

# CITY OF PORTLAND, MAINE

## PLANNING BOARD

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Elizabeth Boepple, Chair  
Sean Dundon, Vice Chair  
Carol Morrissette  
David Eaton  
Brandon Mazer  
Lisa Whited  
Maggie Stanley

May 24, 2017  
(Revised 6-6-17)

Mike Boissonneau  
Banner Properties, LLC  
126 Underwood Road  
Falmouth, ME 04105

Evan Carroll  
Bild Architecture  
PO Box 8235  
Portland ME, 04101

Project Name: **5-7 Cumberland Avenue: 6-unit residential development**  
Project ID: #2017-045 (Subdivision & Site Plan)  
Address: 502 Stevens Avenue CBL: 14-C-17, 14-C-23  
Applicant: Mike Boissonneau  
Planner: Matthew Grooms

Dear Mr. Boissonneau and Mr. Carroll:

On May 23, 2017, the Planning Board considered a proposal for a new 4 story building comprising 6 residential units, totaling approximately 7,567 sq. ft., located at 5-7 Cumberland Avenue in the R-6 Residential zone. Five compact parking spaces are proposed with vehicular access being provided via an existing curb cut on Merrill Street, shared with property at 30 Merrill Street. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision, Site Plan and R-6 Zone.

The Planning Board voted 4-0 (Stanley and Mazer absent, Morrissette recused) to approve the application with the following waiver and conditions as presented below:

### A. WAIVER

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on May 23, 2017 for application 2017-045 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

- i. The Planning Board finds (4-0) based upon the consulting transportation engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* standard (*Section 1.14*) which requires that aisle width for right-angle parking be 24 feet per *Figure I-27*, that substantial justice and the public interest are secured with the proposed variation in this standard, and that the variation is consistent with the intent of the ordinance. The Planning Board waives the *Technical Manual* standard (*Section 1.14*) to allow the aisle as depicted in the proposed site plan;

- ii. The Planning Board finds (4-0) based upon the consulting transportation engineer's review, that extraordinary conditions exist or undue hardship may result from strict compliance with the *Technical Manual* standard (*Section 1.14*) which requires that a standard parking space be 9' x 18', that substantial justice and the public interest are secured with the proposed variation in this standard, and that the variation is consistent with the intent of the ordinance. The Planning Board waives the *Technical Manual* standard (*Section 1.14*) to allow five 8' x 15' spaces;

## **B. SUBDIVISION**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on May 23, 2017 for application 2017-045 relevant to the subdivision regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds (4-0) that the plan is in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plat:

- i. The applicant shall finalize the subdivision plat including the cross-access easement, for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Authority; and
- ii. Prior to Certificate of Occupancy, the applicant shall finalize condominium documents for review and approval by Corporation Counsel.
- iii. The applicant shall submit required easement documentation to allow for cross-site access between this property and the property at 30 Merrill Street for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Authority.

## **C. DEVELOPMENT REVIEW**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on May 23, 2017 for application 2017-045 relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board finds (4-0) that the plan is in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

- i. The applicant shall submit a revised construction management plan for review and approval by the Department of Public Works and the Planning Authority; and
- ii. The applicant shall provide additional information in support of the removal of the handicap parking space demonstrating that Fair Housing and ADA requirements are being met.
- iii. The applicant shall provide the equivalent of six street trees, with a payment in lieu of \$400 per street tree. One street tree is being retained, and one tree is being provided. Payment in lieu of the remaining four trees equates to \$1,600.

## STANDARD CONDITIONS OF APPROVAL

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

1. **Stormwater Management** The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines.  
  
The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage system, as attached, or insubstantially the same form with any changes to be approved by Corporation Counsel, shall be submitted and signed prior to the issuance of a building permit with a copy to the Department of Public Services.
2. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
3. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
4. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
5. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Permitting and Inspection Division.
6. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
7. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
8. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and six (6) final sets of plans must be submitted to and approved by the Planning Division and Public Works Department prior to the release of a subdivision plat for recording at the Cumberland County Registry of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
9. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

10. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
11. **Department of Public Works Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
12. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.
13. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Works Department prior to the issuance of a certificate of occupancy.

