

14-H-15
43-45 Turner Street
Hagge Residence
Cyns Hagge

#2007-0212

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

2007-0212
Application I. D. Number

12/27/2007
Application Date

Hagge Residence
Project Name/Description

Cyrus & Patricia Hagge
Applicant

225 Commercial Street, Portland, ME 04101
Applicant's Mailing Address

Consultant/Agent

Applicant Ph: (207) 775-7442 Agent Fax: _____
Applicant or Agent Daytime Telephone, Fax

43 - 45 Turner St, Portland, Maine
Address of Proposed Site

014 H015001
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 5512 Acreage of Site R6 Zoning

Check Review Required:

- Site Plan (major/minor) Zoning Conditional - PB Subdivision # of lots _____
- Amendment to Plan - Board Review Zoning Conditional - ZBA Shoreland Historic Preservation DEP Local Certification
- Amendment to Plan - Staff Review Zoning Variance Flood Hazard Site Location
- After the Fact - Major Stormwater Traffic Movement Other _____
- After the Fact - Minor PAD Review 14-403 Streets Review

Fees Paid: Site Plan \$400.00 Subdivision _____ Engineer Review _____ Date 12/28/2007

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	_____ date	<input type="checkbox"/> Conditions (See Attached)	_____ expiration date
<input type="checkbox"/> Final Inspection	_____ date	_____ signature	
<input type="checkbox"/> Certificate Of Occupancy	_____ date		
Performance Guarantee Released	_____ date	_____ signature	
Performance Guarantee Submitted	_____ submitted date	_____ amount	_____ expiration date
Performance Guarantee Released	_____ date	_____ signature	



Site Plan Application

Department of Planning and Development
Portland Planning Board

Address of Proposed Development: 43-45 TURNER ST Zone: R6	
Project Name: HAGGE RESIDENCE	
Existing Building Size: NA sq. ft.	Proposed Building Size: sq. ft. 3,512
Existing Acreage of Site: sq. ft. 5,512	Proposed Acreage of Site: sq. ft. 5,512
Tax Assessor's Chart, Block & Lot: Chart# Block # Lot# 014 H 15	Property Owners Mailing address: CYRUS HAGGE 225 COMMERCIAL ST Portland, ME 04101
Telephone #: 775-7442 Cell Phone #: 749-0534	
Consultant/Agent Contact Name and mailing address, Telephone # and Cell Phone # : CYRUS HAGGE 749-0534 Chagge@mac.com	Applicant's Name/Mailing Address: CYRUS & PATRICIA HAGGE 225 COMMERCIAL ST Portland, ME 04101
Telephone #: 775-7442 Cell Phone #: 749-0534	
Fee For Service Deposit (all applications) <u> </u> (\$200.00)	
Proposed Development (check all that apply) <input checked="" type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Storm water Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____	
Major Development (more than 10,000 sq. ft.) <input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)	
~ Please see next page ~	

Exterior Window and Door Schedules

43-45 Turner Street, Portland Maine

All windows are Anderson 400 TW Series

Window and Door trim to have 5/4" by 4" headers and 1" by 4" side trim

Unit	Size W x H	Type	Egress window
3072	3'-1 5/8" by 7'-4 7/8"	Dbl-Hung	Yes
2872	2'-9 5/8" by 7'-4 7/8"	Dbl-Hung	Yes
2462	2'-5 5/8" by 6'-4 7/8"	Dbl-Hung	Yes
2862	2'-9 5/8" by 6'-4 7/8"	Dbl-Hung	Yes
3062	3'-1 5/8" by 6'-4 7/8"	Dbl-Hung	Yes
AW 41	2'-11 15/16" by 4'-0"	Awning	No
AW 31	2'-11 15/16" by 2'-0 1/8"	Awning	No
AW 21	2'-0 1/8" by 2'-0 1/8"	Awning	No
AXW 31	2'-11 15/16" by 2'-11 15/16"	Awning	No
AP 32 V	2'-11 15/16" by 4'-0"	Venting	No

Exterior Doors

South Elevation

3080 RH	3'-0" by 8'-0"*	Clear View Glass
3080 LH	3'-0" by 8'-0"*	Clear View Glass

East Elevation

3080 LH	3'-0" by 8'-0"	Flush painted Steel
---------	----------------	---------------------

West Elevation

3080 LH	3'-0" by 8'-0"*	Clear View Glass
---------	-----------------	------------------

* Anderson Architectural 400 Series Wood/glass Door

Rick Knowland - Re: Turner Street

From: Rick Knowland
To: Barbara Barhydt
Date: 3/9/2009 1:58 PM
Subject: Re: Turner Street
CC: Philip DiPierro

Good question. I used the packet that is out front in the filing cabinet.

>>> Barbara Barhydt Monday, March 09, 2009 >>>

I need to look at it in order to respond. Can I look at it tomorrow? Are you using the updated R-6 standards or the original set?

Thanks.

Barbara

>>> Rick Knowland Monday, March 09, 2009 12:23 PM >>>

Barbara, The developer of the Turner St. duplex (Cyrus Hagge) has made some revisions to the facade of the building. Phil has taken some pictures of the completed facade and Cyrus has submitted some facade plans of the changes. Apparently he is nearing a c of o request.

The most significant change is a curvilinear glass block field adjacent to the secondary entrance to the building. The primary part of the building is built to the street line (with an entrance) but a secondary wing of the building is set back about 45 from the street.

I've looked at the r-6 infill standards and I believe this project meets the standards. There are two standards that reference not using more than 2 different types of windows. One of the standards (F-2) states no more than two window types "except where there is a design justification." Initially I thought glass block should be considered a window but glass block is glass not a window.

How would you like to proceed?

Rick Knowland - 45 Turner St. landscaping plan

From: Rick Knowland
To: chagge@mac.com
Date: 9/12/2008 1:20 PM
Subject: 45 Turner St. landscaping plan
CC: Barbara Barhydt; Jeff Tarling

Cyrus, We are in receipt of your letter of Sept. 3, 2008 and a revised lanscaping plan dated April 2008 prepared by Albert Nickerson for the 45 Turner property.

I have reviewed the revised plan with Jeff Tarling and he has confirmed that the landscape revisions are acceptable. Should you have any questions please feel free to call me.

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)

Who billing will be sent to:

CYRUS Y HAYSE
225 Commercial St
Portland, Me 04101


Submittals shall include (7) separate **folded** packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans checklist
- d. 1 set of 11x17 plans

Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: portlandmaine.gov

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 Code Official'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 Building Permit application and associated fees will be required prior to construction.

Signature of Applicant: 	Date: 12-27-07
--	-------------------

MODE = MEMORY TRANSMISSION

START=JAN-25 11:19

END=JAN-25 11:20

FILE NO.=832

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	917027982423	003/003	00:00:42

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
 Department of Planning and Development
 Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: COLLEEN GARIJ

Company: US EPA, LUFC

Fax #: 702-798-2423

Date: JAN 24, 2008

From: RICHARD KNOWLAND

You should receive 3 page(s) including this cover sheet.

Comments:

COLLEEN - AS DISCUSSED YESTERDAY I HAVE REVISED THE
 EPA FEDERAL CASH TRANSACTION REPORT. I HAVE DISCUSSED
 YOUR CONCERN ABOUT INCORPORATING THE PUBLIC HEALTH
 DIVISION GRANT IN THIS FORM AND PUBLIC HEALTH
 INDICATOR FIGURES WILL BE AVAILABLE ON MONDAY.
 ACCORDINGLY WE WILL FORWARD A REVISED REPORT BACK
 TO YOU BY MONDAY OR TUESDAY.
 PLEASE FEEL TO CALL ME AT 207-874-8725.

RICHARD KNOWLAND

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2007-0212

Date: 1/2/2008

This project is being reviewed under 14-139(2), the small lot development standards.

I need more information on the building heights on the side and rear, in order to determine the required setback per the ordinance regulations. Also either one side setback or the rear setback needs to be at least 15'. The right side setback is shown as 14.99' and the closest point in the rear is given as 12'. It seems to me that the applicant could revise the plans to at .01' to the side setback to get the 15' setback. The applicant is meeting the open space requirements with a 24'x24' area shown. Two parking spaces are required and two parking spaces are being shown.

Marge Schmuckal
Zoning Administrator

Sec 14-139(2) (rear and side yard provision)

Th

SECTION III – TRAFFIC DESIGN STANDARDS AND GUIDELINES

completely contained within the facility, and vehicles located within one portion of the facility shall have access to all other portions without using the adjacent street system.

- (h) Off-street truck maneuvering: Where the use of a plot includes a truck loading, parking, or service facility, adequate space shall be provided such that all truck maneuvering is performed off the street.

B. Single and Two-Family (up to 4 spaces)

- (a) Minimum/maximum driveway width: Any site shall have a minimum twelve (12) foot driveway, where multi-units are proposed, a maximum twenty (20) foot driveway will be allowed.
- (b) Location of driveway: Driveways shall be located on the lot in a manner to provide a minimum twenty (20) foot spacing between existing or proposed driveways.

NOTE: Refer to "Guidelines for Driveway Design and Location", Institute of Transportation engineers, 1985 or current, for additional design guidelines (on file in Traffic Department).

C. Ingress Lanes (Slip lanes)

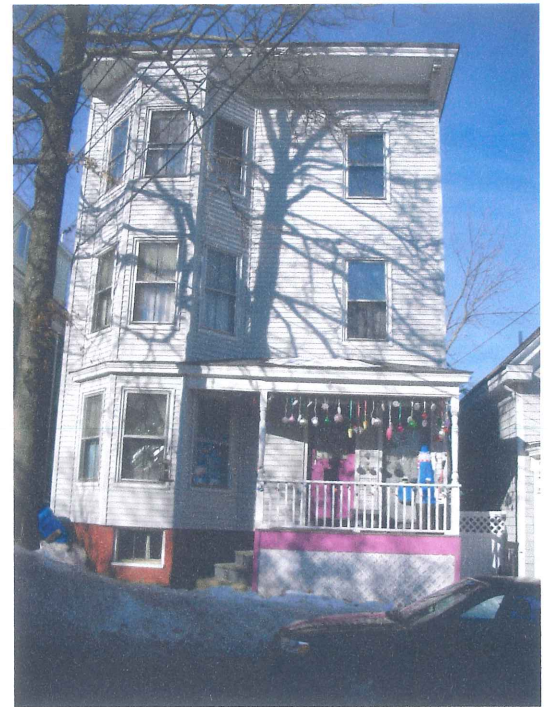
- (a) Ingress left-turn lanes requirements: A twelve (12) foot wide left-turn lane with appropriate storage and transition shall be provided at each driveway where the peak hour inbound left-turn volume is thirty (30) vehicles or more.
- (b) Ingress right-turn lanes: For any site, a twelve (12) foot wide right-turn lane with appropriate storage and transition shall be provided at each driveway where the highway average daily traffic exceeds 10,000 vehicles per day, permitted highway speeds exceed 35 miles per hour, and driveway volume exceeds 1,000 vehicles per day with at least forty (40) right-turn movements during peak periods. For any site, a right-turn lane as described in this subparagraph shall be provided at each driveway where right-turn ingress volumes exceed seventy-five (75) vehicles per peak hour.

