

Comments Submitted 10/10/13

10/1/13

Comments Submitted 11/27/13 City of Portland

Comments Submitted 12/4/13 Development Review Application

Comment submitted 12/11/13 Planning Division Transmittal Form

Comments 12/20/13

Application Number: 2013-228

Application Date: 09/30/2013

CBL: 012 H017001

Application Type: Level III Site Plan 50,000 - 100,000

Project Name: Munjoy Heights

Address: 79 WALNUT STREET

Project Description: New Construction of 29 Residential Townhomes.

Zoning: R6

Other Required Reviews:

- Traffic Movement
- Storm Water
- Subdivision
- Site Location
- 14-403 Streets
- # Units _____
- Flood Plain
- Shoreland
- Design Review
- Housing Replacement
- Historic Preservation
- Other:
- # Lots _____
- # Unit _____

Distribution List:

Planner	Jean Fraser	Parking	John Peverada
Zoning	Marge Schmuckal	Design Review	Alex Jaegerman
Traffic Engineer	Tom Errico	Corporation Counsel	Danielle West-Chuhta
Civil Engineer	David Sensus	Sanitary Sewer	John Emerson
Fire Department	Chris Pirone	Inspections	Tammy Munson
City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
		Outside Agency	

Comments needed by 10/8/2013

Marge Schmuckal - Re: Munjoy Heights

From: Marge Schmuckal
To: Jean Fraser; Josh Wojcik
Date: 12/20/2013 11:13 AM
Subject: Re: Munjoy Heights

Josh,

I am back. I am not completely understanding your question. It is my understanding from the last plans that I have seen, that the rear property of 128 North Street is not intended to be demolished. As far as street frontage of that specific property, they lost their street frontage in 1997 when that portion of Sheridan Street north of Walnut was abandoned by the City. Therefore, this project is not changing that reality. Still all the other dimensional requirements of the R-6 zone must be met as that particular lot is being altered.

Is this answering your particular question? If it doesn't, please help me understand you question better.

Marge Schmuckal
Zoning Administrator

>>> Jean Fraser 12/18/2013 1:45 PM >>>
Josh

I think Marge is away (vacation) and back on Friday (20th). Ann is also out due to an injury. Just so you know why you don't hear back immediately.

Jean

>>> Josh Wojcik <jwojcik@uprightframeworks.com> 12/18/2013 1:01 PM >>>
Marge,

May I trouble you for written confirmation of the zoning implications of demolishing the existing house - with special attention paid to the frontage issue?

Regards,

-Josh

On Wed, Dec 18, 2013 at 12:50 PM, Jean Fraser <JF@portlandmaine.gov> wrote:

Josh

This project was approved last night.

I suggest that before you close on the purchase that you get a written confirmation from the Zoning Administrator, Marge Schmuckal regarding the zoning implications of demolishing the existing house, especially regarding frontage and also in the context of a subdivision.

At this stage I am not sure whether the plat would need to be amended - this is a quote from the Subdivision

Ordinance;

(c) *Alterations to an approved plat.* The planning authority may approve alterations to an approved recording plat when all of the following conditions are met; otherwise, a new subdivision plat must be submitted to the Planning Board:

1. The rearrangement of lot lines does not increase the number of lots within a block or other subdivision unit or area;
2. The alteration will not affect any street, alley, utility easement or drainage easement;
3. The alteration meets all of the minimum requirements of this article, article III of this chapter on zoning and other applicable state and local codes;
4. The alteration is approved by the public works authority and the fire department.

#3 of this is what I am concerned about.

I attach the draft plat for information. I also believe that our Legal Office want to see the draft of the easement prior to it being recorded (condition of approval- I will send you a copy of the approval letter once its sent).

If and when appropriate I would be happy to set up a meeting including my legal and zoning colleagues but you may wish to firstly to speak with Marge Schmuckal or get your own legal advice.

thank you

Jean

>>> Josh Wojcik <jwojcik@uprightframeworks.com> 12/17/2013 4:41 PM >>>

Hi Jean,

We spoke a week (or so) ago about 128 North Street (rear) - a.k.a. the "Maxwell property." As you may recall, Mr. Cully and I are working on the details of a purchase and sale agreement through which I will purchase a portion of the Maxwell property that will not be needed for the Munjoy Heights development (contingent on the approval of the development).

I am also one of the owners of a property (126 North Street) that is adjacent to the Maxwell property - and is thus in the vicinity of the Munjoy Heights project.

I am writing to confirm that (to the best of my knowledge), Mr. Cully has briefed the property owners in the vicinity on his proposed project and that he is making efforts to address the concerns of his neighbors.

If you have any questions or if I can be of further assistance, please let me know.

Regards,

--

Joshua Wojcik
Founder, Upright Frameworks
phone: 207-749-9656
fax: 207-585-2677
www.UprightFrameworks.com

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--

Joshua Wojcik
Founder, Upright Frameworks
phone: 207-749-9656
fax: 207-585-2677
www.UprightFrameworks.com

Marge Schmuckal - Re: Fwd: Munjoy heights

From: Jennifer Thompson
To: Jean Fraser
Date: 12/19/2013 2:12 PM
Subject: Re: Fwd: Munjoy heights
CC: Barbara Barhydt; Marge Schmuckal

Jean - I don't exactly know. The ordinance says that the list of tenants and proof of notice is to be submitted to the "planning authority." It doesn't look to me like the notice requirements are particularly complicated - the terms that are required are spelled out in the ordinance - that is, I expect it would inform the tenant that the building is scheduled to be demolished and they have 90 days (or more) to vacate. Under the ordinance, the notice needs to be served by certified mail, return receipt requested, or served in hand. If it's served in hand, I'd look for a certificate of service that details to whom it was given, when, where, by whom, etc. Again, I would expect that your office (or this one) could review the notices for compliance with the ordinance.

I also understand that a permit is required to demolish a building and there are noticing requirements connected with that - Tammy Munson was very helpful with respect to that piece but I'm not sure she's involved with application of the housing replacement ordinance.

So, I suspect the "planning authority" (is that Jeff? Alex?) is the person who approves these. If that doesn't sound right, I'm happy to opine as to the legal sufficiency of a notice if that would be helpful.

Let me know if you'd like to talk further.
 Jen

>>> Jean Fraser 12/18/2013 3:58 PM >>>
 Jen

One of the conditions of approval to this project is that the developer meets the requirements of the Housing Preservation and Displacement ordinance. One of the requirements relates to the serving of notices to tenants etc.

I have received a call from Nikki Green, one of the owners of 79 Walnut (the other owner wrote the attached e-mail which was seen by the Planning Board). This is one of 2 properties that would be demolished for the Munjoy Heights project. Nikki would like to work with us and Jonathan Culley to ensure the ordinance requirements are met and to facilitate the sale of the house; she has already given notice to the 4 tenants. (I am guessing she would want to minimize the time they own the house with no rental income coming in)

I told Nikki I was not familiar with the application of these ordinance requirements and I was not sure which staff person would be the contact person on this (ie someone needs to determine if the notices sent meet the requirements or whether Jonathan needs to send more notices etc).

Can you advise me on how this kind of thing is usually "processed" and who has authority to make these determinations? (and any others related to the ordinance) - I need to call her back.

Thanks
 Jean

>>> Kat Richman <katrichman@gmail.com> 12/12/2013 9:40 AM >>>

Hello Jean,

This email is to voice support for Redfern Properties' proposed development project, Munjoy Heights. We are the owners of 79 Walnut St., which is one of the properties slated for demolition if this development is approved. The sale is pending the Planning Board's approval of the project.

We have been hearing that there is concern about the potential loss of our four units, which are more affordable in rent than what Redfern is proposing. As the current owners, we are aware more than others that our building is in need of major renovations. The property is over a hundred years old and has never had comprehensive renovations, to the best of our knowledge. We had been beginning to plan for these major renovations to the property ourselves. Initial estimates to comprehensively renovate the building in the same energy efficient manner, which has always been our intention, would be several hundred thousand dollars, which would require us to drastically raise our rents.

79 Walnut St. is in need of major renovations. Whether the property is re-developed, renovated, or sold and renovated by a different owner, rents at that location will significantly increase in the next few years.

Thank you for your consideration.

Katherine Richman and Nikki Green
79 Walnut St.

MEMORANDUM

To: FILE

From: Jean Fraser

Subject: Application ID: 2013-228

Date: 12/6/2013

Ann Michale

Comments Submitted by: Marge Schmuckal/Zoning on 12/6/2013

Marge's original review comment on 10/18/13 stated that the height requirement appeared to be met, but that the narrative had mentioned average grades, She wanted to see the methodology for the average grade. Based on the email from Ryan Senatore and the Average Grades Diagram dated 12.04.13, the methodology has been shown and the heights for the three story and four story buildings from the average grade is below the 45' maximum hieght requirement.

Ann Machado - Fwd: Munjoy Heights - Average Grades

From: Jean Fraser
To: Machado, Ann
Date: 12/5/2013 10:00 AM
Subject: Fwd: Munjoy Heights - Average Grades
Attachments: Munjoy Heights - Average Grade Diagrams.pdf

RECEIVED

DEC - 5 2013

Dept. of Building Inspections
City of Portland Maine

Ann

Please let me know if you think this addresses Marge's concern/comment....call if we need to discuss.

thanks

Jean

>>> Ryan Senatore <ryan@senatorearchitecture.com> 12/4/2013 7:41 PM >>>

Jean and Marge,

Please see the explanations below and the associated diagrams as to how we calculated the average grades for Munjoy Heights, note that the grades across the lengths of the buildings are consistent so the average grade is a simple average of the grades along the sloped sides of the buildings.

- 1.) The maximum height to roof beam for the 4 story structure as indicated on the drawing is 41'-6" We determined the average grade at the 4 story buildings by determining the grade change on the sloped side grades of the building which is 7' so we divide that by 2 to get 3.5' and subtract that from our maximum height of 41'-6" to get a Maximum height to top of roof beam above average grade of 38'-0" which is less than the 45' Maximum allowed by Zoning.
- 2.) The maximum height to roof beam for the 3 story structure as indicated on the drawing is 38'-4" We determined the average grade at the 3 story buildings by determining the grade change on the sloped side grades of the building which is 17' so we divide that by 2 to get 8.5' and subtract that from our maximum height of 38'-4" to get a Maximum height to top of roof beam above average grade of 29'-10" which is less than the 45' Maximum allowed by Zoning.

Ryan Senatore, AIA LEED-AP BD+C
Maine Licensed Architect
RYAN SENATORE ARCHITECTURE
207-650-6414
ryan@senatorearchitecture.com
www.senatorearchitecture.com

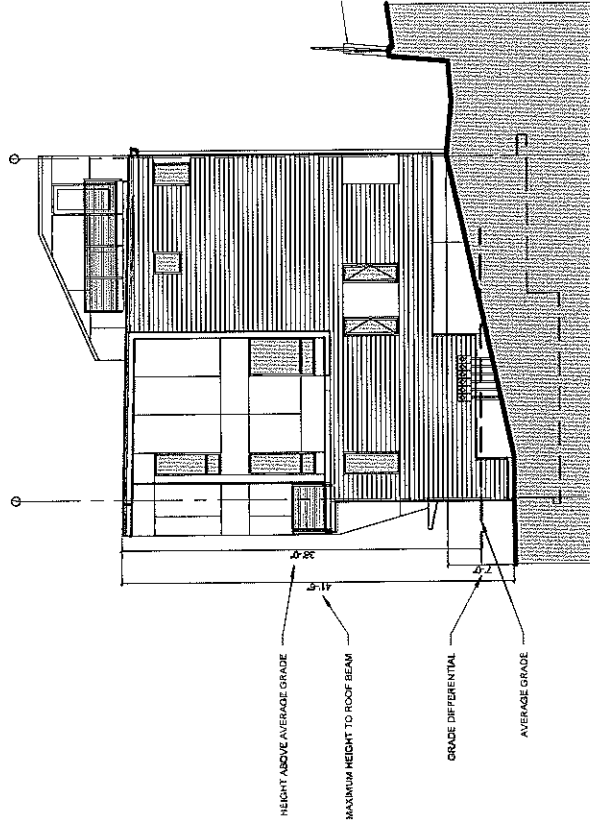
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DEC - 5 2013

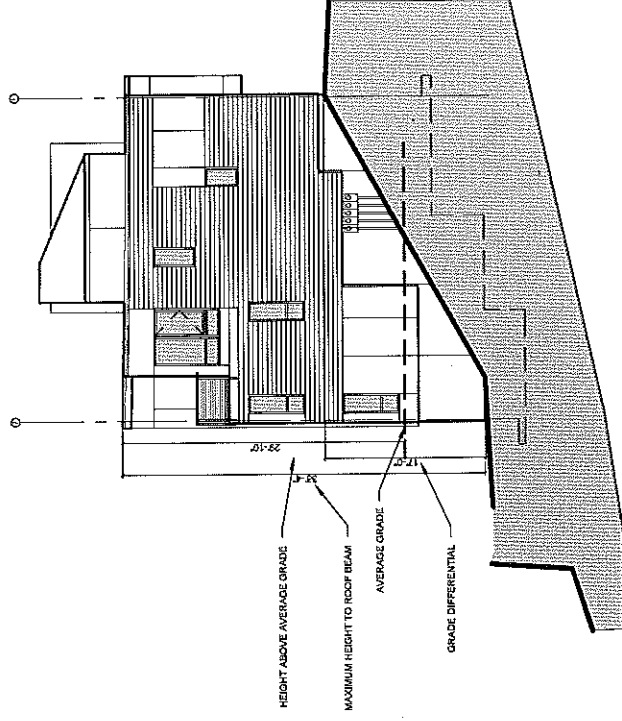
Dept. of Building Inspections
City of Portland Maine

