



# PORTLAND MAINE

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**Planning & Urban Development Department**  
Jeff Levine, AICP, Director

**Planning Division**  
Alexander Jaegerman, Director

January 23, 2012

Charlie Poole  
CM Waterfront Properties, LLC  
36 Union Wharf, Box 7467  
Portland, ME 04112

Project Name:	In'finiti Fermentation and Distillation	Project ID:	2012-624
Address:	250 Commercial Street	CBL:	31-L-034-001
Applicant:	CM Waterfront Properties, LLC		
Planner:	Nell Donaldson		

Dear Mr. Poole:

On January 17, 2013, the Planning Authority approved with conditions a Level II site plan for the construction of a loading dock/deck at 250 Commercial Street. Mistakenly, the project approval letter omitted language related to the landscaped area shown on the site plan. Please note that, in accordance with the city arborist's request, the landscaped island area should be curbed and include a tree lilac. This will be required prior to certificate of occupancy.

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,

**Barbara Barhydt**  
Acting Planning Division Director

CC: Jeff Levine, Director of Planning and Urban Development  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator, Planning  
Marge Schmuckal, Zoning Administrator, Inspections Division  
Tammy Munson, Inspection Division Director  
Lannie Dobson, Administration, Inspections Division  
Gayle Guertin, Administration, Inspections Division  
Michael Bobinsky, Public Services Director  
Katherine Earley, Engineering Services Manager, Public Services  
Bill Clark, Project Engineer, Public Services  
David Margolis-Pineo, Deputy City Engineer, Public Services  
Doug Roncarati, Stormwater Coordinator, Public Services  
Greg Vining, Associate Engineer, Public Services  
Michelle Swcency, Associate Engineer  
John Low, Associate Engineer, Public Services  
Matt Doughty, Field Inspection Coordinator, Public Services

PROJECT NAME: Brew / Distill Pub - 250 Commercial St.

PROPOSED DEVELOPMENT ADDRESS:

250 Commercial St., Portland, ME 04101

PROJECT DESCRIPTION: Continuation of project phase 1, interior build out + renovations - Permit dated 6/22/12 #2012-05-3993  
Phase 2 - expands the loading dock by 854.25 SF.

The existing loading dock opening will be added onto with a wood framed deck/dock which measures 16'8" x 51'.

CHART/BLOCK/LOT: 031-L-034-001 PRELIMINARY PLAN \_\_\_\_\_ (date)  
FINAL PLAN \_\_\_\_\_ (date)

CONTACT INFORMATION:

Applicant's Contact for electronic plans  
Name: Charlie Poole  
e-mail: Cpoole@CustomFloat.com  
work #: 772-8160

Applicant - must be owner, Lessee or Buyer  
Name: CM waterfront Properties LLC  
Charlie Poole - Partner  
Business Name, if applicable:  
Address: 36 Union Wharf  
Box 7467  
City/State: Portland ME Zip Code: 04112

Applicant Contact Information  
Work # 772-8160  
Home# 846-6195  
Cell # 939-1431 Fax# 772-8471  
e-mail: Cpoole@CustomFloat.com

Owner - (if different from Applicant)  
Name:  
Address: SAME  
City/State: Zip Code:

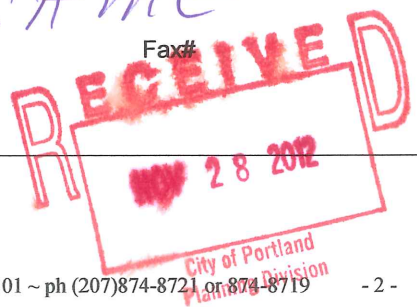
Owner Contact Information  
Work #  
Home# SAME  
Cell # Fax#  
e-mail:

Agent/ Representative  
Name: Charlie Poole  
Address: 36 Union Wharf  
Box 7467  
City/State: Portland ME Zip Code: 04112

Agent/Representative Contact information  
Work #  
Cell # SAME  
e-mail:

Billing Information  
Name: CM waterfront Properties LLC  
36 Union Wharf  
Address: Box 7467  
City/State: Portland ME Zip Code: 04112

Billing Information  
Work #  
Cell # Fax#  
e-mail:





<b>Engineer</b> Name: David Tetreault Address: 22 oakmont Drive City/State: Old Orchard Beach ME Zip Code: 04064	<b>Engineer Contact Information</b> Work # 207-934-8038 Cell # 207-232-2964 Fax# 207-934-8039 e-mail: djt@sdinc.biz
<b>Surveyor</b> Name: Ellwood Ellis Address: Downeast Surveying + Development City/State: POBox 6234 China Village ME Zip Code: 04926	<b>Surveyor Contact Information</b> Work # 207-968-2507 Cell # 207-592-2735 Fax# e-mail: bluesbro@roadrunner.com
<b>Architect</b> Name: David Lloyd Address: Archetype City/State: 48 Union Wharf Portland, ME Zip Code: 04101	<b>Architect Contact Information</b> Work # 207-772-6022 Cell # 207-831-8627 Fax# 772-4056 e-mail: lloyd@archetypepa.com
<b>Attorney</b> Name: Phil Gleason Address: Bernstein Shur City/State: 100 Middle St Portland ME Zip Code: 04101	<b>Attorney Contact Information</b> Work # 207-774-6200 Cell # 207-831-2827 Fax# 207-774-1127 e-mail: pgleason@bernsteinshur.com

**APPLICATION FEES:**

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

<b>Level II Development (check applicable reviews)</b> <input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)	<b>Fees Paid (office use)</b>   	<b>Other Reviews (check applicable reviews)</b> <input type="checkbox"/> Traffic Movement (\$1,000) <input type="checkbox"/> Stormwater Quality (\$250) <input type="checkbox"/> Section 14-403 Review (\$400 + \$25/lot) # of Lots ___ x \$25/lot = _____  <input type="checkbox"/> Other _____ <input 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 type="checkbox"/> Historic Preservation	<b>Fees Paid (office use)</b>   
The City invoices separately for the following: <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> Third party review is assessed separately.			
<b>Plan Amendments (check applicable reviews)</b> <input type="checkbox"/> Planning Staff Review (\$250) <input type="checkbox"/> Planning Board Review (\$500)	<b>Fees Paid (office use)</b>  		

## APPLICATION SUBMISSION

All site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

Application submissions shall include one (1) paper packet with folded plans containing the following materials:

**Numbers below changed- can't seem to highlight**

1. **One (1) full size site plans** that must be **folded.**

One (1) set of all written materials or as follows, unless otherwise noted:


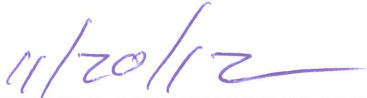
- a. Application form that is completed and signed.
  - b. Cover letter stating the nature of the project.
  - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
2. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
  3. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
  4. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
  5. One (1) set of plans reduced to 11 x 17.

**Refer to the application checklist for a detailed list of submittal requirements.**

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: [www.portlandmaine.gov](http://www.portlandmaine.gov) Copies of the ordinances may be purchased through the Planning Division.

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 II 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: 
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*cm waterfront Properties, LLC  
36 Union Wharf  
Portland, ME 04101*

*Re: 250 Commercial St. Rear loading  
dock deck expansion.*



## PROJECT DATA

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

<b>Total Area of Site</b>	17,226 sq. ft.
<b>Proposed Total Disturbed Area of the Site</b>	854.25 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>	
Total Existing Impervious Area	17,226 sq. ft.
Total Proposed Impervious/Paved Area	0 sq. ft.
Net Change in Impervious Area	0 sq. ft.
<b>Building Ground Floor Area and Total Floor Area</b>	
Existing Building Footprint	14,948 sq. ft.
Proposed Building Footprint	854.25 sq. ft.
Net Change in Building Footprint	15,802.25 sq. ft.
Existing Total Building Floor Area	20,928 sq. ft.
Proposed Total Building Floor Area	21,782.25 sq. ft.
Net Change in Building Floor Area	854.25 sq. ft.
<b>Zoning</b>	
Existing	WC2
Proposed, if applicable	SAME
<b>Land Use</b>	
Existing	Commercial
Proposed	SAME
<b>Residential, If applicable</b>	
Existing Number of Residential Units	NA
Proposed Number of Residential Units	
Net Change in Residential Units	
Proposed Number of Lots	
Proposed Number of Affordable Housing Units	
Proposed Bedroom Mix:	
Number of Efficiency Units	
Number of One-Bedroom Units	
Number of Two-Bedroom Units	
Number of Three-Bedroom Units	
<b>Parking Spaces</b>	
Total Existing Number of Parking Spaces	<del>5</del>
Total Proposed Number of Parking Spaces	5
Net Change in Parking Spaces	0
Number of Handicapped Spaces	1
<b>Bicycle Parking Spaces</b>	
Total Existing Number of Bicycle Spaces	NA
Total Proposed Number of Bicycle Spaces	
Net Change	
<b>Estimated Cost of Project</b>	\$15,000



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Receipts Details:

**Tender Information:** Check , BusinessName: Charlie Poole, Check Number: 12025  
**Tender Amount:** 50.00

Receipt Header:

**Cashier Id:** Ldobson  
**Receipt Date:** 11/2/2012  
**Receipt Number:** 49906

Receipt Details:

Referance ID:	1835	Fee Type:	PEZ-ADAUTH
Receipt Number:	0	Payment Date:	
Transaction Amount:	50.00	Charge Amount:	50.00
Job ID: Project ID: 2012-624 - Commercial Street 250; Loading dock extension			
Additional Comments: 250 Commercial			

Thank You for your Payment!

*Handwritten signature*  
1 1



## **Section I**

### **Title Page and Application**

**250 Commercial St. – Rear Loading Dock Deck expansion for  
Infiniti-Fermentation Brew/Distill Pub**

C M Waterfront Properties, LLC  
36 Union Wharf- PO Box 7467 - Portland, Maine 04112

**Project Name – 250 Commercial St.  
Infiniti-Fermentation Brew/Distill Pub**

**BuildingOwner – CM Waterfront Properties, LLC**

**Owner Address – 36 Union Wharf, Portland, Maine 04101**

**Contact – Charlie Poole – 207-772-8160**



## **Section II**

**Cover Letter with project description**

C M Waterfront Properties, LLC  
36 Union Wharf- PO Box 7467 – Portland, Maine 04112

November 19, 2012

Barbara Barhydt  
Development Review Services Manager  
Planning Division  
389 Congress Street 4th Floor  
Portland, ME 04101

Dear Barbara:

I am writing to you to apply for the Level II Site Plan Review for the loading dock/rear deck expansion (Phase 2) for the brew/distill pub being located on the first floor at 250 Commercial St.. The original building permit for Phase 1 of the project, issued under the name CM Waterfront Properties LLC (owners of the building) and Infiniti, Fermentation and Distillation (the new tenant) was issued on 6/22/12 – Job ID # 2012-05-3993 – CH OF USE.

The following is a brief description of Phase 2 - the loading dock/rear deck expansion.

Attached you will also find:

1. Application fee for a Level II Site Plan review
2. Completed application.
3. Written submittals as required for this project
4. A copy of the site plan showing the loading dock/deck

**#250 Commercial St. – rear loading dock/rear deck expansion**

Description of loading dock expansion phase of the brew pub installation at 250 Commercial St.-

1. Infiniti, Fermentation & Distillation are leasing the 1st floor space for their brew/distill bub.
2. Phase 1 of the project is the interior build out with renovations as per the plans already submitted and approved with the permit issued on 6/22/12.
3. Phase 2 – expands the loading dock/deck area by 854.25 sf to allow 2- part time uses- first - a loading dock area for moving goods, equipment, furniture and any large items and products that need to get into or out of the building. The 2nd use is for outside sitting for the Infiniti, Fermentation brew pub when the loading dock is not in use.



4. The loading dock eastern side will have a removable side rail for times when the loading dock needs to be used. When the loading dock is not in use, the side rail will be locked (padlock or similar in place, attended by brew pub management or building owners) in place. There will only be access to and from the rear deck area through the brew pub with the exception of an emergency exit off the deck.
5. Infiniti, Fermentation will be the primary user of the loading dock. The 2nd floor tenants would be using the loading dock for moving in office furniture, large items etc.. The schedule of the deck use as a loading dock would be in the off hours of the brew/distillation pub.
6. The planned seating for the deck area will be a picnic table format. The tables are easily moved to the sides to allow the deck to serve as a loading dock

Please let me know if you require more information on this final phase of the Brew Pub Project at 250 Commercial St.

Sincerely,



Charles A. Poole

Partner

CM Waterfront Properties, LLC

### **Section III**

- 1. Written submittals letter**
- 2. Copy of check list**
- 3. Right, title and interest**
- 4. Elevation plans of #250 Commercial St. – rear deck expansion**

C M Waterfront Properties, LLC  
36 Union Wharf- PO Box 7467 – Portland, Maine 04112

November 19, 2012

Barbara Barhydt  
Dept. of Planning and Urban Development  
Portland City Hall  
389 Congress St.  
Portland, Maine 04101

Re: Brew/Distill Pub – 250 Commercial St.

Written Submittal Requirements for Level II Site Plan review – Final Phase in conjunction with General Submittal Requirements checklist -

1. Completed application form – attached.
2. Application fee – \$350 attached with receipt for original \$50 credited to the \$400 fee.
3. Written description of project – attached.
4. Evidence of right, title and interest – attached.
5. Copies of State or Federal permits – none required.
6. Written assessment of projects compliance with zoning requirements – under Div. – 18 – Waterfront Central Zone – Sec. 14-307 b – Permitted Uses – a) Non-Marine – 1 ) professional - business 2) retail & service establishments 3) restaurant. Zoning- Marge Schmuckal is reviewing this deck expansion as a small portion of the deck is within the 25' setback to the water's edge.
7. Description of easements – no easements or other burdens
8. Request for waivers – we do not request any waivers.
9. Traffic analysis – there will be no changes in this area.
10. Natural features on the site – there are not any.
11. Projects consistency with City master plans – because this is part of an overall building improvement in the WCZ, we believe it fits with the City's plans.
12. Boundary survey and Site plan showing the loading deck expansion – see attached site plan.
13. Existing and proposed structures – see attached site plan.
14. Location of adjacent streets and intersections – the loading dock area in this application is accessed across Union Wharf, which intersects with Commercial St. on the south side and Union St. is on the north side of the Commercial St. intersection.
15. Proposed site access and circulation – access to Union Wharf is from the south side of Commercial St. and the proposed loading dock area expansion is located at the rear of 250 Commercial St. with the only access over Union Wharf. 250

Commercial St. and Union Wharf share common ownership, 250 is under a different name.

