

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Planning Copy**

2009-0026  
Application I. D. Number

3/9/2009  
Application Date

44-46 Cumberland Avenue  
Project Name/Description

Reed Richard K & Gunnel Larsdotter &  
Applicant

30 Pleasant Ave , Portland , ME 04101  
Applicant's Mailing Address

Consultant/Agent

Agent Ph: \_\_\_\_\_ Agent Fax: \_\_\_\_\_

Applicant or Agent Daytime Telephone, Fax

44 - 46 Cumberland Ave, Portland, Maine  
Address of Proposed Site

013 L008001  
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Apt 0  Condo 0  Other (specify) \_\_\_\_\_

Proposed Building square Feet or # of Units 5509 Acreage of Site 0 Proposed Total Disturbed Area of the Site 0 Zoning R6

**Check Review Required:**

- |   |   |  |  |
|---|---|--|--|
| <input checked="" type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Zoning Conditional - PB  | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> Design Review           |
| <input type="checkbox"/> Amendment to Plan - Board Review   | <input type="checkbox"/> Zoning Conditional - ZBA | <input type="checkbox"/> Shoreland                   | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Amendment to Plan - Staff Review   | <input type="checkbox"/> Zoning Variance          | <input type="checkbox"/> Flood Hazard                | <input type="checkbox"/> Site Location           |
| <input type="checkbox"/> After the Fact - Major             | <input type="checkbox"/> Stormwater               | <input type="checkbox"/> Traffic Movement            | <input type="checkbox"/> Housing Replacement     |
| <input type="checkbox"/> After the Fact - Minor             | <input type="checkbox"/> PAD Review               | <input type="checkbox"/> 14-403 Streets Review       | <input type="checkbox"/> Other _____             |

Fees Paid: Site Plan \$400.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date 3/9/2009

**Planning Approval Status:**

Reviewer \_\_\_\_\_

- Approved  Approved w/Conditions See Attached  Denied

Approval Date \_\_\_\_\_ Approval Expiration \_\_\_\_\_ Extension to \_\_\_\_\_  Additional Sheets Attached

OK to Issue Building Permit \_\_\_\_\_  
signature \_\_\_\_\_ date \_\_\_\_\_

**Performance Guarantee**  Required\*  Not Required

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

- |   |                |  |                 |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted     | _____          | _____  | _____           |
|   | date           | amount   | expiration date |
| <input type="checkbox"/> Inspection Fee Paid                | _____          | _____  |                 |
|   | date           | amount   |                 |
| <input type="checkbox"/> Building Permit Issue              | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Reduced      | _____          | _____  | _____           |
|   | date           | remaining balance                                  | signature       |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____          | <input type="checkbox"/> Conditions (See Attached) | _____           |
|   | date           |  | expiration date |
| <input type="checkbox"/> Final Inspection                   | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Certificate Of Occupancy           | _____          |  |                 |
|   | date           |  |                 |
| <input type="checkbox"/> Performance Guarantee Released     | _____          | _____  |                 |
|   | date           | signature  |                 |
| <input type="checkbox"/> Defect Guarantee Submitted         | _____          | _____  | _____           |
|   | submitted date | amount   | expiration date |
| <input type="checkbox"/> Defect Guarantee Released          | _____          | _____  |                 |
|   | date           | signature  |                 |

Richard Reed and Gunnel Larsdotter  
Christopher Roberts and Merriam Roberts

March 9, 2009

Department of Planning and Urban Development  
Planning Division and Planning Board  
Portland City Hall  
Portland Me

To whom it may concern:

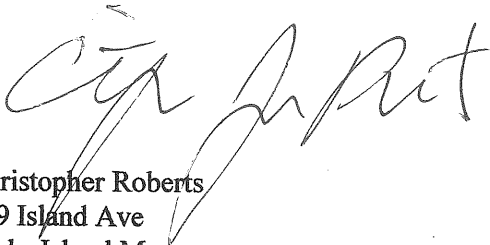
We have purchased the properties at 44 and 46 Cumberland Ave and attached please find our completed application for Development Review.

It is our understanding that these 2 properties have been under the same ownership at least since 1925, and used primarily for commercial storage since. We intend to reuse both structures, preserving the footprint areas with minimal changes, while changing the use to 2 family residential.

Despite the fact that both structures are in need of improvement and stabilization it is our believe that they are worthwhile structures, and are worthy of preservation.

We appreciate the help that we have received at the Planning, Zoning, and Code Enforcemant departments so far, if any more information is needed to complete this process please feel free to contact us .

Sincerely Yours



Christopher Roberts  
379 Island Ave  
Peaks Island Me  
766 5819

Richard Reed  
30 Pleasant St  
Portland Me  
871 5678

**WARRANTY DEED  
Maine Statutory Short Form**

MAINE REAL ESTATE TAX PAID

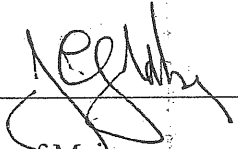
KNOW ALL PERSONS BY THESE PRESENTS, that **ONEX CO.**, a Maine Corporation, with an office in Portland, County of Cumberland, and State of Maine ("Grantor"), for consideration paid, grants to **RICHARD K. REED** and **GUNNEL LARSDOTTER**, both of Peaks Island, County of Cumberland and State of Maine, as joint tenants, an undivided one-half (1/2) interest and grants to **CHRISTOPHER J. ROBERTS AND MERRIAM T. ROBERTS**, both of Peaks Island, County of Cumberland and State of Maine, as joint tenants, an undivided one-half (1/2) interest, with Warranty Covenants, the land, together with any buildings thereon, in Portland, County of Cumberland and State of Maine, bounded and described as follows:

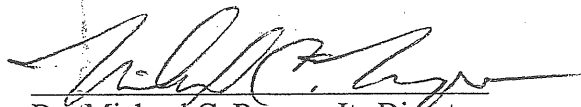
Beginning at the northwesterly corner of land formerly owned by Frank C. Dolley, on the southeasterly side line of said Cumberland Avenue at a point about one hundred sixteen (116) feet southwesterly from the intersection of said southeasterly side line of Cumberland Avenue and the westerly side line of North Street; thence southwesterly of said Cumberland Avenue sixty (60) feet; thence southeasterly at right angles with Cumberland Avenue ninety-two and three tenths (92.3) feet, more or less to land formerly of Freeman or Hamilton; thence northeasterly by said Freeman or Hamilton land sixty (60) feet, more or less, to said Dolley land; thence northwesterly by said Dolley land to Cumberland Avenue and the point of beginning.

Meaning and intending to convey part of the same premises conveyed to ONEX CO. by deed recorded in the Cumberland County Registry of Deeds in Book 9235, Page 305.

Witness my hand this 10th day of October, 2008.

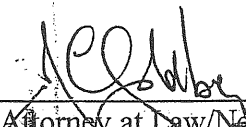
Signed and Delivered in the presence of:

  
\_\_\_\_\_  
State of Maine  
Cumberland, ss.

ONEX Co.  
  
By: Michael C. Rogers, Its Director  
Duly Authorized

Personally appeared this 10<sup>th</sup> day of October 2008, the above named Michael C. Rogers, Director, ONEX Co., and acknowledged the foregoing instrument to be his free act and deed individually, and in said capacity the free act and deed of ONEX Co., before me.

Received  
Recorded Register of Deeds  
Oct 10, 2008 10:39:23A  
Cumberland County  
Pamela E. Lovles

  
\_\_\_\_\_  
Attorney at Law/Notary Public  
**JONATHAN L. GOLDBERG**  
ATTORNEY AT LAW



**Development Review Application  
Portland, Maine**

Department of Planning and Urban Development, Planning Division and Planning Board

Address of Proposed Development: **44-46 CUMBERLAND AVE**

Zone: **R-6 (INFILL)**

Project Name: **44-46 CUMBERLAND AVE**

Existing Building Size: **2017** sq. ft.

Proposed Building Size: **2057** sq. ft.

Existing Acreage of Site: **5509** sq. ft.

Proposed Acreage of Site: **5509** sq. ft.

Proposed Total Disturbed Area of the Site: **40** sq. ft. \*

\* If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) or Chapter 500, Stormwater Management Permit with the Maine Department of Environmental Protection (DEP).

Tax Assessor's Chart, Block & Lot:

Chart # **13**  
Block # **L**  
Lot # **8 & 23**

Property Owners Name/**ROBERTS ET AL**  
Mailing address:

**30 PLEASANT ST,  
PORTLAND ME  
04101**

Telephone #: **871-5678**

Cell Phone #: **272-2075**

E-mail: **dreed@reedarchitecture.com**

Consultant/Agent Name,  
Mailing Address, Telephone #, Fax #  
and Cell Phone #:

Applicant's Name/**D. REED**  
Mailing Address:

**30 PLEASANT ST.  
PORTLAND ME  
04101**

Telephone #: **871-5678**

Cell Phone #: **272-2075**

E-mail: **dreed@reedarchitecture.com**

Fee for Service Deposit (all applications) \_\_\_\_\_ (\$200.00)

Proposed Development (check all that apply)

- New Building  Building Addition  Change of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking lot  
 Subdivision (\$500.00) + amount of lots \_\_\_\_\_ (\$25.00 per lot) \$ \_\_\_\_\_ + major site plan fee if applicable  
 Site Location of Development (\$3,000.00)  
 (except for residential projects which shall be \$200.00 per lot \_\_\_\_\_)  
 Traffic Movement (\$1,000.00)  Storm water Quality (\$250.00)  
 Section 14-403 Review (\$400.00 + \$25.00 per lot)  
 Other \_\_\_\_\_

~ Please see next page ~

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review

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

Plan Amendments

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

Billing Address: (name, address and contact information)

RICHARD REED  
 REED ARCHITECTURE  
 30 PLEASANT ST.  
 PORTLAND ME 04101

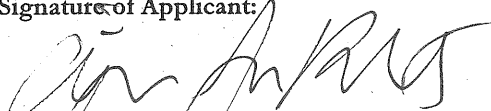
Submittals shall include seven (7) folded packets containing the following materials:

- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: [www.portlandmaine.gov](http://www.portlandmaine.gov) Copies of the ordinances may be purchased through the Planning Division.

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

This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

Signature of Applicant: 	Date: 03-09-09
--	-------------------



## Site Plan Checklist Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

Project Name, Address of Project \_\_\_\_\_

Application Number \_\_\_\_\_

The form is to be completed by the Applicant or Designated Representative:

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
_____	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
_____	(2)	Name and address of applicant and name of proposed development	a
_____	(3)	Scale and north points	b
_____	(4)	Boundaries of the site	c
_____	(5)	Total land area of site	d
_____	(6)	Topography - existing and proposed (2 feet intervals or less)	e
_____	(7)	Plans based on the boundary survey including:	2
_____	(8)	Existing soil conditions	a
_____	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
_____	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
_____	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
_____	(12)	Location of on-site waste receptacles	e
_____	(13)	Public utilities	e
_____	(14)	Water and sewer mains	e
_____	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
_____	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
_____	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
_____	(18)	Parking areas	g
_____	(19)	Loading facilities	g
_____	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
_____	(21)	Curb and sidewalks	g
_____	(22)	Landscape plan showing:	h
_____	(23)	Location of existing vegetation and proposed vegetation	h
_____	(24)	Type of vegetation	h
_____	(25)	Quantity of plantings	h
_____	(26)	Size of proposed landscaping	h
_____	(27)	Existing areas to be preserved	h
_____	(28)	Preservation measures to be employed	h
_____	(29)	Details of planting and preservation specifications	h
_____	(30)	Location and dimensions of all fencing and screening	i
_____	(31)	Location and intensity of outdoor lighting system	j
_____	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
_____	(33)	Written statements to include:	c
_____	(34)	Description of proposed uses to be located on site	cl
_____	(35)	Quantity and type of residential, if any	cl
_____	(36)	Total land area of the site	c2
_____	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
_____	(38)	General summary of existing and proposed easements or other burdens	c3
_____	(39)	Type, quantity and method of handling solid waste disposal	c4
_____	(40)	Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets	c5
_____	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

_____	(42)	An estimate of the time period required for completion of the development	7
_____	(43)	A list of all state and federal regulatory approvals to which the development may be subject to. Include the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
_____	(47)	Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	h8
_____	(48)	Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
_____	(49)	A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
_____	(50)	A jpeg or pdf of the proposed site plan, if available.	
_____	(51)	Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study

Other comments:

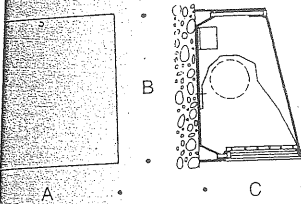
PROJECT IS LARGELY REUSE OF EXISTING  
STRUCTURES, SO MANY ITEMS ON CHECKLIST  
DO NOT APPLY