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

If there are any questions, please contact Matthew Grooms at (207) 874- 8725.

Sincerely,



Elizabeth Boepple, Chair  
Portland Planning Board

**Attachments:**

1. Development Review Comments dated April 18, 2017
2. T.Y. Lin Comments dated April 20, 2017
3. Woodard and Curran Memo dated May 16, 2017
4. T.Y. Lin Comments dated May 19, 2017
5. T.Y. Lin Email dated May 23, 2017
6. Planning Board Report
7. Sample Stormwater Maintenance Agreement
8. Performance Guarantee Packet

**Electronic Distribution: cc.**

Jeff Levine, AICP, Director of Planning and Urban Development  
 Stuart O'Brien, City Planning Director  
 Barbara Barhydt, Development Review Services Manager  
 Matthew Grooms, Planner  
 Philip DiPiero, Development Review Coordinator, Planning  
 Mike Russell, Director of Permitting and Inspections  
 Ann Machado, Zoning Administrator, Inspections Division  
 Jonathan Rioux, Inspections Division Deputy Director  
 Jeanie Bourke, Plan Reviewer/CEO, Inspections Division  
 Chris Branch, Director of Public Works  
 Katherine Earley, Engineering Services Manager, Public Works

Doug Roncarati, Stormwater Coordinator, Public Works  
 Greg Vining, Associate Engineer, Public Works  
 Michelle Sweeney, Associate Engineer, Public Works  
 John Low, Associate Engineer, Public Works  
 Rhonda Zazzara, Field Inspection Coordinator, Public Works  
 Jeff Tarling, City Arborist, Public Works  
 Jeremiah Bartlett, Public Works  
 Keith Gautreau, Fire Department  
 Danielle West-Chuhla, Corporation Counsel  
 Thomas Errico, P.E., TY Lin Associates  
 Lauren Swett, P.E., Woodard and Curran  
 Rick Blackburn, Assessor's Department

# Planning and Urban Development Department Planning Division



April 18, 2017

Mike Boissonneau  
Banner Properties, LLC  
126 Underwood Road  
Falmouth, ME 04105

Evan Carroll  
Bild Architecture  
PO Box 8235  
Portland, ME 04101

RE: Staff Review Comments for 5-7 Cumberland Ave (2017-045) – Planning Board Review

Project Name: 5-7 Cumberland Ave Project ID: (2017-045)  
Project Address: 5-7 Cumberland Ave CBL: 14-C-17, 14-C-23  
Applicant: Mike Boissonneau  
Planner: Matthew Grooms

Dear Mr. Lachman,

Thank you for submitting a Level III Final Plan application for a four-story residential development with condominiums at 5-7 Cumberland Avenue. This proposal is being reviewed as a preliminary plan for Planning Board review subject to the following applicable Land Use Code provisions:

- Site Plan Ordinance, Article V
- Division 7. R-6 and R-6A Residential Zones
- Division 20. Off-Street Parking
- Neighborhood Meeting Regulations, Section 14-32

## Final Plan for Planning Board Review: Staff Review Comments

### I. Environmental Quality Standards

#### A. Stormwater/Engineering Comments (Lauren Swett)

1. In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
  - a. Basic Standard: The Applicant has provided Erosion & Sediment Control notes, details, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500. No specific

locations of catch basin inlet protection installation are identified on the plans. It appears that there are catch basins in the vicinity of the project on Cumberland Avenue, and these should be identified on the plan or a general note provided indicated that catch basin inlet protection is required.