16. Proposed grading – NA
17. Location of existing paved areas – see site plan.
18. Landscape plan – NA
19. Existing utilities – NA
20. Infrastructure improvements – expanding the loading dock. No others planned with this phase.
21. Storm water management and erosion control–NA
22. Natural features – rear of 250 Commercial St. looks to the south and toward the harbor between the shared slip for Union and Cumberland Wharfs.
23. Alterations to natural features – NA
24. Proposed easements or private or public rights of way – NA
25. Evidence of financial and technical capacity – NA – due to size of project
26. Utilities capacity to serve – NA
27. Fire safety – NFPA 1 Fire Code – There will be 2 - 10# - ABC fire extinguishers located just inside the building at the door leading to the deck area . Section 3 of the City of Portland Technical Manual does not apply to this type of project.
28. Construction management plan – We see this taking approx.. 2 -3 weeks to build. Our in house carpenters will do the building.
29. Traffic plan – NA
30. Storm water plan – NA
31. Solid waste plan – NA
32. Conformity of design standards – loading deck/dock is designed to meet all building codes and safety code requirements.
33. HVAC and equipment meets emissions requirement – NA

**Final Plan Phase** – section starts at this point. Many of the questions are repeated and I have noted this where applicable:

34. Existing and proposed structures - See #13
35. Adjacent streets - See # 14
36. Site access - See #15
37. Grading - See #17
38. Loading and service areas – see site plan with the expanded loading dock shown at the rear of 250 Commercial St.. All access will continue to be from Union Wharf.
39. Snow storage – almost no impact. All snow cleared from the deck area will be removed by the owners of Union Wharf. They stack snow to the best of their ability and when it is too great, Chase Excavating hauls the excess amount off the pier.
40. Trash and recycle –NA
41. Landscape plan – NA
42. Utilities - NA
43. Infrastructure – See #20
44. Septic system – NA

45. Finish floor elevation – 15.2'
46. Exterior building elevations – see attached plan.
47. Stormwater – See #21
48. Exterior lighting – At the access door off the loading deck, to the interior of the brew pub, there will be 2 – exterior LED glass exterior lights with a rust proof metal cage around the glass. On each of the 7 - deck pilings(posts that stand above the decking surface and hold the deck frame) there will be marine onion lights – brass cage with glass inside. Above the loading deck, attached to the building is 1 existing- halogen wall pack.
49. Signage – no signs except for safety exits.
50. Natural features – NA
51. Protection measures to natural features – NA
52. Land disturbance – only for the placement of the footings for the pile posts. There are 7 – 2'x2' pads.
53. Soil type – NA. All of the land on the waterfront is manmade.
54. Proposed pier rehabilitation NA
55. Easements – only CMP lines and PWD waterline that travels from Commercial St. onto Union Wharf.

Submitted by:



Charles A. Poole  
Partner  
CM Waterfront Properties, LLC



General Submittal Requirements – Preliminary Plan (Optional)

Level II Site Plan

Preliminary Plan Phase Check list (if elected by applicant)

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirements
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Completed application form
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Application fees <i>\$350 - \$50 paid 11/2/12</i>
<input type="checkbox"/>	<input type="checkbox"/>	1	Written description of project <i>see attached copy of receipt</i>
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of right, title and interest.
<input type="checkbox"/>	<input type="checkbox"/>	1	Copies of required State and/or Federal permits.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of proposed project's compliance with applicable zoning requirements.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written description of existing and proposed easements or other burdens.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written requests for waivers from individual site plan and/or technical standards, where applicable.
<input type="checkbox"/>	<input type="checkbox"/>	1	Traffic analysis (may be preliminary, in nature, during the preliminary plan phase).
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of significant natural features located on the site.
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of project's consistency with related city master plans.
Applicant Checklist	Planner Checklist	Number of Copies	Site Plan Submittal Requirements
<input type="checkbox"/>	<input type="checkbox"/>		Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual.
<input type="checkbox"/>	<input type="checkbox"/>	1	<b>Preliminary Site Plan Including the following: (*information provided may be preliminary in nature during preliminary plan phase):</b>
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed site access and circulation.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities (preliminary layout).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary stormwater management and erosion control plan.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b) 1. of the Land Use Code).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed alterations to and protection measures for significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important

		<i>natural features listed in Section 14-526 (b)1. of the Land Use Code).</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Existing and proposed easements or public or private rights of way.</i>

**General Submittal Requirements – Final Plan (Required)  
Level II Site Plan**

**Final Plan Phase Check list (including items listed above in General Requirements for Preliminary Plan, if applicant did not elect to submit for a preliminary plan review)**

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Evidence of financial and technical capacity.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Evidence of utilities' capacity to serve the development.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Construction management plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Traffic Plan (if development will (1) generate 100 or more PCE or (2) generate 25 or more PCE and is located on an arterial, within 1/2 mile of a high crash location, and/or within ¼ mile of an intersection identified in a previous traffic study as a failing intersection).
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Stormwater management plan.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written summary of solid waste generation and proposed management of solid waste.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of conformity with applicable design standards.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	Manufacturer's verification that HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Final Plan Phase			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	<b>Final Site Plan Including the following</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Existing and proposed structures on the site with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Location of adjacent streets and intersections and approximate location of structures on abutting properties.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed site access and circulation.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed grading and contours.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways. Proposed curb lines must be shown.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed loading and servicing areas, including applicable turning templates for delivery vehicles</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed snow storage areas or snow removal plan.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed trash and recycling facilities.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Existing and proposed utilities.</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Location and details of proposed infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, public transit infrastructure, roadway improvements).</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed septic system, if not connecting to municipal sewer. (Portland Waste Water Application included in this application)</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>		▪ <i>Proposed finish floor elevation (FFE).</i>

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<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Exterior building elevation(s) (showing all 4 sides).</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Proposed stormwater management and erosion controls.</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Exterior lighting plan, including street lighting improvements..</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Proposed signage.</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Identification of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code). Wetlands must be delineated.</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Proposed alterations to and protection measures for of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Total area and limits of proposed land disturbance.</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Soil type and location of test pits and borings.</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Details of proposed pier rehabilitation (Shoreland areas only).</li> </ul>
<input type="checkbox"/>	<ul style="list-style-type: none"> <li>▪ Existing and proposed easements or public or private rights of way.</li> </ul>





N<sup>o</sup> 106337109MEO

ISSUED BY

Any notice of claim and any other notice or statement in writing required to be given to the Company under this policy must be given to the Company at the address shown in Section 18 of the Conditions.

COVERED RISKS

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation (the "Company") insures, as of Date of Policy and, to the extent stated in Covered Risks 9 and 10, after Date of Policy, against loss or damage, not exceeding the Amount of Insurance, sustained or incurred by the Insured by reason of:

1. Title being vested other than as stated in Schedule A.
2. Any defect in or lien or encumbrance on the Title. This Covered Risk includes but is not limited to insurance against loss from
  - (a) A defect in the Title caused by
    - (i) forgery, fraud, undue influence, duress, incompetency, incapacity, or impersonation;
    - (ii) failure of any person or Entity to have authorized a transfer or conveyance;
    - (iii) a document affecting Title not properly created, executed, witnessed, sealed, acknowledged, notarized, or delivered;
    - (iv) failure to perform those acts necessary to create a document by electronic means authorized by law;
    - (v) a document executed under a falsified, expired, or otherwise invalid power of attorney;
    - (vi) a document not properly filed, recorded, or indexed in the Public Records including failure to perform those acts by electronic means authorized by law; or
    - (vii) a defective judicial or administrative proceeding.
  - (b) The lien of real estate taxes or assessments imposed on the Title by a governmental authority due or payable, but unpaid.
  - (c) Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
3. Unmarketable Title.
4. No right of access to and from the Land.
5. The violation or enforcement of any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
  - (a) the occupancy, use, or enjoyment of the Land;
  - (b) the character, dimensions, or location of any improvement erected on the Land;
  - (c) the subdivision of land; or
  - (d) environmental protectionif a notice, describing any part of the Land, is recorded in the Public Records setting forth the violation or intention to enforce, but only to the extent of the violation or enforcement referred to in that notice.
6. An enforcement action based on the exercise of a governmental police

power not covered by Covered Risk 5 if a notice of the enforcement action, describing any part of the Land, is recorded in the Public Records, but only to the extent of the enforcement referred to in that notice.

7. The exercise of the rights of eminent domain if a notice of the exercise, describing any part of the Land, is recorded in the Public Records.
8. Any taking by a governmental body that has occurred and is binding on the rights of a purchaser for value without Knowledge.
9. Title being vested other than as stated in Schedule A or being defective
  - (a) as a result of the avoidance in whole or in part, or from a court order providing an alternative remedy, of a transfer of all or any part of the title to or any interest in the Land occurring prior to the transaction vesting Title as shown in Schedule A because that prior transfer constituted a fraudulent or preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws; or
  - (b) because the instrument of transfer vesting Title as shown in Schedule A constitutes a preferential transfer under federal bankruptcy, state insolvency, or similar creditors' rights laws by reason of the failure of its recording in the Public Records
    - (i) to be timely, or
    - (ii) to impart notice of its existence to a purchaser for value or to a judgment or lien creditor.
10. Any defect in or lien or encumbrance on the Title or other matter included in Covered Risks 1 through 9 that has been created or attached or has been filed or recorded in the Public Records subsequent to Date of Policy and prior to the recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The Company will also pay the costs, attorneys' fees, and expenses incurred in defense of any matter insured against by this policy, but only to the extent provided in the Conditions.

*Curt B. Johnson*  
*Matthew H. Hays*





*First American  
Title Insurance Company*

**OWNER POLICY  
SCHEDULE A**

Owner's	POLICY NUMBER 106337109 MEO	DATE & TIME OF POLICY March 8, 2010 at 3:47 pm	AMOUNT OF INSURANCE \$ 2,100,000.00	PREMIUM \$3,675.00
Loan	POLICY NUMBER 1001024-0124171	DATE & TIME OF POLICY March 8, 2010 at 3:47 pm	AMOUNT OF INSURANCE \$ 1,700,000.00	PREMIUM \$50.00
Please complete the requested information if the insured premises is covered by any prior FATIC Policy(ies): Policy No(s). Amount(s) of Insurance \$.00				

**AUTOMATIC INFLATION CLAUSE:** The policy amount will automatically increase by 10% of the amount shown above on each of the first five anniversaries of the policy date with respect to residential policies.

**ADDRESS REFERENCE:** 250 Commercial Street, Portland, ME 04101

1. Name of Insured:

CM Waterfront Properties, LLC, a Maine limited liability company

2. The estate or interest in the Land that is insured by this policy is:

FEE SIMPLE

3. Title is vested in:

CM Waterfront Properties, LLC by virtue of a Quitclaim Deed with Covenant from Peter B. Macomber Jr. dated March 8, 2010 and recorded in the Cumberland County Registry of Deed in Book 27633, Page 261.

4. The Land herein described is encumbered by the following mortgage, and the assignment thereof, if any:

Mortgage granted by CM Waterfront Properties, LLC to Gorham Savings Bank dated March 8, 2010 and recorded in the Cumberland County Registry of Deeds in Book 27633, Page 265.

5. The land referred to in this Policy is described as follows:

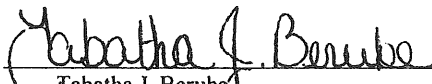
Land situated at 250 Commercial Street, in the City of Portland, Cumberland County, State of Maine as more particularly described in Exhibit A attached hereto and made a part hereof.

This policy consists of Schedule A (1 page); Schedule B (2 pages); Exhibit A (2 pages).

Countersigned:

Monument Title Company  
100 Middle Street  
Portland, ME 04104  
Webpage: [www.monumenttitle.com](http://www.monumenttitle.com)  
Email: [tberube@monumenttitle.com](mailto:tberube@monumenttitle.com)

By:

  
\_\_\_\_\_  
Tabatha J. Berube  
Assoc. Vice President  
Authorized Signatory

*kl*

(LJW)



*First American  
Title Insurance Company*

EXHIBIT A  
LEGAL DESCRIPTION

File No. 10010005

Policy No. 106337109 MEO

**Parcel 1:**

All the following described lot, piece or parcel of land, with all buildings and improvements located thereon, situated in the City of Portland, County of Cumberland and State of Maine, and known and described as follows, to wit:

Beginning at a point on the Southerly line of Commercial Street in the dividing line established November 14<sup>th</sup>, 1884, between land of the said Proprietors of Union Wharf and property then belonging to John Q. Twitchell and James P. Champlin, as set forth in an agreement between said parties, recorded in Cumberland Registry of Deeds, in Book 514, Page 180, said point being midway between a wooden building now or formerly standing on the land herein described and a building on land now or formerly of said John Q. Twitchell and said James P. Champlin and fifty-nine hundredths (0.59) feet distance from each of said buildings; said point being also one hundred thirty-nine and forty-four hundredths (139.44) feet, measured on the Southeasterly line of Commercial Street, Northeasterly from the division line established between said Twitchell and Champlin and John Bradford by agreement dated April 13, A.D. 1883 and recorded in Cumberland Registry of Deeds, Volume 494, Page 433; thence on a course of about North fifty-seven degrees (57°) forty-six minutes (46') East by the Southerly line of Commercial Street fifty (50) feet; thence about South twenty-three degrees (23°) nine minutes (9') East parallel with the first above mentioned "established line" one hundred and fifty and twenty-two one-hundredths (150.22) feet to the Southerly face of a granite dock wall; thence about South sixty-two (62°) degrees West by said dock wall about forty-nine and fifty-five one-hundredths (49.55) feet to said first mentioned "established line"; thence North twenty-three degrees (23°) nine minutes (9') West by said first mentioned "established line" about one hundred forty-six and forty-eight one hundredths (145.43) feet to the point of beginning.

**Parcel 2:**

A certain lot or parcel of land, with all buildings and improvements located thereon, situated on the southerly side of Commercial Street, in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the northeasterly corner of the parcel of land conveyed by the Proprietors of Union Wharf to Morris & Company by deed dated April 1, 1907, recorded in the Cumberland County Registry of Deeds in Book 804, Page 169 (being Parcel 1 herein); thence by Commercial Street northeasterly a distance of 40.65 feet to a drill hole in a cobble stone; thence by land now or formerly of Proprietors of Union Wharf southeasterly with an included angle of 90° 34 ½' a distance of 46.90 feet to an iron; (said line being distant westerly 4.00 feet from and at right angles to the outside edge of railroad rail frame around the weighing scales on land now or formerly of Proprietors of Union Wharf); thence by land now or formerly of Proprietors of Union Wharf southeasterly with an included angle of 172° 06' a distance of 107.95 feet to an iron; thence by land now or formerly of Proprietors of Union Wharf southwesterly with an included angle of about

QUITCLAIM DEED WITH COVENANT

I, Peter B. Macomber, Jr., of 88 Fessenlen Street, in the City of Portland, County of Cumberland and State of Maine,

For Consideration Paid, GRANT with QUITCLAIM COVENANT to:

CM Waterfront Properties, LLC, a Maine limited liability company with a principal place of business in the City of Portland, County of Cumberland and State of Maine, with a mailing address of P.O. Box 7467, Portland, Maine 04112,

Certain lots or parcels of land, with the buildings and improvements thereon, situated in the City of Portland, County of Cumberland and State of Maine, and being more particularly described in Exhibit A annexed hereto and made a part hereof.

Being the same premises conveyed to Grantor herein by deed of Gerald C. Knecht dated November 6, 2001, and recorded at the Cumberland County Registry of Deeds in Book 16939, Page 185.

WITNESS my hand this 8<sup>th</sup> day of March, 2010.

*[Handwritten Signature]*  
PHILIP H. GLEASON Peter B. Macomber, Jr.

STATE OF MAINE  
CUMBERLAND, SS.

Date: March 8<sup>th</sup>, 2010

Then personally appeared the above-named PETER B. MACOMBER, JR. and acknowledged the foregoing instrument to be his free act and deed.