## 44-46 Cumberland Ave

### Development Review Application Checklist

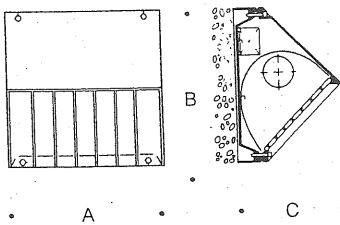
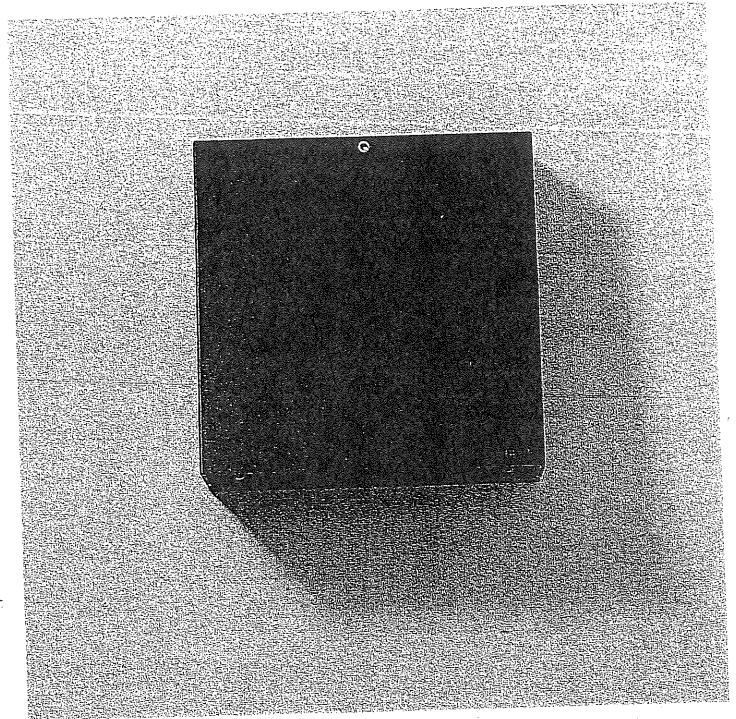
1. Standard Boundary Survey	See attached Survey
2. Name and address	"
3. Scale and North points	"
4. Boundaries	"
5. Total land area	"
6. Topography	"
7. Plans based on survey	See attached plans
8. Existing Soil Conditions	Undisturbed existing conditions
9. Location of water courses etc.	NA
10. Location, ground floor etc.	See attached plans
11. Approx Location of abutting etc	See attached plans
12. Location of on Site Waste Receptacles	NA
13. Public utilities	Existing Electrical Service
14. Water and Sewer mains	Existing Water and Sewer (to be upgraded)
15. Culverts, Drains, etc.	Existing at Street
16. Easements, rights of way	None
17. Pedestrian and vehicular access	See attached plan L1
18. Parking	"
19. Loading Facilities	NA
20. Design of Ingress,, etc	Existing
21. Curbs and Sidewalks	Existing
22. Landscape plan	See attached plan L1
23. Vegetation	"
24. "	"
25. "	"
26. "	"
27. "	"
28. "	"
29. "	"
30. Fencing and Screening	Existing
31. Outdoor Lighting	Fixtures at Building entrances (see attached)
32. Location of Fire hydrants	Existing
33. Written statements	
34. Proposed Use	2 family
35. Quantity of residential	2 family
36. Total land Area	5509
37. Total Floor Area	Existing plus 40 sq ft entry
38. Easements and burdens	None
39. Solid waste disposal	Existing City Services
40. Off Site Public Facilities	NA
41. Surface drainage	Existing
42. Time period for completion	2 years
43. State and Federal Regulations	NA
44. None	
45. None	
46. None	
47. Financial and technical capabilities	NA
48. Right title and interest	see attached Warranty Deed
49. Unusual fisheries	NA
50. Jpeg or pdf	Available post approval
51. "	"





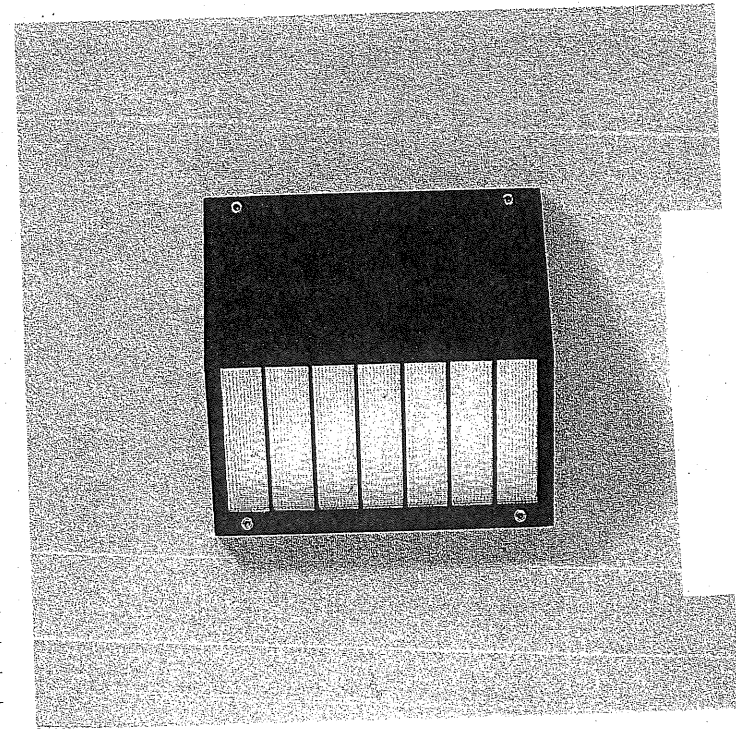
Wall mounted luminaires provide an efficient wash of light from a completely concealed light source. Anodized aluminum reflector. Stippled tempered glass with step baffle trim. Electronic ballast: 42W. Downlighting only. U.L. listed, suitable for wet locations. IP 55. Color: Standard BEGA finishes.

		Lamp	Lumen	A	B	C
2480	Wall	1 100W A-19	1710	9	9	6¼
2482S	Wall	1 35W E-17 HPS	2250	9	9	6¼
2483P	Wall	1 42W CF triple-4p	3200	12½	12½	8½
2483S	Wall	1 50W E-17 HPS	4000	12½	12½	8½
2483MH	Wall	1 70W ED-17 MH	5800	12½	12½	8½



Wall mounted luminaires for direct or indirect illumination. Anodized aluminum reflector. Stippled tempered glass behind die cast aluminum louvers. Electronic ballast: 13W and 42W. Any wall mounting orientation. U.L. listed, suitable for wet locations. IP 55. Color: Standard BEGA finishes.

		Lamp	Lumen	A	B	C
2477	Wall	1 100W A-19	1710	9	9	6⅝
2447P	Wall	2 13W CF quad-4p	1800	9	9	6⅝
2478S	Wall	1 35W E-17 HPS	2250	9	9	6⅝
2457P	Wall	1 42W CF triple-4p	3200	12½	12½	8¾
2479S	Wall	1 70W E-17 HPS	6300	12½	12½	8¾
2479MH	Wall	1 100W ED-17 MH	8800	12½	12½	8¾



## Luminaires with shielded light sources

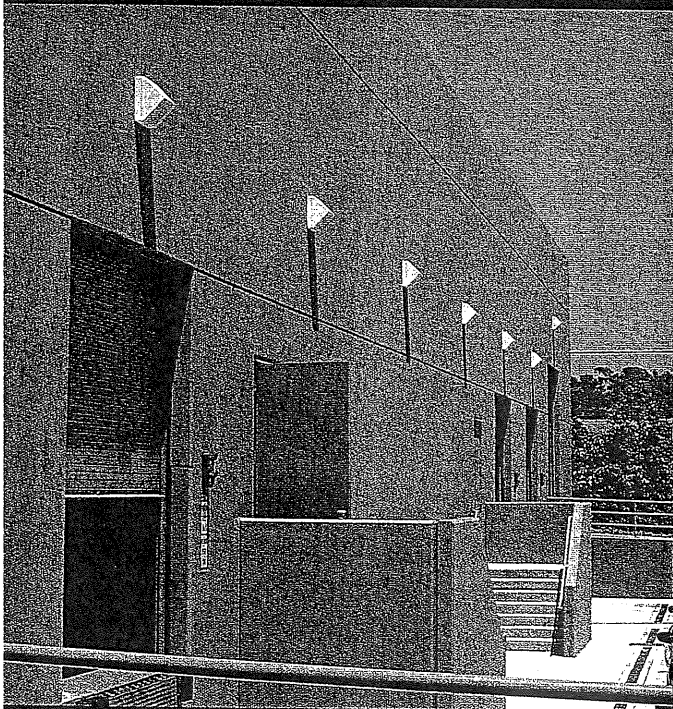
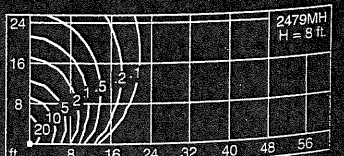
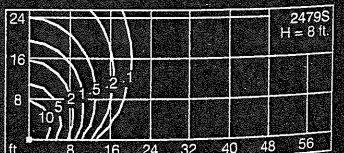
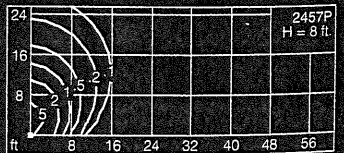
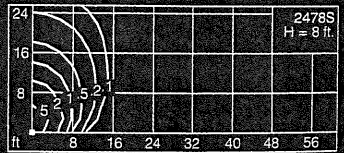
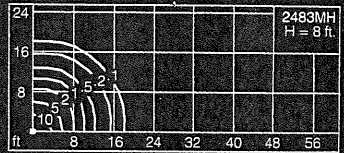
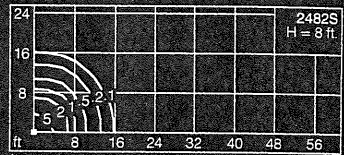
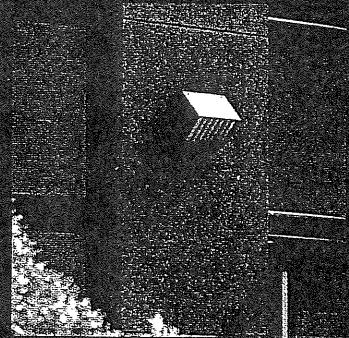
Painted luminaires for wall washing, indirect or direct lighting for interior or exterior applications. Fully shielded luminaires (2483MH) meet full cutoff requirement when installed in orientation.

**Material:** One piece die cast aluminum supplied with universal mounting bracket for direct attachment to 3 1/2" or 4" octagonal wiring box.  
**Finish:** One piece die cast aluminum cover frame, secured by captive nut head, stainless steel, screws threaded into stainless steel inserts. Specular, anodized aluminum internal reflector. Stippled tempered glass. Fully gasketed for weather tight operation using gasketed silicone rubber O-ring.

**Electrical:** Lampholders: Incandescent and H.I.D. are medium base and remain with nickel plated screw shell supplied with 200°C high temperature leads. Incandescent rated 600V, H.I.D. rated 4KV. Compact fluorescent are type G24q1 (13W), GX24q-4 (4 pin, 42W), rated 75W, 120V. Ballasts: Compact fluorescent are electronic universal voltage 120V or 277V. HID are magnetic, available in 120V or 277V - specify.

**Finish:** These luminaires are available in five standard BEGA colors: Black (BLK); White (WHT); Bronze (BRZ); Silver (SLV); Eurocoat™ (URO). To specify, add appropriate suffix to catalog number. For complete description of BEGA finishing process, refer to technical information section at end of catalog. Custom colors supplied on special order.

Not listed, suitable for wet locations. Protection class: IP 55.



DEVELOPMENT REVIEW COORDINATOR  
POST APPROVAL PROJECT CHECKLIST

Date: 6/15/09

Project Name: 2 Detached Residential Units

Project Address: 44-46 Cumberland Ave.

Site Plan ID Number: 2009-0026

Planning Board/Authority Approval Date: 6/11/09

Site Plan Approval Date: 6/11/09

Performance Guarantee Accepted: 7/27/09

Inspection Fee Paid: 7/27/09

Infrastructure Contributions Paid: N/A

Amount of Disturbed Area in SF or Acres: N/A

MCGP/Chapter 500 Stormwater PBR: N/A

Plans/CADD Drawings Submitted: ?

Pre-Construction Meeting: 7/29/09

Conditions of Approval Met: 9/10/10

As-Builts Submitted: N/A

Public Services Sign Off: 6/20/11

Certificate of Occupancy Memo Processed:  
(Temporary or Permanent) 9/10/10

Performance Guarantee to Defect Guarantee: ~~9/10/10~~ 9/10/10

Defect Guarantee Released: 6/20/11



# PORTLAND, MAINE

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

**Planning and Urban Development**  
Penny St. Louis, Director

**Planning Division**  
Alexander Jaegerman, Director

**TO:** Ellen Sanborn, Finance Department  
**FROM:** Alexander Jaegerman, Planning Division Director  
**DATE:** June 20, 2011  
**SUBJECT:** Request for Release of Defect Guarantee  
44-46 Cumberland Avenue, 2 Detached Residential Units  
(ID # 2009-0026                      Lead CBL # 013 L 008001)

Please release the Defect Guarantee, Letter of Credit Account # 09-09 for the 2 detached residential unit project developed by Christopher Roberts at 44-46 Cumberland Avenue.

Remaining Balance      \$1,200.00

**Approved:**

  
Alexander Jaegerman  
Planning Division Director

**cc:** Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator

389 Congress Street, Portland, Maine 04101-3509    Ph (207)874-8721 or 874-8719    Fx 756-8258    TTY 874-8936



# PORTLAND, MAINE

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

Planning and Urban Development  
Penny St. Louis Littell, Director

Planning Division  
Alexander Jaegerman, Director

**TO:** Ellen Sanborn, Finance Department  
**FROM:** Alexander Jaegerman, Planning Division Director  
**DATE:** September 10, 2010  
**SUBJECT:** Request for Reduction of Performance Guarantee to Defect Guarantee  
2 Detached Residential Units, 44-46 Cumberland Avenue  
(ID# 2009-0026      Lead CBL # 013 L 008001)

Please reduce the Performance Guarantee, Letter of Credit #09-09 for the 2 Detached Residential Units Project being developed by Christopher Roberts at 44-46 Cumberland Avenue, to the Defect Guarantee.

Original Amount	\$12,000.00
<b><u>This Reduction</u></b>	<b><u>\$10,800.00</u></b>
Remaining Balance	\$ 1,200.00

This is the first reduction for the project.

Approved:

  
\_\_\_\_\_  
Alexander Jaegerman  
Planning Division Director

cc: Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator  
File: Urban Insight

389 Congress Street, Portland, Maine 04101-3509    Ph (207)874-8721 or 874-8719    Fx 756-8258    TTY 874-8936

Memorandum  
Department of Planning and Urban Development  
Planning Division

---



TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: September 10, 2010

RE: C. of O. for # 44-46 Cumberland Avenue, Reed – Roberts 2 Unit  
(Id#2009-0026) (CBL 013 L 008001)

---

After visiting the site, I have the following comments:

Site work complete:

At this time, I recommend issuing a Permanent Certificate of Occupancy.

