



# PORTLAND MAINE

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

**Director of Planning and Urban Development**  
Penny St. Louis Littell

**Planning Division, Director**  
Alexander Jaegerman

Mr. Nicholas Iselin  
Intercontinental Developers, Inc.  
1270 Soldiers Field Road  
Boston, Ma 02135-1003

October 28, 2009

RE: Ocean Gateway Garage, India and Fore Street, Curbing and sidewalk improvements  
(Id#2005-0271)(CBL 019 A 001001)

Dear Mr. Iselin,

On October 28, 2009, the Portland Planning Authority approved the amended site plan for India and Fore Street curbing and sidewalk improvements associated with the Ocean Gateway Garage as shown on the approved plan dated October 1, 2009.

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

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

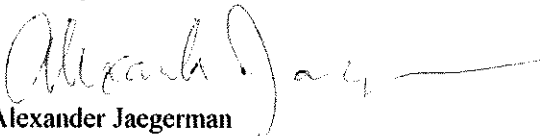
1. The above approval does not constitute approval for building plans, which must be reviewed and approved the City of Portland's Inspection Division.
2. Where submission drawings are available in electronic form, final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, 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 a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
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, Planning Division's 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 Bill Needelman, Senior Planner at 207-874-8722.

Sincerely,



Alexander Jaegerman  
Planning Division Director

**Electronic Distribution:**

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



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**Planning and Development Department**  
Lee D. Urban, Director

**Planning Division**  
Alexander Jaegerman, Director

Mr. Drew Swenson  
Riverwalk, LLC  
2 Market Street, Suite 500  
Portland, Maine 04101

June 15, 2007

RE: Ocean Gateway Garage amendments  
CBL: 20-C-009 (westerly portion)

Dear Mr. Swenson,

On June 15, 2007, the Portland Planning Authority approved an amendment to the Ocean Gateway Garage project located at the block defined by Fore Street, Hancock Street (extension) and Middle Street. The revisions were limited to architectural changes as shown on material dated May 22, 2007 and submitted by Scott Simons Architects.

The approval is based on the submitted site plan and specifications. 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. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (\*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. 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.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

**AGENDA**  
**4/12/07**  
**Construction Activity**

**Introductions:**

Ocean Gateway Project – **Outlined in Red**  
MDOT, Reed & Reed, Longchamps and Sons

Longfellow Garage – **Outlined in Yellow above Fore St.**  
Swenson & Company, Gilbane Building Company, Ledgewood Construction  
Excavator?

Longfellow Condos – **Outlined in yellow below Fore St.**  
Swenson & Company, Gilbane Building Company Ledgewood Construction  
Excavator ?

Hancock St. Extension – **Between Fore and Middle Sts.**  
City of Portland, Risbara Bros.

Portland Water District – **Corner of Fore and India Sts.**  
Pump Station Renovations, Contractor?

Village at Ocean Gateway - **Outlined in White**

Fore St. Hotel – **Outlined in Green**

Items of interest

- Work times: 7 AM – 7 PM – unless a time waiver has been approved by the director of Public Works.
- Street Opening Permits \$223.00 – required for each street for any work in the right of way which has to be done by a licensed excavator with the City. Carol Merritt @ Public Works 874-8822.
- Street and sidewalk occupancy – permit required for each sidewalk, street, and parking space (metered or not) \$10/each/day. Carol Merritt @ Public Works 874-8822.
- Work zones/traffic control in the right of way need to be approved by Jim Carmody – Transportation Engineer 874-8894.
- When working in an arterial St. (India) there can be no disruption of traffic inbound before 9 AM or after 3 PM – 6 PM.
- No work will be allowed in India or Fore St. when a cruise ship is in port. The list of dates is on the city web site [www.portlandmaine.gov](http://www.portlandmaine.gov) click under departments, Port of Portland, schedule, and cruise schedule2007 for this year and 2008 for next year.

- Working in the winter when you have Jersey Barriers in the roadway you will be required to remove the snow against the barriers immediately which may require your plowing contractor to work some nights and weekends.

Thank you for coming.  
Todd Merkle  
Field Inspection Coordinator  
City of Portland

**Philip DiPierro - Re: Ocean Gateway Garage**

---

**From:** Stephen Fraser <stephen@simonsarchitects.com>  
**To:** William Needelman <WBN@portlandmaine.gov>  
**Date:** 3/26/2007 8:17 AM  
**Subject:** Re: Ocean Gateway Garage  
**CC:** <SLynch@sde-us.com>, "Alex Jaegerman " <AQJ@portlandmaine.gov>, "Barbara Barhydt" <BAB@portlandmaine.gov>, "Lee Urban" <LDU@portlandmaine.gov>, "Philip DiPierro " <PD@portlandmaine.gov>, <ASimon@sde-us.com>, <dswenson@swensonandco.com>

---

Bill, The last I saw the sample board it was in the conference room at the planning office. Could you look around and see if you can find it. Those are the only material samples we have. The samples I dropped off last week too are the only ones we have so could you hold on tight to them. Thanks.

On Mar 23, 2007, at 3:06 PM, William Needelman wrote:

Drew, Sarah, et. al.,

Sorry to keep going round and round on the lights, but I still need the fixture cut on the wall mounted Fore Street light. The photometrics appear fine, but technically, I need to have the spec drawings so that I can determine whether these meet the City cut off fixture requirement. If not, I need to treat the request as a waiver (however minor) of the lighting standards.

Regarding other issues:

Having the final plans in hand has allowed a review of the details that were not available at the time of the amendment approval. We all worked very hard to meet the previous Dec. 31 deadline, but I am only now seeing the details for the first time. Before OKing issuance of the final building permit, we're going to need to work through the details.

1. Exterior materials. The mesh shown on the plans and provided as samples are not the same as were shown to the Planning Staff at our meeting prior to the garage amendment approval. Please either show the original materials approved at the time of amendment, or specifically request an additional amendment for approval of the new "vinyl coated mesh" material. If such a request is provided, we will determine the appropriate venue for its review. Regardless, we ask that you provide samples of the original material as the basis for comparison.

2. Middle Street facade. The material provided to the Planning Board regarding the exterior of the garage showed the brick base and mesh column treatment on the northerly facade towards Middle Street. Please either return these approved design elements (these were not previously requested for amendment) to the plans or request an amendment. At this time, I would not anticipate staff support for such an amendment given

the visibility of this facade to uphill residential neighbors.  
Likewise, please clarify the status of the super-graphic facing Middle Street. It is not shown

3. ~~Sidewalk materials~~ The site layout plans show bituminous pavement on the sidewalks in front of the India Street office building site. These features should be noted as temporary, to be replaced with brick upon completion of the office building.

I look forward to clarifying these issues with you in the near future.

Thank you,

Bill

Bill Needelman, AICP  
Senior Planner  
Planning and Development Department  
City of Portland, Maine  
389 Congress Street  
Portland, Maine 04101-3509

(207) 874-8722 tel.  
(207) 756-8258 fax.  
[wbn@portlandmaine.gov](mailto:wbn@portlandmaine.gov)

"Sarah Lynch" <[SLynch@sde-us.com](mailto:SLynch@sde-us.com)> 3/23/2007  
8:18:20 AM >>>

Bill-

I have attached the items you requested.

Please let me know if there is anything further I can help you with.

Thank you,  
Sarah

---

Sarah J. Lynch

SIMON DESIGN ENGINEERING LLC  
42 Washington Street, Suite 300  
Wellesley, Massachusetts 02481

781.591.5914 direct  
781.237.2226 main (ext 5914)  
781.237.2272 fax  
617.270.7010 cell

www.sde-us.com

[info@sde-us.com](mailto:info@sde-us.com)

-----Original Message-----

From: William Needelman [<mailto:WBN@portlandmaine.gov>]

Sent: Thursday, March 22, 2007 4:57 PM

To: Sarah Lynch

Subject: Re: KIM PGL5/6

Sarah,

Thank you for the catalogue, but I see that this is 18 pages long.

The

specific information that will be helpful is to have the fixture, the shield, and a plan showing where the shields will be (a typical floor would be fine.)

I also need the exterior light proposed for the Fore Street elevation.

Thank you.

Bill

Bill Needelman, AICP

Senior Planner

Planning and Development Department

City of Portland, Maine

389 Congress Street

Portland, Maine 04101-3509

(207) 874-8722 tel.

(207) 756-8258 fax.

[wbn@portlandmaine.gov](mailto:wbn@portlandmaine.gov)

"Sarah Lynch" <[SLynch@sde-us.com](mailto:SLynch@sde-us.com)> 3/22/2007  
3:30:21 PM >>>

Bill-

We were able to get the spec for the specified light fixture for OGG.

I

have attached it for your reference.

Thank you,

Sarah



---

Sarah J. Lynch

SIMON DESIGN ENGINEERING LLC

42 Washington Street, Suite 300

Wellesley, Massachusetts 02481

781.591.5914 direct

781.237.2226 main (ext 5914)

781.237.2272 fax

617.270.7010 cell

[www.sde-us.com](http://www.sde-us.com)

[info@sde-us.com](mailto:info@sde-us.com)



Scott Simons Architects

Stephen Fraser

Scott Simons Architects  
75 York Street  
Portland, ME 04101

Tel: 207 772-4656x104

Fax: 207 828-4656

Web: [www.simonsarchitects.com](http://www.simonsarchitects.com)

Email: [stephen@simonsarchitects.com](mailto:stephen@simonsarchitects.com)

**Hancock Development Group**  
**Weekly Meeting**  
**February 22, 2008**

In Attendance: Ledgewood Construction, Bob Parsons; Shinberg Consulting, Greg Shinberg; City of Portland, Todd Merkle, Greg Vining, Ray Lavoie, Melissa Graffam, Mike Farmer

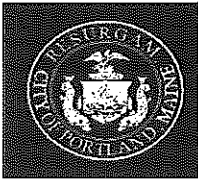
Bob Parsons from Ledgewood is thinking that it is going to be tight for them to finish for the first of April. Todd asked if they (Ledgewood) have contacted Risbara to let them know that. Bob said that they haven't, they are still seeing on how everything is going, but will as the date gets closer. Todd Merkle and Bob talked about different options if they are not done by the April 1<sup>st</sup> deadline.

Bob noted that they will most likely be setting steel on Monday. It will take three weeks to glaze, depending on the weather.

Greg Shinberg updated everyone on his property. He resubmitted an amendment to his site plans to the City. He has met with the City's Planning staff concerning this. He is scheduled to be on the City Council Workshop on March 11<sup>th</sup>. They are in the process of talking to Joe Reynolds about purchasing a building around the corner, thus giving him another 8 units.

Greg said that he is in the process of getting a fence up around the property. A week or so ago, vandals broke into the building, looking for copper and caused a gas leak.

Next meeting will be on Wednesday, February 27th at 1pm at the Port of Transportation Building (Waterfront). Meeting will be held in a different conference room.



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**Planning & Urban Development Department**

Gregory A. Mitchell, Acting Director

**Planning Division**

Alexander Jaegerman, Director

**TO:** Ellen Sanborn, Finance Department

**FROM:** Alexander Jaegerman, Planning Division Director

**DATE:** January 31, 2012

**SUBJECT:** Request for Release of Performance Guarantee  
Longfellow at Ocean Gateway, 1 Fore Street  
Riverwalk, LLC

(ID# 2005-0271      Lead CBL#019 A 001001)

Please release the Internal Performance Guarantee, letter of credit Account #710 0000 233.91.04, for the Riverwalk Development: Ocean Gateway Garage, 25 India Street, and the "Longfellow" (aka Watermark)

Original Amount      \$885,835.00

First Reduction      \$188,412.00

Amount of performance guarantee used to re-set curbing and close curb cuts along Fore Street prior to State overlaying pavement along project street frontage.

\$ 30,000.00

**Amount of performance guarantee kept to satisfy the requirements of the Housing Replacement Ordinance**

**\$250,000.00**

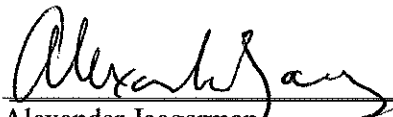
**Amount of performance guarantee kept for the finish paving of Hancock Street (Fore Street to Thames Street) and Thames Street (India Street to Hancock Street.)**

**\$ 35,000.00**

Remaining Balance to be Returned to Applicant

**\$382,423.00**

**Approved:**

  
\_\_\_\_\_  
Alexander Jaegerman

Planning Division Director

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

**RIVERWALK VENTURE, LLC  
1270 SOLDIERS FIELD ROAD  
BOSTON, MA 02135**

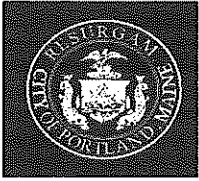
**WIRING INSTRUCTIONS**

**Bank:** Sovereign Bank  
**Account Name:** Riverwalk, LLC- Op  
**ABA #:** 011075150  
**Account #:** 7586002-6972

Thank you for help in this matter.