3. STANDARDS: Parking Lot/Parking Space Design

- A. Parking space: The standard parking space is 9 feet wide by 19 feet long.
- B. Compact spaces: Any parking lot may be designed with a maximum allowance of 35 percent compact spaces over and above the required minimum number of spaces by the zoning ordinance. The space shall have a minimum design of 7-1/2 feet wide by 15 feet long.
- C. Parking lot layout: Lot layout shall conform to Figures III-1 and III-2.
- D. Aisles: Vehicular access shall be provided by one or more aisles, minimum widths of aisles are outlines in Figures III-1 and III-2.

43-45 Turner Street Neighborhood Properties

Assorted Houses around the 45 Turner St. Block



Enacted 04-13-04
Revisions Approved 02-23-07

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.

II. SUBMITTAL REQUIREMENTS

The applicant shall submit a site plan and building elevations in accordance with final application requirements of the Site Plan Ordinance (Sec. 14-525). In order to illustrate neighborhood context for a proposal, the applicant shall submit photographs or other visual tools to depict the buildings within a two block radius of the site in order to determine the building elements that contribute to and are compatible with the predominant character defining architectural features of the neighborhood.

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 depictions of buildings on the adjoining block shall also be required.

The Planning Authority may request that consideration be made of buildings in the neighborhood that are comparable in size, scale and use to that which is being proposed, or that consideration be made of the characteristics of buildings which were originally designed for a similar use to that which is proposed. 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. 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 case, the Planning Authority shall determine the scope of the neighborhood.

Samples of the proposed exterior materials may be requested by the Planning Authority.

II. DESIGN PRINCIPLES AND STANDARDS

PRINCIPLE A Overall Context

A building design shall contribute to and be compatible with the predominant character-defining architectural features of the neighborhood.

Explanatory Note: The central idea behind good design in an established neighborhood is to reinforce positive features of the surrounding area, which provide its unique identity. To a large degree, the scale, mass, orientation, and articulation of an infill building should be compatible with that of the buildings that surround it.

Compatibility refers to the recognition of patterns and characteristics which exist in a given setting and the responsiveness of a new design with respect to these established patterns and characteristics. While there is no one specific solution for a given setting, there are a number of building characteristics which can be used to gauge visual compatibility of new residential construction in an existing neighborhood. These characteristics include the design elements such as:

1. Scale and Form: height, massing, proportion of principal facades, roof shapes and scale of the architectural features of the structure.

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.

STANDARD B-1 Massing 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.

STANDARD B -2 Roof Forms Roof forms shall refer to the architectural forms found 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 roof forms on both side of the street within the block of the proposed site.

STANDARD B -3 Main Roofs and Subsidiary Roofs The building shall have a clear main roof form. Subsidiary roof forms and dormers shall be clearly subordinate to the main form in size, space and number. Where a building has multiple rooflines (e.g., main roof, dormer roof, porch roof, etc.) *there shall not be more that two roof pitches or outlines overall.*

STANDARD B-4 Roof Pitch Gable roofs shall be symmetrical with a pitch of between 7:12 and 12:12. Hip roofs with a shallow pitch and flat roofs shall have a cornice of at least 12 inches in width. The slope of the roof may be either parallel or perpendicular to the street. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. No mono pitch roofs shall be less than 7:12, except for porch roofs. There is no minimum pitch for porch roofs.

STANDARD B-5 Facade Articulation Provide variety in the massing by incorporating at least two or more of the following architectural elements. Such features shall be applied to the front façade and those portions of the building that are readily visible from the public way.

1. Gables or dormers.
2. Balconies.
3. Recessed entries.
4. Covered porches, covered entries or stoops.
5. Bay windows. In the case of horizontally attached dwelling units, at least one-half of the ground floor units shall have a bay window to receive credit as a design feature.

STANDARD B-6 Garages Attached and detached garages are allowed provided that the street-facing façade of the garage is recessed behind the façade of the main structure by a minimum of four feet. However, if the garage is integrated into the building form, the garage door may be included into the front façade of the dwelling providing that there are at least one story of living space over the garage. In this instance, the garage door width may be no more than 40% of the width of the building's overall façade width, except that no garage door need be reduced to less than 9 feet in width. Standard C-2 is not required if there is no living space on the ground level.

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

front façade (and for corner lots, both street-facing facades) shall be at least 12% of the total facade area. Appropriately scaled windows or other building openings shall be included on all sides of a building.

STANDARD D-3 Porches When porches are attached to the front facade, [or for porches that are required as an open space amenity under Section 14-139(f)] the porches shall extend along a horizontal line at least 20% of the front façade. Porches and balconies must have a minimum depth of 6 feet and a minimum square footage of 48 square feet. The depth may be reduced to 5 feet provided that the square footage is increased to 60 square feet.

1. For porches and balconies that are required as open space amenities under Section 14-139(f), a porch or deck may have entries to two or more units provided that the required dimensions and square footage allocations are met.

PRINCIPLE E Balance

The building's façade elements must create a sense of balance by employing local or overall symmetry and by appropriate alignment of building forms, features and elements.

Explanatory Note: Balance refers to the composition of façade elements. Symmetry refers to the balanced distribution of equivalent forms and spaces about a common line (axis) or point (center). Overall symmetry refers to arrangements around an axis line that bisects the building façade equally. Local symmetry refers to arrangements around an axis line that focuses on a particular building element (e.g., a porch or bay window). A balanced façade composition generally employs overall or local symmetry.

Alignment refers to the position of building elements with each other and with the building form as determined by scale, mass, roofline, slopes, etc.

STANDARD E-1 Window and Door Height The majority of window's and door's head heights shall align along a common horizontal datum line.

STANDARD E-2: Window and Door Alignment The majority of windows shall stack so that centerlines of windows are in vertical alignment.

STANDARD E-3: Symmetricality Primary window compositions (the relationship of two or more windows) shall be arranged symmetrically around the building façade's centerline (overall symmetry) or around another discernable vertical axis line.

PRINCIPLE F Articulation

The design of the building is articulated to create a visually interesting and well composed residential façade.

Explanatory Note: Articulation refers to the manner in which the shapes, volumes, architectural elements and materials of a building's surface are differentiated yet work together.

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.

PRINCIPLE G Materials

Building facades shall utilize appropriate building materials that are harmonious with the character defining materials and architectural features of the neighborhood.

STANDARD G-1 Materials Use materials and treatments for the exterior walls (including foundation walls) and roofing that are harmonious with those in 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 building forms on both sides of the street within the block of the proposed site.

STANDARD G-2 Material and Façade Design The selection of façade materials shall be consistent with the façade design and appropriate to their nature. For example, brick facing should not appear to be thin layers on the façade, or to overhang without apparent support.

STANDARD G-3 Chimneys Chimneys shall be of brick, finished metal, stone or boxed-in and clad with materials to match the building.

STANDARD G-4 Window Types. A variety of window treatments and skylights are acceptable. However, within a single building the types of windows shall be limited to two types, and window detailing shall be consistent throughout.

STANDARD G-5 Patios and Plazas Patios and plazas shall be constructed of permanent materials such as concrete, brick or stone.

IV. ALTERNATIVE DESIGN REVIEW

The Standards listed above are time-honored ways of achieving the Design Principles. With exceptional care, though, it is possible to apply a design approach that meets the Principles through alternatives that vary from the Standards, while maintaining and relating to the predominant character-defining architectural elements of the neighborhood, such as the building location on the site, its relationship to the street, and its mass, form, and materials. 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 size, scale, materials and siting, as well as the general character of the established neighborhood.

Special attention shall be given to the existing building forms on both sides of the street within the block of the proposed site. If the building is proposed on a corner lot, then depictions of buildings on the adjoining block shall also be required. The Planning Authority may request that consideration be made of buildings in the neighborhood that are comparable in size, scale and use to that which is being proposed, or that consideration be made of the characteristics of buildings which were originally designed for a similar use to that which is proposed. 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.

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.

- Carrie - review design

10' US 14.99

- Right of adjoining bldg
- accurately - show back



City of Portland, Maine Site Plan Checklist

Cyrus + Patricia Hays
Project Name, Address of Project

2007-0212
Application Number

R-6 - small lot infill - 5,512 sq ft

Section 14-525

Submitted () & Date (b,c)	Item	Required Information	
✓	(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, 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
<u>yes - needs - improve</u>	(11)	Approx location of buildings or other structures on parcels abutting the site	d
<u>no</u>	(12)	Location of on-site waste receptacles	e
<u>show shown - except com</u>	(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
<u>NA</u>	(19)	Loading facilities	g
✓	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
<u>back</u>	(21)	Curb and sidewalks	g
	(22)	Landscape plan showing:	h
	(23)	Location of existing proposed vegetation	h
	(24)	Type of vegetation	h
<u>need 4 trees - 2 shrubs</u>	(25)	Quantity of plantings - on site	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
<u>NA</u>	(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	k
✓	(33)	Written statement	c
✓	(34)	Description of proposed uses to be located on site	l
<u>2</u>	(35)	Quantity and type of residential, if any	l
✓	(36)	Total land area of the site	b2
✓	(37)	Total floor area and ground coverage of each proposed building and structure	b2
✓	(38)	General summary of existing and proposed easements or other burdens	c3
✓	(39)	Method of handling solid waste disposal	4
✓	(40)	Applicant's evaluation of availability of off-site public facilities, including sewer, water and streets	5
✓	(41)	Description of any problems of drainage or topography, or a representation that there are none	6
	(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	8

_____	(44)	The status of any pending applications	8
_____	(45)	Anticipated timeframe for obtaining such permits	h8
_____	(46)	A letter of non jurisdiction	h8
_____	(47)	Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that is has reviewed the planned development and would seriously consider financing it when approved.	

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; and
- 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:

Section 14-525 (c) Minor Site Plan Review, Two Family Structure @ 43-45 Turner Street

- (1) Description of the proposed use: Owner occupied two family.
- (2) Total land area: 5,512 square feet, total floor area is 5,449 and total ground coverage is 1,555 square feet or 28.21 % lot coverage. (Attachment G, Site Plan)
- (3) General summary of easements: None
- (4) Types and estimated quantities of solid waste generated: The solid waste will similar to a typical residential dwelling unit with curb side trash and recycling provided by the city.
- (5) Evidence of the availability of off-site facilities: Water, sewer and natural gas are in the street directly in front of the proposed structure with CMP and cable TV overhead on the pole across the street.
- (6) Existing drainage and the proposed measures to control surface water runoff: See letter from DeLuca Hoffman outlining drainage control.
- (7) Proposed Construction Plan: Upon receiving the building permit construction will commence with completion anticipated with in 8 months.
- (8) There are no State or Federal regulatory approvals required.
- (9) Evidence of financial and technical capacity: (See Attachments B,C Applicant's Resume and Letter from Key Bank)
- (10) Evidence of applicant's title: (See Attachment D, Warranty Deed)
- (11) There are no unusual natural areas, wildlife or habitats on this site.