- b. General Standard: The project will result in a de minimis increase in impervious area of approximately 315 square feet. The Applicant has proposed pervious pavers on the site for the parking and driveway area, connecting to the adjacent 30 Merrill Street site. The project will provide adequate stormwater treatment. The Application also notes that a green roof is to be proposed. The Applicant's proposed stormwater management system may qualify them for credits from the City's Stormwater Service Charge. Permeable pavers are currently listed in the City of Portland Stormwater Credit manual. Green roofs are not, but may be allowed with additional information provided. We have not reviewed any green roof design at this time.
  - c. Flooding Standard: The project will result in a de minimis increase in impervious area of approximately 315 square feet. As such, the project is not required to include any specific stormwater management features to control the rate or quantity of stormwater runoff from the site.
2. Final plans must be stamped by a professional engineer (Section 14-527, sub-section (e) of the City of Portland Land Use Ordinance). The Site Layout Plan included as part of this submission was not stamped.
  3. The plans should note a location for snow storage. The snow storage location should be sited outside of existing and proposed drainage courses.
  4. We recommend that the locations of roof downspouts/outlets be shown on the site plan. Additional erosion control may be required at some downspout locations.
  5. It appears based on the photometrics plan that lighting levels may exceed the allowed levels with the lighting from the northern corner of the building. Per the technical standards, lighting levels at property line cannot exceed 0.1 foot candles, and the lighting at this location is shown as .7 foot candles.

## **II. Public Infrastructure and Community Safety Standards**

### **A. Fire Department Comments (Keith Gautreau)**

1. Emergency access to front of building and possibly rear via Merrill Street are adequate.
2. Existing hydrant locations are good.
3. Premises Identification
  - a. The main entrance of the building must be the address for the property. This should be consistent with 911, tax assessor, Inspections Division and future mailing address.
  - b. Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer.
  - c. If the building entry faces a different street, both the street name and number should be large enough to read from the street.
  - d. Address numbers must be a minimum of 4 inches high.
  - e. The number should be in Arabic numerals rather than spelled out (for example, "130" instead of "One Hundred and Thirty").
  - f. Color: Addresses should be in a color that contrasts with the background.
  - g. Whenever possible, should be illuminated.
  - h. Provide additional address signs at entrances to the property when the building address is not legible from the public street.

### III. Site Design Standards

#### A. Site Plan Review Comments (Matthew Grooms)

1. Would the applicant consider the construction of a connecting ADA compliant internal sidewalk between the sidewalk along Cumberland Avenue and the rear entrance? At present, the only ADA accessible point of site access is via the driveway located on Merrill Street.
2. From the submitted plans, it is difficult to determine whether or not the front bay windows extend into the required front setback. Can the applicant provide these dimensions on the site layout plan?
3. How will snow storage or removal be handled on site? Please indicate appropriate areas for snow storage on applicable sheets.
4. The applicant shall provide all necessary utility capacity letters.
5. How will rooftop snow/ice load be managed to ensure pedestrian safety along Cumberland Avenue and within the rear and side yards.
6. Given that the applicant is only required to provide a total of three (3) parking spaces, would the applicant consider the removal of the existing handicap parking space to facilitate improved site circulation.
7. The location of bicycle parking shall be clearly indicated on applicable plan sheets.
8. A formal waiver request shall be submitted for parking lot aisle width and the percentage of proposed compact parking spaces.
9. Note - The rear entrance and 4' x 4' concrete slab are in close proximity to proposed on-site parking with potential for pedestrian-vehicular conflict. If possible, please consider reconfiguring this entrance to provide improved separation.
10. Provide the location and dimensions of all proposed exterior and rooftop mechanical equipment as well as associated details.

#### B. Design Review (Caitlin Cameron)

A design review according to the *City of Portland Design Manual Standards* was performed for the proposed new construction of a multi-family dwelling at 7 Cumberland Avenue. The review was performed by Caitlin Cameron, Urban Designer, Nell Donaldson, Planner, and Matt Grooms, Planner, all within the Planning Division of the Department of Planning & Urban Development. The project was reviewed against the *R-6 Small Infill Development Design Principles & Standards* (Appendix 7 of the Design Manual).

#### Findings of the 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:

- 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.

The proposed design **passes** all of the criteria – please refer to comments below.