Sincerely,

Michael J. Munroe  
Fund Controller  
Intercontinental Management Corp



# PORTLAND MAINE

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**Planning & Urban Development Department**  
Gregory A. Mitchell, Acting Director

**Planning Division**  
Alexander Jaegerman, Director

January 13, 2012

Christopher T. Tully  
Regional Director - Asset Management  
Intercontinental Real Estate Corporation  
1270 Soldiers Field Road | Boston, MA 02135-1003

**Re: Housing Replacement Fee and Release of Performance Guarantee posted by Intercontinental Real Estate Corporation for the Riverwalk Development: including the Ocean Gateway Garage, 25 India Street, and "The Longfellow" (aka Watermark) Condominiums**

**Id#2005-0271**  
**CBL 019 A 00100, 19-A-014, 20-C-023, 20-C-009**

Dear Mr. Tully,

According to your email of December 13, 2011 to Bill Needelman, you are requesting a complete release the performance guarantee held in escrow by the City for the above referenced project in Portland, Maine.

The current performance guarantee account contains \$667,423.00. Site inspection indicates that the site has been left in a clean and stable condition. The City will therefore release the remaining funds to Intercontinental understanding that the City will hold:

\$250,000 of the remaining performance guarantee to satisfy the requirements of the Housing Replacement Ordinance; and,  
\$35,000 for the finish paving of Hancock Street (Fore Street to Thames Street) and Thames Street (India Street to Hancock Street.)

The City will deposit these funds into the Housing Replacement Fund and City's Public Infrastructure Fund respectively on the project's behalf.

The balance of the performance guarantee totaling \$382,423 will be returned to Intercontinental according to the wiring instructions that you provided in your December 13 email.

# Maine Secretary of State



## 2012 Annual Report Electronic Filing Acknowledgment

For Limited Liability Companies on file as of December 31, 2011

**Charter Number:** 20062754DC  
**DCN Number:** 2120019071528  
**Legal Name:** 25 INDIA STREET LLC

### Registered Agent's Name and Address:

NATHAN H. SMITH  
PO BOX 9729  
PORTLAND, ME 04104-5029

### Brief statement of the character of the business:

REAL ESTATE HOLDING

### Name and Address of Members, Managers or other Authorized Persons:

RIVERWALK VENTURE, LLC  
C/O INTERCONTINENTAL FUND IV OCEAN GATEWAY, LLC  
1270 SOLDIERS FIELD ROAD, BOSTON, MA 02135

**Date of Filing:** January 26, 2012

### Name and Capacity of Authorizing Party:

PETER PALANDJIAN, MANAGER

# Maine Secretary of State



## 2012 Annual Report Electronic Filing Acknowledgment

For Limited Liability Companies on file as of December 31, 2011

**Charter Number:** 20062757DC

**DCN Number:** 2120019071531

**Legal Name:** LRAR LLC

**Registered Agent's Name and Address:**

NATHAN H. SMITH  
PO BOX 9729  
PORTLAND, ME 04104-5029

**Brief statement of the character of the business:**

REAL ESTATE HOLDING COMPANY

**Name and Address of Members, Managers or other Authorized Persons:**

RIVERWALK VENTURE, LLC  
C/O INTERCONTINENTAL FUND IV OCEAN GATEWAY, LLC  
1270 SOLDIERS FIELD ROAD, BOSTON, MA 02135

**Date of Filing:** January 26, 2012

**Name and Capacity of Authorizing Party:**

PETER PALANDJIAN, MANAGER

# Maine Secretary of State



## 2012 Annual Report Electronic Filing Acknowledgment

For Limited Liability Companies on file as of December 31, 2011

**Charter Number:** 20062758DC

**DCN Number:** 2120019071532

**Legal Name:** OCEAN GATEWAY GARAGE LLC

**Registered Agent's Name and Address:**

NATHAN H. SMITH

PO BOX 9729

PORTLAND, ME 04104-5029

**Brief statement of the character of the business:**

REAL ESTATE HOLDING

**Name and Address of Members, Managers or other Authorized Persons:**

RIVERWALK VENTURE, LLC

C/O INTERCONTINENTAL FUND IV OCEAN GATEWAY, LLC

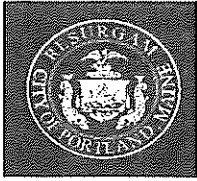
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PETER PALANDJIAN, MANAGER





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**Planning & Urban Development Department**  
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January 13, 2012

Christopher T. Tully  
Regional Director - Asset Management  
Intercontinental Real Estate Corporation  
1270 Soldiers Field Road | Boston, MA 02135-1003

**Re: Housing Replacement Fee and Release of Performance Guarantee posted by Intercontinental Real Estate Corporation for the Riverwalk Development: including the Ocean Gateway Garage, 25 India Street, and "The Longfellow" (aka Watermark) Condominiums**

**Id#2005-0271**  
**CBL 019 A 00100, 19-A-014, 20-C-023, 20-C-009**

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The City will deposit these funds into the Housing Replacement Fund and City's Public Infrastructure Fund respectively on the project's behalf.

The balance of the performance guarantee totaling \$382,423 will be returned to Intercontinental according to the wiring instructions that you provided in your December 13 email.

**Philip DiPierro - RE: Guarantee Release**

**From:** "Christopher T. Tully" <christophert@intercontinental.net>  
**To:** "William Needelman" <WBN@portlandmaine.gov>  
**Date:** 12/13/2011 11:09 AM  
**Subject:** RE: Guarantee Release  
**CC:** "Lauren Falcone" <laurenf@intercontinental.net>, "Michael J. Munroe" <mi...>  
**Attachments:** Intercontinental Disclaimer.txt

I did arrange for access to the site per your message but don't know if it has been removed.

**From:** William Needelman [mailto:WBN@portlandmaine.gov]  
**Sent:** Tuesday, December 13, 2011 11:02 AM  
**To:** Christopher T. Tully  
**Cc:** Lauren Falcone; Michael J. Munroe; Philip DiPierro  
**Subject:** Re: Guarantee Release

Chris,

Thank you for the update. I will forward your email to Phil DiPierro, Development Review Coordinator, who manages PG releases.

Is the drainage structure handled?

Bill

Bill Needelman, AICP  
Senior Planner  
Planning and Development Department  
City of Portland, Maine  
389 Congress Street  
Portland, Maine 04101-3509

(207) 874-8722 tel.

(207) 756-8258 fax.

wbn@portlandmaine.gov>>> "Christopher T. Tully" <christophert@intercontinental.net> 12/13/2011 10:09 AM

>>>

Bill,

Hope all is well. Following our meeting last week Mark Hall has continued to make progress in removing the remaining debris and spreading the remaining material. I anticipate having him remove the fabric from the fence by the end of the week. With the removal of the fabric at the end of the week, I would like to arrange to have the Guarantee Amount released to Intercontinental as soon as possible. Please confirm when we can expect the release and I will provide you with wiring instructions.

Regards,

Chris Tully

Christopher T. Tully  
Regional Director - Asset Management  
Intercontinental Real Estate Corporation  
1270 Soldiers Field Road | Boston, MA 02135-1003  
[www.intercontinental.net](http://www.intercontinental.net)

Tel: (617) 779-0419  
Cell: (617) 447-5883  
Fax: (617) 782-9442  
[christophert@intercontinental.net](mailto:christophert@intercontinental.net)

# Infrastructure Financial Contribution Form

Obtain an Account Number from Paul Colpitts, Chief Acct.,  
(ext. 8665) prior to the distribution of this form.

Amount \$ 13,100.00

City Account Number: 710-0000-236-59-00

Project Name: Longfellow Garage and Residences

Project Job Number:  
(from Site Plan Application Form) 2005-0271

Project Location: Commercial Street/India Street

Project Description: Parking Garage, Condominium and Retail Construction

Funds intended for: Intersection improvements at Middle/India Street intersection (\$8100.00) and post occupancy traffic monitoring study for the E. Promenade (\$5000.00)

Applicant's Name: Riverwalk LLC

Applicant's Address: c/o Swenson & Co.; 2 Market Street Suite 500; Portland, ME 04101

### Expiration:

If funds are not expended or encumbered for the intended purpose by \_\_\_\_\_, funds, or any balance of remaining funds, shall be returned to contributor within six months of said date.

Funds shall be permanently retained by the City.

Other (describe in detail) \_\_\_\_\_

### Form of Contribution:

Escrow Account

Cash Contribution

**Interest Disbursement:** Interest on funds to be paid to contributor only if project is not commenced.

**Terms of Draw Down of Funds:** The City shall periodically draw down the funds via a payment requisition from Public Works, which form shall specify use of City Account # shown above.

Date of Form: 1/2/2007

Planner: Needleman

Person Completing Form: Drew E. Swenson

- Attach the approval letter, condition of approval or other documentation of the required contribution.
- The original form, copy of the check, copy of report of receipts and all attachments shall be given to Debbie Marquis.
- The original check, copy of this form, and all attachments shall be filed by the Planning Division Office Manager.
- A copy of all of the above documents shall be given to the following people:

Peggy Axelson (Finance), Michael Bobinsky (Public Works), Eric Labelle (Public Works), Penny Littell (Corporation Counsel), Alexander Jaegerman (Planning), Planner for project, Applicant

*Barbara*

# REPORT OF RECEIPTS



To the Director of Finance, City of Portland, Maine

From the Department of Planning Date 12/14/07 71929

Source of Receipts \_\_\_\_\_ For The Period of \_\_\_\_\_

HTE Description - up to 19 characters (-----)

HTE Description - up to 19 characters (-----)	Amount	Revenue /Expenditure Code Project #
BIVOLUNTARY CARE - CAPITALS #9005 - C-71 - Infrastructure Acct.	13100.00	710-0000-336-59-00
<b>Totals</b> Notes/Wire Transfer \$ Total Credit Card Receipts \$ Total Direct Deposits \$ Total Checks \$ Total Cash \$	13100.00	
Total Amount	13100.00	

The undersigned certifies that this is a true, complete report of all collections made since the date of their last report.

Received This Day

Authorized Agent [Signature] Phone # 879

Forward all copies to the Treasury Department where they will be received and returned.

**CITY OF PORTLAND, MAINE**  
**PLANNING BOARD**

Kevin Beal, Chair  
Michael Patterson, Vice Chair  
John Anton  
Lee Lowry III  
Shalom Odokara  
David Silk  
Janice E. Tevanian

May 5, 2006

Mr. Drew Swenson  
Riverwalk, LLC  
2 Market Street, Suite 500  
Portland, Maine 04101

RE: Longfellow Residence and Retail, Ocean Gateway Garage, and 25 India Street Office projects  
*1 India St. - Riverwalk*

CBL:19-A-001, 19-A-014, 20-C-023, 20-C-009

Dear Mr. Swenson:

On April 25, 2006, the Portland Planning Board voted on the following motions:

**A. Traffic Movement Permit (approved, 6 to 0, Silk absent)**

The Planning Board finds that the project is in conformance with the standards of a Traffic Movement Permit subject to the following conditions of approval:

- dune* ✓
- 6/17/08*
- Cherish/Bill*
- stop signs*
- dune*
- dune* ✓
- i. *The applicant shall contribute \$8,100.00 to the implementation of possible future improvements (including signalization) at the Middle Street/India Street intersection. The monetary contribution shall be placed in an escrow account to be applied to unspecified future transportation improvements at the subject intersection. If the escrow money is not used within ten years of the escrow agreement date, the money shall be returned to the applicant.*
  - ii. *The applicant shall conduct all work necessary for the installation of a multi-way stop controlled intersection at the Middle Street/India Street intersection prior to occupancy. Plans for the installation of subject improvements shall be reviewed by the City prior to implementation.*
  - iii. *The applicant shall contribute \$5,000.00 to the partial-funding of a post-occupancy traffic monitoring study for the eastern promenade area of the City.*

*Preservation staff review and approval, as applicable.*

*done*

- ii. *The long-term landscape plan for the lot at the corner of Middle Street and Hancock Street, as shown in attachment C, shall be constructed as shown prior to final release of the project performance guarantee if no alternative development application has received a building permit from the city.*

*done*

- iii. *Materials and construction details, including but not limited to paving and tree grate choices, for both short and long-term landscape plans shall be submitted to the Planning Authority and City Arborist for review and approval prior to issuance of a building permit.*

*done*

- iv. *The applicant shall submit a revised lighting plan for the roof of the garage showing reduced illumination levels consistent with City Lighting Standards. The applicant shall also provide lighting details for the lower decks of the garage for review and approval of the Planning Authority.*

*done*

- v. *The applicant shall submit a revised utility plan showing, limits of work and trench details for India Street utility work, and underground electrical/telephone/cable connections to Public Works for review and approval prior to issuance of a building permit.*

*done*

- vi. *The applicant shall revise the valet area along the Commercial Street extension to show a straight curb line and sidewalk within the City right of way.*

- vii. *The applicant shall provide rendering of the Fore Street (northerly) elevation of the southerly block for staff review. The design treatment of the service doors to the loading and parking areas shall be evaluated and the applicant shall work with Planning staff on the final treatment of these doors in order to enhance the pedestrian experience on Fore Street.*

- viii. *Material samples for the 25 India Street office building shall be provided, and the final selection of this mix of materials be reviewed and approved by the Planning staff.*

*done*

- ix. *That the applicant provide revised plans for the review and approval of the Planning staff showing changes to the massing of the rooftop mechanicals to bring the principal mass and height of these elements over the Fore Street frontage of the new construction, stepping them down symmetrically on the wings.*

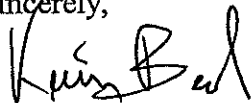
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall 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.

6. 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 Bill Needelman, Senior Planner at 874-8722.

