

34-D-7

1999-0012

87 Marginal way

Wild Oats

So. Maine Properties

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Planning Department Copy**

19990012

I. D. Number

So. Maine Properties

Applicant _____

P.O. Box 7525, Portland, ME 04112

Applicant's Mailing Address _____

Ben Walters

Consultant/Agent _____

774-4441 774-4016

Applicant or Agent Daytime Telephone, Fax _____

2/4/99

Application Date

Wild Oats

Project Name/Description _____

87 - 87 Marginal Way

Address of Proposed Site _____

034 D007

Assessor's Reference: Chart-Block-Lot _____

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential
 Office Retail Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

25000

Proposed Building square Feet or # of Units _____

2.34

Acreage of Site _____

B-5

Zoning _____

Check Review Required:

- Site Plan (major/minor) Subdivision # of lots _____ PAD Review 14-403 Streets Review
 Flood Hazard Shoreland Historic Preservation DEP Local Certification
 Zoning Conditional Use (ZBA/PB) Zoning Variance Other _____

Fees Paid: Site Plan \$450.00 Subdivisio _____ Engineer Review _____ Date 2/4/98

Planning Approval Status:

Reviewer r.knowland

- Approved Approved w/Conditions See Attached Denied

Approval Date 12/11/00 Approval Expiration 12/11/01 Extension to _____ Additional Sheets Attached

OK to Issue Building Permi r.knowland 2/5/01
signature date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- Performance Guarantee Accepted _____ date _____ amount _____ expiration date
- Inspection Fee Paid _____ date _____ amount _____
- Building Permit Issue _____ date _____
- Performance Guarantee Reduced _____ date _____ remaining balance _____ signature _____
- Temporary Certificate of Occupancy _____ date Conditions (See Attached) _____ expiration date
- Final Inspection _____ date _____ signature _____
- Certificate Of Occupancy _____ date _____
- Performance Guarantee Released _____ date _____ signature _____
- Defect Guarantee Submitted _____ submitted date _____ amount _____ expiration date
- Defect Guarantee Released _____ date _____ signature _____

2/13/02

December 11, 2002

TO: Kathy Early
Todd Merkle

FROM: Rick Knowland

RE: Wild Oats

KATHY, TODD - THE DEVELOPER
CALLED AND WAS WONDERING
ABOUT A RESPONSE TO HIS
LETTER.

THANKU

RK

Attached is a letter from the developer of the Wild Oats site who has expressed some concerns regarding some recent sewer work that was done in Elm Street. Could you write a letter back to Mr. Gove concerning his request? Thanks.

Cc: Alex Jaegerman
Sarah Hopkins

Topsfield Management, Inc.
157 Main Street
Kingston, NH 03848-3217

City Hall
R. Knowland
389 Congress Street
Portland, Me 04101

Dear Rick:

As a follow-up to our phone conversation on Dec. 4, 2002, I'm enclosing an invoice to explain the extra charges in replacement of the sewer line for 87 Marginal Way.

As you can see, \$5,662.45 was charged over and above the original quote of \$21,000. Upon excavation it was discovered the existing sewer line passed directly through the storm drain. City engineers, Jim Sloan and John Lowe directed the contractor (Dearborn Brothers) to perform the additional work while stating the city would not share in any of the cost/s. To demand my clients (Marginal Holdings, LLC.) pay for these charges is grossly unfair. Marginal Holdings has done nothing but the "right thing" in all of their dealings with the city. This letter simply requests the city to reciprocate in kind and do the "right thing" by paying these additional costs.

I anxiously await your response. Please reply as soon as possible.

Sincerely,



Chris Gove
Agent for Marginal Holdings, LLC.

12.5.02



898 NARRAGANSETT TRAIL
 BUXTON, MAINE 04083
 (207) 839-2272
 FAX: (207) 829-8580

INVOICE

Invoice No. 3800

CHANGES
 Fox to
 Chris
 Rowe

10/30/02
 DeArbom Construction, Inc.

Date	Description	Unit	Quantity	Rate	Amount
	Wild Gate Market - Marginal Way, Portland				\$21,000.00
	Sewer service installation				
	Contract Price:				
	Additional work not included in Contract				
10/21/02	Remove & repair 24" CMP storm drain	hr	5	\$30.00	\$150.00
	Labor	hr	5	\$52.00	\$260.00
	Supervisor	day	1	\$125.00	\$125.00
	Utility truck with misc. tools & supplies				
10/22/02	Remove & repair storm pipe, core 6" sewer	hr	16	\$30.00	\$480.00
	Labor	hr	9	\$52.00	\$468.00
	Supervisor	hr	6	\$45.00	\$270.00
	14-yd. dump truck	hr	8	\$130.00	\$1,040.00
	Excavator	hr	6	\$95.00	\$510.00
	Loader	day	1	\$125.00	\$125.00
	Utility truck with misc. tools & supplies	day	1	\$100.00	\$100.00
	Water pumps	day	1	\$100.00	\$100.00
	700-lb. compactor	day	1	\$250.00	\$250.00
	Core drill	each	1	\$75.00	\$75.00
	6-inch boot	cy	10	\$17.00	\$170.00
	34-inch stone	lf	8	\$19.00	\$152.00
	24-inch corrugated metal pipe	each	3	\$98.00	\$108.00
	24-inch repair coupling	cy	8.5	\$65.00	\$552.50
	City permit for additional pavement	ton	1	\$108.25	\$108.25
	Asphalt				
	Construction of manhole invert	hr	6	\$75.00	\$450.00
	Mason & labor	lump	1	\$167.70	\$167.70
	Concrete				
	TOTAL AMOUNT DUE:				\$26,662.45

Rene Perron
 Rene Perron - DeArbom Bros. Construction, Inc.

FAXED
 10/31/02



CITY OF PORTLAND

Chris Gove
Topsfield Management, Inc. 157 Main Street
Kingston, NH 03848-3217
Agent for Marginal Holdings, LLC.

February 18, 2003

Dear Chris:

I'm writing you in response to your 12/5/02 request to Rick Knowland regarding 87 Marginal Way sewer lateral. The sewer inspector, Jim Sloan, and the street Opening Inspector, John Low, acted correctly when requesting that the reinstallation of your sewer lateral be constructed to meet the City's Technical Standards.

Per the City's ordinance, it is the responsibility of the owner/resident for the maintenance and repair of the laterals including the connections at the main. At some point in the past, the lateral was installed through the storm line that was an improper construction. The reinstallation of all utilities should meet the City's Technical Standards when at all possible, even if the previous installation was substandard.

Hence, it is our position that the City should not have been responsible for the reinstallation of your sewer lateral.

Sincerely,

A handwritten signature in cursive script, appearing to read "Todd F. Merkle".

Todd F. Merkle
Field Inspection Coordinator

✓ Rick Knowland – Senior Planner
Katherine Earley – Engineering Manager

Department of Planning and Urban Development
 SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date 8/4/99

Name of Project 87 MARGINAL WAY

Address/Location 87 MARGINAL WAY

Developer SOUTHERN MAINE PROPERTIES COMPANY

Form of Performance Guarantees _____

Type of Development: _____ Subdivision Site Plan (Major/Minor)

TO BE FILLED OUT BY APPLICANT:

Item	Quantity	PUBLIC		PRIVATE		
		Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
STREET SIDEWALK						
Road NEW PAVING				15,000 sq	\$1.305/sq	19,500
Granite Curb cuts	2	3500 ea	7000			
Sidewalks	370+1-46	18.8	6650			
Expanshades						
Monuments						
Street Lights						
Other						
SANITARY SEWER						
Manholes						
Piping						
Connections						
Other						
STORM DRAINAGE						
Manholes						
Catchbasins						
Piping						
Detention Basin						
Other - ENLARGE EXIST. connection to C.R.	1	500 ea	500			
SITE LIGHTING				5000	1.25	5000
EROSION CONTROL	1	1500	1500			
RECREATION AND OPEN SPACE AMENITIES						

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
7 LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	SEE ATTACHED	10500	10500			
8 MISCELLANEOUS						
TOTAL:	26160			24,500		
GRAND TOTAL:	24500					
	50,660					

INSPECTION FEE (to be filled out by City)

	PUBLIC	PRIVATE	TOTAL
A: 1.7% of value:			
OR			
B: Alternative Assessment:			
Assessed by:	(name)	(name)	

2-9-99

BOOKLAND WORKSHOP

PETRO Q

exterior being done by Booklands architect
Stuart Benson from Bookland

Bookland will allow some parking to shift to r.e. property in the future

5 things on roof

projected entrance

mural on Margaret Way

mural on Elm St.

outdoor looks to indoor storage

storage space will be enclosed

no increase in footprint

change in footprint: entryway

Jamie must have correct aesthetics, a gateway facade is lacking needs more fenestration

Margaret Way side → artistic but a billboard

size of sign issue

↳ meant to be a book cover

Deb, Erin facade blank wall concerns

concern about the corner although a warehouse in the

past it is now retail - mentions August's bookstore

Ken facade needs more windows

run stacks perpendicular with glass

John they need a waiver unless entrance is along

1 in existence on (date of passage), which are further subject
2 to the provisions of section 14-372.

3 g. *Issuance pursuant to minor site plan review.* An applicant for
4 a permit or other approval under this division whose
5 application has been denied for failure to meet the
6 regulations contained in §14-369.5 may apply to the planning
7 authority for review of the denied signage pursuant to the
8 standards set forth in §14-526(a)(22), provided, however, that
9 no site plan fee shall be required for this review and no site
10 plan submission materials shall be required beyond those
11 necessary to allow review under this section.

12 *Sec. 14-369. Computations.* Sign area, sign height, and number of
13 signs shall be computed in accordance with the following
14 principles:

15 a. *Computation of area of individual signs:* For all signs other
16 than awning signs the area of a sign face shall be computed
17 ~~by means of the~~ smallest square, circle, rectangle, triangle
18 or simple polygon that will encompass the extreme limits of
19 the writing, representation, emblem, or other display,
20 together with any material or color forming an integral part
21 of the background of the display, but not any supporting
22 framework, bracing, or decorative fence or wall when such
23 fence is clearly incidental to the display itself.

24 b. *Computation of area of multifaced signs:* The sign area for a
25 sign with more than one (1) face shall be computed by adding
26 together the area of all sign faces visible from any one (1)
27 point. When two (2) identical sign faces are placed back to
28 back so that both faces cannot be viewed from any point at the
29 same time and when such sign faces are part of the same sign
30 structure and are not more than forty-two (42) inches apart
31 the sign shall be computed by the measurement of one (1) of
32 the faces.

33 c. *Computation of area of awning signs:*

34 i. For opaque awnings, only those sections which incorporate
35 writing, symbols, emblems or other types of graphics used
36 for the purposes of identification or advertisement shall
37 be included in computing sign area. The methods set
38 forth in subsection (a) of this section shall be utilized
39 in measuring sign area on opaque awnings. Street names
40 and numbers on opaque awnings shall not be considered to
41 be signs for purposes of this section, unless a business
42 located within the building has the street name and/or
43 the street number as its name.

44 ii. For awnings that are translucent and internally

1 directory signs, freestanding or attached to buildings, shall
2 be allowed without a permit and shall not be included when
3 calculating cumulative sign area, provided that the sign area
4 for each tenant does not exceed one and one-half (1 1/2)
5 square feet.

6
7 **Sec. 14-371. Exemptions.**

8 The following signs shall be exempt from regulation under this
9 ordinance and shall not be included when calculating cumulative
10 sign area:

FLAGS such AS AMERICAN FLAG or STATE of ME flag

- 11 (a) Any public notice or warning required by a valid and
12 applicable federal, state or local law, regulation or
13 ordinance;
- 14 (b) Any sign inside a building that is not attached to a
15 window or door;
- 16 (c) Works of art that do not include a commercial message;
- 17 (d) Holiday lights and decorations with no commercial
18 message;
- 19 (e) Traffic control signs on private property, such as stop,
20 yield, and similar signs, the face of which meet
21 Department of Transportation standards and which contain
22 no commercial message of any sort;
- 23 (f) Public signs erected by or on behalf of a governmental
24 body to post legal notices, convey public information,
25 and direct or regulate pedestrian or vehicular traffic,
26 including parking regulatory signs; bus stop signs
27 erected by a public transit company; informational signs
28 of a public utility regarding its poles, lines, pipes, or
29 facilities;
- 30 (g) Political signs, subject to the provisions of 23 M.R.S.A.
31 §1913;
- 32 (h) Signs inside office park developments with a single
33 tenant, where such signs are not visible from any public
34 street or public open space; and
- 35 (i) Landmark signs; and
- 36 (j) Security signs, except that no commercial message of any
37 kind shall be allowed on a sign if such message is
38 legible from any location off the lot on which the sign
39 is located.

both
pages

AMENDMENT TO PORTLAND CITY CODE
§§14-522, 14-526 (SITE PLAN ORDINANCE)
RE: SITE PLAN REVIEW OF SIGNS

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BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

1. That section 14-522 of the Portland City Code is hereby amended
as follows:

Sec. 14-522. Definitions.

For the purposes of this article all terms and words shall
have their ordinary meanings, except as defined herein.

Minor development means and includes any of the following
unless (1) the development is major development; or (2) the
development is single-family development subject to the provisions
of section 14-524(b):

(13) Construction or installation of any signage for which
approval is sought pursuant to section 14-526(a)(23).

2. Section 14-526(a) of the Portland City Code is hereby amended
to add new subsections (22) and (23), said subsections to read as
follows:

Sec. 14-526. Standards.

(a) Requirements for approval. The planning board or
planning authority shall not approve a site plan unless it meets
the following criteria:

(22) Signs: Signs shall meet the following requirements:

a. The size, scale, proportions, design, materials,
placement, and source and intensity of illumination of
all permanent freestanding and building signs shall be
designed to complement and enhance the architectural
attributes of the building(s) to which they are attached
or visually related. In addition, such signs shall be
appropriate to the scale and character of the
neighborhood in which the sign is located, and shall be
designed to suit the conditions from which it will be
viewed, especially in relation to the distance, travel
speed, and mode of travel of the viewing public.

1 b. In the case of freestanding signs, such signs
2 shall relate to the architecture of the buildings they
3 identify and shall be integrated with other site and
4 landscape features.

5 c. Sign lighting shall be designed to avoid glare,
6 unshielded light sources and light spillover toward the
7 sky. All light sources shall be shielded or provided
8 with a diffuser lens so that lamps and bulbs are not
9 visible to pedestrians or drivers of vehicles.

10 (23) An applicant for minor site plan review of a sign denied
11 for failure to comply with the requirements of section
12 14-369.5 shall meet the following standards for approval
13 of such a sign under this division:

14 a. The size, scale, proportions, design, materials,
15 placement, and source and intensity of illumination
16 of any signage approved shall be designed to
17 complement and enhance the architectural attributes
18 of the building(s) to which they are attached or to
19 which they are visually related. In addition, such
20 signs shall be appropriate to the scale and
21 character of the neighborhood in which the sign is
22 located, and shall be designed to suit the
23 conditions from which it will be viewed, especially
24 in relation to the distance, travel speed, and mode
25 of travel of the viewing public;

26 b. The signage shall either be of special design merit
27 or shall respond to unique circumstances associated
28 with the subject property;

29 c. The signage shall have no detrimental impact upon
30 the neighborhood;

31 d. The provisions of this subsection shall be limited
32 to commercial uses in business or industrial zones,
33 industrial uses, or institutional uses.

Phone: (207) 772-6404

FORE RIVER COMPANY

Fax: (207) 772-9078

P.O. Box 7525, Portland, ME 04112

TO: RICK KNOWLAND, PLANNING

FAX NO: 756-8258

FROM: B. KESTER

DATE: 2/9/99

OF PAGES: 2 (Including This Page)

REMARKS:

RE: 87 MARGINAL Way

Rick-

- I sent you a typo RE: THE EXIST. BLDG AREAS - see the ATTACHED sheet.
- Also your memo to the Planning Board states that the adjacent (Whole Grocer/West Marine) parcel is controlled by one applicant. It is ACTUALLY owned by a different entity; both currently affiliated with Fore River Company.
- Please call me with an estimated TIME for our workshop item. I noticed item #1 is a

Original to Follow Via:

- Regular Mail
- Overnight Delivery
- Hand Delivery
- Other

Original Will Not Follow

Field trip.

Thanks,

Brian Kester

2/3/99

Site Plan Review - Written Statements
 New Office Building Facility at 87 Marginal Way, Portland, Maine

Below are responses to written statement requirements as set forth in Portland's Land Use §14-525c. The numbers below correspond to the numbers given in the code.

14-525c: Owners

Southern Maine Properties Company (SMPC)
 P.O. Box 7525
 Portland, ME 04112

- 1) Site to be used for retail sales and cafe.
- 2) Land Area 26,300 ±SF
 102,000 ±SF
Existing Coverage 26,300 ±SF
 Bldg. & loading platform = 23,594 sf
Proposed Coverage
 Bldg, Bldg. Additions, & platform = 26,500 sf
 Best. Bldg only = 23,594
- 3) None.
- 4) Normal retail waste.
- 5) Site is currently served by:
 PWD - water & sprinklers
 Portland Sewer Department - sewer & storm
 CMP - electrical
 Northern Utilities - natural gas
 Bell Atlantic - telephone
- 6) Site currently impervious except for the tree wells and landscaped strip along southerly side of building: Install new catch basins for surface drainage. Grading plan to follow.
- 7) Permitting - 1 month
 Construction - 5 months
 - Site work
 - New building construction
- 8) None.
- 9) To follow.
- 10) See attached tax bills.
- 11) None.
- 12) Any plans in this format will follow.

3-9-99

BOOKLAND
WKJAP

Dave L. presentation

change in color along the facade

~~NOT Corrugated metal~~ REDEVELOPMENT OF URBAN
Corrugated teepen

Bookland
is considering front door for servicing

82 feet from the sidewalk

KC ugly buildings to begin with applicant made has made
an effort

Deb model is moving toward the standard; + if project
entrance should be more marked needs more of a
presence could have more pedestrian in the future
need more of an entrance

Cyrus "shall be oriented" if it was new construction
it would be done differently doesn't say
"shall be on" "draconian" a vehicle sit

Jaimy C encouraged by more fenestration; staff ideas
help orientation + aesthetic; continue to refine the
design

Mark Sechoos Cyrus and Ken
does like stiff ideas but not necessarily

John S
not spending it on the street
door faces a parking lot
building has to work for the rest of the city
doesn't address the siting
should provide a waiver request
doesn't meet the intent of the ordinance
* fence is solid 5 ft high fence
↑ work on this

5 Pyramids on top of the building

would change fence if the environment changes behind
the building

BOOKEND

Marginal Way, Elm St. vacant r/r land, whole block

over the last several workshops, the Board has had detailed discussions of the facade, the significant change from the last workshop is a gateway or entryway structure that has been placed on the Marginal Way corner. Although the main entrance is not directly on Marginal Way, this change provides a visual linkage or entryway

dry vit green in color on two sides, with blue and yellow on the other side

mural Merge from men "works of art,"
no commercial message

Circulation two curb cuts

Long Ash requested that a traffic report be submitted

internal circulation

utilities coming from Marginal Way + Elm

memo from Jim Wendel

expectation that there will be a stormwater treatment system

15,000 curcumbly gravel will be placed

lighting

a photometric plan showing the light values generated by the parking lot has not been submitted nor has catalog cuts been submitted

25 ft light poles on DITJ site plan lighting along the building itself has previously been submitted

landscaping

parking lot showing only understorey planting. we would recommend street trees along Morrison Ave and in each island within the parking lot

35

72

18

15 105

12 12

117

BOOKLAND P. 17.
3-23-99

Ric Quesada comments

traffic study work in progress

David L. comment

Century 21 Dick Aronson
supports the project

Jim Harnden Chamber of Commerce
supports the project

Cyrus proof of financial capability
Ric can provide another letter

8. applicant shall provide ^{documentation} an ~~assent~~ ^{assent} between Grocer
and this park, ^{to the satisfaction of City Council}
cross easements or cross

John A+C

Cyrus can't do this again, must have a complete site plan
5-1 passes Cole asst

JOHN L. MURPHY, P.E.

*Civil Engineer
Traffic Engineer*

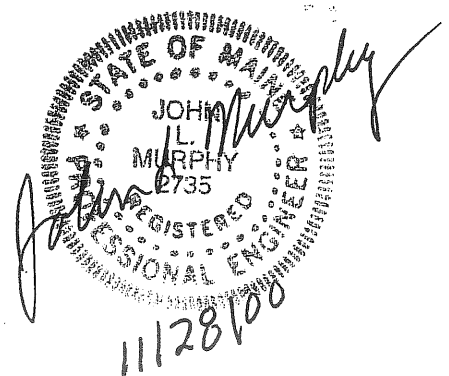
RR1, BOX 6300
WEST BALDWIN, MAINE 04091-9745
207-625-8222

Traffic Impact

Wild Oats Markets Inc. Project

87 Marginal Way, Portland, Maine

November 2000



Traffic Impact

Wild Oats Markets Inc. Project

87 Marginal Way, Portland, Maine

General

This project will result in a 32,005 square foot natural foods grocery store at 87 Marginal Way. Access is shown on the site plan for the project. The City has requested a traffic study of four major signalized intersections in the study area. These four locations have been counted during the AM and PM peak periods during early November 2000 to establish base traffic volumes. A 24 hour road tube count has also been conducted on Marginal Way westerly of Franklin Arterial.

Trip Generation and Distribution

Trip generation is based upon the "Supermarket" classification (Use 850) in the latest edition of the report Trip Generation published by the Institute of Transportation Engineers. This use was selected as best representing the proposed project based upon counts of the small existing natural foods grocery store also located on Marginal Way and data provided by Wild Oats Construction Office showing customer hour transaction times at four other existing stores.

Trip distribution is based upon the count of the small existing grocery store on Marginal Way plus the turning movement counts at major area intersections. Also, since a large grocery store mall exists nearby on Preble Street Extension and a small natural foods grocery exists on the adjacent parcel on Marginal Way, 27% of all trips were assumed to be pass-by trips.

Figures 3 and 7 present the estimated PM and AM peak hour impact of the proposed Wild Oats project in the summer of 2001.

Existing Conditions

Traffic data in the form of turning movements was obtained for November of 2000 during the AM and PM peak periods at the three Marginal Way intersections with Forest Avenue, Preble Street Extension and Franklin Arterial and at the Preble Street Extension intersection with Baxter Boulevard. This data is attached to this report along with statistical accident data for the latest three years in computer files as provided by MDOT.

The PM and AM peak one hour counts are presented as the base volumes in Figures 1 and 5 of this report.

Future Conditions (Design Hour Volumes 2001)

MDOT weekly group mean factors were used to develop the base no build volumes shown in Figures 2 and 6 of this report. The group mean factor of 1.14 was applied to base November 2000 turning movement data to result in estimated 30th highest hourly design volumes for no build summer of 2001 conditions.

Traffic Assignment/Impact Analysis

Figures 4 and 8 present the PM and AM estimated design hour volumes with project impact in summer of 2001. These figures resulted in build volumes for analysis using the latest highway capacity software. The first two pages of capacity analysis results for 2001 AM and PM design hour volumes with and without project impact are attached to this report. The following table summarizes the analysis results.

	No Build 2001		Build 2001	
	Sec/veh Delay	LOS	Sec/veh Delay	LOS
Preble/Baxter				
AM	25.3	C	25.6	C
PM	20.3	C	20.3	C
Preble/Marginal Way				
AM	37.8	D	38.5	D
PM	45.9	D	48.5	D
Marginal Way/State				
AM	14.7	B	14.8	B
PM	35.3	D	37.2	D
Marginal Way/Franklin				
AM	32.7	C	32.8	C
PM	83.6	F	85.6	F
* AM			32.6	C
* PM			81.0	F

* Stripe and sign Marginal Way eastbound lanes left only and through plus right, westbound lanes left and through and right and through.

Discussion of Capacity Analysis

The attached printouts and observations at three of the four major signalized study area intersections result in a conclusion that the project will not result in an impact that decreases level of service below D. This is the normal acceptable urban area design level of service.

The project has little to no impact in the morning at the intersection of Franklin Arterial and Marginal Way where level of service at Marginal Way is level C. However, the northbound off ramp traffic from I-295 does have delay and back up that sometimes results in a queue to the top of the ramp. This latter condition exists today without project impact.

The intersection of Marginal Way at Franklin Arterial currently operates at the poorest level of service F during the PM peak hour. The analysis shows that project impact will not substantially worsen the existing conditions. However, level of service for the eastbound Marginal Way left plus through lane will decrease to failure (F) from capacity (E) if no improvement is provided on Marginal Way.

This Franklin Arterial/Marginal Way intersection currently has a major impact on the I-295 ramps during the AM and PM peak hours. The solution to the problem is major reconstruction of the I-295 ramps and the intersection. The project may even require relocation of one of the I-295 ramps.

Accidents

The attached printout of the MDOT MARS report only results in identification of one potential high accident location in the study area. This location is at Preble Street/Adler Street and Kennebec Street. The City Traffic Department has just installed new signs in an attempt to solve the problem. This solution should improve conditions reflected in the historic accident data. This project is not expected to impact this intersection.

Pedestrians

Pedestrian crossings at study area locations were observed to be very light to almost non-existent at Franklin Street and Marginal Way. This project will not impact existing conditions as relates to pedestrians.

Conclusions and Recommendations

1. The Franklin Arterial/Marginal Way/I-295 ramp intersection currently operates at the poorest level of service during the PM peak hour. Solution to the problem requires major reconstruction of the entire intersection including I-295 ramps.