**Design Review Comments** (*red text denotes principles or standards that are not met*):

*Principle A Overall Context – Met – see below.*

- *A-1 Scale and Form:* The building type proposed is similar to a double-triple with an additional unit stepped back on the 4<sup>th</sup> floor. Double-triples can be found in the surrounding context, the scale and form of those buildings are mitigated with the use of mansard or other similar roof forms on the third floor, pronounced and overhang cornice lines, bay windows, recessed entries with canopies. Of these formal and scaling elements, the project employs a canopy at the entrance, a recessed entry, overhanging cornice at the third floor, and window bays. The fourth floor is made recessive to emphasize the contextual three-story massing of the main portion of the building relating more directly in scale and form with the triple-deckers across the street.
- *A-2 Composition of Principal Facades:* The composition of the street-facing facade is consistent with context in terms of using symmetrical bays (two or three bays) that are oriented to the street. The rhythm, size, and proportion of windows is a contemporary exaggeration of the traditional design – staff found that the bays and the balconies bring articulation, vertical proportion, and human scale to the large windows.
- *A-3 Relationship to the Street:* The building placement is consistent with the spacing of the residential fabric – slightly setback from sidewalk to allow for stoops and provide privacy. The building is not parallel to the street in order to meet the side yard setback requirements – this is a subtle angle and less critical due to the fact that there is only one neighboring property that establishes a street wall on this block.

*Principle B Massing – Met – Buildings in the neighborhood with similar massing and proportion (double-triples) that are wider at the street use changes in massing, like the roof form and bays, to mitigate the scale and provide a pedestrian-friendly, visually interesting street presence. The building emphasizes the double-triple massing by creating a strong roof line at the third floor and varies the street façade with plane changes.*

- *B-1 Massing:* The principal mass is reminiscent of a double triple-decker found in the context – revisions to the cornice line at the third floor, the stepback of the fourth floor unit help to emphasize that three-story contextual massing. A recess was added at the center of the mass to create recessed entry and provide a façade plane change creating a similar effect as a window bay.
- *B-2 Roof Forms:* The proposed 7<sup>th</sup> unit on the top floor has been centered and stepped back with a material change – these three actions make that fourth floor recessive and the flat roof form of the primary mass is dominant.
- *B-4 Roof Pitch:* The roofs are monopitch/ flat roofs.
- *B-5 Façade Articulation:* The project employs two of the required articulation elements – covered entry, recessed entry. Small balconies are also used.
- *B-6 Garages:* Not applicable.

*Principle C Orientation to the Street – Met – The project is oriented to the street with a street-facing door.*

- *C-1 Entrances:* The entry is street-facing and emphasized with a canopy and recess.
- *C-2 Visual Privacy:* Visual privacy is adequately addressed; ground floor windows are higher than 48” above adjoining sidewalk grade; the ground floor is adequately raised above sidewalk grade appropriate for private residential buildings with living space on the ground floor (at least 24” is required by the standard).
- *C-3 Transition Spaces:* The project uses a canopy at the entrance, the building is set back with planters.



*Principle D Proportion and Scale* – Met – The façade elements are proportionate and scaled to the overall building.

- *D-1 Windows:* The majority of windows are rectangular and have vertical proportion; window proportion is not a proportion found in the context, however.
- *D-2 Fenestration:* The project appears to meet the 12% fenestration requirement and appropriately scaled to the massing of the building.
- *D-3 Porches:* The balconies included in this project are less than 48 sf and not do not meet this standard.

*Principle E Balance* – Met – The building façade composition creates a sense of balance with good use of overall and local symmetry and articulation of façade materials.

- *E-1 Window and Door Height:* The majority of window and door head heights align along a common horizontal datum.
- *E-2 Window and Door Alignment:* The majority of windows shall stack so that centerlines of windows are in vertical alignment.
- *E-3 Symmetricality:* Primary window compositions are arranged symmetrically around discernable vertical axes.

*Principle F Articulation* – Met – Based on the information given, it appears the project employs visually interesting and well composed facades.