Cc: Inspection Services Manager  
File: Barbara Barhydt, Development Review Services Manager  
File: Urban Insight



# PORTLAND MAINE

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

## Planning & Urban Development Department

Penny St. Louis Littell, Director

## Planning Division

Alexander Jaegerman, Director

June 12, 2009

Dick Reed, Architect  
30 Pleasant Street  
Portland, ME 04101

RE: 44-46 Cumberland Avenue

CBL: 013 L008001  
Application ID: 2009-0026

Dear Mr. Reed,

On June 11, 2009, the Portland Planning Authority approved a minor site plan for redevelopment of the existing structures on the property to two detached residential units at 44-46 Cumberland and shown on the approved plan prepared by your Reed Architecture and with a revision date of 05.22.2009 with the following conditions:

- done 8/17/10*  
*done 8/17/10*  
*done 8/17/10*
1. An additional street tree shall be proposed on the property, making a total of four new trees.
  2. The existing driveway on the south side of the parcel shall be closed; the final site plan shall depict this change.
  3. The existing overhead electrical shall be underground; the final site plan shall depict this change.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The site shall be developed and maintained as depicted in the site plan and 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.

3. Final set of approved plans and final 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.
4. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of the subdivision plat for recording at the Registry of Deeds or 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 subdivision or site plan application for staff review and approval.
5. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. Prior to construction, a pre-construction meeting shall be held at the project site 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 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.
8. 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.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Shukria Wiar at 756-8083 or [shukriaw@portlandmaine.org](mailto:shukriaw@portlandmaine.org).

Sincerely,

  
Alexander Jaegerman  
Planning Division Director

Attachments:

1. Performance Guarantee Packet

**Electronic Distribution:**

Penny St. Louis Littell, Director of Planning and Urban Development  
Alexander Jaegerman, Planning Division Director



Barbara Barhydt, Development Review Services Manager  
Shukria Wiar, Planner  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Tammy Munson, Inspections Division Director  
Gayle Guertin, Inspections Division  
Lisa Danforth, Inspections Division  
Lannie Dobson, Inspections Division  
Michael Bobinsky, Public Services Director  
Kathi Earley, Public Services  
Bill Clark, Public Services  
David Margolis-Pineo, Deputy City Engineer  
Todd Merkle, Public Services  
Greg Vining, Public Services  
John Low, Public Services  
Jane Ward, Public Services  
Keith Gautreau, Fire  
Jeff Tarling, City Arborist  
Tom Errico, Wilbur Smith Consulting Engineers  
Dan Goyette, Woodard & Curran  
Assessor's Office  
Approval Letter File  
**Hard Copy:** Project File

THE ADIRONDACK TRUST COMPANY  
473 BROADWAY  
SARATOGA SPRINGS, NEW YORK 12866-0326  
518-584-5844/FAX 587-0571

TO Phil DiPierro

FAX NUMBER 207-756-8258 DATE 7/16/09

FROM Roxane Major

NUMBER OF PAGES TO FOLLOW 4 Total

A COPY OF THESE DOCUMENTS WILL  WILL NOT  FOLLOW BY MAIL

UPON APPLICANTS SIGNATURE WITH THE BANK

COMMENTS: Attached is a draft of the letter of credit

requested for Christopher Roberts. Please review and let

me know if everything is okay. I will then have Mr. Roberts

sign and Mr Ferrara sign and forward to your office.

If you have any questions. Please contact me at 518-584-5844

X 2274

Roxane

CONFIDENTIALITY NOTICE

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, YOU ARE HEREBY NOTIFIED that any dissemination, distribution or copy of this facsimile is STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, please immediately notify us at (518) 584-5844 and return the original message to us at the above address via the United States Postal Service.

# DRAFT

July 17, 2009

Beneficiary:

Penny St. Louis - Littell  
 Director of Planning and Development  
 City of Portland  
 389 Congress Street  
 Portland, Maine 04101

Applicant:

Christopher Roberts  
 379 Island Ave.  
 Peaks Island, ME 04108

Reference:

44 and 46 Cumberland Avenue  
 Portland Maine

The Adirondack Trust Company ("Bank") hereby issues its Irrevocable Letter of Credit for the account of Christopher Roberts, (hereinafter referred to as "Developer"), held for the exclusive benefit of the City of Portland, in the aggregate amount of One Hundred Thousand and 00/100 Dollars (\$100,000.00). These funds represent the estimated cost of installing site improvements as depicted on the site plan, approved on ~~July 1, 2009~~ and as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65.

*June 11, 2009*  
 This Letter of Credit is required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §46 through 65 and is intended to satisfy the Developer's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development.

The City, through its Director of Planning and Development and in his/her sole discretion, may draw on this Letter of Credit by presentation of a sight draft and the Letter of Credit and all amendments thereto, up to thirty (30) days before or sixty (60) days after its expiration, stating any one of the following:

1. The Developer has failed to satisfactorily complete the work on the improvements contained within the site plan approval, dated ~~July 1, 2009~~; or  
*June 11, 2009*
2. The Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. The Developer has failed to notify the City for inspections.

Letter of Credit No. 09-09  
Page 2

In the event of the Bank's dishonor of the City of Portland's sight draft, the Bank shall inform the City of Portland in writing of the reason or reasons thereof within three (3) business days of the dishonor.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Works and Planning, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize The Adirondack Trust Company, by written certification, to reduce the available amount of the escrowed money by a specified amount.

This performance guarantee will automatically expire on July 16, 2010 ("Expiration Date") or on the date when the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, whichever is later. It is a condition of this Letter of Credit that it is deemed to be automatically extended without amendment for period(s) of one year each from the current Expiration Date hereof, or any future Expiration Date, unless within thirty (30) days prior to any expiration, the Bank notifies the City by certified mail (restricted delivery to Ellen Sanborn, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that the Bank elects not to consider this Letter of Credit renewed for any such additional period.

In the event of such notice, the City, in its sole discretion, may draw hereunder by presentation of a sight draft drawn on the Bank, accompanied by this Letter of Credit and all amendments thereto, and a statement purportedly signed by the Director of Planning and Development, at Bank's offices located at 473 Broadway, Saratoga Springs, New York, 12866 stating that:

this drawing results from notification that the Bank has elected not to renew its Letter of Credit No. 09-09.

On its Expiration Date or on the date the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, this Performance Guarantee Letter of Credit shall be reduced by the City to not less than ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Letter of Credit. Written notice of such reduction shall be forwarded by the City to the Bank. The Defect Letter of Credit shall ensure the workmanship and durability of all materials used in the construction of the site plan approval, dated ~~July 1, 2009~~ as required by City Code §14-501, 525 and shall automatically expire one (1) year from the date of its creation ("Termination Date").

June 11, 2009

Letter of Credit No. 09-09

Page 3

The City, through its Director of Planning and Development and in his/her sole discretion, may draw on the Defect Letter of Credit by presentation of a sight draft and this Letter of Credit and all amendments thereto, at Bank's offices located at 473 Broadway, Saratoga Springs, New York, 12866, prior to the Termination Date, stating any one of the following:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship; or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the site improvements.

Except as otherwise expressly stated herein, the Irrevocable Letter of Credit No. 09-09 is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication No. 600 and where not applicable, the Irrevocable Letter of Credit is governed by the laws of the State of New York.

The Adirondack Trust Company

By: \_\_\_\_\_  
Andrew R. Ferrara, Assistant Vice President

**Philip DiPierro - 44-46 Cumberland Ave**

---

**From:** Chris Roberts <croberts2222@yahoo.com>  
**To:** <pd@portlandmaine.gov>  
**Date:** 8/12/2010 4:56 PM  
**Subject:** 44-46 Cumberland Ave  
**CC:** Reed <dreed@reedarchitecture.com>

---

Phil Dipierro

We are developing the property at 44-46 Cumberland Ave. To the best of our knowledge we have completed all the work we committed to do for our site plan, both on and off the Portland street and sidewalk.

I am not sure of the process, but we may need a letter from you in order to release the letter of credit on file.

Please let me know what we need to do to achieve that goal.

Sincerely

Chris Roberts

I left you a voicemail today as well.

Greg ✓  
- need sand between bricks  
- need to loan & seed esplanade

**Planning and Development Department  
SUBDIVISION/SITE DEVELOPMENT**

**COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE**

Date: June 23 2009

Name of Project: 44-46 Cumberland Ave  
 Address/Location: 44-46 Cumberland Ave  
 Developer: Richard Reed and Christopher Roberts  
 Form of Performance Guarantee: Letter of Credit

Type of Development: Subdivision \_\_\_\_\_ Site Plan (Major/Minor) Minor

**TO BE FILLED OUT BY THE APPLICANT:**

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
<b>1. STREET/SIDEWALK</b>						
Road/Parking Areas						
Curbing	20'	\$50	1000			
Sidewalks	120sf	\$8	\$960			
Esplanades						
Monuments						
Street Lighting						
Street Opening Repairs	1	LS	\$2000			
Other						
<b>2. EARTH WORK</b>						
Cut						
Fill						
<b>3. SANITARY SEWER</b>						
Manholes						
Piping						
Connections			2000			2000
Main Line Piping	1		\$2500	1		\$2500
House Sewer Service Piping						
Pump Stations						
Other						
<b>4. WATER MAINS</b>						
	1		\$2500	1		\$2500
<b>5. STORM DRAINAGE</b>						
Manholes						
Catchbasins						
Piping						
Detention Basin						
Stormwater Quality Units						
Other						

6. SITE LIGHTING	_____	_____	_____	_____	_____	_____
7. EROSION CONTROL						
Silt Fence	_____	_____	_____	_____	_____	_____
Check Dams	_____	_____	_____	_____	_____	_____
Pipe Inlet/Outlet Protection	_____	_____	_____	_____	_____	_____
Level Lip Spreader	_____	_____	_____	_____	_____	_____
Slope Stabilization	_____	_____	_____	_____	_____	_____
Geotextile	_____	_____	_____	_____	_____	_____
Hay Bale Barriers	_____	_____	_____	_____	_____	_____
Catch Basin Inlet Protection	_____	_____	_____	_____	_____	_____
8. RECREATION AND OPEN SPACE AMENITIES	_____	_____	_____	_____	_____	_____
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	_____ 3	_____ \$200	_____ \$600	_____ 1	_____ \$200	_____ \$200
10. MISCELLANEOUS	_____	_____	_____	_____	_____	_____
TOTAL:			<del>\$7560</del> \$8500		<del>\$5200</del> \$4200	
GRAND TOTAL:			\$12,760			

total  
\$12,760  
ok 7/2/09

**INSPECTION FEE (to be filled out by the City)**

	<u>PUBLIC</u>	<u>PRIVATE</u>	<u>TOTAL</u>
A: 2.0% of totals:	<u>\$171.20</u>	<u>\$128.80</u>	<u>\$300</u>
or			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	<u><i>Paul King</i></u>	<u><i>7/2/09</i></u>	_____
	(name)	(name)	





- [About Us](#)
- [Online Banking](#)
- [Personal Banking](#)
- [Business Banking](#)
- [Home Mortgages](#)
- [Trust & Investments](#)
- [Insurance](#)
- [Security Center](#)
- [Rates & Calculators](#)
- [Resource Center](#)
- [Careers @ ATC](#)
- [Promotions](#)

## About Us

### History of The Adirondack Trust Company Saratoga Springs, New York



With "the strength of the Adirondacks" as its original motto, The Adirondack Trust Company combines innovative banking with personal, face-to-face service for its customers.

In today's fast-growing Saratoga County market, The Adirondack Trust Company is the leader in market share--and in customer service. Its community-bank philosophy dates back to its founding in 1901, as a vehicle for financing ventures in upstate New York.

The bank's founder, New York State Senator Edgar T. Brackett, recognized the importance of the bank to Saratoga Springs, an exclusive resort known for its curative mineral waters, racecourse and casino. Brackett exhorted his successors to see to it "that the bank is managed not only for the proper purpose of making money for its stockholders, but also for the development of the community where it is located, and to be an example of high dealing to all who come in contact with it."

This vision guided the early bank, which immediately launched a savings department, provided mortgages, and recruited the town's first large factory.

In 1910, Brackett and his close associates fended off a sale attempt, keeping ownership local. Even through the Depression of 1929, the bank remained strong, guided by its president, Charles Van Deusen. Newman E. Wait succeeded him in 1937 and saw to it that the bank remained forward-looking, taking initial steps toward automation and opening the region's first drive-up window for banking. Despite the bank's strength, the city's economy became stagnant due to changes in its historically important resort business.

#### BUILDING THE FOUNDATION OF MODERN SARATOGA SPRINGS

The foundation for the rebirth of Saratoga Springs was completed by 1966 under the presidency of Newman E. "Pete" Wait Jr. Aided by the construction of the Adirondack Northway (Route I-87), the citizens of Saratoga Springs, with leadership by The Adirondack Trust Company, built a modern, stock-holder-owned hotel; financed the construction of the Saratoga Performing Arts Center (SPAC); and supported a brilliant expansion plan by Skidmore College.



Joining the bank in 1974, Charles V. Wait took an active role in the city's 1974 "Plan of Action," which responded to competition from the first shopping centers with a well-conceived downtown revitalization; within three years, a formal historic preservation movement was also in place. Charles chaired the Saratoga Springs Plan of Action and the Saratoga Springs Convention Center Committees. He also was the first chairman of both the Saratoga Springs City Center Authority and the Saratoga Springs Special Assessment District.

The beginnings of suburban development in the same period led to the bank's first branch office in 1970 known as the West Church Street branch. Since then--while never changing its resolve to serve the local market--the bank has been guided by its strategic planning to construct offices throughout Saratoga County and has an office in Glens Falls, Warren County and insurance offices in Cambridge, Washington County and Albany. The Bank has ten branch offices and four insurance offices in Albany, Saratoga, Warren and Washington Counties.