12.04.13

MUNJOY HEIGHTS



FOUR STORY BUILDING



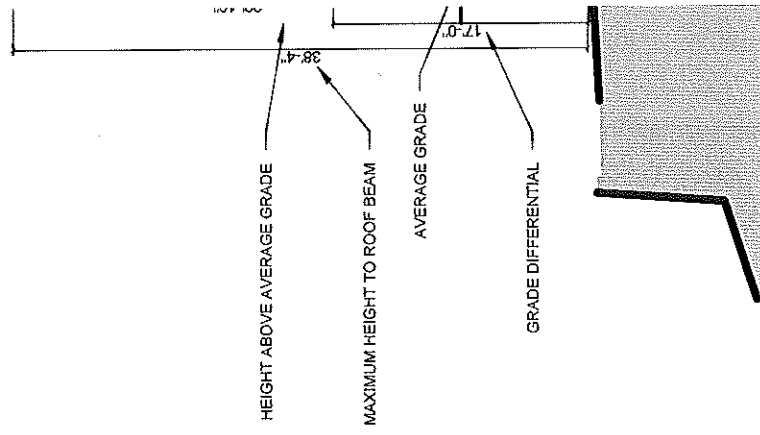
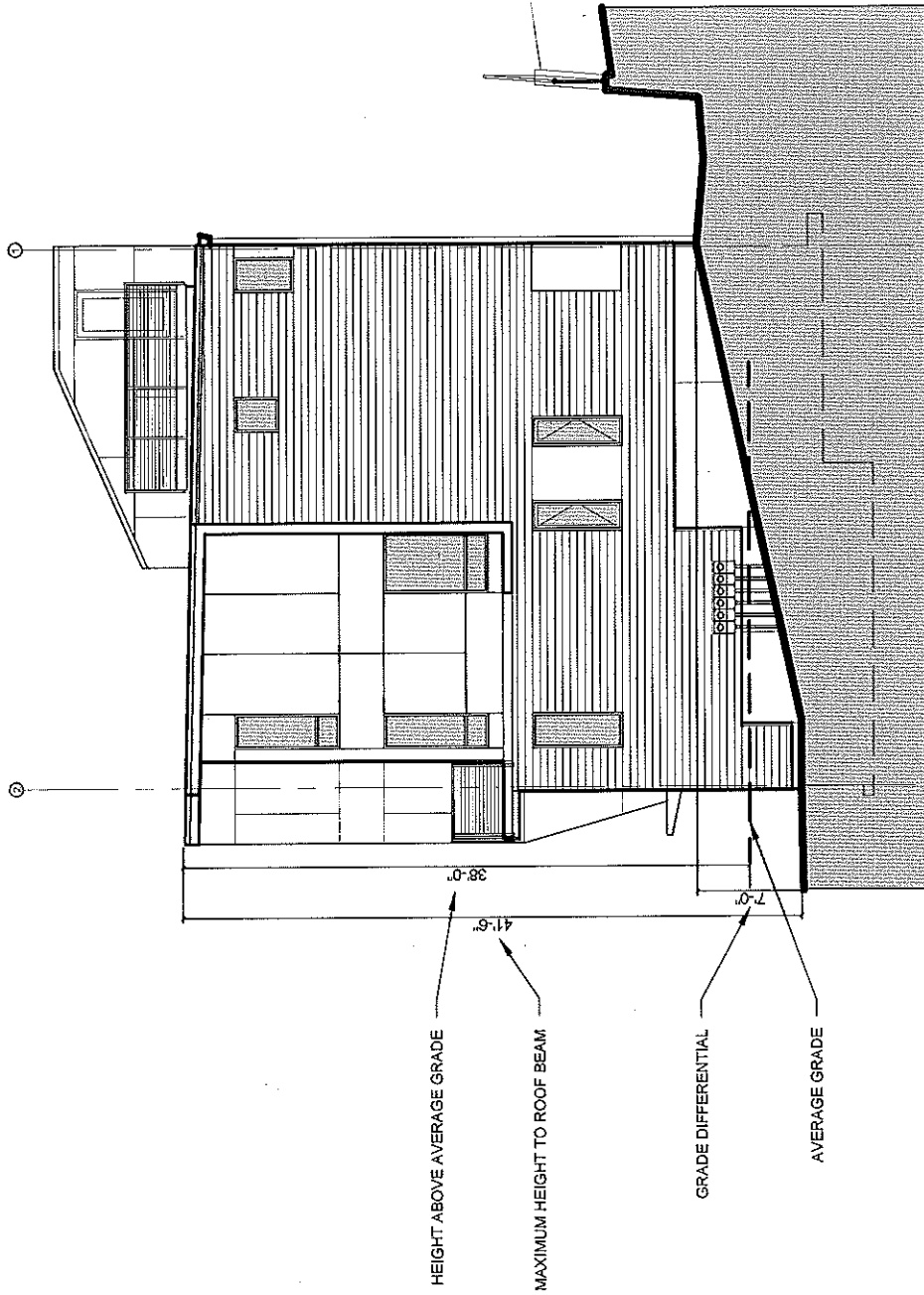
THREE STORY BUILDING

AVERAGE GRADES DIAGRAMS

RECEIVED

DEC - 5 2013

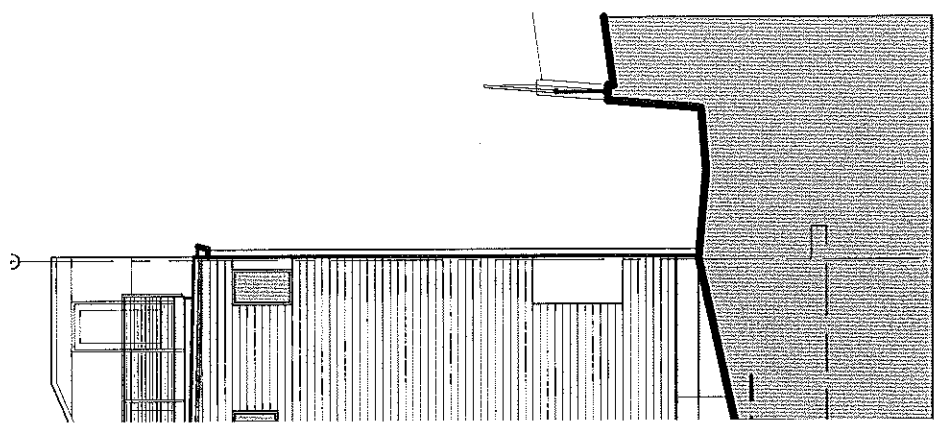
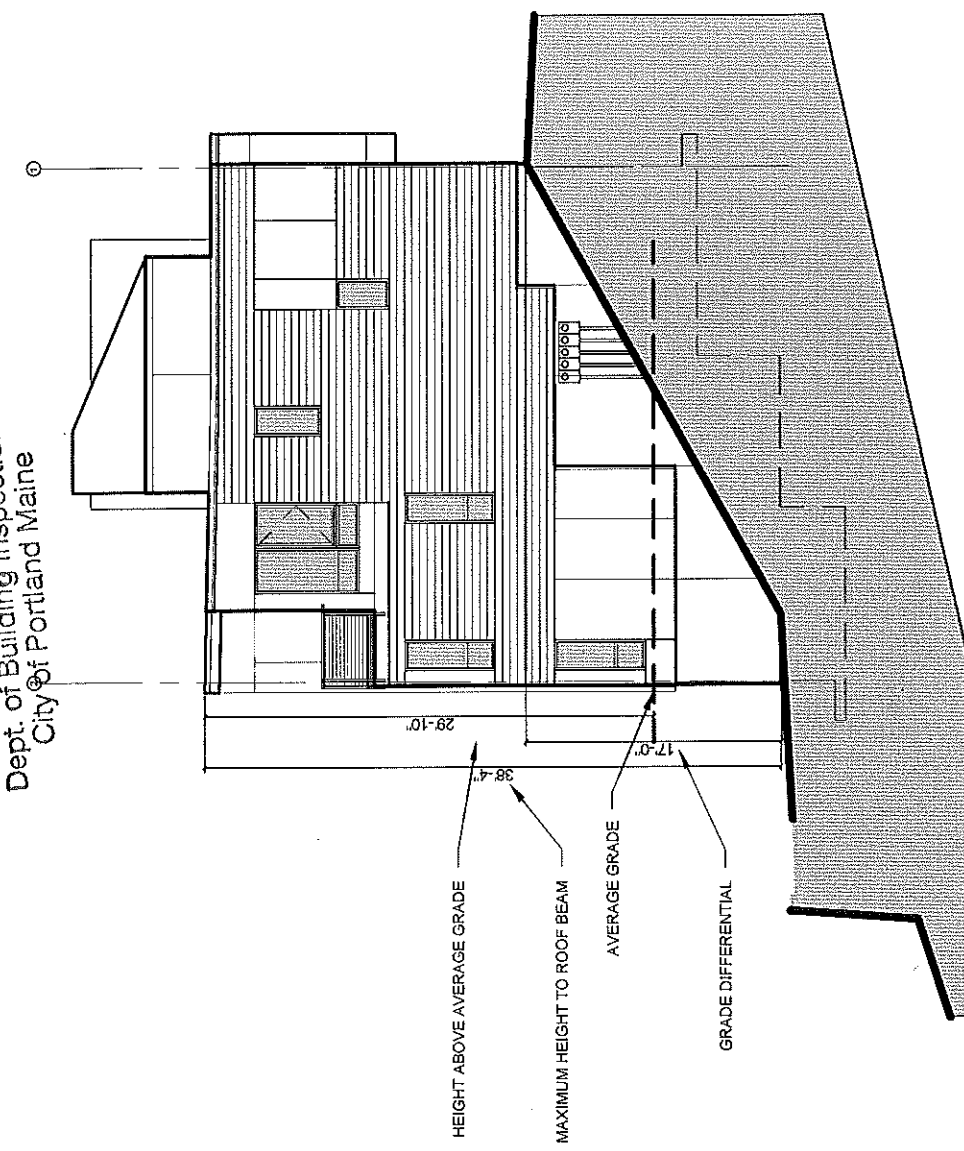
Dept. of Building Inspections
City of Portland Maine



RECEIVED

DEC - 5 2013

Dept. of Building Inspections
City of Portland Maine



MEMORANDUM

To: FILE

From: Jean Fraser

Subject: Application ID: 2013-228

Date: 12/4/2013

Ann Machado

Comments Submitted by: Marge Schmuckal/Zoning on 12/4/2013

There seem to be two outstanding zoning issues that Marge needed addressed. The first relates to the bumpout on the rear of the building at 128 North Street. It appears that this "bumpout" is a bulkhead which encroaches into the 20' rear yard setback. Section 14-425 allows a "basement bulkhead" whose area does not exceed 50 square feet and which does not project more than 6' from the principal structure to encroach into any required yard setback. The section also stipulates that the bulkhead may not be more than 24 inches in height. If the bulkhead at 128 North Street meets this criteria, then the proposed lot line meets zoning.

The second issue is the utility closet which encroaches into the 20 rear yard setback. Section 14-139(a)(4)(b) states that the rear setback for "principal and attached accessory structures with ground coverage greater than one hundred (100) square feet" is 20 feet. When the accessory structure is attached to the principal structure, it is part of the principal structure and therefore the ground coverage includes the footprint of the principal structure and the attached accessory structure. Since the footprint of both together is over 100 square feet, the utility closet needs to meet the 20' rear setback. At this point it does not. - Ann Machado

Ann Machado - Fwd: FW: Marge's Comments

From: Jean Fraser
To: Barhydt, Barbara; Machado, Ann
Date: 12/3/2013 4:26 PM
Subject: Fwd: FW: Marge's Comments
Attachments: Utility Closets - Munjoy Heights; RE: Munjoy Heights - Additional Information requested by Marge Schmuckal

?????

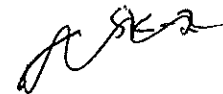
>>> "Jonathan Culley" <jonathan@redfernproperties.com> 12/3/2013 2:41 PM >>>

Jean,

Please see Will's note below and the related attached emails. Will had thought that he had addressed these issues with Marge previously.

Jonathan Culley
Redfern Homes LLC | Redfern Properties LLC
 Cell: 207-776-9715
 Office: 207-221-5746
 Fax: 207-221-2822
jonathan@redfernproperties.com
www.redfernhomes.com
www.redfernproperties.com

From: William Savage [mailto:wsavage@acorn-engineering.com]
Sent: Tuesday, December 03, 2013 11:45 AM
To: Jonathan Culley; Ryan Senatore
Subject: RE: Marge's Comments



The attached email was sent to Marge regarding the Utility Closet on 10-29-13. The utility closet will enclose the water service and have a door.

The second attached email was forwarded on to Marge on 10-21-13. I believe the encroachment discussed below is related to the existing bulkhead.

My interpretation of the rear building setback zoning requirements precludes rear building setbacks for "attached accessory structures with ground coverage less than 100 square feet". The proposed utility closet and bulkhead have a ground coverage of less than 100 s.f.

*schw
@17.5.*

I would request that Marge offer a clear opinion so Acorn and consultants may adjust the plans, as necessary.

-Will

From: Jonathan Culley [mailto:jonathan@redfernproperties.com]
Sent: Tuesday, December 03, 2013 9:57 AM
To: Ryan Senatore; William Savage
Subject: Marge's Comments

Ryan, Will,

www.redfernproperties.com

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MEMORANDUM

To: FILE
From: Jean Fraser
Subject: Application ID: 2013-228
Date: 11/27/2013

Comments Submitted by: Marge Schmuckal/Zoning on 11/27/2013

I reviewed the submitted response letter dated 11/19/2013. None of my zoning concerns were addressed in that letter. I would like to see them addressed. I did view plan SK-2 which concentrated on the 2-story building that is to remain. The zoning analysis looks fine, but I still see an apparent setback encroachment that is being created by this lot division. This encroachment should be corrected.

I did not see details of the encroaching "utility closets". Are these the open ended structures on the end of the building near the trail access? Because they are attached to the principal structure, they are considered part of the principal structure like a deck or other projecting structure. Because of that, I believe that they are violating the setbacks. What specific utilities are in this closet? Electric meters? Gas meters? Other? It would help to know exactly what is being encompassed in these enclosures.

