

GENERAL NOTES:

1. THIS IS SHEET ONE (S01) OF TWO SHEETS OF THE SUBDIVISION PLAT FOR THE CREATION OF UP TO18 DWELLING UNITS IN A NEW MIXED-USE CONDOMINIUM BUILDING TO BE CONSTRUCTED ON THE SUBJECT PROPERTY, WHICH IS AN EXISTING PARCEL OF LAND SHOWN AS LOT 2 ON THE SUBDIVISION PLAN OF HOTEL, RESTAURANT AND PORTSIDE RESIDENCES RECORDED IN THE CUMBERLAND COUNTRY REGISTRY OF DEEDS (CCRD) AT PLAN BK 210, PG 194. THE APPROVAL OF THIS PLAT DOES NOT CREATE ANY SUBDIVISION OF THE LAND ON THE SUBJECT

2. APPLICANT IS FORE INDIA MIDDLE, LLC, 11 CORPORATE DR., BELMONT, NH 03220, RECORD OWNER OF SUBJECT PROPERTY BY DEED DATED JUNE 11, 2010 (CCRD BK 27850 PG 63).

3. SUBJECT PROPERTY IS A PORTION OF LOT 3 OF BLOCK L ON THE CITY OF PORTLAND TAX MAP 29. THE TAX MAPS HAVE NOT YET BEEN UPDATED TO REFLECT THE SUBDIVISION REFERENCED IN NOTE 2.

4. TOTAL LAND AREA OF SUBJECT PROPERTY IS APPROXIMATELY 47,473 SQ FT.

5. LAND BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON AN ON-THE-GROUND SURVEY TITLED ALTA/ACSM LAND TITLE SURVEY OF JORDAN'S MEATS PROPERTY FOR OLD PORT HOSPITALITY, LLC BY SEBAGO TECHNICS, INC. DATED DECEMBER 4, 2009 REVISED THROUGH DECEMBER 18, 2009.

6. ZONING DISTRICT: SUBJECT PROPERTY IS LOCATED IN THE B-3 DOWNTOWN BUSINESS DISTRICT AND ALSO IN THE DOWNTOWN ENTERTAINMENT OVERLAY ZONE. THE MIDDLE STREET AREA ABUTTING THE SUBJECT PROPERTY IS IN THE "PEDESTRIAN ENCOURAGED AREA" WHICH IS NOT MANDATORY. SPACE AND BULK CRITERIA FOR THE B-3 DOWNTOWN BUSINESS DISTRICT ARE AS FOLLOWS:

(a) MIN. LOT SIZE: NONE

(b) MIN. STREET FRONTAGE: 15 FT. (c) STREET WALL TO BUILD LINE: 5' FIT. (SEE SEC. 14-220, CHAPTER 14, OF CITY LAND USE

ORDINANCE) (d) MIN. YARD DIMENSIONS: NONE

(e) MIN. LOT WIDTH: NONE (f) MAX. LENGTH OF UNDIFFERENTIATED BLANK WALL ALONG A PUBLIC STREET OR PUBLICLY

ACCESSIBLE PEDESTRIAN WAY:

14, OF CITY LAND USE ORDINANCE).

(1) PAD OVERLAY ZONE: 15 FT. (2) ALL OTHER AREAS: 30 FT. (g) MAX. LOT COVERAGE: 100%

(h) MIN. BLDG. HEIGHT: NO NEW CONSTRUCTION OF ANY BUILDING SHALL BE LESS THAN 35 FT. IN HEIGHT WITHIN 50 FT. OF ANY STREET FRONTAGE, EXCEPT FOR PARKING ATTENDANT BOOTHS OR BANK REMOTE TELLER FACILITIES (i) MAX. HEIGHT OF BUILDING: 65' PER THE DOWNTOWN HEIGHT OVERLAY MAP. (SEE SEC. 14-220, CHAPTER