Sincerely,



Kevin Beal, Chair  
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director  
Larry Mead, Assistant City Manager  
Alexander Jaegerman, Planning Division Director  
Sarah Hopkins, Development Review Services Manager  
Bill Needelman, Senior Planner  
Jay Reynolds, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Inspections Division  
Michael Bobinsky, Public Works Director  
Traffic Division  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Greg Cass, Fire Prevention  
Assessor's Office  
Approval Letter File



**PERFORMANCE GUARANTEE  
BETWEEN RIVERWALK LLC AND THE CITY OF PORTLAND, MAINE**

Application of Riverwalk LLC for the Ocean Gateway Garage at 25 India Street and Fore Street, Portland, Maine.

Internal Account Number: 710 0000 233 .91.04

The Internal Escrow Account/Performance Guarantee posted by Riverwalk LLC for the above captioned project is hereby amended as follows:

At page 1:

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

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the 25 India Street and Fore Street project; approval dated March 23, 2007; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. the Developer has failed to notify the City for inspections in conjunction with the installation of improvements noted in paragraph one; or
4. the Developer has failed to replace five dwelling units within the City of Portland or failed to contribute \$250,000.00 into the City's Housing Replacement fund as required by the Housing Replacement of the City of Portland.

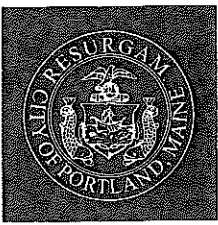
Seen and Agreed to:

Riverwalk LLC

By: 

Drew E. Swenson  
A duly authorized representative





*Strengthening a Remarkable City, Building a Community for Life*

[www.portlandmaine.gov](http://www.portlandmaine.gov)

**Planning & Urban Development Department**  
Penny St. Louis Littell, Director

**Planning Division**  
Alexander Jaegerman, Director

Mr. Nicholas Iselin  
Intercontinental Developers, Inc.  
1270 Soldiers Field Road  
Boston, Ma 02135-1003

September 11, 2009

RE: Ocean Gateway Garage, Site Improvements and Performance Guarantee  
(Id#2005-0271)(CBL 019 A 001001)

Dear Mr. Iselin,

In response to your August 12, 2009 letter regarding the Ocean Gateway Garage (as a component of the larger Riverwalk/Longfellow development complex), I have conferred with the Planning and Urban Development Department Director, Penny St. Louis Littell, and offer the following comments.

**1. Final Certificate of Occupancy for the Ocean Gateway Garage**

As per our telephone conversation on September 8, 2009, the City will be able to issue the final CofO upon receipt of confirmation that the pedestrian entry canopy lights, as revised in March of this year, meet applicable IESNA standards. My understanding is that your electrical engineer, Larry Bartlett is to provide such confirmation.

**2. Permits and Construction Lull**

Your project, including the office building at 25 India Street and the Longfellow Condominium project at India, Thames, Hancock and Fore Streets, is currently covered by active site plan and subdivision approvals. The permits will expire after a one year construction lull starting as of the last work on the project, as documented in your letter as March 13, 2009. Provided the curbing and sidewalk construction described in number 3 below is completed prior to the end of this construction season (and adequate performance guarantees remain in place,) your permit will remain active until one year after the completion of that work.

**3. Curbing and Sidewalk – Northeast corner of Fore and India Streets**

Your letter suggests that your design and construction team meet with city staff to discuss an appropriate solution for addressing the non-accessible sidewalk abutting the 25 India Street building site. This meeting should take place as soon as possible with the goal of resolving this issue to allow installation of the accessible sidewalk prior to the close of the 2009 street construction season – typically November 15, 2009. Please call or email me as soon as possible to begin scheduling this meeting. We will endeavor to be as flexible as reasonable to approve a design that avoids unnecessary utility disruption and cost.

**4. Fore Street Curb Alignment**

The City will not require the installation of the approved curb alignment along the southerly siding of Fore Street (between the PWD pump station and Hancock Street) until such time as the Longfellow Condominium is redeveloped. Final pavement overlay for Fore Street would be accomplished at this time as well. At the time of the site visit associated with the issues addressed in number 3 above, meeting participants will evaluate the existing sidewalk condition to establish whether public safety issues warrant interim remediation.

**5. Performance Guarantee release**

The Planning Division will authorize the release of performance guarantee fund equal to the value of completed site improvements (\$187, 788 by the August 12 letter.) Please have your contractor enumerate the line items completed, fully or partially, according to the original performance guarantee cost estimate sheet. The funds will be release following inspection by the Development Review Coordinator, Phil DiPierro. You should set up an inspection appointment with Mr. DiPierro at your earliest mutual convenience (207-874-8632.)

We appreciate Intercontinental's commitment to the project and the City and we look forward to working together to resolve these issues. If you have any questions, please contact me, at (207)874-8722.

Sincerely,



Bill Needelman, Senior Planner

cc: Penny St. Louis Littell, Planning and Urban Development Director  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
— Philip DiPierro, Development Review Coordinator  
Kathi Earley, Engineering Services Manager  
Todd Merkle, Public Services Inspection

Attachment: August 12, 2009 letter from N. Iselin to W. Needelman

Middle Street

Older 6'+ asphalt sw

India Street

Newer 10'+ brick sw

Empty lot, loamed and grassed landscaped

New 10' brick sw w/ lights, trees and ADA tip downs

Empty lot, loamed and grassed no land scaping Construction fence

Garage

+/-5' sw, old asphalt and concrete patched with 4 curb cuts

New +/-10' asphalt sw w/ 2 tip downs w/ADA

Fore Street

Tip down but not ADA

Hancock Street

Newer +/-6' Asphalt sw

Random truck and equipment parking  
Grave, snow and material storage  
Construction fence

Construction parking for Opechee

Brick, +/-15'

No tip down to Benkay

Grand Trunk blding

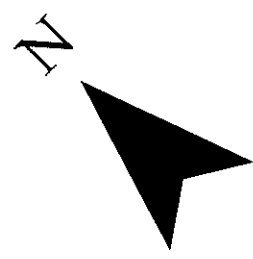
New 5' Asphalt sw

Thames Street

Lights, not trees

Tip down but not ADA

Tip down but not ADA



# Riverwalk Project Status March 2011

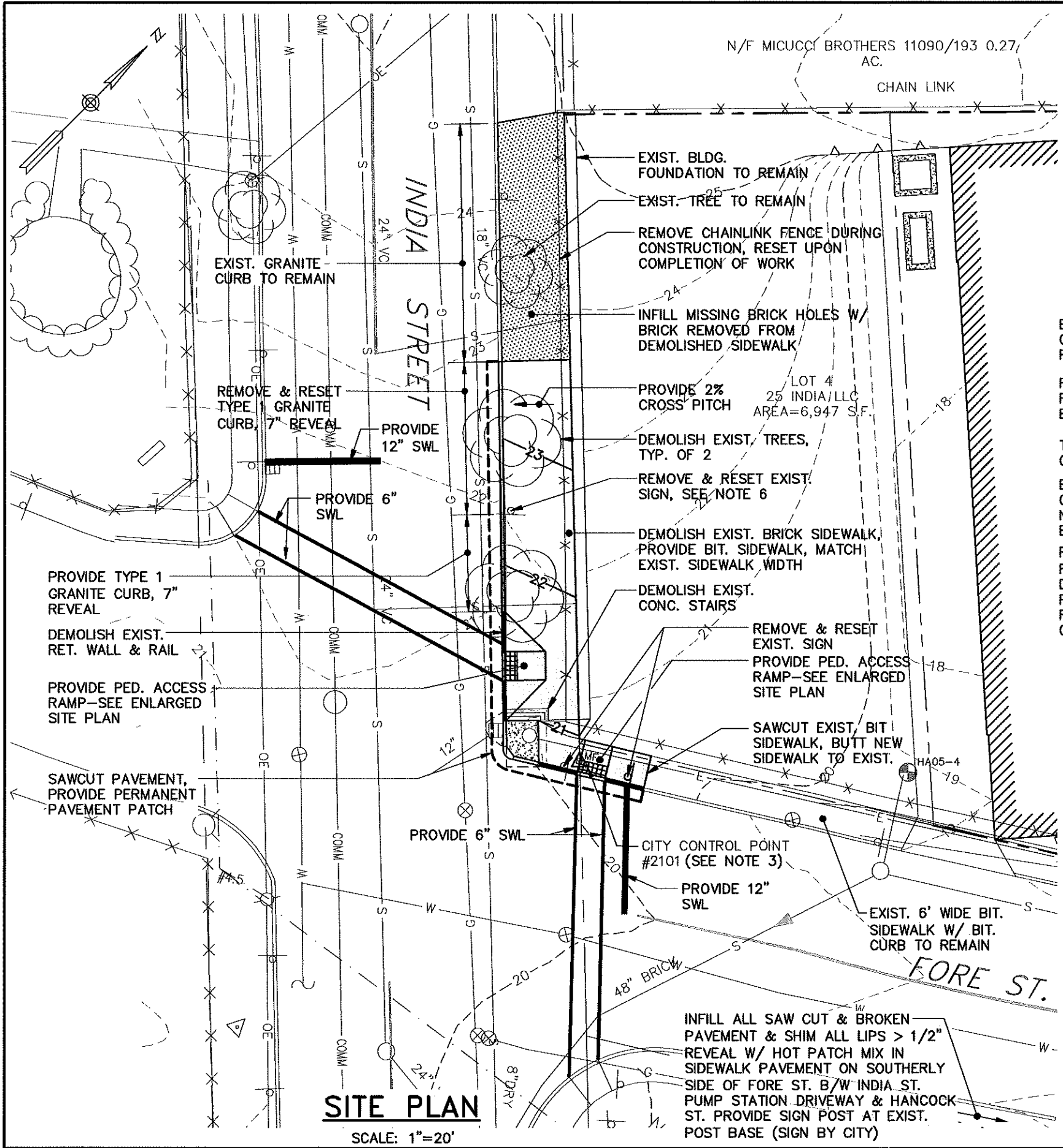
90

45

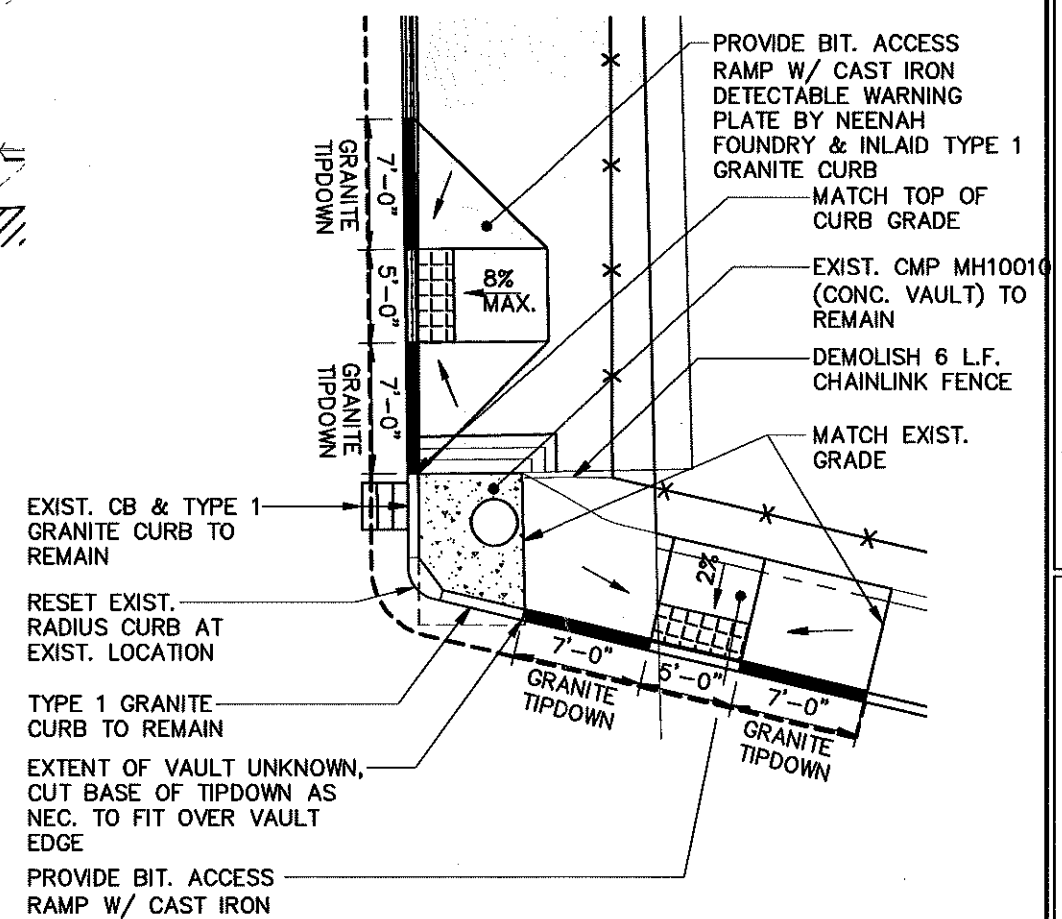
0

90 Feet



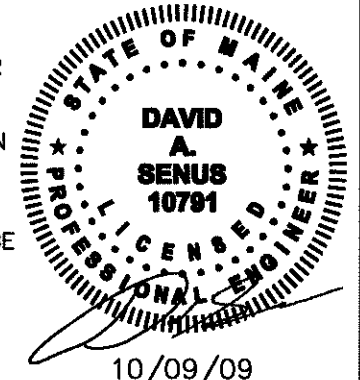


**SITE PLAN**  
SCALE: 1"=20'



**ENLARGED SITE PLAN**  
SCALE: 1"=10'

- NOTES:
1. BIT. SIDEWALK AND PEDESTRIAN ACCESS RAMPS ALONG FORE ST. AND INDIA ST. ARE TEMPORARY. BRICK SIDEWALK AND RAMPS, AS PER CITY APPROVED SITE PLAN, SHALL BE PROVIDED IN FUTURE PHASES OF WORK.
  2. PEDESTRIAN ACCESS RAMPS SHALL CONFORM TO ADA STANDARDS. WORK SHALL CONFORM TO PROJECT DETAILS AND CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.
  3. CUT EXIST. GRANITE MONUMENT AS NEC., PROVIDE COPPER ROD & CITY SURVEY WASHER MARKED TO CITY OF PORTLAND STANDARDS BY PROF. LAND SURVEYOR, RESET FRAME & COVER TO PROPOSED GRADE.
  4. LOCATION OF STOP BARS AND SIGN RELOCATION SHALL BE APPROVED BY CITY IN ADVANCE OF WORK.
  5. ALL CONFLICTING PAVEMENT MARKINGS SHALL BE REMOVED BY SURFACE GRINDING.
  6. PARKING SIGNS SHALL BE MODIFIED AS NEEDED FOLLOWING COORDINATION WITH THE CITY.



