



# **Site Plan Application City of Portland, Maine**

for

**East End Lofts  
273 Congress Street  
Portland Maine**

November 3, 2015

Applicant

Clean and Simple Living, Inc.  
315 16<sup>th</sup> Street  
Boulder, CO 80302

Prepared By

Walsh Engineering Associates, Inc.  
1 Karen Drive, Suite 2A  
Westbrook, Maine 04092



November 3, 2015

Ms. Barbara Barhydt  
Development Review Manager  
City of Portland Planning Division  
389 Congress Street  
Portland, Maine 04101

**RE: Level III Site Plan Application  
East End Lofts  
273 Congress Street  
Portland, Maine**

Dear Ms. Barhydt,

Walsh Engineering Associates, Inc. (WEA) is pleased to submit this Level III Site Plan Application on behalf of Clean and Simple Living, Inc. (Applicant) for the East End Lofts project located at 273 Congress Street, in Portland. The proposed project includes the conversion of the existing building into a mixed-use residential and commercial condominium complex. The Applicant currently owns the subject property, which lies in the City's B2b Business Community Zoning District. The proposed project complies with permitted uses of the B2b zone.

On behalf of the Applicant, we look forward to working with you to make this project a success. We request that the project be placed on the next available Planning Board agenda. Please find enclosed the required Level III Site Plan application materials, full and reduced plan sets, and a CD with the electronic submission. Please contact us at your earliest convenience if you require any additional information.

Respectfully,



Silas Canavan, PE  
Walsh Engineering Associates, Inc.

cc: Kevin Dwyer, Clean and Simple Living, Inc.  
Evan Carroll, bild ARCHITECTS

enc: Letter to Fire Department  
Site Plan Application  
Site Plans (1 full size, 1 reduced)  
CD with electronic submission





Jeff Lewis, AICP, Director  
Planning & Urban Development Department

**Electronic Signature and Fee Payment Confirmation**

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

I, the undersigned, intend and acknowledge that no Site Plan or Historic Preservation Applications can be reviewed until payment of appropriate application fees are ***paid in full*** to the Inspections Office, City of Portland Maine by method noted below:

- Within 24-48 hours, once my complete application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.
- Within 24-48 hours, once my application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.
- I intend to deliver a payment method through the U.S. Postal Service mail once my application paperwork has been electronically delivered.

[Handwritten Signature]  
Applicant Signature:

11/3/15  
Date:

[Handwritten Signature]  
I have provided digital copies and sent them on:

11/3/15  
Date:

**NOTE:** All electronic paperwork must be delivered to [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov) or by physical means i.e. a thumb drive or CD to the Inspections Office, City Hall, 3<sup>rd</sup> Floor, Room 315.



## Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department  
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

### Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

#### Planning Division

Fourth Floor, City Hall  
389 Congress Street  
(207) 874-8719

#### Office Hours

Monday thru Friday  
8:00 a.m. – 4:30 p.m.

**PROJECT NAME:** East End Lofts

**PROPOSED DEVELOPMENT ADDRESS:**

273 Congress Street, Portland, Maine

**PROJECT DESCRIPTION:**

Redevelopment of existing building into 9 residential units and one retail unit.

**CHART/BLOCK/LOT:** 21/E/18

**PRELIMINARY PLAN** \_\_\_\_\_ (date)  
**FINAL PLAN** 11/3/15 (date)

**CONTACT INFORMATION:**

<b>Applicant – must be owner, Lessee or Buyer</b> Name: Kevin Dwyer Business Name, if applicable: Clean and Simple Living, LLC Address: 315 16th Street City/State : Boulder, CO Zip Code: 80302	<b>Applicant Contact Information</b> Work # Home# Cell # 802-578-5585 Fax# e-mail: dwyerkf@msn.com
<b>Owner – (if different from Applicant)</b> Name: Kevin Dwyer, East End Lofts, LLC (a subsidiary of Clean and Simple Living, LLC) Address: 315 16th Street City/State : Boulder, CO Zip Code: 80302	<b>Owner Contact Information</b> Work # Home# Cell # 802-578-5585 Fax# e-mail: dwyerkf@msn.com
<b>Agent/ Representative</b> Name: Silas Canavan, PE Walsh Engineering Associates, Inc. Address: 1 Karen Drive, Suite 2A City/State : Westbrook, ME Zip Code: 04092	<b>Agent/Representative Contact information</b> Work # 207-553-9898 Cell # 802-989-2337 e-mail: silas@walsh-eng.com
<b>Billing Information</b> Name: Kevin Dwyer Clean and Simple Living, LLC Address: 315 16th Street City/State : Boulder, CO Zip Code: 77380	<b>Billing Information</b> Work # Cell # 802-578-5585 Fax# e-mail: dwyerkf@msn.com

<b>Engineer</b> Silas Canavan, PE Name: Walsh Engineering Associates, Inc. Address: 1 Karen Drive, Suite 2A City/State : Westbrook, ME Zip Code: 04092	<b>Engineer Contact Information</b> Work # 207-553-9898 Cell # 802-989-2337 Fax# e-mail: silas@walsh-eng.com
<b>Surveyor</b> Name: Nadeau Land Surveys Address: 918 Brighton Ave City/State : Portland, ME Zip Code: 04102	<b>Surveyor Contact Information</b> Work # 207-878-7870 Cell # Fax# e-mail: jim@nadeaulandsurveys.com
<b>Architect</b> Evan Carroll, AIA Name: bild ARCHITECTURE Address: PO Box 8235 City/State : Portland, ME Zip Code: 04104	<b>Architect Contact Information</b> Work # 207-408-0168 Cell # Fax# e-mail: evan@bildarchitecture.com
<b>Attorney</b> Gary Vogel Name: Drummond Woodsum Address: 84 Marginal Way, Suite 600 City/State : Portland, ME Zip Code: 04101	<b>Attorney Contact Information</b> Work # 207-257-0518 Cell # Fax# e-mail: gvogel@dwmlaw.com

**APPLICATION FEES:**

**Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)**

<p><b>Level III Development (check applicable reviews)</b></p> <p><input checked="" type="checkbox"/> Less than 50,000 sq. ft. (\$500.00)  <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000)  <input type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000)  <input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000)  <input type="checkbox"/> over \$300,00 sq. ft. (\$5,000)  <input type="checkbox"/> Parking lots over 11 spaces (\$1,000)  <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> <p><b>Plan Amendments (check applicable reviews)</b></p> <p><input type="checkbox"/> Planning Staff Review (\$250)  <input type="checkbox"/> Planning Board Review (\$500)</p> <hr/> <p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> <li>• Notices (\$.75 each)</li> <li>• Legal Ad (% of total Ad)</li> <li>• Planning Review (\$40.00 hour)</li> <li>• Legal Review (\$75.00 hour)</li> </ul> <p>Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.</p>	<p><b>Other Reviews (check applicable reviews)</b></p> <p><input type="checkbox"/> Traffic Movement (\$1,000)  <input type="checkbox"/> Stormwater Quality (\$250)  <input checked="" type="checkbox"/> Subdivisions (\$500 + \$25/lot)          # of Lots <u>11</u> x \$25/lot = <u>\$775</u>  <input type="checkbox"/> Site Location (\$3,000, except for residential projects which shall be \$200/lot)          # of Lots ___ x \$200/lot = _____  <input type="checkbox"/> Other _____  <input checked="" type="checkbox"/> Change of Use  <input type="checkbox"/> Flood Plain  <input type="checkbox"/> Shoreland  <input type="checkbox"/> Design Review  <input type="checkbox"/> Housing Replacement  <input checked="" type="checkbox"/> Historic Preservation</p>
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**APPLICATION SUBMISSION:**

