

Anthony L. Muench
Landscape Architect

February 16, 2015

Ms. Barbara Barhydt
City of Portland
Planning Division
389 Congress Street 4 th Fl.
Portland, Maine 04101

RE: Cow Plaza Garage Plaza Re-construction
425 Fore Street Portland, Maine

Dear Barbara,

Attached is the complete **Level 1 Site Alteration Development Permit** application for the above project.

The submission includes a CD with the entire application electronically in PDF format. There is also one hard copy set of plans at full size 24"x 36" and one set as 11" x 17". Also attached is the required submission checklist.

We feel that the application meets the intent of the ordinance and is substantially complete. Please contact me with any questions or comments regarding its content.

Sincerely,



Anthony L. Muench

Maine Licensed Landscape Architect
Portland, Maine



94 Commercial Street • Portland, Maine • 04101 • Tel 207-761-6621





Jeff Levine, AICP, Director
Planning & Urban Development Department

Electronic Signature and Fee Payment Confirmation

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

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

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

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

Applicant Signature: _____

Date: _____

I have provided digital copies and sent them on: _____

Date: _____

2/13/15

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means i.e. a thumb drive or CD to the Inspections Office, City Hall, 3rd Floor, Room 315.



Level I – Site Alteration Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

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

Level I: Site Alteration Development includes:

- Alteration of a watercourse or wetland as defined in Section 14-47 of the City Code.
- Alteration of a site. The disturbance of land areas of less than one (1) acre that are stripped, graded, grubbed, filled or excavated. The Planning Authority shall exempt from review the loam and seeding of lawns and the cumulative placement of less than fifteen (15) cubic yards of fill on any lot provided such loaming or placement does not alter a drainage course, swale, wetland or redirect water onto adjoining property and does not violate any other provision of the Portland City Code or state or federal law. "Disturbed area" does not include routine maintenance, but does include re-development and new impervious areas.
- The construction of any temporary or permanent parking area, paving of existing unpaved surface parking areas between 1,000 and 7,500 sq. ft., or creation of other impervious surface areas between 1,000 and 7,500 sq. ft.
- The rehabilitation or reconstruction, but not new construction, of piers, docks, wharves, bridges, retaining walls, and other structures located within the shoreland zone.
- A site alteration in which vehicle access is proposed from more than one (1) street.

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

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

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

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

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

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

PROJECT NAME: COW PLAZA GARAGE

PROPOSED DEVELOPMENT ADDRESS:

425 FORE ST. PORTLAND, MAINE

PROJECT DESCRIPTION:

RECONSTRUCT THE EXISTING PLAZA (2000 SQ FT) BETWEEN THE GARAGE & FORE ST. WITH SIMILAR SITE DETAILS & CONSTRUCTION MATERIAL THAT EXISTS NOW.

CHART/BLOCK/LOT: 32 / 1 / 41

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: <u>TIM SOLEY</u> Business Name, if applicable: <u>COW PLAZA LLC</u> Address: <u>100 COMMERCIAL ST.</u> City/State: <u>PORTLAND, ME.</u> Zip Code: <u>04101</u>	Applicant Contact Information Work # <u>775.2252</u> Home# Cell # Fax# e-mail: <u>TIM@SOLEY.COM</u>
Owner – (if different from Applicant) Name: <u>" " " "</u> Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: <u>TODD DOMINSKI</u> Address: <u>100 COMMERCIAL ST.</u> City/State : <u>PORTLAND, ME</u> Zip Code: <u>04101</u>	Agent/Representative Contact information Work # <u>775.2252</u> Cell # e-mail: <u>TDOMINSKI@EASTBROWN.COW.COM</u>
Billing Information Name: <u>(SAME AS APPLICANT)</u> Address: City/State : Zip Code:	Billing Information Work # Cell # Fax# e-mail:

Engineer THOMAS GREER Name: PINKHAM & GREER Address: CIVIL ENGINEERS 28 VANNAH AVE. City/State: PORTLAND, ME. Zip Code: 04103	Engineer Contact Information Work # 207. 781. 5242 Cell # 749. 9396 Fax# e-mail: P4GEE@PINKHAMANDGREER.COM
Surveyor M. JOHANN BUISMAN Name: NORTHEAST CIVIL SOLUTIONS Address: 153 US RTE. 1 City/State: SCARBOROUGH, ME. Zip Code: 04074	Surveyor Contact Information Work # 207. 883. 1000 Cell # Fax# 883. 1001 e-mail: NORTHEASTCIVILSOLUTIONS.COM
Architect ANTHONY MUENCH Name: ANTHONY MUENCH Address: LANDSCAPE ARCHITECT 94 COMMERCIAL ST. City/State: PORTLAND, ME. Zip Code: 04101	Architect Contact Information Work # 207. 761. 6621 Cell # 751. 1932 Fax# e-mail: AMUENCH@MACHINE.PR.COM
Attorney Name: Address: City/State: Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

APPLICATION FEES:

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

<input checked="" type="checkbox"/> Level 1 Site Alteration (\$200.00)	The City invoices separately for the following: <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.
------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

PROJECT DATA

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

Total Area of Site	41,764	sq. ft.
Proposed Total Disturbed Area of the Site	1,913	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		
Impervious Surface Area		
Impervious Area (Total Existing)	41,720	sq. ft.
Impervious Area (Total Proposed)	41,725	sq. ft.
Parking Spaces		
# of Parking Spaces (Total Existing)	NA	sq. ft.
# of Parking Spaces (Total Proposed)	NA	sq. ft.
# of Handicapped Spaces (Total Proposed)	NA	sq. ft.

Level 1 Site Alteration			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
✓		1	Completed Application form
✓		1	Application fees
✓		1	Written description of project
✓		1	Evidence of right, title and interest (SURVEY)
NA		1	Evidence of state and/or federal approvals, if applicable
✓		1	Written assessment of proposed project's compliance with applicable zoning requirements
✓		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site (SURVEY)
NA		1	Written requests for waivers from site plan or technical standards, if applicable.
✓		1	Evidence of financial and technical capacity
Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST
✓		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
✓		1	Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)
✓			Proposed grading and contours;
✓			Existing structures with distances from property line;
✓			Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;
✓			Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);
NA			Preliminary infrastructure improvements;
✓			Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;

Site Plan Standards for Review of Level I: Site Alteration

Level I: Site alteration plans shall only be subject to the following site plan standards, as applicable, as contained in section 14-526:

- (a) Transportation standards:
 1. Impact on surrounding street systems,
 2. Access and circulation, and
 4. Parking

- (b) Environmental quality standards
 1. Preservation of significant natural features,
 2. Landscaping and landscape preservation, and
 3. Water quality, stormwater management and erosion control.

- (c) Public infrastructure and community safety standards.
 1. Consistency with city master plans.

- (d) Site design standards
 5. Historic resources,
 6. Exterior lighting,
 8. Signage and wayfinding, and
 9. Zoning related design standards.

Except as provided in article III, or to conditions imposed under section 14-526(e) only, or to those submission requirements set forth in section 14-527 as relate solely thereto.



PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST



A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
 - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**

7. Hydrant locations

APPLICATION SUBMISSION:

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

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

1. One (1) full size site plans that must be folded.
2. One (1) copy of all written materials or as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-527 (c), including evidence of right, title and interest.
3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
5. One (1) set of plans reduced to 11 x 17.

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

APPLICANT SIGNATURE:

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

This application is for a Level 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: 2/13/15
----------------------------------------------------------------------------------------------------------------	------------------

**STORMWATER MANAGEMENT REPORT
COW PLAZA GARAGE, FORE STREET
PORTLAND, MAINE
January 30, 2015**

The owner is Cow Plaza Garage LLC, 100 Commercial Street, Portland, Maine 04101. The owner will be responsible for the inspection and maintenance of all stormwater management facilities, the establishment of any contract services required to implement the program, and the keeping of records and maintenance log book as described herein. At a minimum, the appropriate and relevant activities for each of the stormwater management facilities should be performed on the prescribed schedule. Periodic inspection and maintenance of these site features and devices is necessary to prevent erosion and remove pollutants from stormwater runoff.

Project Description: This project is the renovation of the 2,500 sq. ft. plaza along Fore Street. For all practical purposes, the runoff from the plaza will remain unchanged. The focus of this management report is the maintenance and housekeeping aspects.

The plaza will be subject to pedestrian traffic that will go to the multiple businesses serviced by the plaza. In addition, the summer use of the plaza will include dining using movable tables and chairs.