During Pete Wait's tenure, it became an accepted fact that the major projects in Saratoga Springs were supported--and often led--by the bank. When his son, Charles V. Wait, succeeded him as president in 1984, he continued this philosophy. Today, bank employees work thousands of hours annually for community organizations, and the bank itself is a generous contributor to hundreds of worthy non-profit initiatives each year.

#### LEADING IN COMPUTERIZED BANKING

The Adirondack Trust Company led in the use of computers as early as 1962 and, with the technology

revolution, it has been quick to maximize its potential. Automated teller machines (ATMs) were introduced in 1980, assisting the bank in serving an increasing transaction load while it maintained its highly personal service in all face-to-face transactions. In 1987, computers supported the launch of the bank's trust department, which now has nearly \$400 million under management.

Computers were brought into direct customer use with the launch in 2000 of WebWise® Online Banking. In the first year, nineteen percent of the bank's checking account customers signed up for this service. Now nearly fifty percent of the bank's checking customers use WebWise Online Banking.

#### CELEBRATED GROWTH

The Adirondack Trust Company's reputation continues to grow. Every year the bank receives the highest accolades from the various rating services; informally, it is sometimes called "the upstate Morgan." In 1989, Money magazine listed it among the nation's 100 safest banks, a distinction that gave it coast-to-coast visibility of the best kind.

By the end of the 20th century, the revival of Saratoga Springs was nationally known. All five of its most visible projects of the period—two new commercial buildings downtown, adaptive reuse of a large mill, expansion of the city's senior living complex, and an elegant hotel restoration—were financed by the bank.

#### CONTINUED EXPANSION

The bank has continued to grow through the acquisition of four insurance agencies in five years. The bank now provides a full complement of insurance services to personal and business customers. From auto, home and life insurance to employee benefits programs, worker's compensation and general business liability insurance services, the bank continues to grow and meet the expectations of its customers.



To be successful in business and expand its market, the bank has state-of-the-art products, responds to the market quickly and offers products and services at a fair price. Staying with this principle, the bank introduced a tax-advantaged Health Savings Account that addresses the growing needs of individuals allowing them to save money so they can provide for their health insurance needs. In keeping with the bank's tradition of superior customer service, customers can easily access their accounts via the branch network, online or through any of the bank's ATMs.

To accommodate its expanding business the bank constructed a new building near its main office. The new building, named after the Mabee family, is 25,000 square feet and houses a variety of departments such as insurance and trust. In staying with the bank's philosophy of helping businesses grow, there is ground-level retail space at below market rates for new entrepreneurs.

#### FINANCIAL STABILITY

The bank continues to adhere to strict financial standards and announced record results for 2007. The strong financial results are a testament to the commitment that the bank (the only one owned and headquartered in Saratoga County) makes to its balance sheet while helping local customers grow and expand. By remaining a strong, locally owned and operated bank, they are positioned to help individuals and businesses in the bank's market area. Financial stability allows the bank to continue to give significant dollars back to non-profits throughout its market area and in turn help hundreds of organizations. Employees contribute thousands of hours to serve on the boards and be involved with local community organizations.

#### PERSONAL SERVICE

The most noted hallmark of the bank is its continued commitment to dedicated customer service. Each day, every single transaction is as important as the first one when the bank opened its doors for business on January 2, 1902. Every single employee is accessible to customers via the phone or in person. This commitment and paying attention to the details of each customer relationship is what truly has established the bank as a leader in its market.


Saratoga Springs is an economic powerhouse, and The Adirondack Trust Company, which celebrated its centennial in September 2001, is its premier bank, with a forty-eight percent market share in Saratoga Springs. With total assets over \$717 million, The Adirondack Trust Company today gives evidence of its motto chosen long ago: "It has the strength of the Adirondacks."

Please click [here](#) to read an important notice about FDIC Insurance.

[Home](#) · [Contact Us](#) · [Privacy Policy](#) · [About Us](#) · [Locations](#) · [Hours](#) · [ATMs](#)

[Online Banking](#) · [Checking Accounts](#) · [Savings Accounts](#) · [Home Mortgages](#) · [Loans](#)

[Business Banking](#) · [Trust & Investments](#) · [Insurance](#) · [Rates & Calculators](#)

© 2009 The Adirondack Trust Company, All rights reserved, Member FDIC  Equal Housing Lender.

## MEMORANDUM

**To:** FILE  
**From:** Marge Schmuckal **Dept:** Zoning  
**Subject:** Application ID: 2009-0026 *44-46 Cumberland Ave*  
**Date:** 3/24/2009

This project is using two existing garage structures on a lot. This is considered one lot at this point and for purposes of review. It shall remain one lot now. The lot qualifies for R-6 small residential lot development. The garages are being converted to one residential unit in each existing structure (two units total on this lot). All the setbacks, distance between structures, parking and building height are being met.

Marge Schmuckal

Enacted 04-13-04  
Revisions Approved 02-23-7

**Design Certification Program  
R-6 Infill Development  
Design Principles & Standards**

**I. PURPOSE**

All developers, no matter how small their project, have a responsibility beyond simply meeting the needs of their end users. They have a public responsibility to add to and enhance the neighborhoods in which their projects are built.

New residential construction within Portland's compact R-6 zones should relate to the predominant character defining features of the neighborhood. The design of new development is critical, particularly elements such as the orientation and placement of a building on a site; relationship to the street; and mass, form and materials.

The *Design Certification Program* aims to insure that infill housing development makes a positive contribution to the City's neighborhoods. The intent is to ensure that infill housing is compatible with the neighborhood and meets a high standard of building design, while allowing for diversity of design.

Projects will be reviewed for consistency with *R-6 Infill Development Design Principles and Standards*. These principles and standards are interdependent and should be considered holistically. The applicant must demonstrate that a proposal is consistent with the Design Principles. The standards are time-honored ways of achieving the Principles. The City's Design Manual contains examples of buildings that are consistent with the aims of the Design Certification Program.

Unless otherwise indicated, the R-6 Design Principles and Standards shall apply to the front façade and those portions of the building that are readily visible from the public way.

Unless otherwise indicated, the R-6 Design Principles and Standards shall define "Neighborhood" as the buildings within a two block radius of the site. Special attention shall be given to the existing buildings on both sides of the street within the block of the proposed site. If the building is proposed on a corner lot, then buildings on the adjoining block shall also be considered. The Planning Authority may determine other considerations that shall be made of the proposed building in relation to the neighborhood, due to unique characteristics of a given site.

2. **Composition of Principal Facades:** proportion of facades; orientation of openings; ratio of solids to openings; rhythm of fenestration; entrance porches and other projections; and relations of materials, texture and color.
3. **Relationship to the Street:** walls of continuity; rhythm of spacing and structures on streets; and orientation of principal elevations and entrances to the street.

Each infill project will have a unique context of surrounding structures and sites with some strong, unifying characteristics, and some that are subtle and less obvious. The more definite and easily discernable traits within an established neighborhood should serve as a basis for a design solution, which can reinforce the positive characteristics of the surrounding development patterns. On corner properties, where the architecture has a greater visual impact upon adjacent public spaces, both public facades will be evaluated with equal care.

**STANDARD A-1 Scale and Form** Relate the scale and form of the new building to those found in residential buildings within a two-block radius of the site, that contribute to are compatible with the predominant character-defining architectural features of the neighborhood. Special attention shall be given to the existing building forms on both sides of the street within the block of the proposed site.

**STANDARD A-2 Composition of Principal Facades** Relate the composition of the new building façade, including rhythm, size, orientation and proportion of window and door openings, to the facades of residential buildings within a two-block radius of the site that contribute to and are compatible with the predominant character-defining architectural features of the neighborhood. Special attention shall be given to the existing facades on both side of the street within the block of the proposed site.

**STANDARD A-3 Relationship to the Street** Respect the rhythm, spacing, and orientation of residential structures along a street within a two-block radius of the site that contribute to and are compatible with the predominant character-defining architectural features of the neighborhood. Special attention shall be given to the existing streetscape on both side of the street within the block of the proposed site.

### ***PRINCIPLE B Massing***

*The massing of the building reflects and reinforces the traditional building character of the neighborhood through a well composed form, shape and volume.*

**Explanatory Note:** Massing is a significant factor that contributes to the character of a building. The building's massing (as defined by its bulk, size, physical volume, scale, shape and form) should be harmonious with the massing of existing buildings in a two block radius. The massing of a building can be defined as the overall geometry (length, width, and height) of its perceived form. The overall height of the form (actual and perceived) as well as the geometry of its roof is of particular importance in defining the massing of a building.

**PRINCIPLE C**      *Orientation to the Street*

*The building's façade shall reinforce a sense of the public realm of the sidewalk while providing a sense of transition into the private realm of the home.*

Explanatory Note:      An important component of the neighborhood's character is the relation of dwellings to the sidewalk and the street. Design of dwellings can enhance the pedestrian friendliness and sociability of the streetscape while protecting the privacy of the residents' internal home life.

**STANDARD C-1**      **Entrances**      Emphasize and orient the main entrance to the street. The main entrance of the structure shall either face the street and be clearly articulated through the use of architectural detailing and massing features such as a porch, stoop, portico, arcade, recessed entry, covered entry, trim or be located on the side and be accessed by a covered porch that extends to the front of the building, *at the primary street frontage.*

**STANDARD C-2**      **Visual Privacy**      Ensure the visual privacy of occupants of dwellings through such means as placing the window sill height at least 48" above the adjoining sidewalk grade; providing the finished floor elevation of a residence a minimum of 24" above sidewalk elevation; incorporating porches along the front side of the building façade design; or other measures.

**STANDARD C-3**      **Transition Spaces**      Create a transition space between the street and the front door with the use of such features as porches, stoops, porticos, arcades, recessed entries, covered entries, trim, sidewalk gardens or similar elements.

**PRINCIPLE D**      *Proportion and Scale*

*Building proportions must be harmonious and individual building elements shall be human scaled.*

Explanatory Note:      Throughout the history of architecture certain proportions have become known as classical proportions which have endured as aesthetically pleasing regardless of the style of architecture or the culture of origin.

Scale has to do with the size of the architectural components in relation to the overall building size, and also in relation to the predominant character defining architectural features of the neighborhood.

**STANDARD D-1**      **Windows**      The majority of windows shall be rectangular and vertically proportioned. The use of classical proportions is encouraged. Special accent windows may be circular, square or regular polygons. Doorways, windows and other openings in the façade (fenestrations) shall have a proportional relationship to the overall massing of the building.

**STANDARD D-2**      **Fenestration**      Doorways, windows and other openings (fenestration) shall be scaled appropriately to the overall massing of the building. The area of fenestration of the

A well-composed building articulation adds visual interest and individual identity to a home while maintaining an overall composition.

**STANDARD F-1 Articulation** Buildings shall provide surface articulation by employing such features such as dimensional trim, window reveals, or similar elements appropriate to the style of the building. Trim and details shall be designed and detailed consistently *on the facades visible from the public right of way.*

**STANDARD F-2 Window Types** Window patterns shall be composed of no more than two window types and sizes except where there is a design justification for alternate window forms..

**STANDARD F-3 Visual Cohesion** Excessive variations in siding material *shall not be allowed* if such changes disrupt the visual cohesion of the façade. Materials shall be arranged so that the visually heavier material, such as masonry or material resembling masonry, is installed below lighter material, such as wood cladding.

**STANDARD F-4 Delineation Between Floors** Buildings shall delineate the boundary between each floor of the structure through such features as belt courses, cornice lines, porch roofs, window head trim or similar architectural features.

**STANDARD F-5: Porches, etc.** Porches, decks, balconies, stoops and entryways shall be architecturally integrated into the overall design of the building in a manner that compliments its massing, material, and details [ *note – this standard was formerly standard D-5*] Multilevel porches and balconies on front facades shall not obscure the architectural features of the façade. Use of rail/baluster systems with appropriate openings between rails, stepping back balconies from the front plane of the building face, or other appropriate design features shall be employed to achieve this standard.

**STANDARD F-6: Main Entries** Main entries shall be emphasized and shall be integrated architecturally into the design of the building, using such features as porch or stoop forms, porticos, recessed entries, trim or a combination of such features, so that the entry is oriented to the street. [ *editor's note – this standard was formerly standard D-4*]

**STANDARD F-8: Articulation** Provide articulation to the building by incorporating the following architectural elements. Such features shall be on all façades facing and adjacent to the street. [ *editor's note – this standard was formerly a portion of standard D-6*]

1. Eaves and rakes shall have a minimum projection of 6 inches.
2. All exterior façade trim such as that used for windows, doors, corner boards and other trim, shall have a minimum width of 4 inches except for buildings with masonry exteriors.
3. If there are off sets in building faces or roof forms, the off sets shall be a minimum of 12 inches.
4. Pronounced and decorative cornices.

The Planning Authority may determine the neighborhood to be greater than a two block radius, due to unique characteristics of a given site. IN such cas, the Planning Authority shall determine the scope of the neighborhood.

An applicant may propose an alternative design approach and request an Alternative Design Review. The Planning Authority under an Alternative Design Review may approve a design not meeting one or more of the individual standards provided that all of the conditions listed below are met. The Planning Authority or applicant may seek an advisory opinion from the Historic Preservation Board, prior to the Planning Authority issuing a Design Certificate.

- A. The proposed design is consistent with all of the Principle Statements.
- B. The majority of the Standards within each Principle are met.
- C. The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two block radius in terms of size, scale, materials and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.
- D. The design plan is prepared by an architect registered in the State of Maine.