1. All site plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file which can be found on the Electronic Plan and Document Submittal page of the City's website at <http://mc-portland.civicplus.com/764/Electronic-Plan-and-Documents-Submittal>
2. In addition, one (1) paper set of the plans (full size), one (1) paper set of plans (11 x 17), paper copy of written materials, and the application fee must be submitted to the Building Inspections Office to start the review process.

The application must be complete, including but not limited to the contact information, project data, application checklists, wastewater capacity, plan for fire department review, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
  - a. Application form that is completed and signed.
  - b. Cover letter stating the nature of the project.
  - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
5. One (1) set of plans reduced to 11 x 17.

Please refer to the application checklist (attached) for a detailed list of submission requirements.

**APPLICANT SIGNATURE:**

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

This application is for a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 11/3/15
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## PROJECT DATA

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

<b>Total Area of Site</b>	9,726	sq. ft.
<b>Proposed Total Disturbed Area of the Site</b>	50±	sq. ft.
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.		
<b>Impervious Surface Area</b>		
Impervious Area (Total Existing)	9,726	sq. ft.
Impervious Area (Total Proposed)	9,726 (no change)	sq. ft.
<b>Building Ground Floor Area and Total Floor Area</b>		
Building Footprint (Total Existing)	6,039	sq. ft.
Building Footprint (Total Proposed)	6,039	sq. ft.
Building Floor Area (Total Existing)	12,343 (gross)	sq. ft.
Building Floor Area (Total Proposed)	12,343 (no change)	sq. ft.
<b>Zoning</b>		
Existing	B-2b, Historic Preservation	
Proposed, if applicable	N/A	
<b>Land Use</b>		
Existing	Retail, Residential, Light Industrial	
Proposed	Retail, Residential	
<b>Residential, If applicable</b>		
# of Residential Units (Total Existing)	1	
# of Residential Units (Total Proposed)	10	
# of Lots (Total Proposed)	1	
# of Affordable Housing Units (Total Proposed)	0	
<b>Proposed Bedroom Mix</b>		
# of Efficiency Units (Total Proposed)	0	
# of One-Bedroom Units (Total Proposed)	10	
# of Two-Bedroom Units (Total Proposed)	0	
# of Three-Bedroom Units (Total Proposed)	0	
<b>Parking Spaces</b>		
# of Parking Spaces (Total Existing)	5	
# of Parking Spaces (Total Proposed)	5	
# of Handicapped Spaces (Total Proposed)	0 (Exempt)	
<b>Bicycle Parking Spaces</b>		
# of Bicycle Spaces (Total Existing)	3	
# of Bicycle Spaces (Total Proposed)	3	
<b>Estimated Cost of Project</b>	\$800,000±	

<b>FINAL PLAN - Level III Site Plan</b>			
<b>Applicant Checklist</b>	<b>Planner Checklist</b>	<b># of Copies</b>	<b>GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)</b>
X		1	* Completed Application form
X		1	* Application fees
X		1	* Written description of project
X		1	* Evidence of right, title and interest
N/A		1	* Evidence of state and/or federal permits
X		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
X		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
X		1	* Evidence of financial and technical capacity
X		1	Construction Management Plan
N/A		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
N/A		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
N/A		1	Stormwater management plan and stormwater calculations
X		1	Written summary of project's consistency with related city master plans
X		1	Evidence of utility capacity to serve
X		1	Written summary of solid waste generation and proposed management of solid waste
X		1	A code summary referencing NFPA 1 and all Fire Department technical standards
X		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
N/A		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Applicant Checklist	Planner Checklist	# of Copies	<b>SITE PLAN SUBMISSIONS CHECKLIST</b> <b>(* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)</b>
X		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
		1	<b>Final Site Plans including the following:</b>
X			Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);
X			Existing and proposed structures on parcels abutting site;
X			All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
X			Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;
X			Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;
X			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
X			Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;
X			Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;
X			Location of all snow storage areas and/or a snow removal plan;
N/A			A traffic control plan as detailed in Section 1 of the Technical Manual;
N/A			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
N/A			Location and proposed alteration to any watercourse;
N/A			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
N/A			Proposed buffers and preservation measures for wetlands;
N/A			Existing soil conditions and location of test pits and test borings;
N/A			Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;
N/A			A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;
X			Grading plan;
N/A			Ground water protection measures;
X			Existing and proposed sewer mains and connections;

- Continued on next page -

X		Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
X		Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;
X		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
N/A		Location and size of all on site solid waste receptacles, including on site storage containers for recyclable materials for any commercial or industrial property;
X		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
N/A		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
X		A note on the plan identifying the Historic Preservation designation and a copy of the Application for Certificate of Appropriateness, if applicable, as specified in Section Article IX, the Historic Preservation Ordinance;
X		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
N/A		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
N/A		A signage plan showing the location, dimensions, height and setback of all existing and proposed signs;
X		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.



**PORTLAND FIRE DEPARTMENT  
SITE REVIEW  
FIRE DEPARTMENT CHECKLIST**



A separate drawing[s] shall be provided as part of the site plan application for the Portland Fire Department's review.

1. Name, address, telephone number of applicant
- 2.
3. Name address, telephone number of architect
4. Proposed uses of any structures [NFPA and IBC classification]
- 5.
6. Square footage of all structures [total and per story]
7. Elevation of all structures
8. Proposed fire protection of all structures
  - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
9. Hydrant locations
10. Water main[s] size and location
11. Access to all structures [min. 2 sides]
12. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.

Some structures may require Fire flows using annex H of NFPA 1



November 3, 2015

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

**RE: Level III Site Plan Application  
East End Lofts  
273 Congress Street  
Portland, Maine**

Dear Captain Pirone,

In accordance with the requirements of the City's Site Plan review application, we have provided the enclosed drawing necessary for your review of the East End Lofts project located at 273 Congress Street in Portland. We have also provided the necessary information in the narrative below.