- *F-1 Articulation:* Trim and balcony details will create shadow lines on front façade.
- *F-2 Window Types:* Two window types at street façade.
- *F-3 Visual Cohesion:* The visual cohesion of the façade is good – one siding material proposed.
- *F-4 Delineation between Floors:* The floors are delineated by fenestration patterns, balconies, watertable.
- *F-5 Porches, etc.:* The canopy is well integrated into the overall design and highlights the entrance. Balcony railings are used to provide articulation and shadow lines to the front façade.
- *F-6 Main Entries:* The main entry is emphasized with prominent placement facing the street, recessed, and the use of a canopy.
- *F-7 Articulation Elements:* The cornice is pronounced and has an overhang similar to those found in context multi-family buildings; the trim details are not clear; the façade offset is at least 12”.

*Principle G Materials* – Met – The material choices are well-placed and the siding is a contemporary version of clapboard.

- *G-1 Materials:* The residential context is predominantly clapboards with occasional shingle or brick. The proposal uses fiber cement clapboard with horizontal orientation – the reveal is larger than the traditional scale. Please indicate on the elevations the material selection for the water table.
- *G-2 Material and Façade Design:* The materials are appropriately placed according to their nature – concrete base?, clapboard above.
- *G-3 Chimneys:* Not applicable.
- *G-4 Window Types:* Two window types on street façade.
- *G-5 Patios and Plazas:* Not applicable.

#### **Additional Submittals Required:**

Please upload the digital plans and documents to address staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for

conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made and only one set of revised plans may be submitted for review. This item is scheduled to go before the Planning Board as a workshop item on April 25, 2017 at 7:00 pm. Following the workshop process, this item will be scheduled for a public hearing at the Planning Board's next available meeting and the staff will provide the Planning Board with a recommendation to approve, approve with conditions, or deny the final site plan.

If you have any questions, feel free to contact me at (207) 874-8725 or by email at mgrooms@portlandmaine.gov.

Sincerely,

Matthew Grooms  
Planner

**Electronic Distribution:**

Tuck O'Brien, Planning Division Director  
Barbara Barhydt, Development Review Services  
Manager  
Victoria Morales, Associate Corporation  
Counsel

Anne Machado, Zoning Administrator  
Captain Keith Gautreau, Fire  
Jeff Tarling, City Arborist  
Tom Errico, P.E., TY Lin Associates  
Lauren Swett, P.E., Woodard & Curran



Matthew Grooms <mgrooms@portlandmaine.gov>

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## 5-7 Cumberland Avenue - Preliminary Traffic Comments

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Tom Errico <thomas.errico@tylin.com>

Thu, Apr 20, 2017 at 8:49 AM

To: Matthew Grooms <mgrooms@portlandmaine.gov>

Cc: Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Lauren Swett <lswett@woodardcurran.com>, Jeff Tarling <jst@portlandmaine.gov>

Hi Matt – I have reviewed the plans and offer the following preliminary traffic comments.

- I find the shared access/egress driveway condition to be acceptable and in fact believe this will also result in enhancements in on-site circulation for 30 Merrill Street.
- I do not find the layout of the handicapped parking space to be acceptable. In my professional opinion, the end parking space will not be accessible. The applicant has provided a vehicle turning template graphic, but I continue to be concerned about the subject parking space being blocked. I would suggest alternative parking layout configurations be considered.
- All parking spaces (other than the handicap parking space) are proposed to be compact size spaces. I support a waiver from the City's Technical standards as it relates to the percent of compact parking spaces allowed on a site.
- The applicant has provided a conceptual construction management plan and my interpretation is that no impacts to the sidewalk or Cumberland Avenue will occur. The applicant should specifically note whether any closures/impacts to traffic and pedestrians are anticipated, and if so the plan should provide details on how transportation elements will be managed.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE

Senior Associate

Traffic Engineering Director

**TYLIN** INTERNATIONAL

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## MEMORANDUM



**TO:** Matt Grooms, Planner  
**FROM:** Lauren Swett, PE  
**DATE:** May 16, 2017  
**RE:** 5-7 Cumberland Avenue, Level III Site Plan Response to Comments

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Woodard & Curran has reviewed the Site Plan Response to comments for the proposed development located at 5 Cumberland Avenue in Portland, Maine. The project involves the construction of a four story residential building with a shared driveway and parking in the rear of the lot.