41 Hutchins Drive  
Portland, Maine 04102  
800.426.4282 | www.woodcurran.com

COMMITMENT & INTEGRITY DRIVE RESULTS

**WOODARD & CURRAN**

**SIDEWALK IMPROVEMENTS  
© FORE ST. & INDIA ST.**

DESIGNED BY: DAS  
CHECKED BY: DAS  
DRAWN BY: BOM

INTERCONTINENTAL DEVELOPERS, INC.  
BOSTON, MA

OCEAN GATEWAY GARAGE SIDEWALK IMPROVEMENTS © FORE & INDIA

JOB NO: 203555  
DATE: 10/09/09  
SCALE: AS NOTED

10/09/09

**FIG. 1**



# PORTLAND MAINE

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**Finance Department**  
Ellen Sanborn, Director

November 5, 2009

Riverwalk, LLC  
c/o Swenson & Co.  
2 Market Street, Suite 500  
Portland, ME 04101

Re: Performance Guarantee – Ocean Gateway Garage  
Escrow Account #710-0000-233-91-04

Enclosed please find a check for \$188,412.00, which the Planning Department has authorized me to release. This leaves a balance of \$697,423.00 in the above-referenced account.

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

Sincerely,

Ellen Sanborn  
Finance Director

ES:mma  
Enclosure

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

**Philip DiPierro - RE: Riverwalk Performance Guarantee, OGG CO**

---

**From:** "Nick Iselin" <NickI@intercontinental.net>  
**To:** "Philip DiPierro " <PD@portlandmaine.gov>  
**Date:** 10/14/2009 4:33 PM  
**Subject:** RE: Riverwalk Performance Guarantee, OGG CO

---

Thanks Phil. Per my email below, how do we unlock the final CO?

Nicholas Iselin  
Director of Development & Construction  
Intercontinental Real Estate Corporation  
1270 Soldiers Field Road | Boston, MA 02135-1003  
[www.intercontinental.net](http://www.intercontinental.net)

Direct: (617) 779-0428  
Fax: (617) 782-9442  
[nicki@intercontinental.net](mailto:nicki@intercontinental.net)

---

**From:** Philip DiPierro [mailto:PD@portlandmaine.gov]  
**Sent:** Wednesday, October 14, 2009 2:14 PM  
**To:** Nick Iselin  
**Subject:** Re: Riverwalk Performance Guarantee, OGG CO

Nick,

I'll go down and take a look at the site. If there are any questions I'll contact you. I don't think it's necessary that you be here for the inspection.

Thanks.

Phil

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

Phone 207 874-8632  
Fax 207 756-8258

>>> "Nick Iselin" <NickI@intercontinental.net> 10/9/2009 5:21:48 PM >>>  
Phil,

As a follow up to Bill Needleman's letter on September 11, 2009, I would like to close the loop on the discussions about the partial release of the Performance Guarantee and the issuance of the final Certificate of Occupancy. Attached you will find Exhibit A-1 from the Performance Guarantee with Ledgewood Construction's notes and my annotation relating to the quantities of work put in place in and around the OGG site. In addition, I have attached a clean version of the exhibit as well as an amended version with the new values highlighted.

The amount of work put in place comes to \$188,412 which leaves the amount remaining on the guarantee at \$697,423. This is slightly different than the amount described in my August 12 letter due to some rounding on the original exhibit. This number was calculated using the remaining work to be placed based on Ledgewood's quantities. Items like landscape were calculated using ratios of the total amounts based on the number of trees and shrubs installed. As Bill suggested in his letter, I would like to schedule an inspection appointment. I am

available on October 16, 19, and 22. If these dates work for you, let me know. Otherwise I can suggest some more.

As for the final Certificate of Occupancy, Bill has received updated illuminance measurements at the OGG sidewalks from Larry Bartlett and, based on his follow-up with Larry and our conversation at the site last week, he is comfortable that we have satisfied the final condition for the granting of the CO.

Best,  
Nick

Nicholas Iselin  
Director of Development & Construction  
Intercontinental Real Estate Corporation  
1270 Soldiers Field Road | Boston, MA 02135-1003  
[www.intercontinental.net](http://www.intercontinental.net)

Direct: (617) 779-0428  
Fax: (617) 782-9442  
[nicki@intercontinental.net](mailto:nicki@intercontinental.net)



TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: October 21, 2009

RE: C. of O. for #1 Fore Street, Ocean Gateway Garage  
(Id#2005-0271)(CBL 019 A 001001)

---

After visiting the site, I have the following comments:

Site work for the Parking Garage Phase of the project only, is complete:

**At this time, I recommend issuing a permanent Certificate of Occupancy for the Parking Garage only.**

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

Planning and Development Department  
SUBDIVISION/SITE DEVELOPMENT

A-1

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date 12/04/06

*Both Projects*

Name of Project: The Longfellow at Ocean Gateway

Address/Location: Block bound by India Street (W), Prop. Commercial Street (S), Prop. Hancock (E), Middle (N)

Developer: Riverwalk LLC, 2 Market Street, Suite 500, Portland, ME 04101

Form of Performance Guarantee: \_\_\_\_\_

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

TO BE FILLED OUT BY THE APPLICANT:

Item	Quantity	PUBLIC		PRIVATE		
		Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
<b>1. STREET/SIDEWALK</b>						
Road/Parking Areas	1570 SY	\$50.00	\$78,500	490 SY	\$28.50	\$13,965
Curbing	<del>700 LF</del> 240	\$25.00	\$17,500	<del>200 LF</del> 200	\$25.00	\$8,750
Sidewalks	<del>2000 SY</del> 465	\$90.00	\$180,000	<del>100 SY</del> 100	\$90.00	\$49,500
Esplanades				LS	\$136,000	\$136,000
Monuments	1	\$500.00	\$3,000			
Street Lighting		See Item #6			See Item #6	
Street Opening Repairs		Complete				
Other (Reset Granite Curb)	<del>128 LF</del> 105	\$15.00	\$1,920			
Other (Brick Drive Aprons)	<del>180 SY</del>	\$100.00	\$18,000	<del>50 SY</del> 32	\$100.00	\$5,500
<b>2. EARTHWORK</b>						
Cut		Incidental to utility costs and street / sidewalk costs			Incidental to building work, street / sidewalk costs and utilities	
Fill						
<b>3. SANITARY SEWER</b>						
Manholes				2 ea	\$4,000	\$8,000
Piping	<del>40 LF</del> 20	\$250	\$10,000	<del>14 LF</del> 14	\$40.00	\$9,400
Connections		Included in Piping			Included in Piping	
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other (o/w Sep.) ?	1 ea	\$23,000	\$23,000	1 ea	\$23,000	\$23,000
Grease Trap				1 ea	\$5,000	\$5,000
<b>4. WATER MAINS</b>						
	160 LF	\$140	\$22,400	<del>40 LF</del>	\$109	\$7,000
<b>5. STORM DRAINAGE</b>						
Manholes				1 ea	\$4,000	\$16,000
Catchbasins	2 ea	\$3,500	\$7,000	2 ea	\$3,500	\$28,000
Piping	120 LF	\$150	\$18,000	<del>60 LF</del> 60	\$60.00	\$36,700
Detention				LS	\$46,500	\$46,500

PLEASE NOTE ANOTHER GC COMPLETED  
WORK ON HANCOCK ST. THAT IS NOT  
IN THESE NUMBERS

SWK

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
Stormwater Quality Units						
Other (o/w Sep.)				1 ea	\$23,000	\$23,000
6. STEE LIGHTING	3	\$2,500	\$15,000	25	\$1,500	\$37,500
7. EROSION CONTROL						
Silt Fence				590 1100 LF	\$5.00	\$5,500
Check Dams						
Pipe Inlet/Outlet Protection						
Level Lip Spreader						
Soil Stabilization						
Geotextile						
Hay Bale Barriers				590 1100 LF	\$5.00	\$5,500
Catch Basin Inlet Protection				2	\$100.00	\$400.00
8. RECREATION AND OPEN SPACE AMENITIES						
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	See L1.1 & L1.2 Attached		\$14,800	See L1.1 & L1.2 Attached		\$21,500
10. MISCELLANEOUS						
TOTAL:			\$409,120			\$476,715
GRAND TOTAL:						\$885,835

INSPECTION FEE (to be filled out by City)

(12 TREES 29 SHRUBS 110' X 80 LAWN)

	PUBLIC	PRIVATE	TOTAL
A: 2.0% of totals:			
or			
B: Alternative Assessment:			
Assessed by:			
	(name)	(name)	

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

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

Date 12/4/06

Name of Project: The Longfellow at Ocean Gateway

Address/Location: Block bound by India Street (W), Prop. Commercial Street (S), Prop. Hancock (E), Middle (N)

Developer : Riverwalk LLC, 2 Market Street, Suite 500, Portland, ME 04101

Form of Performance Guarantee: \_\_\_\_\_

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

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

Item	Quantity	PUBLIC		Quantity	PRIVATE	
		Unit Cost	Subtotal		Unit Cost	Subtotal
<b>1. STREET/SIDEWALK</b>						
Road/Parking Areas	<u>1570 SY</u>	<u>\$50.00</u>	<u>\$78,500</u>	<u>490 SY</u>	<u>\$28.50</u>	<u>\$13,965</u>
Curbing	<u>700 LF</u>	<u>\$25.00</u>	<u>\$17,500</u>	<u>350 LF</u>	<u>\$25.00</u>	<u>\$8,750</u>
Sidewalks	<u>2000 SY</u>	<u>\$90.00</u>	<u>\$180,000</u>	<u>550 SY</u>	<u>\$90.00</u>	<u>\$49,500</u>
Esplanades				<u>LS</u>	<u>\$136,000</u>	<u>\$136,000</u>
Monuments	<u>6</u>	<u>\$500.00</u>	<u>\$3,000</u>			
Street Lighting		<u>See Item #6</u>			<u>See Item #6</u>	
Street Opening Repairs						
Other (Reset Granite Curb)	<u>128 LF</u>	<u>\$15.00</u>	<u>\$1,920</u>			
Other (Reset Drive Aprons)	<u>180 SY</u>	<u>\$100.00</u>	<u>\$18,000</u>	<u>55 SY</u>	<u>\$100.00</u>	<u>\$5,500</u>
<b>2. EARTHWORK</b>						
Cut	<u>Incidental to utility costs and</u>			<u>Incidental to building</u>		
Fill	<u>street / sidewalk costs</u>			<u>work, street / sidewalk costs and utilities</u>		
<b>3. SANITARY SEWER</b>						
Manholes				<u>2 ea.</u>	<u>\$4,000</u>	<u>\$8,000</u>
Piping	<u>40 LF</u>	<u>\$250</u>	<u>\$10,000</u>	<u>235 LF</u>	<u>\$40.00</u>	<u>\$9,400</u>
Connections						
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other (o/w Sep.)	<u>1 ea.</u>	<u>\$23,000</u>	<u>\$23,000</u>	<u>1 ea.</u>	<u>\$23,000</u>	<u>\$23,000</u>
Grease Trap				<u>1 ea.</u>	<u>\$5,000</u>	<u>\$5,000</u>
<b>4. WATER MAINS</b>						
	<u>160 LF</u>	<u>\$140</u>	<u>\$22,400</u>	<u>64</u>	<u>\$109</u>	<u>\$7,000</u>
<b>5. STORM DRAINAGE</b>						
Manholes				<u>4 ea.</u>	<u>\$4,000</u>	<u>\$16,000</u>
Catchbasins	<u>2 ea.</u>	<u>\$3,500</u>	<u>\$7,000</u>	<u>8 ea.</u>	<u>\$3,500</u>	<u>\$28,000</u>
Piping	<u>120 LF</u>	<u>\$150</u>	<u>\$18,000</u>	<u>445 LF</u>	<u>\$60.00</u>	<u>\$26,700</u>
Detention Basin				<u>LS</u>	<u>\$46,500</u>	<u>\$46,500</u>