Before me,

*[Handwritten Signature]*  
Attorney at Law/Notary Public  
Commission Expires:

MAINE REAL ESTATE TAX PAID

Subject to and with the benefit of:

- (1) the agreement between John Q. Twitchell and James P. Champlin as the owners of Merrill's Wharf and the Proprietors of Union Wharf dated November 14, 1884 recorded in Book 514, Page 180;
- (2) the provisions of the deed of said Parcel 1 from the Proprietors of Union Wharf to Morris and Company dated April 1, 1907 recorded in said Registry of Deeds in Book 809, Page 169;
- (3) a party wall agreement between Morris and Company, James P. Champlin and Twitchell-Champlin Company (as owners of property on southwest-Merrill's Wharf) dated June 22, 1907 recorded in Book 813, Page 87;
- (4) the provisions of the deed of the parcel from the North American Provision Company to Chubbly Packing Company date January 24, 1930 recorded in Book 1341, Page 1.

**Parcel 2:**

A certain lot or parcel of land, with all buildings and improvements located thereon, situated on the southerly side of Commercial Street, in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the northeasterly corner of the parcel of land conveyed by the Proprietors of Union Wharf to Morris & Company by deed dated April 1, 1907, recorded in the Cumberland County Registry of Deeds in Book 804, Page 169 (being Parcel 1 herein); thence by Commercial Street northeasterly a distance of 40.65 feet to a drill hole in a cobble stone; thence by land now or formerly of Proprietors of Union Wharf southeasterly with an included angle of  $90^{\circ} 34 \frac{1}{2}'$ ; a distance of 46.90 feet to an iron; (said line being distant westerly 4.00 feet from and at right angles to the outside edge of railroad rail frame around the weighing scales on land now or formerly of Proprietors of Union Wharf); thence by land now or formerly of Proprietors of Union Wharf southeasterly with an included angle of  $172^{\circ} 06'$  a distance of 107.95 feet to an iron; thence by land now or formerly of Proprietors of Union Wharf southwesterly with an included angle of about





**CROSS ST**

**COMMERCIAL ST**

**UNION WHARF**

HARBOR LANDING CONDO  
038 G002

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261 - 291

254 - 266  
253 - 265

038 F010  
281

245

038 F004  
241  
257

238 - 252  
239 - 251

031 L034  
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031 L135  
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031 L038  
2278  
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031 K103

031 K003  
13200

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031 L035

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147385

30

031 L036

7390

14545

26336

11150

32

1-31

2-98

G005

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038 G001

6002

038 F019  
12571

56-1  
86-2

038 F020

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041 A015

280  
12583

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## **Section IV**

### **Portland Fire Dept. – Site Review**

#### **Fire Dept. Checklist**

C M Waterfront Properties, LLC  
36 Union Wharf- PO Box 7467 – Portland, Maine 04112

November 20, 2012

Portland Fire Dept. – Site Review – Fire Dept. Checklist

RE: #250 Commercial St. – Infiniti-Fermentation Brew/Distill Pub

1. Applicant – CM Waterfront Properties, LLC  
PO Box 7467  
36 Union Wharf  
Portland, Maine 04112  
207-772-8160 –office and cell 207-939-1431
2. Builder of deck – CM Waterfront Properties  
Box 7467  
36 Union Wharf  
Portland, Maine 04112
3. Use of structure- it will serve as a loading dock with access to 250 Commercial St. loading dock door and also as an outside seating area for the tenant operating the Brew/Distill Pub
4. Sq. footage of the deck footprint – 854.25 – 16.8' x 51'
5. Elevation – the finish deck surface will be the same as the interior floor which is 15.2'.
6. Fire protection – There will be 3- 10# ABC fire extinguishers located just inside the 2 doors with access to the deck, 1 at the overhead door on the loading dock and 2 – just inside the double door the accesses through the brew pub. It must also be noted that this deck is within 25' of the slip water and with proper hoses, could be used in the event of a fire emergency where salt water was appropriate to use to put out a fire. Also, there will be a signed and lighted emergency egress set of steps off the deck to the surrounding area. The deck area will have 2 – LED lights at the access door to the brew pub, lights on each piling post – 7 total and there is 1 – halogen wall pack on the building.
7. Hydrant location – 140' from the Union Wharf roadway side of the loading dock deck edge to the hydrant located at the west side corner of Union Wharf and Commercial St..
8. Water main – 8" down the center of Union Wharf roadway, intersects at Commercial St.. 100# per sq. in pressure.
9. Access – This deck structure can be accessed from the interior through a double set of doors(from inside the brew pub) at the rear(southern end) of the building and from the loading dock overhead door on the rear east wall. From the exterior the deck can be reached using a set of emergency steps located on the south eastern corner.
10. Code summary – NFPA 10 – the proposed new loading dock deck expansion meets the portable fire extinguisher requirements for fire safety of an area of this size and use.

Submitted by:



Charles A. Poole  
Partner  
CM Waterfront Properties, LLC

**Section V**

**250 Commercial St., Portland, Maine**

**Site Plan**





# PORTLAND MAINE

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

## Receipts Details:

**Tender Information:** Check , BusinessName: CM Waterfront, Check Number: 1384\$350.00

**Tender Amount:** 350.00

## Receipt Header:

**Cashier Id:** Ldobson

**Receipt Date:** 11/29/2012

**Receipt Number:** 50637

## Receipt Details:

Reference ID:	1873	Fee Type:	PEZ-LEVII DEV
Receipt Number:	0	Payment Date:	
Transaction Amount:	350.00	Charge Amount:	400.00
Job ID: Project ID: 2012-645 - Commercial St. - 250; Interior build out			
<b>Additional Comments:</b> Paid 50 on previous permit			

Thank You for your Payment!



No SP REVIEW - 720K SF  
but comm to COMM

# Administrative Authorization Application

Portland, Maine

Planning and Urban Development Department, Planning Division

Left message w/ Sam  
- need site plan 5/22/12

PROJECT NAME: In'finiti Fermentation & Distillation

PROJECT ADDRESS: 250 Commercial Street CHART/BLOCK/LOT: 31/L/34

APPLICATION FEE: \_\_\_\_\_ (\$50.00)

### PROJECT DESCRIPTION: (Please Attach Sketch/Plan of the Proposal/Development)

Interior renovations to provide for Brew Pub installation and exterior 800 sq. ft. deck at rear of building.

### CONTACT INFORMATION:

#### OWNER/APPLICANT

Name: CM Waterfront Properties  
Address: PO Box 7467  
Portland, ME 04112  
Work #: (207) 772-8160  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home #: \_\_\_\_\_  
E-mail: cpoole@customfloat.com

#### CONSULTANT/AGENT

Name: Archetype  
Address: 48 Union Wharf  
Portland, ME 04101  
Work #: (207) 772-6022  
Cell #: (207) 831-8627  
Fax #: (207) 772-4056  
Home #: \_\_\_\_\_  
E-mail: lloyd@archetypepa.com

RECEIVED  
MAY 15 2012  
City of Portland  
Planning Division

### Criteria for an Administrative Authorization:

(see section 14-523(4) on pg. 2 of this appl.)

### Applicant's Assessment Planning Division

Y(yes), N(no), N/A

Y(yes), N(no), N/A

- |   |   |       |
|---|---|-------|
| a) Is the proposal within existing structures?                    | <u>Yes</u>                                | _____ |
| b) Are there any new buildings, additions, or demolitions?        | <u>Limited Demo and new exterior deck</u> | _____ |
| c) Is the footprint increase less than 500 sq. ft.?               | <u>Yes</u>                                | _____ |
| d) Are there any new curb cuts, driveways or parking areas?       | <u>No</u>                                 | _____ |
| e) Are the curbs and sidewalks in sound condition?                | <u>Yes</u>                                | _____ |
| f) Do the curbs and sidewalks comply with ADA?                    | <u>Yes</u>                                | _____ |
| g) Is there any additional parking?                               | <u>No</u>                                 | _____ |
| h) Is there an increase in traffic?                               | <u>Unknown</u>                            | _____ |
| i) Are there any known stormwater problems?                       | <u>No</u>                                 | _____ |
| j) Does sufficient property screening exist?                      | <u>N/A</u>                                | _____ |
| k) Are there adequate utilities?                                  | <u>Yes</u>                                | _____ |
| l) Are there any zoning violations?                               | <u>No</u>                                 | _____ |
| m) Is an emergency generator located to minimize noise?           | <u>N/A</u>                                | _____ |
| n) Are there any noise, vibration, glare, fumes or other impacts? | <u>No</u>                                 | _____ |

Signature of Applicant:

Date:

5-15-12

**Planning Division Use Only** Authorization Granted \_\_\_\_\_ Partial Exemption \_\_\_\_\_ Exemption Denied \_\_\_\_\_

**Standard Condition of Approval:** The applicant shall obtain all required City Permits, including building permits from the Inspection Division (Room 315, City Hall (874-8703)) prior to the start of any construction.

Planner Signature \_\_\_\_\_ Date \_\_\_\_\_

**IMPORTANT NOTICE TO APPLICANT:** The granting of an Administrative Authorization to exempt a development from site plan review does not exempt this proposal from other required approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (207)874-8703, to determine what other City permits, such as a building permit, will be required.

**PROVISION OF PORTLAND CITY CODE  
14-523 (SITE PLAN ORDINANCE)  
RE: Administrative Authorization**

**Sec. 14-523 (b). Applicability**

No person shall undertake any development identified in Section 14-523 without obtaining a site plan improvement permit under this article. (c) Administrative Authorization. Administrative Authorization means the Planning Authority may grant administrative authorization to exempt a development proposal from complete or partial site plan review that meets the standards below, as demonstrated by the applicant.

1. The proposed development will be located within existing structures, and there will be no new buildings, demolitions, or building additions other than those permitted by subsection b of this section;
2. Any building addition shall have a new building footprint expansion of less than five hundred (500) square feet;
3. The proposed site plan does not add any new curb cuts, driveways, or parking areas; the existing site has no more than one (1) curb cut and will not disrupt the circulation flows and parking on-site; and there will be no drive-through services provided;
4. The curbs and sidewalks adjacent to the lot are complete and in sound condition, as determined by the public works authority, with granite curb with at least four (4) inch reveal, and sidewalks are in good repair with uniform material and level surface and meet accessibility requirements of the Americans with Disabilities Act;
5. The use does not require additional or reduce existing parking, either on or off the site, and the project does not significantly increase traffic generation;
6. There are no known stormwater impacts from the proposed use or any existing deficient conditions of stormwater management on the site;
7. There are no evident deficiencies in existing screening from adjoining properties; and
8. Existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the public right-of-way.
9. There are no current zoning violations;
10. Any emergency generators are to be located to minimize noise impacts to adjoining properties and documentation that routine testing of the generators occur on weekdays between the hours of 9 a.m. to 5 p.m. Documentation pertaining to the noise impacts of the emergency generator shall be submitted; and
11. There is no anticipated noise, vibration, glare, fumes or other foreseeable impacts associated with the project.

- a. **Filing the Application.** An applicant seeking an administrative authorization under this subsection shall submit an administrative authorization application for review, detailing the site plan with dimensions of proposed improvements and distances from all property lines, and stating that the proposal meets all of the provisions in standards 1-11 of Section 14-423 (b)1. **The application must be accompanied by an application fee of \$50.**
- b. **Review.** Upon receipt of such a complete application, the Planning Authority will process it and render a written decision of approval, approval with conditions or denial, with all associated findings.
- c. **Decision.** If a full administrative authorization is granted, the application shall be approved without further review under this article, and no performance guarantee shall be required. In the event that the Planning Authority determines that standards a and b of Section 14-523 (b) (1) and at least four (4) of the remaining standards have been met, the Planning Authority shall review the site plan according to all applicable review standards of Section 14-526 that are affected by the standards in this subsection that have not been met. If an exemption or partial exemption from site plan review is not granted, the applicant must submit a site plan application that will undergo a full review by the Planning Board or Planning Authority according to the standards of Section 14-526.

**Administrative Authorization Decision – Portland Maine**

**In’Finiti Fermentation and Distribution**

**250 Commercial Street**

**Criteria for an Administrative Authorizations:**  
(See Section 14-523 (4) on page 2 of this application)


**Applicant’s Assessment**  
Y(yes), N(no), N/A

**Planning Division**  
Use Only

a) Is the proposal within existing structures?	Yes	Renovation and exterior changes
b) Are there any new buildings, additions, or demolitions?	Limited demo and exterior deck	Plan revised to eliminate the deck and only has 2 exit stairs
c) Is the footprint increase less than 500 sq. ft.?	yes	The 800 sf deck is not approved and has been removed from the plan dated May 23, 2012
d) Are there any new curb cuts, driveways or parking areas?	no	No
e) Are the curbs and sidewalks in sound condition?	yes	Yes
f) Do the curbs and sidewalks comply with ADA?	yes	Yes
g) Is there any additional parking?	no	No
h) Is there an increase in traffic?	unknown	no
i) Are there any known stormwater problems?	no	no
j) Does sufficient property screening exist?	n/a	n/a
k) Are there adequate utilities?	yes	Need to obtain license from DPS for Industrial Pretreatment
l) Are there any zoning violations?	no	no
m) Is an emergency generator located to minimize noise?	n/a	n/a
n) Are there any noise, vibration, glare, fumes or other impacts?	no	no

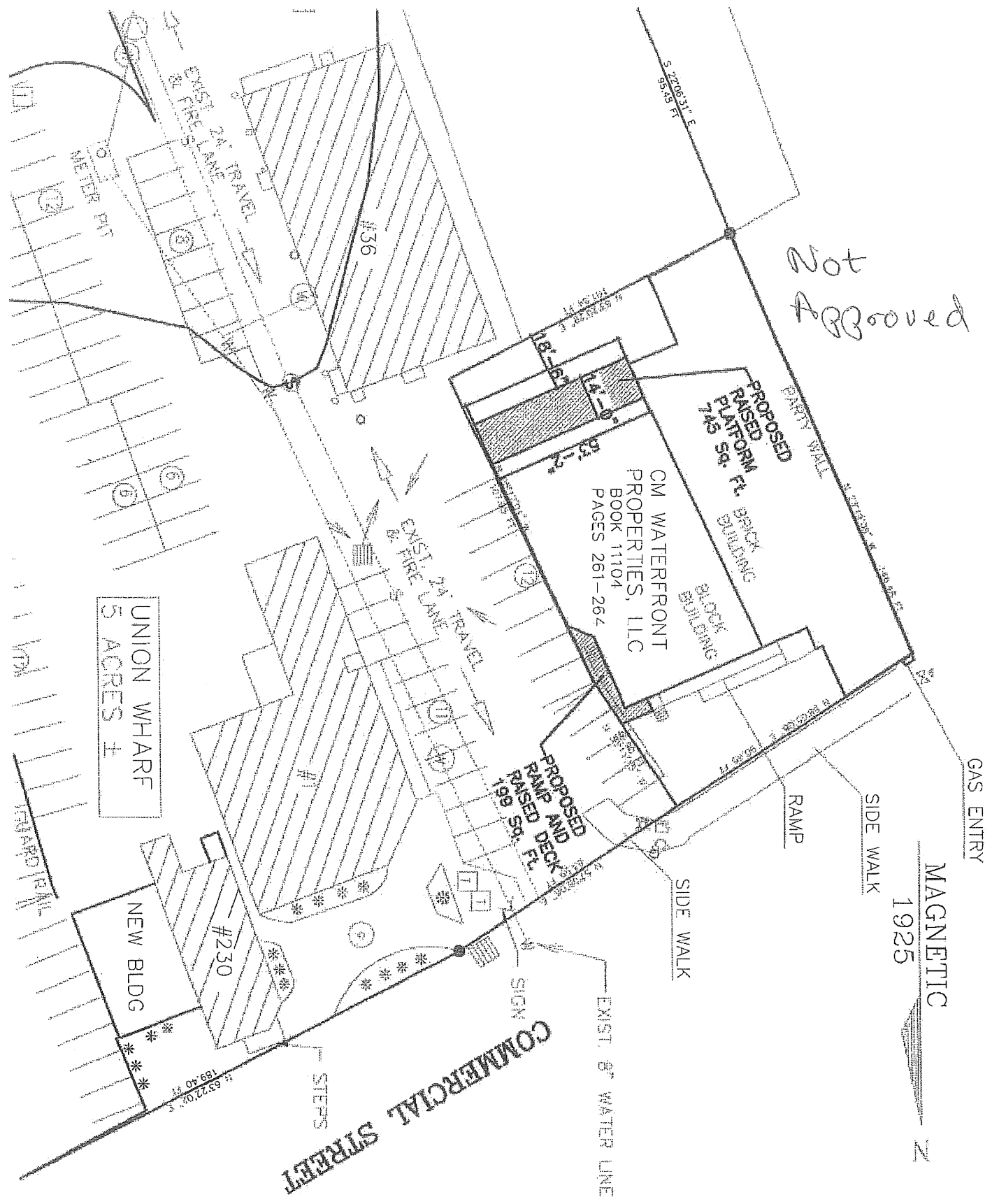
The Administrative Authorization for 250 Commercial Street was approved by Barbara Barhydt, Development Review Services Manager on June 1, 2012 with the following Condition(s) of Approval listed below:

1. The applicant shall obtain an Industrial Pre-Treatment License from the Department of Public Services prior to the issuance of a building permit. Please contact Steve Harris at 874-8843.
2. This approval is for the site plan dated May 23, 2012, which does not include a deck. Any proposal for an exterior deck shall be submitted for the appropriate level of site plan review.
3. Standard Condition of Approval: The applicant shall obtain all required City Permits, including building permits from the Inspection Division (874-8703) and any other permits required from the Department of Public Services (874-8801) prior to the start of any construction.



