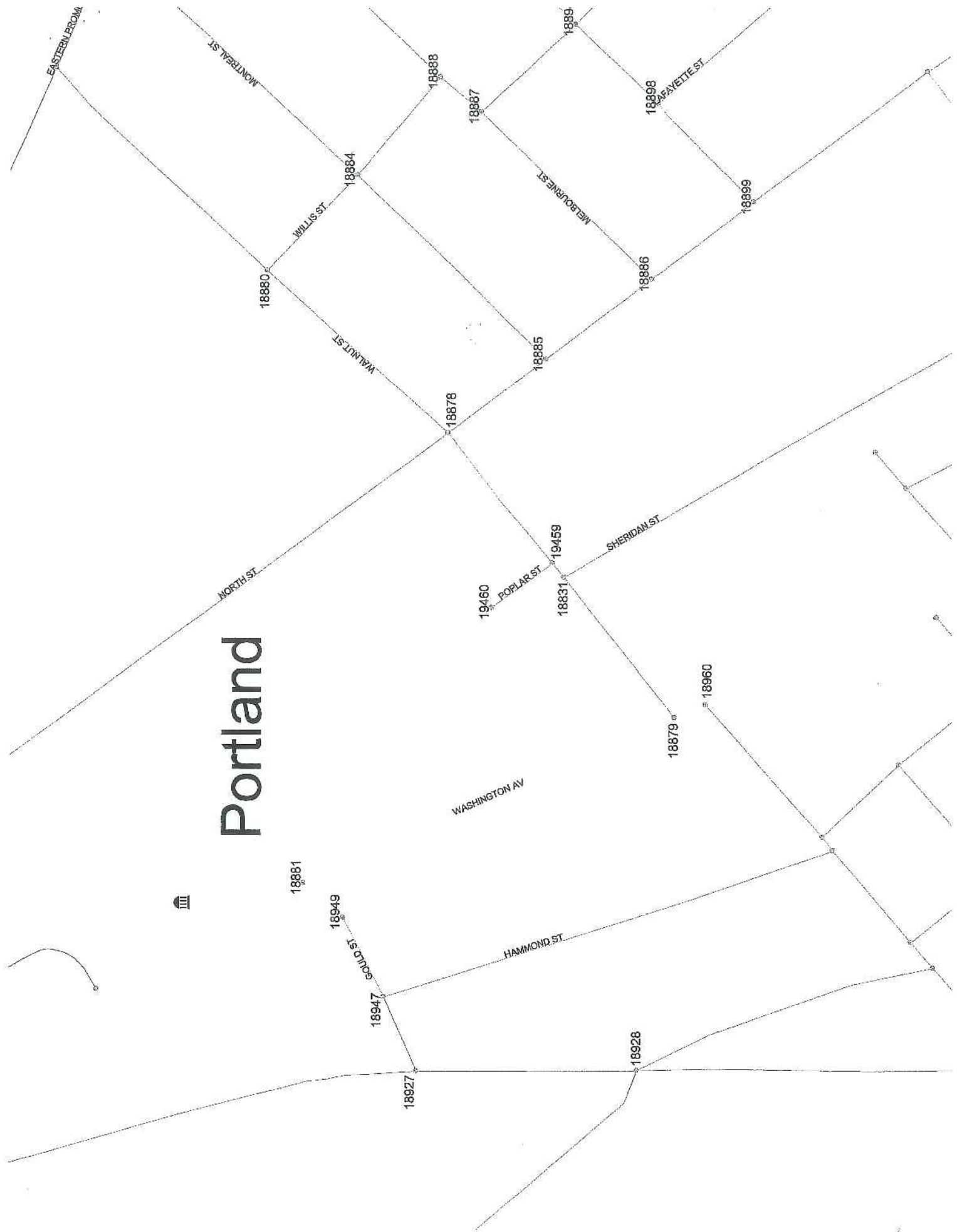
Speed Limit	Sight Distance
25 mph	200 feet
30	250
35	305
40	360
45	425
50	495
55	570

Vehicle sightlines were measured at the intersection of the unapproved portion of Sheridan Street and Walnut Street, in accordance with pre-described procedures outlined in the MaineDOT publication. It was assumed that public on-street parking would be prohibited on both approaches of Walnut Street for a minimum of 25' feet to provide an unobstructed sightline in either direction. Adoption of the assumed parking restrictions provides sightlines in excess of 200-feet, adequate for the posted speed limit of 25mph on Walnut Street.

