

CITY OF PORTLAND, MAINE
PLANNING BOARD

Stuart O'Brien, Chair
Timothy Dean, Vice Chair
Elizabeth Boepple
Sean Dundon
Bill Hall
Carol Morrissette
Jack Soley

RECEIVED

FEB - 6 2014

January 31, 2014

Dept. of Building Inspections
City of Portland Maine

Jeffrey Rosenblatt
New Day Farm, LLC
11 McQuillans Hill Drive
Gorham, ME 04038

Stephen Bushey
FST, Inc.
778 Main Street, Suite 8
South Portland, ME 04106

Project Name: Sheridan Street Apartments
Address: 152-156 Sheridan Street
Applicant: New Day Farm, LLC

Project ID: 2013-241
CBL: 12 P021001
Planner: Nell Donaldson

Dear Dr. Rosenblatt:

On January 28, 2014, the Planning Board considered your subdivision and Level III site plan application for the proposed Sheridan Street Apartments at 152-156 Sheridan Street. The Planning Board reviewed the proposal for conformance with the subdivision and site plan standards of the city's land use code and voted to approve the application with the waivers and conditions presented below:

WAIVERS

The Planning Board voted (4-0, Morrissette, Soley, Hall absent) to grant the following waivers:

1. A waiver of the Technical Standard (Section 1.14) relating to parking space dimensional requirements to allow five parking spaces at 8' 6" in width;
2. A waiver of the Site Plan Standard (*Section 14-526(b)2.b(iii)*) requiring one street tree per unit due to site constraints. The applicant shall contribute \$600 for three street trees to Portland's tree fund.
3. A waiver of the Technical Flooding Standard (*Section 5.111.4.E*) to allow discharge into the city's storm drain system; and
4. A waiver of the Technical Standard (*Section 2.7.8*) to allow a storm drain connection to a municipal catch basin.

SUBDIVISION

The Planning Board voted (4-0, Morrissette, Soley, Hall absent) that the proposed plans are in conformance with the subdivision standards of the city's land use code, subject to the following conditions of approval, which must be met prior to the signing of the subdivision plat:

1. The applicant shall revise the subdivision plat to the satisfaction of the Planning Authority, Department of Public Services, and Corporation Counsel.
2. The applicant shall provide evidence of water capacity from the Portland Water District for review and approval by the city's Planning Authority; and
3. The applicant shall provide details and drawings regarding any proposed foundation drains per the geotechnical report provided by Summit Geoengineering Services dated November 2013, for review and approval by the Department of Public Services.

SITE PLAN REVIEW

The Planning Board voted (4-0, Morrissette, Soley, Hall absent) that the plan is in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide a revised construction management plan addressing the comments of the city's Department of Public Services, for review and approval by that department;
2. The applicant shall provide a revised landscaping plan addressing the January 17, 2014 comments of Jeff Tarling, city arborist, for review and approval by the city's Department of Public Services;
3. Should an alternative roof stormwater filter system be selected, the applicant shall provide additional performance and manufacturer information and revise Sheet C-4.0 accordingly for review and approval by the city's Department of Public Services;
4. The applicant shall revise the stormwater inspection and maintenance plan to include language regarding the annual reporting requirements of Chapter 32 for review and approval by the city's Department of Public Services;
5. The applicant shall revise the site plan to include details regarding the proposed roof drain connection to the municipal storm drain system for review and approval by the city's Department of Public Services; and
6. The applicant shall submit HVAC and mechanical system specifications, including decibel output projections on the roof-mounted heat pumps, meeting applicable standards for the Zoning Administrator's review and approval prior to the issuance of a HVAC/Heating/Cooling or mechanical system permits.

The approval is based on the submitted plans and findings related to subdivision and site plan review standards as contained in the Planning Board Report for application 2013-241, which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved subdivision and site plans:

1. **Stormwater Management** The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines. The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage system shall be submitted and signed prior to the issuance of a building permit with a copy to the Department of Public Services.
2. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
3. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
4. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
5. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
6. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.

7. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
8. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, an inspection fee payment of 2.0% of the guarantee amount, and seven (7) final sets of plans plus one final digital copy must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
9. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
10. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
11. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
12. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
13. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy.

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,



Stuart O'Brien, Chair
Portland Planning Board

Attachments:

1. Planning Board Report
2. Sample Stormwater Maintenance Agreement
3. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Matt Doughty, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Captain Chris Pirone, Fire Department
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

Comments Submitted 11/8/13
 Comments Submitted 1/23/14

City of Portland

Development Review Application
 Planning Division Transmittal Form

Application Number: 2013-241

Application Date: 10/24/2013

CBL: 012 P021001

2/17

Application Type: Level III Site Plan Under 50,000 sq f

Project Name: Sheridan Street Apartments

Address: 156 SHERIDAN ST

Project Description: New construction of three level, multi-unit residential complex consisting of 5 units with attached garage.

Zoning: B2B

Other Required Reviews:

- | | | |
|---|---|--|
| <input type="checkbox"/> Traffic Movement | <input type="checkbox"/> 14-403 Streets | <input type="checkbox"/> Housing Replacement |
| <input type="checkbox"/> Storm Water | # Units _____ | <input type="checkbox"/> Historic Preservation |
| <input type="checkbox"/> Subdivision | <input type="checkbox"/> Flood Plain | <input type="checkbox"/> Other: |
| # Lots _____ | <input type="checkbox"/> Shoreland | |
| <input type="checkbox"/> Site Location | <input type="checkbox"/> Design Review | |
| # Unit _____ | | |

Distribution List:

Planner		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 11/4/2013

MEMORANDUM

To: FILE
From: Nell Donaldson
Subject: Application ID: 2013-241
Date: 1/23/2014

Comments Submitted by: Marge Schmuckal/Zoning on 1/23/2014

I have reviewed the new information submitted on the C-4.0 grading plan. This plan shows the average grading around the building and then takes that average grade into consideration on the elevation plan showing the height of the structure. From average grade, the building height of the structure is a fraction over 43 feet. The maximum allowable building height in the R-6 zone is 45 feet. This structure is meeting the maximum height requirement for the R-6 zone.

I have also spoke with the Architect concerning the labeled "Artist Studio" on the 2nd floor. This studio is a space for the one of the owners of the building to do her artwork. It has been explained to me that the space on the second floor is part of the owner's unit on the third floor. Electrical for the second floor is tied into the 3rd floor apartment's meter. This shall not be a separate residential unit (i.e. can not be rented out separately). Kitchen facilities may not be installed in this space. It is also noted that the studio is not part of an occupation. If the artist space turn's into one of the owner's business occupation, separate permits SHALL be required to be submitted showing that 14-410 Home Occupation guidelines have been met. Separate permits are required for the construction of the structure along with separate permits for the roof heat pumps. At the time of application, the applicant shall submit all the data on the decibel output from the heat pumps.

Marge Schmuckal
Zoning Administrator
City of Portland

MEMORANDUM

To: FILE
From: Nell Donaldson
Subject: Application ID: 2013-241
Date: 11/8/2013

Comments Submitted by: Marge Schmuckal/Zoning on 11/8/2013

I have reviewed the current submittal of plans. This proposal for a new 5-unit building with 5 interior parking spaces on a new lot that has been conveyed out from another lot. The property is entirely within a B-2b zone. The new structure is meeting the maximum and minimum setbacks. This is also a subdivision.

The maximum building height in the B-2b zone is 45 feet. I have not received any information as to the average grade of the new building on this site. There is quite a considerable grade change from the front to the rear. Of the property. The building height along the front of the property (the highest grade) along Sheridan Street is shown to be 31.5'. There is no information showing the height of the building from the rear of the structure. I will need the average grades around the building to determine where I begin measuring the height of the building. I will then need to know the elevation level to the top of the roof beam as defined in the Ordinance for flat roofs.

I will await further information as described above to finish my review.

Marge Schmuckal
Zoning Administrator
City of Portland, Maine

Applicant: Rosenblatt

Date: 10/28/13

Address: 150 15th Street

C-B-L:

12-P-17:21

CHECK-LIST AGAINST ZONING ORDINANCE

we check

Date - B-2b yes ~~over 10,000 sq ft~~
Zone Location - ~~R-6 or R-6 w full~~

Interior or corner lot -

Proposed Use/Work - 5 New Apts 5 CMS Attached garage under North

Sewage Disposal -

Lot Street Frontage - None req - 116.59' shown

Front Yard - No min req - MAX = 10' = 8' given -

Rear Yard - 10' min req (does not abut resid) - 14.07' given AT closes

Side Yard - Does not abut res 5' min - 13' AT closes

Projections -

Width of Lot - N/A

Height - 45' MAX - showing just over 43'

Lot Area - No min lot size req - 10,502 sq ft given

Lot Coverage Impervious Surface - 90% MAX - ~ 45.5% imp.

Area per Family - on peninsula - 435 sq ft of Land Area per DU. of

Off-street Parking - 5 spkg req - 5 spkg shown

Loading Bays - N/A

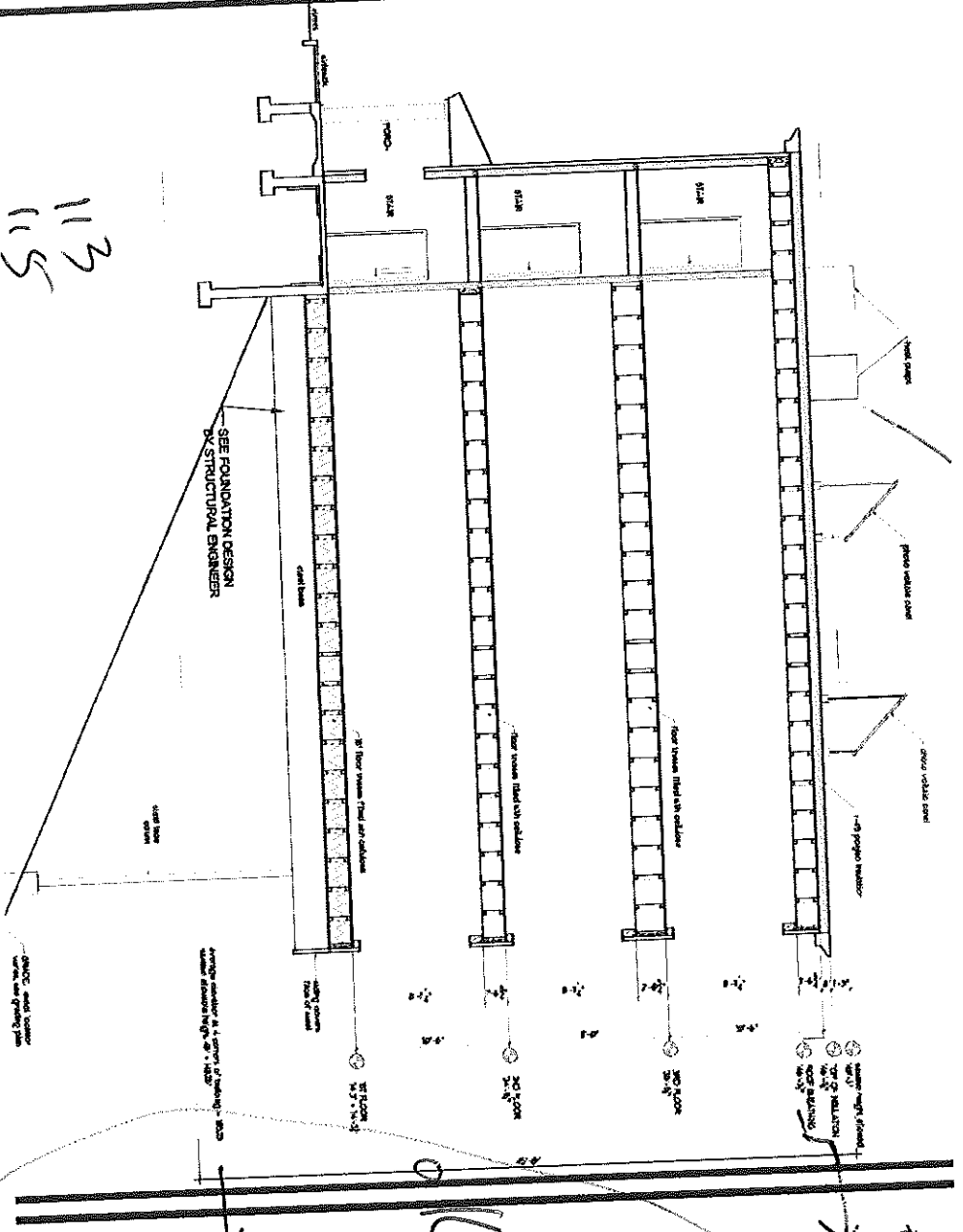
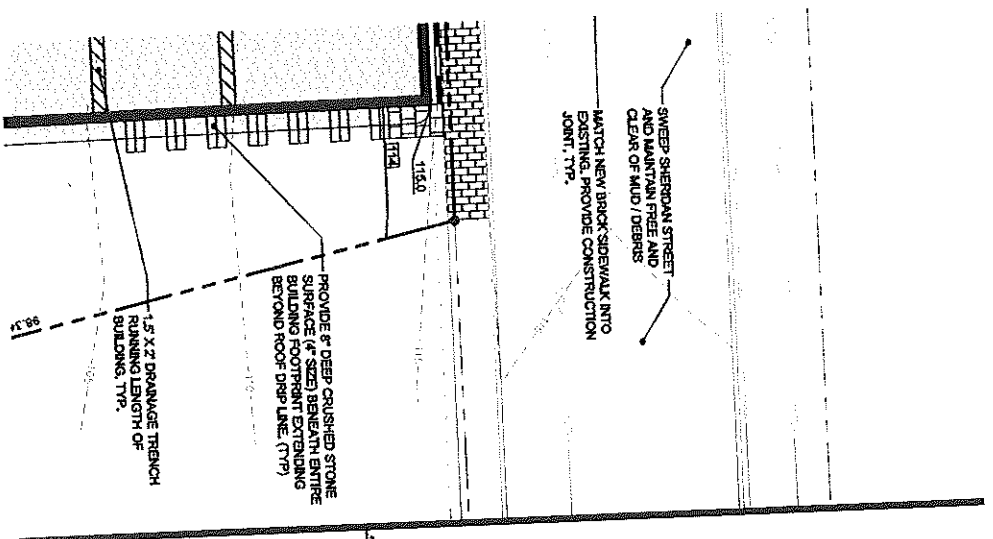
Site Plan - 2013-241 is Subdivision for 5 DU