Winter maintenance: The winter maintenance will include snow removal and the application of salt and sand for pedestrian safety. To minimize stormwater contamination, the plaza should be swept on a regular basis. This will also minimize tracking of salt and sand into the businesses.

Summer Maintenance: The summer maintenance will include sweeping of the plaza and an occasional washing. Loose trash and debris should be picked up so it does not wash into the storm drain system.

Housekeeping and Reporting: The maintenance procedures above are part of the housekeeping aspects of the site. In addition, all businesses need to monitor any chemical uses that may spill, so as to avoid stormwater contamination. This will include cooking supplies and cleaning agents.

Below is the monitoring and reporting conditions required by the City of Portland:

POST CONSTRUCTION MONITORING:

32-38. Post-construction stormwater management plan compliance.

Any person owning, operating, or otherwise having control over a BMP required by a post Construction stormwater management plan shall maintain the BMPs in accordance with the approved plan and shall demonstrate compliance with that plan as follows:

- (a) Inspections. The owner or operator of a BMP shall hire a qualified post-construction stormwater inspector to at least annually, inspect the BMPs, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.
- (b) Maintenance and repair. If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the department of public services (“DPS”) in the annual report.
- (c) Annual report. The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, on or by June 30 of each year, provide a completed and signed certification to DPS in a form provided by DPS, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they require maintenance or repair, including the record of the deficiency and corrective action(s) taken.
- (d) Filing fee. Any persons required to file and annual certification under this section shall include with the annual certification a filing fee established by DPS to pay the administrative and technical costs of review of the annual certification.
- (e) Right of entry. In order to determine compliance with this article and with the post-construction stormwater management plan, DPS may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the BMPs.

(Ord. No. 35-09/10, 8-17-09)

PROJECT ZONING COMPLIANCE
INCLUDING OVERLAY DISTRICT

The proposed project is a reconstruction of the site with no change of use. It complies, as did the original use, with division 12 of the Land Use Code for the B3 Zone: DOWNTOWN BUSINESS.

It also complies with the PAD [Pedestrian Activities District Overlay Zone] The improved accessibility with the inclusive design amenities improves its compliance within the zone.

The site abuts the Old Port Historic District. Directly East of the existing parking garage building along Patton Court and the South of the site along Fore Street is all within the historic district. The site is not in the Old Port Historic District.

PROJECT DESCRIPTION

EXISTING SITE

The site is located at 425 Fore Street which is on the North side of the street. It is presently an outdoor plaza that is approximately 120 feet long and 15 feet deep back from the Street Line. The front of the Plaza abuts Fore Street while the entire rear edge is a frontage of small commercial tenants.

The entire surface, except for three trees, is brick. All the trees [3] are 8 inch caliper Honey Locust. They are all in small individual raised planting beds.

There is a granite curb and iron fence, between the plaza and Fore Street for about two thirds of the length.

PROPOSED PROJECT

We are proposing to re-pave the entire Plaza with new brick or granite pavers. The brick would be similar to the City of Portland Standard sidewalk brick. The granite pavers would be consistent with what was installed at the Hyatt Place. In the process of installing the new brick or granite, we would adjust the grade in that area to allow for a better transition to the city sidewalk.

A new granite curb divider with a raised planter would be installed. The planter would be a location for a new tree. We would also install a new steel/iron fence in the same location as the old fence.

At the west end of the property near the Hyatt Hotel, we plan on installing granite bollards with LED lighting in them. These bollards would be set at 5' on center.

We would remove the three Honey Locust trees that are on the property. These trees are overgrown and were installed in raised planters. I believe the root system from the trees is pushing up under the brick sidewalk making the brick uneven. The trees have also grown way too close to the building.

AndroscogginBank

February 12, 2015

Re: Financial Capacity

To Whom It May Concern:

It is my understanding that Cow Plaza Garage is undertaking a project estimated at \$100,000 in order to complete improvements to its Fore Street, Portland parking garage. It is my opinion that Cow Plaza Garage, LLC boasts ample resources to complete such a planned renovation.

If you have any further questions, please do not hesitate to give me a call at 207-376-3626.

Sincerely,



David M. Eldridge
Senior Vice President
Commercial Lending