2. Based upon capacity analysis, this project will not result in any additional adverse impact on the Franklin Arterial/Marginal Way intersection **if the lane striping and related signing is changed as follows:**

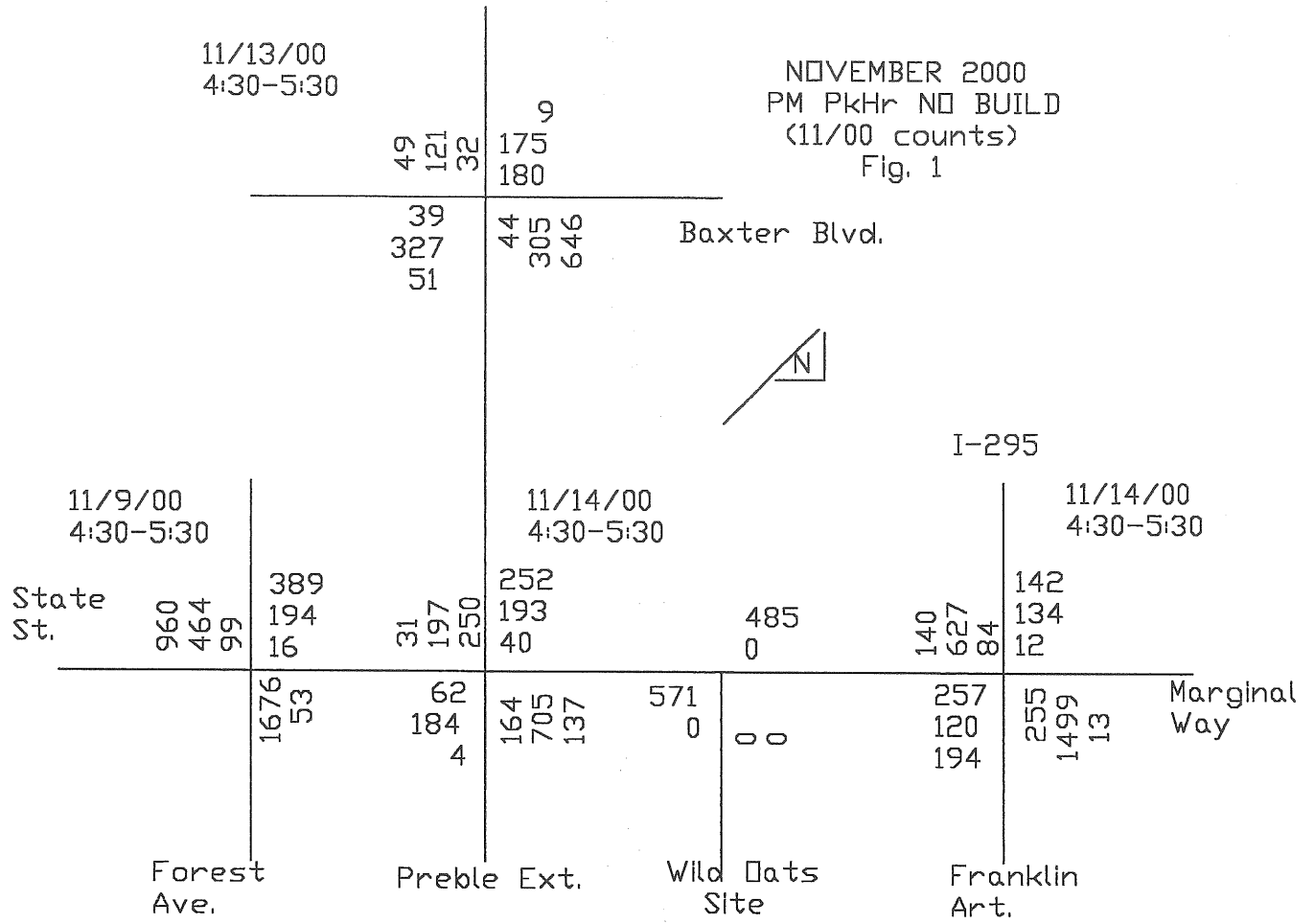
A. Westbound Marginal Way approach - left + through and through + right.

B. Eastbound Marginal Way approach - left only and through + right.

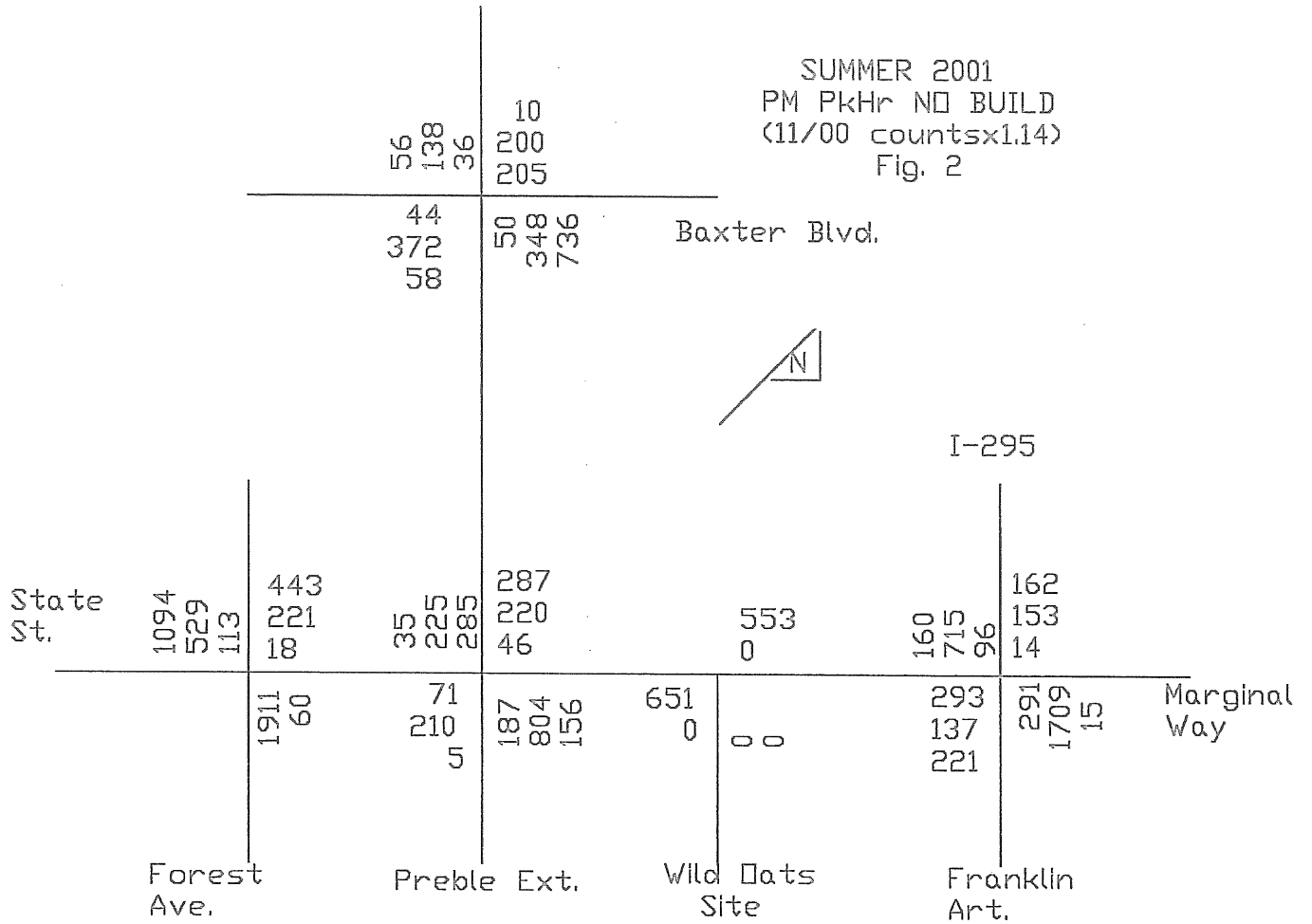
3. All three other major signalized intersections in the study area will operate at level of service D or better with project impact and no improvements in 2001.

APPENDIX

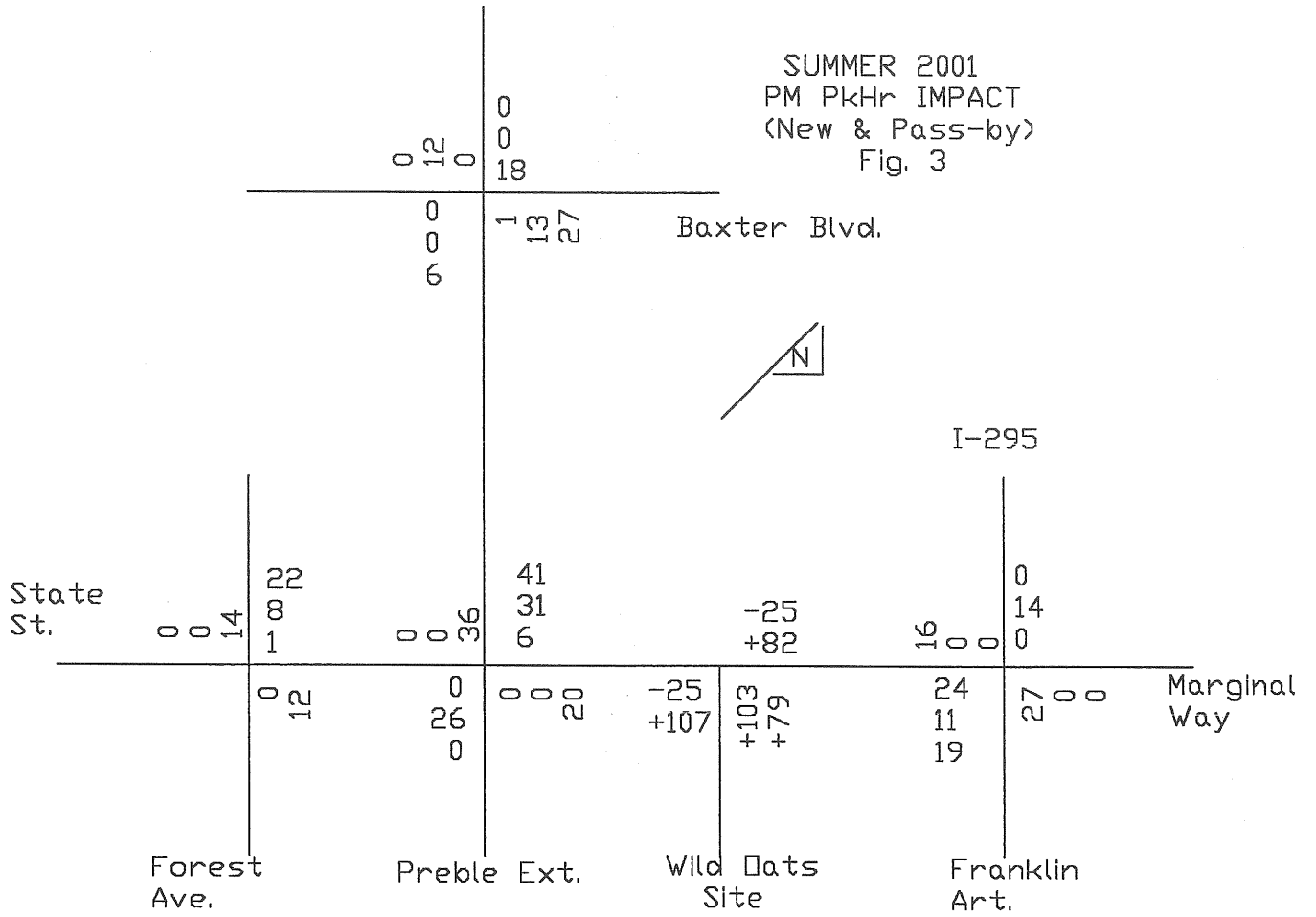
- A. Figures 1 - 8 - Study Area Base and Impact 2001 AM and PM Peak Hour Volumes.
- B. Capacity Analyses Study Area Signalized Intersections (4) - AM and PM 2001 Build and No Build Conditions.
- C. Marginal Way 24 Hour Count Westerly of Franklin Arterial.
- D. Study Area Intersections (4) Turning Movement Data AM and PM November 2000 (including pedestrian counts).
- E. MDOT Accident Data.



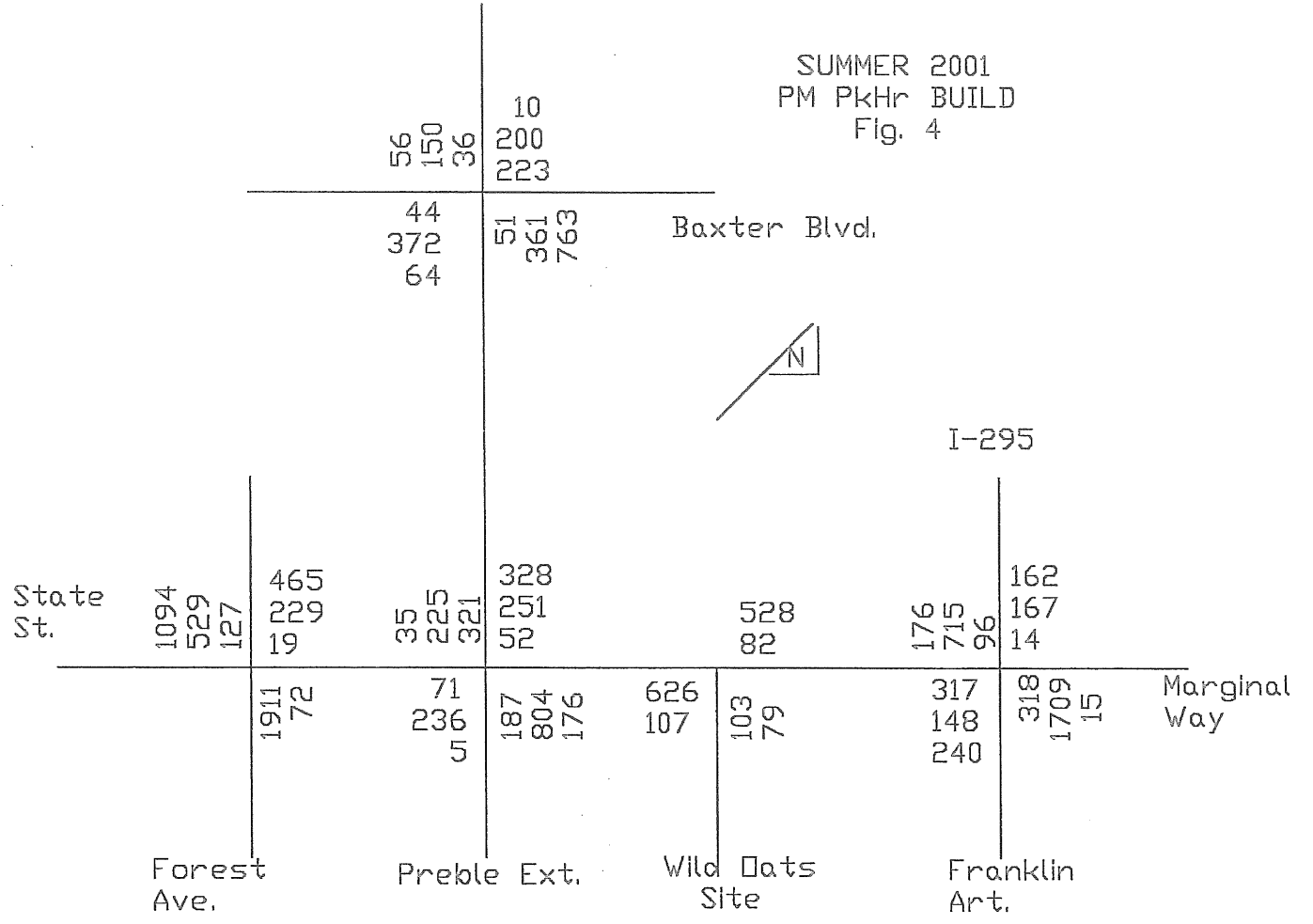
SUMMER 2001
 PM PkHr NO BUILD
 (11/00 counts x 1.14)
 Fig. 2