Shoreland Zoning/Stream Protection - N/A

Flood Plains - Zone C IA of 17 parcel

10/23/14
need
at grade

C-4.0 grading plan

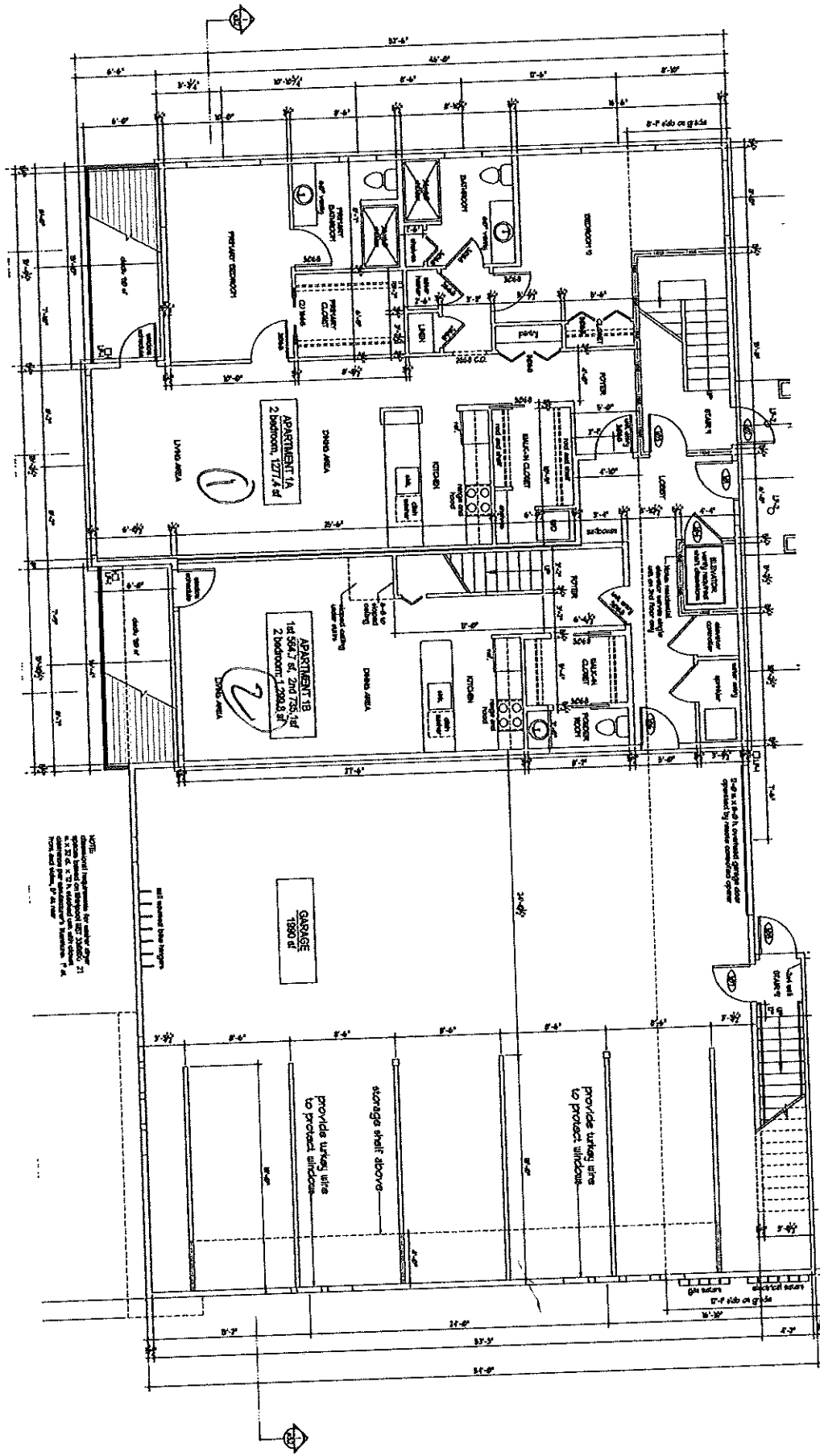


See A

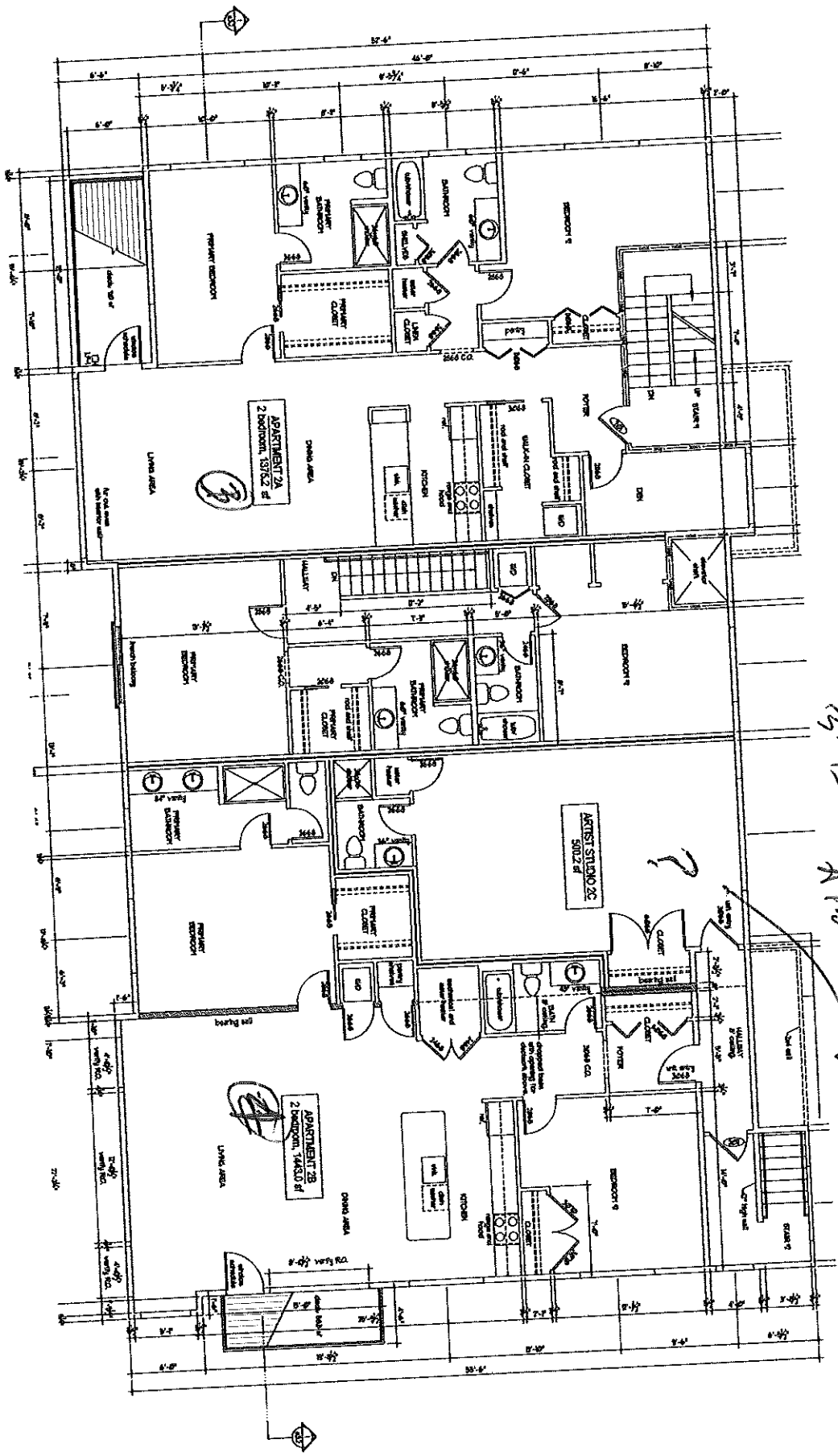
$$\begin{array}{r} 113 \\ 115 \\ 87 \\ \hline 98 \\ 8-13 \div 4 = 103.25 \\ \text{A.V. grade} \end{array}$$

top of sloping
 146' 3 1/2"
 (146.291')

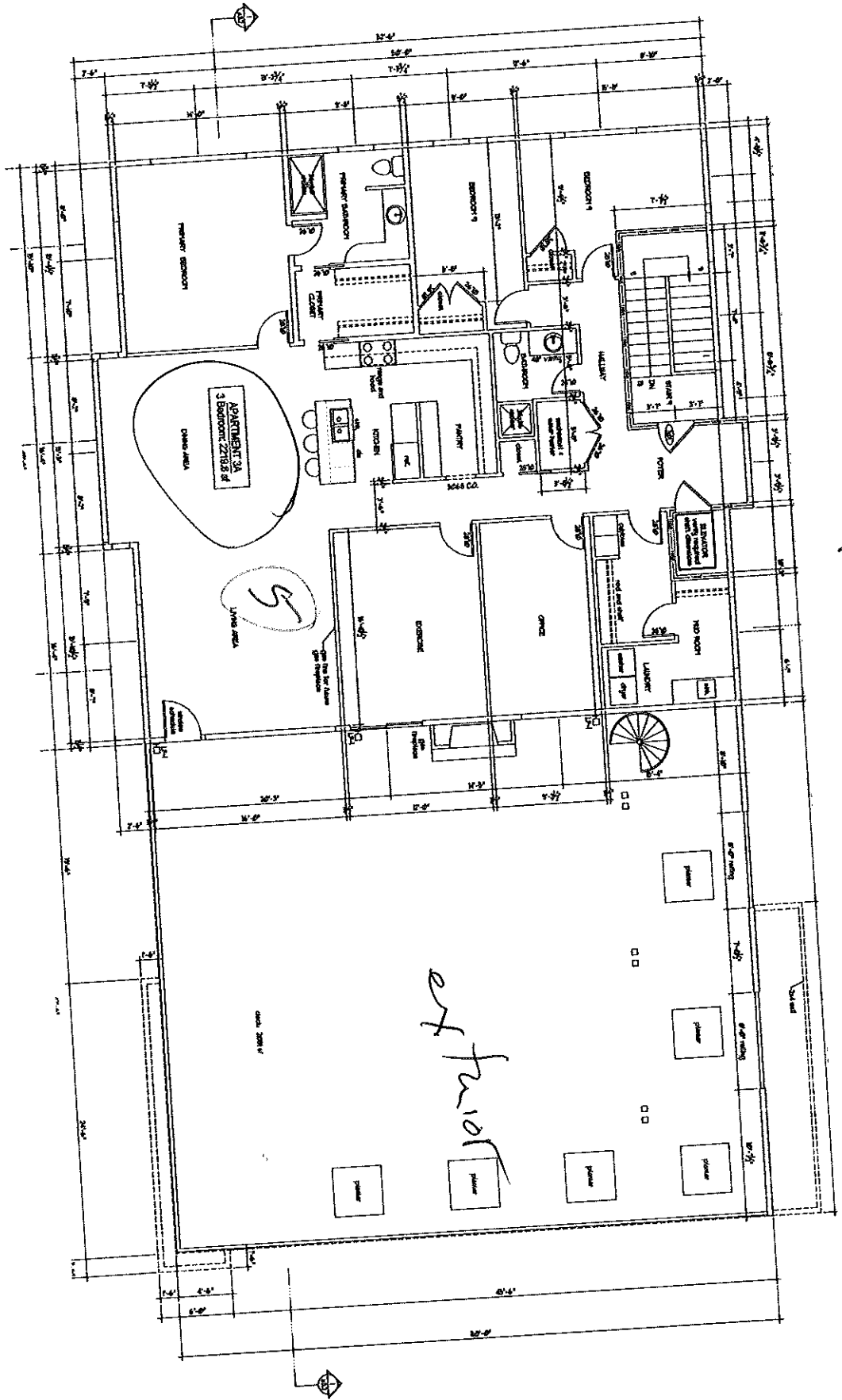
Average grade
 at 4 corners
 of Bldg =
 103.25
 max allowable
 height 45'-
 would be at
 148.75



Handwritten: 1st floor



Handwritten notes:
 3rd floor
 1st floor
 2nd floor
 Home occupation
 772-6022
 772-4056 (C)



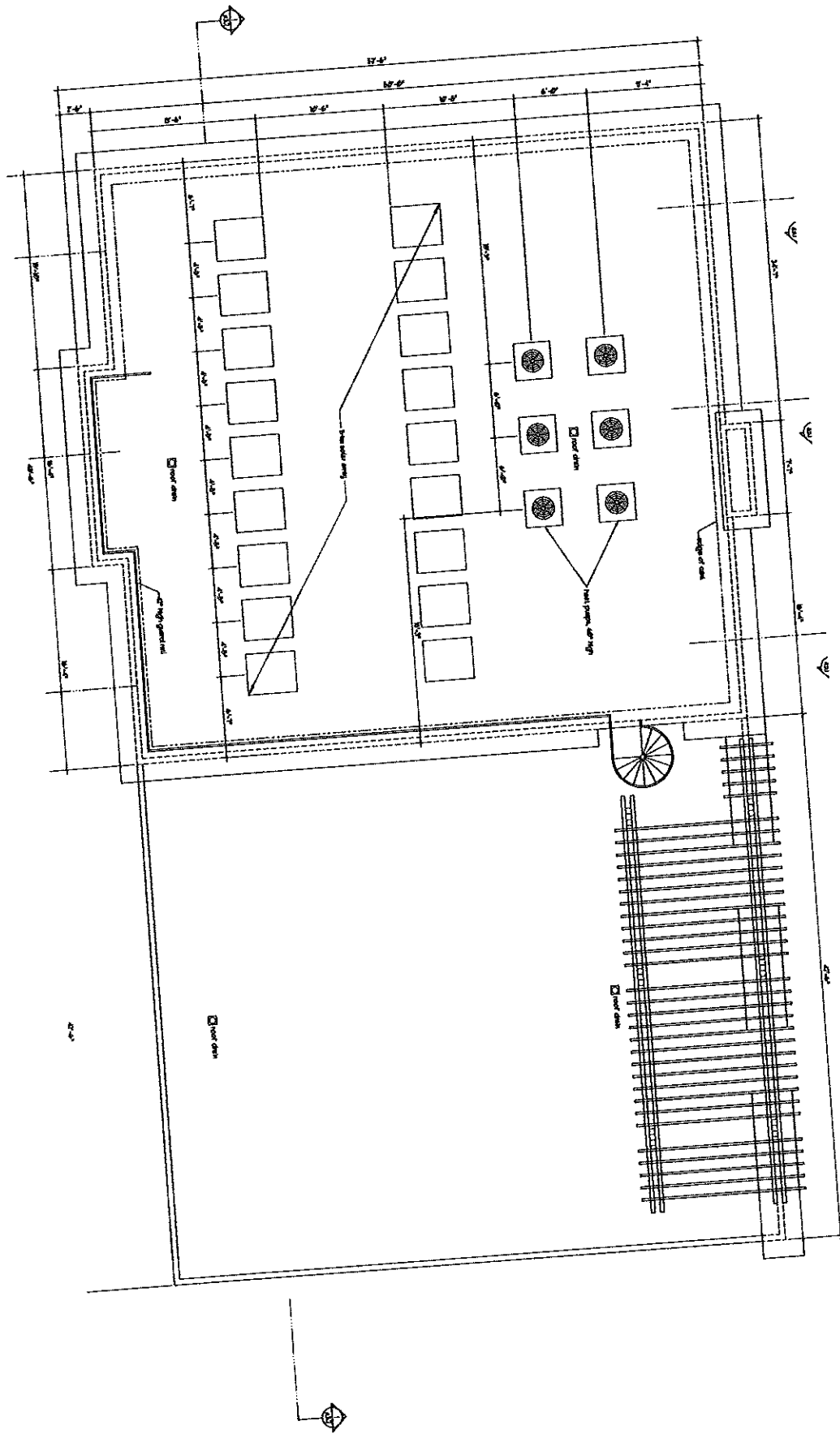
5th & 6th units
exp plan

exp floor

3rd floor

Scale: 1/4" = 1'-0"	Revised:	Project: Sheridan Street Townhouses	Architect: ARCHETYPE architects 45 Union Wharf Portland, Maine 04101	Prepared For: New Day
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FLOOR PLAN



Roof

Scale: 1/4" = 1'-0"	Revisior	Project	Architect	Consultant	Prepared For:
		Sheridan Street Townhouses	ARCHETYPE architects		New Da