Barbara Barhydt, Development Review Services Manager  
June 2, 2012

Not Approved



MAGNETIC  
1925











if reconfigured corners include landscaping

250 COMMERCIAL

Jeff, Doug Sews, Chris.

revised comments DMP?

- truck access - tom. → OK

- curb cut - decrease? NO

- SW material, brick on abutting NO

- redesign/rebuild sidewalk @ corner / ~~what~~ entrance } YES

- survey + creation of new lot? Marge?

\*Marge re 25' setback -

encl @ sidewalk

but is concrete in poor shape? NO

quantity of survey - OK

how do you get to door?  
through parked car  
access easement?



C M Waterfront Properties, LLC  
36 Union Wharf- PO Box 7467 – Portland, Maine 04112

January 15, 2013

Nell Donaldson  
Planning Division  
City of Portland  
389 Congress St.  
Portland, Maine 04101

Dear Nell:

Thank you for your letter dated January 3, 2013 regarding the Staff Review Comments for the In'finiti Fermentation Brew Pub Project at 250 Commercial St.. As per your letter, the following additional submittals are attached for your review:

1. Documentation of right to use the Union Wharf roadway to access the loading dock area and rear of 250 Commercial St... - Memorandum of Agreement is attached signed by both parties.
2. Revised site plan showing accurate depiction of existing conditions on site. Parking areas on Commercial St. frontage, landscape area, location of dumpster and deck footprint consistent with the architects drawings area all shown. There will not be any additional landscaping at this time.
3. Internal circulation – please refer to the revised site plan. There is a clear pedestrian walkway from the Commercial St. sidewalk that abuts the north property line at 250 Commercial St., that leads to the front entrance steps, to the exterior entrance deck and into the facility. There is also a handicapped ramp that is a part of the stair system that also leads to the exterior entrance deck.
4. Rear loading dock/deck access – there will be access to the rear deck area through the brew pub space, through a rear door on the southern end of the building. There will not be access up on to the deck and into the brew pub for customers, they must arrive and go through the front main entrance only. The rear deck does have an emergency set of steps to allow egress from the building and the deck area in the event of an emergency. The top of the steps will be signed and have an emergency spring loaded bar to allow emergency egress off the deck.
5. Catalog cuts for proposed exterior lighting – please see attached exterior lighting cuts.

Please let me know if you have any questions or need more information for this project.

Sincerely,



Charles A. Poole  
CM Waterfront Properties, LLC  
Partner



**MEMORANDUM OF AGREEMENT**

MEMORANDUM OF AGREEMENT made as of this <sup>14TH</sup> day of January, 2013 by and between PROPRIETORS OF UNION WHARF, a Maine corporation ("Proprietors") and FERMENTATION AND DISTILLATION, LLC, a Maine limited liability company ("Fermentation").

WITNESSETH:

WHEREAS, Proprietors is an affiliate of CM WATERFRONT PROPERTIES, LLC, a Maine limited liability company ("CM Waterfront"); and

WHEREAS, Proprietors is the owner of Union Wharf located on Commercial Street in Portland, Maine ("Union Wharf"); and

WHEREAS, CM Waterfront owns the property located at 250 Commercial Street, Portland, Maine, which is adjacent to Union Wharf; and

WHEREAS, CM Waterfront entered into a Lease with Fermentation dated March 26, 2012 (the "Lease"); and

WHEREAS, pursuant to the Lease, Fermentation has a "right of access over and along Union Wharf to any leased parking and/or the loading dock at the end of the building" located at 250 Commercial Street; and

WHEREAS, Fermentation has requested that Proprietors as the owner of Union Wharf confirm the foregoing right of access; and

WHEREAS, Proprietors is willing do so on the terms and conditions hereinafter set forth;

NOW, THEREFORE, IN CONSIDERATION OF ONE DOLLAR (\$1.00) AND OTHER VALUABLE CONSIDERATION EACH TO THE OTHER GIVEN, AND OF THE MUTUAL COVENANTS AND PROMISES HEREINAFTER SET FORTH, Proprietors and Fermentation hereby agree as follows:

1. Proprietors confirms that Fermentation has a right of access over and along Union Wharf to any leased parking and/or the loading dock at the end of the building located at 250 Commercial Street in Portland, Maine, which is owned by CM Waterfront and a portion of which is leased to Fermentation.
2. The right of access shall be coterminous with the term of the Lease, and shall automatically terminate at such time as the Lease terminates.
3. Fermentation agrees that its right of access over Union Wharf is non-exclusive, and that Proprietors and tenants of Proprietors on Union Wharf shall also have the right to use the that portion of Union Wharf used by Fermentation.
4. Fermentation agrees to abide by such rules and regulations as Proprietors from time to time imposes on the use of Union Wharf.

IN WITNESS WHEREOF, Proprietors and Fermentation have executed this Memorandum of Agreement as of the date first written above.

WITNESS:

Donald Giannola  
Name: DONALD GIANNOLA

PROPRIETORS OF UNION WHARF

By: Charles A. Poole  
Charles A. Poole  
Its duly authorized President

WITNESS:

Donald J. Michaud  
Name: Donald J. Michaud

FERMENTATION AND DISTILLATION, LLC

By: Eric Michaud  
Eric Michaud  
Its duly authorized President

PROPRIETORS OF UNION WHARF  
38 UNION WHARF - P.O. BOX 7467 DTS  
PORTLAND, MAINE 04112



Cm Waterfront Properties LLC - 250 Commercial St.  
36 Union Wharf Brew Pub Project  
Portland, ME 04101

Light fixture to be used on rear loading  
dock/deck on the railings @ 250 Commercial St.  
Bulb = LED8E 26A 1930K





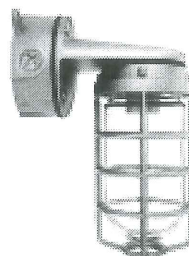
# VXBR100DG

Back Deck by Pool

Die cast aluminum construction. Wall bracket plus junction box with sturdy mounting lugs. Medium base socket, 1/2" or 3/4" NPS hub size and a variety of globes. incandescent lamp A21 for 100 series, PS25 for 200 Series. Lamp not supplied. CFL: 13 & 22 watt lamp supplied.

Color: Natural

Weight: 4.1 lbs



Not to use.  
per cp 1/10/13

## Lamp Info

Type: A19  
Watts: 150W  
Shape/Size: N/A  
Base: N/A  
ANSI: N/A  
Hours: 0  
Lamp Lumens: 0  
Efficacy: N/A

## Ballast Info

Type: 0  
120V: N/A  
208V: 0  
240V: N/A  
277V: N/A  
Input Watts: 0W  
Efficiency: N/A

## Technical Specifications

### UL Listing:

Suitable for wet locations. Suitable for use in dwellings. Suitable for use with 90°C supply wiring. Complies with UL Standard 1598. For non-hazardous locations where the lamp, socket and wiring require protection from rain, corrosive fumes, non-combustible dusts, moisture, non-explosive vapors and gases.

### Wattage:

See catalog number chart for maximum wattage with clear glass, colored glass and Permaglobes.

### Globes:

Supplied with clear heat resistant glass globes unless otherwise stated. Colored and white glass globes available. Unbreakable RAB Permaglobes available in clear and in color.

### Optional Reflectors:

Highly reflective white baked polyester epoxy powder finish over a heavy gauge aluminum base. Reflectors thread onto fixtures. See RV series.

### Socket:

Premium porcelain with 150°C 8" leads attached. Fastened with 2 brass screws.

### Die Cast Guard:

Supplied with one piece die cast guard with set screw

### Maximum Watts:

150 watts

### Colored Globe Maximum Watts:

100 watts

### Patents:

RAB sensor and fixture designs are protected under U.S. and International Intellectual Property laws.

### Country of Origin:

Designed by RAB in New Jersey and assembled in Taiwan

### Trade Agreements Act Compliant:

This product is a product of Taiwan and a "designated country" end product that complies with the Trade Agreements Act.

### GSA Schedule:

Suitable in accordance with FAR Subpart 25.4



Dimmable  
LED A-Lamps

*Back Deck by Dock Lamps  
Back Deck Railing Lamps*

Item Number

ENERGY STAR®

Item Description

Voltage

Lamp Watts

Lumens

Lumens Per Watt

CCT

CRI

STK/MTD

Case Quantity

8W A19 SC - "SNOW CONE" VERSION

LED8E26A1927K	★	LED 8W A-LAMP - 2700K	120	8	450	56.3	2700	82	STK	12
LED8E26A1930K	★	LED 8W A-LAMP - 3000K	120	8	450	56.3	3000	82	STK	12
LED8E26A1941K	○	LED 8W A-LAMP - 4100K	120	8	450	56.3	4100	82	STK	12
LED8E26A1950K	○	LED 8W A-LAMP - 5000K	120	8	450	56.3	5000	82	STK	12

12W A19 SC - "SNOW CONE" VERSION

LED12E26A1927K	○	LED 12W A-LAMP - 2700K	120	12	800	64.5	2700	82	STK	12
LED12E26A1930K	○	LED 12W A-LAMP - 3000K	120	12	800	64.5	3000	82	STK	12
LED12E26A1941K	○	LED 12W A-LAMP - 4100K	120	12	848	68.4	4100	82	STK	12
LED12E26A1950K	○	LED 12W A-LAMP - 5000K	120	12	896	72.3	5000	82	STK	12

8W A19 OD - OMNI DIRECTIONAL

LED8E26A027K	○	LED 8W A-LAMP - Omni-directional 2700K	120	8	450	56.3	2700	85	STK	12
LED8E26A030K	○	LED 8W A-LAMP - Omni-directional 3000K	120	8	450	56.3	3000	85	STK	12
LED8E26A041K	○	LED 8W A-LAMP - Omni-directional 4100K	120	8	477	59.6	4100	80	STK	12

LED8E26A027K

LED8E26A030K

120

8

450

56.3

2700

85

STK

12

LED8E26A030K

120

8

450

56.3

3000

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STK

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LED8E26A041K

120

8

477

59.6

4100



**DESCRIPTION**

The patent pending Lumark Crosstour™ LED Wall Pack Series of luminaries provides an architectural style with super bright, energy efficient LEDs. The low-profile, rugged die-cast aluminum construction, universal back box, stainless steel hardware along with a sealed and gasketed optical compartment make the Crosstour impervious to contaminants. The Crosstour wall luminaire is ideal for wall/surface, inverted mount for façade/canopy illumination, post/bollard and low level pathway illumination including stairs. Typical applications include building entrances, multi-use facilities, apartment buildings, institutions, schools, stairways and loading docks.

Catalog #		Type
Project		
Comments		Date
Prepared by		

**SPECIFICATION FEATURES**

**Construction**

Slim, low profile LED design with rugged one-piece, die-cast aluminum hinged removable door and back box. Matching housing styles incorporate both a small and large design. The small housing is available in 10W and 20W. The large housing is available in the 30W model. Patent pending secure lock hinge feature allows for safe and easy tool-less electrical connections with the supplied lever-lock connectors. Back box includes three (3) half-inch, NPT threaded conduit entry points. The universal back box supports both the small and large forms and mounts to standard 3-1/2" to 4" round and octagonal, 4" square, single gang and masonry junction boxes. Key hole gasket allows for adaptation to junction box or wall. External fin design extracts heat from the fixture surface. One-piece silicone gasket seals door and back box. Not recommended for car wash applications.

**Optical**

Silicone sealed optical LED chamber incorporates a custom engineered mirrored anodized reflector providing high-efficiency illumination. Optical assembly includes impact-resistant tempered glass and meets IESNA requirements for full cutoff compliance. Solid state LED Crosstour luminaires are thermally optimized with five (5) lumen packages in cool 5000K or neutral warm 3500K LED color temperature (CCT).

**Electrical**

LED driver is mounted to the die-cast housing for optimal heat sinking. LED thermal management system incorporates both conduction and natural convection to transfer heat rapidly away from the LED source. 10W models operate in -40°C to 40°C [-40°F to 104°F]. 20W and 30W models operate in -30°C to 40°C [-22°F to 104°F]. Crosstour luminaires

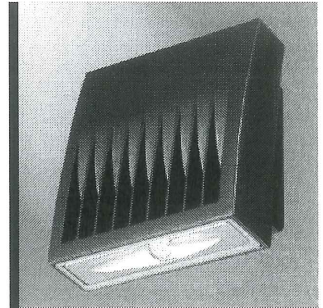
maintain greater than 70% of initial light output after 50,000 hours of operation. Three (3) half-inch NPT threaded conduit entry points allow for thru-branch wiring. Back box is an authorized electrical wiring compartment. Integral LED electronic driver incorporates surge protection. 10W, 120V 50/60 Hz., 20W and 30W, 120-277V 50/60Hz.

**Finish**

Crosstour is protected with a Super TGIC carbon bronze or summit white polyester powder coat paint. Super TGIC powder coat paint finishes withstand extreme climate conditions while providing optimal color and gloss retention of the installed life.

**Warranty**

Crosstour features a five-year limited warranty.