1. Name, address and telephone number of applicant  
*Kevin Dwyer  
Clean and Simple Living, Inc.  
315 16<sup>th</sup> Street  
Boulder, CO 8030  
802-578-5585*
2. Name address and telephone number of architect.  
*Evan Carroll, bild ARCHITECTS  
PO Box 8235  
Portland, Maine 04104  
207-408-0168*
3. Proposed use of any structures.  
*The interior of the existing building will be converted to condominium units. There will be a total of 10 residential condominiums (1 bedroom and studios) and one retail/commercial unit.*
4. Square footage of all structures  
*The footprint of the existing 3-story structure is approximately 6,040 square feet. The gross floor area is approximately 12,343 square feet. The existing building will not be expanded.*
5. Elevations of all structures  
*The peak height of the existing building is approximately 54'-2" above ground level. The height of the building will not change.*

6. Proposed fire protection of all structures.  
*The building will be sprinkled.*
7. Hydrant locations  
*An existing fire hydrant is located approximately 85 feet from the building at the southwestern corner of the intersection of Congress Street and India Street*
8. Water mains and sizes  
*A new 6" fire service and a new 2" domestic water service will be installed to the building from the existing water main in Congress Street.*
9. Access to structures (min. 2 sides)  
*Access is provided to three sides of the building from the parking lot. Access and circulation is shown on the attached site plan.*
10. Code summary shall be included referencing NFPA and all fire department technical standards.  
*The architectural design is not yet completed. The design will conform to all NFPA code requirements. A code summary will be provided by the architect during the building permit process.*

We trust that we have provided sufficient information for your review. Please contact us if you have any comments or questions.

Respectfully,



Silas Canavan, PE  
Walsh Engineering Associates, Inc.





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  - 7.1 Financial Capacity
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### Attachments

#### **Section 2**

Attachment A: Quitclaim Deed

#### **Section 4**

Attachment B : Requests for Utility 'Ability to Serve' Letters

#### **Section 5**

Attachment C: Easement Information

#### **Section 7**

Attachment D: Letter of Financial Capacity



## **1 Development Description**

### **1.1 Project Overview**

Clean and Simple Living, Inc. (Applicant) currently owns the subject property located at 273 Congress Street identified by the City Tax Assessor as Map 21 Block E Lot 18 through its subsidiary company East End Lofts, LLC. The lot currently contains a commercial building with a footprint of approximately 6,040 square feet. The Applicant intends to renovate the existing building into a mixed-use condominium complex with 10 residential units and one commercial unit. The project requires Level III Site Plan approval from the City of Portland Planning Department.

### **1.2 Existing Conditions**

The site is comprised of one 0.2 acre parcel identified on the City of Portland Assessor's Map as Tax Map 21, Block E, Lot 18 and lies within the B2b Business Community Zone and the India Street Historic Preservation District. The parcel is located on the northern side of the intersection of Congress Street and India Street and has 42.93 feet of frontage along Congress Street. The parcel is bordered to the northeast by the Etz Chaim Synagogue/Maine Jewish Museum; to the northwest by residential properties; to the southwest by St. Paul's Church, and to the southeast by Congress Street, beyond which is a Maine Medical Center Family Medicine Center.

The site is entirely developed with the building and associated sidewalk and parking lot, rendering the site 100% impervious. The three story building has a footprint of approximately 6,040 square feet and a total floor area of approximately 12,343 square feet.

The topography of the site slopes gently from the back of the property to the southeast towards Congress Street. Stormwater flows overland and is collected in the municipal stormwater collection system in Congress Street.

The site is currently connected to public sewer, public water, natural gas, electrical, and communication services from Congress Street.

### **1.3 Proposed Development**

The Applicant intends to renovate the existing building into a mixed-use condominium complex with 10 residential units and one commercial unit. The footprint of the building will not be changed. Building renovations will be on the interior of the buildings, with the exception of installation of new windows and improvements to the building façade.

Limited exterior site work is proposed, including installation of new domestic water and fire suppression services. Separate fire protection and domestic service lines will be provided.

The site is currently 100% impervious. As such, there will be no increase in impervious area, which in turn, results in no impacts to stormwater conditions as the site.





## **2 Evidence of Right, Title, and Interest**

The Applicant, Clean and Simple Living, Inc., currently owns the subject property through its subsidiary company East End Lofts, LLC. The applicable deed is attached.



**Attachment A**  
**Quitclaim Deed**

**QUITCLAIM DEED WITH COVENANT**

KNOW ALL BY THESE PRESENTS, that **EAST END STUDIOS, LLC**, a Maine limited liability company, having a place of business in Portland, Maine (“**Grantor**”), grants to **EAST END LOFTS, INC.**, a Maine corporation with a mailing address of 315 16<sup>th</sup> Street, Boulder, Colorado 80302 (hereinafter “**Grantee**”), with **Quitclaim Covenant**, that certain lot or parcel of land together with buildings and any other improvements thereon, situated in the City of Portland, County of Cumberland, and State of Maine, as more particularly set forth on **Exhibit A** attached hereto and made a part hereof.

Reference is made to that certain deed from 273 Congress Street Associates to Grantor, dated June 26, 1997 and recorded in the Cumberland County Registry of Deeds in Book 13166, Page 330.

IN WITNESS WHEREOF, the said EAST END STUDIOS, LLC has caused this instrument to be executed and delivered in its name by Sherwood Hamill its Sole Member and Sole Manager, duly authorized as of this 24<sup>th</sup> day of September 2015.

{Signature Page Follows}

MAINE REAL ESTATE TAX PAID



WITNESS:

Rebecca Hamill

EAST END STUDIOS, LLC,  
a Maine limited liability company

By: Sherwood Hamill  
Sherwood Hamill, Sole Member &  
Sole Manager

COUNTY OF CUMBERLAND )  
STATE OF MAINE ) ss.:

On September 18, 2015, personally appeared the above-named Sherwood Hamill, Sole Member and Sole Manager of EAST END STUDIOS, LLC and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said EAST END STUDIOS, LLC.