1111041 R41

Sheridan Street public street

PROPOSED CONVEYANCE

N/F
Richard G. Creighton &
Raymond H. Creighton, Jr.
6368/539
12-P-28

N/F
Edward F. Cogswell
21263/281
12-P-27

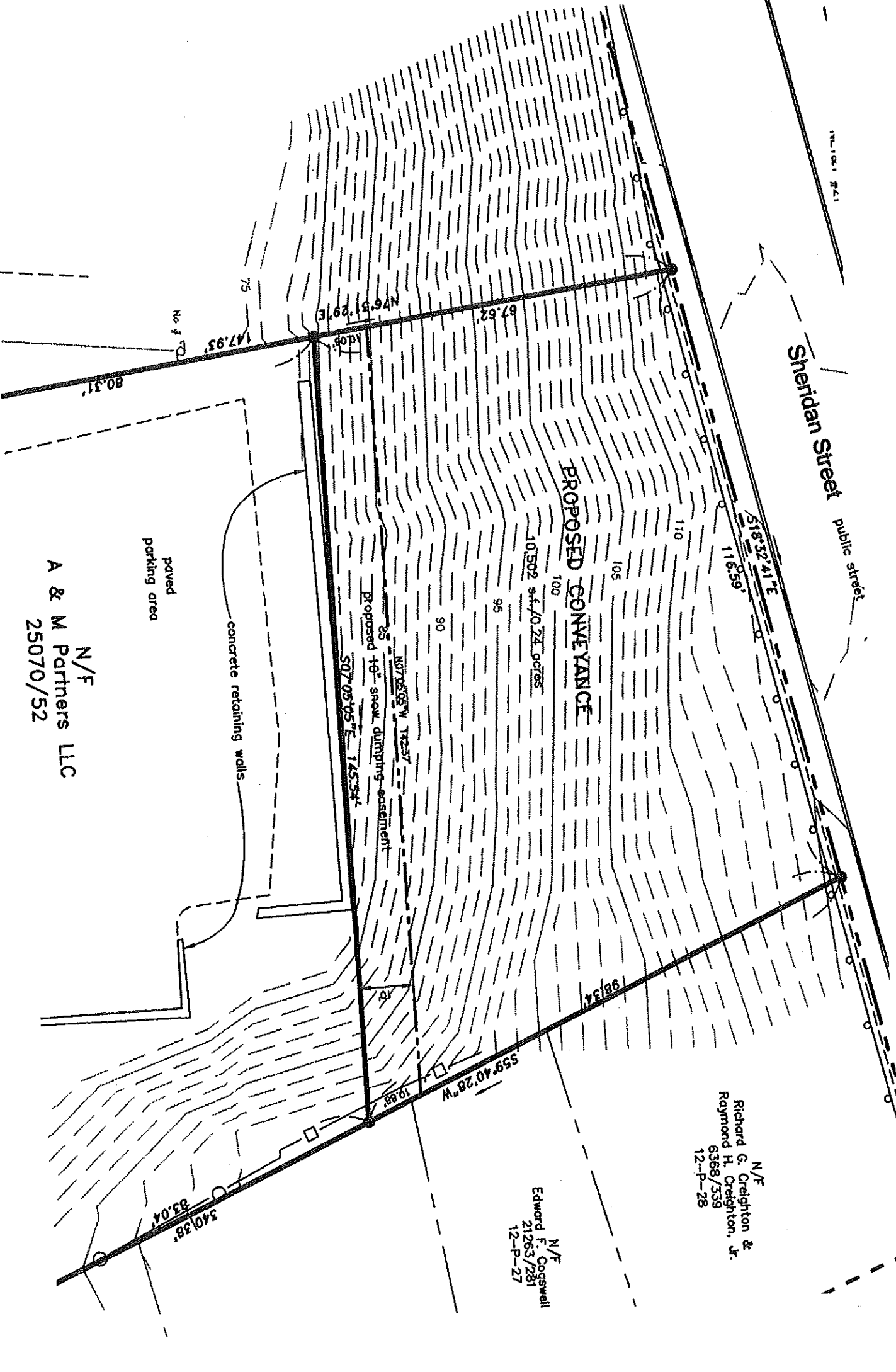
N/F
A & M Partners LLC
25070/52

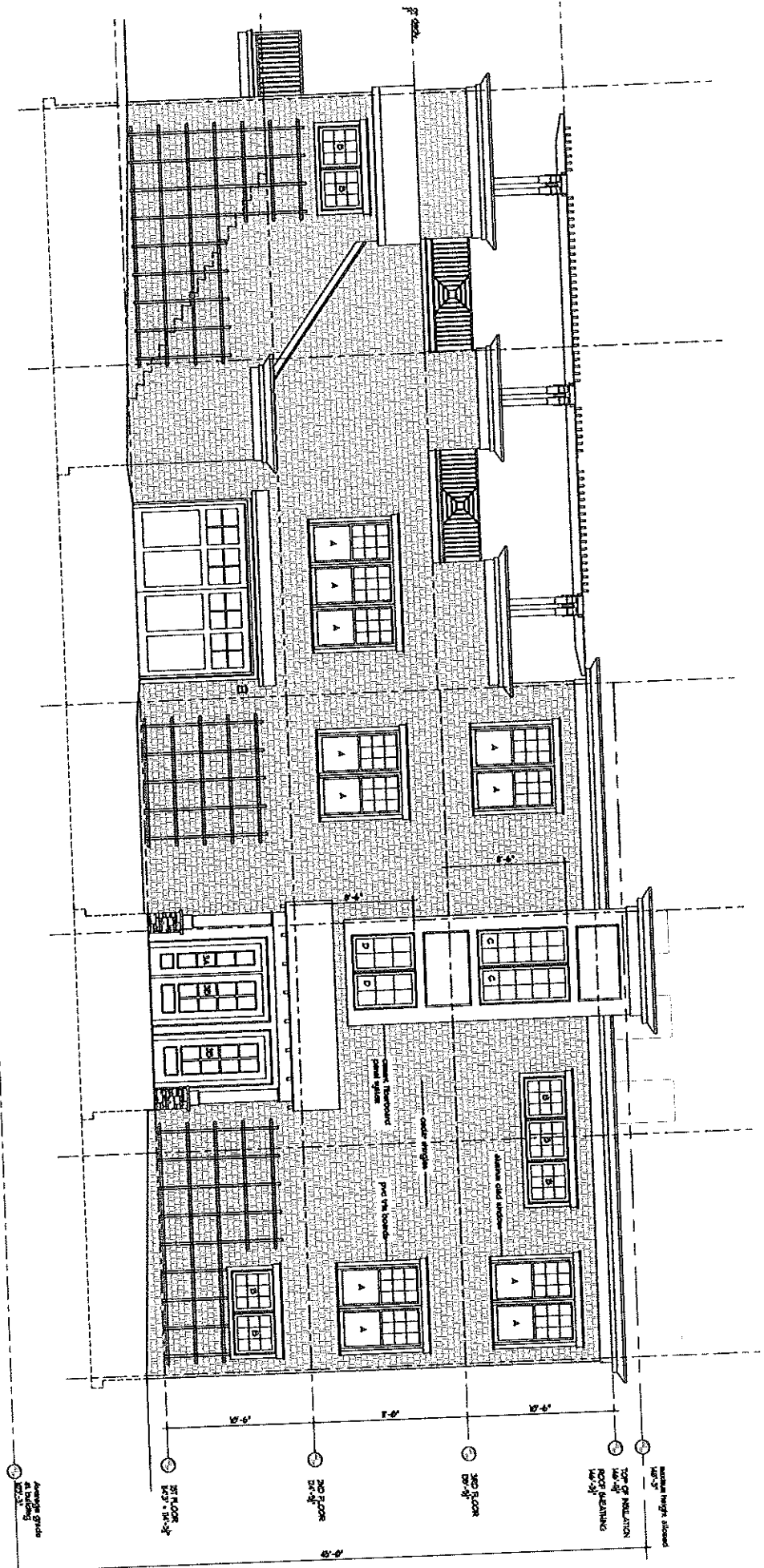
paved
parking area

concrete retaining walls

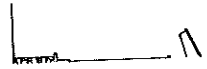
Proposed 10' snow dumping easement

10502 sq. ft. grass



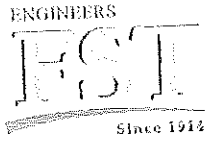


DETAILS:
 Aluminum clad window
 Cast iron handrail
 Cast iron panel system
 Cast iron window









FAY, SPOFFORD &
THORNDIKE
778 Main Street, Suite 8
South Portland, ME 04106
Toll Free: 800.835.8666
Maine: 207.775.1121
Fax: 207.879.0896
www.fstinc.com

October 22, 2013

Ms. Barbara Barhydt
Development Review Services Manager
Planning and Development Department
City of Portland
389 Congress Street
Portland, Maine 04101-3509

**Subject: Sheridan Street Apartments
Preliminary Site Plan Application**

Dear Ms. Barhydt:

On behalf of New Day Farm, LLC we are pleased to provide the accompanying package of submission materials related to a 5-unit apartment complex at 152-156 Sheridan Street. This submission package is intended to meet the City's Preliminary Submission Requirements as outlined in the Level III Application procedures. These materials represent the ongoing design development for the proposed residential complex on what is currently undeveloped land. The applicant has purchased approximately 10,502 SF of property from A&M Partners, LLC with approximately 117 LF of frontage on Sheridan Street. The property is steeply sloped from the street, as such, the applicant is proposing to construct a pier supported structure thereby minimizing disturbance to the slope. The total floor area will be approximately 11,589 SF. The units will include four 2-bedroom units as well as the top floor unit consisting of 3 bedrooms. An interior garage with capacity for five vehicles will be positioned on the east side of the building. The applicant is seeking Planning Board Approval to allow commencement of construction as soon as possible.

Accompanying this cover letter are the following materials:

- Site Plan Application
- Section 1: Written Description of Project
- Section 2: Evidence of Right, Title and Interest
- Section 3: Written Assessment of Proposed Project's Compliance with Applicable Zoning and Land Use Requirements
- Reduced Sized Plans

FAY, SPOFFORD & THORNDIKE

Ms. Barbara Barhydt
October 22, 2013
Page 2

You will find in the accompanying materials, information including the Preliminary Site Layout Plan and various site renderings that provide greater detail for the site development activities. We have also included preliminary building elevations for the proposed building. Preliminary information pertaining to the project's utilities needs and statements regarding compliance with the City's Standards are contained within this submission.

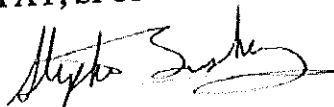
The Development Team expects to continue to work with City Officials/Representatives on both the onsite and offsite components including, but not limited to:

- Completion of the Neighborhood Meeting; and
- Coordination with Public Services representatives on new service connections for the proposed building.

On behalf of the Design Team, we look forward to your assistance on the project and we look forward to the nearest available workshop meeting with the Planning Board. Please find one (1) hard copy of the application materials including one set each of 11x17 and full size plans, along with a diskette containing PDF files for all submitted materials. If you have any questions regarding these materials please contact this office.

Sincerely,

FAY, SPOFFORD & THORNDIKE



Stephen R. Bushey, P.E.
Senior Engineer

SRB/smk

c: David Lloyd, Archetype, P.A.
Jonathan Smith, Great Falls Construction
Jeffrey Rosenblatt, New Day Farm, LLC

Attachment

R:\3041 Sheridan Street Portland\Adm\Permitting\Preliminary Site Plan Application Oct 2013\3041 2013.10.22 Barhydt-Cover Letter-
Preliminary Site Plan Application.doc

1. DEVELOPMENT DESCRIPTION

1.1 PROJECT OVERVIEW

New Day Farm, LLC owns a 10,502 SF parcel that was acquired from an assemblage of property owned by A&M Partners, LLC. The parcel is undeveloped and steeply sloped off the south side of Sheridan Street. The project location benefits from impressive views to the south and west and therefore is ideally suited for residential use, as is now proposed. The applicant's proposal includes the construction of a multi-level complex for five living units. The applicant is seeking a Level III Site Plan Approval.

1.2 PROJECT PURPOSE AND NEED

The proposed project is considered a unique opportunity to transform an undeveloped setting into a dynamic new high density residential setting along Sheridan Street. The project's community benefits include the following:

- Enhanced residential living opportunity within an area of similar residential uses.
- A net increase in residential units.
- Furtherance of the purposes of the B2-b zone as articulated in the Land Use Ordinance to "provide locations for moderate to high density housing in urban neighborhoods along arterials".
- Creation of an architecturally stunning project in a high profile location that may draw more interest and investment in the broader neighborhood.

1.3 EXISTING CONDITIONS

The site conditions are undeveloped and are primarily characterized by the steep grade sloping away from Sheridan Street.

The land area slopes from Sheridan Street towards Washington Avenue with approximately 33 or more feet of grade differential. Due to this steep grade, the applicant is proposing a pier supported structure with direct access off Sheridan Street.

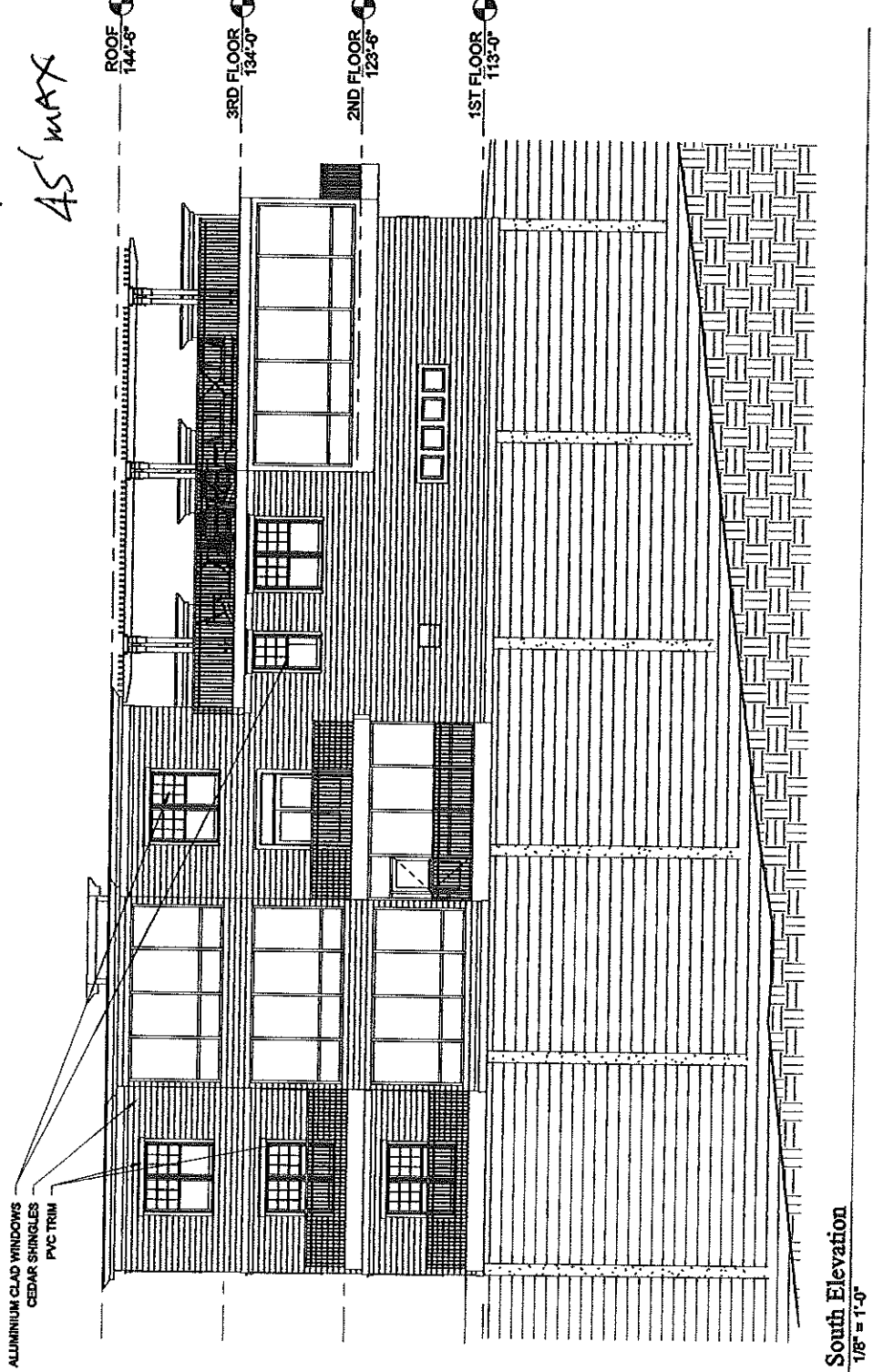
Public utilities including water, sewer, power and communications are readily available in the area. New services will be extended into the site. Power to the site will be installed underground; however, the details to this installation are not fully developed at the time of this submission.