07/24/2009

20090026 44-46 CUMBERLAND AVENUE

1:05 PM

ARMSTRONG THERESE B & TOM M  
ARMSTRONG JTS  
151 CONGRESS ST # 6  
PORTLAND, ME 04101

ARMSTRONG THERESE B & TOM M  
ARMSTRONG JTS  
PO BOX 16003  
PORTLAND, ME 04101

CAROLAN JOHN D & TIMOTHY P  
CAROLAN JR  
40 CUMBERLAND AVE  
PORTLAND, ME 04101

FICKETT ROBERT M & VICKY K  
MORGAN-FICKETT JTS  
148 MERRILAND RIDGE RD  
WELLS, ME 04090

GORHAM RITA A  
50 CUMBERLAND AVE  
PORTLAND, ME 04101

GRINDLE ALEXANDRA H  
151 CONGRESS ST # 2  
PORTLAND, ME 04101

MALIA CAROL A  
48 CUMBERLAND AVE  
PORTLAND, ME 04101

PYE SUSAN J  
151 CONGRESS ST # 1  
PORTLAND, ME 04101

RASMUSSEN KAREN  
147 CONGRESS ST  
PORTLAND, ME 04101

REED RICHARD K & GUNNEL  
LARSDOTTER & CHRISTOPHER J  
ROBERTS &  
30 PLEASANT AVE  
PORTLAND, ME 04101

SMITH DEBRA M  
151 CONGRESS ST # 3  
PORTLAND, ME 04101

TASKER MATTHEW C & CARRIE L  
TASKER JTS  
58 ATLANTIC ST  
PORTLAND, ME 04101

TURNER ADAM F & CELESTE TURNER  
JTS  
141 CONGRESS ST  
PORTLAND, ME 04101

WEAVER ADAM L  
151 CONGRESS ST # 4  
PORTLAND, ME 04101

**Labels Requested For CBL:**

---

013 L006

013 L007

013 L008

013 L009

013 L011

013 L018

013 L019

013 L020

013 L021

013 L023



April 10, 2009

Dick Reed  
30 Pleasant Street  
Portland, ME 04101

Project: 44-46 Cumberland Avenue  
Application: 2009-0026  
CBL: 013 L008001

Dear Mr. Reed:

Thank you for your application for a minor site plan review of 44-46 Cumberland Avenue, which was submitted on March 9, 2009. This letter offers preliminary review comments and identifies additional information needed for your site plan application. According to your application, you are seeking to redevelop the existing structure on the parcel to two detached residential units.

**Zoning**

- a. Marge Schmuckal, Zoning Administrator, has reviewed this application and has the following comments:

This project is using two existing garage structures on a lot. This is considered one lot at this point and for purposes of review. It shall remain one lot now. The lot qualifies for R-6 small residential lot development. The garages are being converted to one residential unit in each existing structure (two units total on this lot). All the setbacks, distance between structures, parking and building height are being met.

**Traffic**

- a. The on-site traffic circulation and parking seems to be acceptable.
- b. The existing driveway width for the primary driveway is 14 feet and meets City standards.
- c. It is recommendation that the westerly secondary driveway be eliminated.

**Fire Department**

Captain Keith Gautreau is currently reviewing this application and any comments will be forwarded.

**Department of Public Services**

- a. From the plans submitted, it is unclear what will be excavated in the street for utilities, i.e. sewer, drainage, etc.
- b. It is unclear how the site will be drained. The city would prefer that all site drainage, including the roof, sheet flow to the street.
- c. The applicant is requested to close the southerly curb cut.
- d. All new developments require the electrical services to be underground unless waived.

- e. The sidewalk in front of this property was installed in the last two years. The applicant will be required to re-build the sidewalk as necessary to maintain the new look, which may require replacement along the entire 60' of frontage.

### **Exterior Elevations**

The project is located within the R-6 zone, so the site plan standards for R-6 and the R-6 Design Guidelines apply to the proposal. The Planning Staff has conducted a preliminary review of the plans, building elevations, and exterior materials. Please submit your assessment of how the proposed plans meet the site plan standards and design guidelines (attached). In your narrative assessment, please address the following issues and questions/requests for more information:

- a. The exterior siding appears to be flat panels; please clarify the details of this cladding material, such as its dimensions and construction type. Catalogue product information would be useful so we can see its intended application, durability, etc.
- b. The R-6 Design Guidelines generally require that building entrances be orientated to the street (see especially standards C1, C3 and F6. The entry for #46 is oriented to the parking area and is located on the side of the building and appears to be almost 20' back from the street. The Design Standards (Section C and F-6) do suggest ways that this standard may be met while retaining the side entrance, for example, by linking it to a front door that faces directly onto Cumberland Avenue

In looking at the building plans for 46 Cumberland, we note that the entry/elevator core is centered in the building, and that the parking on the first floor is therefore at the front closest to Cumberland Ave. Have you considered the possibility of locating the entry core at the Cumberland Ave. end? That would better comply with the R-6 standards. If this is not feasible or desirable from a program perspective, please explain.

- c. The garage doors are prominent on the façade. The staff would like to see the details and further articulation of the doors.
- d. Section D discusses building proportion and scale, where Section E discusses a sense of balance in a building's façade. The windows in 46 Cumberland in the facades labeled north and west are minimal relative to scale of those facades, which are highly visible from the street. Have you considered re-introducing windows into the garage (assuming it stays where currently proposed) for natural light and ventilation, and to enliven the street façade? Could there be larger or additional windows on the upper floors on these facades?

### **Landscape Plan**

- a. Jeff Tarling, City Arborist, will conduct the review of the landscape plan. The plans show the location of proposed existing vegetation. There is a requirement of two street trees per unit.

### **Miscellaneous Comments:**

- a. Provide capacity letters from utility companies.

If you have any questions please do not hesitate to call me on (207) 756-8083 or at [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov).

Sincerely,

Shukria Wiar  
Planner

cc: Barbara Barhydt, Development Review Manager

## MEMORANDUM

**To:** FILE

**From:** Marge Schmuckal

**Dept:** Zoning

**Subject** Application ID: 2009-0026

**Date:** 3/24/2009

This project is using two existing garage structures on a lot. This is considered one lot at this point and for purposes of review. It shall remain one lot now. The lot qualifies for R-6 small residential lot development. The garages are being converted to one residential unit in each existing structure (two units total on this lot). All the setbacks, distance between structures, parking and building height are being met.

Marge Schmuckal

February 31, 2009

To: Shukria Wiar  
From: David Margolis-Pineo and Staff  
Re: 44-46 Cumberland Ave  
Public Services Review Comments

1. From the plans submitted, it is unclear what will be excavated in the street for utilities, i.e. sewer, drainage, etc.
2. It is unclear how the site will be drained. The city would prefer that all site drainage, including the roof, sheet flow to the street.
3. The applicant is requested to close the southerly curb cut.
4. All new developments require the electrical services to be underground unless waved.
5. The sidewalk in front of this property was installed in the last two years. The applicant will be required to re-build the sidewalk as necessary to maintain the new look, which may require replacement along the entire 60' of frontage.

February 31, 2009

To: Shukria Wiar  
From: David Margolis-Pineo and Staff  
Re: 44-46 Cumberland Ave  
Public Services Review Comments

1. From the plans submitted, it is unclear what will be excavated in the street for utilities, i.e. sewer, drainage, etc.
2. It is unclear how the site will be drained. The city would prefer that all site drainage, including the roof, sheet flow to the street.
3. The applicant is requested to close the southerly curb cut.
4. All new developments require the electrical services to be underground unless waved.
5. The sidewalk in front of this property was installed in the last two years. The applicant will be required to re-build the sidewalk as necessary to maintain the new look, which may require replacement along the entire 60' of frontage.



---

---

**MEMORANDUM**

---

---

**To:** FILE

**From:** Keith Gautreau

**Dept:** Fire

**Subject:** Application ID: 2009-0026 *44 Cumberland Ave*

**Date:**

---

Access to the site will not change. Access is good. Hydrants are available in the area and I will not need their fire flows. I would like to see any proposed fire protection for the building. Keith

Richard Reed  
Christopher Roberts  
44-46 Cumberland Ave  
Portland Maine

Planning Division  
Portland Maine

Att: Shukria Wiar

Please find attached the materials requested by you in our last communication concerning our project at 44-46 Cumberland Ave.

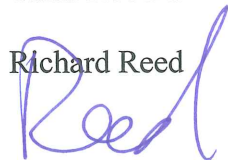
- 7 copies of the revised plans
- Cost Estimate of improvements to be covered by performance guarantee
- Letter of credit
- 2% inspection fee
- Cad file of site plan as revised

We believe that we have now completed each of the steps of your process and would appreciate it if you would inform the Code enforcement office to proceed with our building permit application.

Sincerely

Chris Roberts

Richard Reed



June 03, 2009

Shukria Wiar, Planner  
City of Portland, Maine  
389 Congress Street  
Portland, ME 04101-3509

Project: 44-46 Cumberland Avenue  
Application: 2009-0026  
CBL: 013 L008001

Dear Ms. Wiar:

Thank you for getting back to us with the following comments from the development review committee. We are requesting the clarifications indicated:

1. You had stated that you wanted a waiver to keep the existing driveway. The Department of Public Services (DPS) has requested as to why you want to keep it open and any documentation that may support the waiver; They will have to review this information to make a determination of the waiver. Please provide this information in a narrative.

This driveway, sidewalk, and granite curb-cut were constructed within the last two years. All are in excellent condition as indicated by the photographs that were attached. We feel it would be a waste of the City's and our resources to remove this curb-cut. Please clarify what additional documentation you require, other than this narrative and the photos that were attached.

2. There was another waiver requested for the overhead electrical line; DPS needs in writing as to the reason for the request and any supporting documentation. Please provide this information in a narrative.

The property is served by an existing overhead electrical service. In a meeting with a representative of CMP, it was recommended that the existing overhead service be maintained with only a minor modification to increase capacity. Please clarify what additional documentation you require, other than this narrative.

3. The street tree standards is 2 street trees per unit; the site plan is showing three new trees. Since one of the street trees is not being proposed, you will need to make a contribution the City's Tree Fund. The amount is \$200 per tree. Unfortunately, the existing trees in the back will not count towards the street tree requirement since they are not visible and quite a distance away from the street. The contribution amount will be used to plant a tree in the vicinity of this project.

We will add one more tree to the property, making a total of four new trees, at a location recommended by the City Arborist.

4. The Fire Department would like to see any proposed fire protection for the buildings.

We will be installing smoke detection of a type and in locations required by relevant codes.

Sincerely,

Dick Reed

Chris Roberts

May 26, 2009

Shukria Wiar, Planner  
City of Portland, Maine  
389 Congress Street  
Portland, ME 04101-3509

Project: 44-46 Cumberland Avenue  
Application: 2009-0026  
CBL: 013 L008001

Dear Ms. Wiar:

This letter offers responses to the preliminary review comments and the additional information that you requested in your letter dated April 10, 2009. The responses and additional information also reflect our understanding of the items discussed at the meeting with you and Alex Jaegerman on April 15, 2009.

We have copied your letter and indicated our responses, where appropriate, in **blue**. Additionally, we have revised or added the following attachments:

- L-1 Site Plan (revised 5-22-09)
- A-2.1 West & South Exterior Elevations of 44 Cumberland Ave. (revised 5-26-09)
- A-2.2 East & North Exterior Elevations of 44 Cumberland Ave. (revised 5-26-09)
- A-2.1 Exterior Elevations of 46 Cumberland Ave. (revised 5-26-09)
- Perspective Sketch
- Photographs of southerly curb-cut
- CMP Sufficient electrical capacity letter dated April 24, 2009
- PWD Ability to serve letter dated May 5, 2009
- Slate siding information
- Metal siding information
- Garage door information

### **Preliminary Review Comments and Responses**

#### **Zoning**

- a. Marge Schmuckal, Zoning Administrator, has reviewed this application and has the following comments:

This project is using two existing garage structures on a lot. This is considered one lot at this point and for purposes of review. It shall remain one lot now. The lot qualifies for R-6 small residential lot development. The garages are being converted to one residential unit in each existing structure (two units total on this lot). All the setbacks, distance between structures, parking and building height are being met.

#### **Traffic**

- a. The on-site traffic circulation and parking seems to be acceptable.
- b. The existing driveway width for the primary driveway is 14 feet and meets City standards.
- c. It is recommendation that the westerly secondary driveway be eliminated.

This driveway, sidewalk, and granite curb-cut were constructed within the last two years. All are in excellent condition as indicated by the attached photographs. Therefore, we request a waiver from this requirement.

#### **Fire Department**

Captain Keith Gautreau is currently reviewing this application and any comments will be forwarded.

## Department of Public Services

- a. From the plans submitted, it is unclear what will be excavated in the street for utilities, i.e. sewer, drainage, etc.

The property has an existing water and sewer connection that has been discontinued. When construction starts, we will excavate on site to determine if these can be reactivated. If they cannot be reactivated, we will install new water and sewer lines in the same location as existing. If any work is required in the Cumberland Ave. right-of-way, we will obtain all necessary permits and follow all City of Portland construction standards.

- b. It is unclear how the site will be drained. The city would prefer that all site drainage, including the roof, sheet flow to the street.

Existing contour lines were added to the attached L-1 indicating that the existing and proposed drainage sheet flows to the street. Roofs will pitch in a manner to continue the existing sheet flow to the street.

- c. The applicant is requested to close the southerly curb cut.

This driveway, sidewalk, and granite curb-cut were constructed within the last two years. All are in excellent condition as indicated by the attached photographs. Therefore, we request a waiver from this requirement.

- d. All new developments require the electrical services to be underground unless waived.

The property is served by an existing overhead electrical service. In a meeting with a representative of CMP, it was recommended that the existing overhead service be maintained with only a minor modification to increase capacity.

- e. The sidewalk in front of this property was installed in the last two years. The applicant will be required to re-build the sidewalk as necessary to maintain the new look, which may require replacement along the entire 60' of frontage.

We anticipate only minor disruption of the existing sidewalk. We will repair or replace any disturbed sidewalk to original condition.