Before me,

Rebecca Hamill  
~~Notary Public~~/Maine Attorney

Printed Name: Rebecca Hamill

My Commission Expires: \_\_\_\_\_

**EXHIBIT A**

A certain lot or parcel of land with the buildings thereon situated in Portland, County of Cumberland and State of Maine, and bounded and described as follows:

BEGINNING on the northwesterly line of Congress Street at the southeasterly corner of the lot of land conveyed by Enoch Lowell to Amos Greenleaf by Warranty Deed dated September 7, 1797 and recorded in the Cumberland County Registry of Deeds in Book 31, Page 38, said point of beginning being also the southeasterly corner of the lot of land conveyed by St. Paul's Parish of the Protestant Episcopal Church to Gioconda Polito by Warranty Deed dated November 13, 1930 and recorded in said Registry of Deeds in Book 1361, Page 113;

Thence, running northeasterly by said line of Congress Street forty-eight (48) feet, more or less, to the southeasterly corner of the lot of land conveyed by Jonas H. Perley, et al., to John W. Swett by deed dated January 14, 1867 and recorded in said Registry of Deeds in Book 361, Page 390, said point being also the southwesterly corner of land described in a deed from Joseph Mack and Harris Feuerman to Michael Rubinsky, et al., dated May 17, 1920 and recorded in said Registry of Deeds in Book 1051, Page 187;

Thence, from these two bounds running northwesterly, keeping the same width of forty-eight (48) feet and adjoining said land conveyed by Enoch Lowell to Amos Greenleaf by said deed dated September 7, 1797 on the west, and adjoining said land described in said deed to Michael Rubinsky, et al., and other owners in the rear thereof on the east (said line on the east being the easterly line of said land described in said deed from Jonas H. Perley, et al., to John W. Swett dated January 14, 1867), a distance of two hundred five (205) feet, more or less, to a line, namely to the northwesterly line of the land conveyed to John W. Swett by the following deeds, namely deed from Edward Payson, Executor of the Will of Penelope Martin, Administrator C.T.A. of the Estate of Catherine Martin, and Administrator D.B.N.C.T.A. of the Estate of Elizabeth Martin, to John W. Swett, dated July 24, 1860 and recorded in said Registry of Deeds in Book 336, Page 162, and deed from Jonas H. Perley, Joseph H. Perley and John W. Russell to John W. Swett dated January 14, 1867 and recorded in said Registry of Deeds in Book 361, Page 390.

EXCEPTING, however, from the above described lot the following described strip of land, namely: beginning at the southwesterly corner of said premises on said line of said Congress Street; thence, running northeasterly on said line of said Congress Street, six (6) feet to a point and from these two bounds running northwesterly, keeping the same width of six (6) feet and adjoining the westerly line of the premises hereby described, for a distance of ninety (90) feet from said line of said Congress Street, and a right of way is hereby conveyed over said strip of land in common with the owners of the premises on the southwesterly side thereof.

A right-of-way is also hereby conveyed over the following described strip of land, namely: beginning at the southwesterly corner of the premises above described on said line of said Congress Street; thence, running southwesterly on said line of said Congress Street six (6) feet to a point and from these two bounds running northwesterly keeping the same width of six (6) feet and adjoining the land hereby conveyed on the easterly side of said strip of land for a distance of ninety (90) feet from said line of said Congress Street.

TOGETHER WITH all right, title and interest in and to the land described in that certain Quitclaim Deed Without Covenant (Release Deed) from Congregation Etz Chaim to Grantor, dated August 27, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32546, Page 302.

EXCEPTING from the Premises herein conveyed that certain land conveyed by Grantor to Congregation Etz Chaim in that certain Quitclaim Deed Without Covenant (Release Deed), dated August 26, 2015 and recorded in the Cumberland County Registry of Deeds in Book 32546, Page 299.

ALSO RELEASING to Grantee, without any covenant of title whatsoever, all right, title and interest of Grantor in and to the following described property (the "Survey Description"):

A certain lot or parcel of land, with the buildings thereon, situated on the northwesterly sideline of Congress Street, in the City of Portland, County of Cumberland, and State of Maine, being more particularly bounded and described as follows:

Beginning at a #5 steel rebar with survey cap #2124 or MagNail with survey washer #2124 to be set on the apparent northwesterly sideline of Congress Street at the southerly corner of the herein described parcel and the southeasterly terminus of a twelve (12') foot wide lane as described in Cumberland County Registry of Deeds (CCRD) Book 31, Page 38, dated September 7, 1797, and being depicted on a plan entitled, "*Plan Depicting The Results Of A Boundary Survey & Boundary Line Agreement Made For East End Studios, LLC, Northwesterly Sideline Of Congress Street, Portland, Maine*", dated August 27, 2015 by Nadeau Land Surveys, Portland, Maine (the "Plan");

Thence N54°16'18"E, a distance of forty-two and ninety-three hundredths (42.93') feet to the easterly corner of the herein described parcel and the southerly corner of land of Congregation Etz Chaim as shown on the Plan;

Thence N33°20'39"W, along said land of Congregation Etz Chaim, a distance of twenty-six hundredths (0.26') feet to a found ¾" drill hole in concrete walk at or near the southerly corner of said land of Congregation Etz Chaim;

Thence along the following six courses:

N22°08'42"W, a distance of eight and fifty-seven hundredths (8.57') feet;

N33°52'28"W, a distance of seventy-two and fifty-three hundredths (72.53') feet;

S54°26'28"W, a distance of one and thirteen hundredths (1.13') feet;

N33°50'34"W, a distance of eighty-two and seventy-nine hundredths (82.79') feet;

N36°02'26"W, a distance of thirty-two and forty-two hundredths (32.42') feet;

N17°05'41"W, a distance of eight and fifty-one hundredths (8.51') feet, to a found #5 steel rebar with survey cap #1252 depicted on said Owen Haskell plan as a point on the southwesterly sideline of said land of Congregation Etz Chaim;

Thence N33°20'39"W along the southwesterly sideline of said Congregation Etz Chaim parcel as depicted on said Owen Haskell plan, a distance of fifty-eight hundredths (0.58') feet to the northerly corner of the herein described parcel and the southeasterly sideline of land described in a deed to Joshua S. Houghton and Michele A. Levesque, dated December 30, 2005 and recorded in CCRD Book 23557, Page 49;

Thence S54°16'18"W, a distance of fifty-one and twenty-seven hundredths (51.27') feet along said southeasterly sideline of land of Houghton & Levesque, land described in a deed to 158 Cumberland, LLC, dated February 29, 2012, recorded in CCRD Book 29393, Page 121, and land described in a deed to Gregory C. Kontos and Carol Kontos, dated October 31, 1980, recorded in CCRD Book 4960, Page 211, to a #5 steel rebar with survey cap #2124 or MagNail with survey washer #2124 to be set at the westerly corner of the herein described parcel, and the northerly corner of land described in a deed to Robert Friedrich, dated March 3, 1996, recorded in CCRD Book 12383, Page 97;

Thence S33°59'46"E, a distance of one hundred fifteen and no hundredths (115.00') feet along the northeasterly sideline of said land of Friedrich, and land described in a deed to St. Paul's Parish Church, dated June 29, 2000, recorded in CCRD Book 15578, Page 263, to a #5 steel rebar with survey cap #2124 or MagNail with survey washer #2124 to be set at the center of the northwesterly terminus of said twelve (12') foot wide lane;

Thence N54°16'18"E, a distance of six and no hundredths (6.00') feet along said northwesterly terminus of the twelve (12') foot wide lane, to a #5 steel rebar with survey cap #2124 or MagNail with survey washer #2124 to be set at the northerly corner of said twelve (12') foot wide lane;

Thence S33°59'46"E, a distance of ninety and no hundredths (90.00') feet along the northeasterly sideline of said twelve (12') foot wide lane to the point of beginning.