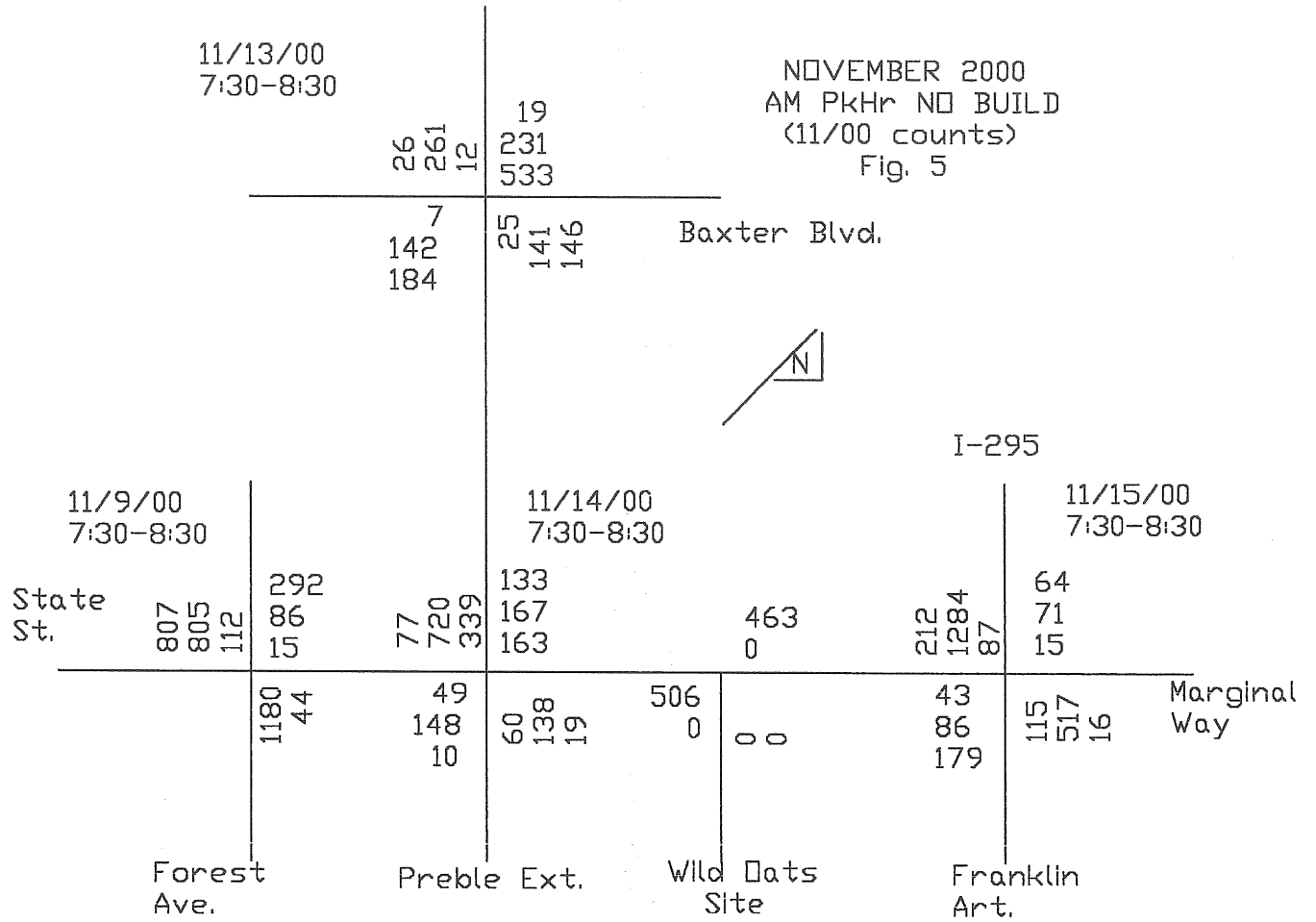


SUMMER 2001
 PM PkHr IMPACT
 (New & Pass-by)
 Fig. 3

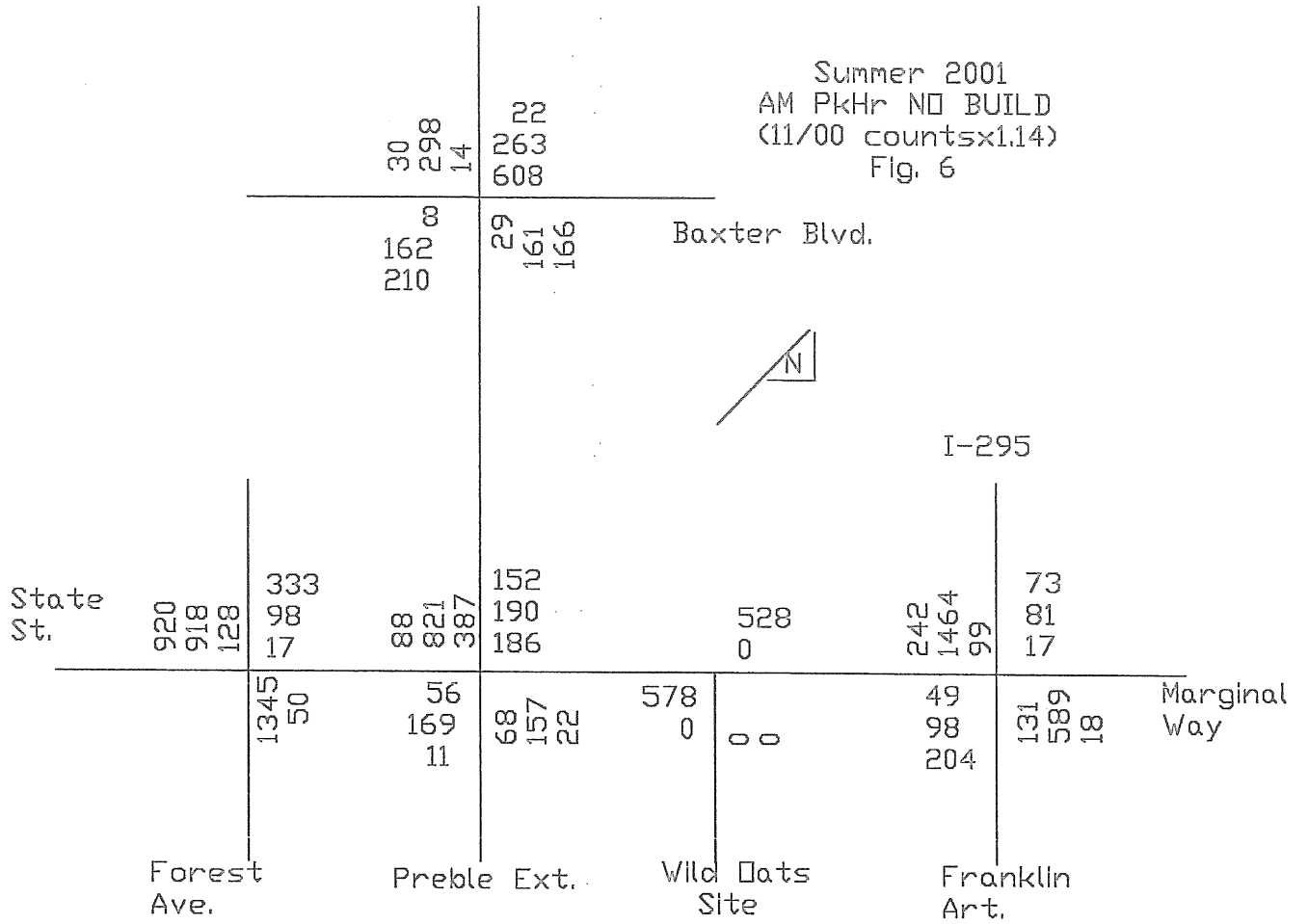


SUMMER 2001
 PM PkHr BUILD
 Fig. 4

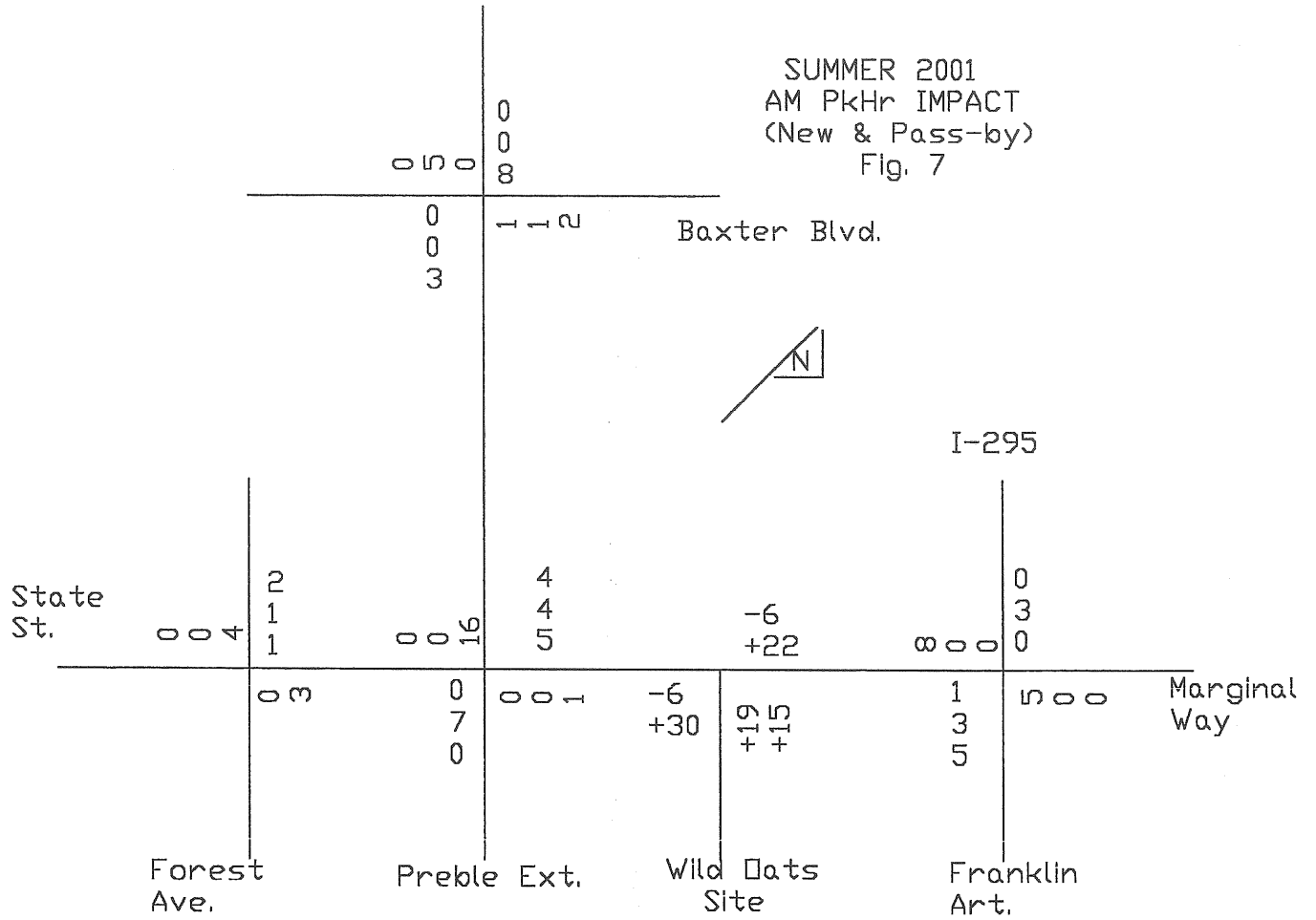




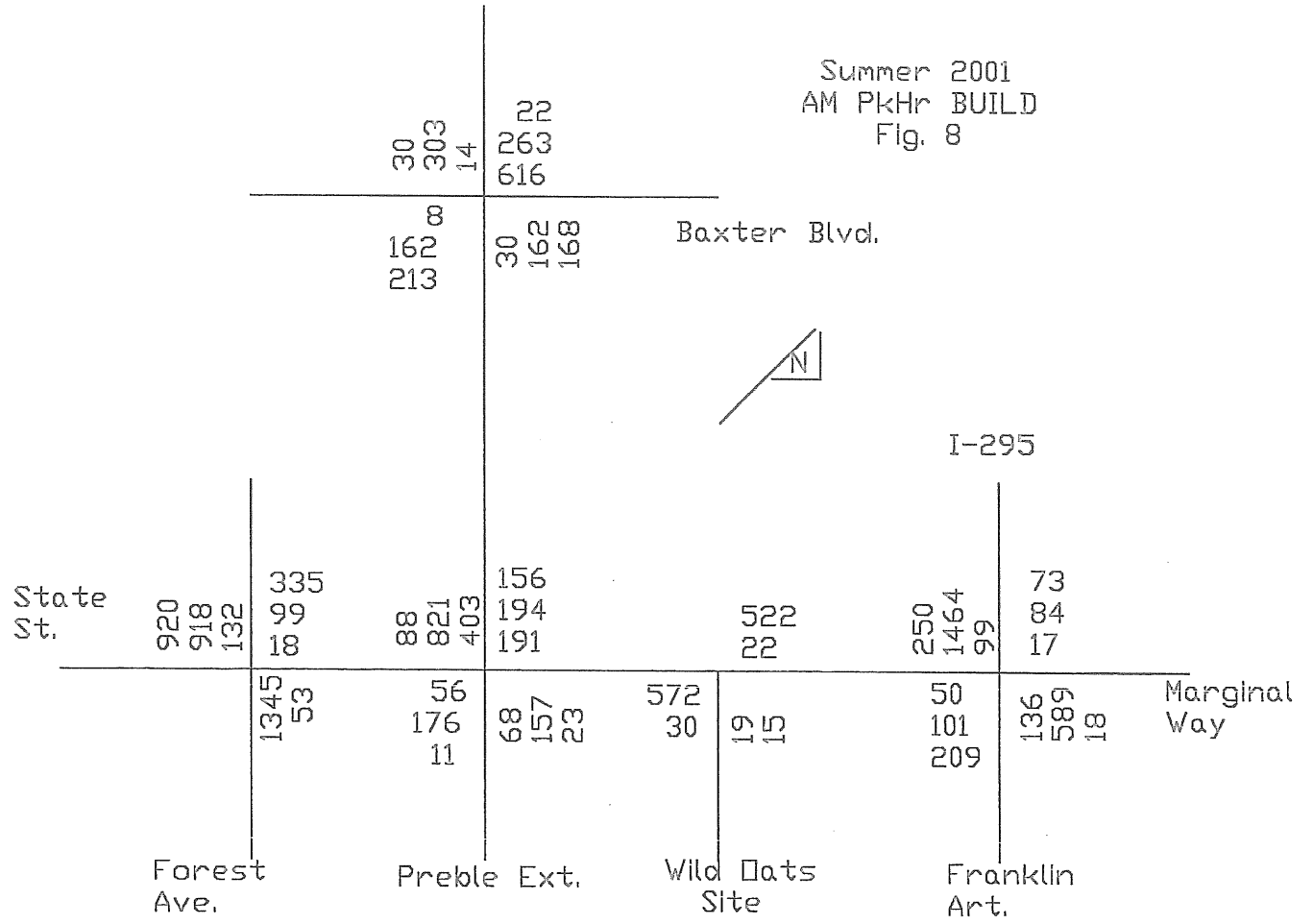
Summer 2001
 AM PkHr NO BUILD
 (11/00 counts x 1.14)
 Fig. 6



SUMMER 2001
 AM PkHr IMPACT
 (New & Pass-by)
 Fig. 7



Summer 2001
AM PKHr BUILD
Fig. 8



HCS: Signalized Intersections Release 3.1c

Inter: Baxter/Preble
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Preble Ext.

City/St: Portland/Me.
 Proj #: 058944
 Period: AM No Build 2001
 N/S St: Baxter Blvd

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	2	0	0	2	1	0	2	0	1	1	0
LGConfig	LTR			LT R			LTR			L TR		
Volume	14	298	30	29	161	166	8	162	210	608	263	22
Lane Width	12.0			12.0 12.0			12.0			12.0 12.0		
RTOR Vol	15			100			80			2		

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
WB Left	A				SB Left	A	A	
Thru	A				Thru	A	A	
Right	A				Right	A	A	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right		P	
Green	25.0				30.0		40.0	
Yellow	3.5				3.5		3.5	
All Red	1.5				1.5		1.5	
Cycle Length:	110.0				secs			

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
LTR	732	3222	0.54	0.227	38.2	D	38.2	D
Westbound								
LT	668	2941	0.34	0.227	35.9	D	28.6	C
R	1018	1599	0.08	0.636	7.7	A		
Northbound								
LTR	795	2915	0.46	0.273	33.6	C	33.6	C
Southbound								
L	965		0.76	0.682	21.5	C		
TR	1269	1861	0.27	0.682	6.9	A	16.9	B
Intersection Delay = 25.3 (sec/veh)					Intersection LOS = C			

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin, Me. 04091

Phone: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

Fax: 207-625-8222

OPERATIONAL

ANALYSIS

Intersection: Baxter/Preble
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058944
 Time Period Analyzed: AM No Build 2001
 Date: 11/25/2000
 East/West Street Name: Preble Ext.
 North/South Street Name: Baxter Blvd

HCS: Signalized Intersections Release 3.1c

Inter: Baxter/Preble
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Preble Ext.

City/St: Portland/Me.
 Proj #: 058944
 Period: PM No Build 2001
 N/S St: Baxter Blvd

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	2	0	0	2	1	0	2	0	1	1	0
LGConfig	LTR			LT R			LTR			L TR		
Volume	36	138	56	50	348	736	44	372	58	205	200	10
Lane Width	12.0			12.0 12.0			12.0			12.0 12.0		
RTOR Vol	15			500			25			2		

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
WB Left	A				SB Left	A	A	
Thru	A				Thru	A	A	
Right	A				Right	A	A	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right		P	
Green	30.0				30.0		20.0	
Yellow	3.5				3.5		3.5	
All Red	1.5				1.5		1.5	
Cycle Length:	95.0				secs			

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
LTR	893	2829	0.25	0.316	24.3	C	24.3	C
Westbound								
LT	993	3146	0.41	0.316	25.9	C	20.0-	B
R	926	1599	0.26	0.579	10.1	B		
Northbound								
LTR	979	3101	0.47	0.316	26.5	C	26.5	C
Southbound								
L	709		0.30	0.579	14.2	B		
TR	1083	1871	0.20	0.579	9.6	A	11.9	B

Intersection Delay = 20.3 (sec/veh) Intersection LOS = C

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Baxter/Preble
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058944
 Time Period Analyzed: PM No Build 2001
 Date: 11/25/2000
 East/West Street Name: Preble Ext.
 North/South Street Name: Baxter Blvd

HCS: Signalized Intersections Release 3.1c

Inter: Baxter/Preble
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Preble Ext.

City/St: Portland/Me.
 Proj #: 058944
 Period: AM Build 2001
 N/S St: Baxter Blvd

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	2	0	0	2	1	0	2	0	1	1	0
LGConfig	LTR			LT R			LTR			L TR		
Volume	14	303	30	30	162	168	8	162	213	616	263	22
Lane Width	12.0			12.0			12.0			12.0		
RTOR Vol	15			100			80			2		

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
WB Left	A				SB Left	A	A	
Thru	A				Thru	A	A	
Right	A				Right	A	A	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right		P	
Green	25.0				30.0		40.0	
Yellow	3.5				3.5		3.5	
All Red	1.5				1.5		1.5	
Cycle Length: 110.0 secs								

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS

Eastbound

LTR	733	3223	0.55	0.227	38.3	D	38.3	D
-----	-----	------	------	-------	------	---	------	---

Westbound

LT	660	2906	0.35	0.227	36.0	D	28.6	C
R	1018	1599	0.08	0.636	7.7	A		

Northbound

LTR	795	2914	0.46	0.273	33.7	C	33.7	C
-----	-----	------	------	-------	------	---	------	---

Southbound

L	963		0.77	0.682	22.1	C		
TR	1269	1861	0.27	0.682	6.9	A	17.3	B

Intersection Delay = 25.6 (sec/veh) Intersection LOS = C

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222 Fax: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Baxter/Preble
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058944
 Time Period Analyzed: AM Build 2001
 Date: 11/25/2000
 East/West Street Name: Preble Ext.
 North/South Street Name: Baxter Blvd

HCS: Signalized Intersections Release 3.1c

Inter: Baxter/Preble
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Preble Ext.

City/St: Portland/Me.
 Proj #: 058944
 Period: PM Build 2001
 N/S St: Baxter Blvd

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	2	0	0	2	1	0	2	0	1	1	0
LGConfig	LTR			LT R			LTR			L TR		
Volume	36	150	56	51	361	763	44	372	64	223	200	10
Lane Width	12.0			12.0			12.0			12.0		
RTOR Vol	15			500			25			2		

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru	A				Thru	A		
Right	A				Right	A		
Peds					Peds			
WB Left	A				SB Left	A	A	
Thru	A				Thru	A	A	
Right	A				Right	A	A	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right		P	
Green	30.0				30.0		20.0	
Yellow	3.5				3.5		3.5	
All Red	1.5				1.5		1.5	
Cycle Length:	95.0				secs			

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS

Eastbound

LTR	897	2840	0.26	0.316	24.4	C	24.4	C
-----	-----	------	------	-------	------	---	------	---

Westbound

LT	991	3139	0.43	0.316	26.0	C	19.9	B
R	926	1599	0.29	0.579	10.3	B		

Northbound

LTR	978	3098	0.48	0.316	26.6	C	26.6	C
-----	-----	------	------	-------	------	---	------	---

Southbound

L	706		0.33	0.579	14.8	B		
TR	1083	1871	0.20	0.579	9.6	A	12.3	B

Intersection Delay = 20.3 (sec/veh) Intersection LOS = C

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222 Fax: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Baxter/Preble
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058944
 Time Period Analyzed: PM Build 2001
 Date: 11/25/2000
 East/West Street Name: Preble Ext.
 North/South Street Name: Baxter Blvd

HCS: Signalized Intersections Release 3.1c

Inter: Preble /Marginal
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 058943
 Period: AM No Build 2001
 N/S St: Preble Ext.

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	1	2	0	1	2	0	1	2	0
LGConfig	L	TR		L	TR		L	TR		L	TR	
Volume	56	169	11	186	190	152	68	157	22	387	821	88
Lane Width	12.0	12.0		12.0	12.0		12.0	12.0		12.0	12.0	
RTOR Vol			0			80			15			0

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru			A		Thru		A	
Right			A		Right		A	
Peds					Peds			
WB Left	A	A			SB Left	A	A	
Thru		A	A		Thru		A	A
Right		A	A		Right		A	A
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	10.0	4.0	18.0		10.0	20.0	15.0	
Yellow	3.5	3.5	3.5		3.5	3.5	3.5	
All Red	1.0	1.0	1.0		1.0	1.0	1.0	
Cycle Length:	104.0	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
L	168	1752	0.40	0.096	45.7	D		
TR	601	3473	0.36	0.173	38.3	D	40.1	D
Westbound								
L	315	1770	0.71	0.178	47.6	D		
TR	865	3393	0.37	0.255	32.1	C	38.5	D
Northbound								
L	165	1719	0.50	0.096	47.0	D		
TR	493	3417	0.40	0.144	40.9	D	42.7	D
Southbound								
L	576	1736	0.81	0.332	40.2	D		
TR	1299	3421	0.84	0.380	34.6	C	36.3	D

Intersection Delay = 37.8 (sec/veh) Intersection LOS = D

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin, Me. 04091

Phone: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

Fax: 207-625-8222

OPERATIONAL

ANALYSIS

Intersection: Preble /Marginal
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058943
 Time Period Analyzed: AM No Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Preble Ext.

HCS: Signalized Intersections Release 3.1c

Inter: Preble /Marginal
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 058943
 Period: PM No Build 2001
 N/S St: Preble Ext.

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	1	2	0	1	2	0	1	2	0
LGConfig	L	TR		L	TR		L	TR		L	TR	
Volume	71	210	5	46	220	287	187	804	156	285	225	35
Lane Width	12.0	12.0		12.0	12.0		12.0	12.0		12.0	12.0	
RTOR Vol			0			80			80			0

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru		A			Thru		A	
Right		A			Right		A	
Peds					Peds			
WB Left	A				SB Left	A	A	
Thru		A			Thru		A	A
Right		A			Right		A	A
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	10.0	30.0			22.0	2.0	40.0	
Yellow	3.5	3.5			3.5	3.5	3.5	
All Red	1.0	1.0			1.0	1.0	1.0	
Cycle Length:	126.5	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
L	138	1752	0.56	0.079	61.1	E		
TR	829	3494	0.28	0.237	39.6	D	45.0	D
Westbound								
L	138	1752	0.36	0.079	56.8	E		
TR	771	3250	0.60	0.237	44.3	D	45.5	D
Northbound								
L	311	1787	0.65	0.174	53.5	D		
TR	1116	3528	0.86	0.316	47.4	D	48.5	D
Southbound								
L	403	1787	0.77	0.225	54.7	D		
TR	1287	3502	0.22	0.368	27.6	C	41.8	D

Intersection Delay = 45.9 (sec/veh) Intersection LOS = D

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

Fax: 207-625-8222

OPERATIONAL

ANALYSIS

Intersection: Preble /Marginal
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058943
 Time Period Analyzed: PM No Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Preble Ext.

HCS: Signalized Intersections Release 3.1c

Inter: Preble /Marginal
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 058943
 Period: AM Build 2001
 N/S St: Preble Ext.

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	1	2	0	1	2	0	1	2	0
LGConfig	L	TR		L	TR		L	TR		L	TR	
Volume	56	176	11	191	194	156	68	157	23	403	821	88
Lane Width	12.0	12.0		12.0	12.0		12.0	12.0		12.0	12.0	
RTOR Vol			0			80			15			0

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru			A		Thru		A	
Right			A		Right		A	
Peds					Peds			
WB Left	A	A			SB Left	A	A	
Thru		A	A		Thru		A	A
Right		A	A		Right		A	A
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	10.0	4.0	18.0		10.0	20.0	15.0	
Yellow	3.5	3.5	3.5		3.5	3.5	3.5	
All Red	1.0	1.0	1.0		1.0	1.0	1.0	
Cycle Length:	104.0		secs					

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
L	168	1752	0.40	0.096	45.7	D		
TR	601	3474	0.37	0.173	38.4	D	40.1	D
Westbound								
L	315	1770	0.73	0.178	48.8	D		
TR	864	3389	0.38	0.255	32.2	C	39.1	D
Northbound								
L	165	1719	0.50	0.096	47.0	D		
TR	492	3412	0.40	0.144	41.0	D	42.7	D
Southbound								
L	576	1736	0.84	0.332	43.3	D		
TR	1299	3421	0.84	0.380	34.6	C	37.3	D

Intersection Delay = 38.5 (sec/veh) Intersection LOS = D

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Preble /Marginal
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058943
 Time Period Analyzed: AM Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Preble Ext.

HCS: Signalized Intersections Release 3.1c

Inter: Preble /Marginal
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 058943
 Period: PM Build 2001
 N/S St: Preble Ext.

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	2	0	1	2	0	1	2	0	1	2	0
LGConfig	L	TR		L	TR		L	TR		L	TR	
Volume	71	236	5	52	251	328	187	804	176	321	225	35
Lane Width	12.0	12.0		12.0	12.0		12.0	12.0		12.0	12.0	
RTOR Vol			0			80			80			0

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A				NB Left	A		
Thru		A			Thru		A	
Right		A			Right		A	
Peds					Peds			
WB Left	A				SB Left	A	A	
Thru		A			Thru		A	A
Right		A			Right		A	A
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	10.0	30.0			22.0	2.0	40.0	
Yellow	3.5	3.5			3.5	3.5	3.5	
All Red	1.0	1.0			1.0	1.0	1.0	
Cycle Length:	126.5	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
L	138	1752	0.56	0.079	61.1	E		
TR	829	3495	0.32	0.237	40.0	D	44.8	D
Westbound								
L	138	1752	0.41	0.079	57.5	E		
TR	769	3243	0.71	0.237	47.2	D	48.2	D
Northbound								
L	311	1787	0.65	0.174	53.5	D		
TR	1112	3517	0.88	0.316	49.3	D	50.0	D
Southbound								
L	403	1787	0.87	0.225	64.8	E		
TR	1287	3502	0.22	0.368	27.6	C	48.2	D

Intersection Delay = 48.5 (sec/veh) Intersection LOS = D

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin, Me. 04091

Phone: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

Fax: 207-625-8222

OPERATIONAL

ANALYSIS

Intersection: Preble /Marginal
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 058943
 Time Period Analyzed: PM Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Preble Ext.

HCS: Signalized Intersections Release 3.1c

Inter: Forest/MW/State
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Marginal Way ,State

City/St: Portland/Me.
 Proj #: 057254
 Period: AM No Build 2001
 N/S St: Forest Ave.

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	0	0	0	2	1	0	2	0	1	2	1
LGConfig					LT	R		TR		L	T	R
Volume				17	98	333		1345	50	128	918	920
Lane Width					12.0	12.0		12.0		12.0	12.0	12.0
RTOR Vol						320			10			900

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left					NB Left			
Thru					Thru	P		P
Right					Right	P		P
Peds					Peds			
WB Left	P				SB Left		P	
Thru	P				Thru	P	P	
Right	P				Right	P	P	P
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right	P		P
Green	10.2				19.0	10.2	23.8	
Yellow	3.2				3.2	3.2	3.2	
All Red	1.0				1.0	1.0	1.0	
Cycle Length:	80.0	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay LOS	Delay LOS		

Eastbound

Westbound

LT	452	3548	0.27	0.127	33.0	C	29.8	C
R	1227	1599	0.01	0.767	2.2	A		

Northbound

TR	1904	3559	0.77	0.535	6.4	A	6.4	A
----	------	------	------	-------	-----	---	-----	---

Southbound

L	223	1752	0.61	0.127	44.6	D		
T	1463	3505	0.66	0.418	21.1	C	23.6	C
R	1203	1568	0.02	0.768	2.2	A		

Intersection Delay = 14.7 (sec/veh) Intersection LOS = B

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

Fax: 207-625-8222

OPERATIONAL

ANALYSIS

Intersection: Forest/MW/State
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 057254
 Time Period Analyzed: AM No Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way ,State
 North/South Street Name: Forest Ave.

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
Westbound								
LT	479	3596	0.52	0.133	40.3	D	39.9	D
R	1249	1615	0.00	0.773	2.3	A		
Northbound								
TR	1947	3561	1.05	0.547	38.8	D	38.8	D
Southbound								
L	238	1787	0.50	0.133	43.4	D		
T	1477	3574	0.37	0.413	19.0	B	23.2	C
R	1237	1599	0.00	0.773	2.3	A		
Intersection Delay = 35.3			(sec/veh)		Intersection LOS = D			

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Forest/MW/State
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 057254
 Time Period Analyzed: PM No Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way ,State
 North/South Street Name: Forest Ave.

HCS: Signalized Intersections Release 3.1c

Inter: Forest/MW/State
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Marginal Way ,State

City/St: Portland/Me.
 Proj #: 057254
 Period: AM Build 2001
 N/S St: Forest Ave.

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	0	0	0	2	1	0	2	0	1	2	1
LGConfig				LT	R		TR			L	T	R
Volume				18	99	335		1345	53	132	918	920
Lane Width				12.0	12.0		12.0			12.0	12.0	12.0
RTOR Vol					320			10				900

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left					NB Left			
Thru					Thru	P		P
Right					Right	P		P
Peds					Peds			
WB Left	P				SB Left		P	
Thru	P				Thru	P	P	
Right	P				Right	P	P	P
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right	P		P
Green	10.2				19.0	10.2	23.8	
Yellow	3.2				3.2	3.2	3.2	
All Red	1.0				1.0	1.0	1.0	
Cycle Length:	80.0	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS

Eastbound

Westbound

LT	452	3547	0.27	0.127	33.0	C	29.5	C
R	1227	1599	0.01	0.767	2.2	A		

Northbound

TR	1904	3558	0.77	0.535	6.4	A	6.4	A
----	------	------	------	-------	-----	---	-----	---

Southbound

L	223	1752	0.62	0.127	45.5	D		
T	1463	3505	0.66	0.418	21.1	C	23.8	C
R	1203	1568	0.02	0.768	2.2	A		

Intersection Delay = 14.8 (sec/veh) Intersection LOS = B

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Forest/MW/State
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 057254
 Time Period Analyzed: AM Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way , State
 North/South Street Name: Forest Ave.

HCS: Signalized Intersections Release 3.1c

Inter: Forest/MW/State
 Analyst: JLM
 Date: 11/25/2000
 E/W St: Marginal Way ,State

City/St: Portland/Me.
 Proj #: 057254
 Period: PM Build 2001
 N/S St: Forest Ave.

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	0	0	0	2	1	0	2	0	1	2	1
LGConfig					LT	R		TR		L	T	R
Volume				19	229	465		1911	72	127	529	1094
Lane Width					12.0	12.0		12.0		12.0	12.0	12.0
RTOR Vol						440			10			1090

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left					NB Left			
Thru					Thru	P		P
Right					Right	P		P
Peds					Peds			
WB Left		P			SB Left		P	
Thru		P			Thru	P	P	
Right		P			Right	P	P	P
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right	P		P
Green	12.0				21.0	12.0	28.2	
Yellow	3.2				3.2	3.2	3.2	
All Red	1.0				1.0	1.0	1.0	
Cycle Length:	90.0			secs				

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS

Eastbound

Westbound

LT	479	3596	0.54	0.133	40.8	D	37.3	D
R	1249	1615	0.02	0.773	2.4	A		

Northbound

TR	1944	3557	1.06	0.547	41.6	D	41.6	D
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Southbound

L	238	1787	0.55	0.133	45.5	D		
T	1477	3574	0.37	0.413	19.0	B	24.0	C
R	1237	1599	0.00	0.773	2.3	A		

Intersection Delay = 37.2 (sec/veh) Intersection LOS = D

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222
 E-Mail: kjmurphy@cybertours.com

Fax: 207-625-8222

OPERATIONAL

ANALYSIS

Intersection: Forest/MW/State
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 057254
 Time Period Analyzed: PM Build 2001
 Date: 11/25/2000
 East/West Street Name: Marginal Way ,State
 North/South Street Name: Forest Ave.