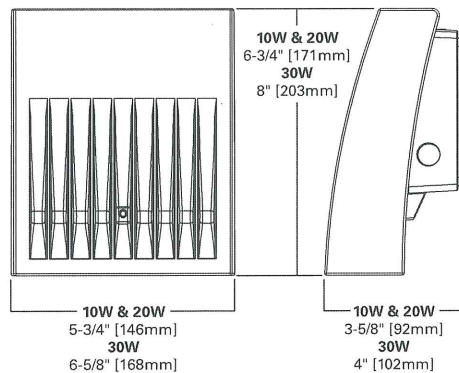
**XTOR  
CROSSTOUR LED**

WALL / SURFACE MOUNT  
POST / BOLLARD MOUNT  
LOW LEVEL MOUNT  
INVERTED MOUNT

SustainableLEDesign

**DESIGNLIGHTS**  
CONSORTIUM

**DIMENSIONS**



**CERTIFICATION DATA**

UL/cUL Wet Location Listed.  
IP66 Ingress Protection Rated  
ADA Compliant  
LM79 / LM80 Compliant  
ROHS Compliant  
ARRA Compliant  
DLC Qualified Models  
Lighting Facts® Approved  
Title 24 Compliant

**TECHNICAL DATA**

40°C Maximum Ambient Temperature  
External Supply Wiring 90°C Minimum

**SHIPPING DATA:**

Approximate Net Weight:  
3.7 – 5.25 lbs. [1.7 – 2.4 kgs.]

**ORDERING INFORMATION**

SAMPLE NUMBER: XTOR2A-N-WT-PC1

**Series**  
 XTOR1A=Small Door, 10W <sup>1</sup>  
 XTOR2A=Small Door, 20W <sup>2</sup>  
 XTOR3A=Large Door, 30W <sup>2</sup>

**LED Kelvin Color** <sup>3</sup>  
 \_\_\_ = Bright White  
 (Standard) 5000K  
 N = Neutral Warm  
 White, 3500K

**Housing Color**  
 \_\_\_ = Carbon Bronze (Standard)  
 WT = Summit White

**Options (specify voltage)** <sup>4</sup>  
 PC1=Photocontrol 120 V  
 PC2=Photocontrol 208-277 V

**Accessories** <sup>5</sup>  
 WG/XTOR=Wireguard (fits both)

**Notes:**  
 1 120V only XTOR1A not available in 3500K.  
 2 Design Lights Consortium™ qualified (down mount only).  
 Consult Design Lights Consortium website for all applications.  
 3 PC2 only available in 20W and 30W models.  
 4 PC1 and PC2 photo controls are factory installed. PC2 not available on XTOR1A models.  
 5 Order WG/XTOR wire guard separately.

**STOCK ORDERING INFORMATION**

10W Series	20W Series	30W Series
XTOR1A = 10W, 5000K, Carbon Bronze	XTOR2A = 20W, 5000K, Carbon Bronze	XTOR3A = 30W, 5000K, Carbon Bronze
XTOR1A-WT = 10W, 5000K, Summit White	XTOR2A-N = 20W, 3500K, Carbon Bronze	XTOR3A-N = 30W, 3500K, Carbon Bronze
XTOR1A-PC1 = 10W, 5000K, 120V PC, Carbon Bronze	XTOR2A-WT = 20W, Summit White	XTOR3A-WT = 30W, Summit White
	XTOR2A-PC1 = 20W, 120V PC, Carbon Bronze	XTOR3A-PC1 = 30W, 120V PC, Carbon Bronze



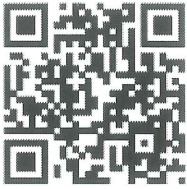
**5-DAY QUICK SHIP ORDERING INFORMATION**

10W Series	20W Series	30W Series
XTOR1A-WT-PC1 = 10W, 5000K, Summit White, 120V PC	XTOR2A-PC2 = 20W, 5000K, 208-277V PC, Carbon Bronze	XTOR3A-PC2 = 30W, 5000K, 208-277V PC, Carbon Bronze
	XTOR2A-WT-PC1 = 20W, 5000K, Summit White, 120V PC	XTOR3A-WT-PC1 = 30W, 5000K, Summit White, 120V PC
	XTOR2A-WT-PC2 = 20W, 5000K, Summit White, 208-277V PC	XTOR3A-WT-PC2 = 30W, 5000K, Summit White, 208-277V PC
	XTOR2A-N-WT = 20W, 3500K, Summit White	XTOR3A-N-WT = 30W, 3500K, Summit White
	XTOR2A-N-PC1 = 20W, 3500K, 120V PC, Carbon Bronze	XTOR3A-N-PC1 = 30W, 3500K, 120V PC, Carbon Bronze
	XTOR2A-N-PC2 = 20W, 3500K, 208-277V PC, Carbon Bronze	XTOR3A-N-PC2 = 30W, 3500K, 208-277V PC, Carbon Bronze
	XTOR2A-N-WT-PC1 = 20W, 3500K, Summit White, 120V PC	XTOR3A-N-WT-PC1 = 30W, 3500K, Summit White, 120V PC
	XTOR2A-N-WT-PC2 = 20W, 3500K, Summit White, 208-277V PC	XTOR3A-N-WT-PC2 = 30W, 3500K, Summit White, 208-277V PC

**CURRENT DRAW**

	XTOR1A	XTOR2A	XTOR3A
120V	.13A	0.2A	0.3A
208V	--	0.1A	0.15A
240V	--	0.15A	0.15A
277V	--	0.15A	0.15A

Front Overhang



Project	Catalog #
Comments	Date

**DESCRIPTION**

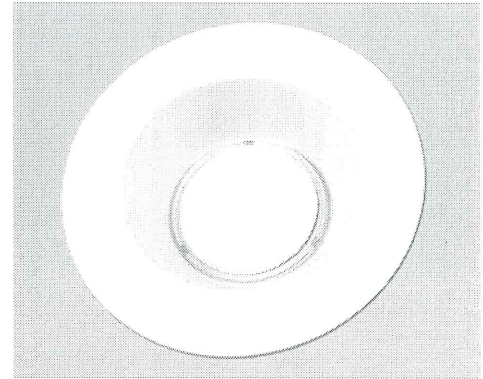
The MAXCOR DLR56 is a 5" & 6" recessed LED downlight that is compatible with most 5" and 6" recessed housings, and is suitable for either retrofit or new construction alike.

The DLR56 is suitable for all commercial, retail, institutional, and residential applications. Use this fixture wherever high efficiency, low energy lighting is needed or desired.



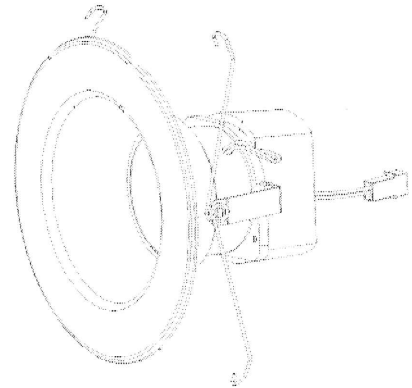
**FEATURES AND SPECIFICATIONS**

- Compatible with most 5" and 6" recessed housings
- >35,000 hour life expectancy
- Easy installation with adjustable torsion springs
- Integrated trim
- Dimmable to 10% with most dimmers
- Durable construction
- 5 year warranty
- Edison Base included (GU24 socket adaptor available)
- Available in 3000K, 4000K and 5000K temperatures



**PRODUCT INFORMATION**

Trim Width	7.5" (190.5 mm)
Fixture Height	3.78" (96 mm)
LED Type	Cree XLamp XM-L
LED Lifetime (Hrs)	> 35,000
Input Voltage (VAC)	120
Model Number	NSSLR-1-3-14-56-W NSSLR-1-4-14-56-W NSSLR-1-5-14-56-W



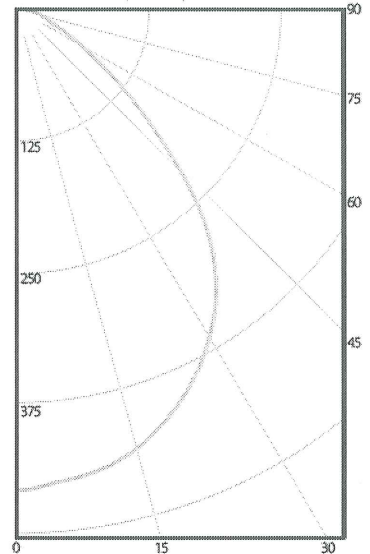
**FIXTURE ORDERING INFORMATION**

Example: NSSLR-1-3-14-56-W

Series	Version	Temp (K)	Power (W)	Size	Color
NSSLR	1	3000	14	5" & 6"	White
NSSLR	1	4000	14	5" & 6"	White
NSSLR	1	5000	14	5" & 6"	White

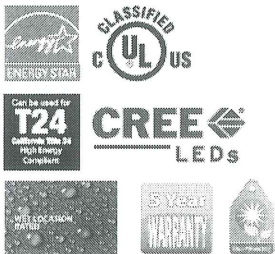
Specifications and dimensions subject to change without notice.

3000K Polar Plot (Candela)



3000K Zonal Lumen Summary

Zone (Degrees)	Lumens	% of Lamp	% of Luminaire
0-30	344.5	N/A	38.5%
0-40	546.1	N/A	61.0%
0-60	809.8	N/A	90.4%
0-90	895.4	N/A	100.0%
90-180	0	N/A	0.0%
0-180	895.4	N/A	100.0%



Cree is a registered trademark and the Cree LED's Logo is a trademark of Cree, Inc. in the United States and/or other countries.

## Helen Donaldson - 250 Commercial Street - loading dock

---

**From:** Marge Schmuckal  
**To:** Helen Donaldson  
**Date:** 1/4/2013 1:40 PM  
**Subject:** 250 Commercial Street - loading dock

---

Hi Nell,

Re: 14-306 It is my interpretation of the Ordinance that this area and project are not subject to the 25 foot setback from the average high tide line. However, the project is subject to providing Inspection Services with a Certificate of Elevation for the loading dock/deck. The first floor elevation shall be at least 2' higher than the 9.6 feet given in the Flood Insurance Study booklet. Charlie Poole can contact me for the required paperwork.

I hope this helps you,

Marge



## Helen Donaldson - Re: 250 Commercial St.

---

**From:** David Margolis-Pineo  
**To:** Helen Donaldson  
**Date:** 1/2/2013 2:54 PM  
**Subject:** Re: 250 Commercial St.

---

You're saying the applicant, in this case Charlie Poole does not own the access drive onto Union Wharf and the sidewalk that extends into this area?

>>> Helen Donaldson 1/2/2013 2:48 PM >>>  
 David,

A couple of small changes below (I wanted to take out references to the applicant's property, since that sidewalk is actually on the adjacent lot?).

Let me know if you object. Otherwise, I'll send this along to Charlie tomorrow.

Nell

>>> David Margolis-Pineo 1/2/2013 1:58 PM >>>  
 Nell,

I have revised my comments. You may want to tweak but as we discussed, we should have a current site plan and a plan showing how people get to the front door.

January 2, 2013

**TO:** Nelle Donaldson  
 Barbara Barhydt  
**FROM:** David Margolis-Pineo – Department of Public Services  
**RE:** Review Comments: 250 Commercial Street

The Department of Public Services has the following review comments.

1. The concrete sidewalk in front of the applicant's property does not meet the City's current sidewalk material policy. Since the concrete sidewalk is in good repair, it is recommended that in this instance, the policy be waived.
2. It is noted that the proposed new front steps (Phase I) have been build and that a landscape area not shown on the applicant's application has been added to the front. Also

the sidewalk at the corner of the Commercial and the Union pier entrance now terminates in front of parked cars **on the applicant's property (STRIKE)**. **It appears that it may be desirable to remove the portion of brick walk on the applicant's property. (STRIKE)** With the new landscaping area, existing parking and sidewalk configuration, it is not clear how the applicant



## Helen Donaldson - Re: Review comments - 250 Commercial St - Union

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**From:** David Margolis-Pineo  
**To:** Barbara Barhydt; Helen Donaldson  
**Date:** 12/21/2012 4:13 PM  
**Subject:** Re: Review comments - 250 Commercial St - Union

---

No problem. I didn't know about the steps. Just want to be consistent. I'll be in all week.

>>> Barbara Barhydt 12/21/2012 4:09 PM >>>  
Hi David:

This survey was used for a recent project on the pier for the fish processing. I don't recall it being a problem. It was Bill's project.

The changes to the front stpes were done as an administrative authorization.

The changes for the loading dock came in as a Level II site plan. I would like us to discuss this next week, as this change of use does not trigger site plan review. I want to fully understand the extent of your recommendations in relation to the scope of our review.

Thanks.

Barbara

>>> David Margolis-Pineo Friday, December 21, 2012 3:45 PM >>>  
Please see attached.

December 21, 2012

TO: Nelle Donaldson  
Barbara Barhydt  
FROM: David Margolis-Pineo – Department of Public Services  
RE: Review Comments: 250 Commercial Street

The Department of Public Services has the following review comments.

1. The current curb cut in front of 250 Commercial St. is approximately 65' wide, more than twice the current City standard. Closing the cut to city standards could have a negative impact on parking and the building's tenants. However the cut could be reduced by five feet with no impact. It is suggested that the applicant remove the approximate 25 feet of concrete sidewalk in front and replace with brick to meet the City's sidewalk material policy and to lengthen the sidewalk to 30 feet, feathering in to the front steps of Nine Stones. The five parking spots in front would remain. It is also recommended that the sidewalk at the corner of the Commercial and the pier entrance be redesign and rebuild since the walk now terminates in front of parked cars. *History?*
2. It is noted that the proposed new front steps(Phase I) have been build and that a landscape area not shown on the applicant's application has been added to the front.
3. There are many questions concerning the survey. It appears that a lot may be created. But it is unclear. This survey does not meet the requirements of Technical Manual. The applicant is encouraged to review those requirements and resubmit. If there are questions, please contact William Clark at Public Services at 874-8847.

## Helen Donaldson - Re: 250 Commercial Street - loading dock/deck

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**From:** Marge Schmuckal  
**To:** Helen Donaldson  
**Date:** 12/21/2012 1:08 PM  
**Subject:** Re: 250 Commercial Street - loading dock/deck

Hi Nell,  
I don't see anything in One Solution. My comments:

250 Commercial Street 031-L-34  
2012-645 WCZ Zone  
12/21/2012

This loading dock revision is located in the WCZ Zone. It is meeting the requirements of the WCZ Zone. The loading dock/deck is part of a change of use applied for previously which met the underlying zoning.

Marge Schmuckal  
Zoning Administrator

>>> Helen Donaldson 12/20/2012 1:27 PM >>>  
All,

If you get a chance before leaving for the holidays, I would love to be able to get some comments on 250 Commercial Street to Charlie Poole. He's written me several notes asking about progress...

Many thanks, and happy holidays to all of you,  
Nell

## Helen Donaldson - 250 Commercial Street - Traffic Comments

---

**From:** Tom Errico <thomas.errico@tylin.com>  
**To:** Helen Donaldson <HCD@portlandmaine.gov>  
**Date:** 12/21/2012 10:22 AM  
**Subject:** 250 Commercial Street - Traffic Comments  
**CC:** Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@port...

---

Nell – I have reviewed project details and find the project to be generally acceptable with the following comments.

- Vehicle access to the loading dock area of the project appears to need an easement for use of the main Union Wharf driveway on Commercial Street and vehicle maneuvering into and out of the loading dock area. Documentation of use rights should be provided.
- The project site has a wide curb opening on Commercial Street that provides access to existing perpendicular parking spaces along the building frontage. This curb opening exceeds City standards. I'm generally supportive of a waiver from the City's Technical standards given that the project scope of work is not impacting conditions along Commercial Street and that the City is not aware of traffic or safety problems in this area. I would suggest that other City staff provide direction on this non-compliant condition.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE  
Senior Associate  
Traffic Engineering Director

**TYLIN** INTERNATIONAL

12 Northbrook Drive  
Falmouth, ME 04105  
207.347.4354 direct  
207.400.0719 mobile  
207.781.4753 fax

[thomas\\_errico@tylin.com](mailto:thomas_errico@tylin.com)

Visit us online at [www.tylin.com](http://www.tylin.com)

"One Vision, One Company"

Please consider the environment before printing.