The street conditions around the block are described as follows:

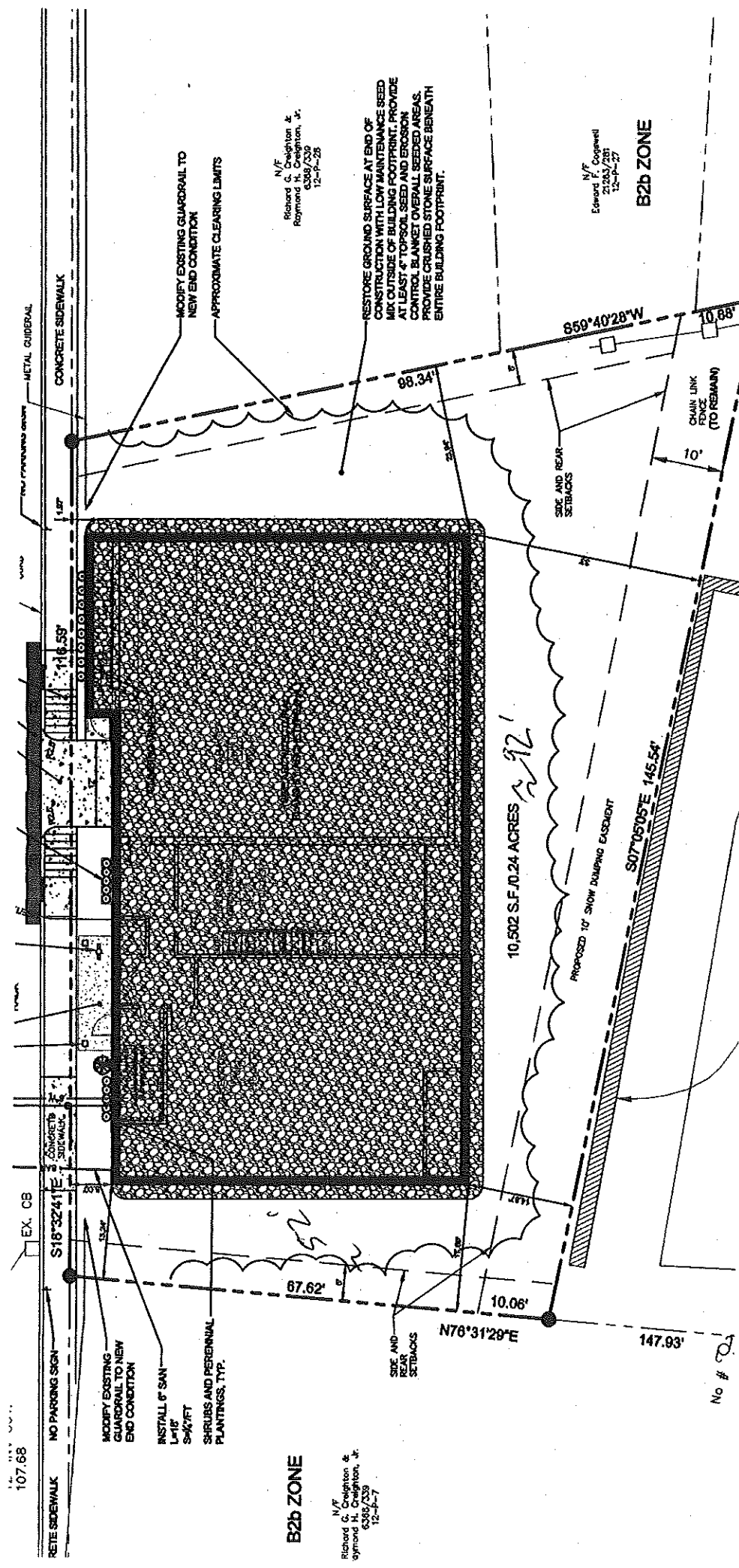
Street Name	Description	On-street Parking	Condition	Other
Sheridan Street	Approximately 26 foot wide paved way with two way traffic. 40' wide ROW.	None	Concrete sidewalk is in moderate condition with several areas that require improvement	No drainage on site side of street

$$\frac{144.5'}{-113.00'} = 3/5 \text{ low front}$$
 45' MAX

ARCHITECT REHEPPE Architects 4411 1/2th Street, Richmond, Maine 04101 (207) 772-6022 Fax (207) 772-4055	SOUTH ELEVATION 2013-10-13 1/8" = 1'-0"	SHELDON ST 1st Flr 2nd Flr 3rd Flr Roof
--	---	---



1 South Elevation
 1/8" = 1'-0"



N/F
Richard G. Craghton &
Raymond H. Craghton, Jr.
6386/339
12-4-78

RESTORE GROUND SURFACE AT END OF
CONSTRUCTION WITH LOW MAINTENANCE SEED
MIX OUTSIDE OF BUILDING FOOTPRINT. PROVIDE
AT LEAST 4" TOPSOIL SEED AND EROSION
CONTROL BLANKET OVERALL SEEDED AREAS.
PROVIDE CRUSHED STONE SURFACE BENEATH
ENTIRE BUILDING FOOTPRINT.

N/F
Edward F. Cogswell
2163/281
12-4-77

B2b ZONE

B2b ZONE

N/F
Richard G. Craghton &
Raymond H. Craghton, Jr.
6386/339
12-4-77

52x92 = 4784 sq ft = 1050 sq ft
74498 per c-PLA# front Stangs
mp.

107.68

RETE SIDEWALK

EX. CB

NO PARKING SIGN

S18°32'41"E

CONCRETE SIDEWALK

16.59'

METAL GUIDERAIL

CONCRETE SIDEWALK

1.87'

MODIFY EXISTING GUARDRAIL TO NEW END CONDITION

INSTALL 6" SAN L-16 5W/FT

SHRUBS AND PERENNIAL PLANTINGS, TYP.

MODIFY EXISTING GUARDRAIL TO NEW END CONDITION

APPROXIMATE CLEARING LIMITS

CONCRETE SIDEWALK

METAL GUIDERAIL

1.87'

CONCRETE SIDEWALK

16.59'

107.68

MODIFY EXISTING GUARDRAIL TO NEW END CONDITION

INSTALL 6" SAN L-16 5W/FT

SHRUBS AND PERENNIAL PLANTINGS, TYP.

67.62'

SIDE AND REAR SETBACKS

N76°31'29"E

10,502 S.F. 0.24 ACRES

52'

92'

PROPOSED 10' SNOW DUMPING EASEMENT

S07°05'05"E 145.54'

10.06'

14.97'

10.88'

859°40'28"W

10.88'

10.88'

10.88'

10.88'

SIDE AND REAR SETBACKS

10'

CHAIN LINK FENCE (TO REMAIN)

10.88'

10.88'

10.88'

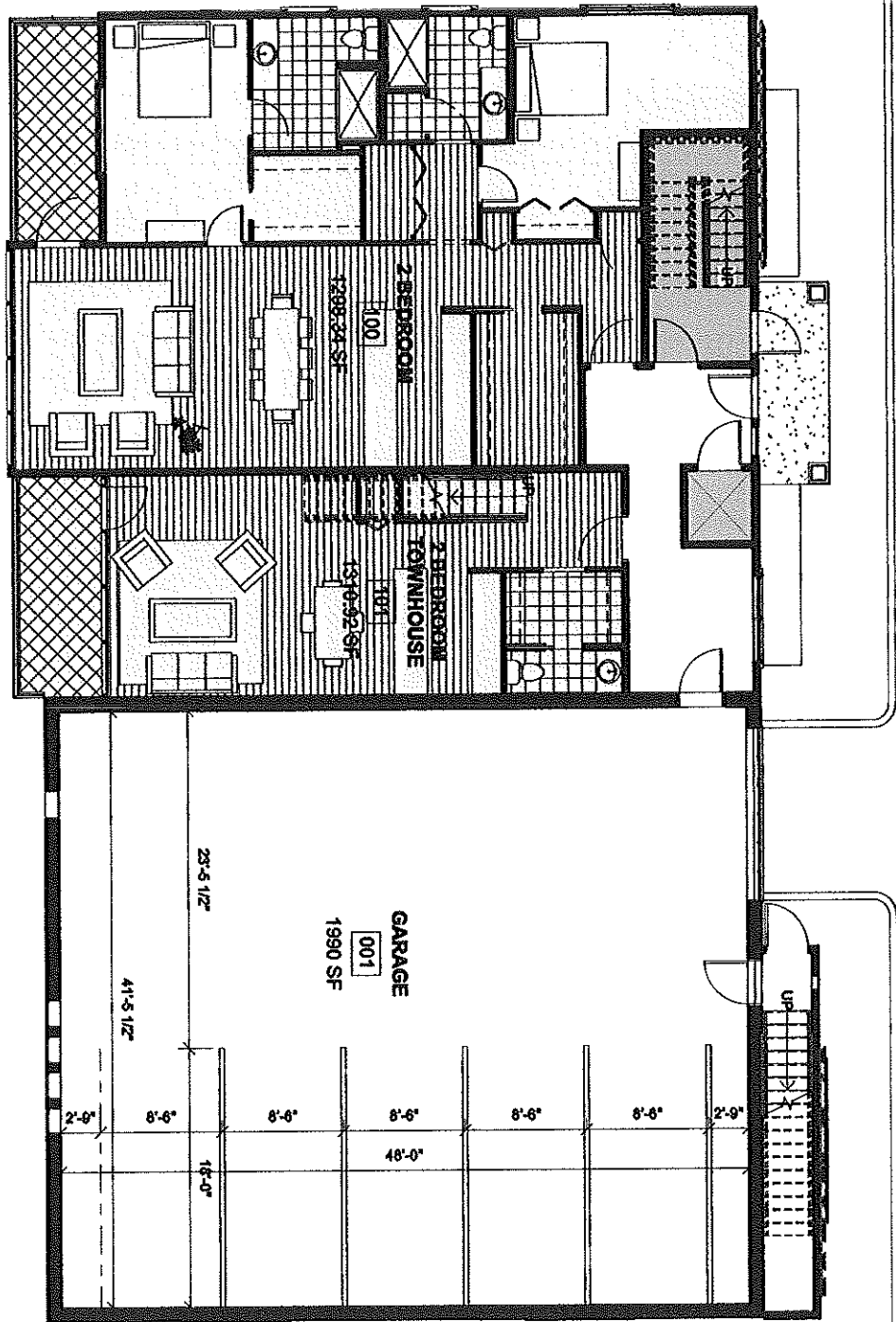
10.88'

S07°05'05"E 145.54'

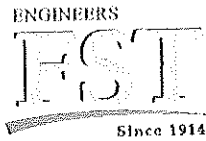
147.93'

No #

1 | FIRST FLOOR - 4512
 1/8" = 1'-0" | GROSS SQ. FT.



A1	Project: SHERIDAN ST	Date: 2013-11-07	Scale: 1/8" = 1'-0"	Architect: ARCHETYPE architects
	Address City, State	FIRST FLOOR PLAN	48 Union Wharf, Portland, Maine 04101 (207) 772-6022 Fax (207) 772-4056	



FAY, SPOFFORD &
THORNDIKE
778 Main Street, Suite 8
South Portland, ME 04106
Toll Free: 800.835.8666
Main: 207.775.1121
Fax: 207.879.0896
www.fstinc.com

October 22, 2013

Captain Chris Pirone
City of Portland Fire Department
380 Congress Street
Portland, ME 04101

**Subject: Sheridan Street Apartments
Fire Department Site Review Checklist**

Dear Captain Pirone:

In accordance with instructions in the City's Site Plan Review packet, please find enclosed the drawing necessary for your review of the proposed Sheridan Street Apartments project. We have listed each item in your checklist below, followed by our response.

1. *Name, address, telephone number of applicant.*

New Day Farm, LLC
11 McQuillians Hill Drive
Gorham, ME 04038
Attn: Jeffrey Rosenblatt
c/o Fay, Spofford & Thorndike 207-775-1121

2. *Name, address, telephone number of architect.*

Project Architect: Archetype, PA
48 Union Wharf
Portland, ME 04101
Attn: David Lloyd, P.E.
207-772-6022

3. *Proposed uses of any structures (NFPA and IBC classification).*

Building	IBC Code	NFPA Code
Residential	R-2 – 5A Type	NFPA 101 New Apartment Building

4. *Square footage of all structures (total and per story).*

Sheridan Street Apartments

- First Floor – Residential 4,512 SF
 - Second Floor – Residential 4,619 SF
 - Third Floor – Residential 2,458 SF
- TOTAL 11,589 SF**

PROJECT DATA

The following information is required where applicable, in order to complete the application.

Total Area of Site	10,502 sq. ft.
Proposed Total Disturbed Area of the Site	7,000 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	
Impervious Surface Area	0 sq. ft.
Impervious Area (Total Existing)	<1,000 sq. ft.
Impervious Area (Total Proposed)	
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	0 sq. ft.
Building Footprint (Total Proposed)	4,512 sq. ft. A-784
Building Floor Area (Total Existing)	0 sq. ft.
Building Floor Area (Total Proposed)	11,589 sq. ft.
Zoning	
Existing	B2b
Proposed, if applicable	B2b
Land Use	Undeveloped
Existing	5-Unit Multiplex
Proposed	
Residential, if applicable	
# of Residential Units (Total Existing)	0
# of Residential Units (Total Proposed)	5
# of Lots (Total Proposed)	1
# of Affordable Housing Units (Total Proposed)	0
Proposed Bedroom Mix	
# of Efficiency Units (Total Proposed)	
# of One-Bedroom Units (Total Proposed)	
# of Two-Bedroom Units (Total Proposed)	4
# of Three-Bedroom Units (Total Proposed)	1
Parking Spaces	
# of Parking Spaces (Total Existing)	0
# of Parking Spaces (Total Proposed)	5
# of Handicapped Spaces (Total Proposed)	0
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	0
# of Bicycle Spaces (Total Proposed)	0
Estimated Cost of Project	\$1.5 million

1.4 PROPOSED DEVELOPMENT

The applicant proposes to redevelop the property to its highest and best use. The development program includes the following components:

1.4.1 ON-SITE

Five (5) Residential Units are proposed each with a covered parking space within an attached garage area. There will be bike storage for each unit. The units are highlighted by high ceilings and large windows. The units will all have individual laundry hookups. The building will be fully sprinkled. There will be one elevator serving the building. The units range in size from 1,298 SF to 2,458 SF. All units have decks.

The project developer is not seeking LEED designation, but the building will conform to the most current International Energy Conservation Code.