14-136 R-6 Permitted uses: (a) 1. Residential including two family

14-139 (2) Small Residential Lot Development:

1. The lot is vacant or used exclusively for parking and not used for residential purposes as of January 1, 2005: The proposed lot was created and recorded on 11/03/1995 Book 12198 page 262. (See Attachment E, lot of record Deed)
 - (a) Minimum lot size: None required. Actual 5,512 square feet
 - (b) Maximum lot size: 10,000 SF. Actual 5,512 SF
 - (c) Yard Dimensions:
 1. Front yard: No more than 10 feet. Proposed front yard 3- 5 feet.
 2. Rear yard: None, except that rear yards between to buildings maintain minimum of 10 feet between buildings. Proposed rear yard 12 to 18 feet with no abutting buildings
 3. Side yard: None, except that side yards between two buildings maintain minimum of 10 feet between buildings. Proposed side yard 10 and 14.99 feet. Distance from abutting structures 23 feet +/-.
 - (d) Minimum principal structure height: Two stories. Proposed is a three story structure with a two story ell.
 - (e) Maximum principal structure height: 45 feet. Proposed varies from 40.5 feet to 44 feet.
 - (f) Open space requirements: One attached deck, porch, patio or balcony per unit, or a designated open space area of 10% of total lot area: The proposed plan provides a designated open space (576 SF or 10.44%) as shown on the site plan and a 2nd floor deck area (225sf).
 - (g) Minimum lot width: None. Actual 72.88 feet
 - (h) Minimum Land area per dwelling: 725 square feet. Actual 2,756 SF

Section 14-140 Other requirement

(a) Off Street Parking

1. One parking space per dwelling unit is required and shall be located on the same lot: One parking space per unit is provided on site for two spaces.

14-526 (15) Two Family Standards

- a. Proposed structures and related site improvements shall meet the following standards:

1.

- (a) Exterior design of the proposed two-family structures shall be designed to complement and enhance the nearest residential neighborhood: (See Attachment H, Building Design Plans)

The proposed structure is in keeping within the neighborhood. Abutting the properties on three sides of the proposed structure are two 2 1/2 story multifamily houses, a triple-decker and a 1 1/2 story single family house. Within the same block there many more types of residential structures including a 4 story apartment building. (See Attachment F, Neighborhood photos)

- (b) The exterior design of the proposed two family shall be designed to compliment and enhance the nearest residential neighborhood.... The design of the exterior facades shall provide positive visual interest by incorporating appropriate architectural elements.

The proposed structure is in keeping with the traditional triple-decker style prevalent in the neighborhood and the city. The use of clapboard siding, large and frequent windows, trim boards, combinations of round and angular bay windows, recessed entryways and roof deck provide positive visual interest. (See Attachment F, Neighborhood photos)

2. The proposed development shall respect the existing relationships of buildings to public streets:

The proposed structure respects the existing relationships of the neighborhood by sitting close to the street with broad front steps leading from a recessed front entrance. The proposed lawn areas, two street trees, planting beds are in keeping.

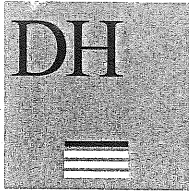
3. Open Space on the site for all two-family development shall be integrated into the development site:

There is adequate open space as required by Section 14-139 (2) 1. (f). of 10% or the site. Proposed open space will be 10.44% of the site and is located on the south-east side of the site to take advantage of good sunlight in close proximity of the side entrance.

4. The design of the proposed units shall provide ample windows to enhance opportunities for sunlight and air and sufficient storage areas.

The proposed development has ample windows and storage. (See Attachment H Building plans)

5. The scale and surface area of the parking area is arranged in keeping with the existing neighborhood.



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL. 207 775 1121
FAX 207 879 0896

ATTACHMENT A.1

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

December 7, 2007

Mr. Cyrus Hagge
225 Commercial Street
Portland, Maine 04101

**Subject: Two Family Dwelling 43-45 Turner Street
Stormwater Management Review**

Dear Cyrus:

DeLuca-Hoffman Associates, Inc. has reviewed the existing conditions pertaining to the proposed two family dwelling at 43-45 Turner Street. The project site is located between Emerson Street and Howard Street in the City of Portland's east end. The 5,512 SF development site is characterized by basic grassed surface and remnant gravel areas associated with the presumed site of a barn or other similar incidental structure. Based on a site survey by Owen Haskell Inc., the site may have formerly contained at least one structure. The site generally slopes from the west side to the east side and has approximately 6 feet of relief. A brick sidewalk and typical City street section front the property.

The proposed project involves building construction for a two family dwelling unit and a modest amount of sidewalk and driveway construction.

There are no known problems with drainage or topography on the subject parcel, although as we have noted the site generally drains from side to side, therefore existing runoff is mostly directed to an abutting property rather than to the street. The site's drainage regime consists of sheet flow off the abutter's building roof and pavement surfaces as well as site-generated runoff. Runoff is generally shed towards the east side and rear of the property where it flows onto an adjoining yard prior to ultimately draining to Emerson Street to the east.

The project will result in additional impervious area. The drainage patterns for the site will be revised as part of the site grading. Specifically, the building will have a roof gutter system that will capture the roof runoff and direct it towards onsite swales that will drain to the street. A swale will be constructed on the west of the structure that will drain from rear to front, thus capturing runoff originating from west of the site. A second minor drainage path will be created with grading along the east side of the site to capture runoff from the open space area and a small two car parking area. This swale will also drain from the middle of the site towards the street line. The placement of these minor drainage paths will effectively capture greater than 75% of the site runoff and direct it towards Turner Street rather than to adjacent properties. The amount of area draining to adjacent properties will be substantially reduced. The small area that will continue to drain towards the property to the east will be grassed and not impervious surface thus also minimizing any potential for increased runoff conditions to abutters. The site's size

A.2

Mr. Cyrus Hagge
December 7, 2007
Page 2

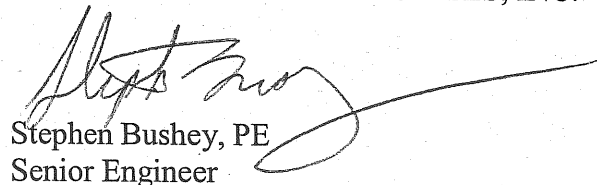
minimizes the amount of runoff generated therefore it will not generate a significant increase in runoff volumes or peak discharges. The drainage system in the street should be sufficient to handle the runoff originating from the developed site. As such no further analysis has been prepared. As part of this application, a waiver is requested for any further study or mitigation measures associated with stormwater quantity or quality control.

We trust this letter will satisfy the City's requirements as evidence of the site's drainage and runoff conditions.

If you have any questions please call this office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.



Stephen Bushey, PE
Senior Engineer

SRB/sq/JN2795/Hagge12-07-07

CYRUS Y. HAGGEBUSINESS

Project Management, Inc.
225 Commercial Street, Suite 502
Portland, Maine 04102
(207) 775 - 7442

RESIDENCE

55 Bowdoin Street
Portland, Maine 04101

EDUCATION

M.B.A. – Finance/Marketing, University of Southern Maine
B.S. - Business, University of Southern Maine
Construction Technology, Central Maine Technical Collage
High School - Hebron Academy

EXPERIENCE

- 11/86 - Project Management, Inc., Owner/ Manager of the Portland based construction / project management and property management company, with construction and property management projects in the Southern Maine area.
- 10/06- Maine College of Art, Board member and Vice Chair Facilities Planning Committee.
- 11/03- Portland Downtown District, Current President of the District Board
- 1/02- Cumberland County YMCA, President of the board of Directors
- 01/90-12/02 Portland Planning Board, Past chair and board member of the
- 5/91-11/02 Casco Bay Island Transit District, First elected to board May 1991 and Board Chair from 1996-2002. Duties have included: Treasurer, Chair of the Rate Structure, Pension and Finance Committees.
- 11/88-11/92 Ingraham Volunteers, Treasurer and Board Member .
- 4/86-11/86 New England Financial Advisors, Financial analyst for the Portland based financial planning firm. Responsibilities included financial planning, real estate and construction cost analysis and project management.
- 9/83 -1/86 University of Southern Maine, Part-time instructor and undergraduate teaching assistant in Marketing, Marketing Research and Computers, while a full time MBA Candidate.
- 10/77-8/83 Renaissance Building & Design Inc., Owner and manager of this general contracting company specialized in restoration and renovation of historic properties.

PERSONAL

Married, Three Children, Birth-date 12/29/52

INTERESTS

Competitive swimming, sailing, scuba diving and skiing.

Selected List of Construction/Project management projects:

Commercial Renovations:

- * Two Union Street Renovations
- * Greater Portland YMCA Renovations
- * Chase Block: 217 Commercial Street, Portland
- * Preble Street Resource Center: Preble Street, Portland
- * Moore Boathouse: Little Diamond Island, Portland
- * Winslow Block: 225 Commercial Street, Portland
- * Knights of Columbus Building: Park Street, Lewiston
- * Cooper's Corner: Route 9, Kennebunk
- * Clap Building: 373 Fore Street, Portland
- * Thomas Block: 100 Commercial Street, Portland
- * C.H. Robinson Paper Building: 5 Moulton Street, Portland

Residential Renovations:

- * Holt House: Bowdoin Street, Portland
- * Asen Residence: Danforth Street, Portland
- * Robitzek Cottage: Great Diamond Island, Portland
- * Andrew Parker House: Westbrook Street, Portland
- * Wilkis Residence: Shore Road, Cape Elizabeth
- * Gregory Residence: Spring Street, Portland
- * Ward Residence: Shore Road, Cape Elizabeth

New Construction:

- * Jones Residence, Morton Road ,Yarmouth
- * Backer Residence: Rugosa Way, Cape Elizabeth
- * Asen Cottage: Little Diamond Island, Portland
- * Higgins Residence: Stonegate Road, Cape Elizabeth
- * McCown Cottage: Little Diamond Island, Portland
- * Eldredge Residence: Pleasant Valley Road, Cumberland Center
- * McCue Cottage : Great Diamond Island, Portland
- * Turina Residence: Yarmouth
- * Mealey Cottage: Little Diamond Island, Portland
- * Dodd Cottage: Little Diamond Island, Portland

**Key Private
Bank**



Banking Services

KeyBank National Association
Member FDIC

Mailcode: ME-01-99-0177
One Canal Plaza, 2nd Fl
Portland, ME 04101

Toll Free: 800-876-8401
Tel: 207-874-7387
Fax: 207-874-7287

December 26, 2007

Cyrus Y. Hagge
225 Commercial St, Suite 502
Portland, ME 04101

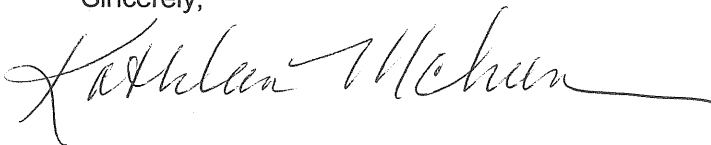
Re: 45 Turner Street

Dear Cyrus,

Thank you for meeting with me to discuss your plans for 45 Turner St, Portland, Maine. Based on our initial review of your plan, Key Bank N.A. would be pleased to consider a request from you to provide financing for the project once you have received the appropriate approvals.