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
Stormwater Quality Units						
Other (o/w Sep.)				<i>1 ea.</i>	<i>\$23,000</i>	<i>\$23,000</i>
6. SITE LIGHTING	<i>6</i>	<i>\$2,500</i>	<i>\$15,000</i>	<i>25</i>	<i>\$1,500</i>	<i>\$37,500</i>
7. EROSION CONTROL						
Silt Fence				<i>1100 LF</i>	<i>\$5.00</i>	<i>\$5,500</i>
Check Dams						
Pipe Inlet/Outlet Protection						
Level Lip Spreader						
Soil Stabilization						
Geotextile						
Hay Bale Barriers				<i>1100 LF</i>	<i>\$5.00</i>	<i>\$5,500</i>
Catch Basin Inlet Protection				<i>4</i>	<i>\$100.00</i>	<i>\$400.00</i>
8. RECREATION AND OPEN SPACE AMENITIES						
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	<i>See L1.1 and L1.2 Attached</i>		<i>\$14,800</i>			<i>\$21,500</i>
10. MISCELLANEOUS						
TOTAL:			<b>\$409,120</b>			<b>\$476,715</b>
GRAND TOTAL:						<b>\$885,835</b>

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

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

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

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

Date 10/7/09

Name of Project: The Longfellow at Ocean Gateway

Address/Location: Block bound by India Street (W), Prop. Commercial Street (S), Prop. Hancock (E), Middle (N)

Developer : Riverwalk LLC, 2 Market Street, Suite 500, Portland, ME 04101

Form of Performance Guarantee: \_\_\_\_\_

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

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

Item	Quantity	PUBLIC		Quantity	PRIVATE	
		Unit Cost	Subtotal		Unit Cost	Subtotal
<b>1. STREET/SIDEWALK</b>						
Road/Parking Areas	<u>1570 SY</u>	<u>\$50.00</u>	<u>\$78,500</u>	<u>0 SY</u>	<u>\$28.50</u>	<u>\$0</u>
Curbing	<u>460 LF</u>	<u>\$25.00</u>	<u>\$11,500</u>	<u>150 LF</u>	<u>\$25.00</u>	<u>\$3,750</u>
Sidewalks	<u>1535 SY</u>	<u>\$90.00</u>	<u>\$138,150</u>	<u>450 SY</u>	<u>\$90.00</u>	<u>\$40,500</u>
Esplanades				<u>LS</u>	<u>\$136,000</u>	<u>\$136,000</u>
Monuments	<u>5</u>	<u>\$500.00</u>	<u>\$2,500</u>			
Street Lighting		<u>See Item #6</u>			<u>See Item #6</u>	
Street Opening Repairs						
Other (Reset Granite Curb)	<u>0 LF</u>	<u>\$15.00</u>	<u>\$0</u>			
Other (Reset Drive Aprons)	<u>75 SY</u>	<u>\$100.00</u>	<u>\$7,500</u>	<u>23 SY</u>	<u>\$100.00</u>	<u>\$2,300</u>
<b>2. EARTHWORK</b>						
Cut		<i>Incidental to utility costs and street / sidewalk costs</i>			<i>Incidental to building work, street / sidewalk costs and utilities</i>	
Fill						
<b>3. SANITARY SEWER</b>						
Manholes				<u>2 ea.</u>	<u>\$4,000</u>	<u>\$8,000</u>
Piping	<u>20 LF</u>	<u>\$250</u>	<u>\$5,000</u>	<u>221 LF</u>	<u>\$40.00</u>	<u>\$8,840</u>
Connections						
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other (o/w Sep.)	<u>0</u>	<u>\$23,000</u>	<u>\$0</u>	<u>1 ea.</u>	<u>\$23,000</u>	<u>\$23,000</u>
Grease Trap				<u>1 ea.</u>	<u>\$5,000</u>	<u>\$5,000</u>
<b>4. WATER MAINS</b>						
	<u>160 LF</u>	<u>\$140</u>	<u>\$22,400</u>	<u>24 LF</u>	<u>\$109</u>	<u>\$2,616</u>
<b>5. STORM DRAINAGE</b>						
Manholes				<u>3 ea.</u>	<u>\$4,000</u>	<u>\$12,000</u>
Catchbasins	<u>2 ea.</u>	<u>\$3,500</u>	<u>\$7,000</u>	<u>6 ea.</u>	<u>\$3,500</u>	<u>\$21,000</u>
Piping	<u>120 LF</u>	<u>\$150</u>	<u>\$18,000</u>	<u>385 LF</u>	<u>\$60.00</u>	<u>\$23,100</u>
Detention Basin				<u>LS</u>	<u>\$16,500</u>	<u>\$16,500</u>

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
Stormwater Quality Units						
Other (o/w Sep.)				<i>1 ea.</i>	<i>\$23,000</i>	<i>\$23,000</i>
6. SITE LIGHTING	<i>3</i>	<i>\$2,500</i>	<i>\$7,500</i>	<i>25</i>	<i>\$1,500</i>	<i>\$37,500</i>
7. EROSION CONTROL						
Silt Fence				<i>510 LF</i>	<i>\$5.00</i>	<i>\$2,250</i>
Check Dams						
Pipe Inlet/Outlet Protection						
Level Lip Spreader						
Soil Stabilization						
Geotextile						
Hay Bale Barriers				<i>510 LF</i>	<i>\$5.00</i>	<i>\$2,250</i>
Catch Basin Inlet Protection				<i>2</i>	<i>\$100.00</i>	<i>\$200.00</i>
8. RECREATION AND OPEN SPACE AMENITIES						
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	<i>See L1.1 and L1.2 Attached</i>		<i>\$10,067</i>			<i>\$21,500</i>
10. MISCELLANEOUS						
TOTAL:			<b><i>\$308,117</i></b>			<b><i>\$389,306</i></b>
GRAND TOTAL:						<b><i>\$697,423</i></b>

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

	PUBLIC	PRIVATE	TOTAL
A: 2.0% of totals:			
or			
B: Alternative Assessment:			
Assessed by:			
	(name)	(name)	

September 15, 2008

Jeannie Bourke  
Inspection Services Division Director  
Planning & Development Department  
389 Congress Street  
Portland, ME 04101

RE: Ocean Gateway Garage  
Building Permit Number: 071013

Dear Jeannie;

On behalf of Ocean Gateway Garage LLC/Ledgewood Construction (applicant) and on the recommendation of Bill Needelman, I am requesting that the Temporary Certificate of Occupancy date of September 30, 2008 be extended. Please reference the attached Temporary C of O and conditions page. Specifically;

- Item # 1 Design approval was secured prior to July 30 and the mural is presently being painted. Due to lost days (rain), the contractor is now scheduled for an October 15 +/- completion.
- Item # 2 After installation of the CMP street light fixtures and the other fixtures shuffling, Bartlett Design will submit existing condition illumination levels for review. Intercontinental is prepared to react as requested by the Planning Authority.
- Items # 3-6 Completed
- Item # 7 Ledgewood is waiting on one contractor's As-Builts drawings so that they can submit a full set as required.
- Item # 8 Please reference the attached email from Todd Merkle. Ledgewood will direct the site contractor to supply Jim Carmody as requested.
- New Item At our meeting with Bill Needelman, a request was made to the architect to verify that the roof lights have been installed as designed and permitted. Steven Fraser has forwarded confirmation to Bill, and Bill has acknowledged as such.

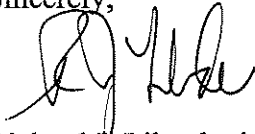


Items # 7 and 8 will be completed prior to September 30. CMP has informed (not guaranteed) me that the street fixtures are due within a few weeks. If so, there is a possibility that Items # 1 and 2 could be completed by October 15. If this letter is sufficient to keep the Temporary C of O in affect, please confirm as such. We would then request a Permanent C of O upon completion as described herein.

If reissuing a Temporary C of O with a new date is the process, I am requesting November 15. This will avoid a similar request in the event CMP is late or the illumination retrofit (if needed) takes a few weeks. Similarly, we will request a Permanent C of O upon completion of the open items as opposed to waiting to November 15.

Your consideration is appreciated in advance.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Libardoni', written over a horizontal line.

Richard J. Libardoni  
Construction Manager

Cc: Bill Needelman  
Phil DiPierro  
Barbara Barhydt  
Todd Merkle  
Drew Swenson  
Scott Clark  
Stephen Fraser  
Larry Bartlett



CITY OF PORTLAND, MAINE  
Department of Building Inspection



# Certificate of Occupancy

LOCATION 167 FORE ST CBL 020 F001001

Issued to OCEAN GATEWAY GARAGE LLC /Ledgewood Constructi Date of Issue 06/30/2008

**This is to certify** that the building, premises, or part thereof, at the above location, built -- altered -- changed as to use under Building Permit No. 07-1013, has had final inspection, has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy of use, limited or otherwise, as indicated below.

APPROVED OCCUPANCY  
Parking Garage  
Use Group S2  
Type 2B  
IBC 2003

PORTION OF BUILDING OR PREMISES  
Garage Area

Limiting Conditions: 720 parking spaces. Retail space is not approved for occupancy at this time. Temporary until September 30, 2008 for site work conditions.

This certificate supersedes certificate issued

Approved: 6/30/08 Ramona Bonte 6/30/08  
(Date) (Name) (Inspector) Inspector of Buildings

Per Greg Cass P.F.D.

Notice: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: June 30, 2008

RE: C. of O. for #1 Fore Street, Ocean Gateway Garage  
(Id#2005-0271)(CBL 019 A 001001)

---

After visiting the site, I have the following comments:  
Site work incomplete:

- done*
1. A plan for the design and application specifications for the mural on the north wall shall be provided to the Planning Authority for review and approval prior to July 30, 2008 and the mural will be installed prior to September 30, 2008.
  2. Referencing the Bartlett Design lighting memo dated June 30, 2008 - Upon installation of the approved street lighting fixtures: the temporary lighting "A" fixtures will be removed; the "B" fixtures along Fore Street will be replaced with "D" fixtures as previously approved; the single "B" fixture along the west façade of the building may remain; and, a plan for reducing the under-canopy lighting illumination levels must be submitted for review and approval by the Planning Authority.
  3. Complete the installation and pinning of all monumentation,
  4. 3 tree grates need adjustment/leveling,
  5. Caulking of curb joints where necessary,
  6. Install, repair, and/or replace sidewalk bricks where necessary,
  7. Submit "As Built" drawings,
  8. Miscellaneous site work,

I anticipate this work can be completed by **September 30, 2008**.  
At this time, **I recommend issuing a temporary Certificate of Occupancy.**

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

## Richard Libardoni

---

**From:** Todd Merkle [Todd@portlandmaine.gov]  
**Sent:** Friday, August 22, 2008 8:04 AM  
**To:** Richard Libardoni  
**Cc:** James Carmody; William Needelman  
**Subject:** Stop signs and lights

I just spoke to Jim Carmody and he will agree to install the stop signs when needed at Middle and India if you will make arrangements to have the signs and posts dropped off at our Sign Shop at 65 Hanover St in Portland.

I also spoke to Breanna at CMP and she says that they will purchase the light fixtures as long as the power comes from a non metered source. So the project should have no cost as long as the power source is non metered.  
Hope these help.  
Todd

**Bartlett Design**  
**LIGHTING & ELECTRICAL ENGINEERING**  
942 WASHINGTON STREET BATH, MAINE 04530  
TEL (207) 443-5447 FAX (207) 443-5560

June 30, 2008

Mr. William Needleman  
Senior Planner  
*City of Portland Planning and Development Department*  
389 Congress Street  
Portland, Maine 04101

RE: *Ocean Gateway Garage*  
Portland, Maine  
07-0019

Dear Bill:

I was recently asked to measure illuminance levels at the sidewalk along Fore Street immediately in front of the new Ocean Gateway Garage. I conducted my survey on June 28 at 9:15 PM. I noted the following lighting fixture types at the project site (as designated below):

- Type A: Temporary pedestrian scale lighting pole with a 100 watt clear incandescent lamp. It is my understanding that these temporary lighting poles will be removed when the permanent street lighting luminaires are provided and energized by *CMP*.
- Type B: Temporary wall light with cutoff distribution. Luminaire utilizes a 175 watt metal halide lamp. One luminaire has been added to the India Street side of the building. Two luminaires have been provided as temporary replacements for the Type D lighting fixtures along the Fore Street elevation of the building.
- Type C: Recessed canopy downlights with metal halide lamps as submitted in the planning board application.
- Type D: Wall mounted luminaires with compact fluorescent lamps as submitted in the planning board application.

As you are aware, the street lighting poles along Fore Street that are adjacent to the new parking garage have been installed, but the luminaires have not yet been provided by *CMP*. The construction documents, as were contained in the planning board approval, call for *CMP*, not the applicant, to provide these luminaires.

I measured illuminance levels at grade along the parking garage sidewalk center line at Fore Street from Hancock Street extension to India Street. The results of these measurements are noted in the plan shown in Figure 1 below. The section of the sidewalk between the India Street side of the garage and the India Street sidewalk was measured to have an average illuminance of 0.8 footcandles. The section of the sidewalk immediately in front of the curved garage wall, between the two corners of the building that have canopies was measured to have an average illuminance of 2.4 footcandles. This section of sidewalk includes the two temporary 175 watt metal halide wall lights. The minimum illuminance level measured was 0.2 footcandles.