## Exterior Elevations

The project is located within the R-6 zone, so the site plan standards for R-6 and the R-6 Design Guidelines apply to the proposal. The Planning Staff has conducted a preliminary review of the plans, building elevations, and exterior materials. Please submit your assessment of how the proposed plans meet the site plan standards and design guidelines (attached). In your narrative assessment, please address the following issues and questions/requests for more information:

- a. The exterior siding appears to be flat panels; please clarify the details of this cladding material, such as its dimensions and construction type. Catalogue product information would be useful so we can see its intended application, durability, etc.

We are proposing a harmonious combination of siding materials and have attached information of these products.

- b. The R-6 Design Guidelines generally require that building entrances be orientated to the street (see especially standards C1, C3 and F6. The entry for #46 is oriented to the parking area and is located on the side of the building and appears to be almost 20' back from the street. The Design Standards (Section C and F-6) do suggest ways that this standard may be met while retaining the

side entrance, for example, by linking it to a front door that faces directly onto Cumberland Avenue

In looking at the building plans for 46 Cumberland, we note that the entry/elevator core is centered in the building, and that the parking on the first floor is therefore at the front closest to Cumberland Ave. Have you considered the possibility of locating the entry core at the Cumberland Ave. end? That would better comply with the R-6 standards. If this is not feasible or desirable from a program perspective, please explain.

At the meeting of April 15<sup>th</sup>, it was agreed that the intent of this requirement would be met by extending a brick or stone sidewalk from the proposed entrance out to the sidewalk at Cumberland Ave. A stone bollard is indicated on the attached revised drawings which defines an entrance, having an impact similar to a "front door".

- c. The garage doors are prominent on the façade. The staff would like to see the details and further articulation of the doors.

The garage doors will be flush panel doors painted a color to match the adjacent masonry walls. The goal is to not draw attention to the garage doors.

- d. Section D discusses building proportion and scale, where Section E discusses a sense of balance in a building's façade. The windows in 46 Cumberland in the facades labeled north and west are minimal relative to scale of those facades, which are highly visible from the street. Have you considered re-introducing windows into the garage (assuming it stays where currently proposed) for natural light and ventilation, and to enliven the street façade? Could there be larger or additional windows on the upper floors on these facades?

At the meeting of April 15<sup>th</sup>, it was agreed that the windows are of a scale and location appropriate to the function they perform, and would remain as shown.

#### **Landscape Plan**

- a. Jeff Tarling, City Arborist, will conduct the review of the landscape plan. The plans show the location of proposed existing vegetation. There is a requirement of two street trees per unit.

On the revised drawing L-1, we have indicated two trees adjacent to the sidewalk at Cumberland Ave. We will pay for two trees of the species and at the location recommended by the City Arborist.

#### **Miscellaneous Comments:**

- a. Provide capacity letters from utility companies.

Capacity letters are attached.

Please let us know if you have any questions or require any additional information.

Sincerely,

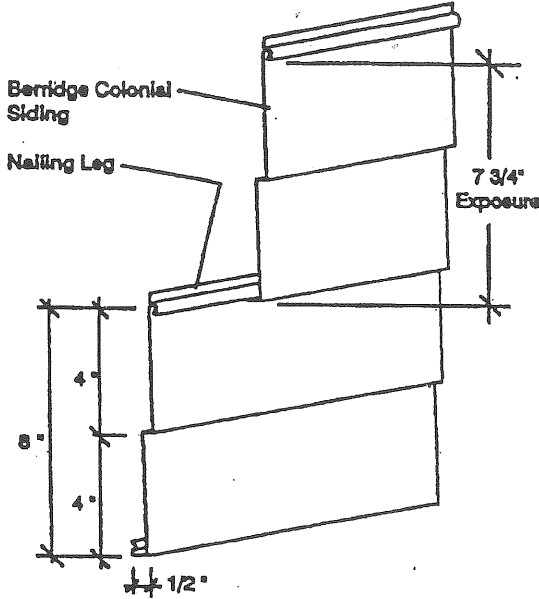
Dick Reed

Chris Roberts

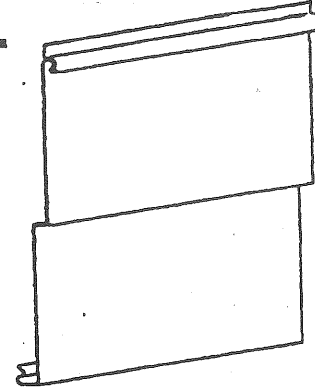
# BERRIDGE COLONIAL SIDING

PREFINISHED HEAVY GAUGE CLAPBOARD SIDING WITH NARROW SPACING FOR TRADITIONAL APPEARANCE

- Maintenance-Free
- Hidden Fasteners
- Fireproof



# BERRIDGE MANUFACTURING CO.



10/24/00  
Standard  
\$229/sgume  
1st length free  
\$25<sup>00</sup> per length  
10%  
Prm

### SPECIFICATIONS

Furnish and install Berridge Colonial Siding as manufactured by Berridge Manufacturing Company, Houston, Texas.

### MANUFACTURE

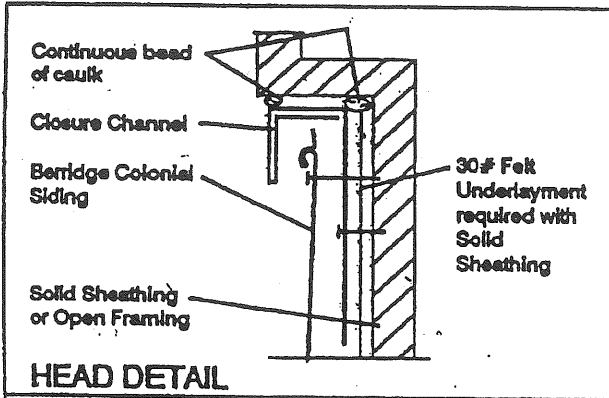
Panel shall be roll-formed in continuous (Maximum 40') lengths. Plank spacing shall be 4" nominal.

### MATERIAL AND FINISH

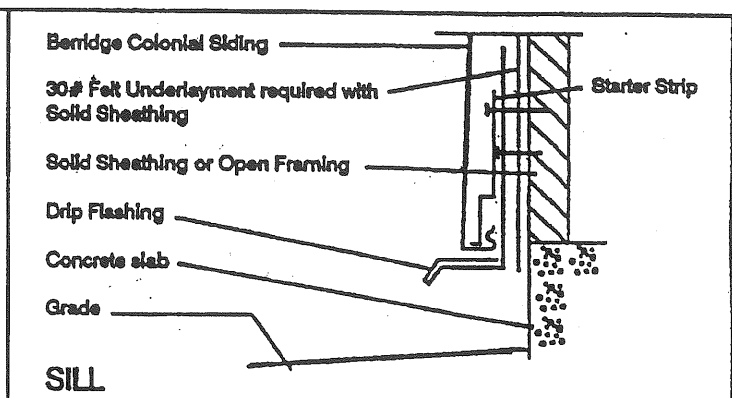
(See "Specifications", Page 9 of Sweets Catalog, 07610/BER).

Contact Berridge for complete construction details.

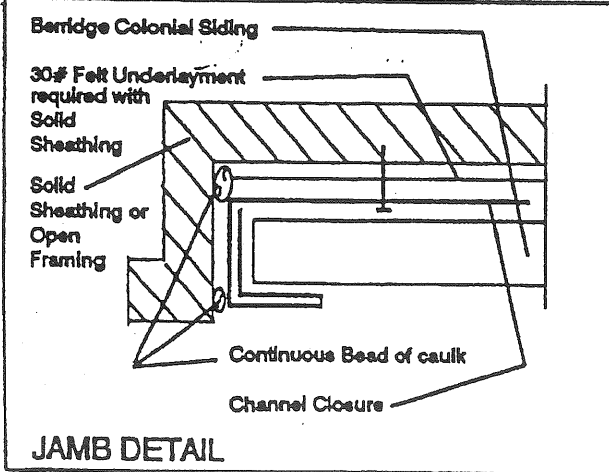
## PANEL LAYOUT



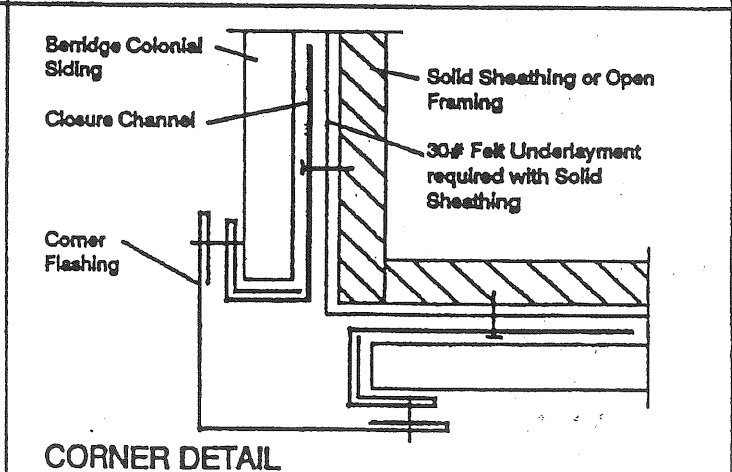
HEAD DETAIL



SILL



JAMB DETAIL



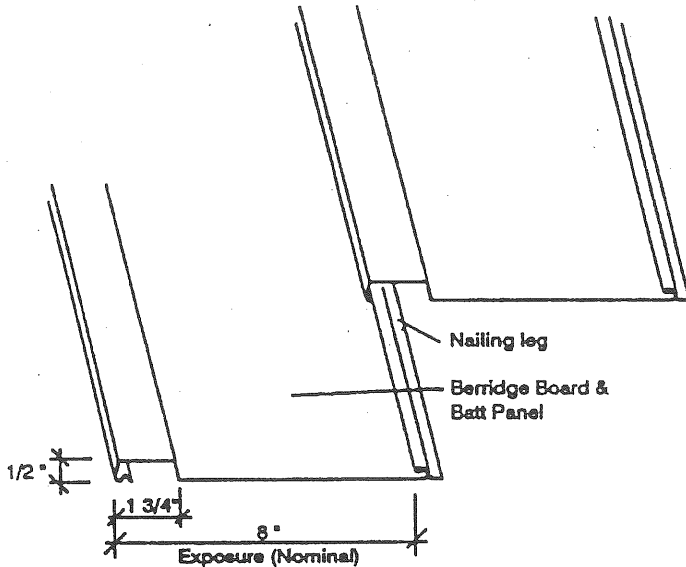
CORNER DETAIL

Starter 20¢/ft 10 ft length

# BERRIDGE BOARD & BATT PANEL

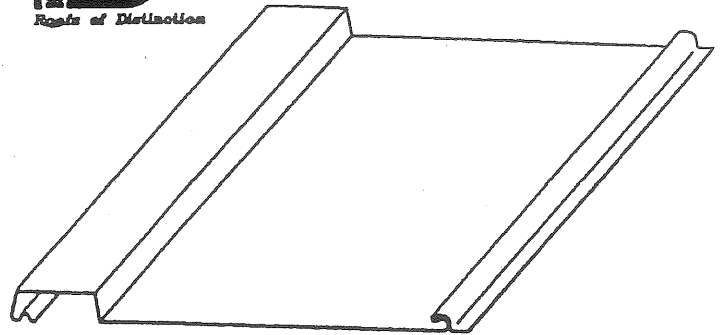
AN ECONOMICAL PREFINISHED METAL  
PANEL FOR FACADES, SOFFITS AND  
WALLS

- Low Profile
- Hidden Fasteners



## BERRIDGE MANUFACTURING CO.

*Roofs of Distinction*



### SPECIFICATIONS

Furnish and install Berridge Board & Batt Panel as manufactured by Berridge Manufacturing Company, Houston, Texas.

### MANUFACTURE

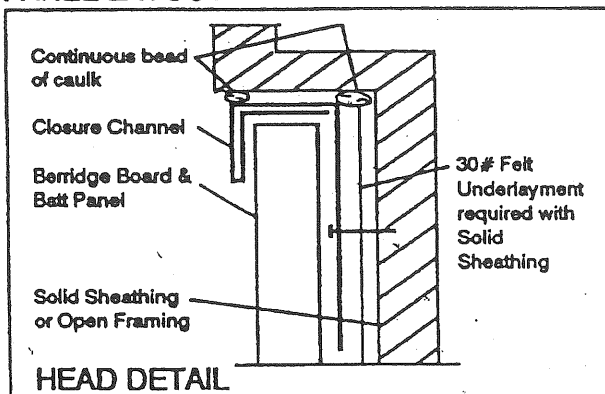
Panel shall be roll-formed in continuous (Maximum 40') lengths. Battens shall be 1 3/4" wide with 8" spacing and an integral part of the panel.

### MATERIAL AND FINISH

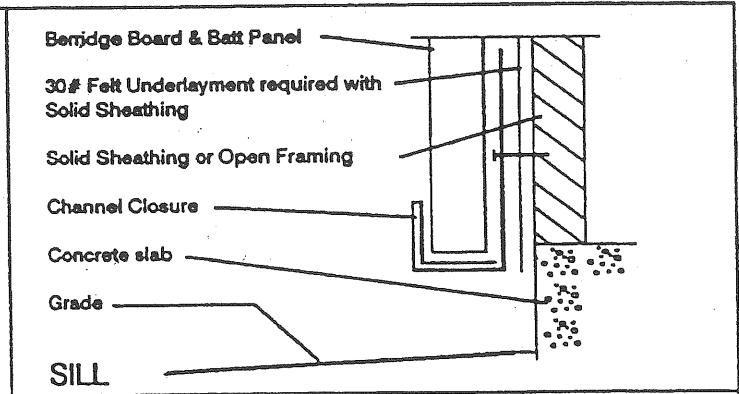
(See "Specifications", Page 9 of Sweets Catalog, 07610/BER).