## Helen Donaldson - Re: 250 Commercial Street

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**From:** Jeff Tarling  
**To:** Helen Donaldson  
**Date:** 1/2/2013 4:57 PM  
**Subject:** Re: 250 Commercial Street

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Hi Nell -

I reviewed the proposed plan for 250 Commercial Street. Looking at the scope of the project and the restricted amount of available landscape or green space - the existing tree / landscape planter, although technically not on the projects lot, is acceptable for landscape treatment. Finding additional space is a challenge at this site with proposed and existing land use, vehicular and pedestrian circulation. I would be open to find additional small planting space that could be a raised planter.

Jeff

>>> Helen Donaldson 1/2/2013 2:51 PM >>>  
Jeff,

I just got David's comments and he's not making specific recommendations about that sidewalk/landscaping on the Union Wharf project. He's just asking that they provide more information about accessing the front door. That said, it seems like there's some flexibility in terms of your comments.

Let me know your thoughts.

Nell



**LEVEL III REVIEW: 250 Commercial**

Rear loading dock/deck for Infiniti-Fermentation Brew/Distill Pub (854 SF), composite decking

*need access pavement.*

		Preliminary Review	Final Review
<b>Transportation</b>	a. Impact on Surrounding Street Systems	None	
	b. Access and Circulation	<ul style="list-style-type: none"> <li>Unloading conflict with other cars/peds? Need turning templates?</li> <li>Brick sidewalk w/ asphalt apron. Need brick in front of Nine Stones</li> <li>Huge curb cut</li> </ul>	<p><i>size of trucks + backing in?</i></p> <p><i>decking (width)?</i></p> <p><i>bricks?</i></p>
	c. Public Transit Access	N/A. No route here.	
	d. Parking	<ul style="list-style-type: none"> <li>No parking required in WCZ</li> <li>Snow removal?</li> </ul>	<p><i>no parking required</i></p>
	e. Transportation Demand Management (TDM)		
<b>Environmental Quality</b>	a. Preservation of Significant Natural Features		
	b. Landscaping and Landscape Preservation	<ul style="list-style-type: none"> <li>Dumpster location &amp; screening</li> <li>No landscaping at NE corner in prior approval</li> <li>No setbacks. No landscaping required?</li> </ul>	<p><i>screened from public view</i></p> <p><i>8.15</i></p>
	c. Water Quality, Storm Water Management and Erosion Control		
<b>Public Infrastructure and Community Safety</b>	a. Consistency with Master Plans		
	b. Public Safety and Fire Prevention	<ul style="list-style-type: none"> <li>CP will send note indicating fire will address during construction</li> </ul>	<p><i>no need</i></p>
	c. Availability and Adequate Capacity of Public Utilities		
<b>Site Design</b>	a. Massing, Ventilation and Wind Impact		
	b. Shadows		

*6*

**Helen Donaldson - RE: 250 Commercial St. - rear loading dock project**

---

**From:** Charlie Poole <cpoole@customfloat.com>  
**To:** Helen Donaldson <HCD@portlandmaine.gov>  
**Date:** 12/21/2012 12:01 PM  
**Subject:** RE: 250 Commercial St. - rear loading dock project  
**CC:** Scott Dyer <sdyer@customfloat.com>

---

Hi Nell:

After our conversation yesterday, Scott(he works with me here on Union Wharf) and I discussed the loading dock project, truck access to the dock and the most efficient way to move product from the truck to the dock and vice versa. I also went over to measure how long a truck could back up to the dock and not interfere with the Union Wharf roadway, the length was approx. 35'. I had always envisioned small trucks accessing this area and they would not extend into the roadway. As I said that will not work for the traffic flow on Union Wharf. The tenant had said deliveries would not be that often and on small local trucks and first thing in the morning.

Giving the site and the plan more review, the best way and most efficient way to unload trucks may be with a fork truck which can set pallets or lifts on the loading dock which are then moved into the building with a pallet jack. We operate 2 businesses on Union Wharf that way and have 2 – fork trucks to do this work.

I know you are off, so call me when you are back to discuss.

Have a great Holiday.

Charlie

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**From:** Helen Donaldson [mailto:HCD@portlandmaine.gov]  
**Sent:** Thursday, December 20, 2012 1:19 PM  
**To:** Charlie Poole  
**Cc:** Scott Dyer  
**Subject:** Re: 250 Commercial St. - rear loading dock project

Charlie,

You were on my list for today, actually. I apologize that this is taking so much time. I have re-issued my plea for written comments from reviewers.

We've talked about the project quite a bit at our development review meetings and I'm guessing that the biggest questions will be about truck size and turning movements backing in to the loading dock.

I am out of the office next week but will check my email and forward anything I receive from reviewers. I know that many of them are on vacation for the holiday as well. With any luck, I should be able to get you a formal review letter the first week of January. Again, I apologize for the delay on this.

Happy holidays,  
Nell

Charlie: 12/20/12

loading dock is remnant of photo studio

↓  
brewery  
can  
↓ control delivery times.

proprietors of Union Wharf aims roadway

↓ lease agreement. .... → will send  
or write letter

not for tractor trailers, just for straight jobs







8544F

General Submittal Requirements – Preliminary Plan (Optional)  
 Level II Site Plan  
 Preliminary Plan Phase Check list (if elected by applicant)

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirements
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Completed application form
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Application fees <i>\$350 - \$50 Paid 11/2/12</i>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Written description of project <i>see attached copy of Receipt</i>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Evidence of right, title and interest.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Copies of required State and/or Federal permits. <i>NAME PER'D?</i>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Written assessment of proposed project's compliance with applicable zoning requirements.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Written description of existing and proposed easements or other burdens.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Written requests for waivers from individual site plan and/or technical standards, where applicable.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Traffic analysis (may be preliminary, in nature, during the preliminary plan phase).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Written summary of significant natural features located on the site.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1	Written summary of project's consistency with related city master plans.
Applicant Checklist	Planner Checklist	Number of Copies	Site Plan Submittal Requirements
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual.
<input checked="" type="checkbox"/>	<input type="checkbox"/>	1	<b>Preliminary Site Plan Including the following: (*information provided may be preliminary in nature during preliminary plan phase):</b>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Existing and proposed structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Proposed site access and circulation.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Proposed grading and contours.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Preliminary landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Existing and proposed utilities (preliminary layout).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Preliminary infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, transit infrastructure, roadway improvements).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Preliminary stormwater management and erosion control plan.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b) 1. of the Land Use Code).
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		▪ Proposed alterations to and protection measures for significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important

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<ul style="list-style-type: none"> <li>▪ Exterior building elevation(s) (showing all 4 sides).</li> </ul>
<ul style="list-style-type: none"> <li>▪ Proposed stormwater management and erosion controls.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Exterior lighting plan, including street lighting improvements..</li> </ul>
<ul style="list-style-type: none"> <li>▪ Proposed signage.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Identification of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code). Wetlands must be delineated.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Proposed alterations to and protection measures for of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).</li> </ul>
<ul style="list-style-type: none"> <li>▪ Total area and limits of proposed land disturbance.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Soil type and location of test pits and borings.</li> </ul>
<ul style="list-style-type: none"> <li>▪ Details of proposed pier rehabilitation (Shoreland areas only).</li> </ul>
<ul style="list-style-type: none"> <li>▪ Existing and proposed easements or public or private rights of way.</li> </ul>



LEGEND: (EXISTING FEATURES)

- PROPERTY CORNER
- POWER POLE
- FIRE HYDRANT
- ⊖ WATER SHUT OFF
- ▭ STORM DRAIN
- ⊙ SEWER MAN HOLE
- ▭ BULKHEAD
- ▭ FENCE
- ▭ TELEPHONE
- ▭ FIRE BOX
- FLAG POLE
- x SPOT GRADES
- SMALL TREE
- ★ TREES AND SHRUBS
- ⊙ EXISTING PARKING
- TRAFFIC FLOW
- DRAINAGE ARROWS

LEGEND: (FEATURES)

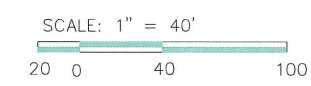
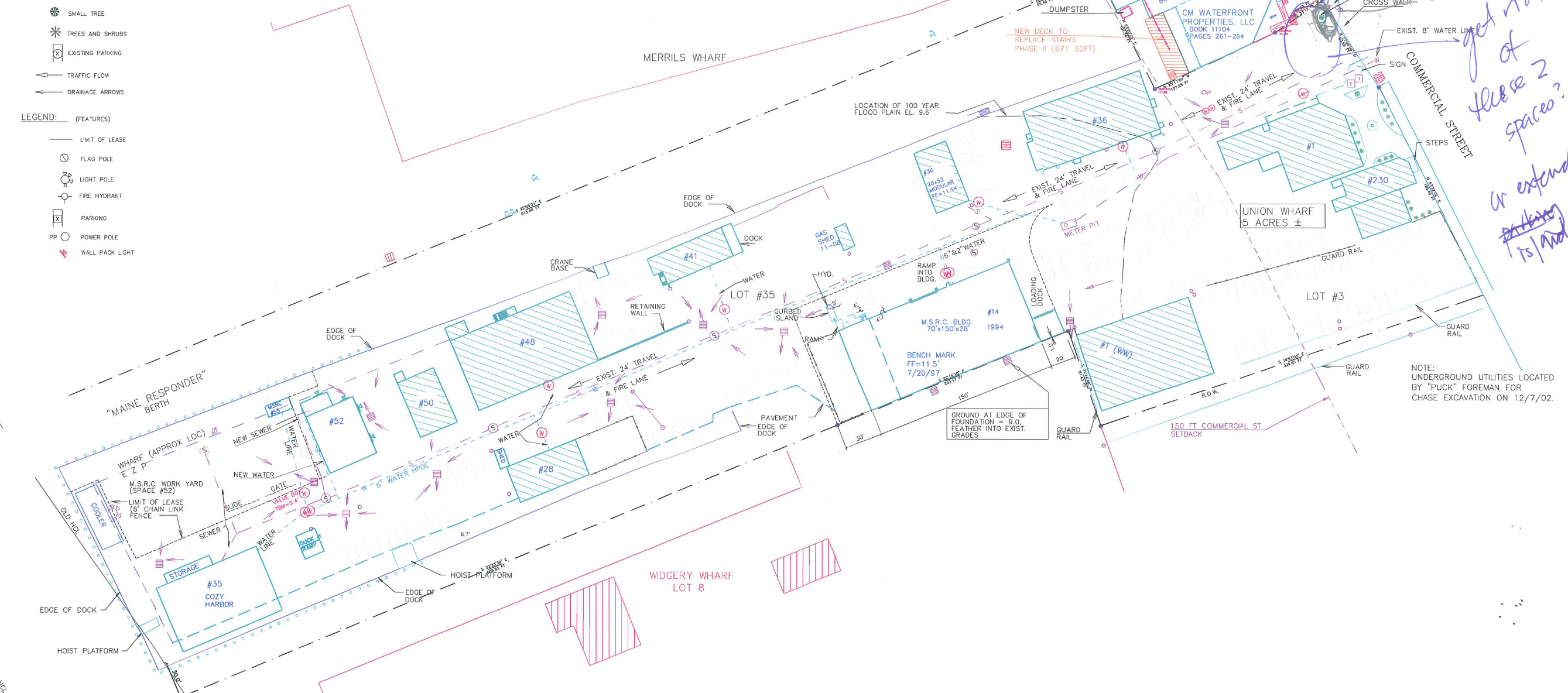
- LIMIT OF LEASE
- FLAG POLE
- LIGHT POLE
- FIRE HYDRANT
- ⊙ PARKING
- PP ○ POWER POLE
- ⚡ WALL PACK LIGHT

BUILDING INFORMATION			
BLDG. #	GROUND FLOOR AREA	GRADE ELEVATION	
#1	4680 S.F.	F.F. EL. 11.3'	
#230	1481 S.F.	F.F. EL. 11.9'	
#36	5014 S.F.	F.F. EL. 11.2'	
#55	61 S.F.	F.F. EL. 11.2'	
#41	1560 S.F.	F.F. EL. 8.7'	
#48	6691 S.F.	F.F. EL. 10.3'	
#50	1557 S.F. & 663 S.F.	F.F. EL. 10.2'	
#50A	722 S.F.	F.F. EL. 11.9'	
#52	2388 S.F.	F.F. EL. 12.0'	
#35	DEMOLISHED AS PER 7/20/97	F.F. EL. 9.2'	
#30	1080 S.F.	F.F. EL. 8.5'	
#28	1864 S.F.	F.F. EL. 9.2'	
#14	10900 S.F.	F.F. EL. 11.6'	
CM WATERFRONT PROPERTIES, LLC	10400 S.F.	NOT IN FLOOD ZONE	

NOTE: 16 APRIL 2010 WEST AND SOUTH SIDES OF CM WATERFRONT PROPERTIES, LLC PARCEL ARE THE CENTERLINE OF THE "PARTY WALLS". LOCATION AS SHOWN IS APPROXIMATE.

MAGNETIC 1925

*landscaped to end of parking*  
*city project*  
*get rid of these 2 spaces?*  
*or extend parking is not?*



NOTES:  
 COASTAL BASE FLOOD EL. = 9.6' PER FLOOD INSURANCE STUDY DATED JULY 17, 1985.  
 BENCH MARK: DATUM USGS FROM CUSTOM HOUSE B.M. +14.07'.  
 FLOOD MAP NOTE (PLAN #9)  
 SOILS ARE MAN MADE BEING CRUSHED STONE ON CONSOLIDATED FILL.  
 LOT SHOWN ON MAP 31 LOTS 35 & 3 IN TAX ASSESSORS BOOK.  
 TOTAL WHARF REQUIRED PARKING 123 SPACES. PARKING PROVIDED 150 SPACES.

Construction Note #52 Union Wharf - May-June 2012:  
 The area surrounding #52 Union Wharf is all paved and there will be no stacking or storage of any gravel/fill materials on site. Due to the paved nature of the site there will be no further erosion or sedimentation controls other than keeping the paved areas swept clean. The adjacent street drains will be covered during construction to avoid any materials from finding the drain/catch basin. There is an on-site dumpster for all trash and recyclables.