7. APPLICANT INTENDS TO DEVELOP SUBJECT PROPERTY AS A CONDOMINIUM NAMED "INDIA MIDDLE FORE CONDOMINIUM" CONSISTING OF UP TO 18 RESIDENTIAL UNITS THAT ARE SUBJECT TO SUBDIVISION REGULATION, PLUS OFFICE UNITS, RETAIL UNITS, A GARAGE UNIT, AND A COMMON GARAGE. SHHET SO1 SHOWS THE DIMENSIONS AND LOCATION ON THE GROUND OF THE CONDOMINIUM BUILDING AND SHEET SO2 SHOWS THE LOCATION AND DIMENSIONS OF UP TO18 RESIDENTIAL UNITS THAT CONSTITUTE A SUBDIVISION. FOR DIMENSIONS AND BOUNDARIES OF THE NON-RESIDENTIAL UNITS AND COMMON ELEMENTS, REFER TO THE CONDOMINIUM PLATS AND PLANS OF THE INDIA MIDDLE FORE CONDOMINIUM TO BE RECORDED IN CCRD. THIS IS A PRIVATE CONDOMINIUM AND SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL SHALL BE THE RESPONSIBILITY OF THE CONDOMINIUM ASSOCIATION.

8. THE SIGNATURES OF THE CITY OF PORTLAND PLANNING BOARD ON THIS SUBDIVISION PLAT CONSTITUTE SUBDIVISION APPROVAL FOR THE CREATION OF UP TO 18 RESIDENTIAL CONDOMINIUM UNITS AS SHOWN ON SHEET SO2. THE NON-RESIDENTIAL UNITS ARE NOT SUBJEC TO SUBDIVISION REGULATION, AND THE APPLICANT MAY DEVELOP SUCH UNITS SUBJECT TO CERTAIN LIMIATIONS SET FORTH ON SHEET SO2.

9. SECTION 14-499(H) OF THE LAND USE ORDINANCE REQUIRES THAT "ALL UTILITY LINES SHALL BE PLACED UNDERGROUND UNLESS OTHERWISE APPROVED BY THE PLANNING BOARD." THE APPROVAL OF THIS SUBDIVISION PLAT AUTHORIZES EXISTING ELECTIC, TELEPHONE AND CABLE TV LINES ON THE INDIA STREET FRONTAGE OF SUBJECT PROPERTY TO REMAIN ABOVE GROUND. APPLICANT SHALL RELOCATE THE ELECTRIC, TELEPHONE AND CABLE TV LINES ON THE MIDDLE STREET FRONTAGE TO NEW UNDERGROUND UTILITIES IN CONFORMANCE WITH THE STANDARDS OF CENTRAL MAINE POWER CO., FAIRPOINT COMMUNICATIONS, TIME WARNER CABLE T.V. CO., OR OTHER UTILITIES PROVIDING SERVICE TO THE SITE OR ABUTTING PROPERTIES.

10. A "SUBDIVISION" IS DEFINED AS THE DIVISION OF A LOT, TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE LOTS, INCLUDING LOTS OF FORTY (40) ACRES OR MORE, WITHIN ANY FIVE-YEAR PERIOD WHETHER ACCOMPLISHED BY SALE, LEASE, DEVELOPMENT, BUILDINGS OR OTHERWISE AND AS FURTHER DEFINED IN 30-A M.R.S.A. SECTION 4401. THE TERM SUBDIVISION SHALL ALSO INCLUDE THE DIVISION OF A NEW STRUCTURE OR STRUCTURES ON A TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD AND THE DIVISION OF AN EXISTING STRUCTURE OR STRUCTURES PREVIOUSLY USED FOR COMMERCIAL OR INDUSTRIAL USE INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD. THE AREA INCLUDED IN THE EXPANSION OF AN EXISTING STRUCTURE IS DEEMED TO BE A NEW STRUCTURE FOR THE PURPOSES OF THIS PARAGRAPH. A DWELLING UNIT SHALL INCLUDE ANY PART OF A STRUCTURE WHICH, THROUGH SALE OR LEASE, IS INTENDED FOR HUMAN HABITATION, INCLUDING SINGLE-FAMILY AND MULTI-FAMILY HOUSING CONDOMINIUMS, TIME-SHARE UNITS AND APARTMENTS.