Mr. William Needleman  
June 30, 2008  
Page 2

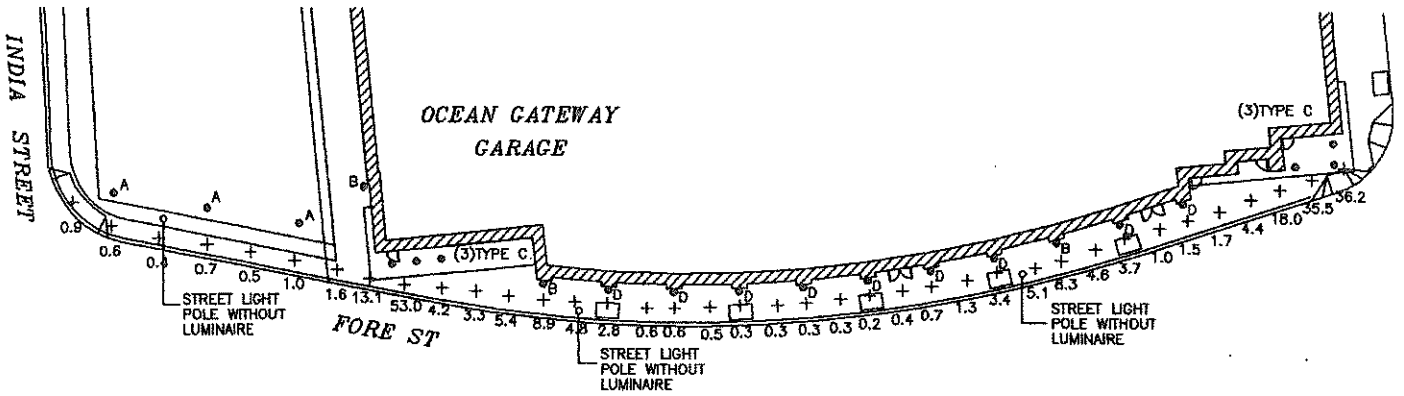


FIG. 1  
Horizontal Illuminance measured in footcandles at grade

Let me know if you have any questions.

Sincerely,

Lawrence E. Bartlett

Lawrence E. Bartlett, PE  
LEB/rv

Cc: D. Swenson, R. Libardoni, S. Fraser

# CITY OF PORTLAND, MAINE

## PLANNING BOARD

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Michael Patterson, Chair  
Janice B. Tevanian, Vice Chair  
Kevin Beal  
Bill Hall  
Lee Lowry III  
Shalom Odokara  
David Silk

March 23, 2007

Mr. Drew Swenson  
Riverwalk, LLC  
2 Market Street, Suite 500  
Portland, Maine 04101

RE: Longfellow Residence and Retail  
CBL: 19-A-001, 19-A-014 (a portion)

On March 13, 2007, the Portland Planning Board voted 6-0 (Beal absent) on the following motions regarding the Longfellow Residence and Retail subdivision and site plan:

1. That the plan is in conformance with the subdivision standards of the land use code.

Potential Conditions of Approval:

- i. That the applicant will provide a subdivision plat for Planning Board signature.
  - ii. The applicant will provide condominium documents to City legal staff for review and approval prior to release of the signed subdivision plat for registration with the Registry of Deeds.
2. That the plan is in conformance with the site plan standards of the land use code.

The approval is based on the submitted plan and the findings related to site plan review standards as contained in Planning Board Report # 10-07, which is attached.

Please note the following provisions and requirements for all subdivision approvals:

1. Mylar copies of the construction drawing for the subdivision must be submitted to the Public Works Department prior to the release of the plat. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (\*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount must be submitted to and approved by the Planning Division and Public works prior to the recording of the subdivision plat. The subdivision approval is valid for three (3) years.

3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. 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.
6. 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.)
7. 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 Department 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 regarding the Board's actions, please contact Bill Needelman, Senior Planner at 874-8722.

Sincerely,



Michael J. Patterson, Chair  
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Bill Needelman, Senior Planner  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Jeanie Bourke, Inspections Division  
Michael Bobinsky, Public Works Director  
Kathi Earley, Public Works  
Bill Clark, Public works  
Jim Carmody, Transportation Manager  
Michael Farmer, Public Works  
Jessica Hanscom, Public Works  
Jeff Tarling, City Arborist  
Captain Greg Cass, Fire Prevention  
Assessor's Office  
Approval Letter File



AMENDMENT TO  
LONGFELLOW RESIDENCE AND RETAIL PROJECT  
VICINITY OF  
INDIA STREET AND FORE STREET  
SITE PLAN AND SUBDIVISION REVIEW  
RIVERWALK, LLC., APPLICANT

Submitted to:

Portland Planning Board  
Portland, Maine

Submitted by:

Bill Needelman, Senior Planner  
March 9, 2007

For the March 13, 2007  
Public Hearing

## I. INTRODUCTION

Drew Swenson and Riverwalk, LLC request a Public Hearing with the Planning Board to review amendments to the recently approved Riverwalk Residences and Retail Project. As the Board will remember, the Longfellow project included development of three buildings on two blocks. The proposed amendments are limited to the southerly block located on the parcel defined by India Street, Fore Street, Hancock Street (extension) and Commercial Street (extension, aka Thames Street.) As an update, a brief status report on the upper block is provided below.

The project is to be reviewed under the standards for major site plan, and as an amended subdivision.

The site is entirely located within the B-6 zone. 143 notices were sent to area residents.

### A. *Longfellow Garage Status:*

The Longfellow Garage, located on the northerly project block, has been issued a foundation-only building permit to allow the most time-sensitive portion of the project to proceed while other details are resolved. A performance guarantee for the entire site – north and south blocks - has been provided.

Prior to issuing the foundation-only building permit, the Planning Staff approved minor amendments to the building exterior, the location of stair wells, and the phasing of retail development (the garage was approved with retail as a future phase, but the applicant now proposes retail development along Fore Street simultaneous with garage construction.) As promised at the previous workshop, a revised perspective drawing showing the approved design is attached to this report in the plan set Attachment G for the Board's information.

With the revised phasing and the construction of the retail space, the space count for the garage drops from 720 to 702; however, the applicant recently received Zoning Board of Appeals approval to increase the garage height by a marginal amount and the final space count will likely increase back up to 719 or 720 spaces. The process for reviewing the increase in height to the new ZBA maximum will be determined pending receipt of revised plans.

### B. *Approval Status and Conditions of Approval:*

The project was previously approved in April of 2006. At the time of approval there were a number of conditions of approval that the applicant has worked to resolve. The applicant has provided a summary of the conditions of approval in table format, along with the applicant's response, in Attachment 4. Some of these conditions are standing requirements and others necessitate additional review and approval.

1. Stormwater: As a condition of Planning Board approval, at the suggestion of the City Engineer, the applicant was required to design and fund a stormwater bypass device at the stormwater quality unit at the Ocean Gateway outfall. Technical constraints required that this approach be abandoned and the applicant proposed an alternative design where stormwater is detained on-site in subsurface chambers. Then City Engineer, Eric Labelle, approved this design as a substitution for the bypass concept and as satisfying the stormwater condition of approval. Materials documenting the stormwater changes are included in Attachment 7 and are reflected in the revised utility plan provided in Attachment B. Please note that this material was submitted and approved in satisfaction of a condition of approval and is not presented here as a proposed amendment.
2. Utility and Landscaping Plans: Like with the stormwater issues above, the Board required a revised utility plan and landscaping details as conditions of approval. The public works department has reviewed and approved the revised utility details (and the associated plan provided in Attachment B.)

Per Planning Board condition of approval, the applicant has provided a revised landscape plan for review and approval. The City Arborist had previously provided comment to the project landscape architect and the attached Landscaping Plan (Attachment C) reflects recent comments from Mr. Tarling and is currently under review. As these plans have been submitted in response to the original conditions of approval, they are not technically part of the amendment application. Of course Board comment on their development is welcome.

**II. SUMMARY OF FINDINGS**

Zoning:	B-6		
Parking Spaces:	Previously approved (on-site)	75	spaces
	Proposed (on-site)		105 spaces
Residential Units	Previously approved	116	units
	Proposed		130 units
Building Height:		65	feet
Uses:	Retail and residential		

**III. PROPOSED AMENDMENTS:**

The applicant has provided narrative descriptions of changes in Attachments 2 and 3 (an updated architectural narrative is included in Attachment 3a,) and a tabled summary of the proposed amendments, with statements on impacts, in Attachment 5.

The proposed amendments include minor changes to the building footprint, the addition of 14 residential units (making a total of 130,) additional subsurface parking (30 additional spaces, totaling 105 in the southerly block,) and redesign of architectural detailing of the building exterior. The Board should also note that the original design anticipated a significant portion of the first floor was to be dedicated to a "spa" type use. In the latest proposal, this space is anticipated to be up to five retail units located along Commercial (Thames) Street and Hancock Street.

*Footprint:* The building footprint has evolved to reflect interior amendments associated with unit design and changes to the court yard "pavilions." The Fore Street building line now pulls back away from the sidewalk by a small degree (+/- 9 feet maximum), but not in a way that will degrade the street wall presence of the building. The Zoning Administrator has approved the Fore Street building setback as consistent with the ten-foot maximum street line setback requirements of the B-6 zone.

*Additional Units:* The applicants were approved for 116 residential units and are now asking for approval of 130. The final unit design and count are not complete, but the applicant would like the flexibility of the higher count as they finalize the design of complex. The higher unit count was achieved by creation of double loaded corridors along the central Fore Street wing of the building and optimizing unit layout elsewhere.

At the previous workshop, there was some confusion as to how many commercial units would be created on the first floor. The applicant has clarified the retail units with a revised first floor plan shown in the plan set Attachment D2. This plan shows how first floor units will be divided for sale or lease and will be the basis for subdivision documentation (understanding that the units could be combined for larger tenants without requiring subdivision amendment).

For all of the final unit layouts (residential and commercial), the applicant will need to provide a subdivision plat for Planning Board signature showing divisions of ownership within the condominium complex. A condition of approval is suggested in the motions.

*Parking:* The previous approval showed 75 parking spaces in the basement of the southerly block. The revised plan achieves improved spatial efficiency by combining storage areas and now 105 spaces are provided. The revised parking layout has been reviewed by City traffic and transportation staff and finds the design acceptable. The balance of parking for the project is proposed for the Longfellow Garage in the northerly block.

*Traffic:* As stated above, the proposed amendments add 14 residential units, decrease the amount of “spa” use, and increase the amount of retail space. A breakdown of these changes are summarized in the latest Traffic Management submittal by Gorrill Palmer and found in Attachment 6a. One should note that the parking changes noted above will have no impact on traffic generation, but may impact slightly the distribution of trips between the garage and the southerly block.

The applicant had previously provided a revised traffic report (Attachment 6) showing the total number of additional trips associated with the changes to be modest (between 4 and 6 trips in the peak hour,) but did not account for changes to the retail component of the project. By accounting for the shift from spa to retail use, the latest traffic generation projections (found in Attachment 6a) actually show a reduction of overall traffic generation for the project. Reviewing traffic engineering consultant, Tom Errico has reviewed the Gorrill Palmer submission, and agrees with its findings. With the overall reduction in the number of trips generated by the project, the proposed changes no longer require an amendment to the previously approved traffic movement permit.

*Building Design:* The changes to the building design are shown in the architectural drawings provided in plan set Attachments E (elevations,) and F (perspective drawings.) Urban Designer, Carrie Marsh, has provided a description and review of the amendments in Attachment 9.

At the previous Planning Board workshop, the Board expressed reservations regarding the design of the project as a retreat from the high level of articulation and design detail provided in the original approval. In response to the Board’s concerns, the applicant’s design team has added a selection of rendered perspective drawings to the submission packet. The new elements are described in Attachment 3a, and are found in plan set section F (F1 through F4). Please note that the applicant has also provided renderings of the original proposal (F6 through F8) – taken from the same perspectives as the newly generated design to provide a “before and after” review.

When reviewing the perspective drawings in attachment section F, **the hand-drawn perspectives are the current proposal and the computer generated drawings are the previous approved design.**

Board members will remember that portions of the site are included in the Waterfront Historic District. The Historic Preservation Board has recently enthusiastically endorsed the design amendments to the westerly townhouse wing and the main body of the building under their jurisdiction. They also provided positive feedback on the Fore Street façade changes, but did not comment on the proposed alternatives provided for the Thames Street “pavilions” or, as described in Ms. Marsh’s memo, vestibules.

At the workshop, the issue of entrances on Hancock Street was discussed. The proposed health club would have had entry from the courtyard and no entry on Hancock Street. The current proposal calls for multiple retail spaces with their entrances on Hancock Street, however, the final configuration could change depending on the retail tenancies. The Board might want to stipulate a minimum number of entrances, (say 2), on Hancock Street.

#### IV. STAFF REVIEW

The proposed amendments have been reviewed by staff for conformance with the relevant review standards of the subdivision and site plan ordinances. Staff comments are highlighted in this report. Comments are only provided for standards impacted by the proposed amendments.

**V. SUBDIVISION REVIEW**

1. Water and Air Pollution

No impact from proposed amendment.

2/3. Water

The amendments do not require an upgrade in service above that required for the previous approval.

4. Soil Erosion

No impact from proposed amendment.

5. Traffic and Parking

Please see the comments provided in Section III of this report. The proposed amendments will not significantly alter the findings or conditions of the original approval.

6. Sanitary Sewer/Soils

The amendments do not require an upgrade in service above that required for the previous approval.

7. Stormwater

The amendments do not require an upgrade in service above that required for the previous approval.