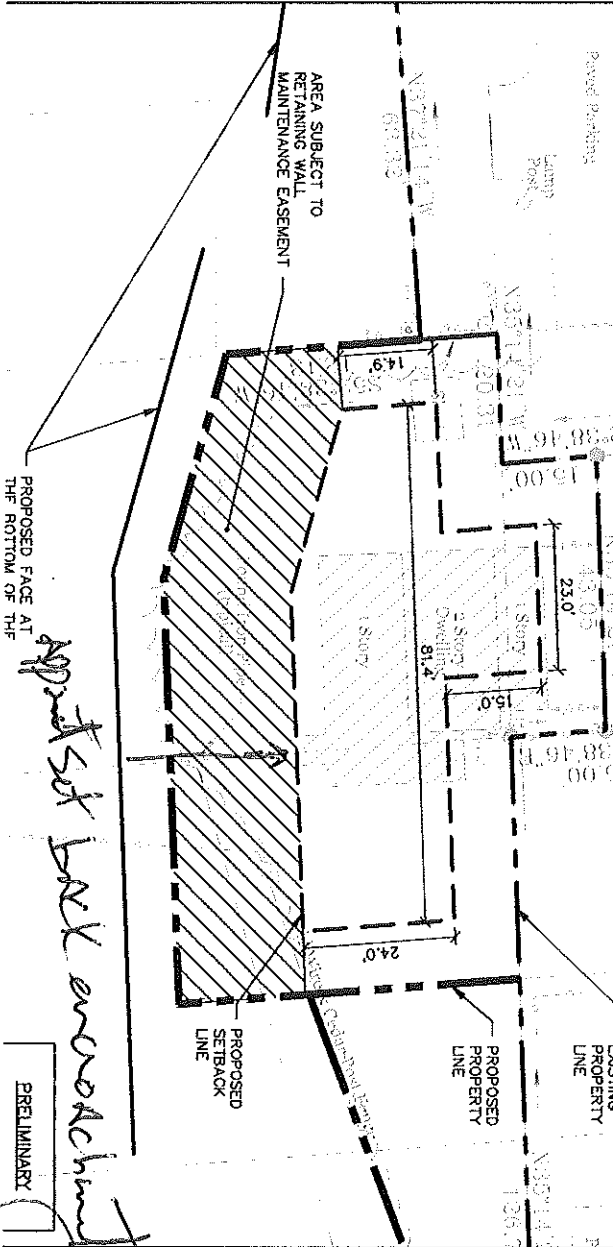
Marge Schmuckal
Zoning Administrator

11/19/2013? Submitted

SPACE AND BULK STANDARDS		
ZONE: R6 RESIDENTIAL	REQUIRED	PROVIDED
MINIMUM LOT SIZE	4,500 S.F.	5,931 S.F.
MINIMUM FRONTAGE	40'	0'
MINIMUM YARD DIMENSIONS		
FRONT YARD	10'	<10'*
REAR YARD	20'	20'*
SIDE YARD	10'	10'*

MAXIMUM LOT COVERAGE	50%	21%
MINIMUM LOT WIDTH	40'	41'
MAXIMUM BUILDING HEIGHT	45'	<45'
OPEN SPACE RATIO	20%	77%
PARKING REQUIREMENTS	1	1

* DEEDED ACCESS EASEMENT TO NORTH STREET
 ** ALL AREAS BELOW REQUIREMENTS ARE EXISTING AREAS OF NON-COMFORMANCE



Appoint set back encroachment

PRELIMINARY

SK-2

		PROJECT NAME: Maxwell Property Site Plan CLIENT: REDFERN PROPERTIES PORTLAND, OREGON
DATE: 11/19/2013 DRAWING NO.: SK-2	SHEET NO.: 1 OF 1	SCALE: AS SHOWN

From: Jean Fraser
To: Schmuckal, Marge
Date: 11/27/2013 10:38 AM
Subject: Munjoy Heights

Marge

Before you go away could you clarify (maybe an e-mail) what information you are still awaiting to give a final sign off- they have provided info re the Maxwell site and I think spoken to you re setbacks.

They are finalizing their hearing submission (to be submitted Monday) so it would be helpful if you could respond today.

Thanks
Jean

11/19 letter about address

SK - 2

Marge Schmuckal - Utility Closets - Munjoy Heights

From: William Savage <wsavage@acorn-engineering.com>
To: Marge Schmuckal <MES@portlandmaine.gov>, Jean Fraser <JF@portlandmaine.gov>
Date: 10/29/2013 10:30 AM
Subject: Utility Closets - Munjoy Heights
CC: Ryan Senatore <ryan@senatorearchitecture.com>, "Jonathan Culley(jonathan..."

Good morning Marge,

For Munjoy Heights we have one 12-15 square foot utility closet per block of units. One closet is proposed along the western face of Unit 18 and 29. (Not depicted on the Site Layout submitted with the Preliminary Plan) The proposed utility closet for unit 18 extends into the rear yard setback by 1.5 ft. My interpretation of the zoning rear yard setback is that it applies to principal and attached accessory structures with ground coverage greater than 100 square feet. Given the closet is an attached accessory structure less than 100 sf the rear setback of 5 ft would apply and not 20 ft.

We prefer the proposed locations of the Utility Closet because, in addition to the landscaping, the buildings will largely screen the closets from view.

Your assistance is appreciated.

Will Savage, PE
Project Manager

Acorn Engineering, Inc
PO Box 3372
Portland, Maine 04104
www.acorn-engineering.com

B. 207.775.2655
F. 207.358.7979
C. 207.317.1884

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MEMORANDUM

To: FILE
From: Jean Fraser
Subject: Application ID: 2013-228
Date: 10/18/2013

Comments Submitted by: Marge Schmuckal/Zoning on 10/18/2013

This project is for 29 new dwelling units and 34 parking spaces. Two existing buildings will be demolished to make way for this project. The East Cove property is currently a legal single family. 79 Walnut Street is a legal four family. The front of this large property is along Walnut Street. The minimum street requirement of 70' is being met. The initial review indicates that the minimum setbacks are being met. However, I would like clarification concerning the front setback for unit #1. Is the averaging method being used? Or is the applicant depending upon another part of the Ordinance for the front setback along Walnut Street to be less than 10'. I would also like a better zoning analysis done for the newly configured lot of 128 North Street. The rear setback may be nonconforming by the rear bump out. A bit more information on that lot would be required (remaining lot size - show old lot lines compared to the new etc.).

The height requirement appears to be met. However, the narrative mentioned average grades. I did not see the methodology for the average grades. The average grade was not indicated on the building elevations. Please explain the details a little bit more.

I just wanted to be sure on the plans that the "yellow" outline is the edge of the building outline for setback purposes, and not the "black" line. Please confirm.

Marge Schmuckal
Zoning Administrator

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

207-650-6414

senatorearchitecture.com

ryan@senatorearchitecture.com

67 Gray Rd, Gorham ME 04038



P.O. Box 8816
Portland, ME 04104
Office: 207-221-5746
Fax: 207-221-2822
www.redfernproperties.com

September 30, 2013

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

Re: Munjoy Heights/Housing Replacement Ordinance

Dear Barbara:

This letter should serve as an Addendum to the Munjoy Heights Site Plan Application submitted earlier today.

Our plan contemplates the demolition of two structures, a multi-family building at 79 Walnut Street and a single-family house at 1 East Cove Street. We believe that the house at 79 Walnut Street is a legal four unit dwelling. Thus, it is our understanding that five housing units will be demolished. These five housing units will be replaced with the 29 new residential units, for a net addition of 24 housing units. We understand that our development may trigger certain provisions of the Housing Replacement Ordinance.

We look forward to working with the Planning Division to better understand how this project is impacted by the Housing Replacement Ordinance. Thank you.

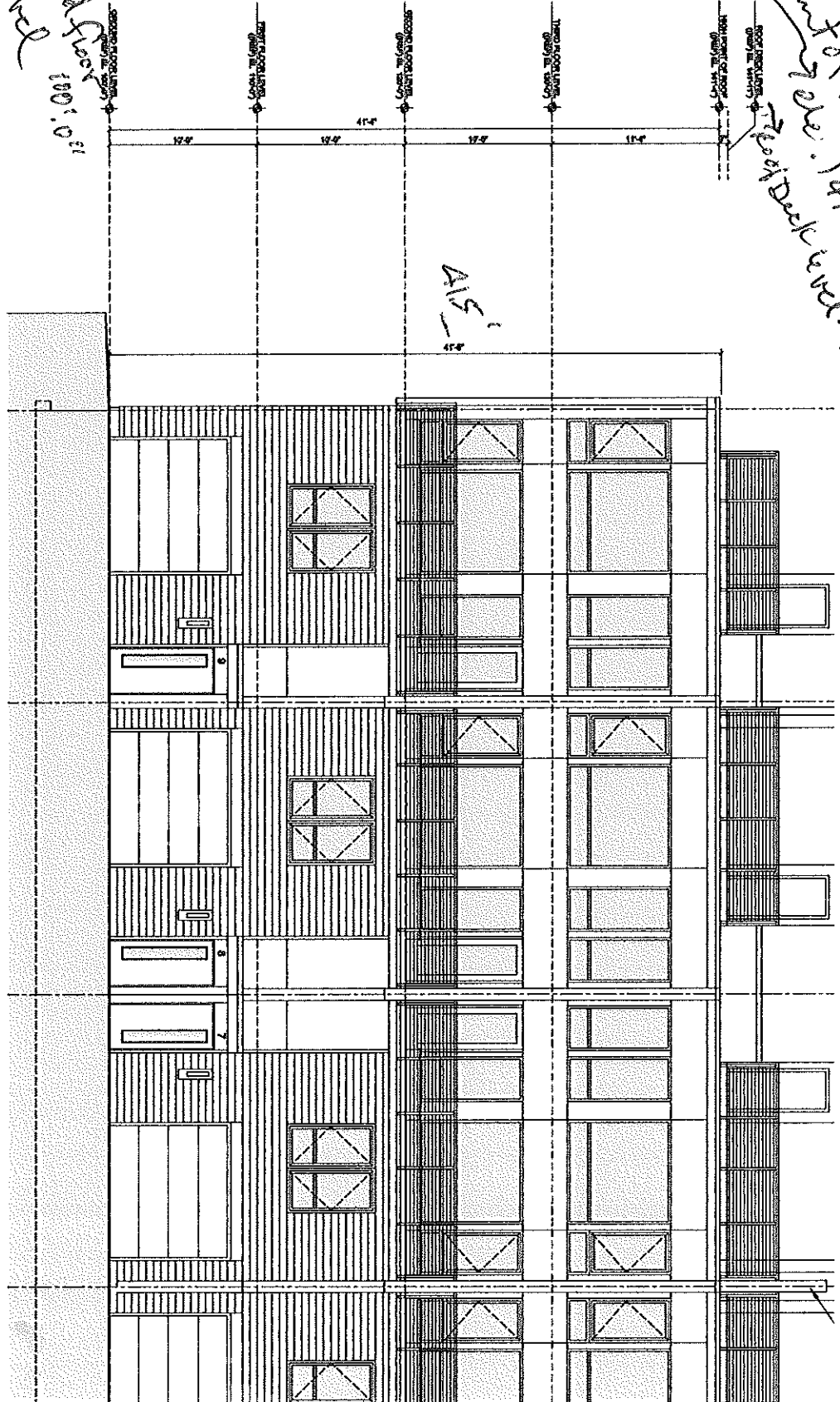
Sincerely,


Jonathan Culley

Gravel Deck
100:10"

Highest Point of Roof
Deck Level - 14'-8"
Deck Level - 14'-11"

A15'