SURVEY OF BOUNDARY AND EXISTING FEATURES DONE BY DOWNEAST SURVEYING & DEVELOPMENT, ELWOOD ELLIS P.L.S., #1176, P.O. BOX 6234 CHINA VILLAGE, MAINE 04926

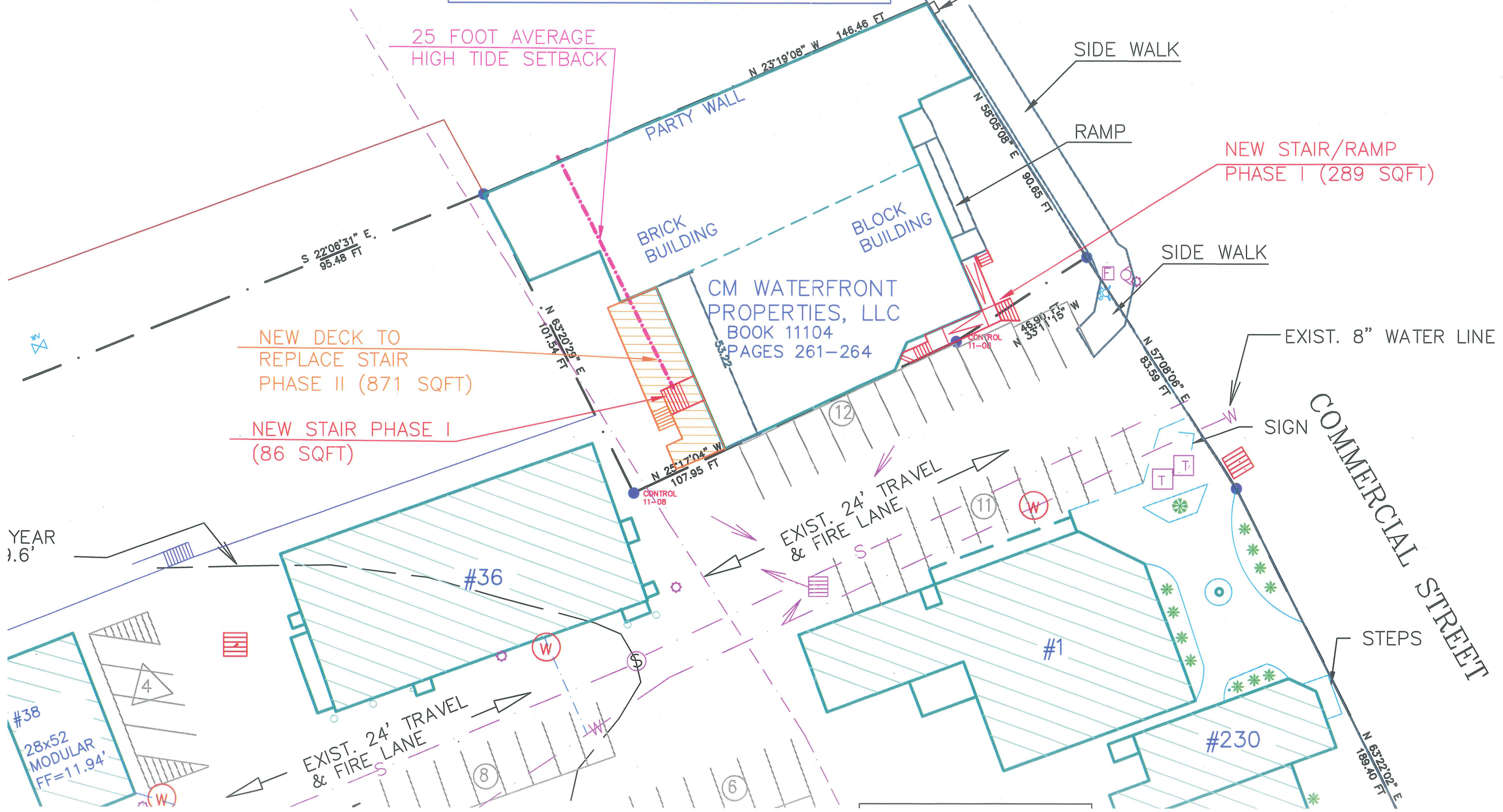
PROJECT: The Proprietors of Union Wharf ADDRESS: 35 Union Wharf CITY: Portland, Maine 04112 STATE: Maine COUNTY: Cumberland DATE: 2-22-2012 SCALE: 1" = 40'		Updated Record Site Survey Union Wharf Portland, ME
D. S. D. DOWNEAST SURVEYING & DEVELOPMENT P.O. BOX 6234 CHINA VILLAGE, MAINE 04926 (207) 586-2507 MEMBER MAINE SOCIETY OF LAND SURVEYORS	#1 UPDATE SITE PLAN BLDG. #52, PLANNING COMMENTS 5-26-12 #2 ADD CITY UTILITY DETAILS 5-29-12 #3 DECK & STAIR ADDS TO CM WATERFRONT PROPERTIES, LLC 6-1-12 #4 ADD 25' HIGH TIDE SETBACK LINE AT NORTH END OF WHARF 6-13-12 #5 MODIFY SITE PLAN PER PLANNING STAFF MEET 1-10-13	NO. REVISIONS DATE



CM WATERFRONT PROPERTIES, LLC  
P.O. BOX 7467  
36 UNION WHARF  
PORTLAND, ME 04112

NOTE: 16 APRIL 2010  
WEST AND SOUTH SIDES OF  
CM WATERFRONT PROPERTIES, LLC  
PARCEL ARE THE CENTERLINE OF  
THE "PARTY WALLS". LOCATION AS  
SHOWN IS APPROXIMATE.

MAGNETIC  
1925



YEAR  
1.6'

#38  
28x52  
MODULAR  
FF=11.94'

EXIST. 24' TRAVEL  
& FIRE LANE

EXIST. 24' TRAVEL  
& FIRE LANE

COMMERCIAL STREET

25 FOOT AVERAGE  
HIGH TIDE SETBACK

NEW DECK TO  
REPLACE STAIR  
PHASE II (871 SQFT)

NEW STAIR PHASE I  
(86 SQFT)

NEW STAIR/RAMP  
PHASE I (289 SQFT)

BRICK  
BUILDING

BLOCK  
BUILDING

GAS ENTRY

SIDE WALK

RAMP

SIDE WALK

EXIST. 8" WATER LINE

SIGN

STEPS

CM WATERFRONT  
PROPERTIES, LLC  
BOOK 11104  
PAGES 261-264

#36

#1

#230

S 22°06'31" E  
95.48 FT

N 63°20'29" E  
107.54 FT

N 25°17'04" W  
107.95 FT

N 23°19'08" W  
146.46 FT

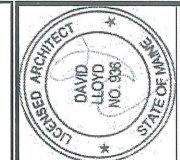
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N 46°00'15" W  
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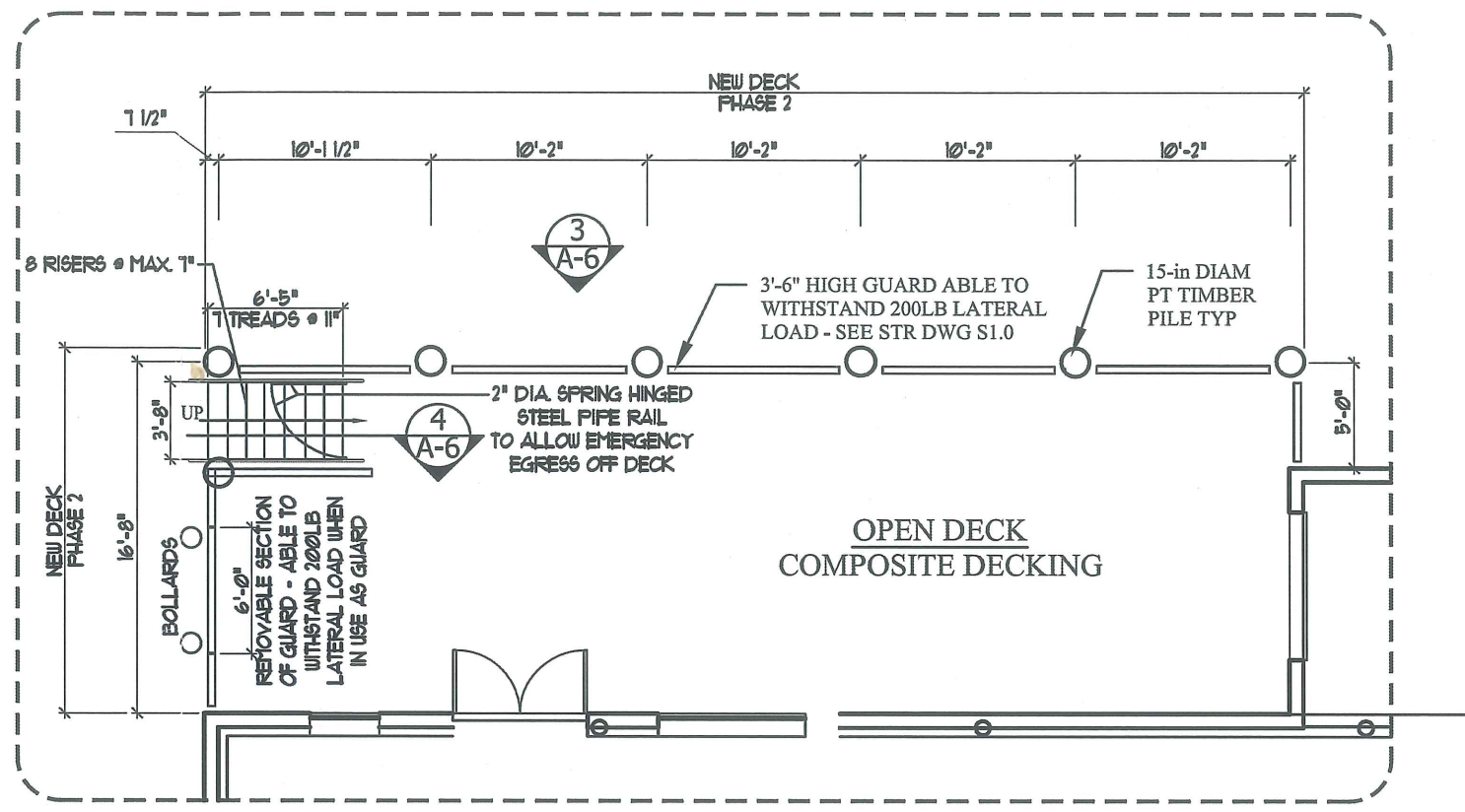
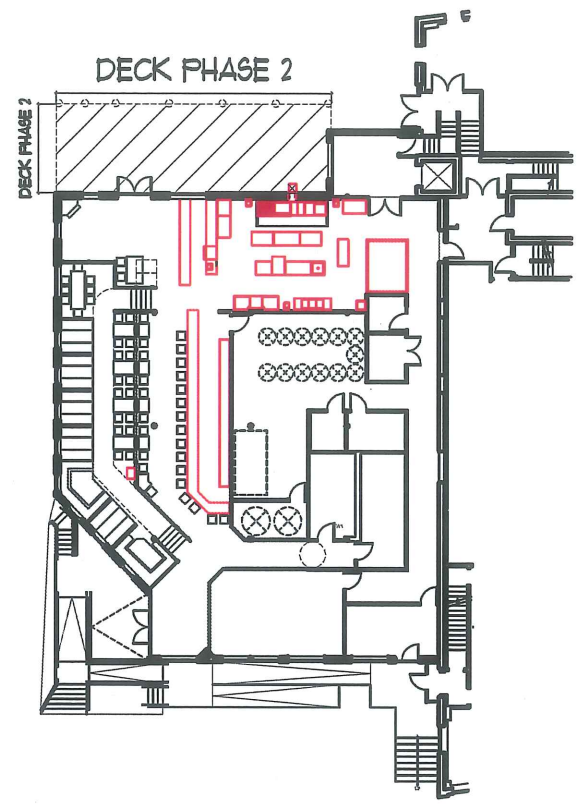
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N 63°20'29" E  
169.40 FT

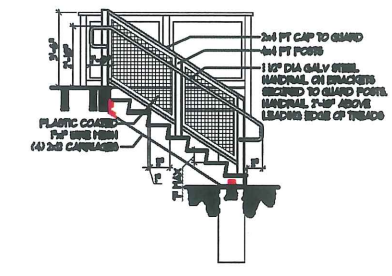




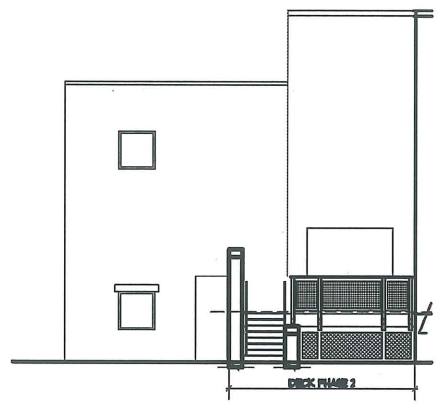
# AREA OF WORK FOR PHASE II



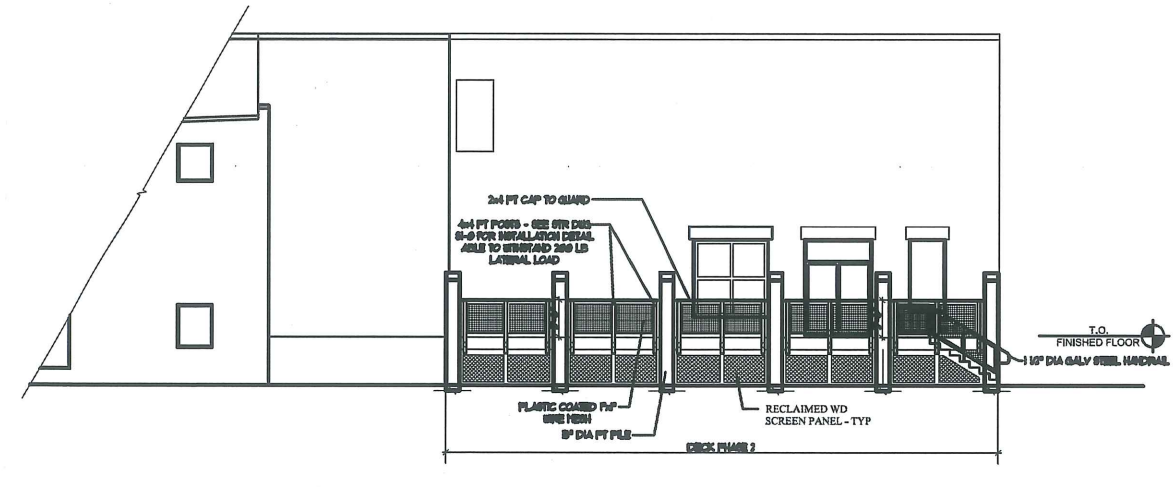
1 EAST ELEVATION  
SCALE: 1/8"=1'-0"



4 STAIR SECTION  
SCALE: 1/4"=1'-0"



2 EAST ELEVATION  
SCALE: 1/8"=1'-0"



3 SOUTH ELEVATION  
SCALE: 1/8"=1'-0"

Prepared For:

Consulting Engineer:

Architect: **ARCHETYPE architects**  
48 Union Wharf Portland, Maine 04101  
(207) 772-6022 Fax (207) 772-4056

Project: **250 COMMERCIAL STREET**  
PORTLAND, MAINE 04101

Revisions:

Date: 26 November 2012  
Scale: AS NOTED  
PHASE 2 - DECK PLAN, ELEVATIONS AND SECTION

**CM WATERFRONT PROPERTIES, LLC**  
P.O. BOX 7467  
36 UNION WHARF  
PORTLAND, ME 04112

**A-6**



**BUILDING INFORMATION**

BLDG. #	GROUND FLOOR AREA	GRADE ELEVATION
#1	4680 S.F.	F.F. EL. 11.3'
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#41	1560 S.F.	F.F. EL. 8.7'
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#50	1557 S.F. & 663 S.F.	F.F. EL. 10.2'
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#14	10900 S.F.	F.F. EL. 11.6'
CM WATERFRONT PROPERTIES, LLC	10400 S.F.	NOT IN FLOOD ZONE