**SUMMARY**

1. The proposed condominium/townhouse project can be expected to generate a range of 13 to 15 vehicle trips during the identified peak travel periods of a typical weekday.
2. MDOT's most recent traffic crash report (2010 through 2012) for the section of Walnut Street between North Street and Washington Avenue indicates the frequency of crashes is less than MaineDOT's criteria for identification of a high crash location.
3. Walnut Street is currently posted at 25mph, which requires an unobstructed sightline of 200' feet or greater. In-field measurements suggest that existing on-street parking along the west side of Walnut Street will impede vehicle sight distance for motorist exiting the proposed driveway connection onto Walnut Street. It is recommended that on-street parking be prohibited on both approaches of Walnut Street for a distance of 25'-feet minimum to ensure adequate vehicle sight distance for motorist exiting the driveway onto Walnut Street.

K.3



# Portland

Maine Department Of Transportation - Traffic Engineering, Crash Records Section  
Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

Crash Summary I     Section Detail     Crash Summary II     1320 Public     1320 Private     1320 Summary

REPORT DESCRIPTION

Walnut St

REPORT PARAMETERS

Year 2010, Start Month 1 through Year 2012 End Month: 12

Route: 0560766

Start Node: 18879

End Node: 18878

Start Offset: 0

End Offset: 0

Exclude First Node

Exclude Last Node

K.A

Crash Summary I

Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Sections										Annual HMVM	Crash Rate	Critical Rate	CRF
						Total Crashes	K	A	B	C	PD	Injury Crashes	Percent Injury	Crash Rate	Critical Rate				
18831	18879	194449	0 - 0.06	0560766 - 0	0.06	2	0	0	0	0	0	0	0	0	0.00021	3235.01	1403.23	2.31	
		0508251 POR SHERIDAN WALNUT ST.		RD INV 05 60790												Statewide Crash Rate: 329.69			
18878	19459	194530	0 - 0.05	0560766 - 0.02	0.05	2	1	0	0	0	0	1	0	0.00014	2390.69	1422.65	1.68		
		0509236 POR WALNUT NORTH ST.		RD INV 05 60766												Statewide Crash Rate: 329.99			
18831	19459	194450	0 - 0.01	0560766 - 0.06	0.01	2	0	0	0	0	0	0	0	0.00003	0.00	-443.79	0.00		
		0508251 POR SHERIDAN WALNUT ST.		RD INV 05 60795												Statewide Crash Rate: 323.99			
<b>Study Years: 3.00</b>						<b>Section Totals:</b>	3	0	0	0	0	3	0	0.00037	2672.90	1281.22	2.09		
						<b>Grand Totals:</b>	11	0	0	1	2	8	27.3	0.00037	9800.65	1563.65	6.27		

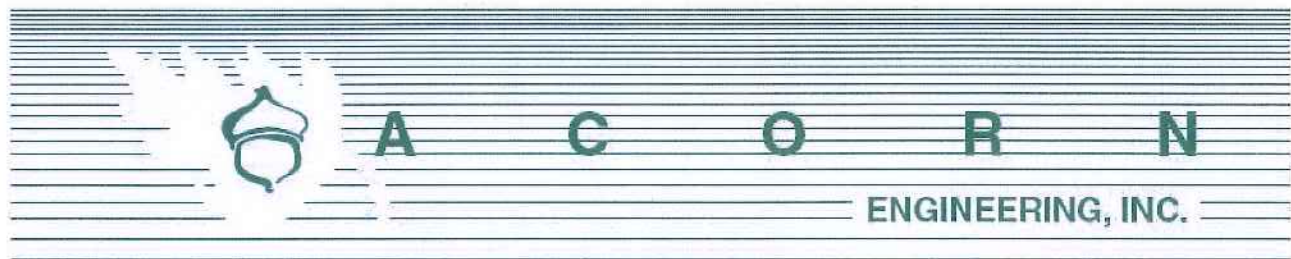
K.6

Maine Department Of Transportation - Traffic Engineering, Crash Records Section  
**Crash Summary**