HCS: Signalized Intersections Release 3.1c

Inter: Franklin/Marginal Way
 Analyst: JLM
 Date: 11/26/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 059420
 Period: AM No Build 2001
 N/S St: Franklin Art., I-295

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound			
	L	T	R	L	T	R	L	T	R	L	T	R	
No. Lanes	0	1	1	0	1	1	1	2	0	1	2	1	
LGConfig		LT	R		LT	R		L	TR		L	T	R
Volume	49	98	204	17	81	73	131	589	18	99	1464	242	
Lane Width		12.0	12.0		12.0	12.0	12.0	12.0		12.0	12.0	12.0	
RTOR Vol			150			60			0			150	

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A	A			NB Left	A		
Thru	A	A			Thru	P	P	
Right	A	A			Right	P	P	
Peds					Peds			
WB Left		A			SB Left		A	
Thru		A			Thru	P	P	
Right		A			Right	P	P	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	5.0	13.0				13.0	33.5	9.0
Yellow	3.5	3.5				3.5	3.5	3.5
All Red	1.5	1.5				2.0	2.0	2.0
Cycle Length:	100.0	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
LT	398	1731	0.43	0.230	33.6	C	33.0	C
R	364	1583	0.17	0.230	31.1	C		
Westbound								
LT	219	1686	0.58	0.130	44.8	D	44.0	D
R	204	1568	0.08	0.130	38.4	D		
Northbound								
L	228	1752	0.60	0.130	45.3	D		
TR	1814	3489	0.35	0.520	14.6	B	20.0+	C
Southbound								
L	159	1770	0.69	0.090	55.7	E		
T	1699	3539	0.95	0.480	37.2	D	37.1	D
R	760	1583	0.13	0.480	14.8	B		
Intersection Delay = 32.7 (sec/veh)					Intersection LOS = C			

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin, Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Franklin/Marginal Way
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 059420
 Time Period Analyzed: AM No Build 2001
 Date: 11/26/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Franklin Art., I-295

HCS: Signalized Intersections Release 3.1c

Inter: Franklin/Marginal Way
 Analyst: JLM
 Date: 11/26/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 059420
 Period: PM No Build 2001
 N/S St: Franklin Art., I-295

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	1	1	0	1	1	1	2	0	1	2	1
LGConfig		LT	R		LT	R	L	TR		L	T	R
Volume	293	137	221	14	153	162	291	1709	15	96	715	160
Lane Width		12.0	12.0		12.0	12.0	12.0	12.0		12.0	12.0	12.0
RTOR Vol			150			140			0			80

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A	A			NB Left	A		
Thru	A	A			Thru	P	P	
Right	A	A			Right	P	P	
Peds					Peds			
WB Left		A			SB Left		A	
Thru		A			Thru	P	P	
Right		A			Right	P	P	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	17.1	21.0			33.0	21.4	11.0	
Yellow	3.5	3.5			3.5	3.5	3.5	
All Red	1.5	1.5			2.0	2.0	2.0	
Cycle Length:	130.0 secs							

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
LT	531	1602	0.92	0.332	63.4	E	58.7	E
R	530	1599	0.15	0.332	30.7	C		
Westbound								
LT	278	1723	0.64	0.162	55.9	E	54.8	D
R	253	1568	0.09	0.162	46.5	D		
Northbound								
L	458	1805	0.71	0.254	49.4	D		
TR	1661	3605	1.17	0.461	116.8	F	107.1	F
Southbound								
L	147	1736	0.69	0.085	70.5	E		
T	1012	3471	0.74	0.292	46.6	D	48.2	D
R	453	1553	0.19	0.292	35.4	D		
Intersection Delay = 83.6 (sec/veh)					Intersection LOS = F			

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Franklin/Marginal Way
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 059420
 Time Period Analyzed: PM No Build 2001
 Date: 11/26/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Franklin Art., I-295

HCS: Signalized Intersections Release 3.1c

Inter: Franklin/Marginal Way
 Analyst: JLM
 Date: 11/26/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 059420
 Period: AM Build 2001
 N/S St: Franklin Art., I-295

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound			
	L	T	R	L	T	R	L	T	R	L	T	R	
No. Lanes	0	1	1	0	1	1	1	2	0	1	2	1	
LGConfig		LT	R		LT	R		L	TR		L	T	R
Volume	150	101	209	17	84	73	136	589	18	199	1464	250	
Lane Width		12.0	12.0		12.0	12.0	12.0	12.0		12.0	12.0	12.0	
RTOR Vol			150			60			0			150	

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A	A			NB Left	A		
Thru	A	A			Thru	P	P	
Right	A	A			Right	P	P	
Peds					Peds			
WB Left		A			SB Left		A	
Thru		A			Thru	P	P	
Right		A			Right	P	P	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	5.0	13.0				13.0	33.5	9.0
Yellow	3.5	3.5				3.5	3.5	3.5
All Red	1.5	1.5				2.0	2.0	2.0
Cycle Length:	100.0	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
LT	398	1731	0.44	0.230	33.8	C	33.0	C
R	364	1583	0.19	0.230	31.3	C		
Westbound								
LT	220	1689	0.60	0.130	45.4	D	44.6	D
R	204	1568	0.08	0.130	38.4	D		
Northbound								
L	228	1752	0.62	0.130	46.4	D		
TR	1814	3489	0.35	0.520	14.6	B	20.4	C
Southbound								
L	159	1770	0.69	0.090	55.7	E		
T	1699	3539	0.95	0.480	37.2	D	37.0	D
R	760	1583	0.14	0.480	14.9	B		
Intersection Delay = 32.8 (sec/veh)					Intersection LOS = C			

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Franklin/Marginal Way
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 059420
 Time Period Analyzed: AM Build 2001
 Date: 11/26/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Franklin Art., I-295

HCS: Signalized Intersections Release 3.1c

Inter: Franklin/Marginal Way
 Analyst: JLM
 Date: 11/26/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 059420
 Period: PM Build 2001
 N/S St: Franklin Art., I-295

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	0	1	1	0	1	1	1	2	0	1	2	1
LGConfig		LT	R		LT	R	L	TR		L	T	R
Volume	317	148	240	14	167	162	318	1709	15	96	715	176
Lane Width		12.0	12.0		12.0	12.0	12.0	12.0		12.0	12.0	12.0
RTOR Vol			150			140			0			80

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A	A			NB Left	A		
Thru	A	A			Thru	P	P	
Right	A	A			Right	P	P	
Peds					Peds			
WB Left		A			SB Left		A	
Thru		A			Thru	P	P	
Right		A			Right	P	P	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	17.1	21.0			33.0	21.4	11.0	
Yellow	3.5	3.5			3.5	3.5	3.5	
All Red	1.5	1.5			2.0	2.0	2.0	
Cycle Length:	130.0	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
LT	528	1594	1.00	0.332	82.6	F	74.3	E
R	530	1599	0.19	0.332	31.2	C		
Westbound								
LT	278	1724	0.69	0.162	58.8	E	57.5	E
R	253	1568	0.09	0.162	46.5	D		
Northbound								
L	458	1805	0.78	0.254	53.5	D		
TR	1661	3605	1.17	0.461	116.8	F	106.9	F
Southbound								
L	147	1736	0.69	0.085	70.5	E		
T	1012	3471	0.74	0.292	46.6	D	48.0	D
R	453	1553	0.22	0.292	36.0	D		
Intersection Delay = 85.6			(sec/veh)		Intersection LOS = F			

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Franklin/Marginal Way
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 059420
 Time Period Analyzed: PM Build 2001
 Date: 11/26/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Franklin Art., I-295

HCS: Signalized Intersections Release 3.1c

Inter: Franklin/Marginal Way
 Analyst: JLM
 Date: 11/26/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 059420
 Period: AM Build 2001 W/ IMP.
 N/S St: Franklin Art., I-295

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	1	0	0	2	0	1	2	0	1	2	1
LGConfig	L	TR			LTR		L	TR		L	T	R
Volume	150	101	209	17	84	73	136	589	18	199	1464	250
Lane Width	12.0	12.0			12.0		12.0	12.0		12.0	12.0	12.0
RTOR Vol			150			60			0			150

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A	A			NB Left	A		
Thru	A	A			Thru	P	P	
Right	A	A			Right	P	P	
Peds					Peds			
WB Left		A			SB Left		A	
Thru		A			Thru	P	P	
Right		A			Right	P	P	
Peds					Peds			
NB Right					EB Right			
SB Right					WB Right			
Green	5.0	13.0			13.0	33.5	9.0	
Yellow	3.5	3.5			3.5	3.5	3.5	
All Red	1.5	1.5			2.0	2.0	2.0	
Cycle Length:	100.0	secs						

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
L	269		0.22	0.230	31.1	C		
TR	405	1759	0.46	0.230	34.0	C	33.3	C
Westbound								
LTR	389	2992	0.38	0.130	40.4	D	40.4	D
Northbound								
L	228	1752	0.62	0.130	46.4	D		
TR	1814	3489	0.35	0.520	14.6	B	20.4	C
Southbound								
L	159	1770	0.69	0.090	55.7	E		
T	1699	3539	0.95	0.480	37.2	D	37.0	D
R	760	1583	0.14	0.480	14.9	B		
Intersection Delay = 32.6 (sec/veh) Intersection LOS = C								

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Franklin/Marginal Way
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 059420
 Time Period Analyzed: AM Build 2001 W/ IMP.
 Date: 11/26/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Franklin Art., I-295

HCS: Signalized Intersections Release 3.1c

Inter: Franklin/Marginal Way
 Analyst: JLM
 Date: 11/26/2000
 E/W St: Marginal Way

City/St: Portland/Me.
 Proj #: 059420
 Period: PM Build 2001 W / IMP.
 N/S St: Franklin Art., I-295

SIGNALIZED INTERSECTION

SUMMARY

	Eastbound			Westbound			Northbound			Southbound		
	L	T	R	L	T	R	L	T	R	L	T	R
No. Lanes	1	1	0	0	2	0	1	2	0	1	2	1
LGConfig	L	TR			LTR		L	TR		L	T	R
Volume	317	148	240	14	167	162	318	1709	15	196	715	176
Lane Width	12.0	12.0			12.0		12.0	12.0		12.0	12.0	12.0
RTOR Vol			150			140			0			80

Duration 0.25 Area Type: All other areas
 Signal

Operations

Phase Combination	1	2	3	4	5	6	7	8
EB Left	A	A			NB Left	A		
Thru	A	A			Thru	P	P	
Right	A	A			Right	P	P	
Peds					Peds			
WB Left		A			SB Left			A
Thru		A			Thru		P	P
Right		A			Right		P	P
Peds					Peds			
NB Right					EB Right			
SB Right		P			WB Right			
Green	17.1	21.0				33.0	21.4	11.0
Yellow	3.5	3.5				3.5	3.5	3.5
All Red	1.5	1.5				2.0	2.0	2.0
Cycle Length:	130.0 secs							

Intersection Performance

Summary

Appr/ Lane Grp	Lane Group Capacity	Adj Sat Flow Rate (s)	Ratios		Lane Group		Approach	
			v/c	g/C	Delay	LOS	Delay	LOS
Eastbound								
L	409		0.88	0.332	61.0	E		
TR	588	1775	0.46	0.332	34.8	C	49.8	D
Westbound								
LTR	499	3090	0.43	0.162	49.7	D	49.7	D
Northbound								
L	458	1805	0.78	0.254	53.5	D		
TR	1661	3605	1.17	0.461	116.8	F	106.9	F
Southbound								
L	147	1736	0.69	0.085	70.5	E		
T	1012	3471	0.74	0.292	46.6	D	46.4	D
R	723	1553	0.14	0.465	20.3	C		
Intersection Delay = 81.0			(sec/veh)		Intersection LOS = F			

HCS: Signalized Intersections Release 3.1c

John L. Murphy
 John L. Murphy P. E.
 RR1 Box 6300
 West Baldwin , Me. 04091

Phone: 207-625-8222

Fax: 207-625-8222

E-Mail: kjmurphy@cybertours.com

OPERATIONAL

ANALYSIS

Intersection: Franklin/Marginal Way
 City/State: Portland/Me.
 Analyst: JLM
 Project No: 059420
 Time Period Analyzed: PM Build 2001 W / IMP.
 Date: 11/26/2000
 East/West Street Name: Marginal Way
 North/South Street Name: Franklin Art., I-295

SITE CODE : 00000001
 LOCATION : Marginal Way 300ft.westerly of
 : Franklin Art./I-99
 COMMENT : Sun, Mon, Tue. AM

Portland, Me. 2000

PAGE: 1
 FILE:
 DATE: 11/13/89

TIME BEGIN	MONDAY 13		TUESDAY 14		WEDNESDAY 15		THURSDAY 16		FRIDAY 17		SATURDAY 18		SUNDAY 19		WEEK AVERAGE	
	EB 1	WB 2	EB 1	WB 2	EB 1	WB 2	EB 1	WB 2	EB 1	WB 2	EB 1	WB 2	EB 1	WB 2	EB 1	WB 2
12:00 AM	19	17	32	27	*	*	*	*	*	*	*	*	*	*	25	22
1:00	12	10	15	13	*	*	*	*	*	*	*	*	*	*	13	11
2:00	6	23	12	11	*	*	*	*	*	*	*	*	*	*	9	17
3:00	22	22	20	25	*	*	*	*	*	*	*	*	*	*	21	23
4:00	31	31	36	33	*	*	*	*	*	*	*	*	*	*	33	32
5:00	68	52	66	64	*	*	*	*	*	*	*	*	*	*	67	58
6:00	156	171	153	191	*	*	*	*	*	*	*	*	*	*	154	181
7:00	330	445	306	427	*	*	*	*	*	*	*	*	*	*	318	436
8:00	416	470	454	468	*	*	*	*	*	*	*	*	*	*	435	469
9:00	415	367	*	*	*	*	*	*	*	*	*	*	*	*	415	367
10:00	353	378	*	*	*	*	*	*	*	*	*	*	*	*	353	378
11:00	407	463	*	*	*	*	*	*	*	*	*	*	*	*	407	463
12:00 PM	498	477	*	*	*	*	*	*	*	*	*	*	*	*	498	477
1:00	481	490	*	*	*	*	*	*	*	*	*	*	*	*	481	490
2:00	509	470	*	*	*	*	*	*	*	*	*	*	*	*	509	470
3:00	559	529	*	*	*	*	*	*	*	*	*	*	*	*	559	529
4:00	582	503	*	*	*	*	*	*	*	*	*	*	*	*	582	503
5:00	536	515	*	*	*	*	*	*	*	*	*	*	*	*	536	515
6:00	347	325	*	*	*	*	*	*	*	*	*	*	*	*	347	325
7:00	217	245	*	*	*	*	*	*	*	*	*	*	*	*	217	245
8:00	164	153	*	*	*	*	*	*	*	*	*	*	*	*	164	153
9:00	98	123	*	*	*	*	*	*	*	*	*	*	*	*	98	123
10:00	54	83	*	*	*	*	*	*	*	*	*	*	*	*	54	83
11:00	37	34	*	*	*	*	*	*	*	*	*	*	*	*	37	34
TOTALS	6317	6396	1094	1259	*	*	*	*	*	*	*	*	*	*	6332	6404

COMBINED TOTALS

TIME	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	TOTALS
12:00 AM	36	59	*	*	*	*	*	47
1:00	22	28	*	*	*	*	*	24
2:00	29	23	*	*	*	*	*	26
3:00	44	45	*	*	*	*	*	44
4:00	62	69	*	*	*	*	*	65
5:00	120	130	*	*	*	*	*	125
6:00	327	344	*	*	*	*	*	335
7:00	775	733	*	*	*	*	*	754
8:00	886	922	*	*	*	*	*	904
9:00	782	*	*	*	*	*	*	782
10:00	731	*	*	*	*	*	*	731
11:00	870	*	*	*	*	*	*	870
12:00 PM	975	*	*	*	*	*	*	975
1:00	971	*	*	*	*	*	*	971
2:00	979	*	*	*	*	*	*	979
3:00	1088	*	*	*	*	*	*	1088
4:00	1085	*	*	*	*	*	*	1085
5:00	1051	*	*	*	*	*	*	1051
6:00	672	*	*	*	*	*	*	672
7:00	462	*	*	*	*	*	*	462
8:00	317	*	*	*	*	*	*	317
9:00	221	*	*	*	*	*	*	221
10:00	137	*	*	*	*	*	*	137
11:00	71	*	*	*	*	*	*	71
TOTALS	12713	2353	*	*	*	*	*	12736

Site Code : 22222222
 N-S Veh : Franklin Art./I-295
 E-W Veh : Marginal Way
 Counter : JLM

PAGE: 1
 FILE: nwan00

Primary Movements: Vehicles

DATE: 11/15/00

Time Begin	From North				From East				From South				From West				Vehicle Total	Hvec Total
	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT		
7:00 AM	3	34	132	19	1	10	12	2	2	3	89	20	2	31	20	11	383	8
7:15	5	67	137	26	0	11	11	3	4	1	92	27	1	35	13	7	430	10
7:30	6	49	287	25	1	16	19	4	3	2	131	31	0	45	22	12	643	10
7:45	13	67	345	23	0	11	21	2	3	5	132	32	2	46	27	17	728	18
HR TOTAL	27	217	901	93	2	48	63	11	12	11	444	110	5	157	82	47	2184	46
8:00 AM	5	53	331	22	1	10	12	6	4	4	143	20	2	50	25	7	683	12
8:15	11	43	321	17	2	27	19	3	10	5	111	32	1	38	12	7	635	24
8:30	7	42	271	17	0	13	20	5	8	3	102	38	0	42	16	10	579	15
8:45	6	47	270	14	0	12	21	5	9	3	108	30	2	46	12	11	579	17
HR TOTAL	29	185	1193	70	3	62	72	19	31	15	464	120	5	176	65	35	2476	68

DAY TOTAL	56	402	2094	163	5	110	135	30	43	26	908	230	10	333	147	82	4650	114
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PEAK PERIOD ANALYSIS FOR THE PERIOD: 7:00 AM - 9:00 AM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	7:30 AM	0.91	35	212	1284	87	1583	-	13	81	5
East	8:00 AM	0.78	3	62	72	19	153	-	41	47	12
South	7:30 AM	0.96	20	16	517	115	648	-	2	80	18
West	7:30 AM	0.86	5	179	86	43	308	-	58	28	14

Entire Intersection

North	7:30 AM	0.91	35	212	1284	87	1583	-	13	81	5
East		0.77	4	64	71	15	150	-	43	47	10
South		0.96	20	16	517	115	648	-	2	80	18
West		0.86	5	179	86	43	308	-	58	28	14

Site Code : 2222222
 N-S Veh : Franklin Art./I-295
 E-W Veh : Marginal Way
 Counter : JLM

Primary Movements: Vehicles

PAGE: 1
 FILE: mva00

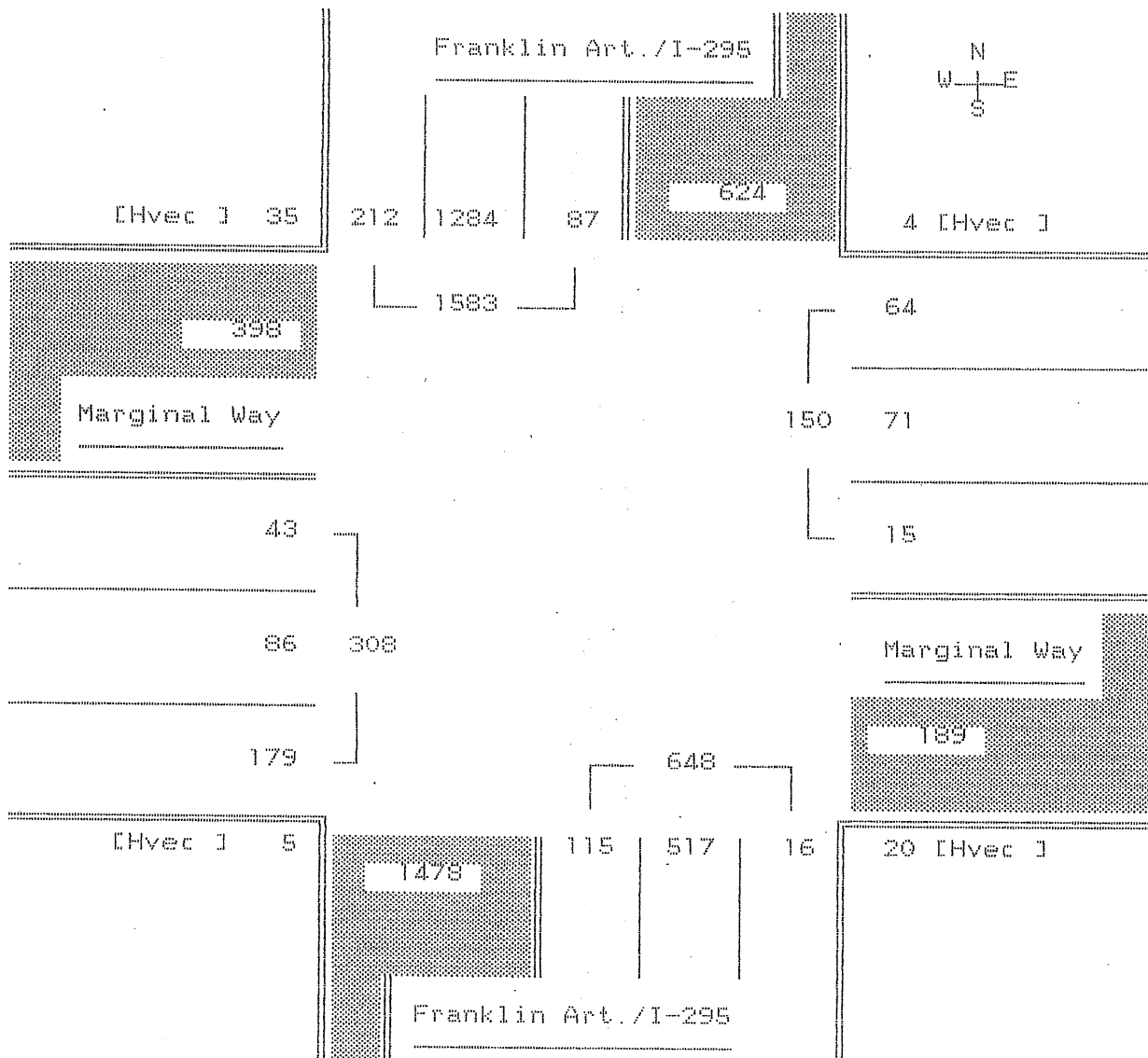
DATE: 11/15/00

PEAK PERIOD ANALYSIS FOR THE PERIOD: 7:00 AM - 9:00 AM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	7:30 AM	0.91	35	212	1284	87	1583	-	13	81	5
East	8:00 AM	0.78	3	62	72	19	153	-	41	47	12
South	7:30 AM	0.96	20	16	517	115	648	-	2	80	18
West	7:30 AM	0.86	5	179	86	43	308	-	58	28	14

Entire Intersection

North	7:30 AM	0.91	35	212	1284	87	1583	-	13	81	5
East		0.77	4	64	71	15	150	-	43	47	10
South		0.96	20	16	517	115	648	-	2	80	18
West		0.86	5	179	86	43	308	-	58	28	14



Site Code : 22222222
 N-S Veh : Franklin Apt./I-295
 E-W Veh : Marginal Way
 Counter : JLM

PAGE: 1
 FILE: fmpm00

Primary Movements: Vehicles

DATE: 11/14/00

Time Begin	From North				From East				From South				From West				Vehicle Total	Hvec Total
	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT		
3:00 PM	12	27	132	14	1	30	22	3	3	5	124	40	3	51	37	68	553	19
3:15	15	28	130	16	3	31	21	5	6	4	120	41	2	49	36	66	547	26
3:30	7	26	120	21	2	32	22	4	4	2	158	63	1	42	26	49	565	14
3:45	13	22	123	19	3	33	23	5	7	5	271	58	3	43	32	62	696	26
HR TOTAL	47	103	505	70	9	126	88	17	20	16	673	202	9	185	131	245	2361	85
4:00 PM	11	26	121	23	1	45	35	6	5	3	303	59	1	57	37	73	788	19
4:15	13	33	135	21	5	40	32	3	5	4	329	60	0	43	31	58	789	24
4:30	14	37	142	11	2	36	35	3	3	3	337	52	1	45	31	63	795	20
4:45	6	34	154	26	2	32	34	5	2	4	357	68	2	42	33	74	864	12
HR TOTAL	44	130	552	81	11	153	136	18	15	14	1326	239	4	187	132	268	3236	75
5:00 PM	6	34	166	25	2	39	37	1	2	4	425	66	3	65	30	62	954	13
5:15	7	35	165	22	2	35	28	2	1	2	380	69	1	42	26	58	864	11
5:30	11	33	119	19	3	36	22	4	2	3	306	63	2	43	30	59	737	18
5:45	4	32	127	23	1	31	19	2	2	1	260	51	1	41	31	39	657	8
HR TOTAL	28	134	577	89	8	141	106	9	7	10	1371	249	7	191	117	218	3212	50

DAY TOTAL	119	367	1634	240	28	420	330	44	43	40	3370	690	20	563	380	731	8809	210
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PEAK PERIOD ANALYSIS FOR THE PERIOD: 3:00 PM - 6:00 PM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	4:30 PM	0.95	33	140	627	84	884	-	16	74	10
East	4:00 PM	0.89	11	153	136	18	307	-	50	44	6
South	4:30 PM	0.89	8	13	1499	255	1767	-	1	85	14
West	4:00 PM	0.88	4	187	132	268	587	-	32	22	46

Entire Intersection

North	4:30 PM	0.95	33	140	627	84	884	-	16	74	10
East		0.94	8	142	134	12	298	-	49	47	4
South		0.89	8	13	1499	255	1767	-	1	85	14
West		0.91	7	194	120	257	571	-	34	21	45

Site Code : 22222222
 N-S Veh : Franklin Art./I-295
 E-W Veh : Marginal Way
 Counter : JLN