I have enjoyed the relationship we've had over the years and look forward to continuing the relationship in the future. Please keep me posted on your progress with the project.

Sincerely,



Kathleen McKeen
Vice President
Phone: (207) 874-7114
Kathleen_McKeen@keybank.com

WARRANTY DEED
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, that I JANICE B. COLELLO, of Portland, County of Cumberland, State of Maine, for consideration paid, grant to CYRUS Y. HAGGE and PATRICIA H.D. HAGGE, of Portland, Maine, whose mailing address is 225 Commercial Street, Portland, Maine 04101, with Warranty Covenants, as joint tenants and not as tenants in common, the land in Portland, Cumberland County, Maine, described as follows:


A certain lot or parcel of land, with all buildings thereon, situated on Turner Street in Portland, County of Cumberland, State of Maine, more fully bounded and described as follows:

Being Lot #2 as fully set forth in a Property Plan and Lot Division made for Janice B. Colello by John D. Palmiter, a licensed professional surveyor, said Plan dated July 28, 1995 and recorded in the Cumberland County Registry of Deeds at Plan Book 195, Page 239. Said Lot consists of 5,512 square feet.

The aforesaid Lot is a portion of those premises granted to the aforesaid Janice B. Colello by Aaron A. DiRenzo and Eva DiRenzo, her parents, by deeds recorded in the Cumberland County Registry of Deeds at Book 7986, Page 49 and Book 12062, Page 307. This lot is also a portion of those premises granted to the aforementioned DiRenzo's by deed of St. Lawrence Wright Memorial Congregational Church, said deed recorded in the aforesaid Registry of Deeds at Book 2683, Page 7.

Being the same premises conveyed to the Grantor herein by deed of Janice B. Colello dated October 30, 1995 and recorded in the Cumberland Registry of Deeds in Book 12198, Page 261.

WITNESS my hand and seal this 1st day of November, 2007.



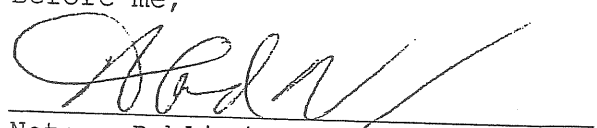
Witness



Janice B. Colello

STATE OF MAINE
COUNTY OF CUMBERLAND, ss

On November 1, 2007, personally appeared the above named JANICE B. COLELLO and acknowledged the foregoing instrument to be her free act and deed.

Before me,


Notary Public/Attorney-At-Law
Alan R. Nye

ATTACHMENT E,

BK12198PG261

57581

QUITCLAIM DEED
Without Covenant

KNOW ALL MEN BY THESE PRESENTS,

That I, Janice B. Colello, now of Portland, County of Cumberland, State of Maine

in consideration of one dollar (\$1.00) and other valuable considerations

paid by myself, Janice B. Colello, now of Portland, County of Cumberland, State of Maine,

whose mailing address is 5 Gable Court, Portland, Maine 04103

the receipt whereof I do hereby acknowledge, do hereby remise, release, bargain, sell, and convey, and forever quitclaim unto the said Janice B. Colello,

her heirs and assigns forever,

a certain lot or parcel of land, with all buildings thereon, situated on Turner Street in Portland, County of Cumberland, State of Maine, more fully bounded and described as follows:

Being Lot #2 as fully set forth in a Property Plan and Lot Division made for Janice B. Colello by John D. Palmiter, a licensed professional surveyor, said Plan dated July 28, 1995 and recorded in the Cumberland County Registry of Deeds at Plan Book 195, Page 239. Said Lot consists of 5,512 square feet.

The aforesaid Lot is a portion of those premises granted to the aforesaid Janice B. Colello by Aaron A. DiRenzo and Eva DiRenzo, her parents, by deeds recorded in the Cumberland County Registry of Deeds at Book 7986, Page 49 and Book 12062, Page 307. This Lot is also a portion of those premises granted to the aforementioned DiRenzo's by deed of St. Lawrence Wright Memorial Congregational Church, said deed recorded in the aforesaid Registry of Deeds at Book 2683, Page 7.

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Janice B. Colello,

her heirs and assigns forever.

BK12198PG262

IN WITNESS WHEREOF, I, the said Janice B. Colello, relinquishing and conveying all rights by descent and all other rights to the above described premises, hereunto set my hand and seal this 30th day of the month of Oct 1995.

Signed, Sealed and Delivered in the presence of

David Turely

Janice B Colello
Janice B. Colello

COUNTY OF CUMBERLAND
STATE OF MAINE

Oct 30, 1995

Personally appeared before me the above named Janice B. Colello who acknowledged the foregoing to be her free act and deed.

David S. Turely Esq
~~Notary Public/Attorney-at-law~~
David S. Turely

RECEIVED
RECORDED REGISTRY OF DEEDS
95 NOV -3 PM 2:13
CUMBERLAND COUNTY
John B O'Brien

MINOR SITE PLAN REVIEW

43-45 TURNER STREET

APPLICANT

CYRUS & PATRICIA HAGGE

55 Bowdoin Street
Portland, ME 04102

TABLE OF CONTENTS

1. 14-525 C Minor Site plan review, written statements
2. 15-136 R6 Permitted uses, written statement
3. 15-522~~6~~(15) Two Family standards, written statement.
4. Attachment A, DeLuca Hoffman cover letter
5. Attachment B, Hagge Resume
6. Attachment C, Key Bank Letter
7. Attachment D, Warranty Deed
8. Attachment E, Lot of record Deed
9. Attachment F, Assorted neighborhood photos
10. Attachment G, Site Plans, DeLuca Hoffman
11. Attachment H, Building Plans, Leland Hulst AIA



PORTLAND MAINE

Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov

Lee Urban - Director of Planning and Development
Jeanie Bourke - Inspection Division Services Director

Turner Eastern Promenade LLC
200 High Street
Portland, Maine 04101

CBL: 014 – I – 013 Application # 2005-0276

Located at 7 Turner Street

Dear Mr. Toothacker:

STOP WORK ORDER

An evaluation of the above-referenced property on 05/25/2007 revealed that site work was being conducted which exceeds the approved site plan. In particular, parking area construction and soil disturbance. This site work requires approval by the City of Portland.

Appropriate approvals have not been issued for the work listed above, therefore all site activity at that property must STOP immediately. This is a **STOP WORK ORDER** pursuant to Section 14-523 and 14-528(b) of the Land Use Code of the City of Portland.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 6-1 of the Code and in Title 30-A of M.R.S.A. Section 4452. This constitutes an appealable decision pursuant to Section 112 of the City of Portland Building Code.

If you wish to discuss this matter, or you have any questions, please feel free to contact me.

Sincerely,

Tammy Munson @ (207) 874-8706 Code Enforcement Officer / Plan Reviewer

DEVELOPMENT REVIEW COORDINATOR
POST APPROVAL PROJECT CHECKLIST

Date: 2/3/09

Project Name: Cyrus Hagge Duplex

Project Address: 43-45 Turner Str.

Site Plan ID Number: 2007-0212

Planning Board/Authority Approval Date: 2/7/08

Site Plan Approval Date: 2/20/08

Performance Guarantee Accepted: 2/27/08

Inspection Fee Paid: 2/27/08

Infrastructure Contributions Paid: N/A

Amount of Disturbed Area in SF or Acres: 5512 SF

MCGP/Chapter 500 Stormwater PBR: N/A

Plans/CADD Drawings Submitted: _____

Pre-Construction Meeting: 2/28/07

Conditions of Approval Met: 5/28/09

As-Builts Submitted: _____

Public Services Sign Off: Sidewalk?

Certificate of Occupancy Memo Processed:
(Temporary or Permanent) 5/28/09

Performance Guarantee to Defect Guarantee: 5/28/09

Defect Guarantee Released: _____



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life® www.portlandmaine.gov

Finance Department
Ellen Sanborn, Director

June 3, 2009

Donna D. Cleaves
KeyBank National Association
Mailcode: ME-01-99-0177
One Canal Plaza, 2nd Fl.
Portland, ME 04101

Re: Cyrus Hagge – 43-45 Turner Street – Performance Guarantee
Escrow Account #191774012949 dated February 25, 2008

This is to inform you that I am authorizing the reduction in the above-named letter of credit by the amount of \$34,267.50. Please send payment directly payable to:

Cyrus Hagge
225 Commercial Street
Portland, Maine 04101

DG Balance \$ 3807.50

6/4/09

If you require any further information, please let me know.

Sincerely,

Ellen Sanborn
Finance Director

ES:mmma

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

SITE PLAN/SUBDIVISION
PERFORMANCE GUARANTEE
ESCROW ACCOUNT
Acct #191774012949

February 25, 2008

Lee D. Urban
Planning and Development Department Director
Planning Division
City of Portland, 4th Floor
389 Congress Street
Portland, Maine 04101

Re: Application of Cyrus Hagge for a Minor Site Plan at 43-45 Turner St, Portland,
Maine

Key Bank N.A. hereby certifies to the City of Portland that Key Bank N.A. will hold the sum or \$38,075.00 in an interest bearing count established with the Bank. This account shall be in the name of the City Of Portland and shall represent the estimated cost of installing site improvements as depicted on the 43-45 Turner Minor Site Plan, approved 2/7/2008 as required under Portland Code of Ordinances Chapter 14 §§ 499, 499.5, 525 and Chapter 25 §§ 46 through 65. It 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.

Key Bank N.A. will hold these funds as escrow agent for the benefit of the City subject to the following:

The City, through its Director of Planning and Development and in his sole discretion may draw against this Escrow Account by presentation of a draft in the event that:

1. The Developer has failed to satisfactorily complete by 8/1/2009 the work on the improvements contained within the 43-45 Turner Street Minor Site Plan approval, dated 2-7-08; or
2. the Developer has failed to deliver to the City a deed containing the meets and bounds description of any streets, easements or other improvements required to be deeded to the City or
3. the Developer has failed to post the ten percent (10%) Defect Guarantee required by the Portland Code of Ordinances Chapter 14 §§501 and 525: or

4. the Developer has failed to notify the City for inspections in conjunction with the installation of improvements noted in paragraph one.