26

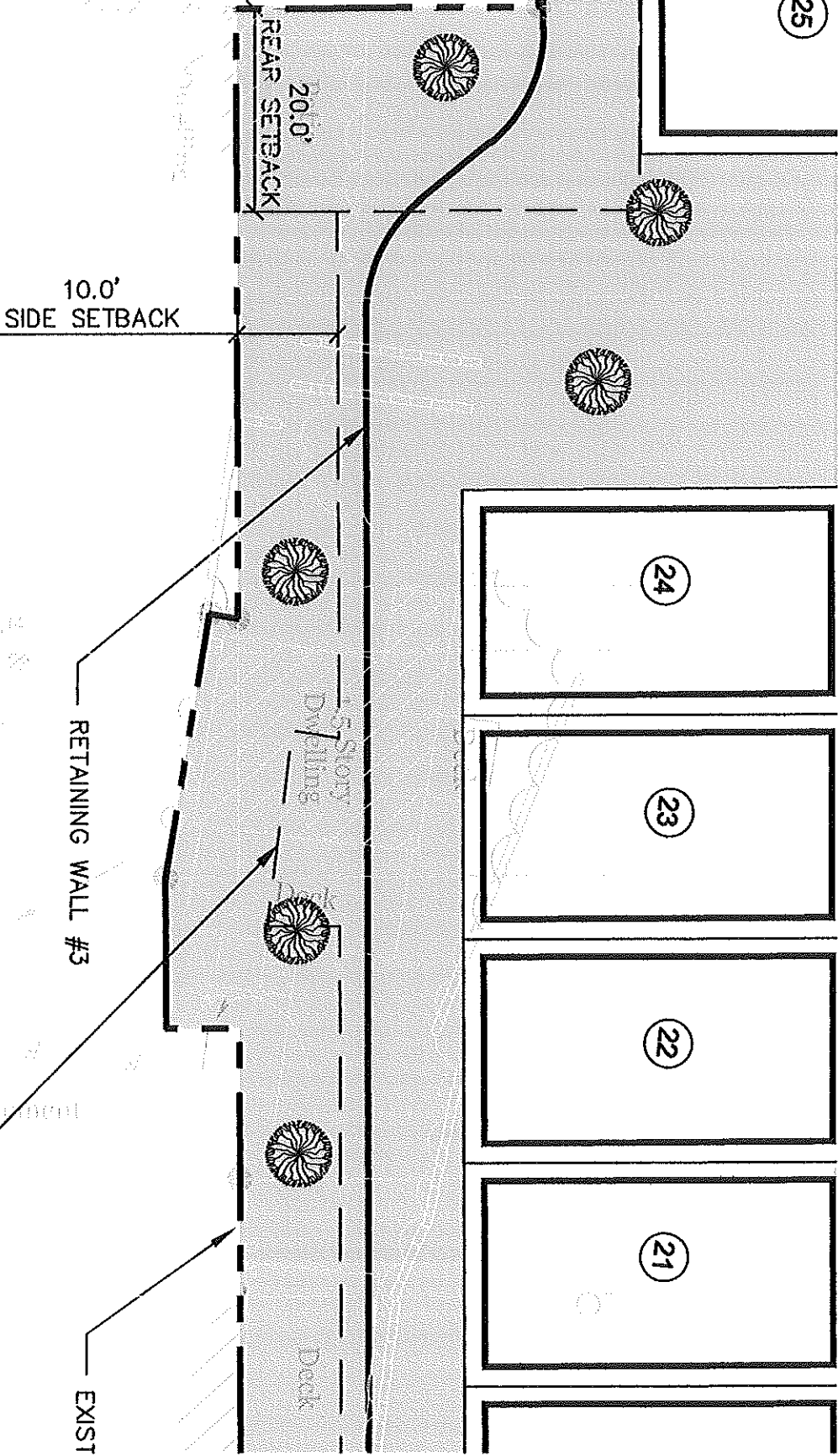
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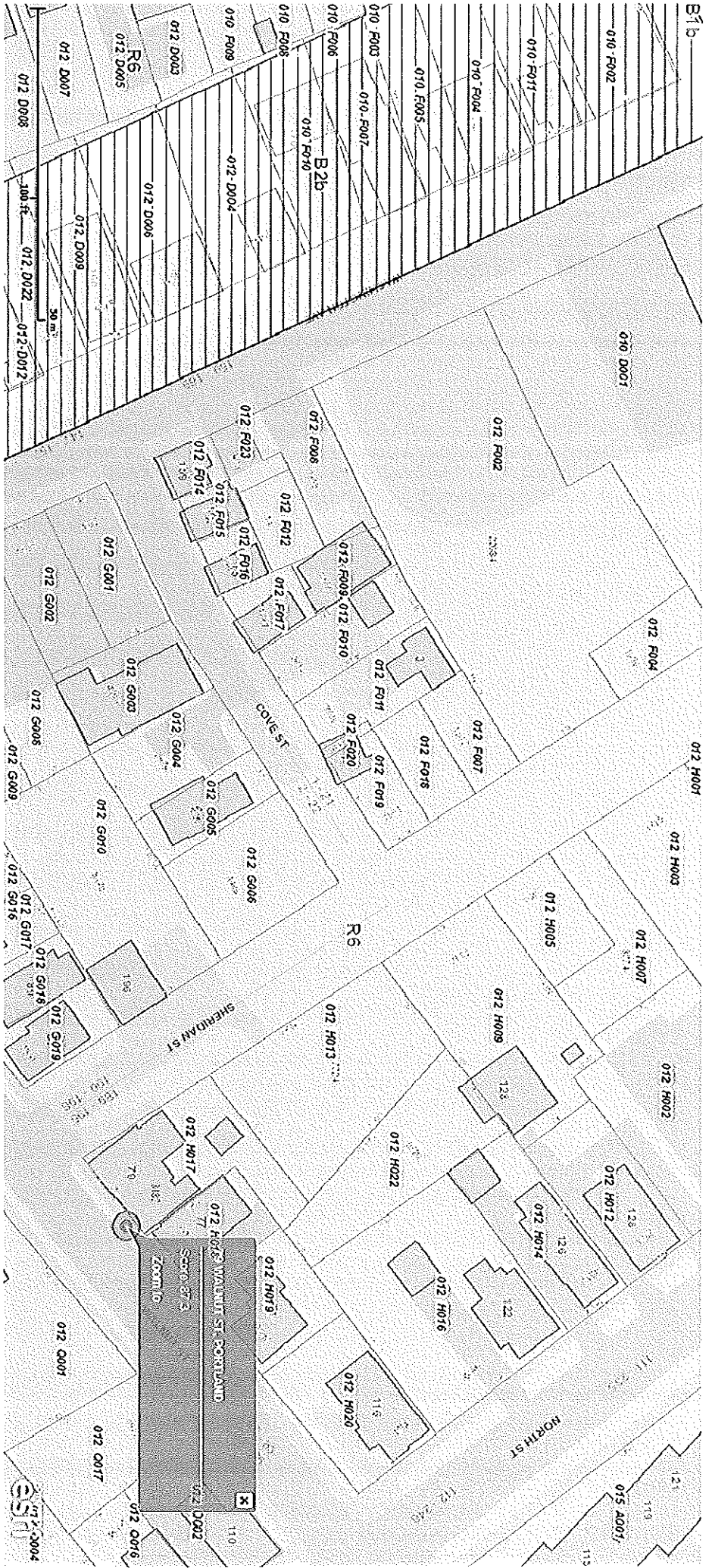
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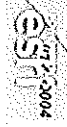
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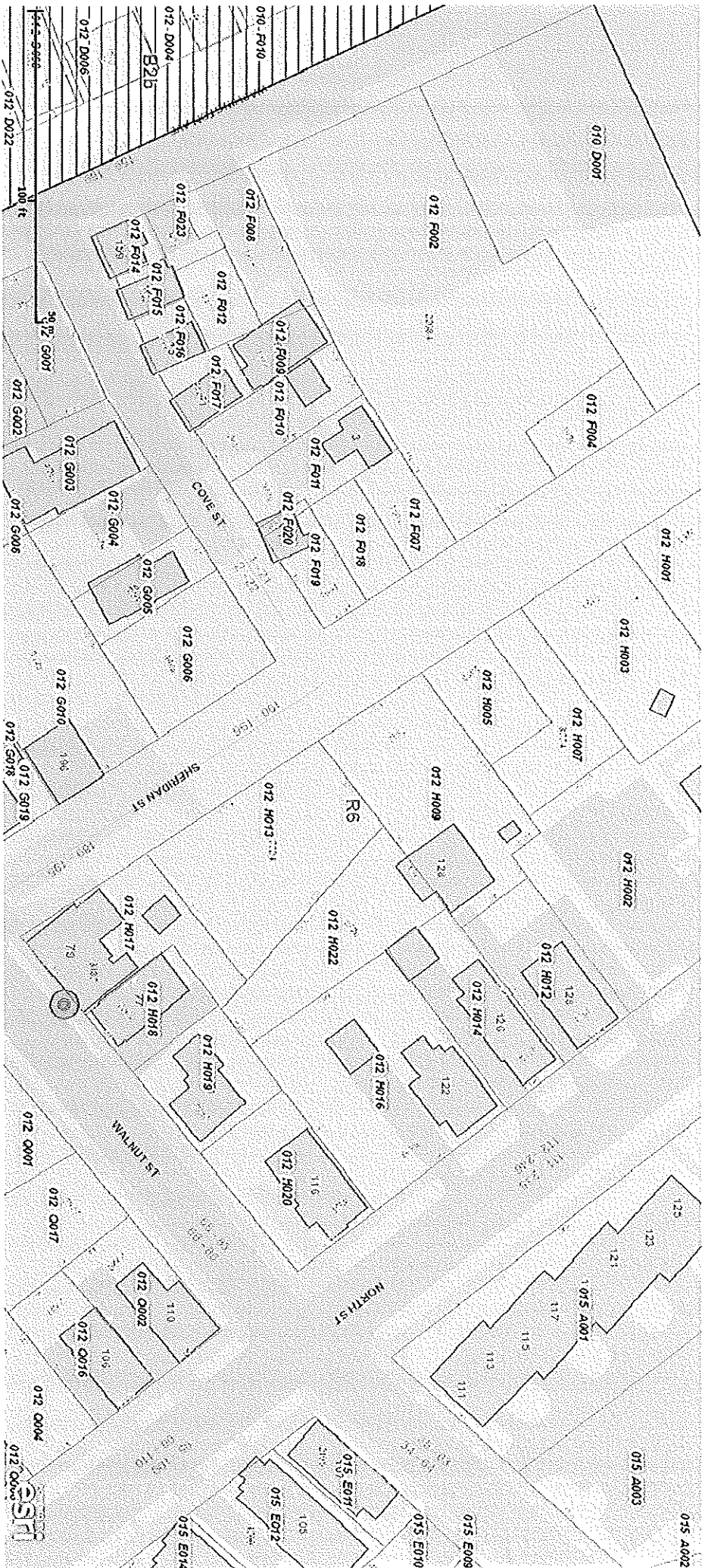
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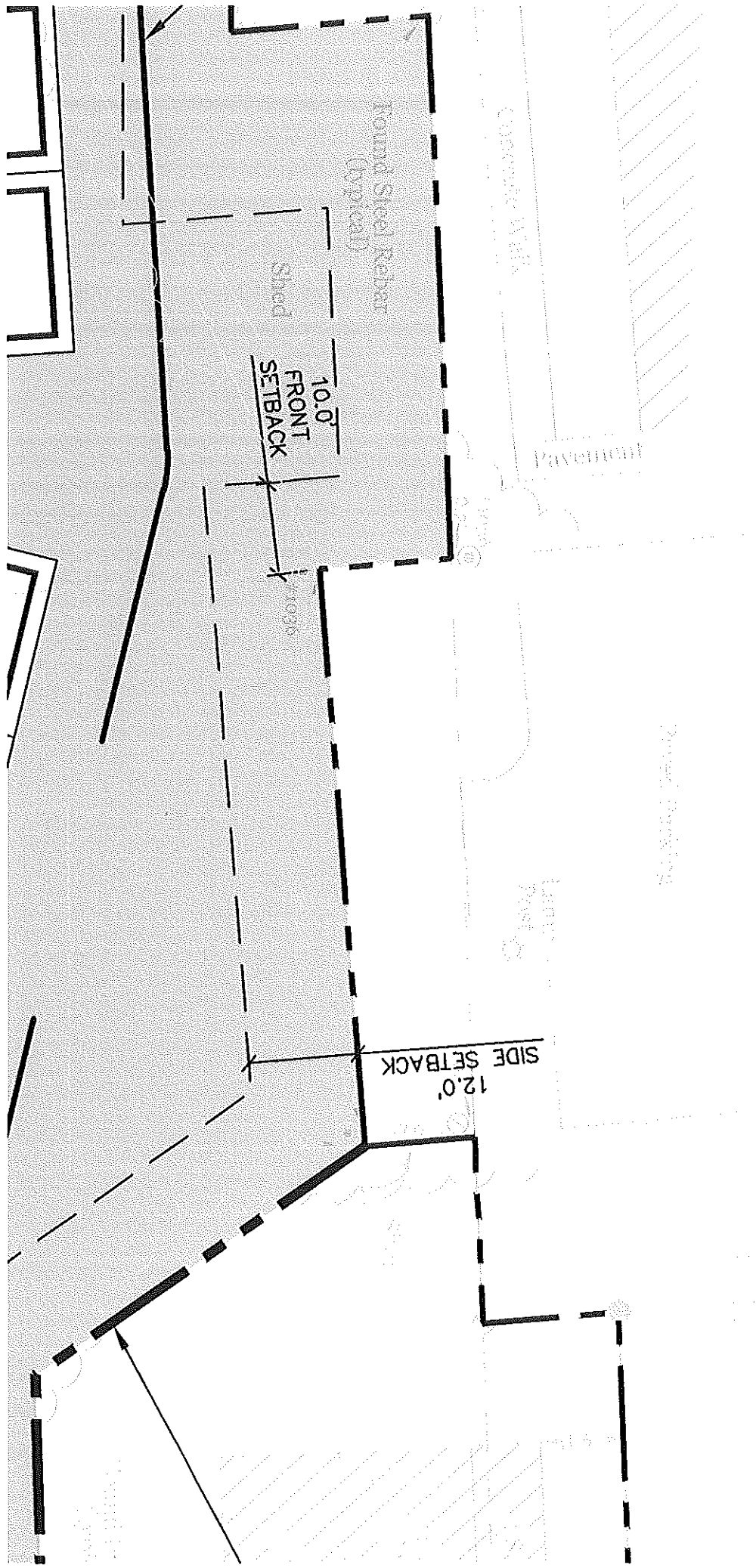
012 H013
WALNUT ST, PORTLAND
979 872
ZOOM TO





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Round Steel Rebar
(typical)

Shed

10.0'
FRONT
SETBACK

12.0'
SIDE SETBACK

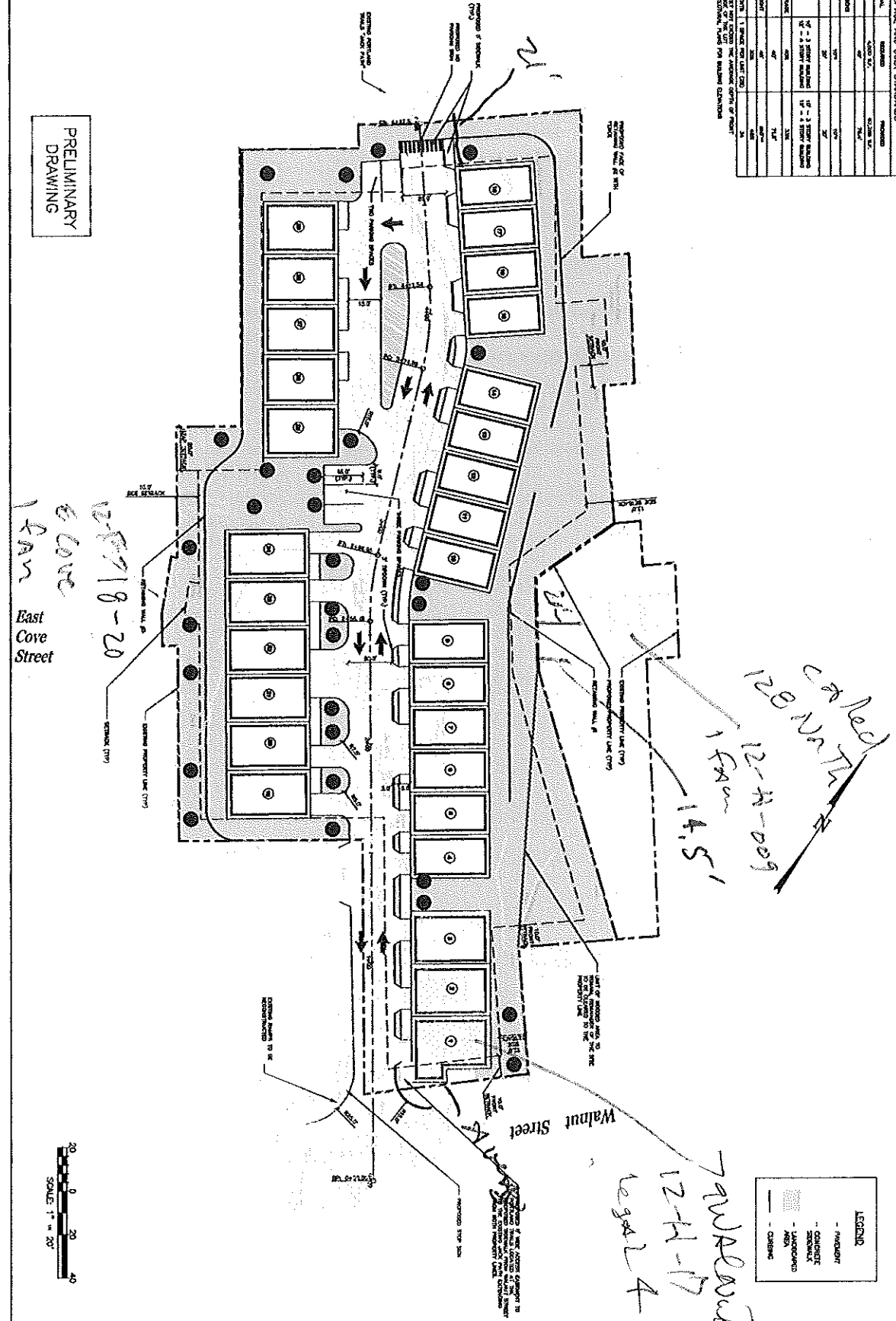
Concrete Walk

Pavement

North Arrow

SPACE AND BULK STANDARDS	
ZONING OR NEIGHBORHOOD	RESIDENTIAL
MINIMUM LOT SIZE	4,500 SQ. FT.
MINIMUM FRONT SETBACK	10 FT.
MINIMUM SIDE SETBACK	5 FT.
MINIMUM REAR SETBACK	5 FT.
MINIMUM FRONT YARD OPEN SPACE	10% OF LOT AREA
MINIMUM SIDE YARD OPEN SPACE	5% OF LOT AREA
MINIMUM REAR YARD OPEN SPACE	5% OF LOT AREA
MINIMUM OPEN SPACE PER UNIT	100 SQ. FT.
MINIMUM OPEN SPACE PER UNIT (EXCLUDING DECKS)	75 SQ. FT.
MINIMUM OPEN SPACE PER UNIT (EXCLUDING DECKS AND PATIOS)	50 SQ. FT.