PAGE: 1
 FILE: fmwpm00
 DATE: 11/14/00

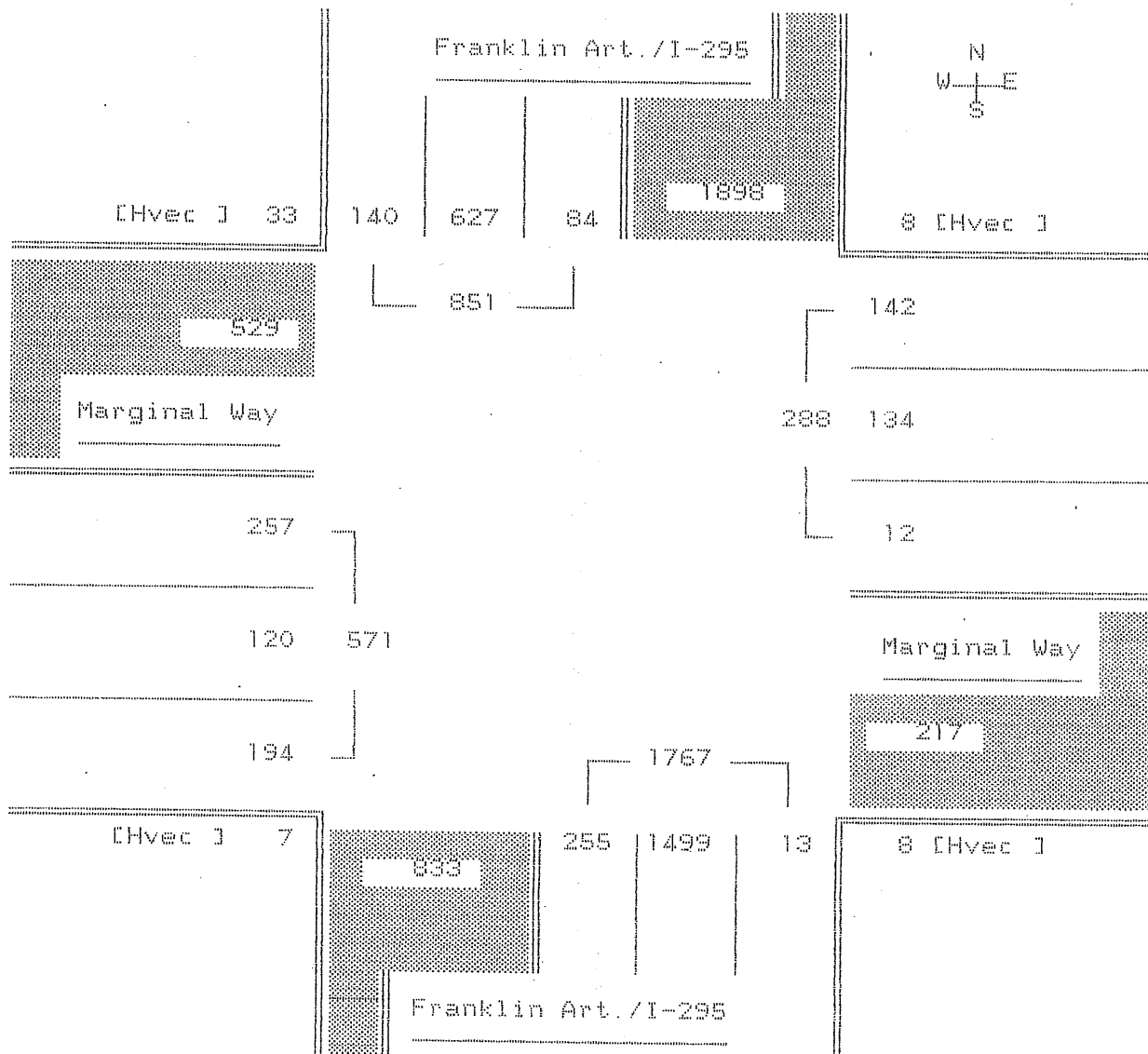
Primary Movements: Vehicles

PEAK PERIOD ANALYSIS FOR THE PERIOD: 3:00 PM - 6:00 PM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	4:30 PM	0.95	33	140	627	84	851	-	16	74	10
East	4:00 PM	0.89	11	153	136	18	307	-	50	44	6
South	4:30 PM	0.89	8	13	1499	255	1767	-	1	85	14
West	4:00 PM	0.88	4	187	132	268	587	-	32	22	46

Entire Intersection

North	4:30 PM	0.95	33	140	627	84	851	-	16	74	10
East		0.94	8	142	134	12	288	-	49	47	4
South		0.89	8	13	1499	255	1767	-	1	85	14
West		0.91	7	194	120	257	571	-	34	21	45



Site Code : 12345678
 N-S Veh : Baxter Blvd.
 E-W Veh : Preble St. Ext.
 Counter : JLM

PAGE: 1
 FILE: pbbam00

Primary Movements: Vehicles

DATE: 11/13/00

Time Begin	From North				From East				From South				From West				Vehicle Total	Hvec Total
	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT		
7:00 AM	0	4	24	50	3	18	11	9	1	12	25	0	0	6	33	1	193	4
7:15	0	1	30	87	5	23	20	1	2	29	62	3	2	4	44	0	304	9
7:30	3	3	53	109	4	39	28	9	0	33	41	2	1	6	54	3	380	8
7:45	3	2	78	153	8	47	34	7	0	65	43	1	3	8	80	4	522	14
HR TOTAL	6	10	185	399	20	127	93	26	3	139	171	6	6	24	211	8	1399	35
8:00 AM	4	6	59	125	11	41	46	6	1	40	30	2	2	6	69	1	431	18
8:15	5	8	41	146	7	19	33	3	1	46	28	2	5	6	58	4	394	18
8:30	1	3	50	113	2	31	33	9	1	19	31	2	1	4	44	1	340	5
8:45	1	4	32	94	2	34	21	7	3	30	27	4	2	9	53	1	316	8
HR TOTAL	11	21	182	478	22	125	133	25	6	135	116	10	10	25	224	7	1481	49
DAY TOTAL	17	31	367	877	42	252	226	51	9	274	287	16	16	49	435	15	2880	84

PEAK PERIOD ANALYSIS FOR THE PERIOD: 7:00 AM - 9:00 AM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	7:45 AM	0.84	13	19	228	537	784	-	2	29	68
East	7:30 AM	0.84	30	146	141	25	312	-	47	45	8
South	7:15 AM	0.81	3	167	176	8	351	-	48	50	2
West	7:30 AM	0.81	11	26	261	12	299	-	9	87	4

Entire Intersection

North	7:30 AM	0.84	15	19	231	533	783	-	2	30	68
East		0.84	30	146	141	25	312	-	47	45	8
South		0.76	2	184	142	7	333	-	55	43	2
West		0.81	11	26	261	12	299	-	9	87	4

Site Code : 45978
 N-S Veh : Baxter Blvd.
 E-W Veh : Preble St. Ext.
 Counter : JLM

Primary Movements: Vehicles

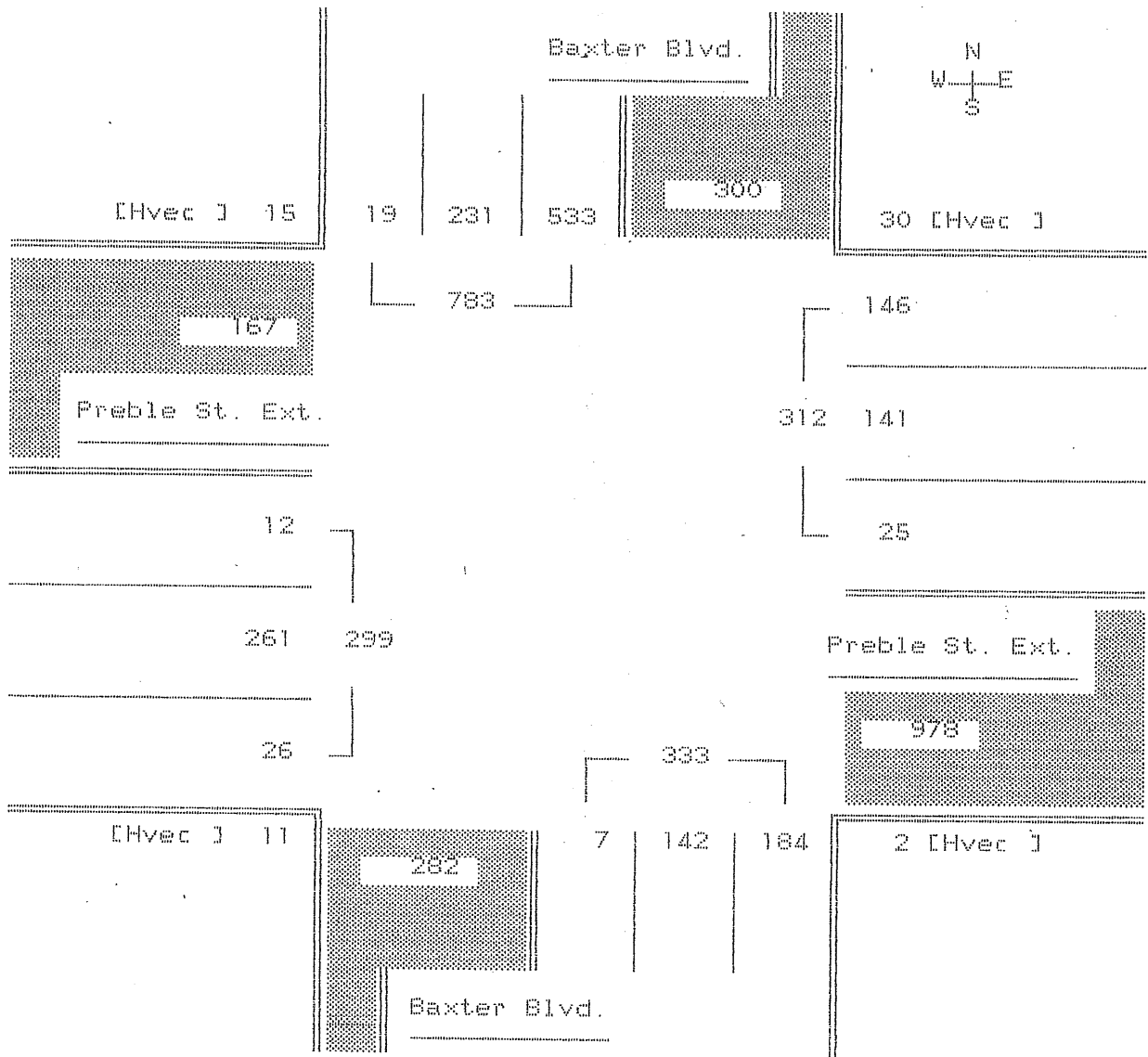
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 DATE: 11/13/00

PEAK PERIOD ANALYSIS FOR THE PERIOD: 7:00 AM - 9:00 AM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	7:45 AM	0.84	13	19	228	537	784	-	2	29	68
East	7:30 AM	0.84	30	146	141	25	312	-	47	45	8
South	7:15 AM	0.81	3	167	176	8	351	-	48	50	2
West	7:30 AM	0.81	11	26	261	12	299	-	9	87	4

Entire Intersection

North	7:30 AM	0.84	15	19	231	533	783	-	2	30	68
East		0.84	30	146	141	25	312	-	47	45	8
South		0.76	2	184	142	7	333	-	55	43	2
West		0.81	11	26	261	12	299	-	9	87	4



Site Code : 87651234
 N-S Veh : Baxter Blvd.
 E-W Veh : Preble St. Ext.
 Counter : JLM

PAGE: 1
 FILE: pbbpm00

Primary Movements: Vehicles

DATE: 11/13/00

Time Begin	From North				From East				From South				From West				Vehicle Total	Hvec Total
	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT	Hvec	RT	THRU	LT		
3:30	5	5	54	70	8	82	62	17	2	12	60	5	4	12	30	5	414	19
3:45	2	1	57	62	4	96	50	15	3	16	69	6	2	10	35	13	430	11
HR TOTAL	7	6	111	132	12	178	112	32	5	28	129	11	6	22	65	18	844	30
4:00 PM	3	1	46	67	7	109	48	11	0	28	56	9	1	15	42	5	435	11
4:15	1	2	33	46	2	118	63	8	0	15	62	8	4	15	37	14	421	7
4:30	1	1	44	35	1	163	69	11	0	15	63	6	5	12	36	7	462	7
4:45	2	3	45	50	1	142	65	12	2	18	96	9	3	15	33	5	493	8
HR TOTAL	7	7	168	198	11	532	245	42	2	74	277	32	13	57	148	31	1811	33
5:00 PM	0	2	45	47	2	164	84	10	0	5	98	12	0	12	24	9	512	2
5:15	0	3	41	48	3	177	87	11	0	13	70	12	1	10	28	11	511	4
5:30	0	3	28	36	1	124	54	5	0	16	89	8	0	12	21	6	402	1
5:45	0	2	24	33	2	101	53	3	0	12	72	4	1	11	22	2	339	3
HR TOTAL	0	10	138	164	8	566	278	29	0	46	329	36	2	45	95	28	1764	10

DAY TOTAL	14	23	417	494	31	1276	635	103	7	148	735	79	21	124	308	77	4419	73
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PEAK PERIOD ANALYSIS FOR THE PERIOD: 3:30 PM - 6:00 PM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	3:30 PM	0.86	11	9	190	245	444	-	2	43	55
East	4:30 PM	0.90	7	646	305	44	995	-	65	31	4
South	4:45 PM	0.91	2	52	353	41	446	-	12	79	9
West	3:45 PM	0.91	12	52	150	39	241	-	22	62	16

Entire Intersection

North	4:30 PM	0.93	3	9	175	180	364	-	2	48	49
East		0.90	7	646	305	44	995	-	65	31	4
South		0.85	2	51	327	39	417	-	12	79	9
West		0.92	9	49	121	32	202	-	24	60	16

Site Code : 87651234
 N-S Veh : Baxter Blvd.
 E-W Veh : Preble St. Ext.
 Counter : JLM

PAGE: 1
 FILE: pbbpm00

Primary Movements: Vehicles

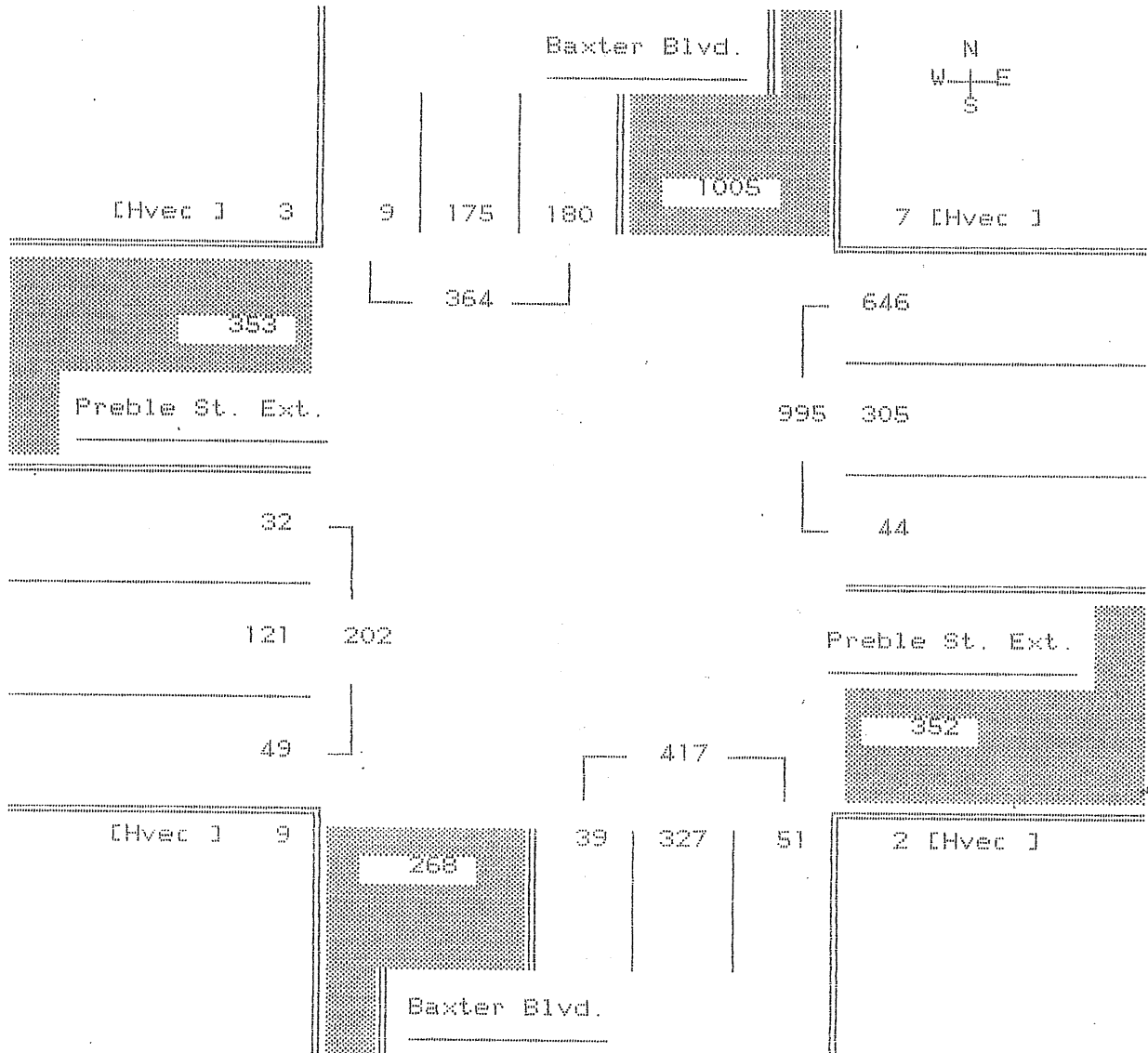
DATE: 11/13/00

PEAK PERIOD ANALYSIS FOR THE PERIOD: 3:30 PM - 6:00 PM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			Hvec	Right	Thru	Left	Total	Hvec	Right	Thru	Left
North	3:30 PM	0.86	11	9	190	245	444	-	2	43	55
East	4:30 PM	0.90	7	646	305	44	995	-	65	31	4
South	4:45 PM	0.91	2	52	353	41	446	-	12	79	9
West	3:45 PM	0.91	12	52	150	39	241	-	22	62	16

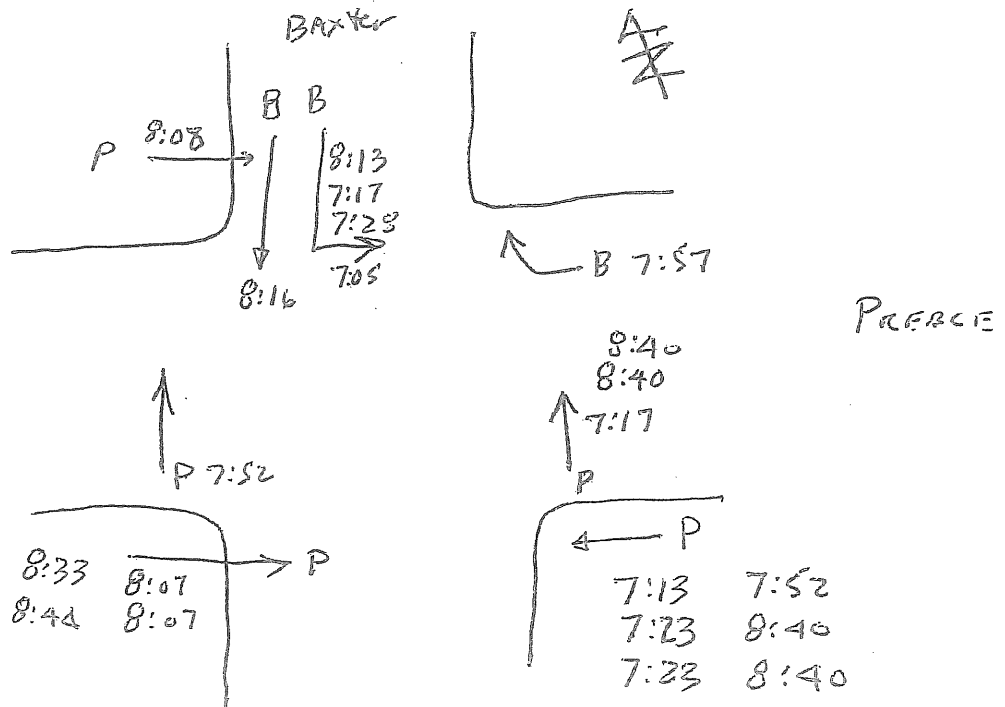
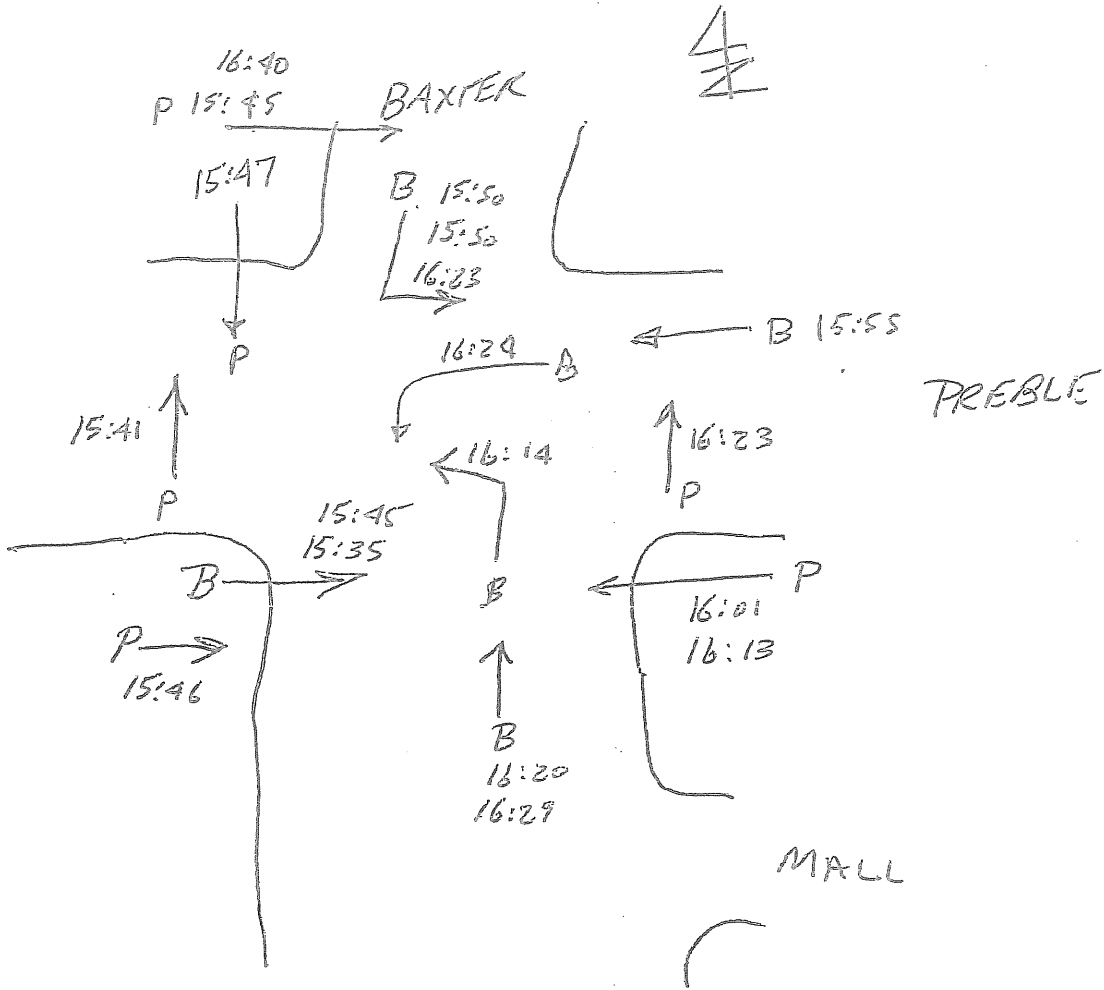
Entire Intersection

North	4:30 PM	0.93	3	9	175	180	364	-	2	48	49
East		0.90	7	646	305	44	995	-	65	31	4
South		0.85	2	51	327	39	417	-	12	78	9
West		0.92	9	49	121	32	202	-	24	60	16