The proposed project consists of new building construction for the 5-unit complex. The building will be oriented to align with the Sheridan Street frontage and the primary building entrance will be off Sheridan Street. The building will have a total of 3 floors of living space. The following summarizes the floor by floor layout:

Floor Level	Description
First Floor	Contains 5 parking spaces; 2 living units and access to the street.
Second Floor	Contains 2 living units and 2 nd floor space associated with one of the first floor units.
Third Floor	Contains 1 living unit possibly to be owner occupied.

1.4.2 OFF-SITE

Site access is proposed via Sheridan Street primarily. It is expected that concrete sidewalk reconstruction will be required based on disturbance that will result from foundation and utility construction. A new concrete driveway will be installed at the ground level entrance.

1.5 LAND ORDINANCE REVIEW

1.5.1 OVERVIEW

The property currently lies within the City of Portland B-2b Zoning District. The following dimensional requirements will apply in the B-2b Zone all of which will be met by the project:

Dimensional Standard	Requirement
Minimum Lot Size	None
Minimum Frontage	None
Front yard setback	None
Side Yard Setback/Side Yard on a Street	5 feet/0 feet
Side Yard Setback when Abutting a Res Zone	10 feet
Rear Yard Setback	10 feet
Rear Yard Setback when Abutting a Res Zone	20 feet

Dimensional Standard	Requirement
Maximum Impervious Surface	90%
Maximum Residential Density	435 SF of land area per unit
Maximum Building height	45 feet (65 feet if within sixty-five feet of Franklin Street)

1.5.2 SHORELAND ZONING

The site is not located within the Shoreland Zoning District.

1.6 STATE AND FEDERAL PERMITS

The project does not require any State or Federal permits other than State Fire Marshall approval. The development is subject to Site Plan and Subdivision approval by the City of Portland and Building Permit(s) are also required.

1.7 EASEMENTS OR OTHER BURDENS

The land acquired by New Day Farm, LLC includes a 10' wide snow dumping easement benefitting A&M Partners, LLC. This easement is located at the far low (west) end of the site nearest land to be retained by A&M Partners, LLC. There is no development activity proposed within the easement area.

1.8 TRAFFIC

The proposed project will not result in significant impacts to the surrounding street system. The project will result in fewer than 25 new peak hour. Given the nature of the two-way conditions of Sheridan Street, we foresee no major impact to the capacity conditions on the street. Site lines and street conditions at the site entrance appear to be favorable. The applicant will continue to work with City officials regarding sidewalk improvements and related access conditions within the development area. No further traffic analysis is currently proposed.

1.9 SOILS/GEOTECHNICAL REVIEW

1.9.1 OVERVIEW

Summit Geoengineering Services conducted a preliminary geotechnical investigation of the project site and their findings were presented to the development team. The site is generally characterized by layers of the following materials:

- Topsoil/Fill Cover
- Glacial Till and Based Till

Aggregate materials for foundation backfill, pavement base and subbase gravels and all trench backfilling will be primarily imported from off-site sources. The project earthwork will involve minor cutting and filling. In general, the building will be supported by a pier system, except for the Sheridan Street side of the building which will be supported on a traditional concrete foundation.

1.10 NATURAL FEATURES

The development site does not contain any significant natural features including wetlands, vernal pools or other protected resource.

1.11 UTILITIES AND STORMWATER

The site will be served by existing utilities in the street including water, sewer and power. An 8" water main is located in Sheridan Street; however, the main currently ends approximately 190' south of the building. A main extension to the site will be necessary to allow a new sprinkler and domestic service into the building. There is a 12" sewer line flowing north towards Walnut Street, located off the northeast corner of the property in Sheridan Street. The utility planning includes a connection to this sewer line. Overhead power currently is located on the east side of Sheridan Street. An underground service extension into the building is proposed.

The site is currently undeveloped and the runoff conditions consist of sheet flow from Sheridan Street down to the developed area within the land retained by A&M Partners, LLC. The proposed conditions will consist of a pier supported structure that will basically leave an exposed ground condition beneath the building footprint. In order to minimize impact to the runoff flow regime attributable to the site, a layer of crushed stone will be installed beneath the building. One or more roof drain leaders will be directed to discharge into the stone layer, thus minimizing the potential for concentrated flow conditions. All other ground areas not otherwise located beneath the building will be revegetated with a low maintenance grass cover, thus the overall stormwater impacts attributable to the development are considered minimal. The proposed storm layer beneath the building will provide surface stabilization as well as a receptor for roof runoff. We propose to direct the roof runoff through one or more drain leaders into the stone layer beneath the building where the water will be allowed to infiltrate back into the ground.

1.12 ATTACHMENTS

Attachment A – Existing Site Photographs
Attachment B – Figures

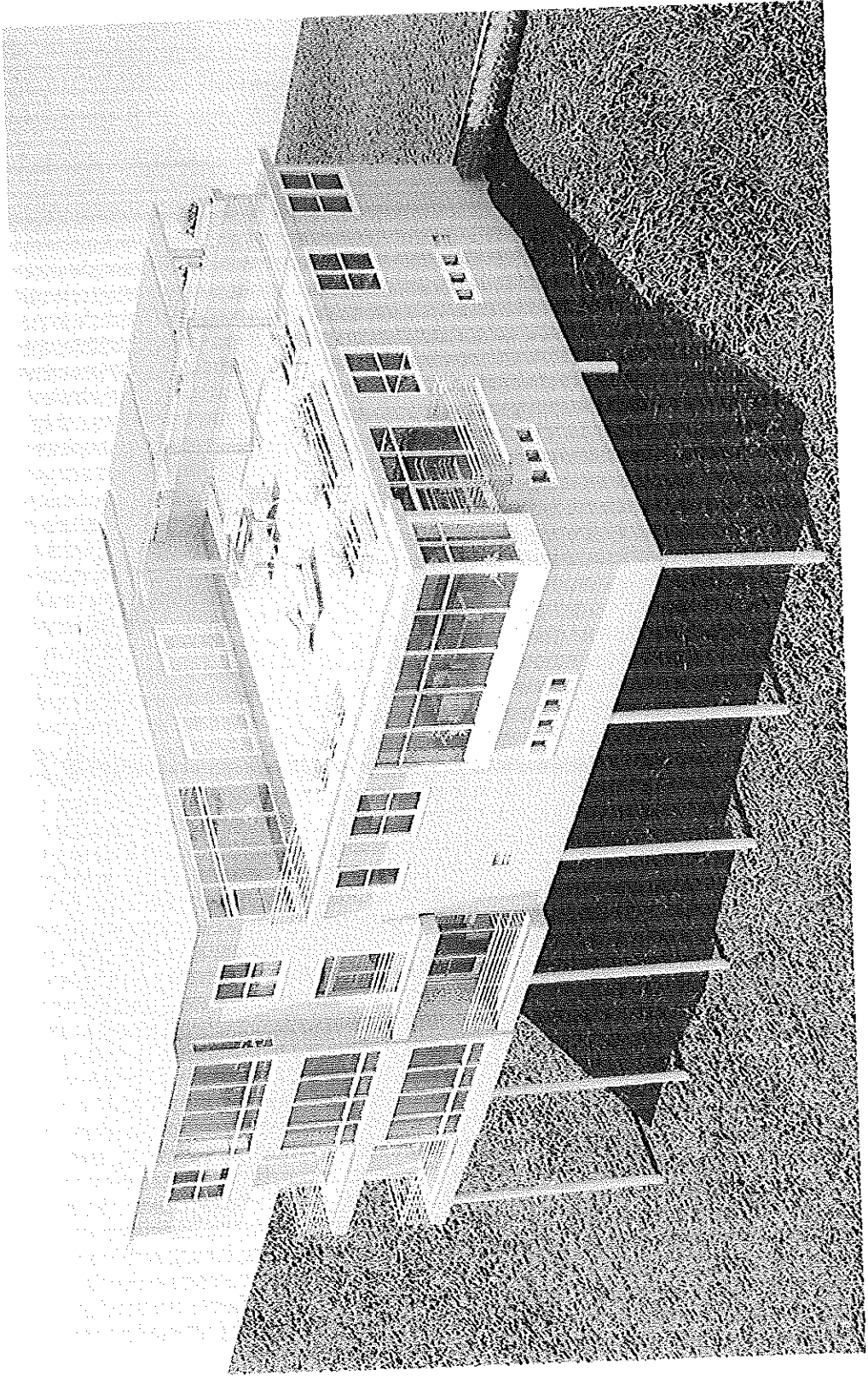
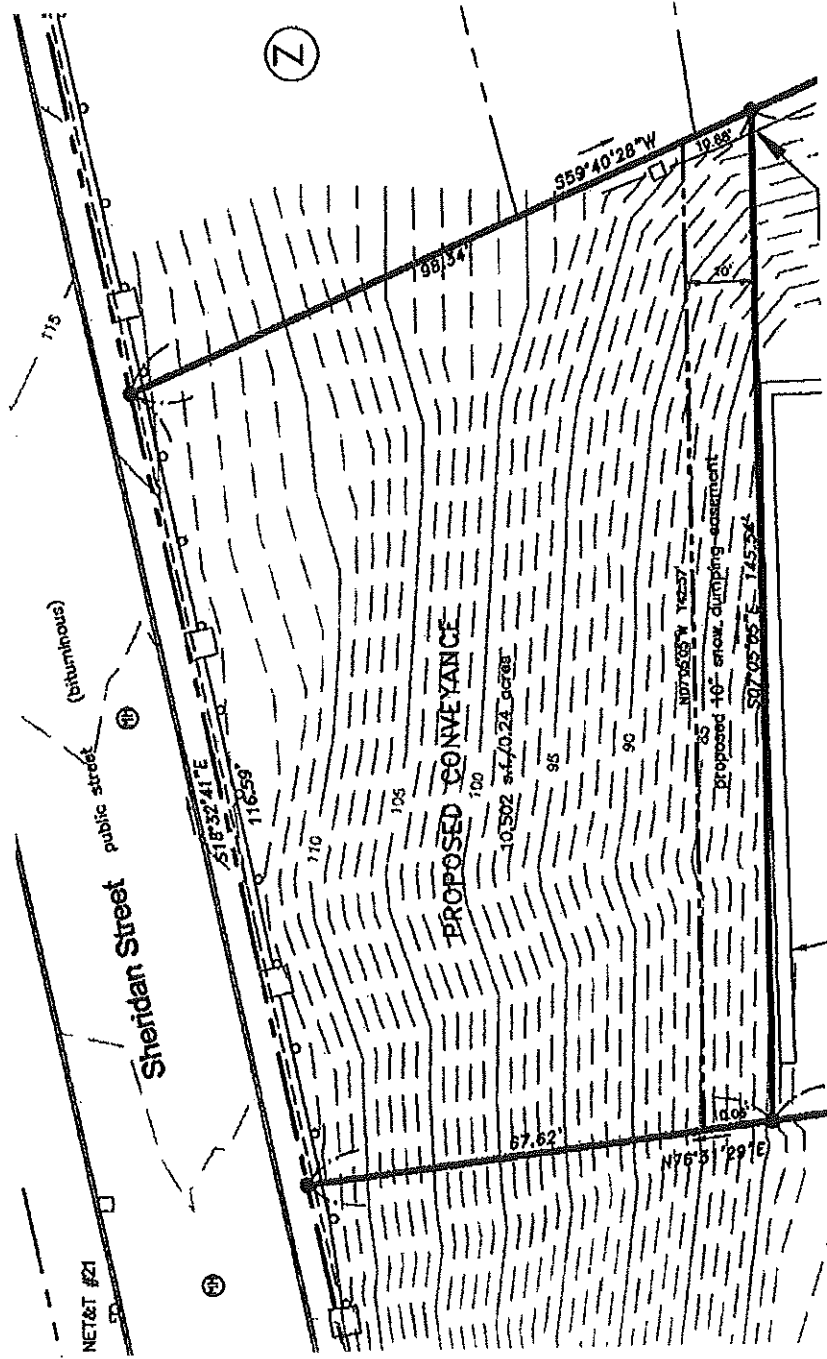


Exhibit A



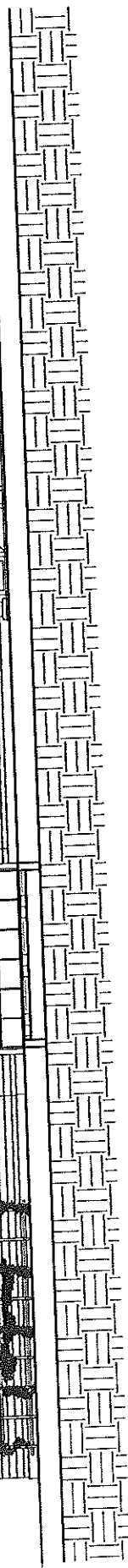
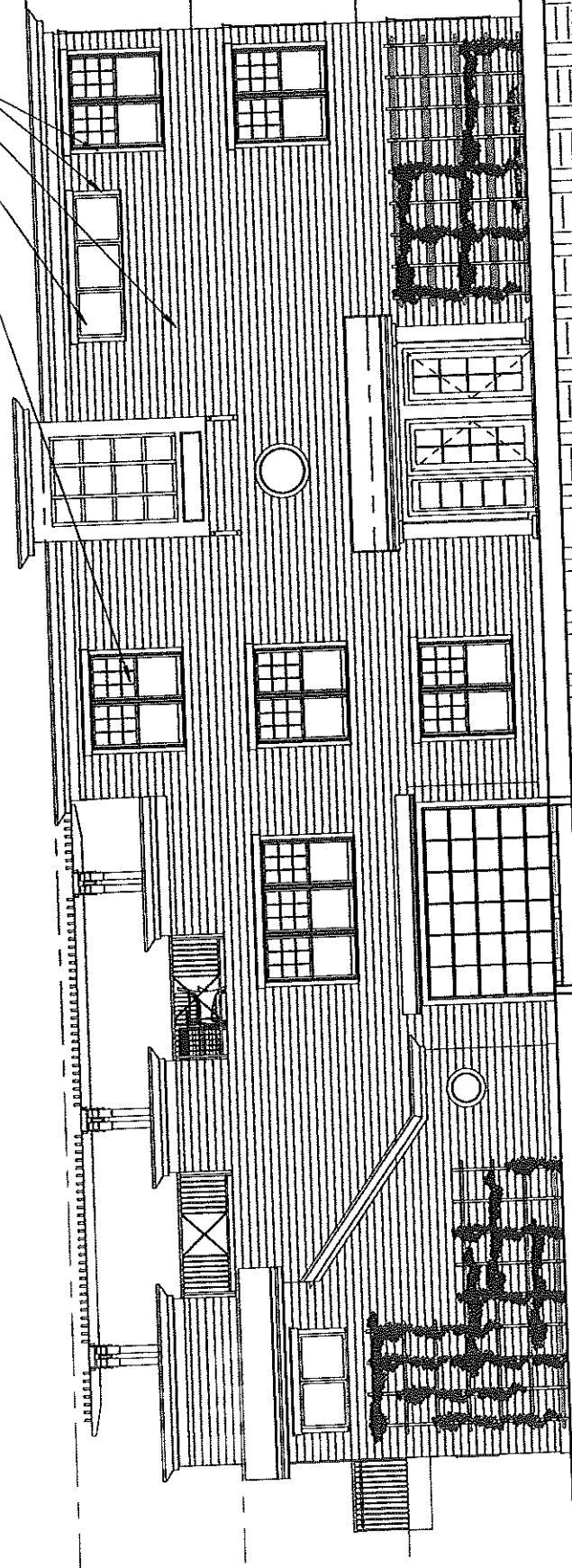
ALUMINIUM CLAD WINDOWS
CEDAR SHINGLES
PVC TRIM