It is a condition of the Escrow Account that is is deemed to be automatically extended without amendment for a period(s) of one year each from the current expiration date hereof, or any future expiration date, unless within sixty (60) days prior to any expiration, Key Bank N.A. notifies the City by certified mail (restricted delivery to Duane Kline, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that Key Bank N.A. elects not to consider the Escrow Account renewed for any such additional period.

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 the Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, May authorize Key Bank N.A., by written certification, to reduce the available amount of escrowed money by a specified amount.

All cost associated with establishing, maintaining and disbursing funds from the Escrow Account shall be borne by Cyrus Hagge.

This Escrow Account expires on:

1. August 1, 2009 or ninety days following Key Bank N.A. written notice of its expiration as detailed above; or
2. Key Bank's receipt of written notification form the City of Portland that the said work contained within 43-45 Turner Street approval as required by Portland Code of Ordinances Chapter 14 §§ 499, 499.5, 525 and Chapter 25 §§ 46 through 65 has been completed in accordance with the City of Portland's specifications and Key Bank's Letter of Credit No. 191774012949 may be cancelled.

Very truly yours,

Date: 2-25-08

Seen and Agreed to:

By: Cyrus Hagge
Cyrus Y. Hagge

Key Bank N.A.

By: Kathleen McLean
Its Duly Authorized Agent

Paul M. [Signature]
Assoc. Counsel
2/27/08

Duane Kline
DRC
2/27/08

TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: May 28, 2009

RE: C. of O. for #43-45 Turner Street,
(Id#2007-0212) (CBL 014 H 015001)

After visiting the site, I have the following comments:

Site work complete

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

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

Rick Knowland - Turner Street

From: Rick Knowland

Subject: Turner Street

Hi Phil, Below is an update on Cyrus Hagge's 45 Turner St. project.

1. The applicant sent an email on 5-13-09 with an accompanying sketch indicating the dimensions of the porches/steps. Marge has reviewed this submission and has determined that they meet the applicable setback requirements.

2. It has been determined that the sidewalk by the driveway meets the intent of applicable ADA requirements since the portion of the sidewalk nearest the house (and outside the line of the tree well) has an acceptable slope.

Phil - Could you take a
look at this and see if it
~~is~~ is OK? Any suggestions?
I'll send this out ASAP

THANKU

RK

A. Preliminary Reviews (Please share preliminary comments on new or revised plans distributed week before)

- ~~1.~~ Rockledge Avenue Subdivision.....mc

B. Final Written Reviews - Major Site Plans (Planning Board Review)

- ~~1.~~ bayside trail...conditions of approval...rk
- ~~2.~~ Northgate Plaza/CVS Expansion/H&R BLock - traffic and buffer info/revisions.....jf
- ~~3.~~ Portland Hall...sw

C. Final Written Review - Minor Site Plans (Administrative Review)

D. Pressing Issues, Questions, Exemptions, and Curb Cuts

- ~~1.~~ missportlandiner proposed brick patio in city right-of-way
- ~~2.~~ Plymouth St. Subdivision....eg
- ~~3.~~ Driveway cut request for 56 Williams Street..... dm-p
- ~~4.~~ Prep Warren Green Pre-app mtg- street, zoning, access, easements....jf
- ~~5.~~ Walgreen's Allen Ave Post-App- Wash Ave easement/sign.....jf
- ~~6.~~ Gribizis warehouse- sidewalk and curbing waiver question.....mc
- 7. Cyrus Hagge's sidewalk - ADA compliant, proper curb tipdown...dm-p
- ~~8.~~ Lockard Colliision...bb
- ~~9.~~ Loading dock 200 Riverside St.....bb
- ~~10.~~ Holiday Inn - Lighting.....bb

E. Distribution of New or Revised Plans

- 1. 29 Waterville St- Landscape and ROW Licensejf
- 2. Maine Yacht Center



PORTLAND MAINE

Strengthening a Remarkable City. Building a Community for Life • www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

February 7, 2008

Cyrus Hagge
225 Commercial Street
Portland, ME 04101

RE: 43-45 Turner Street
CBL: 014-H-015
Application ID: 2007-0212

Dear Cyrus:

On February 7, 2008, the Portland Planning Authority approved a site plan for a two-unit residential building (including the R-6 Infill Development Design Principles and Standards) in the vicinity of 43-45 Turner Street as shown on the approved plan with the following conditions:

- done 5/20/09*
1. The existing tree well within the sidewalk shall be planted with a tree as approved by the City Arborist. One of the trees shown on the plan between the driveway and the building wing may be used for the tree well. Landscape material shall be planted by the front stoop with material approved by the City Arborist.
 2. That the plan shall be revised reflecting the comments of Dan Goyette memo dated February 6, 2008.
- dwe*

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 above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
2. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
3. 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 Works 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.

4. 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.
5. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. Prior to construction, a pre-construction meeting shall be held at the project site 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 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.
7. 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 Richard Knowland at 874-8725.

Sincerely,



Alexander Jaegerman
Planning Division Director

Electronic Distribution:

Lee D. Urban, Planning & Development Dept. Director
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Planner/Senior Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Lisa Danforth, Administrative Assistant
Michael Bobinsky, Public Works Director
Kathi Earley, Public Works
Bill Clark, Public works
Jim Carmody, City Transportation Engineer
Captain Greg Cass, Fire Prevention

Jeff Tarling, City Arborist
Assessor's Office
Approval Letter File
Hard Copy: Project File

**COMMITMENT & INTEGRITY
DRIVE RESULTS**41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.comT 800.426.4262
T 207.774.2112
F 207.774.6635

MEMORANDUM



TO: Rick Knowland
FROM: Dan Goyette, PE, and Lauren Swett, EIT
DATE: February 6, 2008
RE: 43-45 Turner Street, Hagge Residence

Woodard & Curran has reviewed the response to comments for the 43-45 Turner Street Hagge Residence in Portland. The applicant proposes to construct an owner occupied two family residence. The proposed building will be a new structure, built on a lot that is currently open space used for parking. The project includes associated site improvements and utility installations.

Documents Reviewed

- Response to Comments and associated attachments for 43-45 Turner Street, submitted by Cyrus Hagge, dated February 2, 2008.
- Site Development Plans for Two Family Building, 43-45 Turner Street, Portland, Maine, sheets C-1 to C-4, prepared by DeLuca-Hoffman Associates, Inc., dated January 30, 2008.

Comments

- ✓ A detail for the stabilized construction entrance should be included as part of the erosion control plan.
- ✓ A sewer lateral should be provided for each unit.
- ✓ A detail for granite tipdowns should be included for the reconstructed driveway entrance.
- ✓ The utility trench detail needs to be updated. The pipe is labeled as 4" or less, however the sanitary sewer pipe shown on the site plan is 6". A note on the detail references the thrust block detail which is not included. The backfill around the pipe should be crushed stone, with a minimum of 12" of cover over the pipe.
- ✓ The stormwater management plan is acceptable.
- A sewer capacity letter from the City of Portland Public Works should be included.

Please contact our office if you have any questions.

DRG/LJS
203943

From: Lannie Dobson
To: C of O
Date: 3/20/2009 8:56:46 AM
Subject: Certificate of Occupancy/Final Scheduled. Property Addr: 45 TURNER ST Parcel ID: 014 H015001 Dist:

Date: 3/25/2009 **Time:** 6:00:00 AM

Note: 653-9822 Nick Property Addr: 45 TURNER ST Parcel ID: 014 H015001

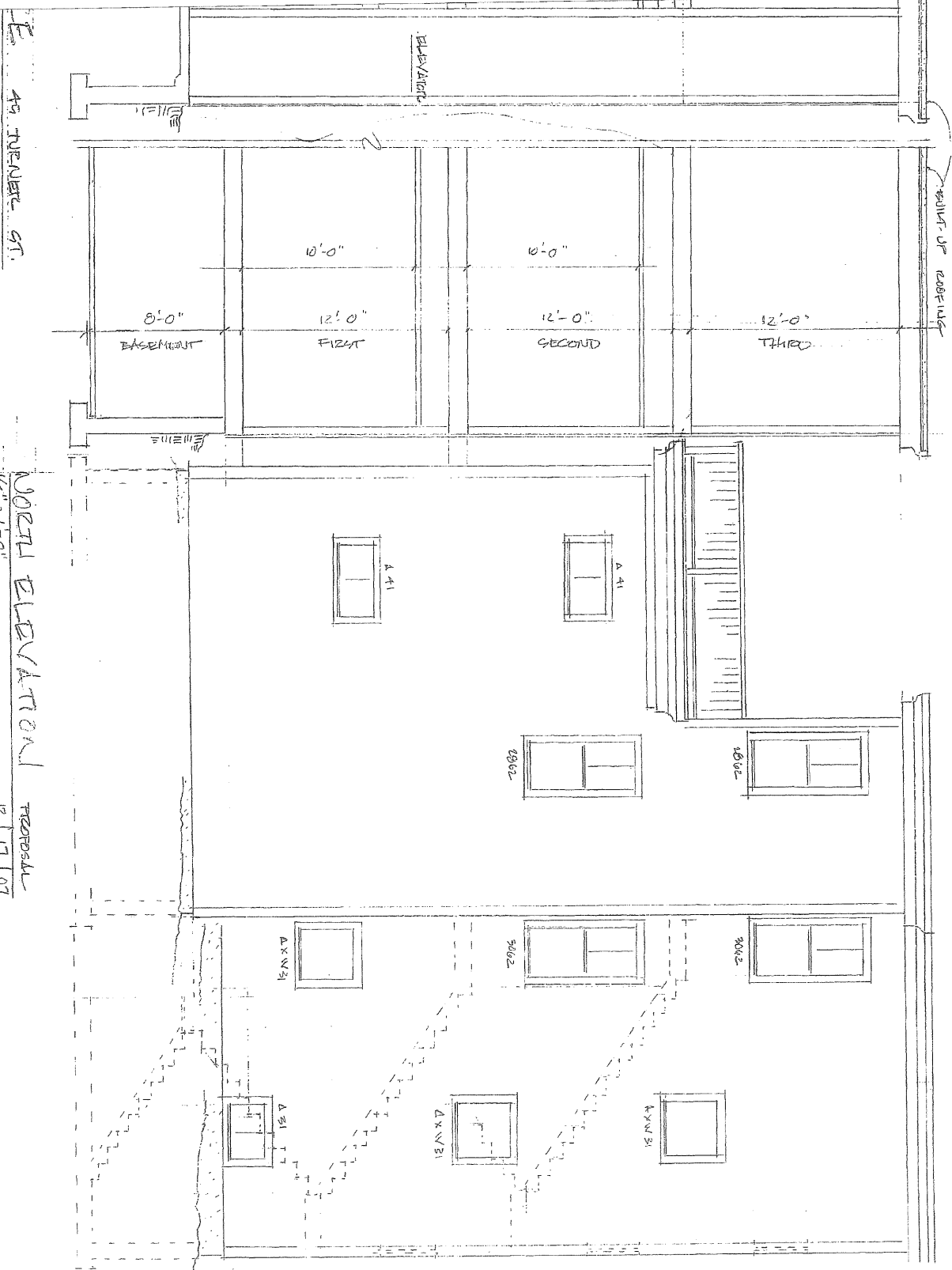
Application Type: Prmt
Application ID: 80005

Contact:
Phone1: Phone2:

Owner Name: HAGGE CYRUS Y &
Owner Addr: 225 COMMERCIAL ST
PORTLAND, ME 04101

- Need to contact City Arborist before doing landscaping
- Method of constructing sidewalk
- Finish grading to comply with site plan
- Maintenance of EC measures.
- Need an amended plan that shows decks & stairs
- Confirm impervious area has not been exceeded.