PEDS = P

BITE = B



Preble St./Marginal Way Office Developme

November 14, 2000

Counter: DB400

7:00-9:00 AM and 3:30-6:00 PM

File Name : PrebleMarginalOffice.n14

Counted By: Shirley Mooers/Jill Gorneau

Trucks

Site Code : 00000000

Weather: Raining

Start Date : 11/14/2000

Preble St./Marginal Way, Portland, Maine

Page No : 1

Groups Printed- Bank 1

Start Time	PREBLE STREET From North					MARGINAL WAY From East					PREBLE STREET From South					MARGINAL WAY From West					Int. Total	
	Rig ht	Thru	Left	Ped s	App. Total	Rig ht	Thru	Left	Ped s	App. Total	Rig ht	Thru	Left	Ped s	App. Total	Rig ht	Thru	Left	Ped s	App. Total		
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0			
07:00 AM	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	0	2	1	0	0	3	5
07:15 AM	0	1	1	0	2	1	0	0	0	1	1	1	0	0	2	0	4	1	0	0	5	10
07:30 AM	2	0	1	0	3	4	3	0	0	7	0	0	2	0	2	0	1	2	0	0	3	15
07:45 AM	2	1	0	0	3	4	2	0	0	6	1	4	2	0	7	0	2	0	0	0	2	18
Total	4	2	4	0	10	9	5	0	0	14	2	5	4	0	11	0	9	4	0	0	13	48
08:00 AM	2	1	2	0	5	1	0	2	0	3	0	0	0	0	0	0	1	4	0	0	5	13
08:15 AM	1	1	2	0	4	3	3	2	0	8	1	1	0	0	2	0	2	3	0	0	5	19
08:30 AM	0	1	0	0	1	2	1	1	0	4	0	0	0	0	0	0	6	0	0	0	6	11
08:45 AM	1	1	2	0	4	1	4	0	0	5	5	4	1	0	10	0	1	2	0	0	3	22
Total	4	4	6	0	14	7	8	5	0	20	6	5	1	0	12	0	10	9	0	0	19	65
03:30 PM	0	1	0	0	1	1	1	1	0	3	0	1	1	0	2	0	5	0	0	0	5	11
03:45 PM	0	0	2	0	2	0	1	0	0	1	2	0	2	0	4	0	2	0	0	0	2	9
Total	0	1	2	0	3	1	2	1	0	4	2	1	3	0	6	0	7	0	0	0	7	20
04:00 PM	0	2	2	0	4	2	1	1	0	4	0	0	0	0	0	0	2	1	0	0	3	11
04:15 PM	1	0	1	0	2	0	2	0	0	2	1	0	1	0	2	0	0	0	0	0	0	6
04:30 PM	0	0	1	0	1	1	2	2	0	5	0	0	0	0	0	0	2	0	0	0	2	8
04:45 PM	1	0	1	0	2	1	1	1	0	3	1	0	2	0	3	0	1	1	0	0	2	10
Total	2	2	5	0	9	4	6	4	0	14	2	0	3	0	5	0	5	2	0	0	7	35
05:00 PM	0	1	0	0	1	1	4	0	0	5	0	0	0	0	0	0	2	0	0	0	2	8
05:15 PM	0	0	1	0	1	0	0	0	0	0	1	1	1	0	3	0	1	0	0	0	1	5
05:30 PM	0	0	0	0	0	2	3	0	0	5	0	0	1	0	1	0	3	0	0	0	3	9
05:45 PM	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	3	0	0	0	3	4
Total	0	1	1	0	2	4	7	0	0	11	1	1	2	0	4	0	9	0	0	0	9	26
Grand Total	10	10	18	0	38	25	28	10	0	63	13	12	13	0	38	0	40	15	0	0	55	194
Apprch %	26.3	26.3	47.4	0.0		39.7	44.4	15.9	0.0		34.2	31.6	34.2	0.0		0.0	72.7	27.3	0.0	0.0		
Total %	5.2	5.2	9.3	0.0	19.6	12.9	14.4	5.2	0.0	32.5	6.7	6.2	6.7	0.0	19.6	0.0	20.6	7.7	0.0	0.0	28.4	

Preble St./Marginal Way Office Developme

November 14, 2000

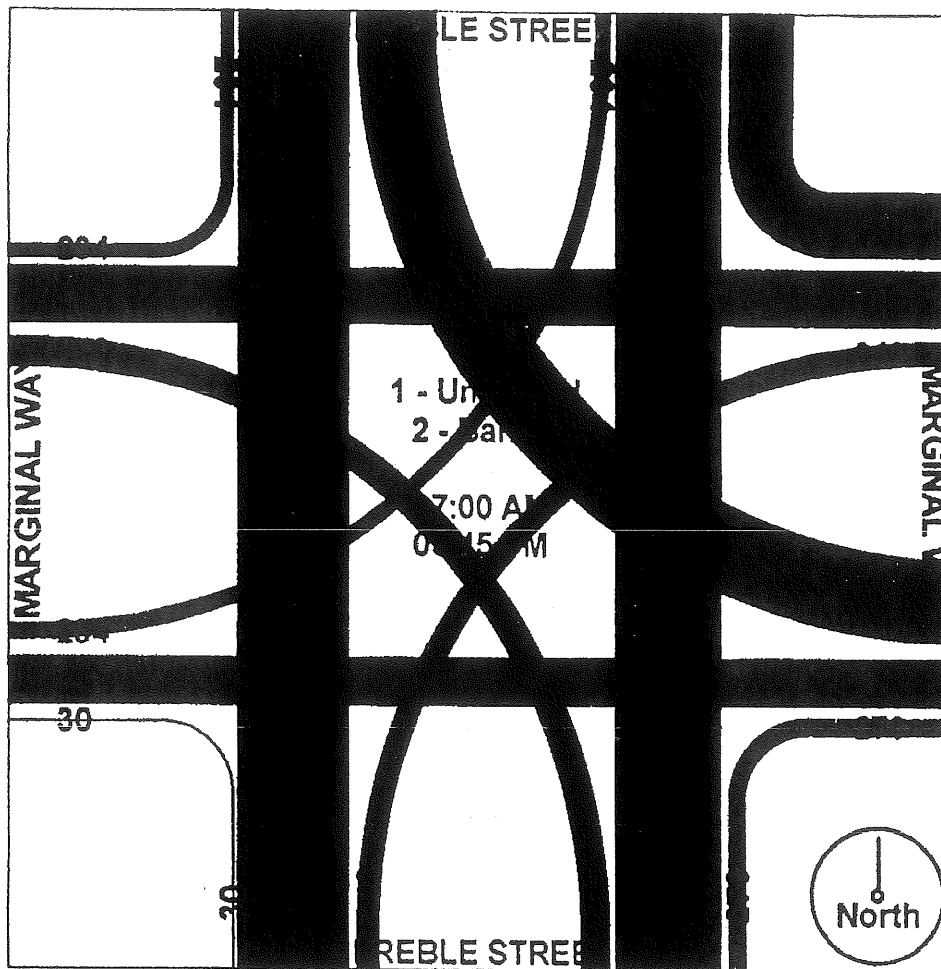
7:00-9:00 AM and 3:30-6:00 PM file Name : PrebleMarginalOffice.n14

Cars and Trucks

Site Code : 00000000

Start Date : 11/14/2000

Page No : 2



Start Time	PREBLE STREET From North					MARGINAL WAY From East					PREBLE STREET From South					MARGINAL WAY From West					Int. Total
	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	Rig ht	Thr u	Left	Ped s	App. Total	
Peak Hour From 07:00 AM to 08:45 AM - Peak 1 of 1																					
Intersection	07:30 AM																				
Volume	77	720	339	0	1136	133	167	163	3	466	19	138	60	0	217	10	148	49	0	207	2026
Percent	6.8	63.4	29.8	0.0		28.5	35.8	35.0	0.6		8.8	63.6	27.6	0.0		4.8	71.5	23.7	0.0		
07:45																					
Volume	23	252	95	0	370	40	40	43	3	126	4	40	23	0	67	1	39	10	0	50	613
Peak Factor																					0.826
High Int.																					
Volume	23	252	95	0	370	07:45 AM 40	40	43	3	126	07:45 AM 4	40	23	0	67	08:00 AM 3	40	11	0	54	
Peak Factor	0.768					0.925					0.810					0.958					

Preble St./Marginal Way Office Developme

November 14, 2000

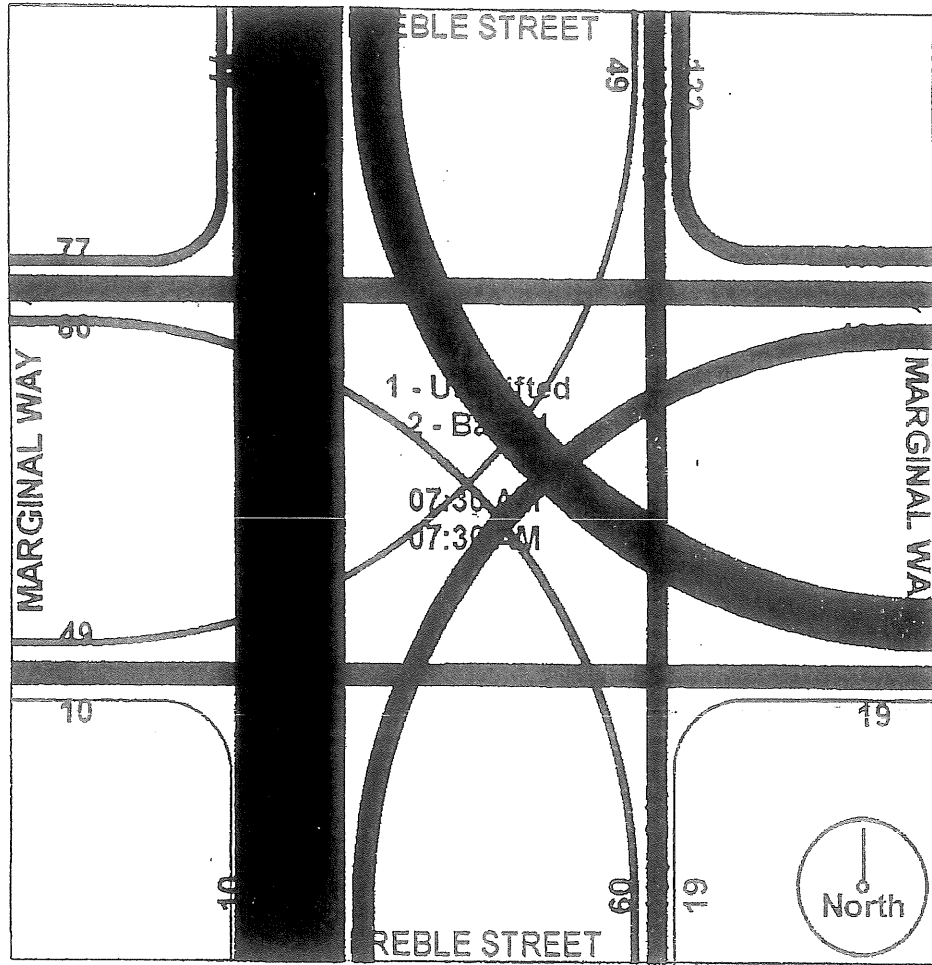
7:00-9:00 AM and 3:30-6:00 PM File Name : PrebleMarginalOffice.n14

Cars and Trucks

Site Code : 00000000

Start Date : 11/14/2000

Page No : 3



Peak Hour From 03:30 PM to 05:45 PM - Peak 1 of 1

Intersection	04:30 PM										05:00 PM										
Volume	31	197	250	4	482	252	193	40	5	490	137	705	164	10	1016	4	184	62	1	251	2239
Percent	6.4	40.9	51.9	0.8		51.4	39.4	8.2	1.0		13.5	69.4	16.1	1.0		1.9	73.3	24.7	0.4		
05:15 Peak Factor											0.925										
High Int.	04:45 PM					04:45 PM					05:15 PM					05:00 PM					
Volume	11	58	59	1	129	69	47	13	1	130	43	208	53	4	308	1	47	25	1	74	
Peak Factor	0.934					0.942					0.825					0.848					

Site Code : 22222222
 N-S Veh : Forest Ave
 E-W Veh : Marginal Way/State St.
 Counter : JLM

PAGE: 1
 FILE: mwam00

Primary Movements: Vehicles

DATE: 11/09/00

Time Begin	From North				From East				From South				From West				Vehicle Total	hvec Total
	hvec	RT	THRU	LT	hvec	RT	THRU	LT	hvec	RT	THRU	LT	hvec	RT	THRU	LT		
7:00 AM	9	142	121	21	1	50	12	2	2	10	189	0	0	0	0	0	547	12
7:15	15	154	144	26	0	61	16	1	1	11	220	0	0	0	0	0	633	16
7:30	12	186	187	25	0	72	19	4	3	12	298	1	0	0	0	0	804	15
7:45	13	197	210	19	0	71	23	5	0	10	340	0	0	0	0	0	875	13
HR TOTAL	49	679	662	91	1	254	70	12	6	43	1047	1	0	0	0	0	2859	56
8:00 AM	15	211	218	33	1	73	25	3	1	8	303	0	0	0	0	0	874	17
8:15	11	213	190	35	0	76	19	3	2	14	239	0	0	0	0	0	789	13
8:30	12	167	166	25	0	73	20	1	2	13	279	1	0	0	0	0	745	14
8:45	10	134	144	16	0	62	30	3	0	13	288	0	0	0	0	0	690	10
HR TOTAL	48	725	718	109	1	284	94	10	5	48	1109	1	0	0	0	0	3098	54

DAY TOTAL	97	1404	1380	200	2	538	164	22	11	91	2156	2	0	0	0	0	5957	110
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PEAK PERIOD ANALYSIS FOR THE PERIOD: 7:00 AM - 9:00 AM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			hvec	Right	Thru	Left	Total	hvec	Right	Thru	Left
North	7:30 AM	0.93	51	807	805	112	1724	-	47	47	6
East	7:30 AM	0.97	1	292	86	15	393	-	74	22	4
South	7:30 AM	0.88	6	44	1180	1	1225	-	4	96	0
West	7:30 AM	0.00	0	0	0	0	0	-	0	0	0

Entire Intersection

North	7:30 AM	0.93	51	807	805	112	1724	-	47	47	6
East		0.97	1	292	86	15	393	-	74	22	4
South		0.88	6	44	1180	1	1225	-	4	96	0
West		0.00	0	0	0	0	0	-	0	0	0

N-S Veh : Forest Ave
 E-W Veh : Marginal Way/State St.
 Counter : JLM

Primary Movements: Vehicles

FWWC: 1
 FILE: mwam00

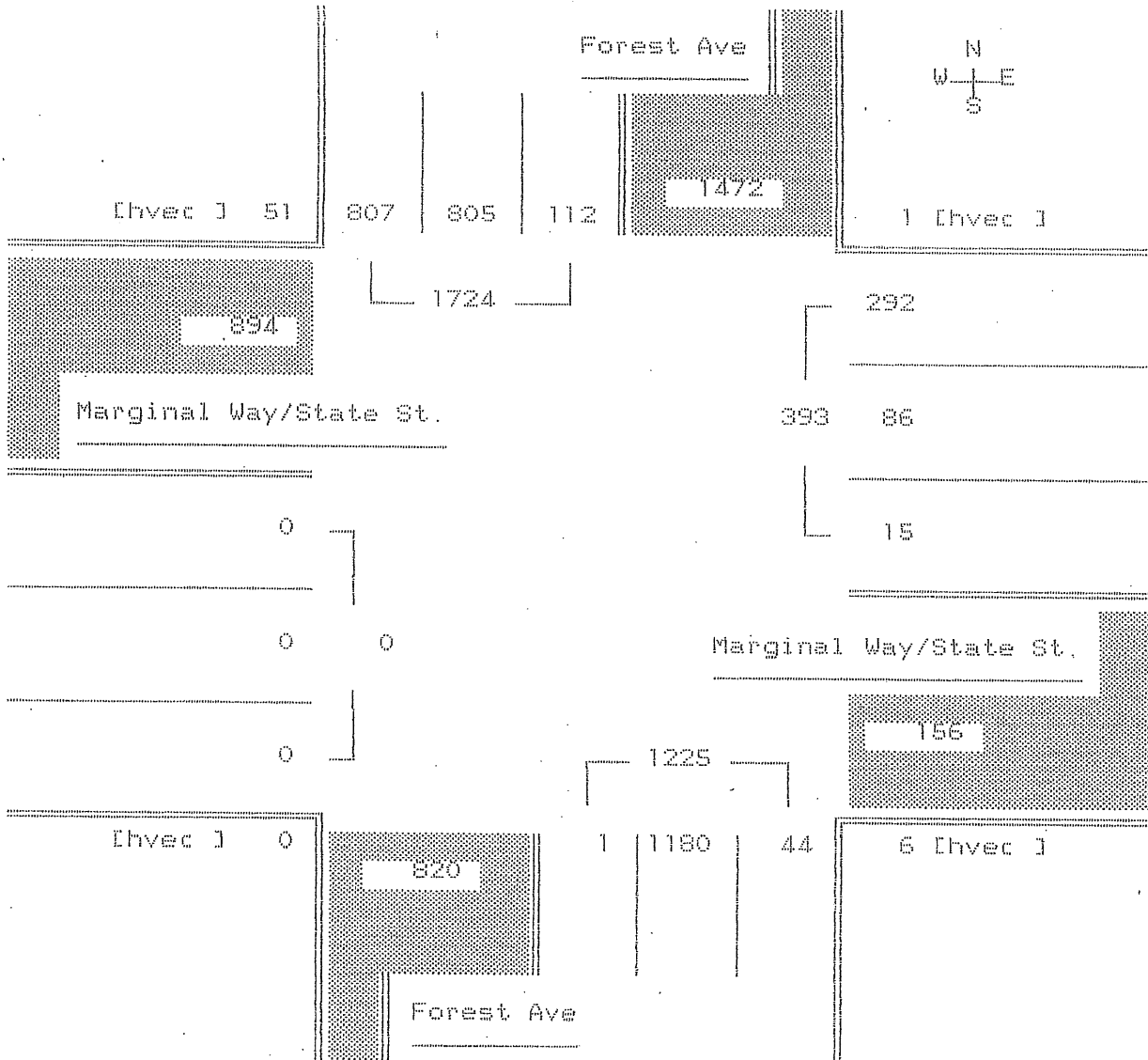
DATE: 11/09/00

PEAK PERIOD ANALYSIS FOR THE PERIOD: 7:00 AM - 9:00 AM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			hvec	Right	Thru	Left	Total	hvec	Right	Thru	Left
North	7:30 AM	0.93	51	807	805	112	1724	-	47	47	6
East	7:30 AM	0.97	1	292	86	15	393	-	74	22	4
South	7:30 AM	0.88	6	44	1180	1	1225	-	4	96	0
West	7:30 AM	0.00	0	0	0	0	0	-	0	0	0

Entire Intersection

North	7:30 AM	0.93	51	807	805	112	1724	-	47	47	6
East		0.97	1	292	86	15	393	-	74	22	4
South		0.88	6	44	1180	1	1225	-	4	96	0
West		0.00	0	0	0	0	0	-	0	0	0



Site Code : 22222222
 N-S Veh : Forest Ave
 E-W Veh : Marginal Way/State St.
 Counter : JLM

PAGE: 1
 FILE: mwp00
 DATE: 11/09/00

Primary Movements: Vehicles

Time Begin	From North				From East				From South				From West				Vehicle Total	hvec Total
	hvec	RT	THRU	LT	hvec	RT	THRU	LT	hvec	RT	THRU	LT	hvec	RT	THRU	LT		
3:00 PM	9	172	112	20	1	60	22	3	6	10	304	0	0	0	0	0	703	16
3:15	5	174	100	19	0	69	36	2	5	11	320	0	0	0	0	0	731	10
3:30	5	186	110	25	0	66	39	4	3	12	358	0	0	0	0	0	800	8
3:45	3	197	110	29	0	73	33	5	4	11	340	0	0	0	0	0	798	7
HR TOTAL	22	729	432	93	1	268	130	14	18	44	1322	0	0	0	0	0	3032	41
4:00 PM	9	211	121	34	1	88	42	8	5	16	393	0	0	0	0	0	913	15
4:15	5	213	136	24	0	94	50	3	9	18	331	0	0	0	0	0	869	14
4:30	4	227	122	29	0	93	55	4	7	13	389	0	0	0	0	0	932	11
4:45	6	234	114	26	0	97	45	4	4	12	411	0	0	0	0	0	943	10
HR TOTAL	24	885	493	113	1	372	192	19	25	59	1524	0	0	0	0	0	3657	50
5:00 PM	2	234	113	22	1	101	60	5	3	11	431	0	0	0	0	0	977	6
5:15	7	265	115	22	0	98	34	3	5	17	445	0	0	0	0	0	999	12
5:30	3	233	111	19	0	86	42	5	4	12	420	0	0	0	0	0	928	7
5:45	4	202	103	12	1	61	38	3	2	9	325	0	0	0	0	0	753	7
HR TOTAL	16	934	442	75	2	346	174	16	14	49	1621	0	0	0	0	0	3657	32

DAY TOTAL	62	2548	1367	281	4	986	496	49	57	152	4467	0	0	0	0	0	10346	123
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PEAK PERIOD ANALYSIS FOR THE PERIOD: 3:00 PM - 6:00 PM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			hvec	Right	Thru	Left	Total	hvec	Right	Thru	Left
North	4:30 PM	0.95	19	960	464	99	1523	-	63	30	7
East	4:15 PM	0.92	1	385	210	16	611	-	63	34	3
South	4:45 PM	0.95	16	52	1707	0	1759	-	3	97	0
West	4:45 PM	0.00	0	0	0	0	0	-	0	0	0

Entire Intersection

North	4:30 PM	0.95	19	960	464	99	1523	-	63	30	7
East		0.90	1	389	194	16	599	-	65	32	3
South		0.94	19	53	1676	0	1729	-	3	97	0
West		0.00	0	0	0	0	0	-	0	0	0

Site Code : 22222222
 N-S Veh : Forest Ave
 E-W Veh : Marginal Way/State St.
 Counter : JLN

PAGE: 1
 FILE: mwp00

Primary Movements: Vehicles

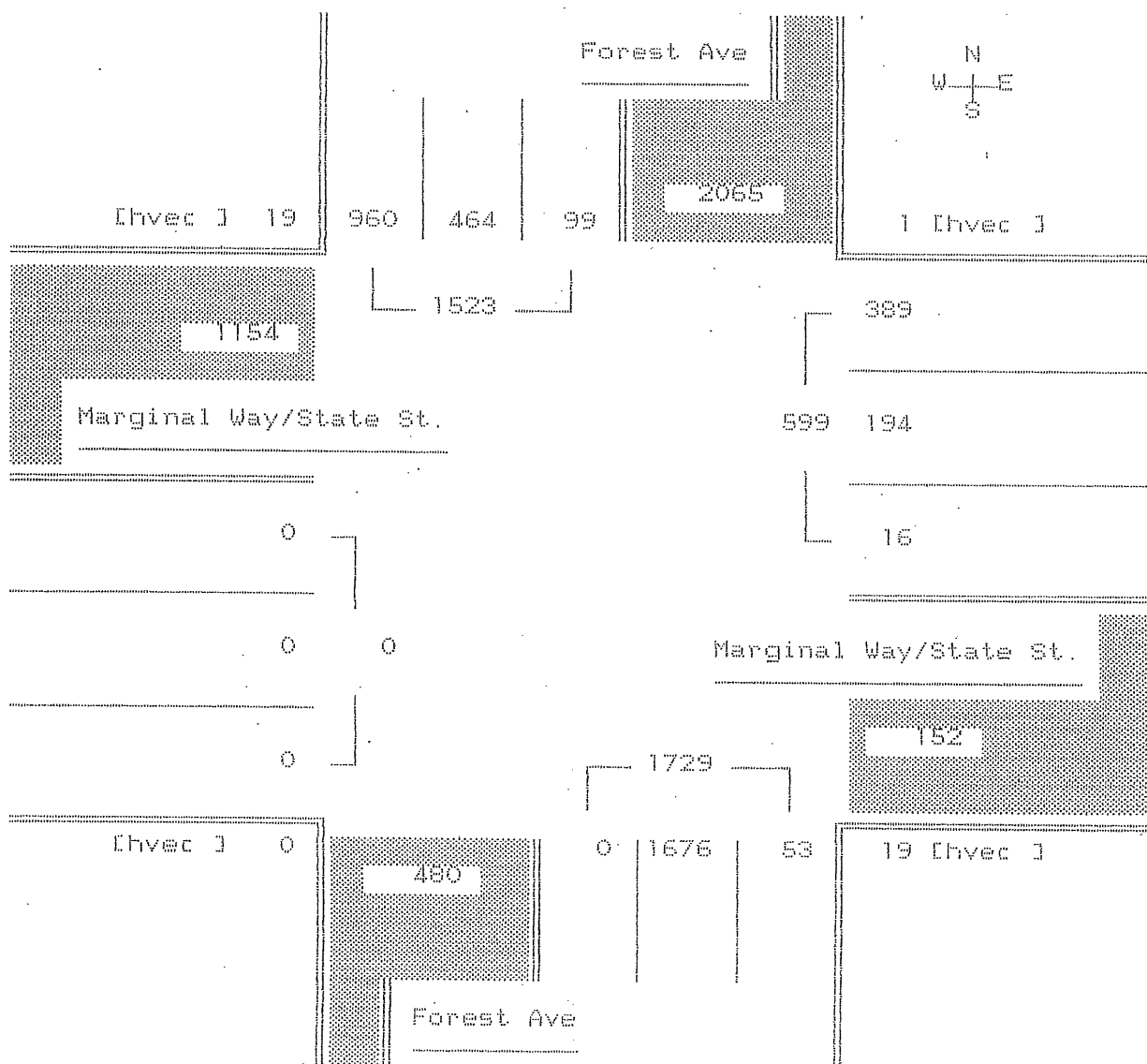
DATE: 11/09/00

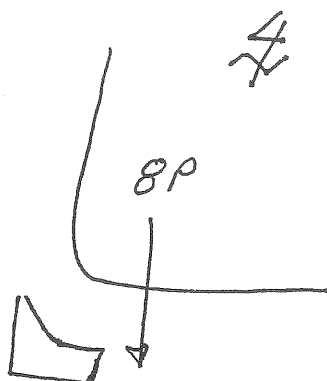
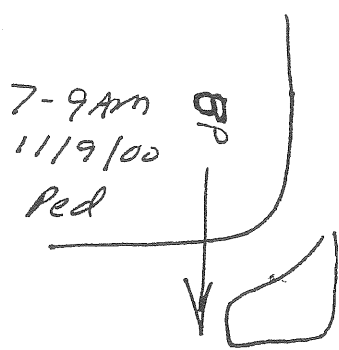
PEAK PERIOD ANALYSIS FOR THE PERIOD: 3:00 PM - 5:00 PM