**LEGEND: (EXISTING FEATURES)**

- PROPERTY CORNER
- ⊕ POWER POLE
- ⊕ FIRE HYDRANT
- ⊕ WATER SHUT OFF
- ⊕ STORM DRAIN
- ⊕ SEWER MAN HOLE
- ⊕ BULKHEAD
- ⊕ FENCE
- ⊕ TELEPHONE
- ⊕ FIRE BOX
- ⊕ FLAG POLE
- ⊕ SPOT GRADES
- ⊕ SMALL TREE
- ⊕ TREES AND SHRUBS
- ⊕ EXISTING PARKING
- TRAFFIC FLOW
- DRAINAGE ARROWS

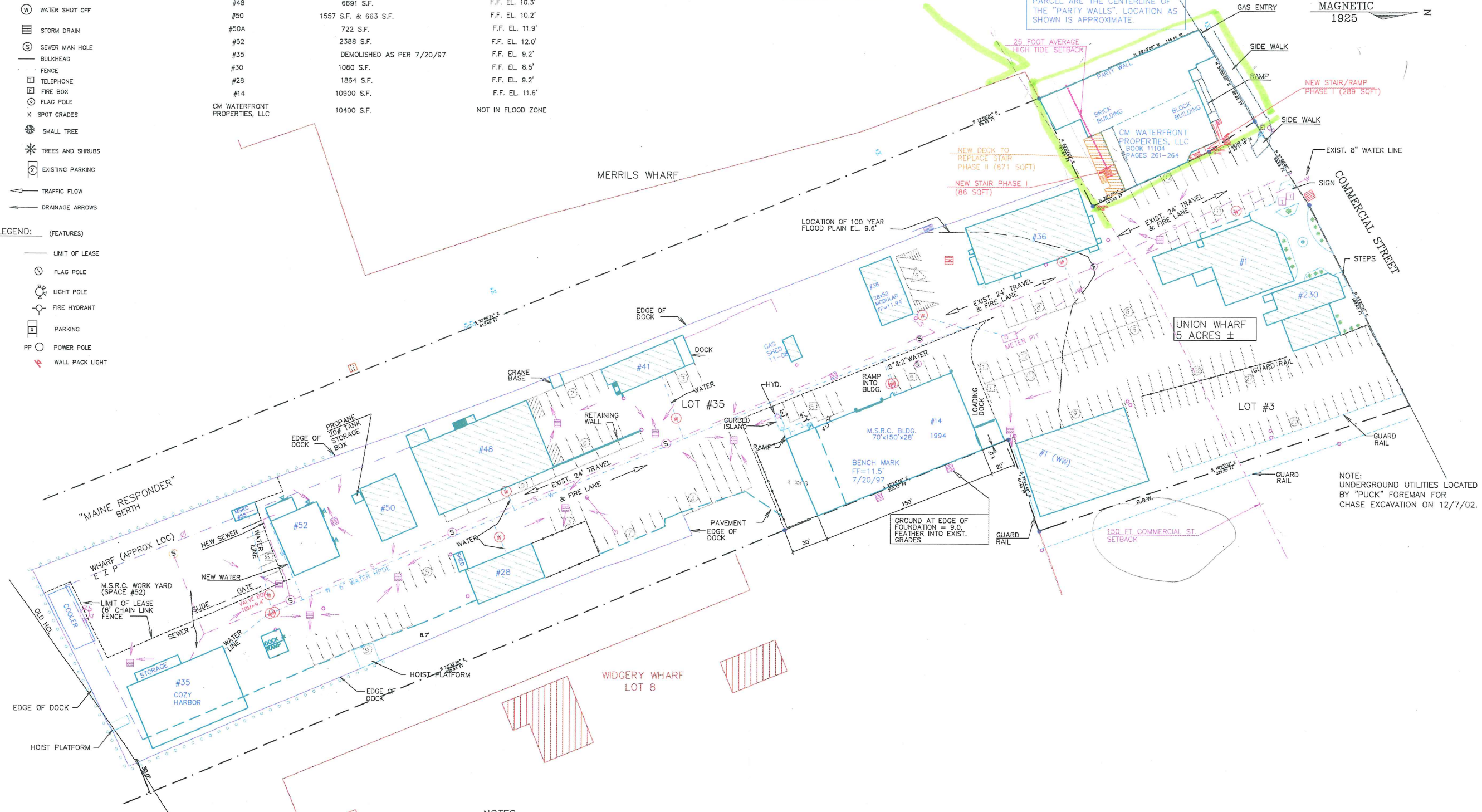
**LEGEND: (FEATURES)**

- LIMIT OF LEASE
- ⊕ FLAG POLE
- ⊕ LIGHT POLE
- ⊕ FIRE HYDRANT
- ⊕ PARKING
- ⊕ POWER POLE
- ⊕ WALL PACK LIGHT

**CM WATERFRONT PROPERTIES, LLC**  
**P.O. BOX 7467**  
**36 UNION WHARF**  
**PORTLAND, ME 04112**

NOTE: 16 APRIL 2010 WEST AND SOUTH SIDES OF CM WATERFRONT PROPERTIES, LLC PARCEL ARE THE CENTERLINE OF THE "PARTY WALLS". LOCATION AS SHOWN IS APPROXIMATE.

MAGNETIC 1925



NOTE: UNDERGROUND UTILITIES LOCATED BY "PUCK" FOREMAN FOR CHASE EXCAVATION ON 12/7/02.

**NOTES:**  
 COASTAL BASE FLOOD EL. = 9.6' PER FLOOD INSURANCE STUDY DATED JULY 17, 1986.  
 BENCH MARK: DATUM USGS FROM CUSTOM HOUSE B.M. +14.07'  
 FLOOD MAP NOTE (PLAN #9)  
 SOILS ARE MAN MADE BEING CRUSHED STONE ON CONSOLIDATED FILL.  
 LOT SHOWN ON MAP 31 LOTS 35 & 3 IN TAX ASSESSORS BOOK.  
 TOTAL WHARF REQUIRED PARKING 123 SPACES. PARKING PROVIDED 150 SPACES.

**Construction Note #52 Union Wharf - May-June 2012:**  
 The area surrounding #52 Union Wharf is all paved and there will be no stacking or storage of any gravel/fill materials on site. Due to the paved nature of the site there will be no further erosion or sedimentation controls other than keeping the paved areas swept clean. The adjacent street drains will be covered during construction to avoid any materials from finding the drain/catch basin. There is an on-site dumpster for all trash and recyclables.

SURVEY OF BOUNDARY AND EXISTING FEATURES  
 DONE BY DOWNEAST SURVEYING & DEVELOPMENT  
 ELWOOD ELLIS P.L.S. #1176; P.O. BOX 6234 CHINA VILLAGE, MAINE 04926

**D. S. D.**  
 DOWNEAST SURVEYING & DEVELOPMENT  
 ELWOOD ELLIS P.L.S. #1176  
 P.O. BOX 6234 CHINA VILLAGE, MAINE 04926  
 (207) 956-5507  
 MEMBER MAINE SOCIETY OF LAND SURVEYORS

**PROJECT:** The Proprietors of Union Wharf  
**STATE:** Maine  
**ADDRESS:** 36 Union Wharf  
**CITY:** Portland, Maine 04112

**Updated Record Site Survey**  
 Union Wharf  
 Portland, ME

SCALE: 1" = 40'  
 DATE: 2-25-2012

NO.	REVISIONS	DATE
1	UPDATE SITE PLAN BLDG. #52, PLANNING COMMENTS	5-26-12
2	ADD CITY UTILITY DETAILS	5-29-12
3	BECK & STAR ADDS TO CM WATERFRONT PROPERTIES, LLC	6-1-12
4	ADD 25' HIGH TIDE SETBACK LINE AT NORTH END OF WHARF	6-13-12



BUILDING INFORMATION			
BLDG. #	GROUND FLOOR AREA	GRADE ELEVATION	
#1	4680 S.F.	F.F. EL. 11.3'	
#230	1481 S.F.	F.F. EL. 11.9'	
#36	5014 S.F.	F.F. EL. 11.2'	
#55	61 S.F.	F.F. EL. 11.2'	
#41	1560 S.F.	F.F. EL. 8.7'	
#48	6691 S.F.	F.F. EL. 10.3'	
#50	1557 S.F. & 663 S.F.	F.F. EL. 10.2'	
#50A	722 S.F.	F.F. EL. 11.9'	
#52	2388 S.F.	F.F. EL. 12.0'	
#35	DEMOLISHED AS PER 7/20/97		
#30	1080 S.F.	F.F. EL. 8.5'	
#28	1864 S.F.	F.F. EL. 9.2'	
#14	10900 S.F.	F.F. EL. 11.6'	
CM WATERFRONT PROPERTIES, LLC	10400 S.F.	NOT IN FLOOD ZONE	

LEGEND: (EXISTING FEATURES)

- PROPERTY CORNER
- ⊙ POWER POLE
- ⊙ FIRE HYDRANT
- ⊙ WATER SHUT OFF
- ⊙ STORM DRAIN
- ⊙ SEWER MAN HOLE
- BULKHEAD
- FENCE
- ☎ TELEPHONE
- ☎ FIRE BOX
- ⊙ FLAG POLE
- x SPOT GRADES
- ✪ SMALL TREE
- ✪ TREES AND SHRUBS
- ⊙ EXISTING PARKING
- TRAFFIC FLOW
- DRAINAGE ARROWS

LEGEND: (FEATURES)

- LIMIT OF LEASE
- ⊙ FLAG POLE
- ⊙ LIGHT POLE
- ⊙ FIRE HYDRANT
- ⊙ PARKING
- PP ⊙ POWER POLE
- ⚡ WALL PACK LIGHT

NOTE: 16 APRIL 2010 WEST AND SOUTH SIDES OF CM WATERFRONT PROPERTIES, LLC PARCEL ARE THE CENTERLINE OF THE "PARTY WALLS". LOCATION AS SHOWN IS APPROXIMATE.

MAGNETIC 1925

*tree plac.*

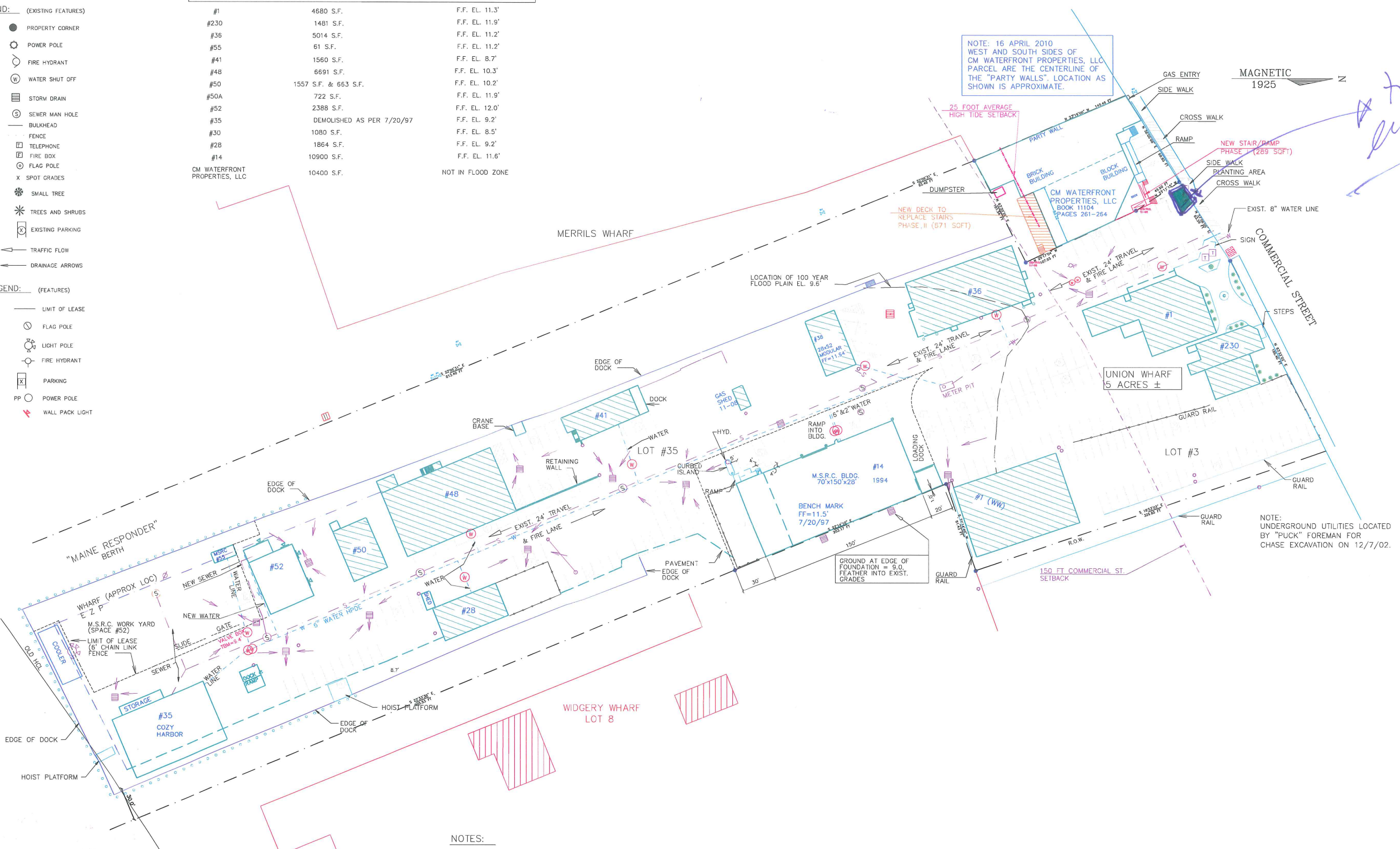
NO.	REVISIONS	DATE
#1	UPDATE SITE PLAN BLDG. #52, PLANNING COMMENTS 1-28-12	1-28-12
#2	ADD CITY UTILITY DETAILS	5-1-12
#3	DECK & STAIR ADDS TO CM WATERFRONT PROPERTIES, LLC	5-1-12
#4	ADD 24" HIGH TIDE SETBACK LINE AT NORTH END OF WHARF	6-1-12
#5	MODIFY SITE PLAN PER PLANNING STAFF MEMO	1-10-13
#6	REVISED PLANTING AREA PER PLANNING STAFF MEMO	1-17-13

Updated Record Site Survey  
 Union Wharf  
 Portland, ME

PROJECT: The Proprietors of Union Wharf  
 ADDRESS: 35 Union Wharf  
 CITY: Portland, Maine 04112  
 STATE: Maine

D. S. D.  
 DOWNEAST SURVEYING & DEVELOPMENT  
 ELWOOD ELLIS, P.L.S. # 1175  
 P.O. BOX 5234 MAINE VILLAGE  
 (207) 585-2500  
 MEMBER MAINE SOCIETY OF LAND SURVEYORS

SURVEY OF BOUNDARY AND EXISTING FEATURES  
 DONE BY DOWNEAST SURVEYING & DEVELOPMENT  
 ELWOOD ELLIS P.L.S. #1175; P.O. BOX 5234 CHINA VILLAGE, MAINE 04926



NOTES:  
 COASTAL BASE FLOOD EL. = 9.6' PER FLOOD INSURANCE STUDY DATED JULY 17, 1996.  
 BENCH MARK: DATUM USGS FROM CUSTOM HOUSE B.M. +14.07'.  
 FLOOD MAP NOTE (PLAN #9)  
 SOILS ARE MAN MADE BEING CRUSHED STONE ON CONSOLIDATED FILL.  
 LOT SHOWN ON MAP 31 LOTS 35 & 3 IN TAX ASSESSORS BOOK.  
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