ROOF
144'-6"

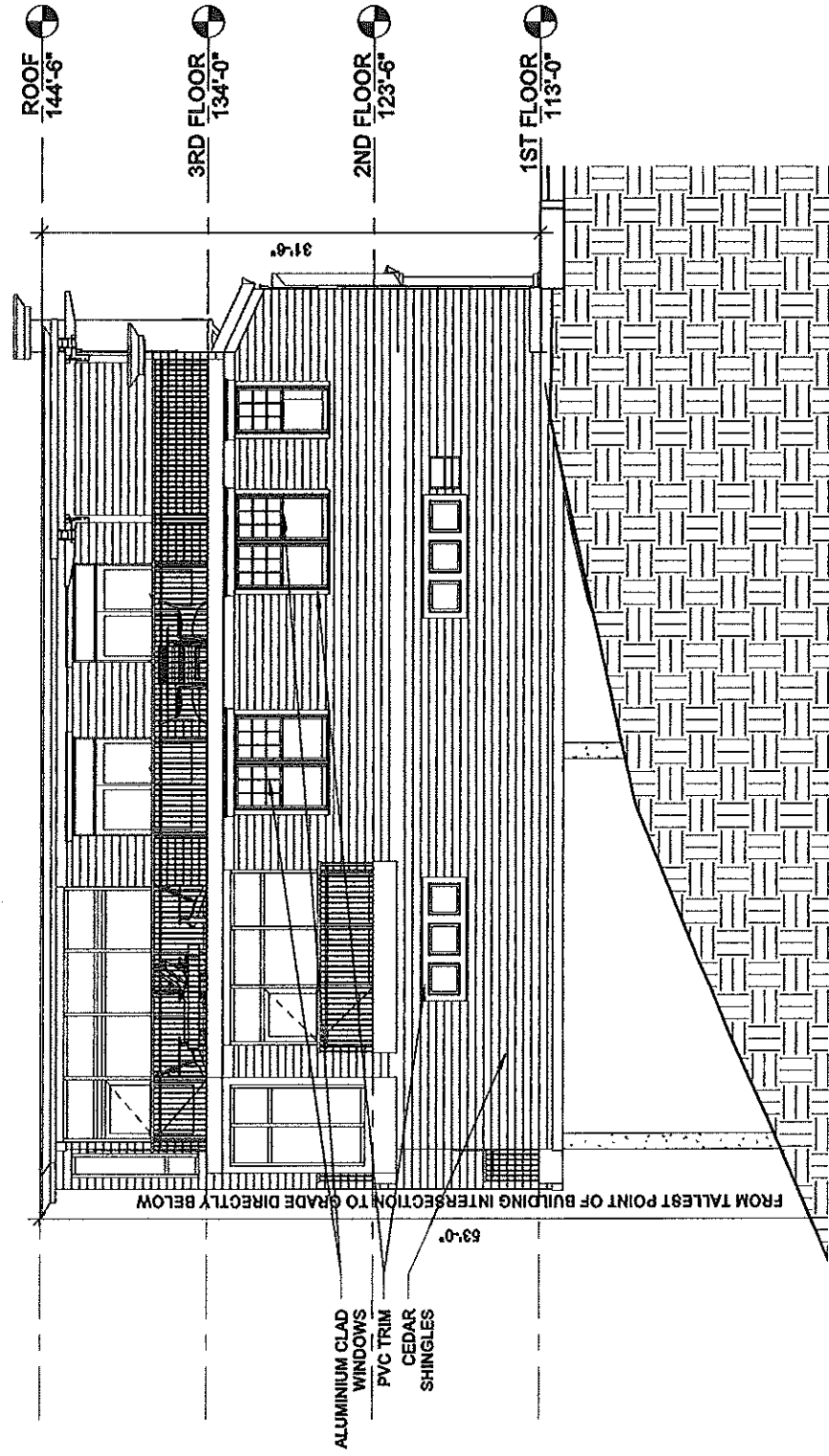
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134'-0"

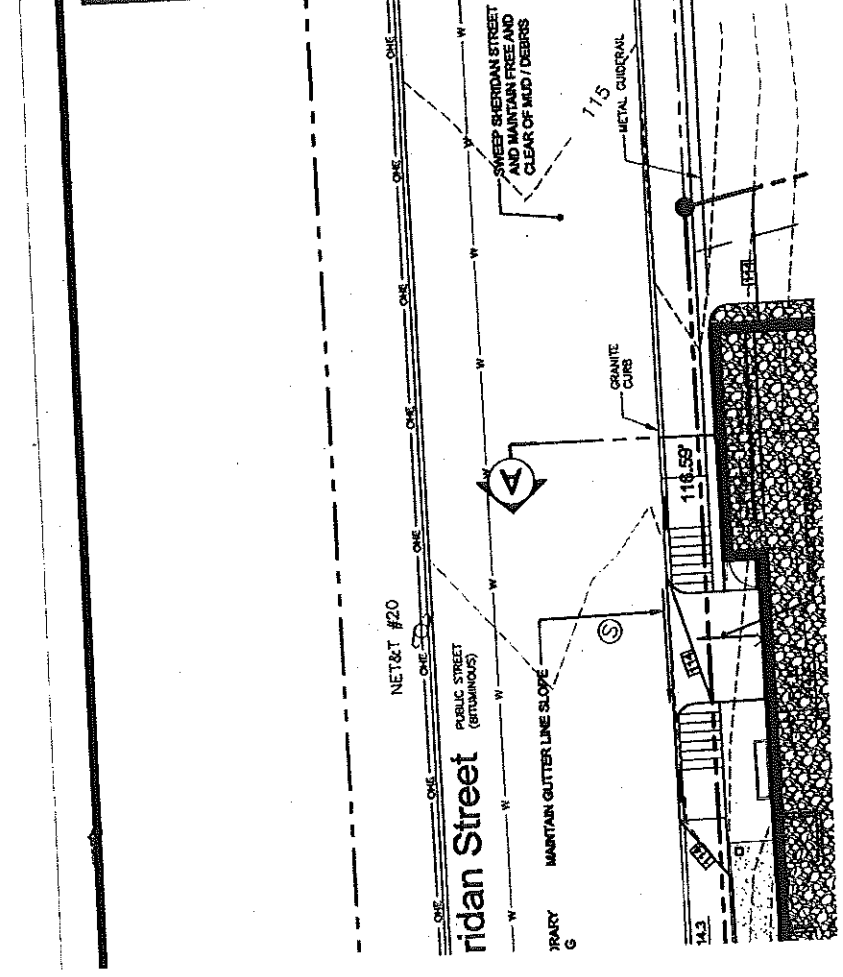
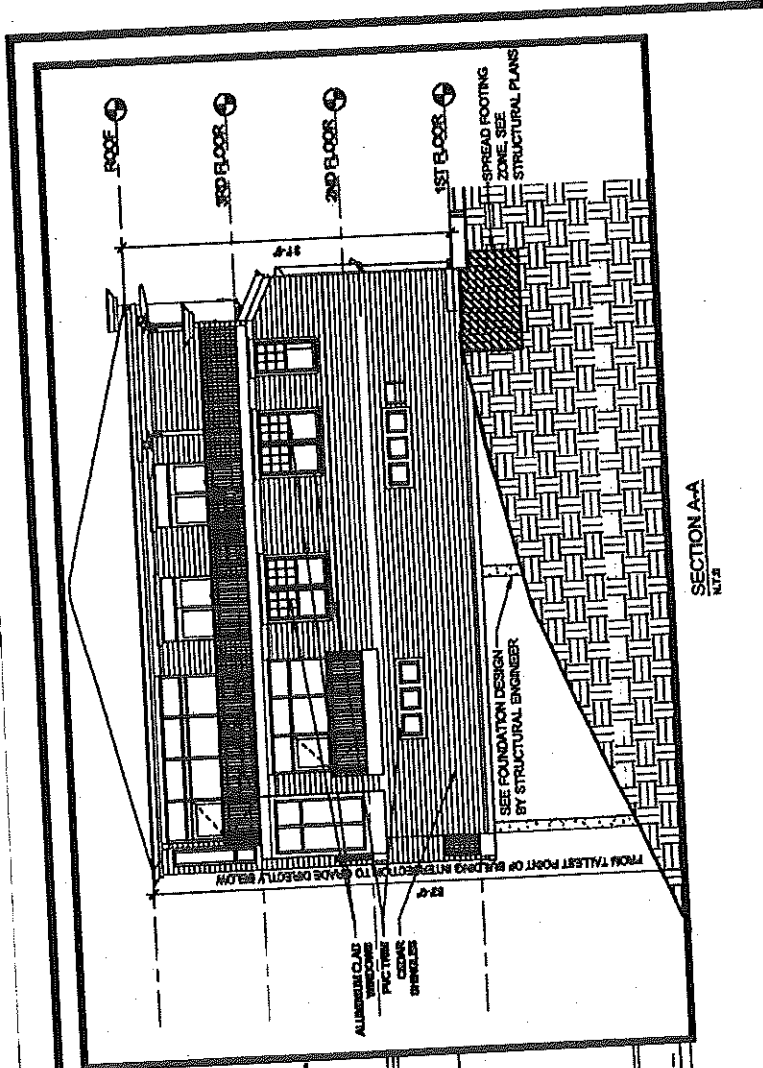
2ND FLOOR
123'-6"

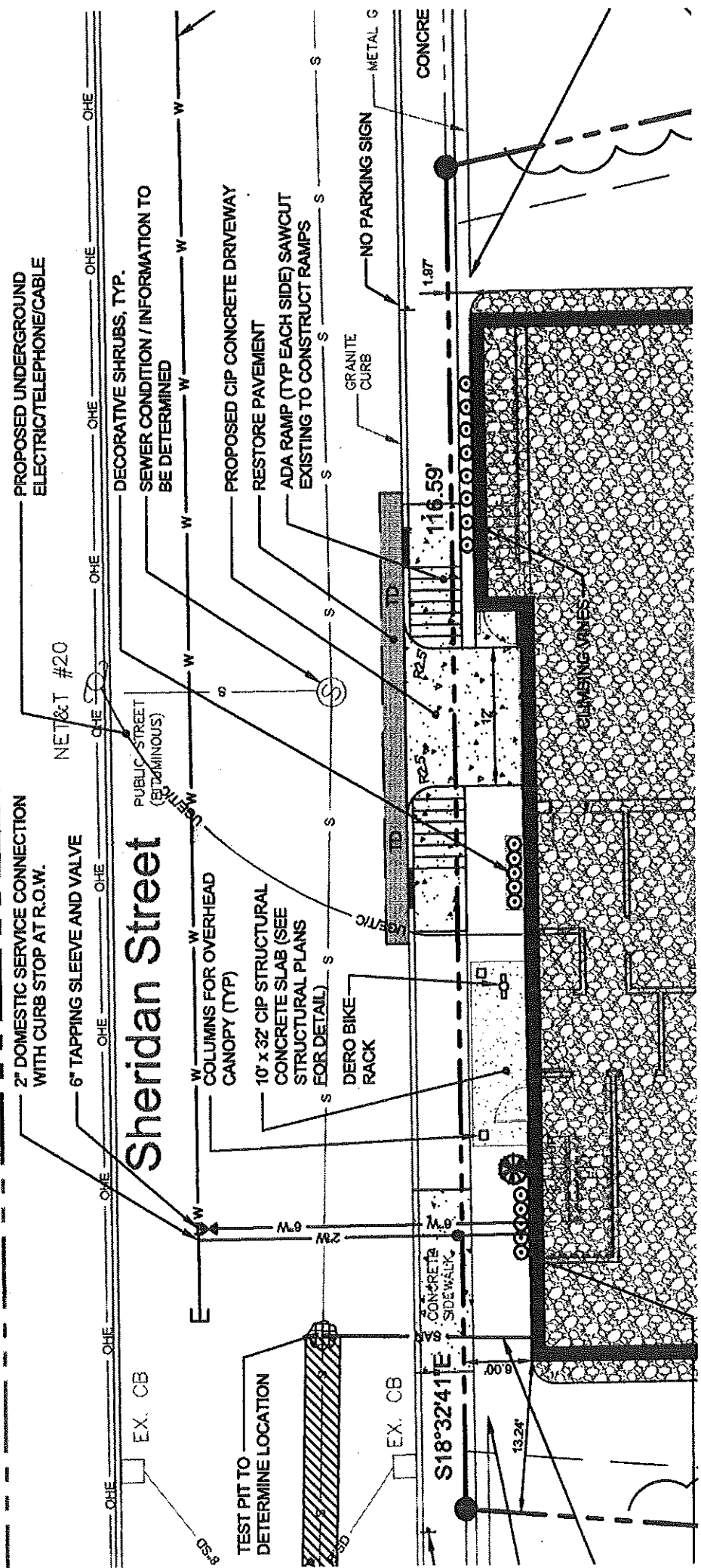
1ST FLOOR
113'-0"



South Elevation





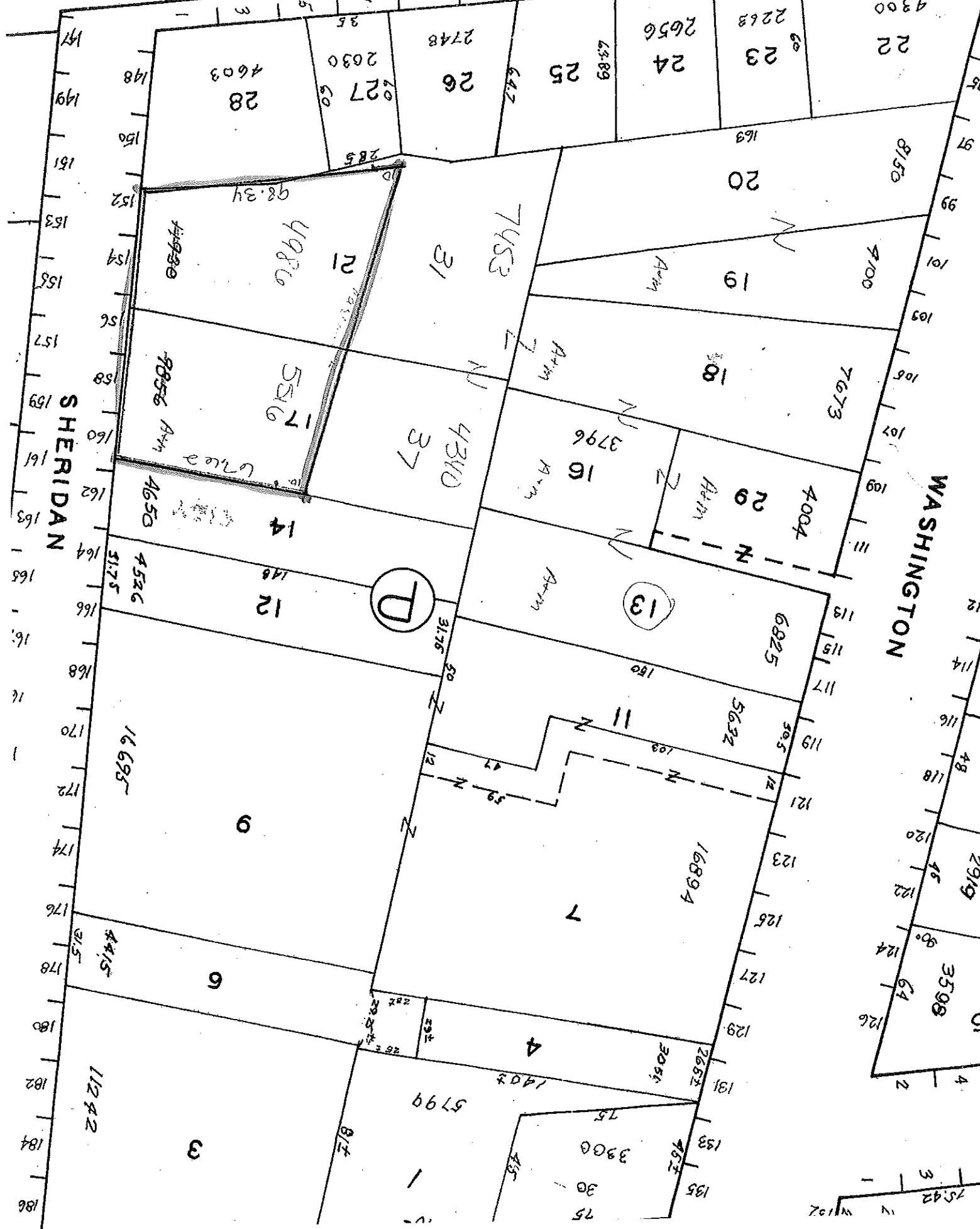


Shelby St

SHEET 13-A

STREET

MARION



WASHINGTON

SHERIDAN

MARION

SHEET 13-A

STREET

Shelby St

WARRANTY DEED

KNOW ALL PERSONS BY THESE PRESENTS, that **A & M PARTNERS, LLC**, a Maine limited liability company with a place of business in Portland, Maine (the "Grantor"), in consideration of One Dollar (\$1.00) and other valuable consideration HEREBY GRANTS to **NEW DAY FARM, LLC**, a Maine limited liability company with a mailing address of c/o Jeffrey Rosenblatt, 11 McQuillian's Hill Drive, Gorham, ME 04038, with **WARRANTY COVENANTS**, the premises situated in the City of Portland, County of Cumberland and State of Maine, described as follows:

A certain parcel of land located on the westerly side of Sheridan Street and being located northerly of Marion Street in the City of Portland, Maine, being a portion of Parcel 3 as shown on a plan entitled as depicted on a "Plan of Property (former J. J. Nissen Bakery) Washington Avenue, Romasco Lane, Sheridan Street & Marion Street. Portland, Maine" made for A & M Partners, LLC, dated July 19, 2002 by Tit County Registry of Deeds in Plan Book 2 bounded and described as follows:

to Assessors

Beginning at an iron pin set on the corner of land now or formerly of land now H. Creighton, Jr. as described in a deed recorded in Book 339;

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8, Page

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Thence running S 59° 40' 28" W to the corner of land now or formerly of Edward F. Cogswell and Elizabeth I. Cogswell as described in a deed recorded in Book 2310, Page 307, and by land now recorded in said Registry of Deeds in Book 34/100 (98.34) feet to an iron pin set and

nerly of
Registry
n a deed
t and

Thence running N 07° 05' 05" W by said retained front boundary, a distance of One Hundred Forty-Five and 54/100 (145.54) feet to an iron pin set and other land of now or formerly of Richard G. Creighton and Raymond H. Creighton, Jr. as described in said deed recorded in said Registry of Deeds in Book 6368, Page 339;

Thence running N 76° 31' 29" E by said other land of Creighton a distance of Sixty-Seven and 62/100 (67.62) feet to an iron pin set at the southeasterly corner of said land of Creighton and the westerly sideline of said Sheridan Street.

Thence running S 18° 32' 41" E by the westerly sideline of said Sheridan Street a distance of One Hundred Sixteen and 59/100 (116.59) feet to point of beginning.

Being a portion of the premises conveyed by warranty deed from A.G. Car Co., Inc. to A & M Partners, LLC dated May 2, 2007 and recorded in said Registry of Deeds in Book 25070,

Page 52. Subject to the matters as shown on the Plan referenced above and to an updated depiction of the property herein conveyed prepared by Titcomb Associates updated through August 13, 2013, job #202048.1, file #8500, an excerpt of which is attached hereto as Exhibit A. The above described parcel contains 10,502 square feet. Bearings are based on Magnetic North 2002.

Reserved Snow Storage Easement. Excepting and reserving to A & M Partners, LLC, its successors and assigns, the remaining portion of said Parcel 3 and also excepting and reserving a perpetual easement ten feet (10') in width running along the westerly sideline of property herein conveyed abutting said A & M Partners, LLC's retained property for the deposit of snow and ice removed from said A & M Partners, LLC's retained property and for the entry on said easement area on foot and with vehicles and machines for purposes of depositing of snow and ice as aforesaid, for removal of debris inadvertently deposited within the easement area along with snow and ice, and for maintenance and repair of the existing wall adjacent to the westerly sideline of property herein conveyed, which easement area is bounded and described as follows:

Beginning at an iron pin set at the northwesterly corner of the property herein conveyed and a corner of the retained land of A & M Partners, LLC:

Thence running N 76° 31' 29" E by the northerly sideline of the property herein conveyed a distance of 10.06 feet to a point;

Thence running S 07° 05' 05" E a distance of 142.37 feet to the southerly sideline of the property herein conveyed;

Thence running S 59° 40' 28" W by the southerly sideline of the property herein conveyed a distance of 10.88 feet to a point;

Thence running N 07° 05' 05" W by land of A & M Partners, LLC a distance of 145.54 feet to the point of beginning.

A & M Partners, LLC, its successors and assigns, as holders of the benefitted premises under the easement rights granted herein, shall be responsible each spring following snowmelt for the prompt removal from the easement area of any trash or debris (exclusive of sand and grit) inadvertently deposited in the easement area along with snow and ice, and for maintaining in good condition and repair the existing wall immediately adjacent to the westerly sideline of the property herein conveyed.

Support. The retained land of the A&M Partners LLC shall have no obligation to support the premises herein conveyed.

Surface Water Run-Off. New Day Farms, LLC, its successors and assigns, hereby covenant and agree as follows:

(i) to take commercially reasonable efforts not to increase the volume and peak levels of surface water run-off flowing from the property herein conveyed onto the retained land of A & M Partners, LLC above the volume and peak levels that currently exist, and

(ii) in the event that an increase in the surface water run-off from the property herein conveyed to the retained land of A & M Partners, LLC cannot be reasonably avoided despite diligent efforts, then the owner of the property herein conveyed shall have an easement to dispose of such increased surface water runoff across and under the retained land of A & M Partners, LLC and to enter with persons, vehicles and machines to install, repair and maintain thereon such storm drains or other infrastructure as may be reasonably required to facilitate the proper disposal of such runoff by connecting into a public storm drain (recognizing that said retained land is almost completely paved or improved with buildings), provided that:

(a) such increased runoff, drains or infrastructure shall not interfere with the use or lawful occupancy of the retained land of A & M Partners, LLC and shall minimize any impact on the future development potential of said retained land;

(b) the owner of the land herein conveyed shall comply with all applicable governmental codes, laws, ordinances and requirements and pay any governmental fees;

(c) before commencing construction, the owner of the land herein conveyed shall at its expense provide storm water calculations and plans for improvements prepared and stamped by a licensed civil engineer, all reasonably acceptable to the owner of said retained land and to governmental bodies with jurisdiction;

(d) the improvements shall be built and maintained in compliance with such approved plans in a good and workmanlike manner, and all costs of such installation, repair and maintenance shall be paid by New Day Farms, its successors and assigns, free and clear of all mechanics liens;

(e) the construction of the improvements shall be carried on so as to minimize any disruption to the use and enjoyment of said retained land of A & M Partners, LLC, all contractors shall have general liability and automobile insurance in an amount satisfactory to and naming the owner of said retained land as an additional insured, and following the installation, maintenance and repair of the improvements, the pavement and other pre-existing improvements shall be restored; and

(f) any entry, other than in an emergency, shall be coordinated reasonably in advance with the owners and occupants of the retained land.

These covenants and agreements shall run with the land.

WITNESS its hand and seal on September 12, 2013.

A & M Partners, LLC

L. R. Clough

Witness

By: *Andrea Girard*
name: Andrea Girard
Its: Manager

Accepted and Agreed:
NEW DAY FARM, LLC

[Signature]

Witness

By: *[Signature]*
name: J. A. Rosenblatt
Its: Manager

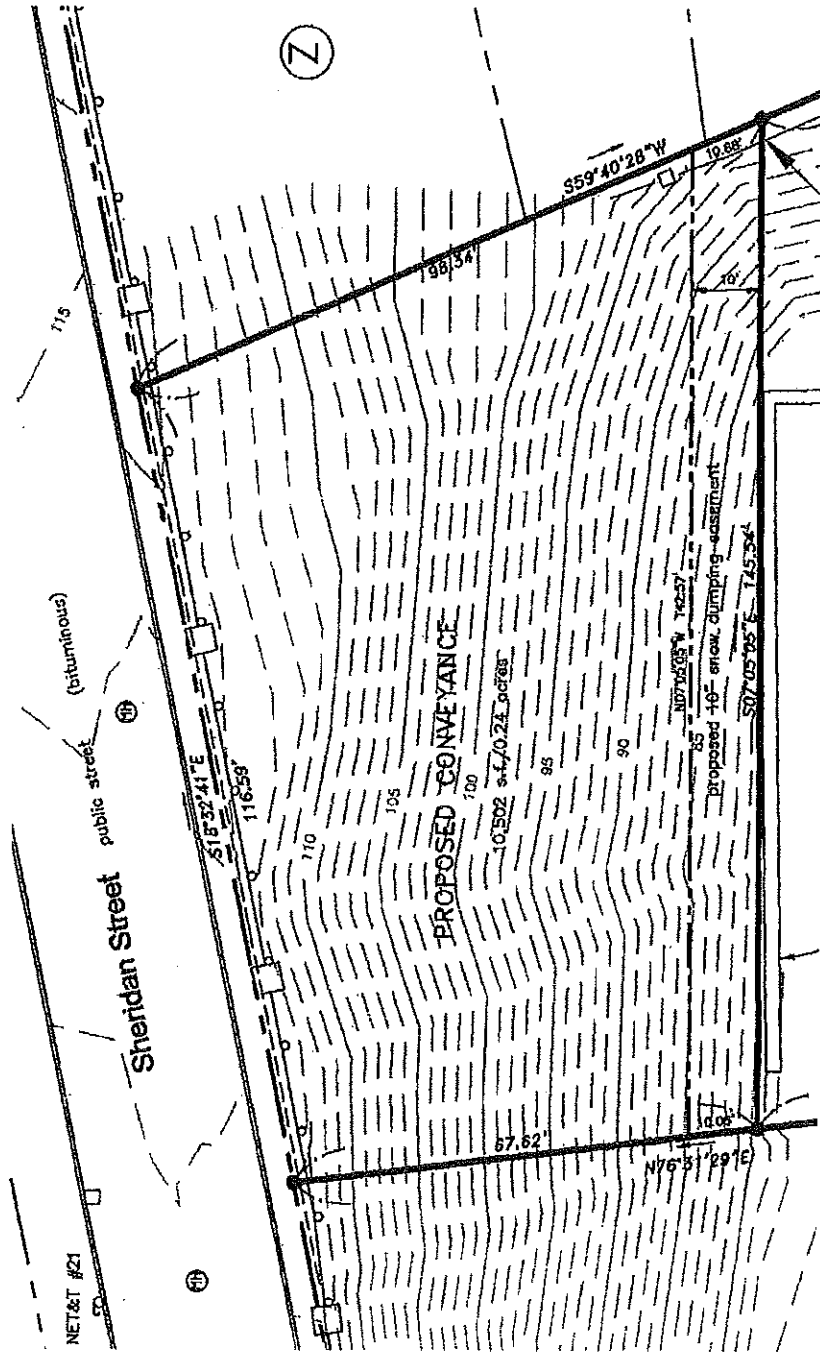
State of Maine
Cumberland, ss.

September 12, 2013

Then personally appeared before me the above named Andrea Girard in his/her capacity as Manager of A & M Partners, LLC, and acknowledged the foregoing instrument to be his/her free act and the free act and deed of said limited liability company.

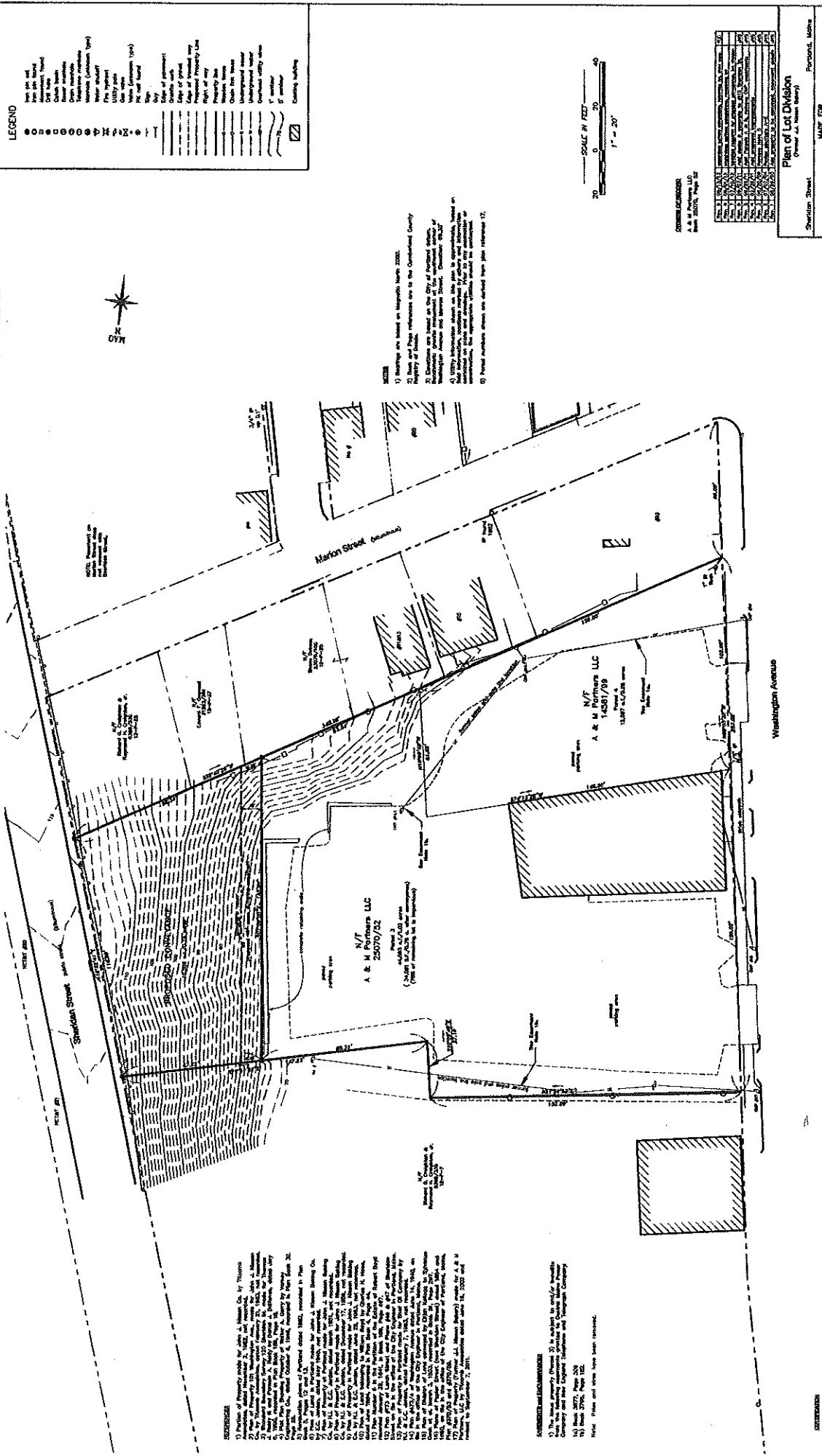
L. R. Clough
Maine Attorney at Law/Notary Public
Name: Lawrence R. Clough

Exhibit A



LEGEND

1" = 20'	1" = 40'	1" = 60'	1" = 80'	1" = 100'
2" = 10'	2" = 20'	2" = 30'	2" = 40'	2" = 50'
3" = 10'	3" = 20'	3" = 30'	3" = 40'	3" = 50'
4" = 10'	4" = 20'	4" = 30'	4" = 40'	4" = 50'
5" = 10'	5" = 20'	5" = 30'	5" = 40'	5" = 50'
6" = 10'	6" = 20'	6" = 30'	6" = 40'	6" = 50'
7" = 10'	7" = 20'	7" = 30'	7" = 40'	7" = 50'
8" = 10'	8" = 20'	8" = 30'	8" = 40'	8" = 50'
9" = 10'	9" = 20'	9" = 30'	9" = 40'	9" = 50'
10" = 10'	10" = 20'	10" = 30'	10" = 40'	10" = 50'
11" = 10'	11" = 20'	11" = 30'	11" = 40'	11" = 50'
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14" = 10'	14" = 20'	14" = 30'	14" = 40'	14" = 50'
15" = 10'	15" = 20'	15" = 30'	15" = 40'	15" = 50'
16" = 10'	16" = 20'	16" = 30'	16" = 40'	16" = 50'
17" = 10'	17" = 20'	17" = 30'	17" = 40'	17" = 50'
18" = 10'	18" = 20'	18" = 30'	18" = 40'	18" = 50'
19" = 10'	19" = 20'	19" = 30'	19" = 40'	19" = 50'
20" = 10'	20" = 20'	20" = 30'	20" = 40'	20" = 50'



NOTES

- 1) Easements are based on plat maps 2002.
- 2) Spot and level references are to the Combined County.
- 3) Easements shown on this plan are for the purposes of easement and utility lines.
- 4) Easement lines shown on this plan are for the purposes of easement and utility lines.
- 5) Easement lines shown on this plan are for the purposes of easement and utility lines.