PRELIMINARY
DRAWING

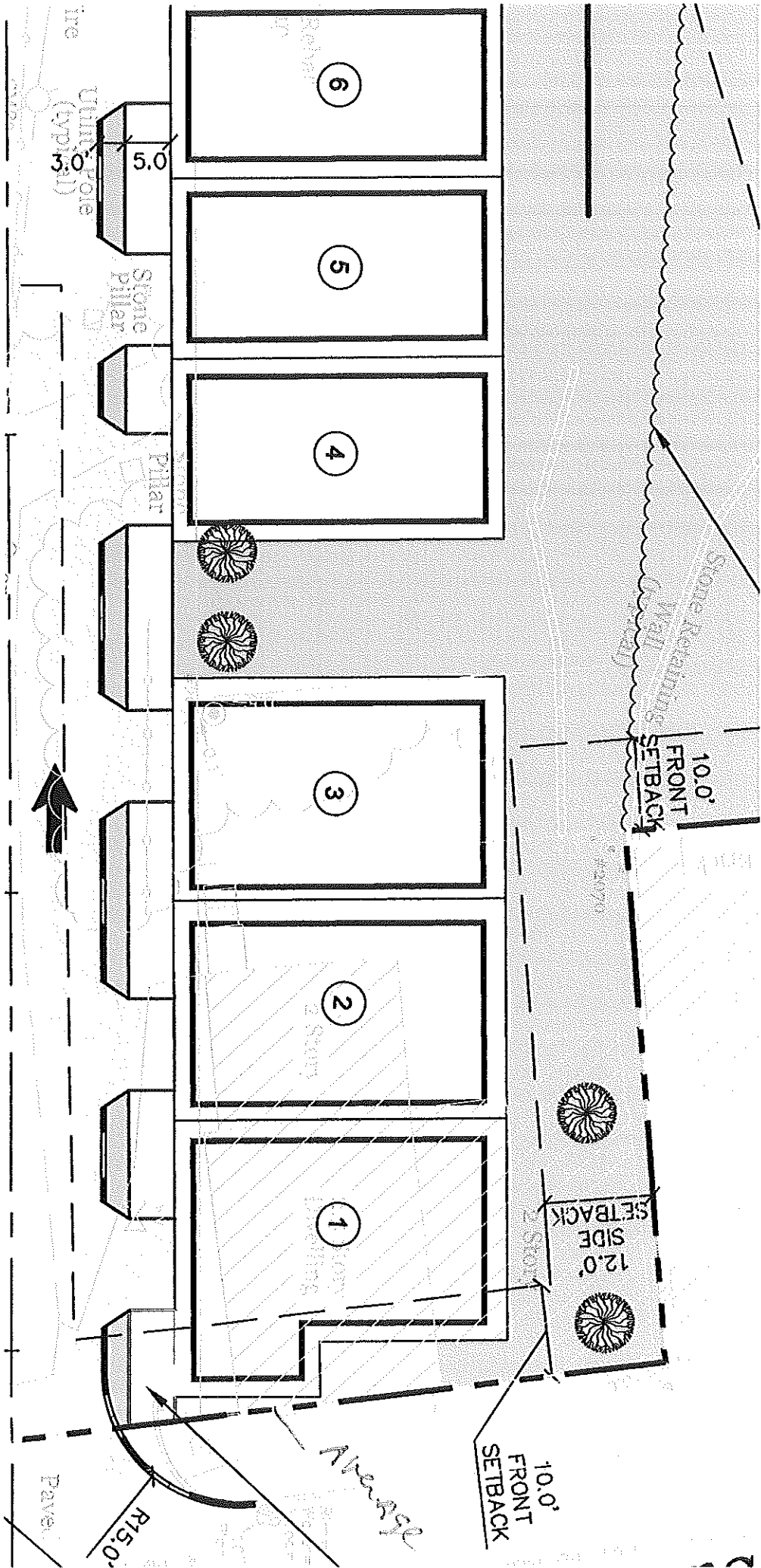


20
0
20
40
SCALE: 1" = 20'

DRAWING NO.
C-10

DATE: 12/18/20
 DRAWN: [Name]
 CHECKED: [Name]
 APPROVED: [Signature]
ACORN ENGINEERING, INC.
 315 S. MAIN ST., PORTLAND, ME 04104
 TEL: 603.776.7000

PROJECT NAME: **SITE LAYOUT PLAN**
MUNJOY HEIGHTS
 CLIENT: **REDFERN PROPERTIES, LLC**
 P.O. BOX 8816, PORTLAND, MAINE 04104





P.O. Box 8816
Portland, ME 04104
Office: 207-221-5746
Fax: 207-221-2822
www.redfernproperties.com

September 27, 2013

City of Portland
Planning Division
389 Congress Street, 4th 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,

A handwritten signature in black ink, appearing to read "Jonathan Culley", is written over a dotted line.

Jonathan Culley
Redfern Munjoy LLC

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 dellneation 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

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,

A handwritten signature in cursive script, appearing to read "Ryan Senatore".

Ryan Senatore, AIA LEED-AP

Principal

207-650-6414

senatorearchitecture.com

ryan@senatorearchitecture.com

67 Gray Rd, Gorham ME 04038



P.O. Box 8816
Portland, ME 04104
Office: 207-221-5746
Fax: 207-221-2822
www.redfernproperties.com

September 30, 2013

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

Re: Munjoy Heights/Housing Replacement Ordinance

Dear Barbara:

This letter should serve as an Addendum to the Munjoy Heights Site Plan Application submitted earlier today.

Cover
Our plan contemplates the demolition of two structures, a multi-family building at 79 Walnut Street and a single-family house at 1 East Cove Street. We believe that the house at 79 Walnut Street is a legal four unit dwelling. Thus, it is our understanding that five housing units will be demolished. These five housing units will be replaced with the 29 new residential units, for a net addition of 24 housing units. We understand that our development may trigger certain provisions of the Housing Replacement Ordinance.

We look forward to working with the Planning Division to better understand how this project is impacted by the Housing Replacement Ordinance. Thank you.

Sincerely,

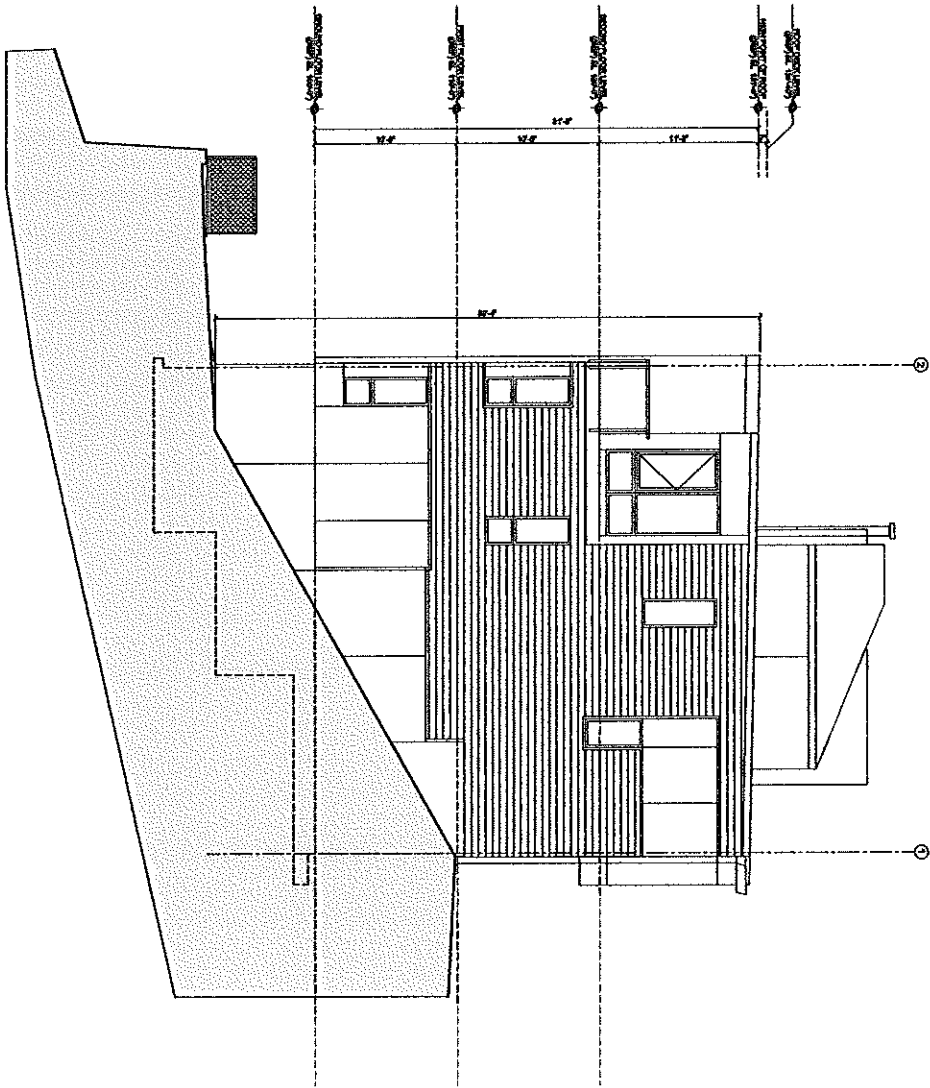

Jonathan Culley

PROJECT DATA

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

Total Site Area	69,288 sf = 1.59 acres
Proposed Total Disturbed Area of the Site	69,288 sf = 1.59 acres sq. ft.
<small>(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)</small>	
IMPERVIOUS SURFACE AREA	
• 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.
BUILDING AREA	
• 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)
ZONING	
• Existing	R6 Residential Zone
• Proposed, if applicable	R6 Residential Zone
LAND USE	
• Existing	Vacant
• Proposed	Residential
RESIDENTIAL, IF APPLICABLE	
• 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
PARKING SPACES	
• 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
BICYCLE PARKING SPACES	
• 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
ESTIMATED COST OF PROJECT	\$11 million

SECTION MARKER



PROGRESS ONLY
 IN THE COMPANY
 SET/REVISION 2/2013

A2-0E

DATE	2/2013
PROJECT	MUNJOY HEIGHTS
ARCHITECT	RSA
OWNER	79 WALNUT STREET
LOCATION	PORTLAND, MAINE
SCALE	AS SHOWN
DESCRIPTION	EXIST. ELEVATION


RSA
 REAL STATE ARCHITECTURE
 1000 BROADWAY
 PORTLAND, ME 04101
 TEL: 603.761.1234
 FAX: 603.761.1235
 WWW.RSAARCHITECTURE.COM

MUNJOY HEIGHTS
 79 WALNUT STREET
 PORTLAND, MAINE

© 2013 REAL STATE ARCHITECTURE

LEGEND
 TP-1 SUMMIT TEST PIT
 (MAY 23, 2013)

NOTE
 PLAN REFERENCE - "SITE CONCEPT, MUNJOY HEIGHTS", DATED MAY 10, 2013, PREPARED BY RYAN SEVATORE ARCHITECTURE.

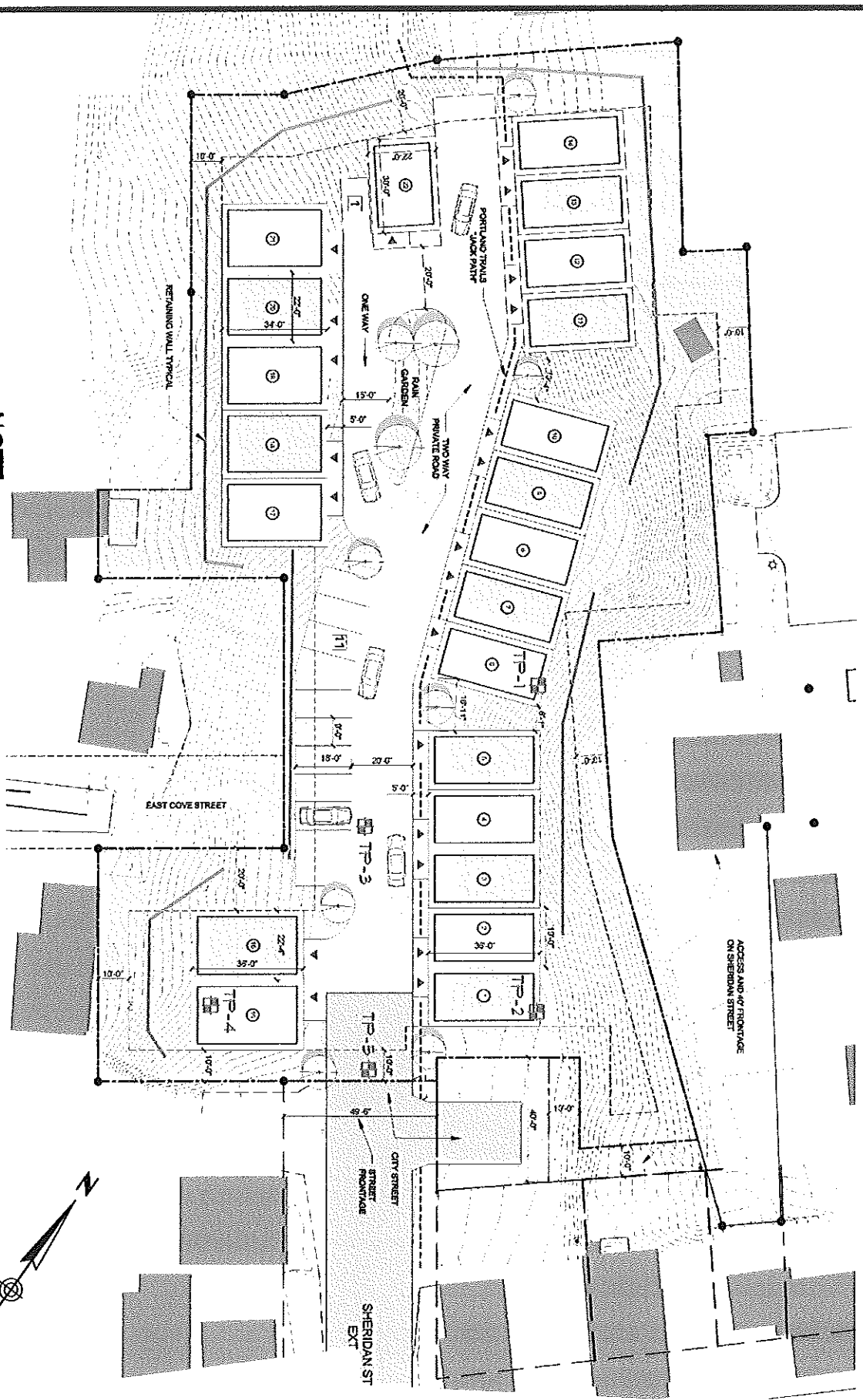
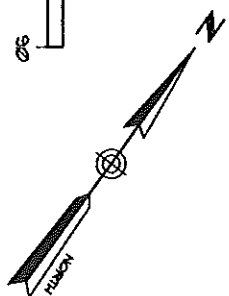
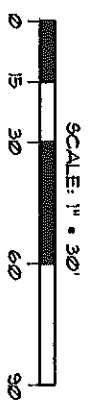