- ~~✗~~ - Check w/inspection for stair plan w/ dimensions
 - Need 4' minimum setback from side property line
 - Need revised or amended plan showing the steps & stairs
 - After the fact
 - confirmation that steps meet setback.



APPENDIX A



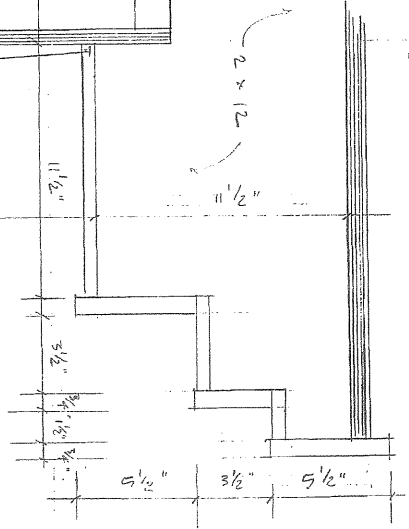
LELAND HUSTON
 ARCHITECTURAL SERVICES
 878 Spring Street / Portland, Maine 04108 / (307) 773-8849

ARCHIVE B

3" SPACER
1 1/2" TIP
5/8"

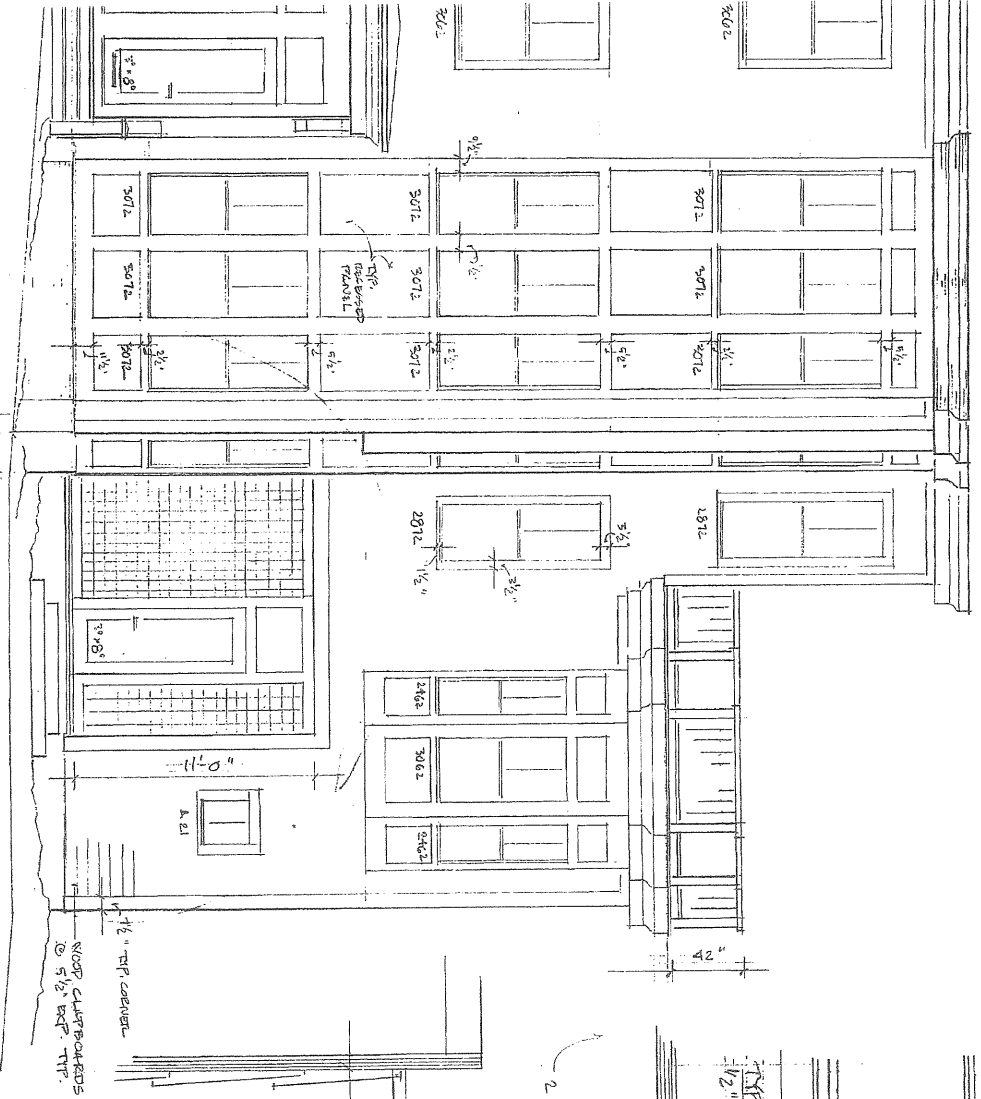
ENTILED
CROWN

TYPICAL RAIL DETAIL
1/2" = 1'-0"



TYPICAL CORNICE DETAIL
3/4" = 1'-0"

WOOD CLIPPINGS
to 5/8" EXT. TIP.



RESIDENCE 45 TURNER ST.
ELEVATION
FRONT ELEVATION

3 | 26 | 08



LELAND HULSIS
ARCHITECTURAL SERVICES
378 Spring Street / Portland, Maine 04102 / (207) 773-8883



From: Lisa Danforth
To: mc
Date: 2/2/2009 11:00:05 AM
Subject: Pre-Final Inspection Scheduled. Property Addr: 45 TURNER ST Parcel ID: 014
H015001 Dist: 1

Date: 2/5/2009 Time:

Note: **Pre_Final**, Nick 653-9822 Property Addr: 45 TURNER ST Parcel ID: 014 H015001

Application Type: Prmt
Application ID: 80005

Contact:
Phone1: Phone2:

Owner Name: HAGGE CYRUS Y &
Owner Addr: 225 COMMERCIAL ST
PORTLAND , ME 04101

Lisa Danforth
City of Portland
Planning & Development Department
Inspection Services Division
P-207-874-8703
F-207-874-8716

CC: Certificate of O

930

MODE = MEMORY TRANSMISSION

START=MAR-11 11:15

END=MAR-11 11:16

FILE NO.=932

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	98747287	003/003	00:00:40

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
 Department of Planning and Development
 Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: Donna Cleaves

Company: Key Bank

Fax #: 874-7287

Date: 3/11/08

From: Phil D. Pierro

You should receive 3 page(s) including this cover sheet.

Comments:

Donna,
 Per your request, following is a copy
 of the Escrow Agreement for
 Cyrus Hasso's project on Turner Str.
 Please contact me with any questions

Thanks,
 Phil

City of Portland
Department of Planning and Development
Planning Division
389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: Donna Cleaves

Company: Key Bank

Fax #: 874-7287

Date: 3/11/08

From: Phil D. Pierro

You should receive 3 page(s) including this cover sheet.

Donna Cleaves
874-7287

Comments:

Donna,
Per your request, following is a copy
of the Escrow Agreement for
Cyrus Haggos' project on Turner Str.
Please contact me with any questions

Thanks,
Phil

Cyrus Y. Hagge
225 Commercial Street, Suite 502
Portland, Maine 04101-4613
207-775-7442
FAX 207-761-0922
chagge@mac.com

February 25, 2008

Philip DiPierro
Development Review Coordinator
City of Portland Planning Division
389 Congress Street
Portland, ME 04101

Re: 45 Turner Street

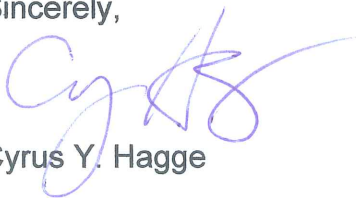
Dear Phil:

Enclosed is the Performance Guarantee and Escrow Account Information.
Please find the following,

1. The Performance Guarantee letter to Lee Urban signed by the bank and myself.
2. Deposit receipt for \$38,075.
3. The Signature Card form that needs to be filled out, signed by Lee and returned to the bank. I have included an envelope.
4. The Inspection fee check for \$761.50

Please let me know if you have need of any additional information.

Sincerely,



Cyrus Y. Hagge



BUSINESS/NON-PERSONAL SIGNATURE CARD

Legal Title of Account: <i>City of Portland Escrow for 43-45 Turner Minor Site Plan</i>		KeyCenter #: KPB-PORTLAND ME	Account #: <i>191774012949</i>	
Statement Mailing Address:		Type Code:	Sub Product Code:	Package Code:
City:		State:	Zip Code:	Business Phone: <i>874-8683</i>
Open Date:	Opening Deposit:	Opened By:	Officer Code:	KeyCenter Phone #: 207-874-7387
Signer's Name		Title		Social Security #
<i>Lee Urban - Director Planning & Development</i>				<i>Lee Urban</i>

KeyBank National Association, hereafter the "Bank", is authorized to recognize any of the signatures subscribed above for the transaction of any business for this Account in connection with funds belonging to the Entity to whom this Account is titled (the "Entity"). The undersigned acknowledge(s) receipt of a copy of the Deposit Account Agreement and Disclosures governing this Account.

It is agreed that all transactions on this Account shall be subject to the Deposit Account Agreement and Disclosures as well as any amendments thereto hereafter made. By executing this signature card, each signer shall be bound by the terms and conditions of said Deposit Account Agreement and Disclosures. It is further agreed that the Bank may conclusively assume that the authority of each signer shall continue as such until receipt by the Bank of written notice to the contrary, consistent with the authority designated by the corporate or non-corporate depository certificate or resolution on file, such notice to be given to each office of the Bank in which this Account is maintained. Until such notice is actually received, the authority conferred herein to the above noted signatories shall remain in full force and effect and the Bank shall be indemnified and saved harmless from any loss suffered or liability incurred by it in continuing to act in pursuance of this signature card.