DIRECTION FROM	START PEAK HOUR	PEAK HR FACTOR	VOLUMES					PERCENTS			
			hvec	Right	Thru	Left	Total	hvec	Right	Thru	Left
North	4:30 PM	0.95	19	960	464	99	1523	-	63	30	7
East	4:15 PM	0.92	1	385	210	16	611	-	63	34	3
South	4:45 PM	0.95	16	52	1707	0	1759	-	3	97	0
West	4:45 PM	0.00	0	0	0	0	0	-	0	0	0

Entire Intersection

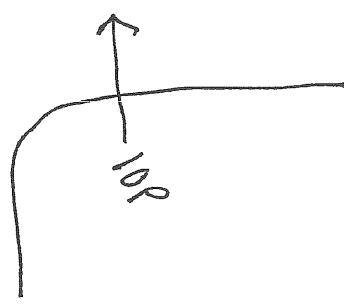
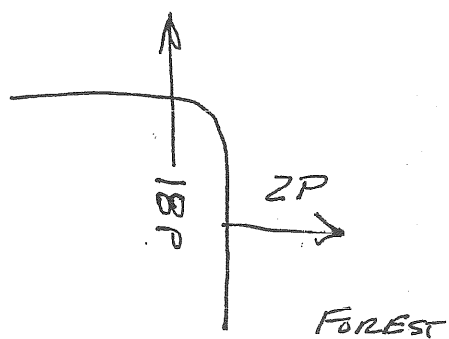
North	4:30 PM	0.95	19	960	464	99	1523	-	63	30	7
East		0.90	1	389	194	16	599	-	65	32	3
South		0.94	19	53	1676	0	1729	-	3	97	0
West		0.00	0	0	0	0	0	-	0	0	0



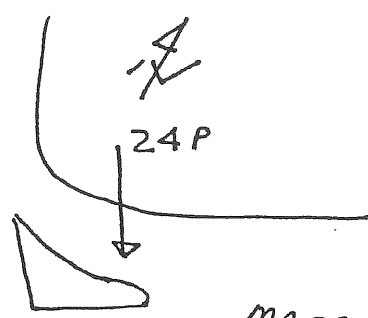
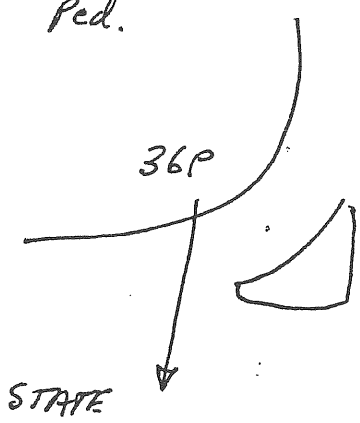


STATE

MARGINAL WAY

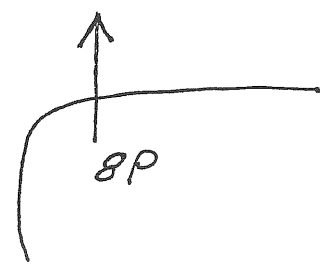
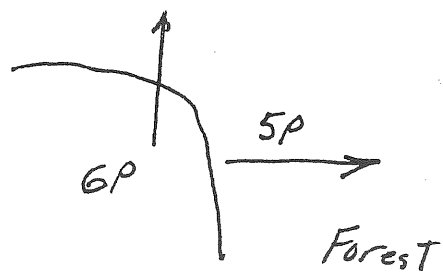


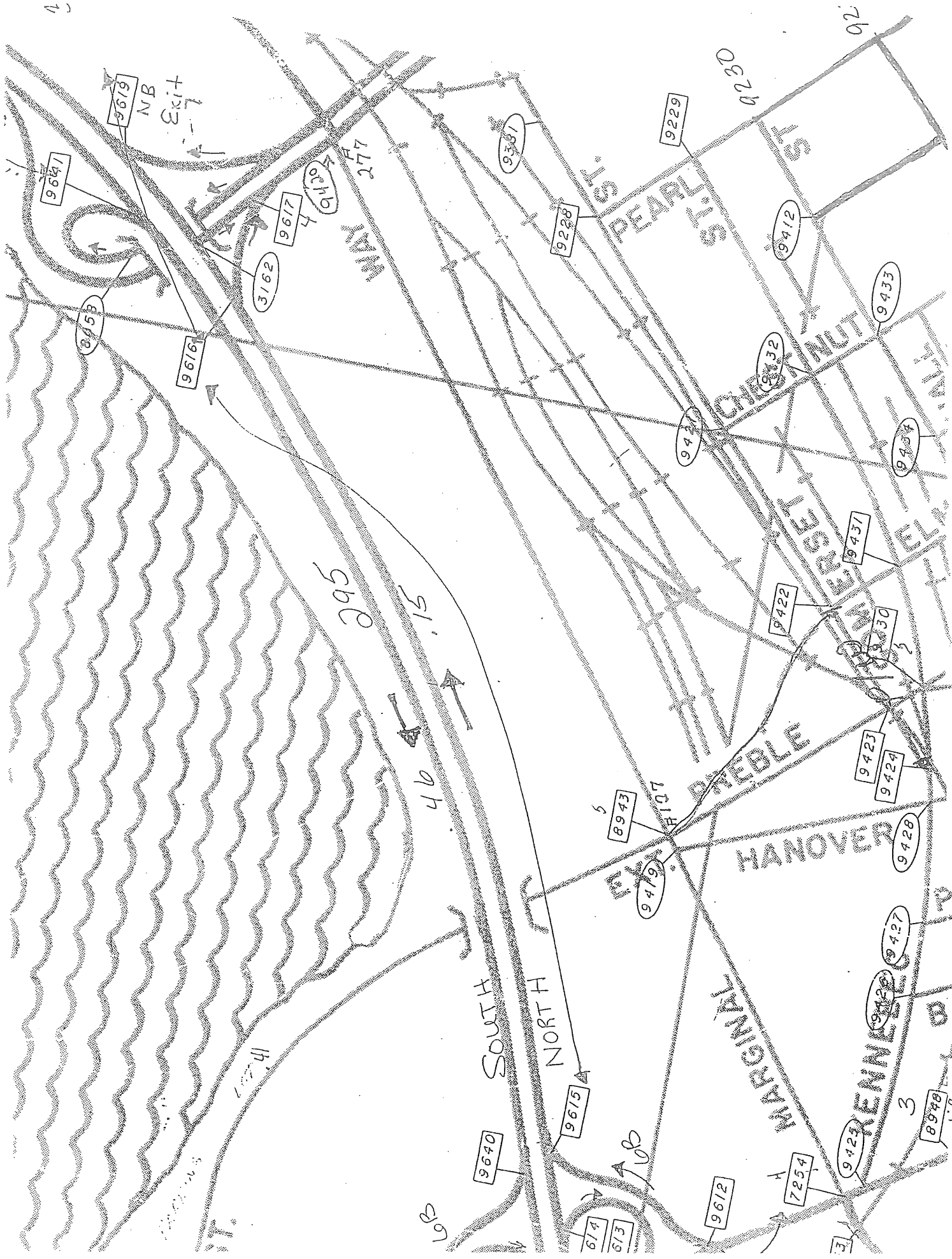
3-6 PM 11/9/00
Ped.



STATE

MARGINAL WAY





1

92

92320

9613 NB Exit

9647

277

9674

9139

3162

9676

8958

9381

9228

9229

9412

9433

9432

9434

9431

9422

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8943

9419

H107

HANOVER

SOUTH NORTH

NORTH

MARGINAL

RENNEL

PEBLE

PEARL ST.

CHESNUT

96

40

15

41

100

614

673

9612

7254

9423

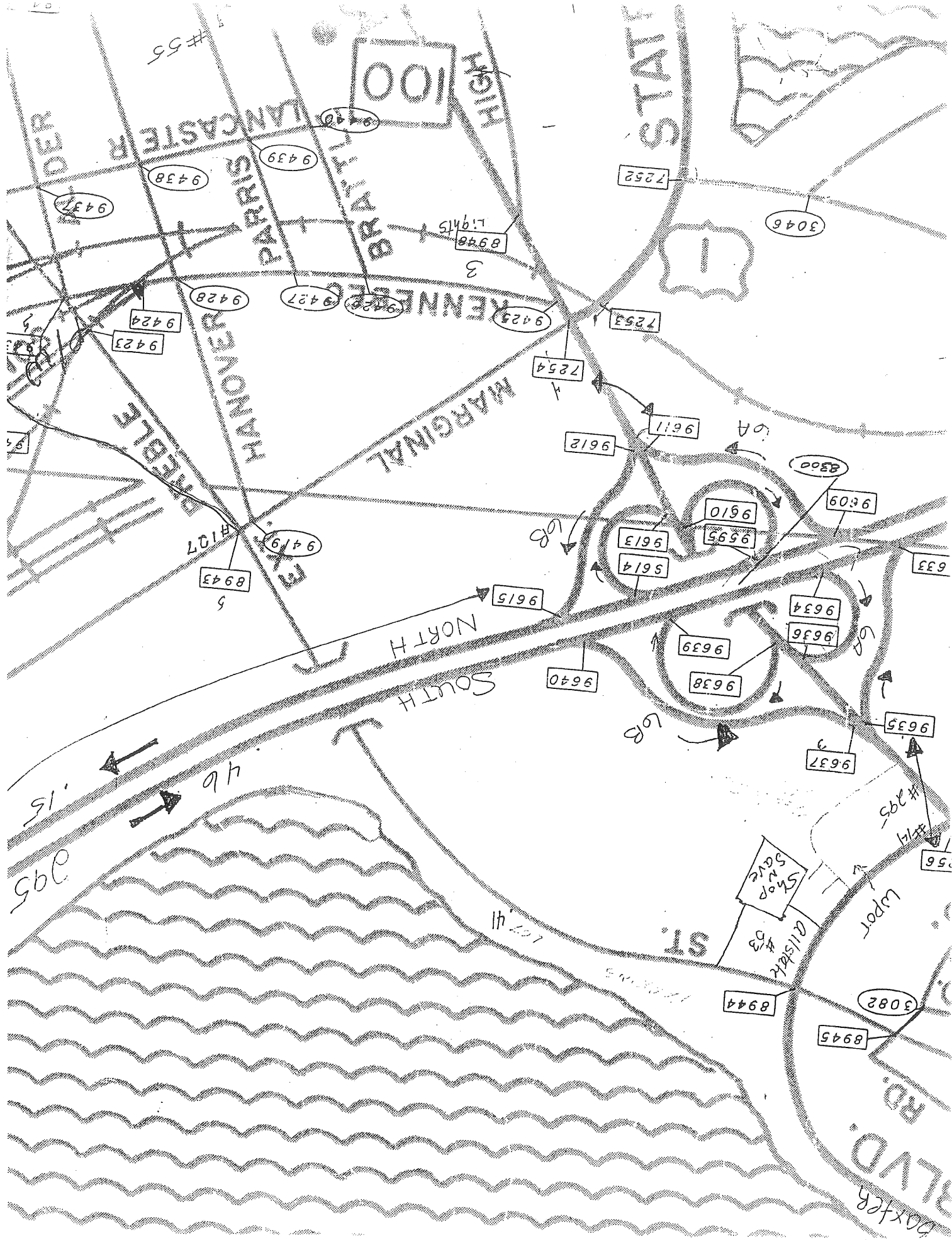
9422

9427

8948

3

100



TINACCG30

MAINE DEPARTMENT OF TRANSPORTATION
TRAFFIC ENGINEERING, ACCIDENT RECORDS SECTION

ACCIDENT SUMMARY I

COUNTY	LOW	HIGH	STREET NAME	U/R	TOTAL	LINK	INJURY ACCIDENTS				PERCENT	ANNUAL	HM	ANNUAL	M	ACCIDENT-	RATES	CRITI	CRF
TOWN#	NODE	NODE	OR ROUTE #	ACCTS	LENGTH	K	A	B	C	PD	INJURY	VEH-	EMT-	VEHS	LINK	NODE	RATE	RATE	
05	09420	POR, FRANKLIN	ART, MARGIN	9	19	0	1	2	4	12	36.8		11.166		0.57		1.25	0.00	
05	P08943	POR, MARGINAL	WAY, ELM, PR	9	20	0	0	4	6	10	50.0		7.564		0.88		1.33	0.00	
05	A09419	POR, HANOVER	ST, MARGINAL		0	0	0	0	0	0	0.0		0.000		0.00		0.00	0.00*	
05	07254	POR, STATE	FOREST, MARGIN	9	45	0	0	3	7	35	22.2		20.546		0.73		1.14	0.00	
05	08944	POR, PREBLE	ST, EXT, BAXTE	9	31	0	0	4	7	20	35.5		8.564		1.21		1.30	0.00	
05	09423	POR, PREBLE	ST, SOMERSET	2	3	0	0	0	0	3	0.0		1.907		0.52		0.59	0.00	
05	09430	POR, PREBLE,	ALDER KENNEB	2	19	0	0	3	2	14	26.3		2.114		3.00		0.58	5.17	
		NODE SUBTOTALS-			137	0	1	16	26	94	31.4		51.861		0.88		0.98	0.00	

* - MEV IS ZERO FOR THIS NODE -

TINACC30

MAINE DEPARTMENT OF TRANSPORTATION
 TRAFFIC ENGINEERING, ACCIDENT RECORDS SECTION
 ACCIDENT SUMMARY II - CHARACTERISTICS

R O A D S U R F A C E

WEATHER	LIGHT * CONDITION *	DRY	WET	SNOW SAND	ICE SAND	MUD	DEBRIS	OIL	SNOW	ICE	OTHER	TOTAL
CROSS WINDS	DAWN	0	0	0	0	0	0	0	0	0	0	0
(0)	DAYLIGHT	0	0	0	0	0	0	0	0	0	0	0
	DUSK	0	0	0	0	0	0	0	0	0	0	0
	DARK-LIGHTS	0	0	0	0	0	0	0	0	0	0	0
	DARK NO LIGHTS	0	0	0	0	0	0	0	0	0	0	0
	DARK LIGHTS OFF	0	0	0	0	0	0	0	0	0	0	0
	OTHER	0	0	0	0	0	0	0	0	0	0	0
	UNKNOWN	0	0	0	0	0	0	0	0	0	0	0
SAND/DUST	DAWN	0	0	0	0	0	0	0	0	0	0	0
(0)	DAYLIGHT	0	0	0	0	0	0	0	0	0	0	0
	DUSK	0	0	0	0	0	0	0	0	0	0	0
	DARK-LIGHTS	0	0	0	0	0	0	0	0	0	0	0
	DARK NO LIGHTS	0	0	0	0	0	0	0	0	0	0	0
	DARK LIGHTS OFF	0	0	0	0	0	0	0	0	0	0	0
	OTHER	0	0	0	0	0	0	0	0	0	0	0
	UNKNOWN	0	0	0	0	0	0	0	0	0	0	0
CLOUDY	DAWN	0	0	0	0	0	0	0	0	0	0	0
(36)	DAYLIGHT	27	5	0	0	0	0	0	1	0	0	33
	DUSK	0	0	0	0	0	0	0	0	0	0	0
	DARK-LIGHTS	0	2	0	0	0	0	0	0	0	0	2
	DARK NO LIGHTS	0	0	0	0	0	0	0	0	0	0	0
	DARK LIGHTS OFF	1	0	0	0	0	0	0	0	0	0	1
	OTHER	0	0	0	0	0	0	0	0	0	0	0
	UNKNOWN	0	0	0	0	0	0	0	0	0	0	0
OTHER	DAWN	0	0	0	0	0	0	0	0	0	0	0
(3)	DAYLIGHT	0	0	0	0	0	0	0	0	0	1	1
	DUSK	0	0	0	0	0	0	0	0	0	0	0
	DARK-LIGHTS	1	0	0	0	0	0	0	0	0	1	2
	DARK NO LIGHTS	0	0	0	0	0	0	0	0	0	0	0
	DARK LIGHTS OFF	0	0	0	0	0	0	0	0	0	0	0
	OTHER	0	0	0	0	0	0	0	0	0	0	0
	UNKNOWN	0	0	0	0	0	0	0	0	0	0	0

ROAD SURFACE TOTALS 109 29 4 3 0 0 0 6 2 2 2 155

TINACC30

MAINE DEPARTMENT OF TRANSPORTATION
TRAFFIC ENGINEERING, ACCIDENT RECORDS SECTION

LINK DETAIL

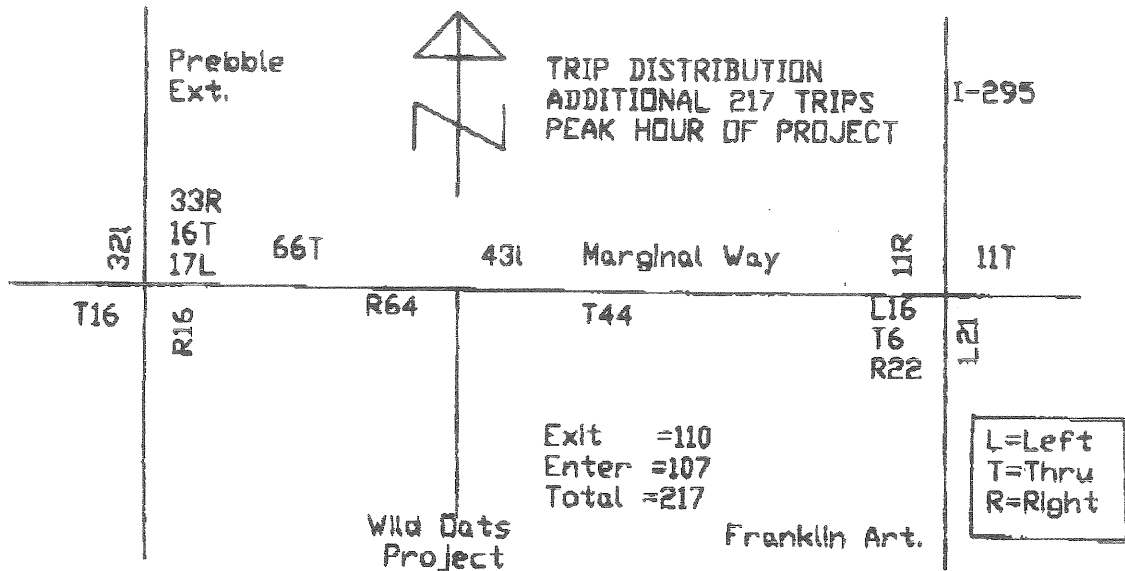
TOWN#	STREET NAME OR ROUTE #	LOW NODE	HIGH NODE	DISTANCE	TOTAL ACCIDENTS	INJURY ACCIDENTS					A C C I D E N T		R E P O R T		N U M B E R S	
						K	A	B	C	PD						
05170	MARGINAL WAY	08943	09420	0.1	3	0	0	1	1	1	199745455	199827542	199934028			
		08943	09419	0.2	2	0	0	0	1	1	199805228	199932096				
		07254	09419	0.1	1	4	0	0	0	1	199745215					
		08943	08944	0.1	3	0	0	0	1	2	199725240	199825126	199833546			
				0.3	2	0	0	1	0	1	199833115	199815676				
				0.4	5	0	0	0	1	4	199701425	199703273	199714101	199809474	199914391	
	PREBLE ST EXT	08943	09423	0.1	1	0	0	0	0	1	199838091					
	PREBLE ST				1	0	0	0	0	1	199740606					
TOTALS-					18	0	0	2	4	12						

I would appreciate Maine Department of Transportation's immediate reply regarding the estimates stated in this letter. This is required to implement the expected city review of the project.

Sincerely,



John L. Murphy, P.E.



JOHN L. MURPHY, P.E.

Civil Engineer
Traffic Engineer

RR1, BOX 6300
WEST BALDWIN, MAINE 04091-9745
207-625-8222

October 25, 2000

Leslie E. Lowry
Jensen Baird Gardner and Henry
P.O. Box 4510
Portland, Maine 04112

Re: Wild Oats Natural Foods Grocery @ 87 Marginal Way, Portland.

Dear Lee:

This project will result in the expansion of the existing 23,590 square foot building on the site to a 32,005 square foot natural food store. Based upon data supplied by the Wild Oats Company for similar facilities, and a count of the existing natural foods store at 127 Marginal Way, I estimated in excess of 300 PM peak hour trips for the new facility. The nearest match in the ITE Trip Generation data is "Supermarket (Use 850)". This use is estimated to produce 379 total weekday PM peak hour trips during the peak hour of the generator.

The site with the existing building was last permitted for use for a project named Hot Shots (13,540 sq. ft.) and an attached warehouse (10,050 sq. ft.) Hot Shots was a recreational facility with miniature golf, video games and other amusements. It is not currently open. The ITE's Trip Generation data was used to estimate trips from "Multipurpose Recreational Facility (Use 435)". This resulted in 11.54 trips per square foot during the weekday PM peak hour of the generator, or a total of 156 trips per hour from Hot Shots. The warehouse use is estimated to generate 6 trips per hour. Therefore, total existing trip generation during the peak hour of the generator is 162 trips. Subtracting the 162 trips per hour from 379 trips per hour resulted in a net impact of 217 trips per hour.

I have attached a diagram showing the estimated trip distribution of the additional trips from Wild Oats. All trips were assumed to be new trips and were traced to MDOT threshold lane limits. The trips were distributed based upon counts of weekday traffic at the existing natural foods store at 127 Marginal Way.

JOHN L. MURPHY, P.E.

Civil Engineer
Traffic Engineer

RR1, BOX 6300
WEST BALDWIN, MAINE 04091-9745
207-625-8222

October 10, 2000

Larry Ash, Traffic Engineer
City of Portland
65 Hanover Street
Portland, Maine 04101

Post-it® Fax Note	7671	Date 10/11	# of pages 2
To Rick Knowlton		From Steve Doe	
Co./Dept.		Co.	
Phone #		Phone #	
Fax # 756-8258		Fax #	

Re: Wild Oats project, 87 Marginal Way.

Dear Larry:

This project will result in a 32,005 square foot natural grocery store on the corner of Marginal Way and Preble Extension. This is in the Bayside Area of Portland which was the subject of a day-long meeting on October 3, 2000. This meeting was devoted to traffic impact of IDEXX and anticipated developments in Bayside resulting in 1.7 million square feet of office, retail and other mixed uses plus a 100 room hotel and 500 dwelling units. I assume that the traffic projections in this meeting include the 87 Marginal Way site.

The meeting correctly anticipated major changes in transportation facilities in the northerly section of the Portland Peninsula. Changes currently being analyzed include the reconstruction and at least partial relocation of the Franklin Arterial/Marginal Way/I-295 interchange, reconstruction of the I-295/Forest Avenue interchange, combination of State and High Streets through Deering Oaks, plus a potential new parallel highway to Marginal Way along the existing Kennebec Street, Somerset Street, Fox Street alignment.

These major changes are being complemented by a passenger rail alignment along Marginal Way with a station location between Preble Street and Franklin Arterial. The plan currently is for at grade crossings for the railway at Forest Avenue, Preble Street and Franklin Arterial.

Wild Oats Project

For these reasons, I have limited my analysis to trip generation and distribution from this project. I have obtained trip generation data from Wild Oats and have also conducted a peak hour count of the existing Whole Grocer Natural Foods Market at 127 Marginal Way. The existing Whole Grocer had peak hour trip generation and distribution on Friday, October 7, 2000 between 4:30 and 5:30 PM as follows:

Total	Out	In	West	East
188	92	96	59%	41%

This existing grocery is approximately 5600 square feet in area. The Wild Oats Company has supplied hourly transaction data from facilities similar to the one planned that indicates a high trip generation rate in excess of 300 trips per hour during the PM peak hour of the adjacent street. Thus, in view of the count and data from existing facilities, it seems that the ITE trip generation data for Supermarket (Use 850) would best apply. This results in the following estimate of PM peak hour trip generation and distribution from the proposed Wild Oats project:

Total	Out	In	West	East
371	182	189	59%	41%

It is very difficult to estimate either pass-by trips or what number of trips will be drawn to the new Wild Oats project from the existing natural foods store. Thus perhaps a low 20% pass-by trip impact is reasonable.

Conclusions

1. The proposed project will generate an estimated 371 PM peak hour trips.
2. Trip impact should be included in the major Bayside Transportation Facilities Analysis.

Sincerely,



John L. Murphy, P.E.

Topsfield Management, Inc.
157 Main Street
Kingston, NH 03848-3217

City Hall
R. Knowland
389 Congress Street
Portland, Me 04101

Dear Rick:

As a follow-up to our phone conversation on Dec. 4, 2002, I'm enclosing an invoice to explain the extra charges in replacement of the sewer line for 87 Marginal Way.

As you can see, \$5,662.45 was charged over and above the original quote of \$21,000. Upon excavation it was discovered the existing sewer line passed directly through the storm drain. City engineers, Jim Sloan and John Lowe directed the contractor (Dearborn Brothers) to perform the additional work while stating the city would not share in any of the cost/s. To demand my clients (Marginal Holdings, LLC.) pay for these charges is grossly unfair. Marginal Holdings has done nothing but the "right thing" in all of their dealings with the city. This letter simply requests the city to reciprocate in kind and do the "right thing" by paying these additional costs.

I anxiously await your response. Please reply as soon as possible.

Sincerely,



Chris Gove
Agent for Marginal Holdings, LLC.

12.5.02



999 NARRAGANSETT TRAIL
 BUXTON, MAINE 04083
 (207) 838-2272
 FAX: (207) 829-8560

CHANGES
 Fax to
 Chris
 Rowe

Invoice No. 3800

INVOICE

10/30/02
 DeArbom Construction, Inc.