FIGURE: 1	PROJECT CODE: 1	640 Main Street Lewiston, Me 04240 SUMMIT GEOENGINEERING SERVICES	Tel: (207) 576-3313 summitgeoeng.com	TITLE: TEST PIT LOCATION PLAN		PROJECT: MUNJOY HEIGHTS SHERIDAN STREET EXTENSION - PORTLAND, ME
				SCALE: 1" = 30'	DATE: MAY 24, 2013	CLIENT: REDFERN PROPERTIES
				DRAWN BY: KRF	APPR BY: WAP	

11/5/13

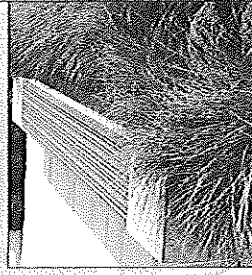
SYMBOLS LEGEND

- Proposed Drive
- Proposed Driveway
- Proposed Deck
- Proposed Porch
- Proposed Tree
- Proposed Utility
- Proposed Structure
- Native Plantings
- Unit Parking (A)
- Unit Parking (B)
- Deck
- Drive

PRECEDENT IMAGES



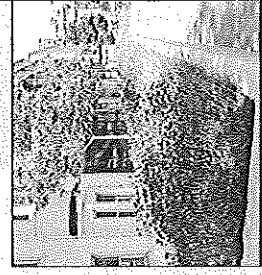
WOONERF / COMPLETE STREET



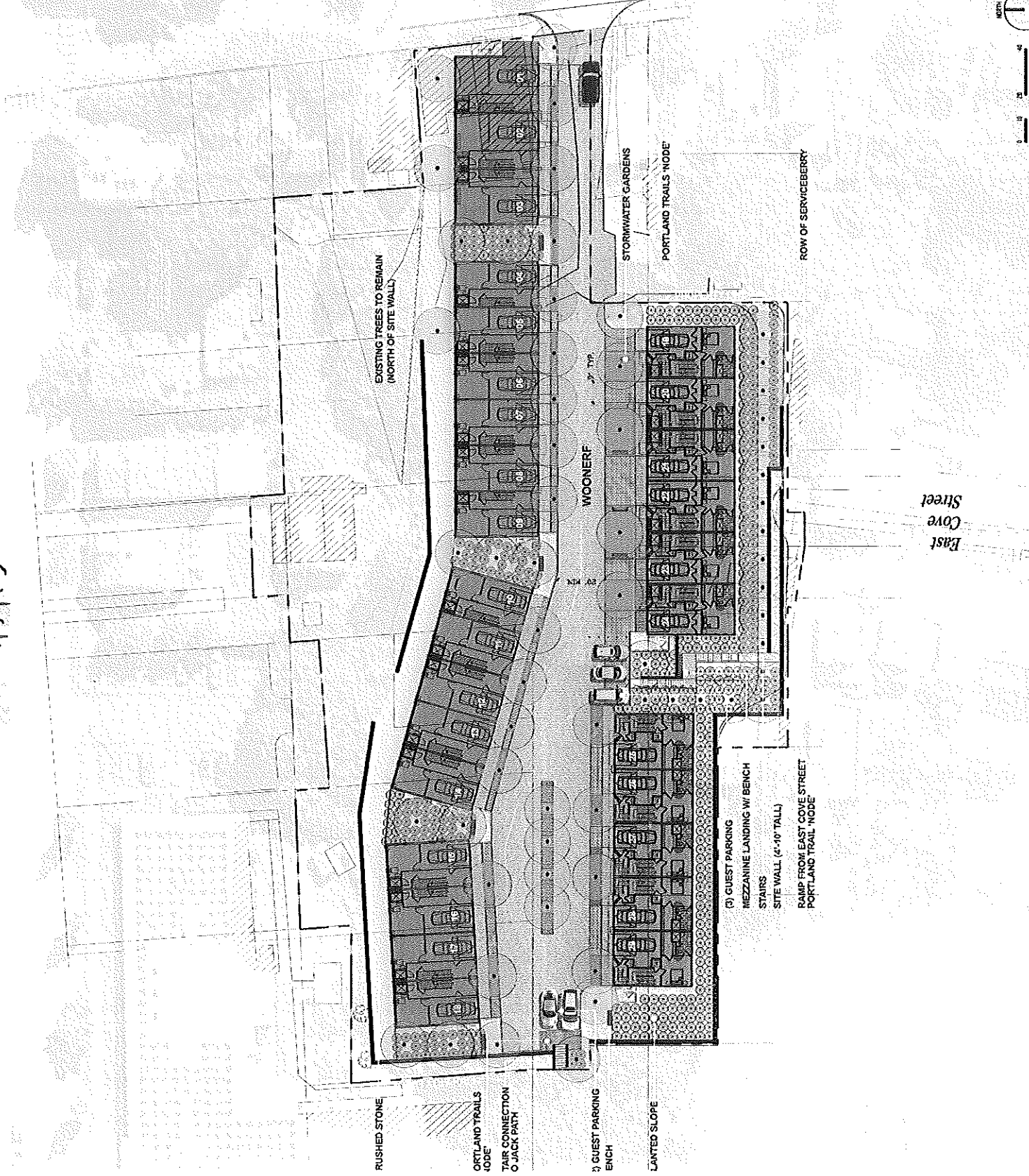
GARDEN BENCH



NATIVE PLANTS



STORMWATER GARDEN



EXISTING TREES TO REMAIN
(NORTH OF SITE WALL)

WOONERF

STORMWATER GARDENS

PORTLAND TRAILS NODE

ROW OF SERVICEBERRY

East Cove Street

RUSHED STONE

PORTLAND TRAILS NODE

TUR CONNECTION JACK PATH

GUEST PARKING ENCH

LANTED SLOPE

(3) GUEST PARKING
 MEZZANINE LANDING W/ BENCH
 STAIRS
 SITE WALL (4'-10" TALL)
 RAMP FROM EAST COVE STREET
 PORTLAND TRAIL NODE





Townhouse condos

4/3/13

11:35 Wed

Memorandum
Department of Planning and Urban Development
Pre-Application Meeting Request

Callig Manjy Houghts



To request a pre-application meeting please fill out the form below with as much detail as possible. Return the form along with any electronic drawings or supporting documentation via e-mail to Desiree Kelly, dnk@portlandmaine.gov. Two 30 minute meetings will be scheduled each Wednesday from 12:00-1:00 p.m. in Room 209, 2nd Floor of City Hall. These meetings are by appointment only and can be scheduled by Desiree Kelly at the e-mail address above or by telephone 207-874-8720.

Contact Information	
Name:	Jonathan Culley/Redfern Properties
E-Mail Address:	jonathan@redfernproperties.com
Phone:	207-776-9715
Proposed Project Information	
Chart, Block, Lot (s)	12-H-1,3,5,7,9,13, 12-G-6
Address	Sheridan Street Extension
Current Use	Vacant Lots
Proposed Use	15-18 Row Houses
Lot Size	~28,000sf (includes both sides of street)
New Building or Addition Sq. Ft.	~30,000sf of building area
New impervious surface area	TBD
Brief description of proposed project:	Jim Nadeem is doing the Survey -
Development of Sheridan Street (extension of paper street) to the Northeast of Walnut Street. The proposal contemplates roughly 18 new row houses, including 3 on the west side of the street. Each row house would have a private entrance and a garage. Questions include standards on driveways and curb cuts.	
For Office Use Only	Date: April 3 Time: 11:15

no setback req for retaining walls
↓
easement or license

Rd is 443' long
Needs a hydrant

Process for vacant streets - Barbara discussed

Small lot Dev
NEAR WALNUT

R-6 Small Lot Dev, 14-139(2) 1/1/2005

(h) 725# Reg'd Area/DU.

(f) open space req

either side a REAR needs to be 15' min

SHRUBS AS of

STVIEW TOWNHOUSES

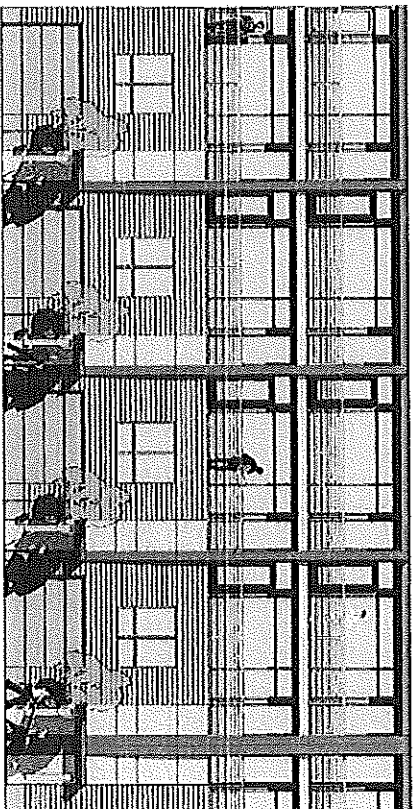
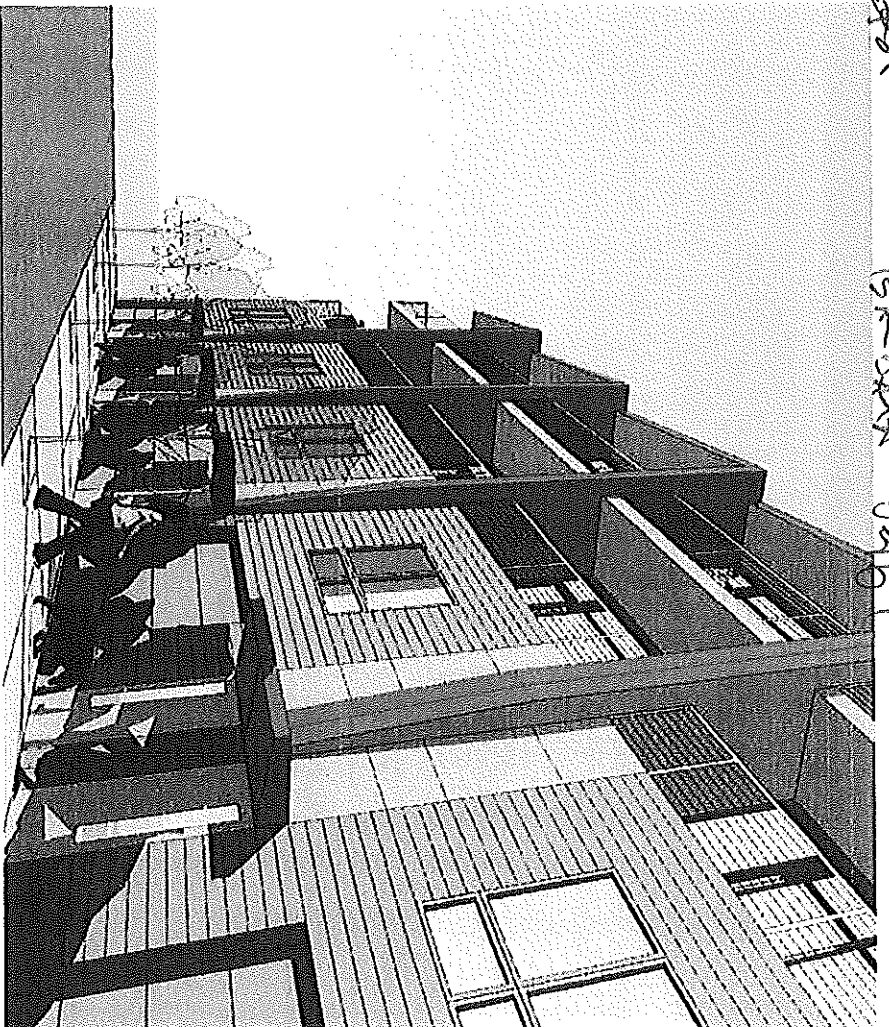
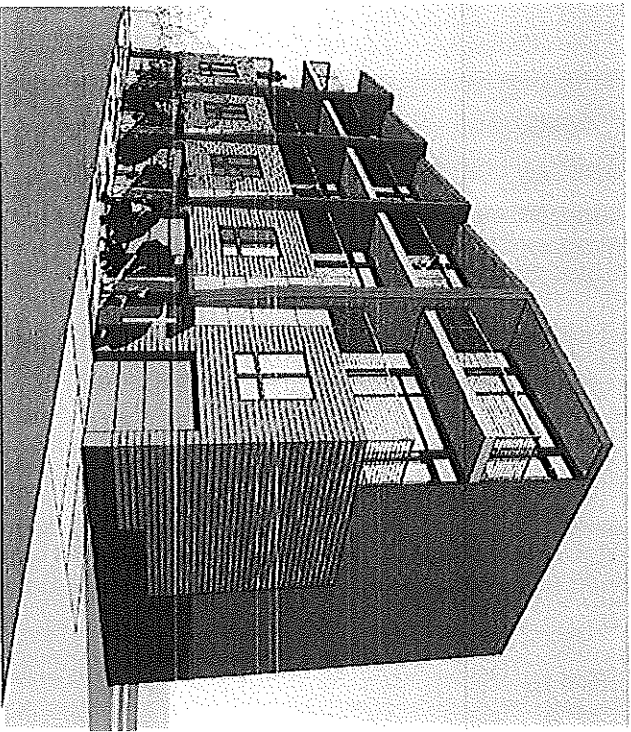
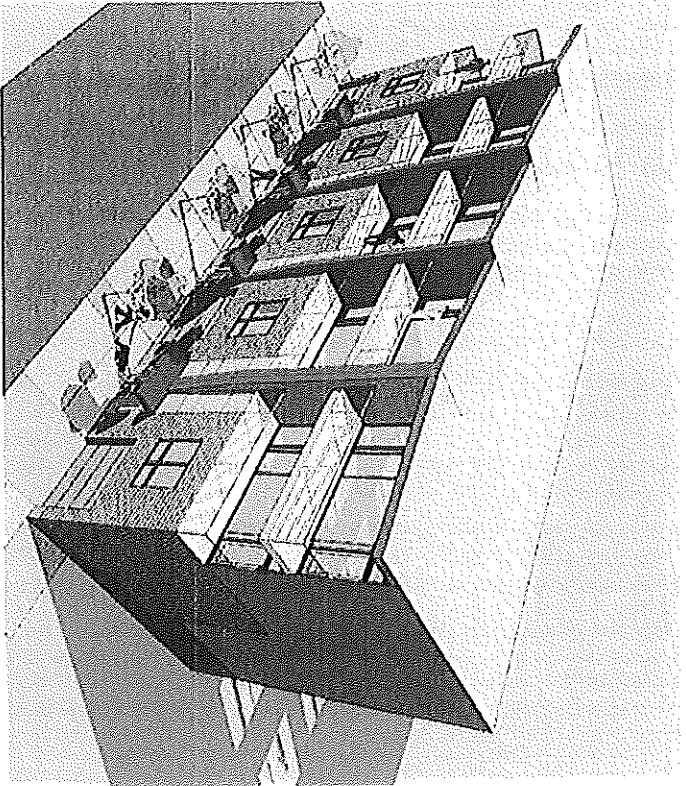
A13113