I certify that the above are the true and genuine signatures of authorized signer(s) with their respective title, authorized to sign for the Entity.

Under penalties of perjury, the undersigned certifies that 1) the number shown on this form is the Entity's correct taxpayer or employer identification number (or the Entity is waiting for a number to be issued), and 2) the Entity is not subject to backup withholding because: (a) the Entity is exempt from backup withholding, or (b) the Entity has not been notified by the Internal Revenue Service that it is subject to backup withholding as a result of failure to report all interest or dividends, or (c) the IRS has notified the Entity that it is no longer subject to backup withholding, and 3) I am a U.S. citizen or other U.S. person (defined below).

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

The undersigned must cross out item (2) above if the Entity has been notified by the IRS that it is currently subject to backup withholding because of under-reporting interest or dividends on its tax return. Tax Identification Number: *016000032*

Refer to the list of payees exempt from backup withholding and for which no information reporting is required. If this entity is exempt from backup withholding and information reporting under IRS regulations, enter your correct TIN in the previous section and check here:

If you are a foreign person, cross out above certification section and U.S. Person on the line under your signature below. Complete the appropriate Form W-8.

The Internal Revenue Service does not require your consent to any provisions of this document other than the certifications required to avoid backup withholding.

IN WITNESS WHEREOF, I have set my hand at

PORTLAND, MAINE this *26th* day of *February*, 20*08*
 City State
 BY *Lee Urban* as *Director of Planning & Development Dept*
 Signature of U.S. Person Title

ID/ Comments:		Type of Account		Status	
For Bank Use Only	New Account Verification	<input type="checkbox"/> Checking Account	<input type="checkbox"/> Statement Savings	<input type="checkbox"/> Corp.	<input type="checkbox"/> Corp. Non-profit
ChexSystems	Verified By _____ Waived By _____	<input type="checkbox"/> Money Market Chk	<input type="checkbox"/> Money Market Sav	<input type="checkbox"/> Org/Assoc	<input type="checkbox"/> Partnership
				<input type="checkbox"/> Sole Prop	<input type="checkbox"/> Public Funds

From: Lori Paulette
To: Lee Urban; Philip DiPierro
Date: 2/7/2008 3:24:27 PM
Subject: Re: Fwd: Caller

Well, my pleasure!

>>> Lee Urban 2/7/2008 3:16:23 PM >>>
Yes, well, thank you, Lori, for your helpful message hereinbelow.

Phil, is this in your bailiwick?

>>> Lori Paulette 2/7/2008 2:50:23 PM >>>
Hi Lee,

A Kathleen McKeen from Key Private Bank left a message for you this afternoon to give her a call. Cyrus Hagge had asked her to call you direct. Kathleen has escrow account documentation that needs to be opened and an account set up.

I believe this would be something for Phil DiPierro, so feel free to forward this onto him for Phil to give Kathleen a call back. Kathleen can be reached at 874-7114. She did not mention a specific project/development.

Thanks.

Turner Str.

Ride

Kathleen_B_McKeen@keybank.com

Tax ID #

SITE PLAN/SUBDIVISION
PERFORMANCE GUARANTEE
ESCROW ACCOUNT

Acct #

February 2, 2008

Lee D. Urban
Planning and Development Department Director
Planning Division
City of Portland, 4th Floor
389 Congress Street
Portland, Maine 04101

Re: Application of Cyrus Hagge for a Minor Site Plan at 43-45 Turner St, Portland, Maine

Key Bank N.A. hereby certifies to the City of Portland that Key Bank N.A. will hold the sum of \$38,045 in an Interest bearing count established with the Bank. This account shall be in the name of the City Of Portland and shall represent the estimated cost of installing site improvements as depicted on the 43-45 Turner Minor Site Plan, approved 2/4/2008 as required under Portland Code of Ordinances Chapter 14 §§ 499, 499.5, 525 and Chapter 25 §§ 46 through 65. It 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.

Key Bank N.A. will hold these funds as escrow agent for the benefit of the City subject to the following:

The City, through its Director of Planning and Development and in his sole discretion may draw against this Escrow Account by presentation of a draft in the event that:

1. The Developer has failed to satisfactorily complete by 8/1/2009 the work on the improvements contained within the 43-45 Turner Street Minor Site Plan approval, dated 2-4-08; or
2. the Developer has failed to deliver to the City a deed containing the meets and bounds description of any streets, easements or other improvements required to be deeded to the City or
3. the Developer has failed to post the ten percent (10%) Defect Guarantee required by the Portland Code of Ordinances Chapter 14 §§501 and 525: or

4. the Developer has failed to notify the City for inspections in conjunction with the installation of improvements noted in paragraph one.

It is a condition of the Escrow Account that is is deemed to be automatically extended without amendment for a period(s) of one year each from the current expiration date hereof, or any future expiration date, unless within sixty (60) days prior to any expiration, Key Bank N.A. notifies the City by certified mail (restricted delivery to Duane Kline, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that Key Bank N.A. elects not to consider the Escrow Account renewed for any such additional period.

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 the Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, May authorize Key Bank N.A., by written certification, to reduce the available amount of escrowed money by a specified amount.

All cost associated with establishing, maintaining and disbursing funds from the Escrow Account shall be borne by Cyrus Hagge.

This Escrow Account expires on:

1. August 1, 2009 or ninety days following Key Bank N.A. written notice of its expiration as detailed above; or
2. Key Bank's receipt of written notification form the City of Portland that the said work contained within 43-45 Turner Street approval as required by Portland Code of Ordinances Chapter 14 §§ 499, 499.5, 525 and Chapter 25 §§ 46 through 65 has been completed in accordance with the City of Portland's specifications and Key Bank's Letter of Credit No. XXXXX my be cancelled.

Very truly yours.

Key Bank N.A.

Date: _____

By: _____
Its Duly Authorized Agent

Seen and Agreed to:

By: _____
Cyrus Y. Hagge

FEB-01-2008 14:37

CITY OF PORTLAND
PLANNING AND DEVELOPMENT DEPARTMENT
SUBDIVISION/SITE DEVELOPMENT

2077568258 P.03/08

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: _____

Name of Project: Agee Residence

Address/Location: Tukey St.

Developer: _____

Form of Performance Guarantee: _____

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

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road/Parking Areas				1	3000	3000
Curbing	30'	75 ⁰⁰	2250 ⁰⁰			
Sidewalks	120 sq Ft	11 ⁰⁰	1320 ⁰⁰			
Esplanades						
Monuments						
Street Lighting						
Street Opening Repairs	33 sq yd	125 ⁰⁰	4125 ⁰⁰			
Other						
2. EARTH WORK						
Cut				500 yd	16 ⁰⁰	8000
Fill				150 yd	22 ⁰⁰	3300
3. SANITARY SEWER						
Manholes						
Piping						
Connections						
Main Line Piping						
House Sewer Service Piping	30 Ft	150 ⁰⁰	4500 ⁰⁰	30'	20 ⁰⁰	600 ⁰⁰
Pump Stations						
Other						
4. WATER MAINS SERVICE	20	150	3000 ⁰⁰	30'	20 ⁰⁰	600
5. STORM DRAINAGE						
Manholes						
Catchbasins						
Piping				200'	12 ⁰⁰	2400 ⁰⁰
Detention Basin						
Stormwater Quality Units						
Other						

Phil D. PIERRO

R.A. PIERCE EXCAVATING
9 ORCHARD ROAD
CUMBERLAND, MAINE 04021
Phone (207) 829-4706

FEB-01-2008 14:37

CITY OF PORTLAND

3077568258

P. 04/08

6. SITE LIGHTING

7. EROSION CONTROL

- Silt Fence
- Check Dams
- Pipe Inlet/Cutlist Protection
- Level Lip Spreader
- Slope Stabilization
- Geotextile
- Hay Bales Barriers
- Catch Basin Inlet Protection

1	500 ⁰⁰	500 ⁰⁰
2	150	300 ⁰⁰

1	500 ⁰⁰	500 ⁰⁰
50	6,00	750 ⁰⁰

8. RECREATION AND OPEN SPACE AMENITIES

9. LANDSCAPING
(Attach breakdown of plant materials, quantities, and unit costs)

1 3500 3500 Allow

10. MISCELLANEOUS

TOTAL:

15,995

38,22,080

GRAND TOTAL:

38,075

INSPECTION FEE (to be filled out by the City)

Total \$38,075
OK 2/21/08

	PUBLIC	PRIVATE	TOTAL
A: 2.0% of totals:	\$319.90	\$441.00	\$761.50
B: Alternative Assessment:			
Assessed by:	<u>David Newell</u> (name)	<u>2/20/08</u> (date)	

Attn: Nick

R.A. PIERCE EXCAVATING
9 ORCHARD ROAD
CUMBERLAND, MAINE 04021
Phone (207) 829-4706

Cyrus Y. Hagge
225 Commercial Street, Suite 502
Portland, Maine 04101-4613
207-775-7442
FAX 207-761-0922
chagge@mac.com

February 19, 2008

Rick Knowland
Portland Planning Department
Congress Street
Portland, ME 04101

Re: 43-54 Turner Street

Dear Rick;

Enclosed is our revised submittal for the Minor Site Plan approval conditions.

Just a few comments on the changes

1. We have added the street tree well to the plan. There is a note on the plan, that all plantings will be approved by the city arborist.
2. Dan Goyette comments have been added to the plan.
 - The details for the stabilized construction entrance has been added to the plan
 - We have added a second sewer lateral to the plan for the foundations drains. I am getting conflicting comments on this item, Public Works tells me that they do not want two separate sewer lines but rather a separate foundation drain line. I am waiting on a letter from Frank Brancely to confirm this.
 - The utility trench details has been corrected. There is some confusion whether the water district will require a thrust block, so we added a note that the water service should be installed according the water districts standards.
 - I have been in contact with Public Works about a sewer letter but I got the impression it will take them 2 –3 weeks to issue a letter.
3. I am including the revised site plan sheets C1, C3 and C4 and a CD with the site and architectural plans.
4. I have dropped of the performance guarantee info to Phil for his review.

I believe that this should conclude all of the information requested and we should be able to proceed with building the house.

I appreciate your assistance and patience on this project and look forward to getting it started.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'Cyrus Y. Hagge', with a long horizontal flourish extending to the right.

Cyrus Y. Hagge

FEB-01-2008 14:37

CITY OF PORTLAND
 FINANCING BUREAU / DEPARTMENTAL DEPARTMENTAL
 SUBDIVISION/SITE DEVELOPMENT

2077568258

P.03/08

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: _____

Name of Project: Agee Residence

Address/Location: Turner St.