Contact Berridge for complete construction details

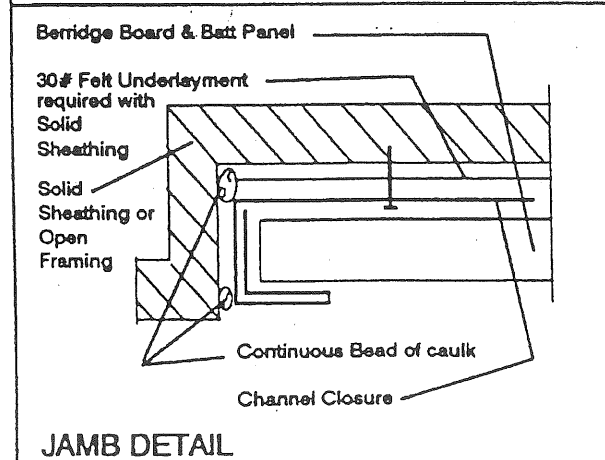
### PANEL LAYOUT



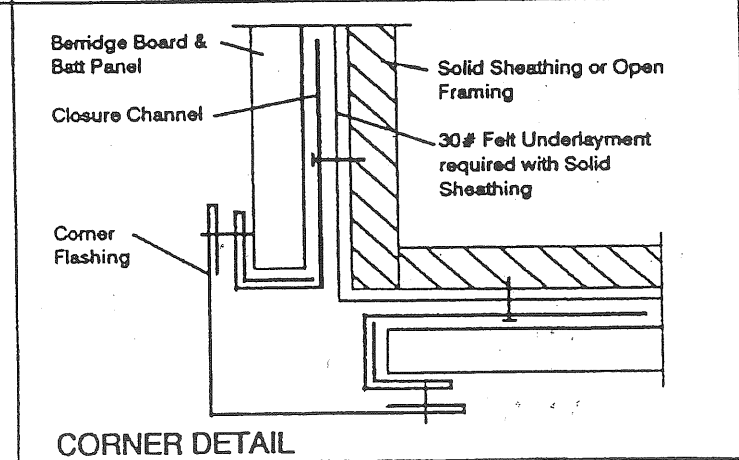
HEAD DETAIL



SILL



JAMB DETAIL

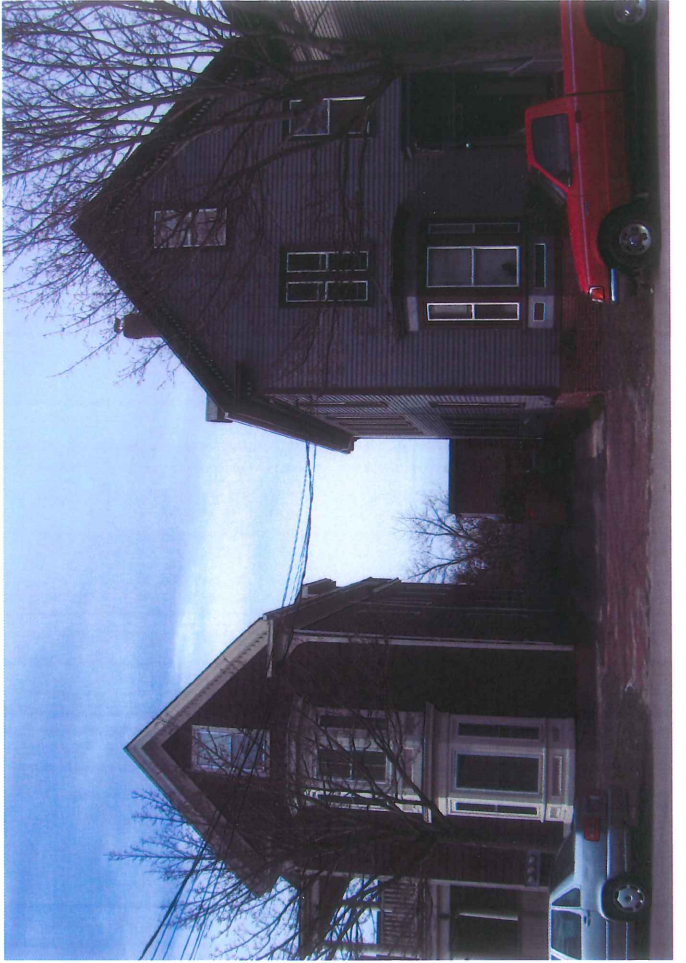


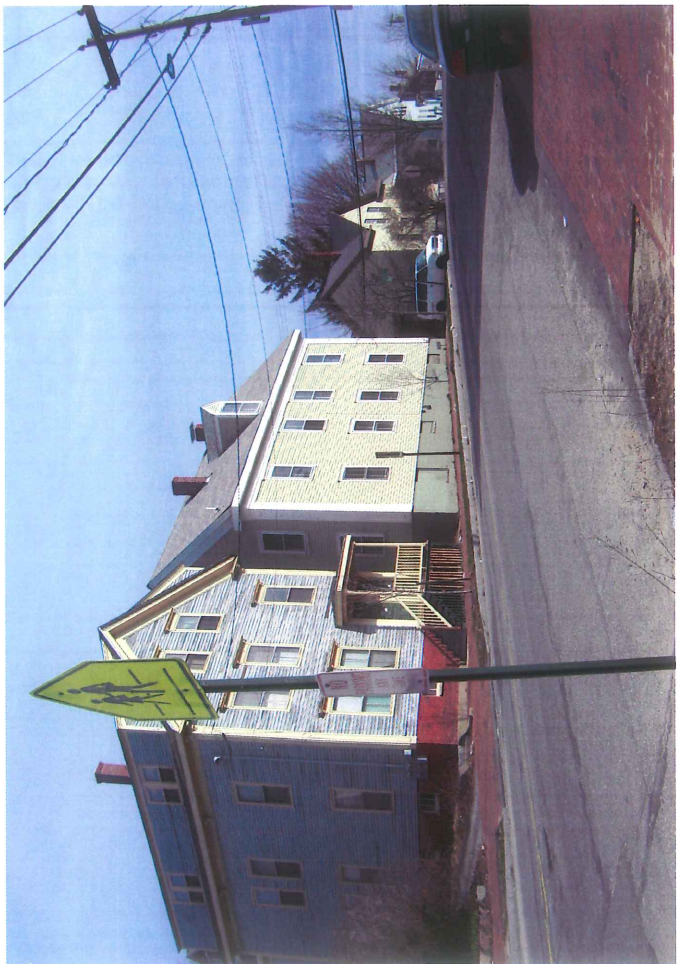
CORNER DETAIL



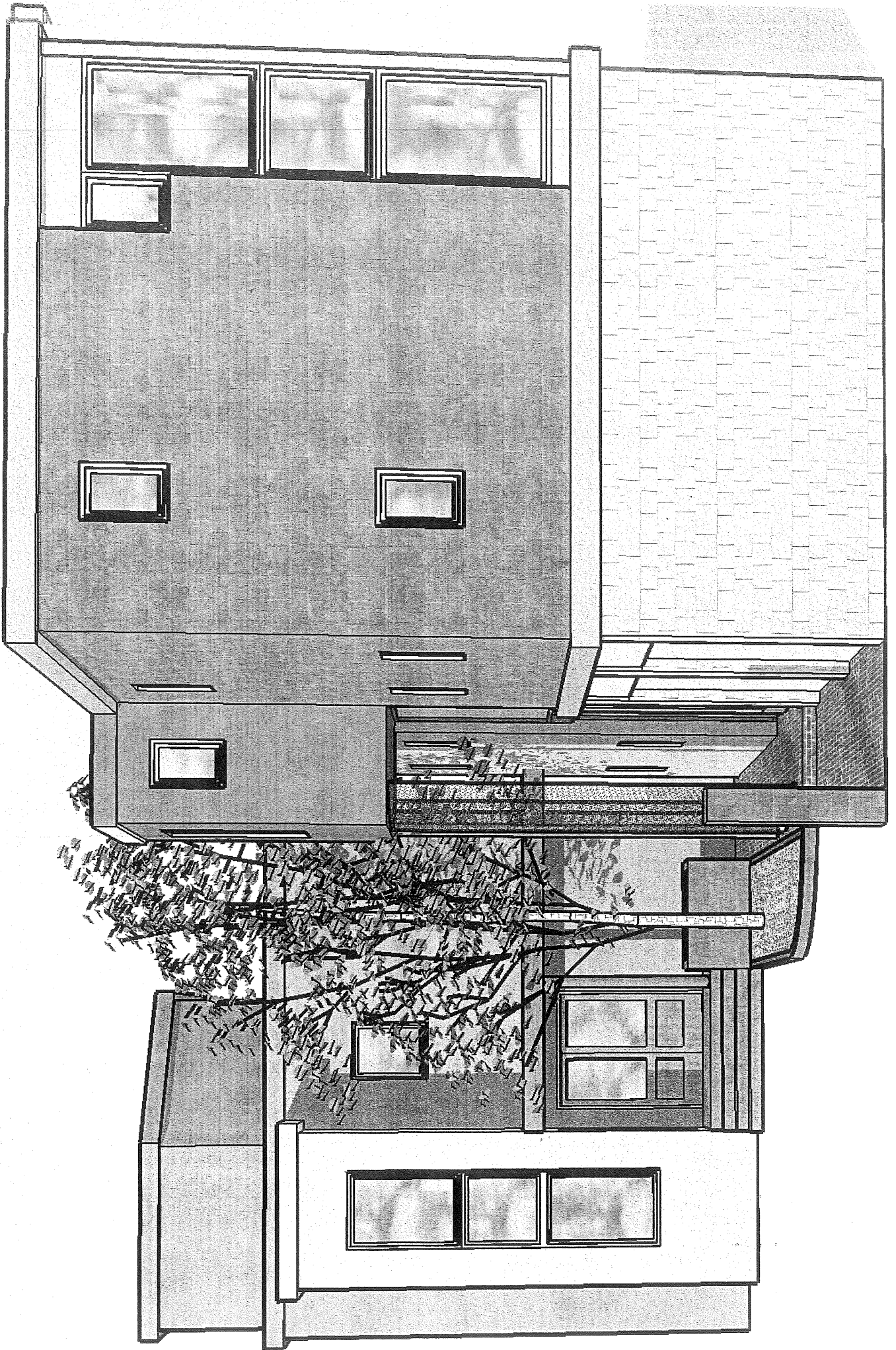


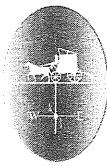
1860/1  
1901











## Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

May 5, 2009

Christopher Roberts  
379 Island Ave  
Peaks Island, ME 04108

Re: 44 Cumberland Avenue, Portland - Ability to serve with PWD water

Dear Mr. Roberts:

This letter is to confirm that there should be an adequate supply of clean and healthful water to serve the needs of the proposed renovation located at 44 Cumberland Avenue in Portland. According to District records, there is a 6" cast iron water main on the east side of the street as well as a hydrant located 120 ft. from the site.

The current data from the nearest hydrant indicates there should be adequate volume of water to serve the domestic water needs of your proposed project, as stated in your e-mail, dated April 21, 2009.

Hydrant Location: Cumberland Avenue at North Street  
Hydrant Number: POD-HYD00105  
Static Pressure: 35 PSI  
Flow: 768 GPM  
Last Tested: 06/21/1999

With regard to your fire protection needs, please notify your plumber of these results so that they can design your system to best fit the noted conditions. Also, please contact your local fire department to determine if the fire service capacity is sufficient for their needs.

Please note that the pressure available in this area is lower than our standard. Therefore, you may be required to sign a limited service agreement before your services can be activated. As discussed in November, 2008, before the two properties can be served via a single service, we will require proof that the two lots cannot be separated. If a single service is installed then a single meter will be installed, and it will have to be located such that all parties have access. If proof that the properties are bound together cannot be obtained, two separate services will need to be installed, each with its own meter.