8. Solid Waste Disposal

The provisions included in the previous approval (a trash room in the basement with private hauling) should adequately address the increase in residential units

9. Scenic Beauty

No impact from proposed amendment.

10. Comprehensive Plan

No impact from proposed amendment.

11. Financial Capability

No impact from proposed amendment.

12. Groundwater

No impact from proposed amendment.

13. Flood Hazard/Shoreland

No impact from proposed amendment.

14. Wetlands

No impact from proposed amendment.

**VI. SITE PLAN REVIEW**

1/2. Traffic

Please see Subdivision Review, above.

3. Bulk, Location, Health, Safety Air

No impact from proposed amendment.

4. Bulk, Location, Height of Proposed Buildings

No impact from proposed amendment.

5. Sewers, Stormdrains, Water

Please see Subdivision Review, above.

6. Landscaping and Existing Vegetation

Landscaping issues were addressed in the introduction of this report in section I.B.2.

7. Soils and Drainage

No impact from proposed amendment.

8. Exterior Lighting

No impact from proposed amendment.

9. Fire

No impact from proposed amendment.

10. City Infrastructure

No impact from proposed amendment.

11. Planned Residential Unit Development Review

Not applicable.

12. Condominium Documents

Revised condominium documents reflecting the proposed layout and design will need to be provided to City legal staff for review and approval. A condition of approval is suggested in the motions.

13. Easements

No impact from proposed amendment.

## VI. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #10-07 relevant to standards for subdivision and site plan regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Potential Conditions of Approval:

- i. That the applicant will provide a subdivision plat for Planning Board signature.
- ii. The applicant will provide condominium documents to City legal staff for review and approval prior to release of the signed subdivision plat for registration with the Registry of Deeds.

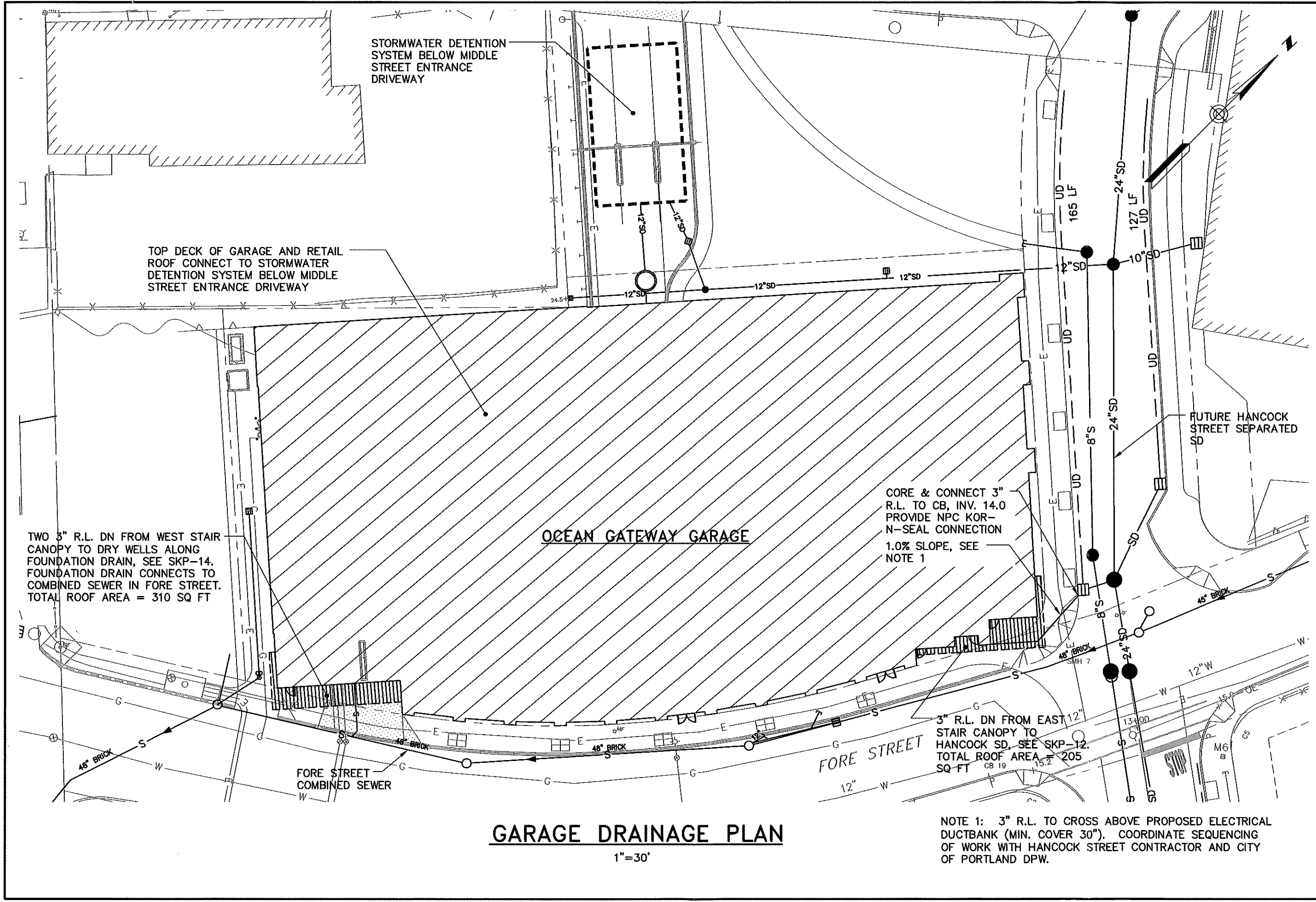
2. That the plan is in conformance with the site plan standards of the land use code.

Potential Conditions of Approval:

- i. That the revised landscape plan provided receive review and approval from the City Arborist prior to issuance of a building permit.
- ii. That there be at least 2 publicly accessible entrances facing Hancock Street.

### Attachments:

1. Amendment application
  2. Amendment cover letter
  3. Architectural narrative, November 27, 2006
  - 3a. Architectural narrative, updated, February 13, 2007
  4. Summary table of approvals and conditions
  5. Summary table of amendments
  6. Revised Traffic and Parking Analysis, November 27, 2006
  - 6a. Traffic Analysis addendum, trip generation, February 13, 2007
  7. Stormwater Update – approved by Public Works
  8. Neighborhood meeting material
  9. Urban Design memo, updated, March 8, 2007
- 
- A. Site Plan
  - B. Utility Plan
  - C. Landscape Plans and Details, revised
  - D. Architectural Plans
  - E. Architectural Elevation Drawings
  - F. Architectural Perspective Drawings - New
  - G. Approved garage renderings



**GARAGE DRAINAGE PLAN**

1"=30'

NOTE 1: 3" R.L. TO CROSS ABOVE PROPOSED ELECTRICAL DUCTBANK (MIN. COVER 30"). COORDINATE SEQUENCING OF WORK WITH HANCOCK STREET CONTRACTOR AND CITY OF PORTLAND DPW.

41 HUTCHINS DRIVE  
 PORTLAND, ME 04102  
 800.426.4262 | www.woodardcurran.com



**EAST/WEST STAIR CANOPY ROOF DRAIN**

DESIGNED BY: DAS  
 CHECKED BY: DAS  
 DRAWN BY: BCM

20355505-SK-C13.dwg

RIVERWALK, LLC  
 2 MARKET STREET, SUITE 500  
 PORTLAND, ME 04101

OCEAN GATEWAY GARAGE

JOB NO: 203555.05  
 DATE: APRIL 3, 2008  
 SCALE: 1"=30'

SK-C13 (R1)



**From:** Todd Merkle  
**To:** David Senus; William Needelman  
**Date:** 4/2/2008 7:51:55 AM  
**Subject:** Re: Ocean Gateway Garage - Canopy Rain Leaders

FYI, The City's contractor has already installed the pipe past your connection point. If approved by planning you will have to come up with another solution possibly the the CB on Hancock St. The connection will also have to be approved by Public Works (Mike Farmer).

>>> "David Senus" <dsenus@woodardcurran.com> Tuesday, April 01, 2008 6:26 PM >>>

Bill:

As we discussed, due to interior constraints, plumbing the rain leaders for the canopies at the east and west OG Garage entrances to the stormwater detention system at the Middle Street entrance driveway is problematic. The project team has proposed plumbing these canopy drains to alternate discharge locations on the Fore Street side of the building. It is my understanding from conversations with you and Todd Merkle that the City's preference is to pipe the east stair canopy (area = 205 sq ft) to the proposed storm drain system in the future Hancock Street project. The west stair canopy (area = 310 sq ft), being distant from the separated system, is proposed to be piped to dry wells (slotted pipe bedded in crushed stone wrapped in filter fabric). Water from these dry wells will percolate into the foundation drain system, and to a lesser extent, infiltrate into the surrounding soils. The foundation drain system discharges into the combined sewer system in Fore Street.

In total, the east canopy will produce approximately 700 gallons of stormwater in the 25 yr storm event (5.5" in 24 hrs) which will enter the Hancock Street storm drain system without detention. The west canopy will produce approximately 1060 gallons of stormwater in the 25 yr storm event, much of which will indirectly enter the Fore Street combined sewer system (some of which will infiltrate into surrounding soils). The stormwater produced by each of these canopies in the 25 yr storm event is inconsequential relative to the capacity of the receiving infrastructure.

Three sketches have been prepared to present this approach. Please take a chance to review the attached sketches. You will note that we are requesting the City's contractor to connect the 3" RL into the storm drain system in Hancock Street during the construction of this system. Sketch SK-C13 provides a location at which the Garage contractor will install and cap the 3" RL. The invert elevation provided on this sketch will allow the City's contractor to connect the 3" RL into the future storm drain pipe while remaining below the future electrical duct bank proposed below the sidewalk.

We await your approval of this approach. If you have any questions regarding this approach, please don't hesitate to call at 774-2112.

Thanks,  
Dave Senus

---

David Senus, PE, Project Engineer  
Woodard & Curran, Inc.  
41 Hutchins Drive  
Portland, ME 04102  
Phone: (800) 426-4262  
Fax: (207) 774-6635

---

**CC:** Alan Simon; Bob Parsons; Drew Swenson; Michael Farmer; Philip DiPierro ; Richard Libardoni; Sarah Lynch; Scott Clark; Stephen Fraser

**From:** "David Senus" <dsenus@woodardcurran.com>  
**To:** "William Needelman" <WBN@portlandmaine.gov>  
**Date:** 4/1/2008 6:27:21 PM  
**Subject:** Ocean Gateway Garage - Canopy Rain Leaders

Bill:

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Thanks,  
Dave Senus

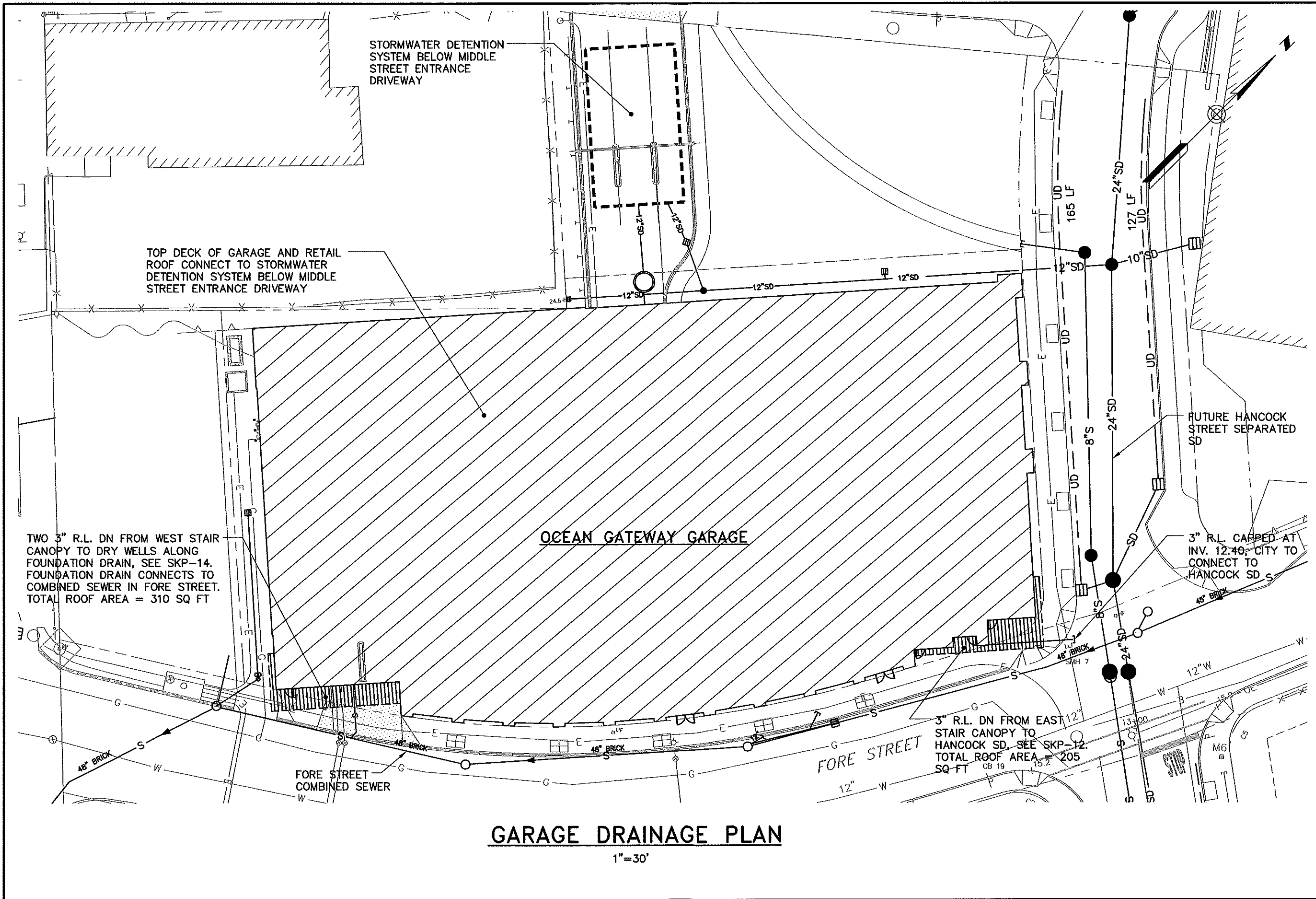
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David Senus, PE, Project Engineer  
Woodard & Curran, Inc.  
41 Hutchins Drive  
Portland, ME 04102