### **Documents Reviewed by Woodard & Curran**

- Response to Comments and attachments, dated May 12, 2017, prepared by bild ARCHITECTURE, on behalf of Banner Properties, LLC.
- Engineering Plans, dated May 12, 2017, prepared by Plymouth Engineering Inc., on behalf of Banner Properties, LLC.

### **Comments**

- 1) In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards.
  - a) Basic Standard: The Applicant has provided Erosion & Sediment Control notes, details, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500.
  - b) General Standard: The project will result in a de minimis increase in impervious area of approximately 315 square feet. The Applicant has proposed pervious pavers on the site for the parking and driveway area, connecting to the adjacent 30 Merrill Street site. The project will provide adequate stormwater treatment.
  - c) Flooding Standard: The project will result in a de minimis increase in impervious area of approximately 315 square feet. As such, the project is not required to include any specific stormwater management features to control the rate or quantity of stormwater runoff from the site.
- 2) All comments have been addressed at this time.



Matthew Grooms &lt;mgrooms@portlandmaine.gov&gt;

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## 5-7 Cumberland Avenue - Final Traffic Comments

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Tom Errico &lt;thomas.errico@tylin.com&gt;

Fri, May 19, 2017 at 10:32 AM

To: Matthew Grooms &lt;mgrooms@portlandmaine.gov&gt;

Cc: Katherine Earley &lt;kas@portlandmaine.gov&gt;, Jeremiah Bartlett &lt;JBartlett@portlandmaine.gov&gt;, Jeff Tarling &lt;jst@portlandmaine.gov&gt;, Lauren Swett &lt;lszett@woodardcurran.com&gt;

Hi Matt – I have reviewed the revised plans and offer the following final traffic comments as a status update of my April 20, 2017 comments.

- I find the shared access/egress driveway condition to be acceptable and in fact believe this will also result in enhancements in on-site circulation for 30 Merrill Street.

**Status: I have no further comment.**

- I do not find the layout of the handicapped parking space to be acceptable. In my professional opinion, the end parking space will not be accessible. The applicant has provided a vehicle turning template graphic, but I continue to be concerned about the subject parking space being blocked. I would suggest alternative parking layout configurations be considered.

**Status: The plans have been revised and I find conditions to be acceptable. I support a waiver for parking lot aisle width. I would note that it is my understanding that City staff is requesting the applicant provide supporting information noting the handicap parking space location meets ADA requirements.**

- All parking spaces (other than the handicap parking space) are proposed to be compact size spaces. I support a waiver from the City's Technical standards as it relates to the percent of compact parking spaces allowed on a site.

**Status: I have no further comment.**

- The applicant has provided a conceptual construction management plan and my interpretation is that no impacts to the sidewalk or Cumberland Avenue will occur. The applicant should specifically note whether any closures/impacts to traffic and pedestrians are anticipated, and if so the plan should provide details on how transportation elements will be managed.

**Status: The applicant has not provided a response to this comment. I would suggest a condition of approval note the requirement for a construction management plan for review and approval prior to the issuance of any City permit.**

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE  
Senior Associate

Traffic Engineering Director

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"One Vision, One Company"



Matthew Grooms <mgrooms@portlandmaine.gov>

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## 5-7 Cumberland (2017-045)

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Tom Errico <thomas.errico@tylin.com>

Tue, May 23, 2017 at 3:51 PM

To: Matthew Grooms <mgrooms@portlandmaine.gov>

The waiver is supported given limited site area and technical information as it relates to vehicle turning analysis. Vehicles can maneuver on site without having to back into the public roadway. The use of the abutting parking area assists with circulation movements

Sent from my iPhone

[Quoted text hidden]

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Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.