The bearings used in this description are based on Magnetic North, observed 2015.

ALSO RELEASING to Grantee, without any covenant of title whatsoever, all right, title and interest of Grantor in and to the following described right of way over a strip of land 12' in width situated adjacent to and southwesterly of the above described premises:

Together with a right of way over a strip of land 12' in width, in common with others, as shown on the above referenced Plan as a "12' Wide Lane", and bounded and described as follows:

Beginning at the southwesterly corner of the premises described above;

Thence N33°59'46"W a distance of ninety (90) feet to a #5 steel rebar with survey cap #2124 or MagNail with survey washer #2124 to be set at the northerly corner of said 12' Wide Lane shown on the Plan;

Thence S 54°16'18"W to a point on a line that is parallel to and twelve (12) feet distant from the first bound described above, said point being located on land now or formerly of St. Paul's Parish Church (Book 15578, Page 263);

Thence southeasterly along or through said land now or formerly of St. Paul's Parish Church and land now or formerly of 277 Congress Street, LLC (Book 29339, Page 235), keeping a distance of twelve (12) feet at all times from the first bound described above, to a point on the apparent northwesterly sideline of Congress Street;

Thence northeasterly along the northwesterly sideline of Congress Street to the point of beginning.

The above described right of way is subject to the rights of other abutters in and to such 12' Wide Lane to the use thereof.

Reference is made to a plan entitled "*Plan Depicting The Results Of A Boundary Survey & Boundary Line Agreement Made For East End Studios, LLC, Northwesterly Sideline Of Congress Street, Portland, Maine*", dated August 27, 2015 by Nadeau Land Surveys, Portland, Maine.

Received  
Recorded Register of Deeds  
Sep 25, 2015 03:09:12P  
Cumberland County  
Nancy A. Lane





### **3 Evidence of State and/or Federal Approvals**

No state or federal approvals are required for this project.





## 4 Assessment of Compliance with Zoning Requirements

The following narrative demonstrates that the project conforms to the applicable design standards of Section 14-526 of the City of Portland Zoning Ordinance.

### a) Transportation Standards

#### 1. Impact on surrounding Street Systems

*The project has been designed to provide adequate vehicular access. The project will result in the change of use of the office space and wood shop portions of the building to residential use. The retail portion of the building will remain the same. The residential use in the downtown location with easy pedestrian access and public transportation is not anticipated to increase the number of vehicular trips generated by the project from the existing condition. Therefore, the project is not anticipated to have an adverse impact on the surrounding street system.*

#### 2. Access and Circulation

##### a. Site Access and Circulation

- i. The site access and internal circulation has been designed based on the City Technical Manual and standard engineering practice.*
- ii. Site access and egress are located at existing access/egress locations for the existing building and will not conflict with existing turning movements and traffic flows.*
- iii. No drive up features are proposed.*

##### b. Loading and Servicing

- i. It is anticipated that delivery vehicles for the retail space will be primarily box trucks and/or vans. Delivery vehicles will be able to park in the on-street loading zone in front of the property.*

##### c. Sidewalks

- i. A brick sidewalk with granite curb currently exists along the entire lot frontage.*
- ii. The existing brick sidewalk is in acceptable condition and replacement is not necessary.*
- iii. Internal sidewalks within the site are not necessary and are not practical based on existing site constraints.*

#### 3. Public Transit Access

- a. N/A: The development consists of less than 20 dwelling units and less than 20,000 square feet of commercial area. However, the development is located along an existing public transit route. An existing bus stop is*

*located on the northerly side of Congress Street approximately 50 feet east of the project site.*

4. Parking
    - a. Location and required number of parking spaces
      - i. *The site currently contains 5 parking spaces. The project is located within the recently created India Street Historic District and the structure is considered a “contributing structure”. Therefore, per Section 14-332.2(d) no additional parking spaces are required.*
      - ii. *A parking study is not required for this project*
      - iii. *The proposed number of parking spaces will not exceed 10% of the parking requirements.*
      - iv. *The existing parking spaces will remain unchanged.*
      - v. *The parking lot surface is currently and will remain bituminous concrete.*
    - b. Location and required number of bicycle parking spaces
      - i. The site plan shall provide secure bicycle parking in conformance with Section 1 of the Technical Manual and shall meet the following Requirements:
        - a. *No additional off-street parking is required per (Section 14-332.2(d)); therefore, no bicycle parking is required.*
        - b. *Not Applicable (see above)*
        - c. *Not Applicable (see above)*
      - ii. *No waivers requested.*
    - c. Motorcycle and scooter parking
      - i. *No additional off-street parking is required per (Section 14-332.2(d)); therefore, no motorcycle and scooter parking is required.*
    - d. Snow Storage
      - i. *The site constraints do not allow for adequate snow storage. Therefore, the applicant will contract with a snow-removal company for snow storms of 1” and larger, and as needed throughout the winter.*
      - ii. *Not Applicable (see above).*
  5. Transportation demand management (TDM)
    - a. *Not Applicable.*
- b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

- a. No significant natural features are located on the site.*
- b. Not applicable*
- c. No waivers are being requested for the project.*

2. Landscaping and Landscaping Preservation

a. Landscaping preservation

- i. There is currently no landscaping on the property. The site is 100% impervious.*
- ii. Not Applicable (see above)*
- iii. Not Applicable (see above)*
- iv. No waivers are being requested.*
- v. Not applicable. The site is not located within the Shoreland Zone.*

b. Site Landscaping

i. Landscaped Buffers

- a. Dumpsters are not proposed for this project. Trash and recycling will be stored indoors.*
- b. The property has 42.93' of frontage. Therefore, 6 shrubs will be required for understory plantings. As there is no room onsite for understory plantings, the Applicant will pay into the City's tree fund.*
- c. Not Applicable. The project is not located within an industrial or commercial zone.*
- d. Not Applicable. There are no detrimental impacts of surrounding development that would necessitate buffers.*

ii. Parking lot landscaping

- a. The project will maintain the five (5) existing exterior parking spaces onsite. Therefore, 2 trees will be required for parking lot landscaping. As there is no room onsite for tree plantings, the Applicant will pay into the City's tree fund.*
- b. No landscape islands are proposed.*
- c. No landscape islands are proposed.*
- d. No vehicle display lots proposed.*
- e. Site constraints prevent the installation of understory and parking lot plantings. Therefore, the Applicant respectfully requests a waiver from the landscaping requirements and will pay in to the City's tree fund.*

iii. Street Trees

- a. *The project consists of a 10-unit multi-family complex with one commercial space. The property has 42.96' of frontage. Therefore, the project will require installation of 11 street trees.*
- b. *Site constraints prevent the installation of street tree plantings. Therefore, the Applicant respectfully requests a waiver from the landscaping requirements and will pay in to the City's tree fund.*