Node	Route - MP	Node Description	U/R	Nodes										CRF
				Total Crashes	K	A	B	C	PD	Injury	Percent Annual M Ent-Veh	Crash Rate	Critical Rate	
P18879	0560766 - 0	Int of WALNUT ST, WASHINGTON AV	2	7	0	0	1	2	4	42.9	4.406	0.53	0.35	1.52
18831	0560766 - 0.06	0509251 POR,SHERIDAN,WALNUT ST.	2	1	0	0	0	1	0.0	0.370	0.90	0.56	1.60	
19459	0560766 - 0.07	0509881 POR,WALNUT ST,POPLAR STREET	2	0	0	0	0	0	0.0	0.287	0.00	0.55	0.00	
18878	0560766 - 0.12	0509288 POR,WALNUT,NORTH ST.	2	0	0	0	0	0	0.0	0.431	0.00	0.56	0.00	
<b>Study Years: 3.00</b>				<b>8</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>5</b>	<b>37.5</b>	<b>5.494</b>	<b>0.49</b>	<b>0.33</b>	<b>1.48</b>

K. 5





Central Maine Power Company  
Attn: Jamie Cough  
162 Canco Road  
Portland, Maine 04103

June 24, 2013

Subject: Munjoy Heights - Redfern Properties, LLC – Portland  
Re: Ability to Serve

Dear Mr. Cough,

On behalf of Redfern Properties, LLC, we are pleased to submit the following request for Central Maine Power Company's ability to serve the proposed development. Munjoy Heights is a 22-unit vertical urban infill development set on the western slopes of Munjoy Hill. Each 4-story unit will have a dedicated garage with approximately 1,800 to 2,600 sf of livable space comprised of 3 bedroom units.

The proposed project is located to the west of Walnut Street in Portland. The proposed lot is a combination of multiple properties which presently include Portland Tax Map 012, Block H, Lots 1, 3, 5, 7, 9, 13, and 22, Block G, Lot 6, and Block F, Lots 4 and 7 that consists of 53,935 square feet (1.22 acres) of land area. There is an existing two story building residing on Block H, Lot 9 which shall remain.

The developer plans to serve the proposed buildings with underground electric service. At this time we have proposed that the new service be established from the existing utility pole across Walnut Street from the project. I have attached a preliminary utility plan to facilitate your review. Please let me know if you have any further questions or comments.

Sincerely,

A handwritten signature in black ink, appearing to read "William H. Savage".

William H. Savage, P.E.  
Project Manager  
Acorn Engineering, Inc.

A

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7/3/2013

**William Savage, PE**  
**Acorn Engineering, Inc.**  
**PO Box 3372**  
**Portland, ME 04104**  
*Sent via email to: [info@acorn-engineering.com](mailto:info@acorn-engineering.com)*

RE: Ability to Serve Letter for Munjoy Heights-Redfern Properties in Portland, Maine.

Dear Mr. Savage:

CMP has the ability to serve your proposed project located for Munjoy Hill in Portland, Maine in accordance with our CMP Handbook (web link below). We can provide you the desired pad or pole mounted transformers per your request and city approval, in accordance with our CMP Standards Handbook. If you have any questions on the process, or need help in completion of the documents, please feel free to contact me. If this is a single phase, self contained metered project, you will be working directly with the Portland Service Center.

#### **New Service Milestones**

- Call 1-800-565-3181 to establish a new account and an SAP work order (completed).
- Submit any electronic drawings (PDF (preferred) or DWG files) of the site layout and proposed electrical connections if you have them.
- Preliminary meetings with CMP to determine the details of job,
- Field planner design appointment to cost out job and develop CMP Invoice.
- Submit invoice for payment.
- Easements signed and payment received.
- Job scheduled for completion after the electrical inspection has been received.

This process can take several months, depending upon several factors including transformer delivery, potential substation upgrades, return of completed paperwork, and other jobs in the system that may be ahead of yours. In addition, contact with the other utilities, including telephone and cable, should be commenced as soon as practical. They may have additional work or charges in addition to the CMP work required to bring your project on line.