Project from Callies
Will Savage
Ryan Senatore

Art E.
Tom E.
Brenda

W. R. S. P.
David M. P.
John T.

Chris Pines



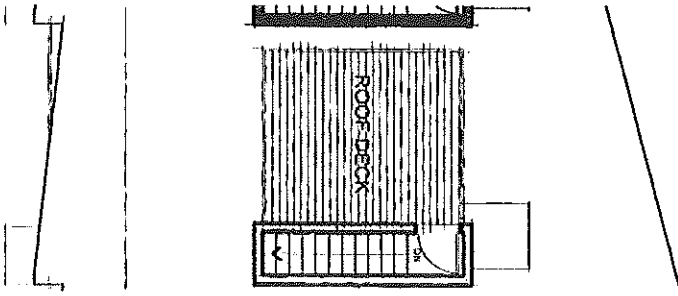
CONCEPTUAL
RENDERINGS

RYAN SENATORE ARCHITECT

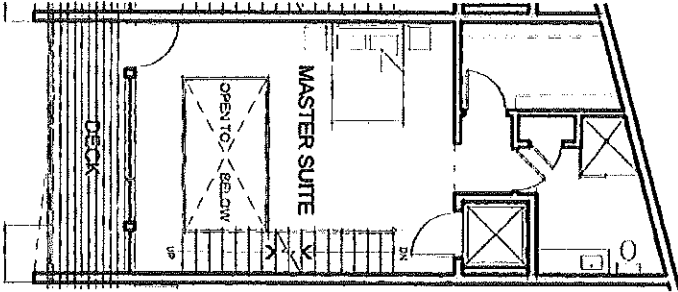
WESTVIEW TOWNHOUSES

02.19.13

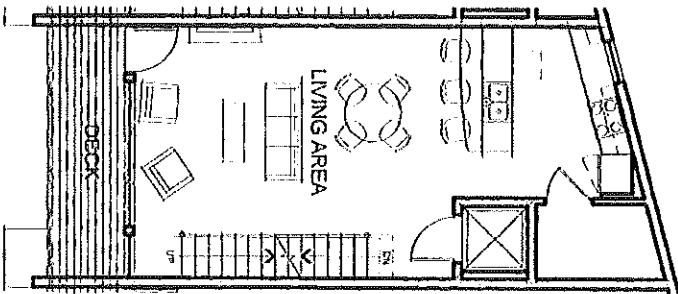
Vertical Living



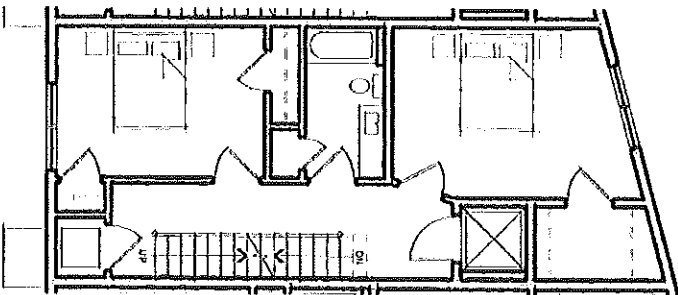
ROOF LEVEL



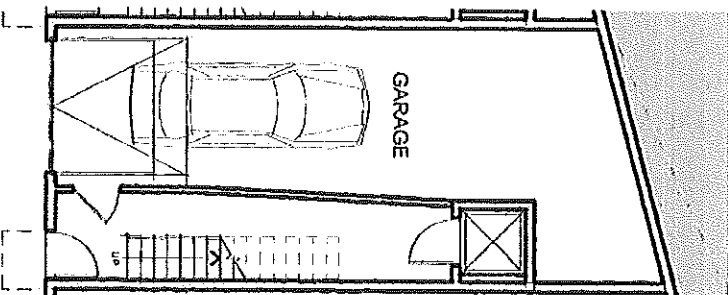
4TH FLOOR



3RD FLOOR




2ND FLOOR




1ST FLOOR

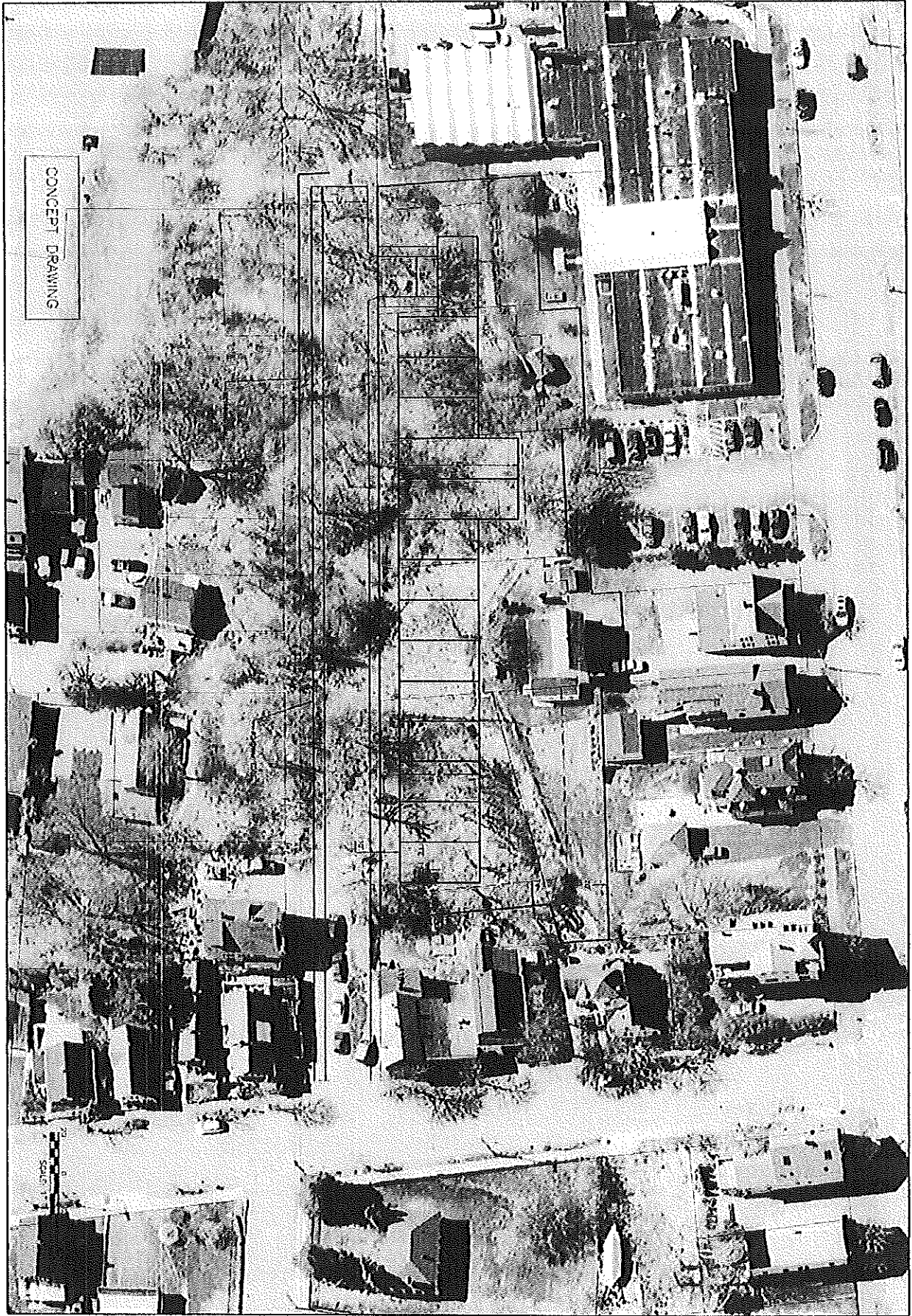
UNIT 3

redfern  properties

DRAWING SCALE 1/8" = 1'-0"

RYAN SENATORE ARCHITECTURE

 **PROGRESS PRINT ONLY**
Not For Construction

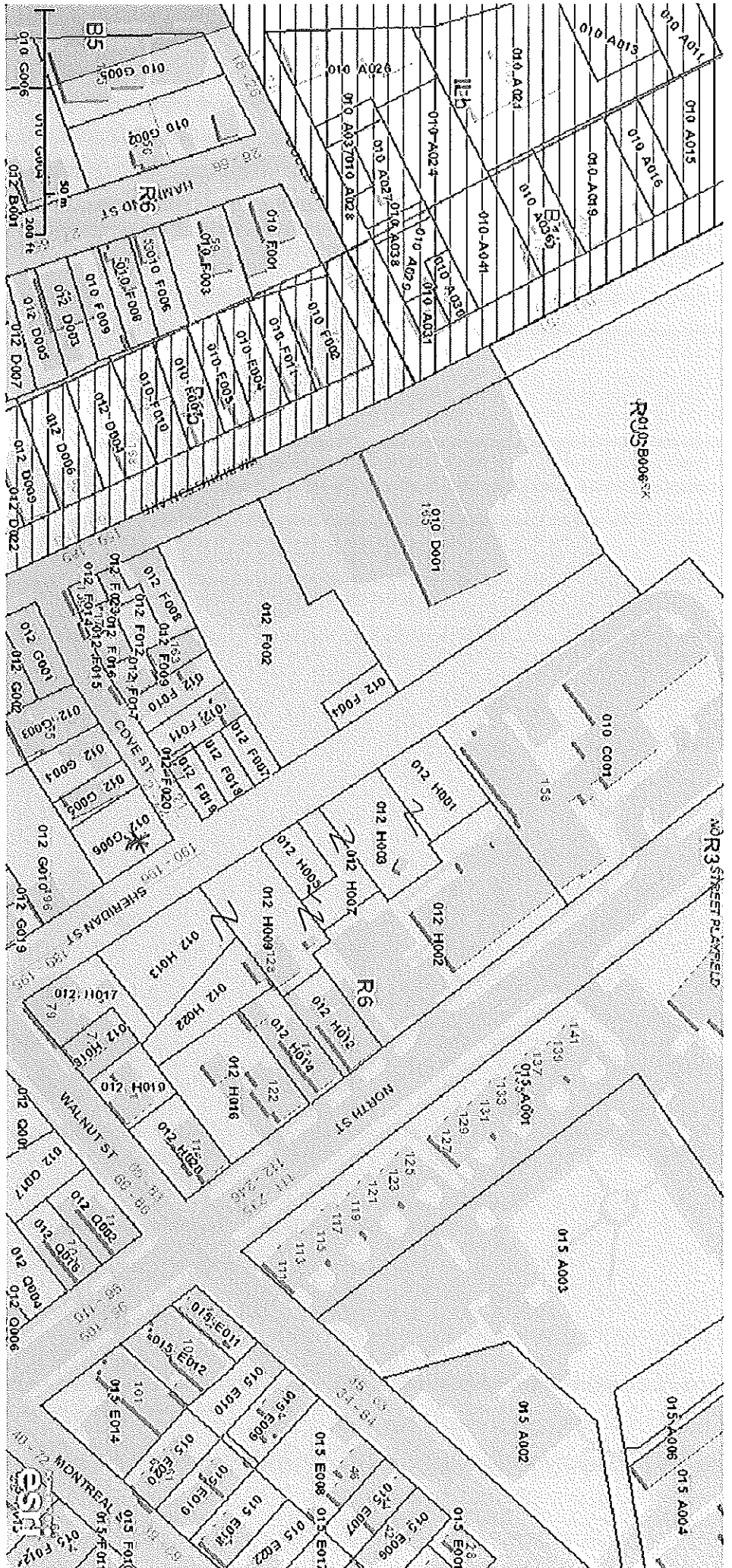


CONCEPT DRAWING

SCALE 1\"/>

 A C R N ENGINEERING, INC.	PROJECT NAME: CONCEPT PLAN WESTVIEW TOWNHOMES	DRAWN BY: DATE:
	CLIENT: REDFERN PROPERTIES PORTLAND, ME 04106	
SHEET NO.: C	TOTAL SHEETS: 10	DATE:

Copyright 2011 Esri. All rights reserved. Mon Apr 1 2013 03:53:04 PM.



4488

Marge Schmuckal - Re: Sheridan Street

From: Barbara Barhydt
To: Walden, Lawrence; West-Chuhta, Danielle
Date: 6/20/2013 1:25 PM
Subject: Re: Sheridan Street
CC: Fraser, Jean; Jaegerman, Alex; Schmuckal, Marge

Hi:

It was Kineo Street that was dedicated for an extension of the street. According to Jean, the key steps were as follows:

- Applicant sends letter to City Manager, copied to Planning and DPS, pursuant to Chapter 25 Art III Section 25-48 (d) petitioning for layout and dedication of street; should include supporting plans plus survey and RTI info
- Goes to PB with Legal and DPS and Planning comments (Planning reviews under subdivision street requirements eg re connectivity)- PB makes recommendation to City Council re dedication and future acceptance under Chap 25 Art III Section 25-50
- Goes to City Council - 2nd reading only; noticed to those within 500 ft plus special notice posted
- Acceptance is via normal DPS process afterwards with more detailed plans etc.

I have quickly scanned Chapter 25 and I am not sure that the Planning Board must be involved or whether it could be processed through DPS straight to the City Council. That is part of the question on how to proceed.

In Jean's e-mail she notes there were issues on Kineo, such as the existence of a strip of land not owned by the applicant. We have the file here if you wish to see it.

Thank you.

Barbara

>>> Barbara Barhydt Thursday, June 20, 2013 11:39 AM >>>

Hi:

We just had a meeting with Tom Jewell and Jonathan Culley regarding the Sheridan Street vacation by omission. They are seeking the next steps to proceed and possibly rededicate a portion of the street. I have the survey and concept plans that they left with us. Let us know when you want to meet to discuss further.

Thank you.

Barbara

6/20/13 - Jonathan Culley - Barbara - Marge - Tom J. Page 1 of 1
Will Savage - Larry W.

Marge Schmuckal - Re: Munjoy Heights - Sheridan Street Extension

From: Barbara Barhydt
To: Culley, Jonathan; Jaegerman, Alex; Schmuckal, Marge
Date: 6/12/2013 3:23 PM
Subject: Re: Munjoy Heights - Sheridan Street Extension
CC: Jewell, Tom; Savage, Will; Walden, Lawrence

Sheridan St ↓
1997 North of Walnut was abandoned

Hello Jonathan:

Alex, Marge, Larry and I are available to meet at 11 a.m. on Tuesday, June 18th. Would that work for you and your team? I have reserved the Planning Conference room on the fourth floor for the meeting.