Phone: (800) 426-4262  
Fax: (207) 774-6635

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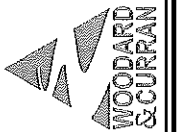
**CC:** "Bob Parsons" <bparsons@ledgewoodconstruction.com>, "Scott Clark" <Sclark@ledgewoodconstruction.com>, "Richard Libardoni" <richardl@intercontinental.net>, "Alan Simon" <ASimon@sde-us.com>, "Sarah Lynch" <SLynch@sde-us.com>, "Todd Merkle" <Todd@portlandmaine.gov>, "Stephen Fraser" <stephen@simonsarchitects.com>, "Drew Swenson" <dswenson@eaglepointco.com>, "Philip DiPierro" <PD@portlandmaine.gov>, "Michael Farmer" <Mfarmer@portlandmaine.gov>



**GARAGE DRAINAGE PLAN**

1"=30'

41 HUTCHINS DRIVE  
 PORTLAND, ME 04102  
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COMMITMENT & INTEGRITY DRIVE RESULTS

**EAST/WEST STAIR  
 CANOPY ROOF DRAIN**

DESIGNED BY: DAS  
 CHECKED BY: DAS  
 DRAWN BY: BCM  
 20355505-SK-C13.dwg

RIVERWALK, LLC  
 2 MARKET STREET, SUITE 500  
 PORTLAND, ME 04101

OCEAN GATEWAY GARAGE

JOB NO: 203555.05  
 DATE: APRIL 1, 2008  
 SCALE: 1"=30'

SK-C13

# RDK ENGINEERS

Andover, MA  
Boston, MA  
New Brunswick, NJ

Richard D. Kimball Company, Inc  
200 Brickstone Sq.  
Andover, MA 01810-1488

P 978-475-0288  
F 978-475-5768  
W www.rdkengineers.com

**PROJECT** [REDACTED]

NUMBER 25617

DATE 03/28/08

REVISION

OCEAN GATEWAY  
GARAGE  
PORTLAND, MAINE

**DRAWING** [REDACTED]

DRAWN BY KC

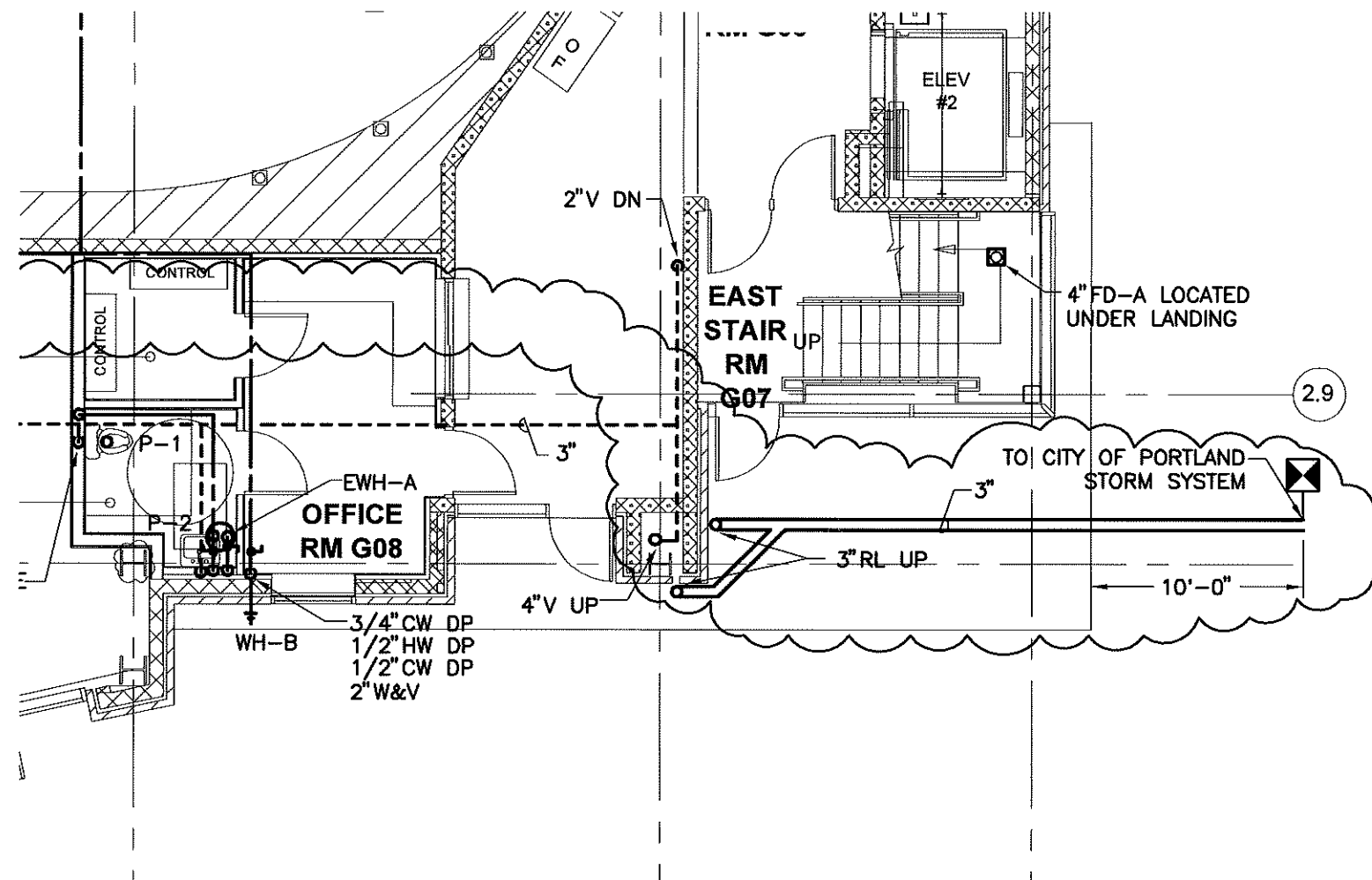
CHECKED BY

SCALE NONE

REFERENCE DRAWING P2.00

PLUMBING  
GROUND FLOOR  
RAIN LEADER  
RE-ROUTING

## SKP-12



# RDK ENGINEERS

Andover, MA  
Boston, MA  
New Brunswick, NJ

Richard D. Kimball Company, Inc.  
200 Brickstone Sq.  
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## PROJECT

NUMBER 25617

DATE 03/28/08

REVISION

OCEAN GATEWAY  
GARAGE  
PORTLAND, MAINE

## DRAWING

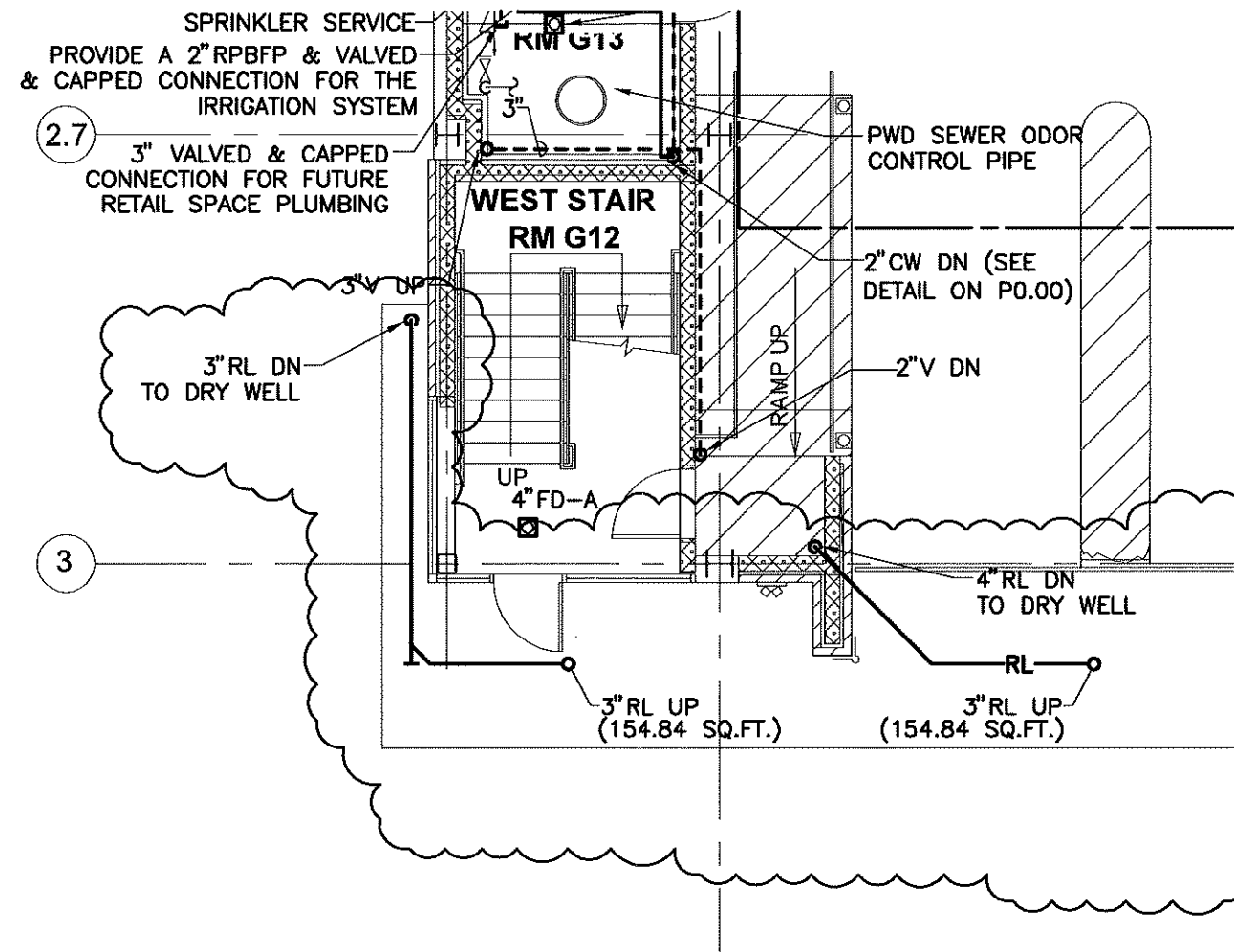
DRAWN BY KC

CHECKED BY

SCALE NONE

REFERENCE DRAWING P2.00

PLUMBING  
GROUND FLOOR  
RAIN LEADER  
RE-ROUTING



# SKP-14

**From:** William Needelman  
**To:** Monaghan, John  
**Date:** 8/14/2007 10:29:24 AM  
**Subject:** Re: FW: Watermark Condominiums Foundation Bldg. Permit

John,

I've attached the approval letter that outlines what we need to have prior to building permits.

In short, we need:

1. the subdivision recording plat (showing floor by floor unit layouts)
2. Condo Documents
3. Final copies of site related plans - site plans, grading, utilities, landscaping/lighting, exterior architecture, civil engineering details. Seven sets full-sized plus AutoCad DWGs. These plans (with the exception of the subdivision plat) should all be based on the March approval - ANY amendments to the approval must be presented as such for review. These plans are in addition to your permitting with the inspections office for the building permit

You also need to set up a preconstruction meeting once we have the plans for distribution.

If you have any questions, please call any time.

Bill

Bill Needelman, AICP  
Senior Planner  
Planning and Development Department  
City of Portland, Maine  
389 Congress Street  
Portland, Maine 04101-3509

(207) 874-8722 tel.  
(207) 756-8258 fax.  
wbn@portlandmaine.gov

>>> "Monaghan, John" <JMonaghan@Gilbaneco.com> 8/13/2007 5:18:42 PM >>>  
Sorry I had a typo.

John

---

From: Monaghan, John  
Sent: Monday, August 13, 2007 5:18 PM  
To: '[wbn@portlandmaine.gov](mailto:wbn@portlandmaine.gov)'  
Cc: 'Drew Swenson'  
Subject: Watermark Condominiums Foundation Bldg. Permit



Bill

I was planning on calling you but had a conversation with Drew Swenson first and he told me he had spoken with you and there was some additional information you requested for the permit.

He mentioned the sub-division information, grading & Landscaping plans and six sets of drawings. Do you also need six sets of specs? Can you review these items and email me or call me so I may work on them.

Thanks John

**CC:** Adolf, James; Barhydt, Barbara; DiPierro , Philip; Littell , Penny