For your convenience, here is a link to the CMP Website which contains our Handbook with details on most service requirements:

162 Canco Road Portland, ME 04103  
Tel (800) 750-4000  
207-842-2367 office  
207-458-0382 cell  
207-626-4082 fax



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L.3



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life* • [www.portlandmaine.gov](http://www.portlandmaine.gov)

**Public Services Department**  
**Michael J. Bobinsky, Director**

16 September 2013

Mr. William H. Savage, P.E.,  
Project Manager,  
Acorn Engineering,  
P.O. Box 3372,  
Portland, Maine 04104

**RE: Handling Wastewater Flows, from "Munjoy Heights," a Proposed Urban Vertical Infill Development, at 83 Walnut Street.**

Dear Mr. Savage:

The existing eight inch diameter vitrified clay sewer pipe, located in Sheridan Street, as well as the existing eight inch diameter vitrified clay sewer pipe, located in East Cove Street, have adequate capacity to transport, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to treat, the total anticipated increase in wastewater flows of 6,930 GPD, from this proposed development.

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.

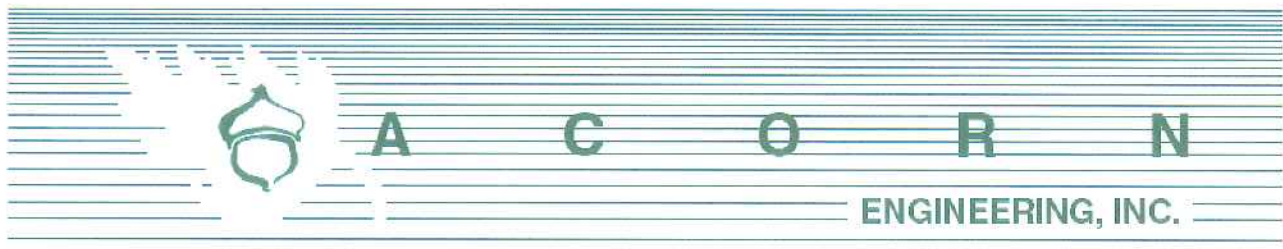
Sincerely,  
**CITY OF PORTLAND**

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

FJB

CC: Jeffrey Levine, Director, 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  
John Emerson, Wastewater Coordinator, City of Portland  
Rhonda Zazzara, Field Inspection Coordinator, City of Portland  
Harold Downs, Senior Wastewater Technician, City of Portland  
Jane Ward, Administrative Assistant, City of Portland

L. 4



Portland Water District  
 Attn: Rico Spugnardi, P.E.  
 225 Douglas Street  
 Portland, Maine 04104

August 19, 2013

Subject: Munjoy Heights - Redfern Properties, LLC – Portland  
 Re: Revised Ability to serve with PWD water

Dear Mr. Spugnardi,

On behalf of Redfern Properties, LLC, we are pleased to resubmit the following request for PWD's ability to serve the proposed development. Since the original ability to serve letter on 6/26/13 the proposed boundary line and layout has changed and as a result the number of units has increased from 22 to 29 units. Munjoy Heights is a vertical urban infill development set on the western slopes of Munjoy Hill. Each three to four story unit will have a dedicated garage with approximately 1,900 to 2,400 sf of livable space comprised of 3 bedroom units.

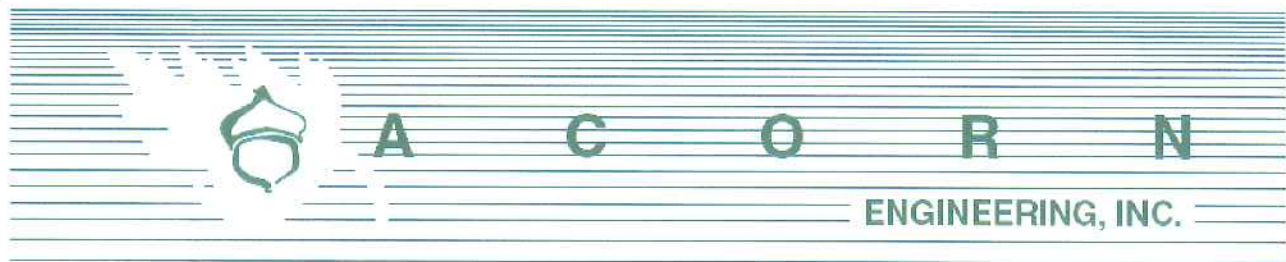
The proposed project is located to the west of Walnut Street in Portland. The proposed lot is a combination of multiple properties which presently include Portland Tax Map 012, Block H, Lots 1, 3, 5, 7, 9 (portion), 13, 17 and 22, Block G, Lot 6, and Block F, Lots 2 (portion), 4, 7, 18, 19 and 20 that consists of 54,652 square feet (1.25 acres) of land area. The existing vacated paper street will also be claimed and is 20,684 square feet (0.47 acres) of land area. There is an existing two story building residing on Block H, Lot 9 which shall remain. The single family on Block F, Lot 19 and 20 and multi-family on Block H, Lot 17 shall be removed, as noted below.