3. Water Quality, Stormwater Management, and Erosion Control

- a. *The site is 100% impervious in its existing condition. Site constraints do not allow for reduction in impervious area. However, the total impervious area will not be increased. Therefore, stormwater runoff from the site will not be increased.*
- b. *The overall impervious area on the site will not be increased. Therefore, the volume and rate of stormwater runoff will not increase.*
- c. *The project is not located within an Urban Impaired Stream watershed.*
- d. *Not Applicable.*
- e. *The project will not pose a risk of groundwater contamination.*
- f. *The proposed development will discharge wastewater to the City of Portland wastewater collection system. A copy of the sewer capacity application is included with this submission.*

c) Public Infrastructure and Community Safety Standards

1. Consistency with Master Plans

- a. *The development has been designed in accordance with the City Zoning Ordinance, Technical Manual, Master Plan, and off-premises infrastructure.*
- b. *A 12' wide easement is located on the southwest side of the building for site access. A memo from Drummond Woodsum Attorneys at Law confirming the existence of the easement is included in Section 5.*

2. Public Safety and Fire Prevention

- a. *The site has been designed to promote safe and comfortable access by the public.*
- b. *Adequate emergency vehicle access to the site is provided from Congress Street.*
- c. *The entire building will be sprinkled. A new separate fire suppression service will be installed to the building from the water main in Congress Street. An existing fire hydrant connected to the Portland Water District*

*system is located approximately 85 feet from the building at the southeast corner of the intersection of India Street and Congress Street.*

3. Availability and Adequate Capacity of Public Utilities

- a. The applicable utility companies have been notified of the project and 'Ability to Serve' letters have been requested. The proposed utility services have been designed to provide adequate capacity for the proposed project.*
- b. The overhead electrical and communication service connections to the building will be maintained.*
- c. Utility installations within the Congress Street right-of-way meet the requirements of Sections 2 and 9 of the Technical Manual.*
- d. The project will maintain the current connection to the public sanitary sewer collection system.*
- e. The project will maintain the current connection to the public sanitary sewer collection system. There are no existing or proposed connections to the public stormwater collection system.*
- f. Trash and recycling will be stored indoors by the tenants until collection days.*

d) Site Design Standards

1. Massing, Ventilation, and Wind Impact:

- a. The building's bulk, location, and height will not change from the existing condition and will not have an adverse effect on the ventilation or wind climate of the site or abutting properties.*
- b. The building's bulk, location, and height will not change from the existing condition and will not have an adverse effect on the value of the abutting structures.*
- c. Wall hung heat pump condensing units will be installed on the west side of the building towards the parking lot. These are electric units and will not produce exhaust.*

2. Shadows

- a. The height and shape of the building will not change from the existing condition. Therefore, the shadows cast from the building will not be affected.*

3. Snow and Ice Loading

- a. The roof size and pitch will not change from the existing condition. Therefore, there will be no change in the volume or direction of snow and ice falling from the building.*

4. View Corridors

a. *The height and shape of the building will not change from the existing condition. Therefore, existing views will not be affected.*

5. Historic Resources

a. *The development is located within the India Street Historic District.*

b. *The development is located within the proposed India Street Historic District and within 100' of St. Paul's Church, and the Etz Chaim synagogue, which are existing historic landmarks. Minimal exterior site work is proposed which will be compatible with the character defining elements of the historic district. The exterior renovations to the building will be also be compatible with the character defining elements of the historic district and are described in the Certificate of Appropriateness application.*

c. *There are no known archaeological resources on the site.*

6. Exterior Lighting

a. Site Lighting

i. *Existing lighting exterior lighting is adequate and will remain unchanged. No new exterior lighting is proposed.*

ii. *No new exterior lighting is proposed.*

b. Architectural and Specialty Lighting

i. *No architectural or specialty lighting is proposed*

ii. *No up-lighting is proposed*

c. Street Lighting

i. *No street lighting is proposed.*

7. Noise and Vibration

a. HVAC and Mechanical Equipment

i. *Wall hung heat pump condenser units will be installed on the west side of the building towards the parking lot. The location of the condenser units will not be visible from the public street.*

ii. *No emergency generators are proposed.*

8. Signage and Wayfinding

a. *No Street or wayfinding signage is proposed. No commercial signage is proposed at this time. If the future commercial tenant requires a sign for their business, the applicable permit applications will be submitted at that time.*

9. Zoning Related Design Standards

*a. A street wall with entrances to the public portion of the building accessible from the street is already provided in the existing building and will be maintained.*

e) Conditions

*1. No conditions have been imposed by the Planning Authority or Planning Board*

f) General Waivers

*1. No general waivers are being requested.*







**Attachment B**  
**Requests for Utility Ability to Serve Letters**

## Silas Canavan

---

**From:** Cough, Jamie  
**Sent:** Tuesday, October 06, 2015 7:21 AM  
**To:** Silas Canavan  
**Subject:** CMP Ability To Serve Letter  
**Attachments:** EDET July 2014.xls; Easement\_Information\_Worksheet.doc; Standard Easement Sample.pdf

Oct 6, 2105  
Silas Canavan  
Walsh Engineering Associates, Inc.  
One Karen Drive, Suite 2A  
Westbrook, ME 04092  
*Sent via email to:* [silas@walsh-eng.com](mailto:silas@walsh-eng.com)

RE: Ability to Serve Letter 273 Congress Street, Portland, ME.

Dear Mr. Canavan:

CMP has the ability to serve the proposed project located at 273 Congress Street in Portland, Maine, in accordance with our CMP Handbook (web link below). We can provide you the desired pad or pole mounted transformers per your request and city approval, in accordance with our CMP Standards Handbook. If you have any questions on the process, or need help in completion of the documents, please feel free to contact me.

### New Service Milestones

- Call 1-800-565-3181 to establish a new account and an SAP work order. ([SAP work order 10300169274](#). Note you will need new accounts etc... once the design is finalized)
- Submit any electronic drawings (PDF (preferred) or DWG files) of the site layout and proposed electrical connections if you have them.
- Submit Load information. Please complete this CMP spreadsheet using load information
- Submit the easement information worksheet. Please complete this CMP form and either email or fax back to us.
- Preliminary meetings with CMP to determine the details of job
- Field planner design appointment to cost out job and develop CMP Invoice.
- Submit invoice for payment.
- Easements signed and payment received.
- Job scheduled for completion after the electrical inspection has been received.

This process can take several months, depending upon several factors including transformer delivery, potential substation upgrades, return of completed paperwork, and other jobs in the system that may be ahead of yours. In addition, contact with the other utilities, including telephone and cable, should be commenced as soon as practical. They may have additional work or charges in addition to the CMP work required to bring your project on line.