Please let us know if this works for your schedule.

R-7 overlay - No Street frontage requirement

Thank you.

Barbara

was accepted

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

Need to vacate the Abutments rights

1st dedicated to Sheridan under 14-403
2nd then accept the street

>>> "Jonathan Culley" <jonathan@redfernproperties.com> Monday, June 10, 2013 12:49 PM >>>
Alex, Barbara, Marge,

We are pushing ahead with our Munjoy Heights project. Currently we are working on the Site Plan Application, as well as a Street Vacation Application. In working on vacating the street, Tom Jewell (cc'd) has come up with some information that may have important bearing on the Site Plan. While our plan had been to build a City Street for the first roughly 100' from Walnut Street and then continue with a private way, Tom has found in research and his conversations with Bill Clark, that the City may have already abandoned the Right of Way in 1997 (likely by accident). So a City Street may not be an option and this raises some questions as to how we access our properties and how we establish the requisite frontage per the Zoning Ordinance.

Before completing our Site Plan Application, I think we need some definitive clarification on these issues. Perhaps a phone call or a meeting could help us to determine our best direction forward. Please advise as to your thoughts.
Thanks!

Tom/Danells / Larry meet

Jonathan Culley
Redfern Homes LLC | Redfern Properties LLC
Cell: 207-776-9715
Office: 207-221-5746
Fax: 207-221-2822
jonathan@redfernproperties.com
www.redfernhomes.com
www.redfernproperties.com

Marge Schmuckal - Munjoy Heights - Sheridan Street Extension

From: "Jonathan Culley" <jonathan@redfernproperties.com>
To: "Alex Jaegerman" <AQJ@portlandmaine.gov>, "Barbara Barhydt" <BAB@portlan...>
Date: 6/10/2013 12:49 PM
Subject: Munjoy Heights - Sheridan Street Extension
CC: "Tom Jewell" <tjewell@jewellandbulger.com>, "Will Savage" <wsavage@acorn...>

Alex, Barbara, Marge,

We are pushing ahead with our Munjoy Heights project. Currently we are working on the Site Plan Application, as well as a Street Vacation Application. In working on vacating the street, Tom Jewell (cc'd) has come up with some information that may have important bearing on the Site Plan. While our plan had been to build a City Street for the first roughly 100' from Walnut Street and then continue with a private way, Tom has found in research and his conversations with Bill Clark, that the City may have already abandoned the Right of Way in 1997 (likely by accident). So a City Street may not be an option and this raises some questions as to how we access our properties and how we establish the requisite frontage per the Zoning Ordinance.

Before completing our Site Plan Application, I think we need some definitive clarification on these issues. Perhaps a phone call or a meeting could help us to determine our best direction forward. Please advise as to your thoughts. Thanks!

Jonathan Culley

Redfern Homes LLC | Redfern Properties LLC

Cell: 207-776-9715

Office: 207-221-5746

Fax: 207-221-2822

jonathan@redfernproperties.com

www.redfernhomes.com

www.redfernproperties.com

Assessor's Office | 369 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8466

[City](#) [Home](#) [Departments](#) [City Council](#) [E-Services](#) [Calendar](#) [Jobs](#)

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information:

Services	CBL 010 D001001
	Land Use Type WAREHOUSE & STORAGE
	Verify legal use with Inspections Division
Applications	Property Location 165 WASHINGTON AVE
Doing Business	Owner Information WATERHOUSE RAYMOND H & ALINA WATERHOUSE
Haps	105 PARTRIDGE CIR PORTLAND ME 04102
Tax Relief	Book and Page 25470/272
	Legal Description 10-D-1 12-F-2
Tax Roll	WASHINGTON AVE 165-193
	SHERIDAN ST
Q & A	Acres 1.5742

Current Assessed Valuation:

browse city services a-z	TAX ACCT NO. 832	OWNER OF RECORD AS OF APRIL 2012
		WATERHOUSE RAYMOND H & ALINA WATERHOUSE
browse facts and links a-z	LAND VALUE \$229,200.00	105 PARTRIDGE CIR
	BUILDING VALUE \$366,200.00	PORTLAND ME 04102
	NET TAXABLE - REAL ESTATE \$595,400.00	
	TAX AMOUNT \$11,205.44	



Any information concerning tax payments should be directed to the Treasury office at 874-8490 or e-mailed.

Building Information:

Best viewed at 800x600, with Internet Explorer

	Building 1
Year Built	1900
Style/Structure Type	WAREHOUSE
# Units	1
Building Num/Name	1 - NORTH BURNER SUPPLY
Square Feet	9948
View Sketch	View Map

[View Picture](#)



Exterior/Interior Information:

	Building 1
Levels	01/01
Size	900
Use	WAREHOUSE
Height	10
Walls	BRICK/STONE
Heating	UNIT HEAT
A/C	NONE

	Building 1
Levels	01/01
Size	555
Use	MULTI-USE OFFICE
Height	20
Walls	BRICK/STONE
Heating	HOT AIR
A/C	CENTRAL

	Building 1
Levels	M1/M1
Size	555
Use	MULTI-USE OFFICE
Height	10
Walls	ENCLOSURE
Heating	HOT AIR
A/C	CENTRAL

	Building 1
Levels	01/01
Size	1147

City of Portland, Maine - Building or Use Permit Application 389 Congress Street, 04101, Tel: (207) 874-8703, Fax: 874-8716

Permit No. **960953**

PERMIT ISSUED
 Permit Issued: **SEP 30 1996**
CITY OF PORTLAND

Location of Construction: 165 - 165 Washington Ave	Owner: Raymond W. Waterhouse	Phone:
Owner Address: No. Burner Supply Co.	Leasee/Buyer's Name: Robert Burner Supply Co.	Business Name:
Contractor Name: No. Burner Supply Co.	Address: 185 Washington Ave Bldg, ME 04101	Phone: 773-6561
Past Use: Office/Warehouse	Proposed Use: Same	PERMIT FEE: \$ 25.00
		INSPECTION: Use Group: Type: <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied
Proposed Project Description: Brick-up exit as per plans	Signature: PEDESTRIAN ACTIVITIES DISTRICT (P.U.D.)	Signature: Date:
Permit Taken By: Mary Gresik	Date Applied For: 19 September 1996	Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved with Conditions <input type="checkbox"/> Denied

- This permit application doesn't preclude the Applicant(s) from meeting applicable State and Federal rules.
- Building permits do not include plumbing, septic or electrical work.
- Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.

CERTIFICATION

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

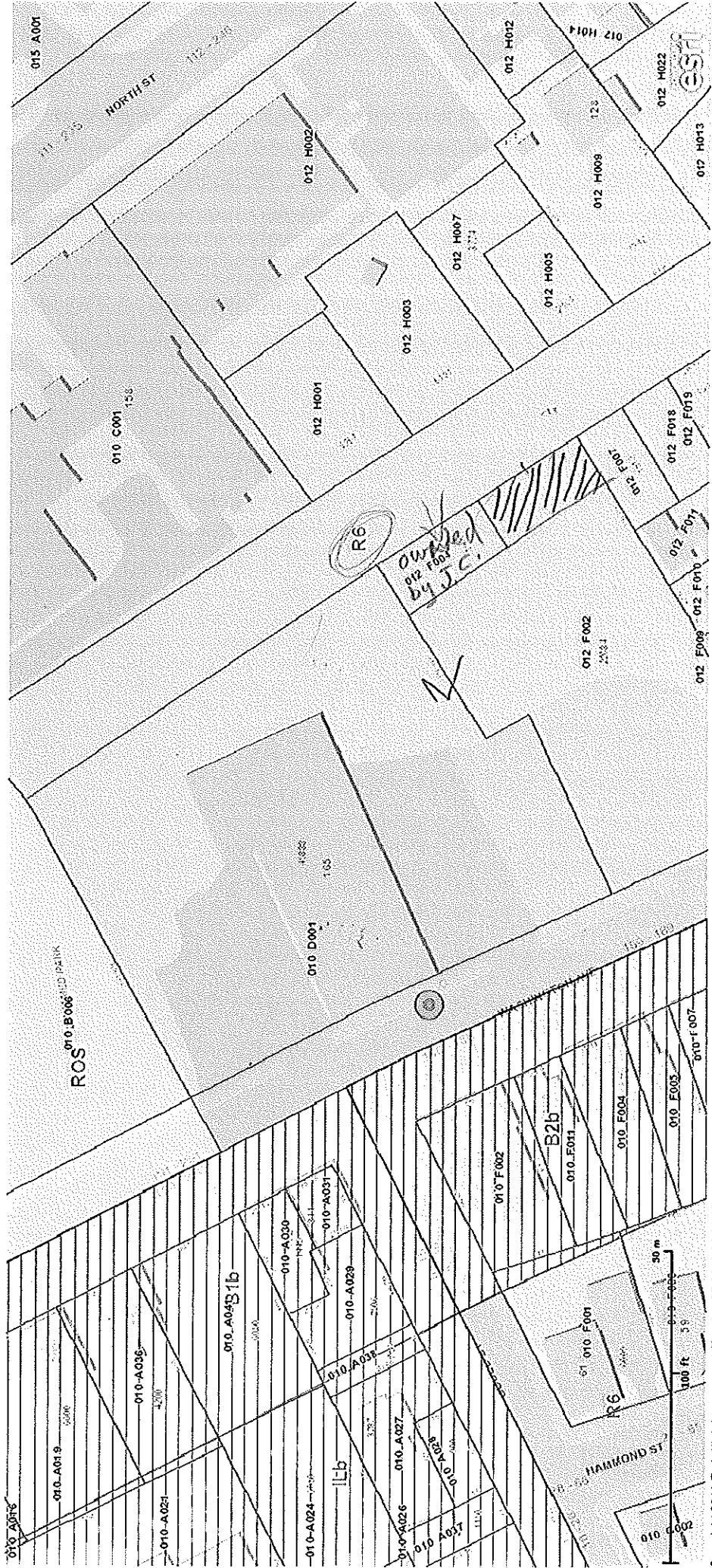
SIGNATURE OF APPLICANT Raymond Waterhouse ADDRESS: _____ DATE: 19 September 1996 PHONE: _____

RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE _____ PHONE: _____

White-Permit Desk Green-Assessor's Canary-D.P.W. Pink-Public File Ivory Card-Inspector

CEO DISTRICT

- Zone: R-2 CBL: 010-1-00
 Zoning Approval:
- Special Zone or Reviews:
 Shoreland
 Wetland
 Flood Zone
 Subdivision
 Site Plan major minor mm
- Zoning Appeal
 Variance
 Miscellaneous
 Conditional Use
 Interpretation
 Approved
 Denied
- Historic Preservation
 Not in District or Landmark
 Does Not Require Review
 Requires Review
- Action:
 Approved
 Approved with Conditions
 Denied
- Date: _____



R6
owned by J.C.

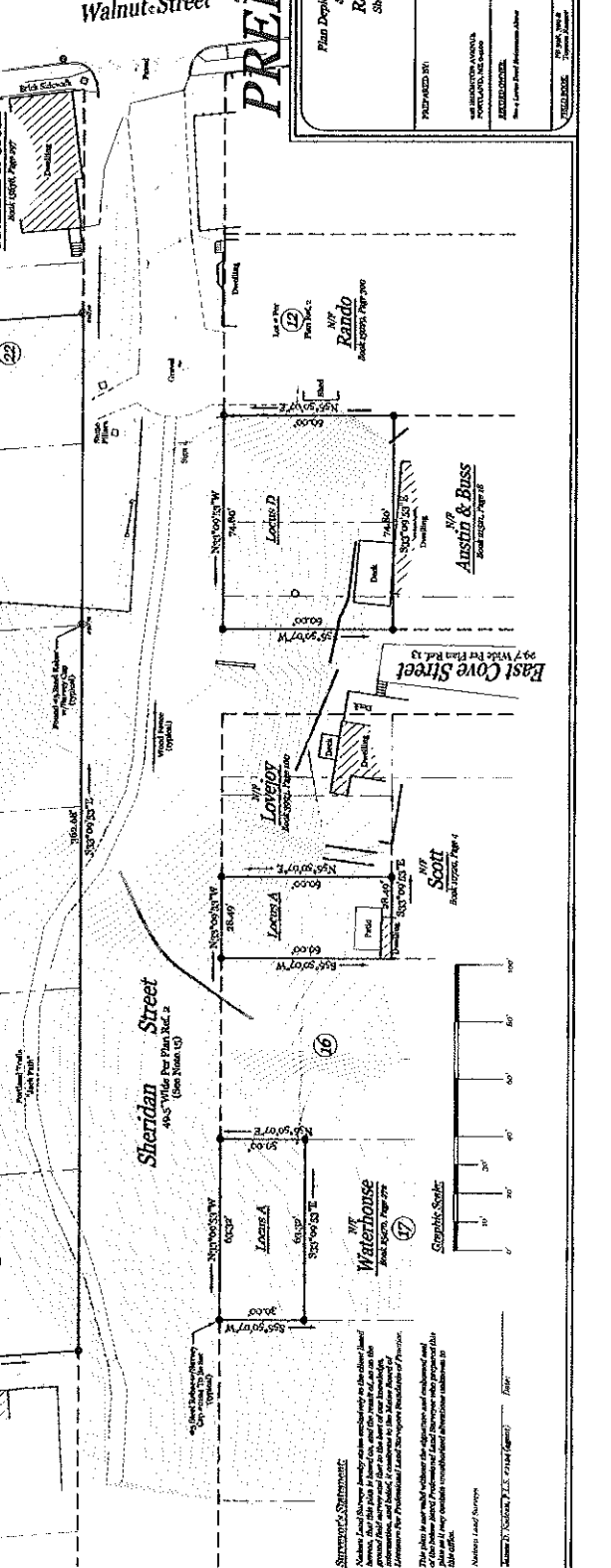
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Plan References:

1. The plan is not intended to depict the rights of the parties to the survey, but only the boundaries shown on the plan.
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3. The plan is not intended to depict the rights of the parties to the survey, but only the boundaries shown on the plan.
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General Notes:

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PRELIMINARY

Plan Depicting The Results Of A Boundary Survey & Topography Survey Made For
Redfern Properties LLC
 Sheridan Street And East Cove Street
 Portland, Maine

Nadeau Land Surveys

PROJECT NO.	144
DATE	11/20/13
SCALE	1" = 40'
PROJECTED	11/20/13
DRAWN BY	JD
CHECKED BY	JD
DATE	11/20/13
SCALE	1" = 40'
PROJECTED	11/20/13
DRAWN BY	JD
CHECKED BY	JD
DATE	11/20/13