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July 6, 2017

Thomas A. Errico, P.E.
Senior Associate, Traffic Engineering Director
T.Y. Lin International
12 Northbrook Drive
Falmouth, ME 04105

RE: Baxter Academy for Technology and Science – Traffic Movement Permit Condition of Approval #4

Dear Tom:

You will recall that Condition #4, as approved by the Portland Planning Board, required Baxter Academy to complete the following: *“the applicant shall submit signage and wayfinding plan that address the details of parking restriction and changes for review and approval by the Planning and Parking Divisions”*. A meeting was scheduled with representatives of both the City’s Parking and Traffic Divisions on-site to review the detail and specifics of all required parking signage alterations necessary to meet the condition of approval. Both City’s representatives and I were in full agreement as to the sign legend, sign location, and installation requirements of all traffic signage changes. Detailed sign replacement plans were prepared and submitted to the Planning Department on April 13 in hopes that we had fully met the requirements of the Condition of Approval #4. Comments were received from your office dated May 18 that requested additional follow-up detail and information. The added information, as presented in your email correspondence to Shukria Wiar, included the following:

- *The general approach to the sign installation, including the responsibility of the City, is acceptable.*
- *All drop-off parking spaces shall note on school days for all drop-off areas (all signs shall have the same message). The sign legend shall read “SCHOOL HOURS ONLY”.*
- *In conjunction with the TDM plan, the applicant shall conduct a survey of drop-off space utilization. If some spaces are not being used, the applicant shall be responsible for all work associated with returning the spaces to general use. This shall be conducted within 6 months of occupancy. The Applicant will conduct the necessary survey prior to the end of the 2017/2018 school year.*
- *The applicant shall provide additional supporting information as it relates to the spaces on Kennebec Street. This shall include information on right-of-way, impacts to truck maneuvers into and out of the Noyes Storage facility, and accessibility to the school entrances (including ADA requirements) and maintenance.*

I am most appreciative that you agreed to meet with me on June 20th to explain in greater detail the specifics of your requests. I would also like to thank you for working with me in finding equitable solutions to the second and third items, as listed above (The agreement to both issues are highlighted in red above). However, I continue to remain perplexed on the applicability of the specifics of the last comment in your email to the requirements of the Condition of Approval #4. Nonetheless, we are providing additional information based upon our understanding of your concerns in effort to resolve the remaining issues.

Right-of-Way

Attached is a detailed survey plan for the section of Kennebec Street between Elm and Chestnut Street prepared by Owen Haskell, Inc. dated May 11, 2017. You will note the public ROW along the section on Kennebec Street where the drop-off parking spaces are proposed is slightly off-set (approximately 3+ feet) from the existing façade of the 185 Lancaster Building. It was my understanding that the City's Corporation Counsel's office were concerned of the possible liability of motorists parking in the designated parking spaces encroaching onto private property. As I explained at our meeting, the section of Kennebec Street in the area we are proposing for the school drop-off zone is currently an unrestricted parking area where motorists can park without regulation. The owner of the building has given Baxter permission to use the 3+ feet space between the building and the City ROW. We believe the current unrestricted parking and the landlord's permission should resolve this issue.

Truck Maneuvers into/out of the Noyes Storage Facility

Again, we would respectfully ask that you consider the fact that motorists currently can park without restriction along the portion of Kennebec Street where the drop-off zone is proposed. In my opinion, the proposed time limit regulation of the drop-off zone, in fact, lessens any potential impact to the Noyes Storage Facility by forcing motorists to park for shorter time periods. Frankly, parents and/or other adults dropping students off in the morning do not park and leave their vehicle, they simply pull into a parking spot, drop the student off and leave. In the afternoon, parents and/or other adults will park their vehicle in the drop-off space, stay with the vehicle and wait for the student to be dismissed from class. I also note that the current use of the building on the north side of Kennebec Street near the Baxter School site involves individual self-storage that does not include the use of large trucks. Parents parking briefly in the afternoon before picking up will not interfere with that use.

Accessibility to the School Entrances (Including ADA Requirements)

Based upon our discussion, it is my understanding that you simply were looking for conformation from the project architect that the two proposed Kennebec Street entrances are not required to meet ADA requirements. Ryan Senator, project architect, advised your office in an email dated June 30, 2017 of the following: *"Bill asked me a question regarding Baxter Academy and I wanted to answer it for you. The 2 exterior doors on Kennebec Street are not handicap accessible via a wheelchair. The ADA access is provided on the Lancaster Street side of the building where the elevators are located."* We trust that Ryan's response appropriately resolves this concern.

Maintenance Activities


It was my understanding you were concerned that winter snow banks on Kennebec Street could potentially limit or restrict the use of the proposed Kennebec Street drop-off spaces and access to the street through the two building entrances. Baxter Academy's building lease requires the building landlord to maintain access through both building entrances in a timely manner after a winter storm.

The Boulos Company have advised that snow and/or ice will be removed in a timely manner providing full access to the street from both building entrances to Kennebec Street. An opening through the winter

snow windrows formed by City maintenance equipment will be provided at both building accesses in a timely manner after each snow event. The opening through the snow bank will be of sufficient size to allow students to safely reach a parked vehicle queued on Kennebec Street.

We are most hopeful our responses to your concerns appropriately and adequately address each of the issues outlined in your email correspondence. We would appreciate a response by Friday, July 14th. Baxter Academy is diligently trying to address each of the remaining Conditions of Approval so that a Certificate of Occupancy can be issued by early to mid-August.

Very truly yours,
WILLIAM J. BRASCO, F.
PROFESSIONAL ENGINEER



The seal is circular with a double-line border. The outer ring contains the text "STATE OF MAINE" at the top and "PROFESSIONAL ENGINEER" at the bottom. The inner circle contains the name "WILLIAM J. BRASCO" and the number "12345". A blue ink signature is written over the seal.