For your convenience, here is a link to the CMP Website which contains our Handbook with details on most service requirements:

### CMP Handbook of Standard Requirements

(<http://www.cmpco.com/MediaLibrary/3/6/Content%20Management/YourAccount/PDFs%20and%20Docs/handbook.pdf>)

If you have any questions, please contact me.

Regards,

Jamie

Jamie Cough  
Energy Services Advisor  
Central Maine Power Company  
162 Canco Road  
Portland, ME 04103  
207-842-2367 office  
207-458-0382 cell  
207-626-4082 fax



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October 29, 2015

Walsh Engineering Associates, Inc  
One Karen Drive, Suite 2A  
Westbrook, ME 04092

Re: 273 Congress Street, Portland, ME

Dear Mr. Canavan;

Thank you for your interest in using natural gas for the above referenced project.

Unitil has natural gas in the vicinity of this project to provide service. The evaluation to complete the design, costs and determining if any customer contribution will be needed is in process and will be completed shortly. Unitil welcomes the opportunity for further discussions regarding this project.

If you have any further questions or require additional information, please contact me directly at

Sincerely,

Kelly Fowler  
Senior Business Development Representative  
[fowler@unitil.com](mailto:fowler@unitil.com)  
t. 207.541.2505 f. 207.541.2565



October 14, 2015

Portland Water District  
225 Douglass Circle  
Portland, ME 04102

**RE: Ability to Serve  
273 Congress Street  
Portland, Maine  
Tax Map 21, Block E, Lot 18**

To Whom It May Concern,

Walsh Engineering Associates, Inc. (WEA) is requesting an "Ability to Serve" letter from the Portland Water District for domestic water and fire services for a multi-use residential and retail condominium building located at 273 Congress Street in Portland, Maine. The existing building will be renovated to house 10 studio/one bedroom residential units and 2,550± square feet of retail space. It is assumed that the domestic service will require approximately 1,585 gallons/day.

If available, please provide any information regarding the existing service line to the building and the location, size, and material of the water main in Congress Street.

Automatic sprinkler systems will be installed throughout the building. WEA is requesting existing pressure and flow information from the nearest available hydrant to verify that there is adequate flow capacity for the sprinkler systems.

A site plan is attached showing the conceptual locations of the water service connections. A copy of the City of Portland Tax Map indicating the project location is also attached.

**The Applicant would like to submit their application to City of Portland by October 30, 2015. If you could provide the requested information prior to October 30, 2015 it would be greatly appreciated.**

Please contact me if you require any additional information.

Respectfully,

A handwritten signature in black ink that reads "Silas Canavan". The signature is written in a cursive style and is placed over a light blue rectangular background.

Silas Canavan, PE  
Walsh Engineering Associates, Inc.

# CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,  
55 Portland Street,  
Portland, Maine 04101-2991



Mr. Frank J. Brancelly,  
Senior Engineering Technician,  
Phone #: (207) 874-8832,  
Fax #: (207) 874-8852,  
E-mail: fjb@portlandmaine.gov

Date: October 30, 2015

**1. Please, Submit Utility, Site, and Locus Plans.**

Site Address: 273 Congress Street, Portland, Maine

Chart Block Lot Number: 21/E/18

Proposed Use: Multi-Family/Retail  
 Previous Use: Commercial/Retail  
 Existing Sanitary Flows: \_\_\_\_\_ GPD  
 Existing Process Flows: \_\_\_\_\_ GPD  
 Description and location of City sewer that is to receive the proposed building sewer lateral.  
Existing 4" sewer lateral already connected to sewer main in Congress Street.

Site Category	Commercial (see part 4 below)	<input checked="" type="checkbox"/>
	Industrial (complete part 5 below)	<input type="checkbox"/>
	Governmental	<input type="checkbox"/>
	Residential	<input checked="" type="checkbox"/>
	Other (specify)	<input type="checkbox"/>

*(Clearly, indicate the proposed connections, on the submitted plans)*

**2. Please, Submit Contact Information.**

City Planner's Name: T.B.D. Phone: \_\_\_\_\_  
 Owner/Developer Name: Kevin Dwyer, Clean and Simple Living, LLC  
 Owner/Developer Address: 315 16th Street, Boulder, CO 80302  
 Phone: 802-578-5585 Fax: \_\_\_\_\_ E-mail: dwyerkf@msn.com  
 Engineering Consultant Name: Silas Canavan, PE, Walsh Engineering Associates, Inc.  
 Engineering Consultant Address: 1 Karen Drive, Suite 2A, Westbrook, Maine 04092  
 Phone: 207-553-9898 Fax: \_\_\_\_\_ E-mail: silas@walsh-eng.com

***(Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review)***

**3. Please, Submit Domestic Wastewater Design Flow Calculations.**

Estimated Domestic Wastewater Flow Generated: Qave = 1,260, Qmax = 2,772 GPD  
 Peaking Factor/ Peak Times: PF = 2.2  
 Specify the source of design guidelines: (i.e. "Handbook of Subsurface Wastewater Disposal in Maine,"  
"Plumbers and Pipe Fitters Calculation Manual," Portland Water District Records, Other (specify)  
Maine Subsurface Wastewater Disposal Rules

***(Note: Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet)***

See attached design flow calculations.

**4. Please, Submit External Grease Interceptor Calculations.**

Total Drainage Fixture Unit (DFU) Values:

N/A - Commercial space will consist of retail space only. No food preparation.

Size of External Grease Interceptor:

Retention Time:

Peaking Factor/ Peak Times:

*(Note: In determining your restaurant process water flows, and the size of your external grease interceptor, please use The Uniform Plumbing Code. Note: In determining the retention time, sixty (60) minutes is the minimum retention time. Note: Please submit detailed calculations showing the derivation of your restaurant process water design flows, and please submit detailed calculations showing the derivation of the size of your external grease interceptor, either in the space provided below, or attached, as a separate sheet)*

**5. Please, Submit Industrial Process Wastewater Flow Calculations**

Estimated Industrial Process Wastewater Flows Generated:

N/A

GPD

Do you currently hold Federal or State discharge permits?

Yes

No

Is the process wastewater termed categorical under CFR 40?

Yes

No

OSHA Standard Industrial Code (SIC):

<http://www.osha.gov/oshstats/sicser.html>

Peaking Factor/Peak Process Times:

*(Note: On the submitted plans, please show where the building's domestic sanitary sewer laterals, as well as the building's industrial-commercial process wastewater sewer laterals exits the facility. Also, show where these building sewer laterals enter the city's sewer. Finally, show the location of the wet wells, control manholes, or other access points; and, the locations of filters, strainers, or grease traps)*

*(Note: Please submit detailed calculations showing the derivation of your design flows, either in the space provided below, or attached, as a separate sheet)*

Notes, Comments or Calculation

See attached design flow calculations.