Based upon Table 501.1 of the Maine Subsurface Water Disposal Rules the project anticipates the following design flows.

Anticipated Design Flows				
Development	Unit Size	Number of Units	Gallons per Day per unit	Total Gallons per Day
Existing flow to be removed				
Existing Single Family	2 - Bedroom	1	180	-180
Existing Multi-Family	8 - Bedroom	4	180	-720
Proposed flow				
Munjoy Heights	3 - Bedroom	29	270	7,830
<b>Net Change</b>				<b>6,930</b>

The project anticipates an overall net flow for the development to be 6,930 gallons per day.

L.5



The developer has proposed a new eight inch water main to be placed in Sheridan Street and extend through the development, terminating at a hydrant on the north end of the project. This main would tie into the existing water main in Walnut Street. Any available data you may have on flow data for the nearest hydrant, as well as any project recommendations would be appreciated. I have attached a preliminary utility plan to facilitate your review. Please let me know if you have any further questions or comments.

Sincerely,

A handwritten signature in cursive script, reading 'William H. Savage'.

William H. Savage, P.E.  
Project Manager  
Acorn Engineering, Inc.

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**Anticipated Wastewater Flows from the Proposed Urban Vertical Infill Development:**

29 Proposed Three-Bedroom Units @ 270 gpd per unit	= 7,830 GPD
Less 1 Existing Two-Bedroom Single Family House @ 90 gpd per bedroom	= (180) GPD
Less 1 Existing Eight-Bedroom Multi-Family House @ 90 gpd per bedroom	= <u>(720) GPD</u>
Total Proposed Increase in Wastewater Flows for this Project	= <b>6,930 GPD</b>

L. 7

CMP Handbook of Standard Requirements

(<http://www.cmpco.com/MediaLibrary/3/6/Content%20Management/YourAccount/PDFs%20and%20Docs/handbook.pdf>)

If you have any questions, please contact CMP at 1-800-565-3181.

Regards,



Jamie Cough  
Energy Services Advisor  
Central Maine Power Company  
162 Canco Road  
Portland, ME 04103  
207-842-2367 office  
207-458-0382 cell  
207-626-4082 fax

162 Canco Road Portland, ME 04103  
Tel (800) 750-4000  
207-842-2367 office  
207-458-0382 cell  
207-626-4082 fax



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L.8

## Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

August 23, 2013

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

Attn: William H. Savage, P.E.  
Re: Munjoy Heights; Sheridan Street, Portland  
Ability to Serve with PWD Water

Dear Mr. Savage:

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on June 24, 2013. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter.

Please note that this letter does not constitute approval of this project from the District. Please review this letter for any special conditions specified by the District and to determine the appropriate next steps to take to move your project through the submittal and approval process.

### Existing Site Service

According to District records, the project site does currently have existing water service. A 1-inch diameter copper water service line, located as shown on the attached water service card, provides water service to the existing dwelling at 128 North Street Rear. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of this service.

### Water System Characteristics

According to District records, there is a two-inch diameter galvanized water main on the west side of Sheridan Street and a public fire hydrant located 150-feet from the site at the corner of Sheridan Street and Walnut Street.

The current data from the nearest hydrant with flow test information is as follows:

Hydrant Location: Walnut Street at Sheridan Street  
Hydrant Number: POD-HYD00428  
Last Tested: 10/25/1994  
Static Pressure: 65 psi  
Residual Pressure: Not Measured  
Flow: 1,162 GPM

### Public Fire Protection

You have indicated that this project will include the installation of a new hydrant. The decision to require new hydrants and to determine their locations is solely that of the local fire





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department. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The ability to serve request noted that the anticipated design flow for the 29-unit residential development is 6,930 gallons per day. The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project.

Private Fire Protection Water Needs

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

Conditions of Service

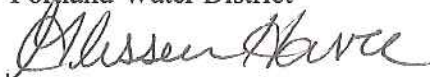
We have reviewed the Utility Plan dated August 16, 2013 for the Munjoy Heights project. Since each of the 29 units is located within a single parcel, the District would prefer not to own and maintain a water main through the private development. We suggest a water service configuration consisting of either separate fire and domestic services or a single combined fire and domestic service with a fire line meter. Either of these scenarios would only have one meter (likely in a pit) and one District account. The condo/homeowner association may choose to install private meters for each unit or split the bill proportionately.