SCALE IN FEET

0 20 40
1" = 20'

NO.	DATE	REVISION
1	7/16/02	ISSUED
2	7/16/02	REVISED PER COMMENTS
3	7/16/02	REVISED PER COMMENTS
4	7/16/02	REVISED PER COMMENTS
5	7/16/02	REVISED PER COMMENTS
6	7/16/02	REVISED PER COMMENTS
7	7/16/02	REVISED PER COMMENTS
8	7/16/02	REVISED PER COMMENTS
9	7/16/02	REVISED PER COMMENTS
10	7/16/02	REVISED PER COMMENTS

DESIGNER: A & M PARTNERS, LLC
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 DATE: 7/16/02
 SCALE: 1" = 20'
 SHEET NO: 200204-010-A
 PROJECT NO: 200204-010-A
 CLIENT: A & M PARTNERS, LLC
 133 Gray Road
 Portland, ME 04108

DESCRIPTION

- 1) Parcel of property owned by [Name] in [Township].
- 2) [Name] is the owner of the property.
- 3) [Name] is the owner of the property.
- 4) [Name] is the owner of the property.
- 5) [Name] is the owner of the property.
- 6) [Name] is the owner of the property.
- 7) [Name] is the owner of the property.
- 8) [Name] is the owner of the property.
- 9) [Name] is the owner of the property.
- 10) [Name] is the owner of the property.
- 11) [Name] is the owner of the property.
- 12) [Name] is the owner of the property.
- 13) [Name] is the owner of the property.
- 14) [Name] is the owner of the property.
- 15) [Name] is the owner of the property.
- 16) [Name] is the owner of the property.
- 17) [Name] is the owner of the property.
- 18) [Name] is the owner of the property.
- 19) [Name] is the owner of the property.
- 20) [Name] is the owner of the property.

ACKNOWLEDGMENTS

I, the undersigned, hereby certify that the above information is true and correct to the best of my knowledge and belief, and that I am duly qualified to practice as a land surveyor in the State of Maine.

Dated this 16th day of July, 2002.

[Signature]



NOTES

1) The above property (shown) is subject to the [Name] and [Name] Easement and other Easement [Name] and [Name] Company and other Easement [Name] and [Name] Company.

2) [Name] 25070/32, Page 209

3) [Name] 14881/99, Page 152.

Note: Plans and lines have been reviewed.

Marge Schmuckal - Re: Sheridan Street

From: Barbara Barhydt
To: Schmuckal, Marge
Date: 4/4/2013 5:18 PM
Subject: Re: Sheridan Street

4/8/13

TODD Rothstein & Mike Fishman
BARBARA - Marge

This is the request I got from Mike Fishman's Office (Fishman Realty) for an opportunity to discuss development on Sheridan Street.

>>> Marge Schmuckal Thursday, April 04, 2013 5:11 PM >>>
What is this relating to?

>>> Barbara Barhydt 4/4/2013 4:28 PM >>>
Do you want to meet with Mark Fishman on Monday at 10 p.m?

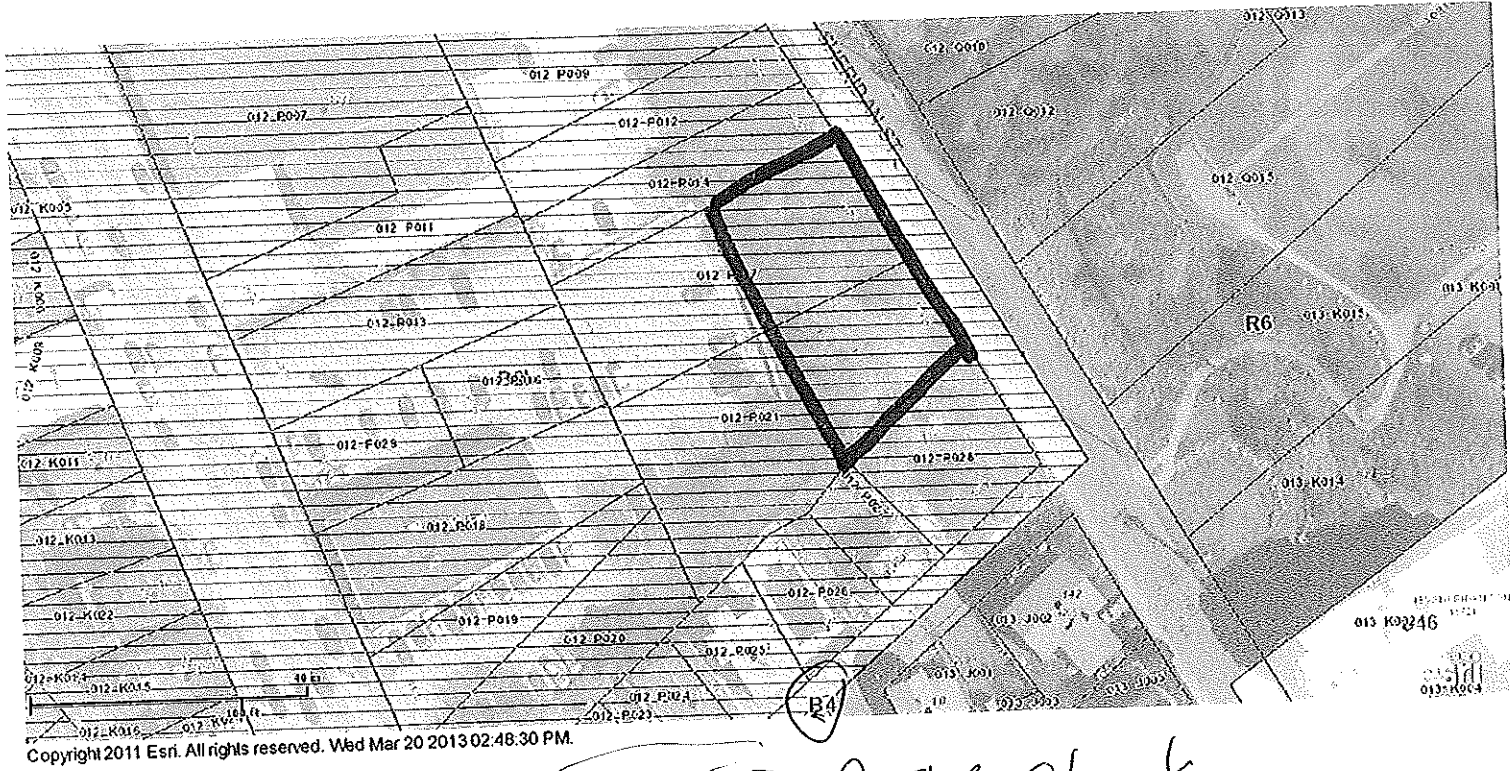
Barbara

RE: Franklin Articial changes
14-182(2)(2) -> stumbling block
Blip

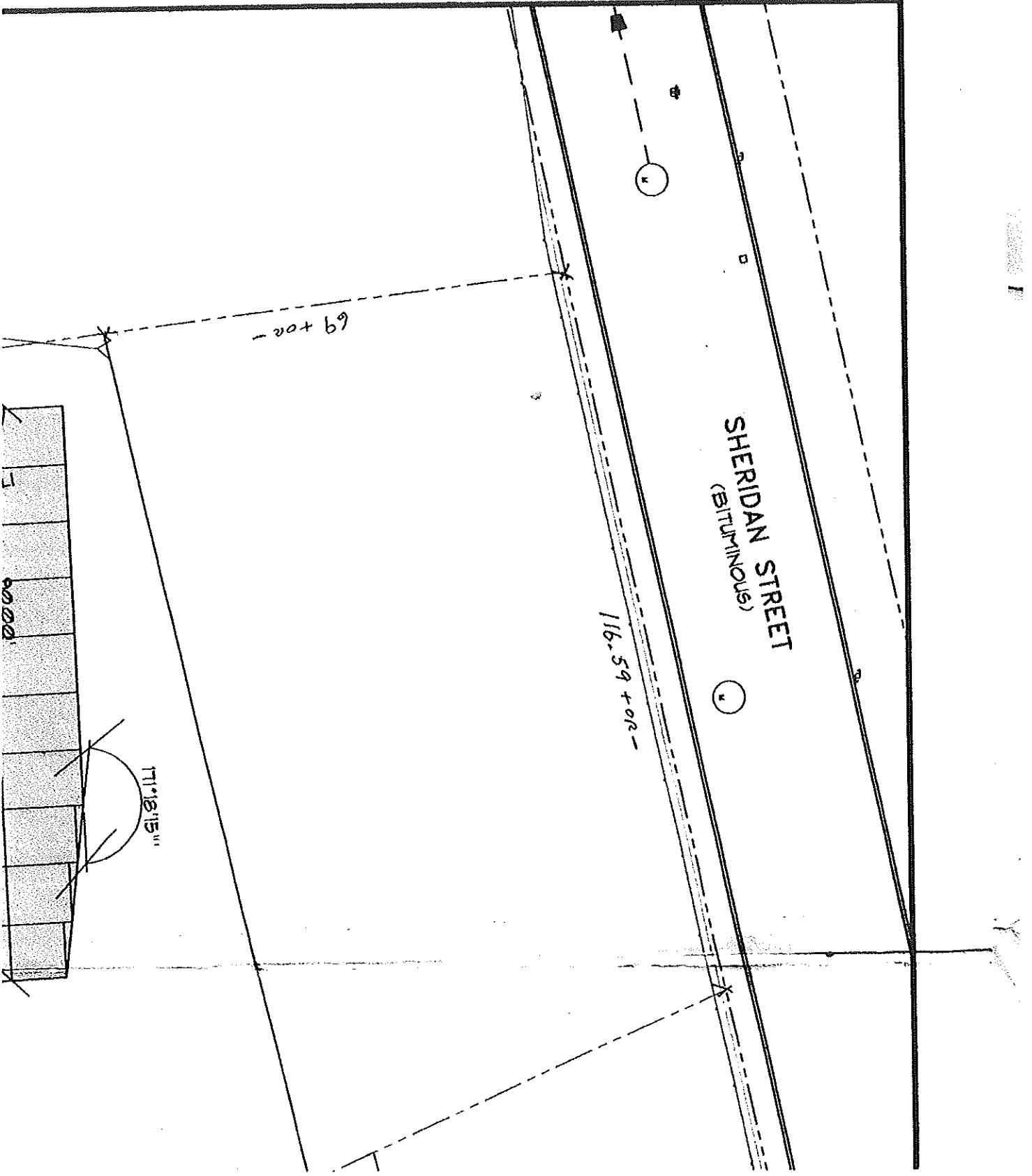
Use -> residential uses to be proposed -

Mary Rees
\$10 million Cut Budget (contingant Budget)
whst would we give on?

My Map



B-2b *mechek*
residential
Build multi ~~units~~ units - condos or rental



Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8456

[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

Applications

Doing Business

Maps

Tax Relief

Tax Roll

Q & A

CBL 012 P021001
Land Use Type VACANT LAND
 Verify legal use with Inspections Division
Property Location 152 SHERIDAN ST
Owner Information A & M PARTNERS LLC
 380 WARREN AVE
 PORTLAND ME 04103
Book and Page 25070/052
Legal Description 12-P-21
 SHERIDAN ST 152-154
Acres 0.2739

Current Assessed Valuation:

[browse city services a-z](#)

[browse facts and links a-z](#)

TAX ACCT NO. 1222 **OWNER OF RECORD AS OF APRIL 2012**
 A & M PARTNERS LLC
LAND VALUE \$47,700.00 **380 WARREN AVE**
BUILDING VALUE \$0.00 **PORTLAND ME 04103**
NET TAXABLE - REAL ESTATE \$47,700.00
TAX AMOUNT \$897.72



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



[View Map](#)

Best viewed at 800x600, with Internet Explorer

Sales Information:

Sale Date	Type	Price	Book/Page
5/3/2007	LAND	\$315,655.00	25070/52
12/1/1997	LAND	\$301,000.00	13507/328

New Search!

012 P017001 - GARAGES, SHEDS, AUX, ETC. 12-P-17 SHERIDAN ST 156-160 25070/052 A & M PARTNERS LLC

Assessor's Office | 389 Congress Street | Portland, Maine 04101 | Room 115 | (207) 874-8486

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

- Applications
- Doing Business
- Maps
- Tax Relief
- Tax Roll
- Q & A

CBL 012 P017001
Land Use Type GARAGES, SHEDS, AUX, ETC.
 Verify legal use with Inspections Division
Property Location 156 SHERIDAN ST
Owner Information A & M PARTNERS LLC
 380 WARREN AVE
 PORTLAND ME 04103
Book and Page 25070/052
Legal Description 12-P-17
 SHERIDAN ST 156-160
Acres 9856 SF
 0.2263

Current Assessed Valuation:

- browse city services a-z
- browse facts and links a-z

TAX ACCT NO. 1216 **OWNER OF RECORD AS OF APRIL 2012**
 A & M PARTNERS LLC
LAND VALUE \$39,400.00 380 WARREN AVE
BUILDING VALUE \$3,740.00 PORTLAND ME 04103
NET TAXABLE - REAL ESTATE \$43,140.00
TAX AMOUNT \$811.90



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



[View Map](#)

Best viewed at 800x600, with Internet Explorer

Outbuildings/Yard Improvements:

Building 1
Year Built 1999
Size 9X15
Units 1
Grade C
Condition 3

Sales Information:

Sale Date	Type	Price	Book/Page
5/3/2007	LAND	\$315,655.00	25070/52
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