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

Sincerely,  
Portland Water District

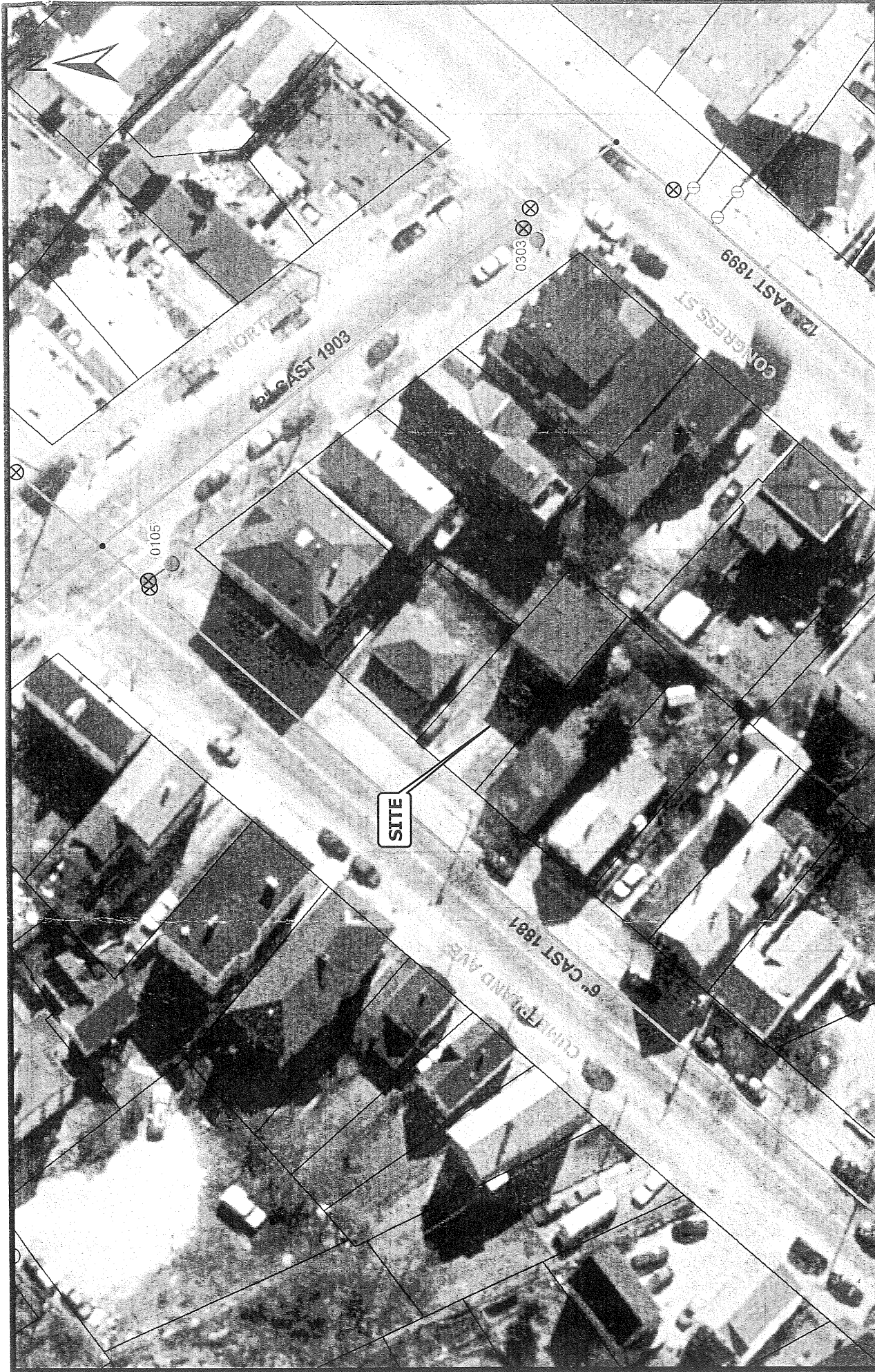


Rico Spugnardi, P.E.  
Business Development Engineer

PO - 44 Cumberland Ave-Ability to Serve 09.doc

225 DOUGLASS STREET P.O. BOX 3553 PORTLAND, MAINE 04104-3553  
PHONE: 207.774.5961 FAX: 207.761.8307 WEB: WWW.PWD.ORG





**Service Associated Assets:**  
 1" Dom. Service: SV27.....  
 SV WO#:  
 Service Valve:  
 Budget #: 60820S

**Notes:**

Inspector: \_\_\_\_\_ (Please Return to Thomas Whitney)  
 Date Inspected: \_\_\_\_\_ GPS \_\_\_\_\_ Redlined \_\_\_\_\_

**44 Cumberland Avenue**  
**Portland**  
**PORTLAND WATER DISTRICT**  
 225 Douglass Street  
 Portland, ME 04104



# PORTLAND MAINE

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

Public Services Department  
Michael J. Bobinsky, Director

15 July 2009

Mr. Richard Reed,  
Reed & Company Architecture,  
30 Pleasant Street,  
Portland, Maine 04101

**RE: The Capacities to Handle the Anticipated Wastewater Flows, and Storm Water Flows, from the Proposed Residential Re-uses, at 44 & 46 Cumberland Avenue, Portland, Maine.**

Dear Mr. Reed:

The existing twelve-inch diameter vitrified clay **sanitary sewer** pipe, located in Cumberland Avenue, **has adequate capacity to transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have **adequate capacity to treat** the anticipated net increase in wastewater flows of **360 G.P.D.**

**Anticipated Wastewater Flows, from the Proposed Residential Re-use at 44 Cumberland Avenue:**

1 Proposed Bedroom Unit @ 180 G.P.D. /Unit = 180 GPD

**Anticipated Wastewater Flows, from the Proposed Residential Re-use at 46 Cumberland Avenue:**

1 Proposed Bedroom Unit @ 180 G.P.D. /Unit = 180 GPD

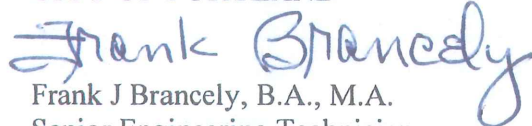
**Total Proposed Net Increase in Wastewater Flows for this Project = 360 GPD**

The City combined sewer overflow (C.S.O.) abatement consent agreement, with the U.S.E.P.A. and with the Maine D.E.P., requires C.S.O. abatement, as well as storm water mitigation, from all projects, in order to offset any increase in sanitary flows. Storm water mitigation, for this project, will include redirecting the drainage, as sheet flow, to the street, from the two sites, including the two existing roofs.



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

Sincerely,  
**CITY OF PORTLAND**

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

FJB

CC: Penny Saint Louis Littell, Director, Department of Planning, and Urban Development, City of Portland.  
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland.  
Shukria Wiar, Planner, Department of Planning, and Urban Development, City of Portland.  
Michael Bobinsky, Director, Department of Public Services, City of Portland.  
David Margolis-Pineo, P.E., Deputy City Engineer, City of Portland.  
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland.  
Michael Farmer, P.E., Project Engineer, City of Portland.  
Stephen K. Harris, Assistant Engineer, City of Portland.  
Harold L. Downs, Senior Wastewater Technician, City of Portland.  
John Emerson, Wastewater Coordinator, City of Portland.  
Jane Ward, Administrative Assistant, City of Portland.



Central Maine Power

Date: April 24, 2009

Names: Richard Reed and Chris Roberts  
Address: 30 Pleasant St Portland, ME

RE: Electrical Capacity for 44- 46 Cumberland Ave., Portland, ME

Dear Mr. Reed and Mr. Roberts:

This letter is to inform you that Central Maine Power Company has sufficient electrical capacity in the area of Cumberland Ave., Portland to serve your proposed 2 unit residential dwelling.

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

If you have any questions or if I can be of further assistance, please give me a call at 1-800-750-4000.

Sincerely,

*Colleen*

Customer Relations Specialist  
New Service Department  
Central Maine Power Company

An equal opportunity employer

83 Edison Drive | Augusta, ME 04336  
tel (800) 750-4000 | fax (207) 621-3881

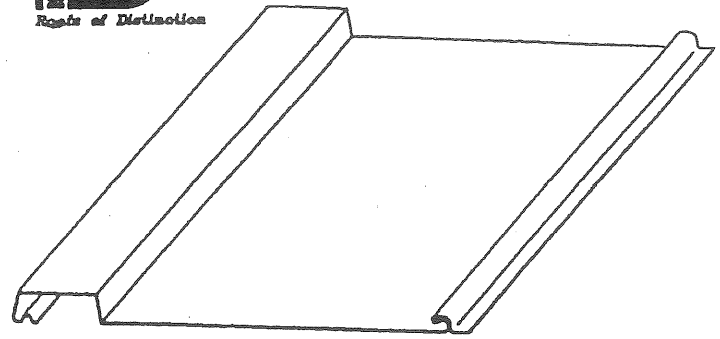
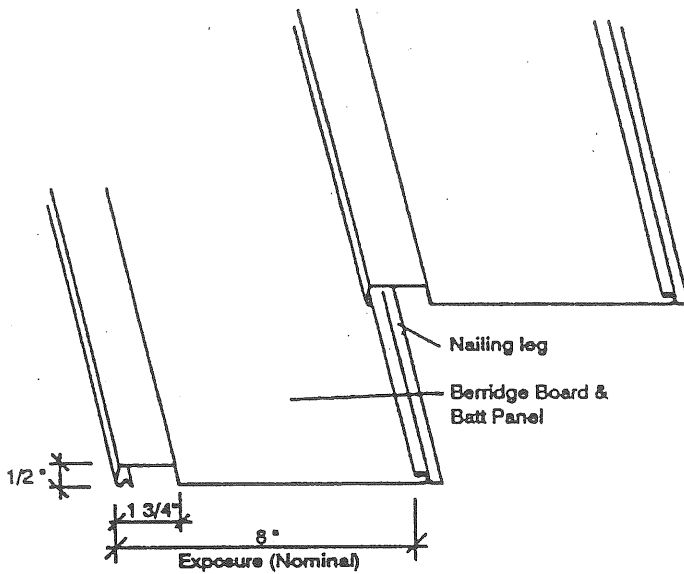
[www.cmpco.com](http://www.cmpco.com)

  
An Energy East Company

# BERRIDGE BOARD & BATT PANEL

AN ECONOMICAL PREFINISHED METAL  
PANEL FOR FACADES, SOFFITS AND  
WALLS

- Low Profile
- Hidden Fasteners



### SPECIFICATIONS

Furnish and install Berridge Board & Batt Panel as manufactured by Berridge Manufacturing Company, Houston, Texas.

### MANUFACTURE

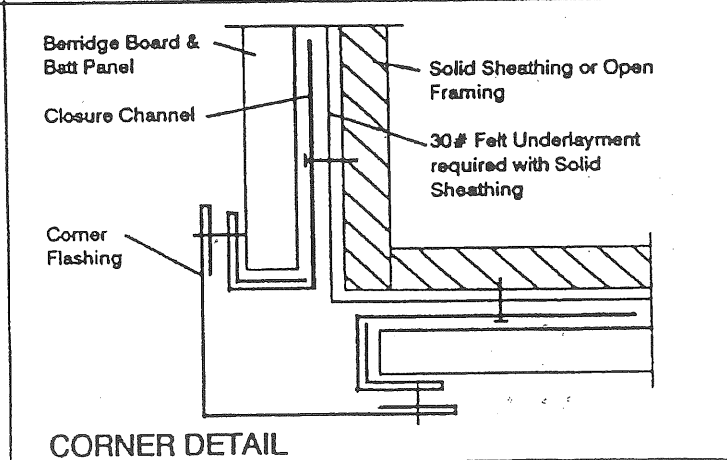
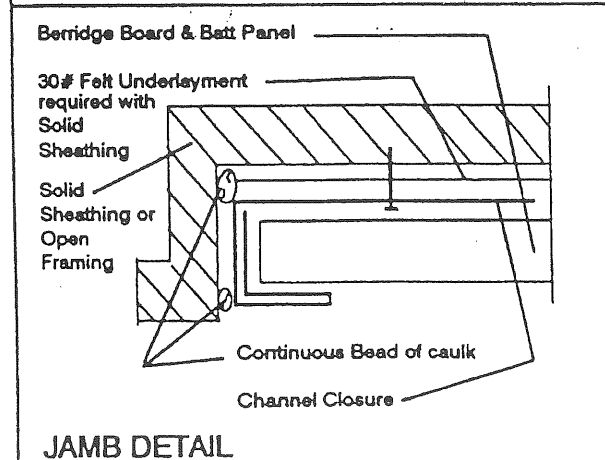
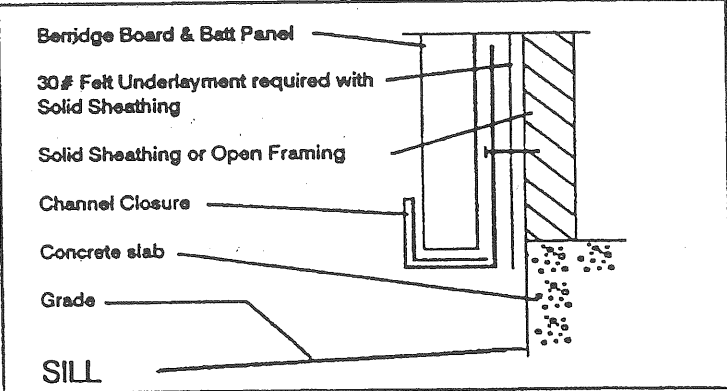
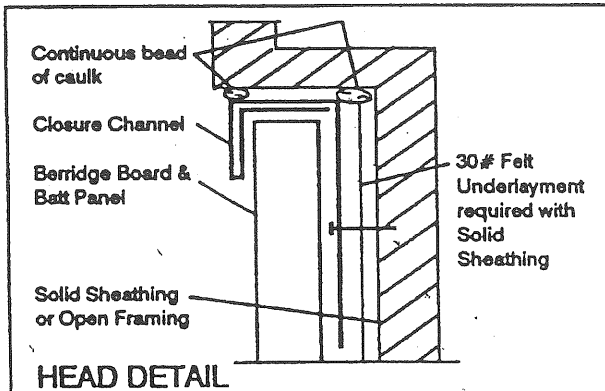
Panel shall be roll-formed in continuous (Maximum 40') lengths. Battens shall be 1 3/4" wide with 8" spacing and an integral part of the panel.

### MATERIAL AND FINISH

(See "Specifications", Page 9 of Sweets Catalog, 07610/BER).

Contact Berridge for complete construction details

### PANEL LAYOUT





**R**

**DE**  
REBI

Door Size	Door Color	Panel Style	Window Design
1-Car	Bronze Tone	Flush	Snap-In Styles - Clear Colonial













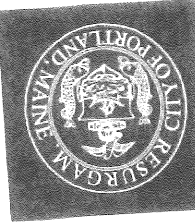
NO. 10  
**For Sale**  
775-5600

Monthly Parking  
774-7811

NO PARKING  
UNDER ANY  
CIRCUMSTANCES  
7/25/2014

NO PARKING  
UNDER ANY  
CIRCUMSTANCES  
7/25/2014

NO PARKING  
UNDER ANY  
CIRCUMSTANCES  
7/25/2014



Planning & Urban Development Department  
Penny St. Louis Little, Director  
Planning Division  
Alexander Jaegerman, Director

June 12, 2009

Dick Reed, Architect  
30 Pleasant Street  
Portland, ME 04101

RE: 44-46 Cumberland Avenue

CPB: 0131008001  
Application ID: 2009-0026

Dear Mr. Reed,

On June 11, 2009, the Portland Planning Authority approved a minor site plan for redevelopment of the existing structures on the property to two detached residential units at 44-46 Cumberland and shown on the approved plan prepared by your Reed Architecture and with a revision date of 05.22.2009 with the following conditions:

1. An additional street tree shall be proposed on the property, making a total of four new trees.
2. The existing driveway on the south side of the parcel shall be closed; the final site plan shall depict this change.
3. The existing overhead electrical shall be underground; the final site plan shall depict this change.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of the 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.

Project File  
Enter File  
File  
Edward & Curran  
Smith Consulting Engineers

Engineer

ector

for

ator

Manager