Developer: _____

Form of Performance Guarantee: _____

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

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road/Parking Areas						
Curbing	<u>30'</u>	<u>75⁰⁰</u>	<u>2,250⁰⁰</u>	<u>1</u>	<u>3000</u>	<u>3000</u>
Sidewalks	<u>120 sq Ft</u>	<u>11⁰⁰</u>	<u>1320⁰⁰</u>			
Explanades						
Monuments						
Street Lighting						
Street Opening Repairs	<u>33 sq yd</u>	<u>125⁰⁰</u>	<u>4125⁰⁰</u>			
Other						
2. EARTH WORK						
Cut				<u>500 yd</u>	<u>16⁰⁰</u>	<u>8000</u>
Fill				<u>150 yd</u>	<u>22⁰⁰</u>	<u>3300</u>
3. SANITARY SEWER						
Manholes						
Piping						
Connections						
Main Line Piping						
House Sewer Service Piping	<u>30 Ft</u>	<u>150⁰⁰</u>	<u>4500⁰⁰</u>	<u>30'</u>	<u>20⁰⁰</u>	<u>600⁰⁰</u>
Pump Stations						
Other						
4. WATER MAINS SERVICE	<u>20</u>	<u>150</u>	<u>3000⁰⁰</u>	<u>30'</u>	<u>20⁰⁰</u>	<u>600</u>
5. STORM DRAINAGE						
Manholes						
Catchbasins						
Piping				<u>200'</u>	<u>12⁰⁰</u>	<u>2400⁰⁰</u>
Detention Basin						
Stormwater Quality Units						
Other						

Attn. Nick

R.A. PIERCE EXCAVATING
 9 ORCHARD ROAD
 CUMBERLAND, MAINE 04021
 Phone (207) 829-4706

FEB-01-2008 14:37

CITY OF PORTLAND

3077568258

P.04/08

6. SITE LIGHTING	_____	_____	_____	_____	_____	_____
7. EROSION CONTROL						
Silt Fence	<u>1</u>	<u>500⁰⁰</u>	<u>500⁰⁰</u>	<u>1</u>	<u>500⁰⁰</u>	<u>500⁰⁰</u>
Check Dams	_____	_____	_____	_____	_____	_____
Pipe Inlet/Outlet Protection	_____	_____	_____	_____	_____	_____
Level Lip Spreader	_____	_____	_____	_____	_____	_____
Slope Stabilization	_____	_____	_____	_____	_____	_____
Geotextile	_____	_____	_____	_____	_____	_____
Hay Bale Barriers	_____	_____	_____	<u>80</u>	<u>6,000</u>	<u>180⁰⁰</u>
Catch Basin Inlet Protection	<u>2</u>	<u>150</u>	<u>300⁰⁰</u>	_____	_____	_____
8. RECREATION AND OPEN SPACE AMENITIES	_____	_____	_____	_____	_____	_____
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	_____	_____	_____	<u>1</u>	<u>3500</u>	<u>3500</u> Allow.
10. MISCELLANEOUS	_____	_____	_____	_____	_____	_____
TOTAL:	_____	<u>15,995</u>	_____	_____	<u>38,22,080</u>	_____
GRAND TOTAL:	_____	<u>38,075</u>	_____	_____	_____	_____

INSPECTION FEE (to be filled out by the City)

	<u>PUBLIC</u>	<u>PRIVATE</u>	<u>TOTAL</u>
A: 2.0% of totals:	_____	_____	_____
OR			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	_____	_____	_____
	(name)	(name)	

Attn. Nick

R.A. PIERCE EXCAVATING
9 ORCHARD ROAD
CUMBERLAND, MAINE 04021
Phone (207) 829-4706





43-45 Turner Street Neighborhood Properties



Abutting Houses

These are views of the abutting houses to the proposed lot. As seen in these photographs these houses are of many different styles and sizes. All of the houses have vinyl siding and a wide variety of fenestration. The houses range from 1 1/2 story to three story triple deckers



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.

II. SUBMITTAL REQUIREMENTS

The applicant shall submit a site plan and building elevations in accordance with final application requirements of the Site Plan Ordinance (Sec. 14-525). In order to illustrate neighborhood context for a proposal, the applicant shall submit photographs or other visual tools to depict the buildings within a two block radius of the site in order to determine the building elements that contribute to and are compatible with the predominant character defining architectural features of the neighborhood.

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 depictions of buildings on the adjoining block shall also be required.

The Planning Authority may request that consideration be made of buildings in the neighborhood that are comparable in size, scale and use to that which is being proposed, or that consideration be made of the characteristics of buildings which were originally designed for a similar use to that which is proposed. 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. 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 case, the Planning Authority shall determine the scope of the neighborhood.

Samples of the proposed exterior materials may be requested by the Planning Authority.

II. DESIGN PRINCIPLES AND STANDARDS

PRINCIPLE A Overall Context

A building design shall contribute to and be compatible with the predominant character-defining architectural features of the neighborhood.

Explanatory Note: The central idea behind good design in an established neighborhood is to reinforce positive features of the surrounding area, which provide its unique identity. To a large degree, the scale, mass, orientation, and articulation of an infill building should be compatible with that of the buildings that surround it.

Compatibility refers to the recognition of patterns and characteristics which exist in a given setting and the responsiveness of a new design with respect to these established patterns and characteristics. While there is no one specific solution for a given setting, there are a number of building characteristics which can be used to gauge visual compatibility of new residential construction in an existing neighborhood. These characteristics include the design elements such as:

1. Scale and Form: height, massing, proportion of principal facades, roof shapes and scale of the architectural features of the structure.

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.

STANDARD B-1 Massing 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.

STANDARD B -2 Roof Forms Roof forms shall refer to the architectural forms found 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 roof forms on both side of the street within the block of the proposed site.

STANDARD B -3 Main Roofs and Subsidiary Roofs The building shall have a clear main roof form. Subsidiary roof forms and dormers shall be clearly subordinate to the main form in size, space and number. Where a building has multiple rooflines (e.g., main roof, dormer roof, porch roof, etc.) *there shall not be more than two roof pitches or outlines overall.*

STANDARD B-4 Roof Pitch Gable roofs shall be symmetrical with a pitch of between 7:12 and 12:12. Hip roofs with a shallow pitch and flat roofs shall have a cornice of at least 12 inches in width. The slope of the roof may be either parallel or perpendicular to the street. Monopitch (shed) roofs are allowed only if they are attached to the wall of the main building. No mono pitch roofs shall be less than 7:12, except for porch roofs. There is no minimum pitch for porch roofs.

STANDARD B-5 Facade Articulation Provide variety in the massing by incorporating at least two or more of the following architectural elements. Such features shall be applied to the front façade and those portions of the building that are readily visible from the public way.

1. Gables or dormers.
2. Balconies.
3. Recessed entries.
4. Covered porches, covered entries or stoops.
5. Bay windows. In the case of horizontally attached dwelling units, at least one-half of the ground floor units shall have a bay window to receive credit as a design feature.

STANDARD B-6 Garages Attached and detached garages are allowed provided that the street-facing façade of the garage is recessed behind the façade of the main structure by a minimum of four feet. However, if the garage is integrated into the building form, the garage door may be included into the front façade of the dwelling providing that there are at least one story of living space over the garage. In this instance, the garage door width may be no more than 40% of the width of the building's overall façade width, except that no garage door need be reduced to less than 9 feet in width. Standard C-2 is not required if there is no living space on the ground level.

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

front façade (and for corner lots, both street-facing facades) shall be at least 12% of the total facade area. Appropriately scaled windows or other building openings shall be included on all sides of a building.

STANDARD D-3 Porches When porches are attached to the front facade, [or for porches that are required as an open space amenity under Section 14-139(f)] the porches shall extend along a horizontal line at least 20% of the front façade. Porches and balconies must have a minimum depth of 6 feet and a minimum square footage of 48 square feet. The depth may be reduced to 5 feet provided that the square footage is increased to 60 square feet.

1. For porches and balconies that are required as open space amenities under Section 14-139(f), a porch or deck may have entries to two or more units provided that the required dimensions and square footage allocations are met.

PRINCIPLE E Balance

The building's façade elements must create a sense of balance by employing local or overall symmetry and by appropriate alignment of building forms, features and elements.

Explanatory Note: Balance refers to the composition of façade elements. Symmetry refers to the balanced distribution of equivalent forms and spaces about a common line (axis) or point (center). Overall symmetry refers to arrangements around an axis line that bisects the building façade equally. Local symmetry refers to arrangements around an axis line that focuses on a particular building element (e.g., a porch or bay window). A balanced façade composition generally employs overall or local symmetry.

Alignment refers to the position of building elements with each other and with the building form as determined by scale, mass, roofline, slopes, etc.

STANDARD E-1 Window and Door Height The majority of window's and door's head heights shall align along a common horizontal datum line.

STANDARD E-2: Window and Door Alignment The majority of windows shall stack so that centerlines of windows are in vertical alignment.

STANDARD E-3: Symmetricality Primary window compositions (the relationship of two or more windows) shall be arranged symmetrically around the building façade's centerline (overall symmetry) or around another discernable vertical axis line.

PRINCIPLE F Articulation

The design of the building is articulated to create a visually interesting and well composed residential façade.

Explanatory Note: Articulation refers to the manner in which the shapes, volumes, architectural elements and materials of a building's surface are differentiated yet work together.

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.

PRINCIPLE G *Materials*

Building facades shall utilize appropriate building materials that are harmonious with the character defining materials and architectural features of the neighborhood.

STANDARD G-1 Materials Use materials and treatments for the exterior walls (including foundation walls) and roofing that are harmonious with those in 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 building forms on both sides of the street within the block of the proposed site.

STANDARD G-2 Material and Façade Design The selection of façade materials shall be consistent with the façade design and appropriate to their nature. For example, brick facing should not appear to be thin layers on the façade, or to overhang without apparent support.

STANDARD G-3 Chimneys Chimneys shall be of brick, finished metal, stone or boxed-in and clad with materials to match the building.

STANDARD G-4 Window Types. A variety of window treatments and skylights are acceptable. However, within a single building the types of windows shall be limited to two types, and window detailing shall be consistent throughout.

STANDARD G-5 Patios and Plazas Patios and plazas shall be constructed of permanent materials such as concrete, brick or stone.

IV. ALTERNATIVE DESIGN REVIEW

The Standards listed above are time-honored ways of achieving the Design Principles. With exceptional care, though, it is possible to apply a design approach that meets the Principles through alternatives that vary from the Standards, while maintaining and relating to the predominant character-defining architectural elements of the neighborhood, such as the building location on the site, its relationship to the street, and its mass, form, and materials. 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 size, scale, materials and siting, as well as the general character of the established neighborhood.

Special attention shall be given to the existing building forms on both sides of the street within the block of the proposed site. If the building is proposed on a corner lot, then depictions of buildings on the adjoining block shall also be required. The Planning Authority may request that consideration be made of buildings in the neighborhood that are comparable in size, scale and use to that which is being proposed, or that consideration be made of the characteristics of buildings which were originally designed for a similar use to that which is proposed. 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.

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 Authoriity 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.