12. CONSTRUCTION:

(a) METHODS AND MATERIALS USED IN CONSTRUCTION OF IMPROVEMENTS WITHIN THE CITY RIGHT OF WAY SHALL CONFORM TO CURRENT CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND SPECIFICATIONS AND/OR CURRENT M.D.O.T STANDARDS AND SPECIFICATIONS.

(b) ALL CURBING SHALL BE DESIGNED AND BUILT WITH TIP-DOWNS AT ALL DRIVEWAYS AND CROSSWALKS, IN ACCORDANCE WITH CITY OF PORTLAND PUBLIC SERVICES DIVISION TECHNICAL STANDARDS AND GUIDELINES. FINAL AS-BUILT LOCATIONS OF CURBING AND TIP DOWNS SHALL BE COORDINATED WITH PUBLIC SERVICES DIVISION. ALL WATER MAINS. SERVICES AND ASSOCIATED APPURTENANCES SHALL BE IN CONFORMANCE WITH PORTLAND WATER DISTRICT STANDARDS. ALL NATURAL GAS MAINS, SERVICES AND ASSOCIATED APPURTENANCES SHALL BE IN CONFORMANCE WITH UNITIL STANDARDS.

(c) ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH "MAINE EROSION AND SEDIMENTATION CONTROL HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES" PUBLISHED BY THE CUMBERLAND COUNTY SOIL AND WATER DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 2003 OR LATEST EDITION. CONTRACTOR SHALL POSSESS A COPY OF

THE EROSION CONTROL PLAN AT ALL TIMES. (d) AN APPROVED SET OF PLANS AND ALL APPLICABLE PERMITS MUST BE AVAILABLE AT THE CONSTRUCTION SITE. APPLICANT, OR AN AUTHORIZED AGENT, MUST BE AVAILABLE AT ALL TIMES DURING CONSTRUCTION. (e) WARNING SIGNS, MARKERS, BARRICADES OR FLAGMEN, APPROPRIATE FOR THE TYPE OF CONSTRUCTION,

MUST BE EMPLOYED TO REGULATE TRAFFIC. (f) CONSTRUCTION DEBRIS SHALL BE CONTAINERIZED AND DISPOSED OF IN ACCORDANCE WITH CITY OF

PORTLAND'S SOLID WASTE ORDINANCE CHAPTER 12. (g) ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY RESULTING FROM CONSTRUCTION ACTIVITIES SHALL BE

REPAIRED BY THE DEVELOPER/CONTRACTOR AT THEIR EXPENSE. (h) PROPERTY MARKERS AND STREET LINE MONUMENTS SHALL BE PROPERLY PROTECTED AT ALL TIMES DURING CONSTRUCTION TO INSURE THEIR INTEGRITY. IF DISTURBED THEY SHALL BE REPLACED BY A SURVEYOR

REGISTERED IN THE STATE OF MAINE AT THE CONTRACTOR/DEVELOPER'S EXPENSE. (i) ALL SANITARY SERVICES AND APPURTENANCES SHALL BE CONSTRUCTED IN ACCORDANCE WITH CURRENT STANDARDS AND SPECIFICATIONS OF THE CITY OF PORTLAND PUBLIC SERVICES DEPARTMENT SEWER

(j) ALL NEW CONNECTIONS, RECONNECTIONS, ETC. TO SANITARY OR STORM SEWERS SHALL REQUIRE A CONNECTION PERMIT PRIOR TO BEGINNING ANY WORK. THE CITY OF PORTLAND PUBLIC SERVICES DEPARTMENT MUST BE NOTIFIED AT LEAST 24 HOURS PRIOR TO COMMENCEMENT TO ALLOW FOR

(k) A PERMIT MUST BE OBTAINED FROM THE CITY OF PORTLAND PUBLIC SERVICES DEPARTMENT PRIOR TO BEGINNING ANY WORK WITHIN THE CITY RIGHT-OF-WAY. (I) THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SITE PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PLANNING BOARD SHALL BE REQUIRED FOR ANY ALTERATIONS TO OR DEVIATIONS FROM THE APPROVED SITE PLAN, INCLUDING, WITHOUT LIMITATION, TOPOGRAPHY, DRAINAGE, LANDSCAPING, RETENTION OF WOODED OR LAWN AREAS, ACCESS, SIZE, LOCATION AND SURFACING OF

PARKING AREAS, AND LOCATION AND SIZE OF BUILDINGS.