The above configuration would still require an 8-inch main extension of approximately 150-feet from Walnut Street to the edge of the property line. Any existing services that are connected to the 2-inch galvanized water main should be tied over to the new 8-inch main. The 2-inch galvanized main must be terminated. The existing dwelling at 128 North Street Rear may continue to be served by the existing water service connection to North Street.

The District does not currently have an easement for the galvanized water main in the vacated paper street. Easements will be required from the abutting properties for the new main extension.

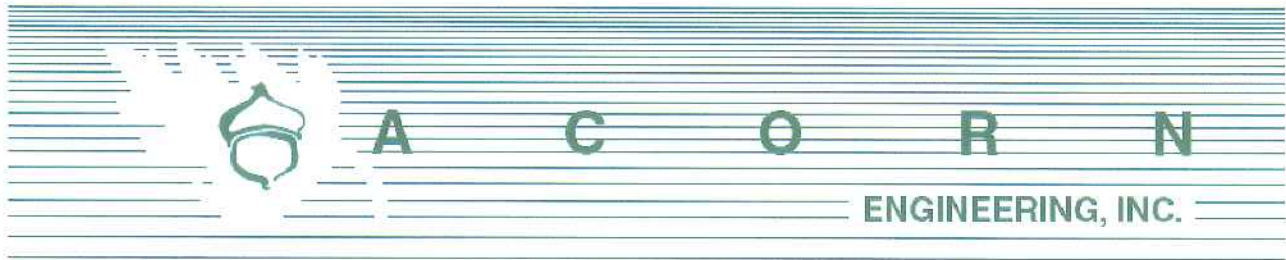
If the District can be of further assistance in this matter, please let us know.

Sincerely,  
Portland Water District



Glissen Havu, E.I.  
Design Engineer

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Unitil Service Corp.  
Attn: Kelly Fowler  
P.O. Box 3586  
Portland, Maine 04104

June 24, 2013

Subject: Munjoy Heights - Redfern Properties, LLC – Portland  
Re: Ability to Serve

Dear Kelly Fowler,

On behalf of Redfern Properties, LLC, we are pleased to submit the following request for Unitil Service Corp.'s ability to serve the proposed development. Munjoy Heights is a 22-unit vertical urban infill development set on the western slopes of Munjoy Hill. Each 4-story unit will have a dedicated garage with approximately 1,800 to 2,600 sf of livable space comprised of 3 bedroom units.

The proposed project is located to the west of Walnut Street in Portland. The proposed lot is a combination of multiple properties which presently include Portland Tax Map 012, Block H, Lots 1, 3, 5, 7, 9, 13, and 22, Block G, Lot 6, and Block F, Lots 4 and 7 that consists of 53,935 square feet (1.22 acres) of land area. There is an existing two story building residing on Block H, Lot 9 which shall remain.

The developer plans to serve the proposed buildings with natural gas. Any additional information such as the location of the natural gas line within Walnut Street or any project recommendations would be appreciated. I have attached a preliminary utility plan to facilitate your review. Please let me know if you have any further questions or comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'William H. Savage'.

William H. Savage, P.E.  
Project Manager  
Acorn Engineering, Inc.



**Unitil**  
ME GAS OPERATIONS

L. 11

August 13, 2013

Mr. Will Savage  
Acorn Engineering  
P.O.Box 3372  
Portland, Maine 04104

Re: Munjoy Heights – Redfern Properties, LLC - Portland

Dear Mr. Savage:

Thank you for your interest in using natural gas for the above referenced project.

Unitil has natural gas in the vicinity of this project to provide service. The evaluation to complete the design, costs and determining if any customer contribution will be needed is in process and will be completed shortly. Unitil welcomes the opportunity for further discussions regarding this project.

If you have any further questions or require additional information, please contact me directly at (207) 541-2536 or at Mathers@unitil.com.

Sincerely,

Bridget L. Mathers  
Business Development Representative  
Unitil Corporation  
(o) 207-541-2505 (f) 207-541-2565

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**ME GAS CUSTOMER ENERGY SOLUTIONS**  
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