## Wastewater Design Flow Calculations

East End Lofts  
273 Congress Street  
Portland, Maine

Proposed conditions:

- Multi-family residential development: 10 studio/1 bedroom units
- Retail Space: 2,290 square feet – Assume 5 employees

Design flows from Maine Subsurface Wastewater Disposal Rules, Tables 4A & 4C

- 120 GPD/1 bedroom dwelling
- 12 GPD/employee

Average Daily Flow  $Q_{ave} = (120 \text{ GPD})(10 \text{ units}) + (12 \text{ GPD})(5 \text{ employees}) = \mathbf{1,260 \text{ GPD}}$

Peaking Factor = 2.2

Per TR-16 Guides for the Design of Wastewater Treatment Works, Figure 1, pop. = 70,000

Maximum Daily Flow  $Q_{max} = 1,260 \text{ GPD} (2.2) = \mathbf{2,772 \text{ GPD}}$



## **5 Summary of Existing and/or Proposed Easements, Covenants, Right-of-Way, or other Burdens on the Site**

### **5.1 Existing Access Easement**

A 12-foot wide access easement is provided for access to the subject property at the site entrance from Congress Street as described in General Note #17 on the Boundary Survey included with this submission. A memo from Drummond Woodsum Attorneys at Law verified the existence of this easement. A copy of the memo is included in this section.



**Attachment C**  
**Easement Information**

## Silas Canavan

---

**From:** Kevin Dwyer  
**Sent:** Saturday, October 17, 2015 9:04 AM  
**To:** silas@walsh-eng.com  
**Cc:** Evan; scott.pearce@sagebioproducts.com; tomlandry@benchmarkmaine.com  
**Subject:** Fwd: 12' easement area  
**Attachments:** image001.png; Untitled attachment 00015.htm; Nadeau Land survey 273 Congress 08-27-2-15.PDF; Untitled attachment 00018.htm

Silas-

The easement for the alleyway.

Kevin  
802-578-5585

Begin forwarded message:

**From:** "Gary D. Vogel" <[GVogel@dwmlaw.com](mailto:GVogel@dwmlaw.com)>  
**Date:** October 16, 2015 at 5:52:27 PM EDT  
**To:** "Kevin Dwyer ([dwyerkf@msn.com](mailto:dwyerkf@msn.com))" <[dwyerkf@msn.com](mailto:dwyerkf@msn.com)>, "Scott Pearce ([scott.pearce@sagebioproducts.com](mailto:scott.pearce@sagebioproducts.com))" <[scott.pearce@sagebioproducts.com](mailto:scott.pearce@sagebioproducts.com)>  
**Subject:** 12' easement area

Kevin: As you requested, I am writing to address title to the 12' wide lane shown on the attached survey.

The description to the property, which goes back to the time before Maine was a state, excluded from the property the 6' wide portion of the 12' wide strip that was carved out of the description of the property to create the 12' wide lane. The same was done for the abutting property to the southwest.

This property and the abutting property to the southwest each have an easement for passage over the 12' Wide lane.

It is believed that title to the land underlying the 12' wide lane remains in the heirs of the original property owners who excepted those strips from the remainder of each parcel, as we found no conveyances of the land underlying the 12 lane in the registry of deeds, nor any other documents consistent with anyone asserting title to that land.

Please feel free to contact me if you require any further information. If you would like me to put this information in a more formal letter, I would be happy to do so.

Gary



## **6 Written Requests for Waivers**

The applicant is respectfully requesting waivers from the understory planting, parking lot landscaping, and street tree planting requirements of section 14-526(b)2.



## **7 Evidence of Financial and Technical Capacity**

### **7.1 Financial Capacity**

The applicant has the capacity to obtain the necessary financing for the project. A letter of financial capacity from Androscoggin Bank is attached. The estimated construction cost for the project is approximately \$: 00,000.

### **7.2 Technical Capacity**

The Applicant has assembled a team of qualified professionals for the design and permitting of the project. Each team member has extensive experience in the design and permitting of project in Portland and throughout the State of Maine. The consultant team consists of the following members:

Civil Engineer: Silas Canavan, PE  
Walsh Engineering Associates, Inc.  
1 Karen Drive, Suite 2A  
Westbrook, Maine 04092  
207-553-9898  
[silas@walsh-eng.com](mailto:silas@walsh-eng.com)

Architect: Evan Carroll, AIA  
bild ARCHITECTURE  
PO Box 8235  
Portland, Maine 04104  
207-408-0168  
[evan@bildarchitecture.com](mailto:evan@bildarchitecture.com)

Surveyor: James Nadeau, PLS  
Nadeau Land Surveys  
918 Brighton Avenue  
Portland, Maine 04102  
207-878-7870  
[jim@nadeaulandsurveys.com](mailto:jim@nadeaulandsurveys.com)

Attorney: Gary Vogel  
Drummond Woodsum Attorneys at Law  
84 Marginal Way, Suite 600  
Portland, Maine 04101  
207-257-0518  
[gvogel@dwmlaw.com](mailto:gvogel@dwmlaw.com)





**Attachment D**  
**Letter of Financial Capacity**



Business Development Office  
152 US Route 1, Box 5  
Scarborough, ME 04074  
p: 1-800-966-9172 • t: (207) 559-3123  
Androscogginbank.com

October 16, 2015

To Whom It May Concern:

This letter is to confirm that East End Lofts, LLC has approved financing in place for the project located at 273 Congress Street, Portland. The Bank has reviewed the financials of the principal owners of East End Lofts and they demonstrate strong financial capacity for a project of this size and scope.

Sincerely,

A handwritten signature in cursive script that reads 'Catherine Buffum'.

Catherine Buffum  
Vice President  
Commercial Lending  
(207) 518-6311

Please do not hesitate to contact me if more information is required.



## **8 Construction Management Plan**

The Applicant intends to begin construction immediately following approval of all applicable permit applications.

Limited exterior site work is proposed, therefore, minimal exterior impacts are anticipated for the project as it consists primarily of interior building renovations and exterior building façade improvements. Construction equipment and vehicles will be primarily contained to the existing parking lot adjacent to the building, which will not impact surrounding traffic patterns. Due to the proximity of the front of the building to the Congress Street sidewalk, pedestrian traffic may be temporarily redirected by signage at the nearest intersections during façade improvements to the front of the building.

The installation of new water service lines will require street opening within Congress Street. Associated lane closures and traffic management will be coordinated with the City by the selected contractor.





## **9 Boundary Survey**

Boundary and Topographic surveys performed by Nadeau Land Surveys are enclosed with the Plan Set in Section 10.





## **10 Site Plans**

The following plans are included with this submission.

Cover Sheet

Existing Conditions and Topographic Survey

Boundary Survey

C1.0 Existing Conditions and Removals Plan

C2.0 Site Layout, Utility, and Grading Plan

1 of 1 Subdivision Plat

C3.0 Site Details

C3.1 Erosion and Sedimentation Control Notes

A2.1 Elevations