(m) LANDSCAPING SHALL MEET THE "ARBORICULTURAL SPECIFICATION AND STANDARDS OF PRACTICE AND LANDSCAPE GUIDELINES" OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND GUIDELINES.

(n) ALL DISTURBED AREA ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREA SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER MATERIALS AS REQUIRED BY BEST MANAGEMENT PRACTICES. (o) THE CONTRACTOR OR APPLICANT IS REQUIRED TO NOTIFY THE CITY OF PORTLAND PUBLIC SERVICES

INSPECTION DIVISION IN WRITING THREE (3) DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION (874-8300 EXT. 8838). PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORKS 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 AT ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.

13. THE PROPERTY IS SUBJECT TO A PARKING AGREEMENT RECORDED IN THE CCRD AT BK 27850 PG 68 UNDER WHICH THE HOTEL AND RESIDENCES ON THE ADJACENT LOT 1 HAVE PARKING EASEMENT RIGHTS. THE FORE STREET PARKING GARAGE AS SHOWN ON SHEET SO2 WILL BE THE LOCATION OF THE PARKING SPACES REFERENCED IN SAID PARKING AGREEMENT.

14. THE SOUTHWEST SIDELINE OF INDIA STREET SHOWN HEREON IS BASED UPON FOUND MONUMENTATION AND THE INDIA STREET ACCEPTANCE. THE CITY OF PORTLAND DEPARTMENT OF PUBLIC WORKS HAS PERFORMED A STREET LINE SURVEYOR HANCOCK STREET AND THAMES STREET, TIED INTO THE LINES OF INDIA, FORE, MIDDLE AND COMMERCIAL STREETS, DATED JANUARY 11, 2006 ON FILE AT THE DEPARTMENT OF PUBLIC WORKS. ON SAID SURVEY AN ANGLE POINT WAS INTRODUCED TOT THE INDIA STREET RIGHT OF WAY LINE AT THE MONUMENT ON THE EASTERLY CORNER OF THE INDIA STREET AND MIDDLE STREET INTERSECTION. THE CITY COUNCIL HAS NOT REDEFINED INDIA STREET TO INCLUDE THE ANGLE POINT SO THE SIDELINE OF INDIA STREET SHOWN HEREON REMAINS AS ACCEPTED. IF THE CITY COUNCIL WERE TO REDEFINE INDIA STREET PER THE PUBLIC WORKS SURVEY THE LOCUS PROPERTY WOULD GAIN APPROXIMATELY 75 SQUARE FEET IN AREA.

15. THE SITE PLAN PROVIDES FOR SIDEWALKS LOCATED PARTIALLY IN THE CITY RIGHT-OF-WAY AND PARTIALLY ON THE SUBJECT PROPERTY. APPLICANT SHALL GRANT AN EASEMENT TO THE PUBLIC FOR PEDESTRIAN TRAVEL OVER PORTIONS OF THE SIDEWALKS LOCATED ON THE SUBJECT PROPERTY. SAID EASEMENT SHALL BE REDUCED OR TERMINATED TO THE EXTENT THAT THE CITY OF PORTLAND PLANNING AUTHORITY APPROVES THE REDUCTION OR ELIMINATION OF SUCH SIDEWALKS ON THE SUBJECT PROPERTY.

16. THE PROJECT APPROVED ON THE SUBJECT PROPERTY SHALL BE SUBJECT TO A TRAFFIC DEMAND MANAGEMENT (TDM) PLAN, WHICH MAY BE MODIFIED FROM TIME TO TIME (THE CURRENT TDM PLAN SHALL BE AVAILABLE FROM THE CITY OF PORTLAND PLANNING DEPARTMENT). THE CONDOMINIUM DOCUMENTS OF THE INDIA MIDDLE FORE CONDOMINIUM SHALL SET FORTH PROCEDURES AND REQUIREMENTS FOR COMPLIANCE WITH THE TDM

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