Date	Description	Unit	Quantity	Rate	Amount
	Wild Oats Market - Marginal Way, Portland				\$21,000.00
	Sewer service installation				
	Contract Price:				
	Additional work not included in Contract				
	Description				
10/21/02	Remove & repair 24" CMP storm drain	hr	5	\$30.00	\$150.00
	Labor	hr	5	\$52.00	\$260.00
	Supervisor	day	1	\$125.00	\$125.00
	Utility truck with misc. tools & supplies				
10/22/02	Remove & repair storm pipe, core 6" sewer	hr	16	\$30.00	\$480.00
	Labor	hr	9	\$52.00	\$468.00
	Supervisor	hr	6	\$45.00	\$270.00
	14-yc. dump truck	hr	2	\$130.00	\$1,040.00
	Excavator	hr	6	\$85.00	\$510.00
	Loader	day	1	\$125.00	\$125.00
	Utility truck with misc. tools & supplies	day	1	\$100.00	\$100.00
	Water pumps	day	1	\$100.00	\$100.00
	700-lb. compressor	day	1	\$250.00	\$250.00
	Core drill	each	1	\$75.00	\$75.00
	6-inch boot	cy	10	\$17.00	\$170.00
	34-inch stone	lf	8	\$19.00	\$152.00
	24-inch corrugated metal pipe	each	3	\$36.00	\$108.00
	24-inch repair coupling	cy	8.5	\$65.00	\$552.50
	City permit for additional pavement	ton	1	\$108.25	\$108.25
	Asphalt				
	Construction of manhole invert	hr	6	\$75.00	\$450.00
	Mason & tender	lump	1	\$167.70	\$167.70
	Concrete				
					\$26,662.45

TOTAL AMOUNT DUE:

Rene Perron
 Rene Perron - DeArbom Bros. Construction, Inc.

FAXED
 10/31/02

**DRUMMOND
WOODSUM &
MACMAHON**

*Rick -
Can you draft something
or give me the particulars
and I will - S*

JOHN A. GRAUSTEIN
DANIEL AMORY
ROBERT E. HIRSHON
HARRY R. PRINGLE
RICHARD A. SPENCER
DONALD A. KOPP
RONALD N. WARD
JOHN S. KAMINSKI
WILLIAM L. PLOUFFE
JERROL A. CROUTER
MICHAEL E. HIGH
RICHARD A. SHINAY
BRUCE W. SMITH
E. WILLIAM STOCKMEYER
BENJAMIN E. MARCUS
MELISSA A. HEWEY
ERIC R. HERLAN

GREGORY W. SAMPLE
MARK E. STANDEN
DANIEL J. ROSE
KAIGHN SMITH, JR.
DAINA J. NATHANSON
EDWARD J. KELLEHER
S. CAMPBELL BADGER
AMY K. TCHAO
DEIRDRE M. SMITH
DAVID S. SHERMAN, JR.
CATHERINE E. DECKER
ROBERT P. NADEAU
BRIAN D. WILLING
AARON M. PRATT
JAMES. C. SCHWELLENBACH
ELIZABETH D. MCEVOY

ATTORNEYS AT LAW

245 COMMERCIAL STREET
POST OFFICE BOX 9781
PORTLAND, MAINE 04104-5081
(207) 772-1941 FAX (207) 772-3627
TTY (207) 828-8260

rward@dwmlaw.com

OF COUNSEL

HAROLD E. WOODSUM, JR.
HUGH G. E. MACMAHON
JOSEPH L. DELAFIELD III
ROBERT L. GIPS

CONSULTANTS

LABOR RELATIONS & CONFLICT
MANAGEMENT
ROGER P. KELLEY

POLICY & LABOR RELATIONS
ANN S. CHAPMAN

INDIAN AFFAIRS
MARCHELL WESAW

January 9, 2002

VIA HAND DELIVERY

Joseph E. Gray
City Manager/Planning Director
City of Portland - City Hall
389 Congress Street
Portland, ME 04101

RE: 135 Marginal Way

Dear Mr. Gray:

On January 9, 2001, the Portland Planning Board granted site plan approval for this site. A copy of the approval letter dated January 17, 2001 is enclosed. The final approval by your Development Review Coordinator, required by Condition No. 4, was completed sometime after January 17, 2001. The purpose of this letter is to request a one-year extension of the site plan approval through December 31, 2002. The authority for this request is contained in Portland City Ordinance Article V, Sec. 14-525(f).

When the City's site plan approvals were final, the owners proceeded to demolish the existing buildings on this site pursuant to demolition permits granted by the City. Preliminary site work has also been completed. The City, however, has recently indicated its intention to condemn some portion of this site and additional construction is currently suspended.

Under these circumstances, we believe that no formal extension approval is required but we also believe it is in the best interests of all concerned to have a clear record on this issue. This request is directed to you on the assumption that you continue to hold the position as Planning Director but with the full expectation that you will refer this matter off to

Joseph E. Gray
January 9, 2002
Page 2

someone else within the Planning Department. I would ask that he/she be in touch with me with any questions and confirmation of the processing of our request. Thank you for your consideration and assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron N. Ward". The signature is written in a cursive, flowing style.

Ronald N. Ward

cc: Five Liver Company

RNW/abm

CITY OF PORTLAND, MAINE

PLANNING BOARD

Jaimey Caron, Chair
Deborah Krichels, Vice Chair
Kenneth M. Cole III
Cyrus Y. Hagge
Erin Rodriguez
Mark Malone
Orlando E. Delogu

January 17, 2001

Mr. Peter Quesada
PO Box 7525
Portland ME 04112

RE: 135 Marginal Way, Chart 25-B-001

Dear Mr. Quesada:

On January 9, 2001, the the Portland Planning Board voted on the following motions for an 18,000 sq. ft. retail/office building in the vicinity of 135 Marginal Way proposed by the Five Liver Company.

The Planning Board voted 5-0 (Delogu and Hagge absent) that the plan is in conformance with the site plan ordinance. The approval is subject to the following conditions:

1. That a revised lighting plan shall be submitted for staff review and approval with a full cut-off light fixture.
2. That additional trees shall be planted in the Marginal Way esplanade as required by the City Arborist.
3. That the site plan shall be revised to reference a new concrete sidewalk along Marginal Way.
4. That the site plan be reviewed and approved by the Development Review Coordinator.

The Planning Board voted 5-0 (Delogu and Hagge absent) to waive the site plan requirements of section 14-526(26)(b) that "buildings and uses shall be located close to the street where practicable" based upon a finding that the waiver is reasonably necessary to the operational/marketing needs of the user of the property.

The Planning Board also voted 5-0 (Delogu and Hagge absent) to waive the site plan requirements of section 14-526(26)(b) that "parking lots shall be located to the maximum extent practicable toward the rear or side of the property and shall be located along property lines where joint use or combined parking areas with abutting properties are proposed or anticipated" based upon a finding that the waiver is reasonably necessary to the operational/marketing needs of the user of the property.

O:\PLANDEVREV\MARG135\APPLTR.DOC

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report #1-01, which is attached.

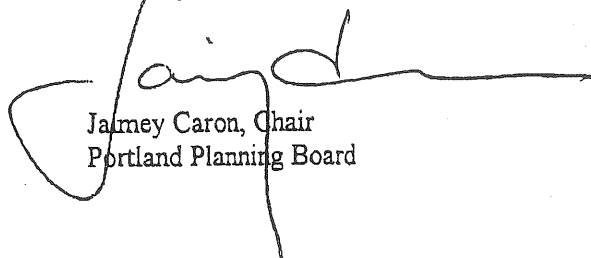
Please note the following provisions and requirements for all site plan approvals:

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
2. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Works representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.
5. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

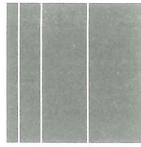
The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Department at 874-8721 or 874-8719. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact the Planning Staff.

Sincerely,



Jamey Caron, Chair
Portland Planning Board



Sebago Technics
Engineering & Planning for the Future

May 1, 2001
99045

Rick Knowland, Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

Wild Oats – Marginal Way, Portland, Maine

Dear Rick:

The revised grading plans you received on Wild Oats were prepared in an effort to eliminate the need to dispose of any on-site excavation off-site. As you are aware, the on-site soils were determined by the Maine Department of Environmental Protection (MDEP) to require special disposal due to their classification as special waste. This new grading plan allows us to maintain the material on site and construct the parking lot over it. This plan raises the parking lot approximately 24 inches over the existing grade of the lot. Other on-site mounding will occur in planting areas to provide additional disposal areas.

This new grading plan will require the raising of the catch basins rims within the lot as well as the addition of 2 new catch basins and storm drain lines. These new structures will allow us to capture off-site stormwater originally intended to enter our Vortechnic structure. Approximately 2,500 square feet of the entrance drive will not be directed to the Vortechnic structure due to the regrading plan. These flows will enter the catch basin at the street curb line. This area has been highlighted on your plan. The landscape and site plans remain unchanged.

The site contractor is eager to begin work on this new plan. If possible, we would appreciate an expedited review on this plan. If you have questions, please feel free to call me.

Thank you for your continual support on this project.

Sincerely,

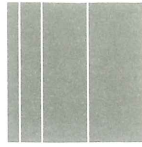
SEBAGO TECHNICS, INC.

Stephen G. Doe, RLA
Landscape Architect



SGD:at

cc: George Gamache
Ben Walters – CWS Architects
Eric Mora – Allied/Cook Construction



Sebago Technics

Engineering & Planning for the Future

January 12, 2001
99045

Richard Knowland, Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

Wild Oats, 87 Marginal Way

Dear Rick:

Attached are our final plan documents on the Wild Oats project showing the revisions to the entry layout as approved by the City and MDOT. As I discussed with you, we have also included some site material changes in order to bring the project into budget. The revisions are bubbled on the plan and consist of the following:

1. Replace sloped granite curb for precast concrete curb.
2. Replace vertical granite curb on site along building entrance walk with integral cast-in-place concrete curb. The entry drive in the public right-of-way will remain vertical granite.
3. On-site curbing parallel to the right-of-way and rear property line will be bituminous Cape Cod curb.
4. Compact spaces added along the rear property line and one additional standard size space added near the landscape island by the loading dock to bring the total on-site parking back to 140 spaces. This was a requirement requested by Wild Oats. The compact parking spaces pavement section has been changed from heavy duty pavement to parking lot pavement.
5. Unit pavers at the front entry have been changed to concrete pavement.
6. While not shown on the drawings, we would like to change the proposed concrete sidewalk within the public way to bituminous. You indicated this change would have to be approved by the City prior to us revising our documents.

7. Landscape plans have been revised to reflect the new layout configuration.

These revisions affect our previous cost estimate and I am enclosing a revised estimate for your review and consideration.

If you have questions on these changes, please call me.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in cursive script, appearing to read "Steve", written in black ink.

Stephen G. Doe, R.L.A.
Landscape Architect

SGD:jc

Enc.

cc: George Gamache, Adam Associates
George Liming, Allied/Cook Construction Corp.
Ben Walters, CWS Architects

SEBAGO TECHNICS, INC.

1 Chabot Street
 P.O. Box 1339
 WESTBROOK, ME 04098-1339

LETTER OF TRANSMITTAL

Phone (207) 856-0277 FAX (207) 856-2206

TO CITY OF PORTLAND
389 CONGRESS ST
PORTLAND ME 04101

DATE	2/1/01	JOB NO.	99045
ATTENTION	RICK KNOWLAND / Planning		
RE:	WILD CATS		

WE ARE SENDING YOU Attached Under separate cover via _____ the following items:

- Shop drawings
 Prints
 Plans
 Samples
 Specifications
 Copy of letter
 Change order

COPIES	DATE	NO.	DESCRIPTION
1			Lighting cut sheets HADCO pole & BLDG MNT.

THESE ARE TRANSMITTED as checked below:

- For approval
 Approved as submitted
 Resubmit _____ copies for approval
 For your use
 Approved as noted
 Submit _____ copies for distribution
 As requested
 Returned for corrections
 Return _____ corrected prints
 For review and comment

 FOR BIDS DUE _____
 PRINTS RETURNED AFTER LOAN TO US

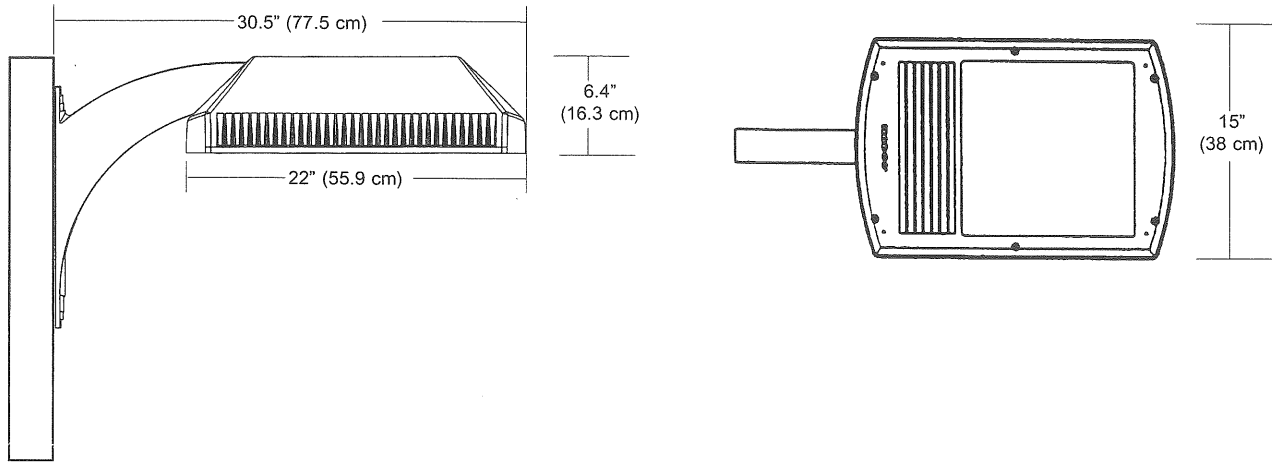
REMARKS _____

COPY TO _____

SIGNED: Steve Dor

DIMENSIONS & MOUNTING DETAILS

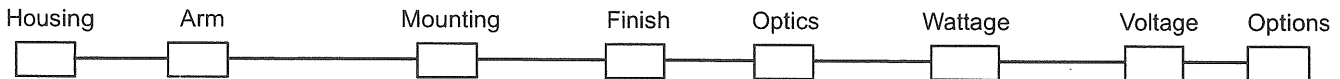
MAX WEIGHT: 38 lbs.
EPA: 1.10



ORDERING LOGIC

Housing	Arm	Mounting	Finish	Optics	Wattage	Voltage	Options
PA2	C	S	A	3	400H	E	N
PA2	C Curved	3 3"O.D. Round Pole 4 4"O.D. Round Pole 5 5"O.D. Round Pole S Square Pole W Wall Mount	A Black B White H Bronze X Silver	2 Type II 3 Type III 5 Type V F Forward Throw	070S 70W HPS 100S 100W HPS 150S 150W HPS *050H 50W MH *070H 70W MH *100H 100W MH *150H 150W MH 175H 175W MH	E 120V F 208V G 240V H 277V K 347V J 480V	N None A Air Filter B Button Eye F Fusing Q Quartz Restrike R PE Receptacle V Tamper-Resistant Latch

**Not Available in 480 Volt*



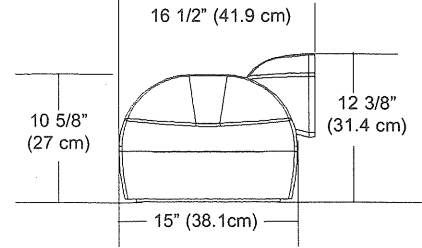
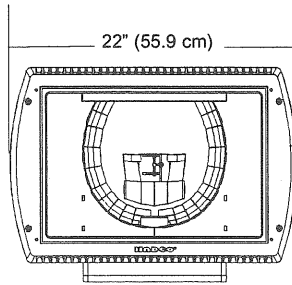
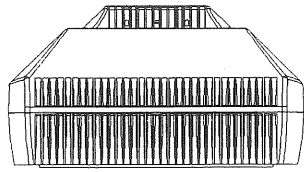
PROJECT NOTES

APPROVAL

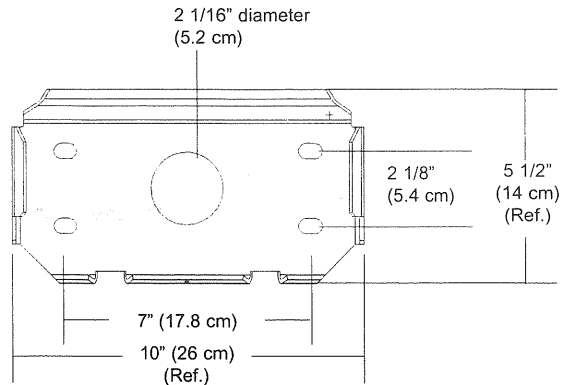
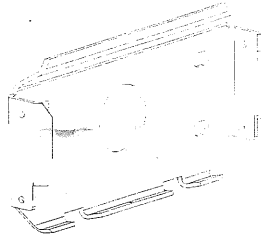


DIMENSIONS & MOUNTING DETAILS

MAX WEIGHT: 55 lbs.



WALL PLATE



ORDERING LOGIC

Housing	Mounting	Finish	Optics	Wattage	Voltage	Options
PW3	U	B	3	400H	G	N
PW3	D Down U Up	A Black B White H Bronze X Silver	2 Type II 3 Type III 4 Type IV G Grazing	150S 150W HPS 250S 250W HPS 400S 400W HPS 175H 175W MH 250H 250W MH 400H 400W MH	E 120V F 208V G 240V H 277V K 347V J 480V	B Button Eye F Fusing Q Quartz Restrike N None

Housing	Mounting	Finish	Optics	Wattage	Voltage	Options
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

PROJECT NOTES

APPROVAL



NOTICE OF INTENT TO FILE

Please take notice that Marginal Holdings, LLC, having an address c/o Topsfield Associates, 20 Burlington Mall Road, Suite 460, Burlington, MA 01803, is intending to file a Traffic Movement Permit application with the City of Portland, Maine, acting as a registered municipality for the Maine Department of Transportation, pursuant to the provisions of 23 M.R.S.A. § 704 – A on or about December 15, 2000.

The application is for the renovation of an existing 24,000 square foot building, the construction of an 8,000 square foot addition, and construction of related parking, utilities, and facilities for use as a natural foods grocery store. The new trip generation from the development is 217 trips per hour at peak hour, and the total trip generation from the property is 379 trips per hour at peak hour.

The project is at the following location: 87 Marginal Way, Portland, Maine.

A request for a public hearing must be received by the City of Portland, in writing to the Department of Planning and Urban Development, Attn: Joseph E. Gray, Jr., no later than 20 days after the application is found by the City of Portland to be complete and is found by the City of Portland to be complete and is accepted for processing. Public comment on the application will be accepted throughout the processing of the application.

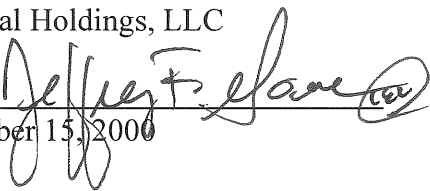
The application will be filed for public inspection at the City of Portland, Department of Planning & Urban Development, 389 Congress Street, Portland, Maine, and a copy will be filed with MDOT, Division 6 Office, PO Box 1940, Portland, Maine 04104, during normal working hours.

Written public comments may be sent to the City of Portland, Department of Planning and Urban Development, Attn: Joseph E. Gray, Jr., 389 Congress Street, Portland, Maine 04101.

Marginal Holdings, LLC

By: _____

December 15, 2000

A handwritten signature in black ink, appearing to read "Jeffrey F. Gray", is written over a horizontal line. The signature is cursive and includes a circled "cc" at the end.

NOTICE OF INTENT TO FILE

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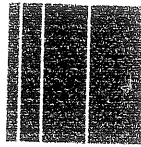
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Written public comments may be sent to the City of Portland, Department of Planning and Urban Development, Attn: Joseph E. Gray, Jr., 389 Congress Street, Portland, **Maine** 04101.

Marginal Holdings, LLC

By: 
December 15, 2000



Sebago Technics

Engineering & Planning for the Future

November 3, 2000
99045

Mr. Frank Brancley
Public Works Department
City of Portland
55 Portland Street
Portland, ME 04101

Wild Oats Market, 87 Marginal Way

Dear Mr. Brancley:

I have contacted the Portland Water District to determine past flows for the past occupants of 87 Marginal Way. The highest recorded usage dated back to late 1990 to early 1991 which was apparently when Goodwin operated in the building. Average usage at that time was 3,500 cfs for a 15 week period. I have averaged the usage out to be 250 gallons per day.

As for our flows, we have recalculated our previous numbers based on new information from the Wild Oats Company. Our breakdown calculations are as follows:

100 seat cafeteria (inside)	3,000 gpd
50 seat cafeteria (outside)	500 gpd
70 full-time employees, 40 part-time employees	1,650 gpd
<u>5 water closets (400 gal. ea.)</u>	<u>2,000 gpd</u>
Total Gallons Per Day	7,150 gpd

Our sanitary service connection has been revised based on comments from Public Works. We propose to utilize the existing 6" service on Elm Street and install a 2,000 gallon grease trap adjacent to our building at this service location. A request for a license for this grease trap has been made to the City's Corporate Counsel since this work will be placed, in part, within the City's right-of-way. I am enclosing a copy of the latest plan for your review.

Sincerely,

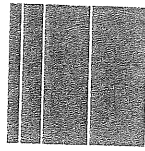
SEBAGO TECHNICS, INC.

Stephen G. Doe, R.L.A.
Landscape Architect

SGD:jc/df

Enc.

cc: George Gamache
Rick Knowland



Sebago Technics
Engineering & Planning for the Future

October 20, 2000
99045

Richard Knowland, Senior Planner
Planning & Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Wild Oats Site Plan, 87 Marginal Way

Dear Rick:

In response to your October 12th letter, I am enclosing six copies of the revised plan set to address items 1-3 and 5-7. Item 4 is being coordinated directly with John Murphy. The changes are as follows:

1. Based upon discussions with Tony Lombardo, Dave Peterson and the site contractor, we will be revising our proposed utility connection and utilizing our existing service to the building. Public Works is permitting placement of our grease trap within the City right-of-way which will allow us to place the tank between the curb and the building on Elm Street. This will eliminate substantial costs and excavation into Marginal Way. The specifics of our design are shown on the Grading Plan, Sheet 2 of 6.
2. Notes on your Attachment B that were requested to be placed on the plan set can be found in the following locations:
 - Note 1 is found on Sheet 3 as Note 13.
 - Note 2 is added to Sheet 1 as Note 17.
 - Note 3 is found on Sheet 1 as Note 6.
 - Note 4 is added to Sheet 1 as Note 18.
 - Note 5 has been incorporated into our Erosion & Sedimentation Control Plan, Section A, paragraph 1 as shown on Sheet 5.
 - Note 6 – N/A
 - Note 7: This note is redundant to notes on stabilization of disturbed areas specifically discussed on both the Landscape Plan (Sheet 3), Grading Plan (Sheet 2, Note 9), and in our Erosion & Sedimentation Control Plan (Sheet 5) and has not been added.

Note 8 is found in our Erosion & Sedimentation Control Plan, Section A, paragraph 2.

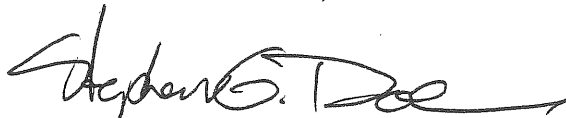
Note 9 - N/A. No existing trees or vegetation are to remain on the site.

3. *Sewer Capacity Letter.* We have sent a letter to Mr. Frank Brancley requesting a capacity letter. I understand from Public Works that Mr. Brancley is on vacation from October 4th to October 25th. Hopefully, he will forward to you his response promptly upon his return.
4. No comment required.
5. We have forwarded the site lighting standards to B. H. Milliken, Electrical Contractors for reworking and will forward these to you upon receipt.
6. As per your discussions with Ben Walters and Jeff Tarling, we will not be saving the existing trees on Elm Street. However, we will substitute all our proposed Ginkgo trees with Armstrong Maples. We have also added three Cleveland Select Pear trees in the esplanade along Marginal Way.
7. A detail of the easement for the brick façade has been added to Sheet 1, and an easement description has been forwarded to our client's attorney for formalization with the City.

I trust these revisions address the City's comments as they pertain to the plan documents. Please call if you have further comments.

Sincerely,

SEBAGO TECHNICS, INC.



Stephen G. Doe, R.L.A.
Landscape Architect

SGD:jc
Enc.

cc: Ben Walters, CWS Architects
George Gamache, ADAM Associates
George Liming, Allied/Cook Construction Corp.



CURTIS WALTER STEWART
A r c h i t e c t s

434 Cumberland Avenue
Portland ME 04101-2325

Benedict B. Walter, Vice President

Phone: 207.774.4441
Fax: 207.774.4016
E-mail: BWalter@CWSArch.com

October 17, 2000

Rick Knowland
Senior Planner
Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

FAY TO G.G.E.S.D.
10-18-2000

Re: Wild Oats Site Plan, 87 Marginal Way

Dear Rick,

In regards to item #6 in your letter dated October 12, 2000, I am concerned that attempting to preserve the four mature maples along Elm Street is not prudent or ideal for a number of reasons:

1. The existing non-columnar trees encroach markedly on the existing structure. This creates a condition where the trees promote the structural degradation of the existing structure and thus should be avoided.
2. The intent of the owner and tenant is to provide a new attractive and substantial masonry and E.I.F.S veneer on the entire building. We believe this will add significant value to the building, the neighborhood and the city. To achieve this, the outside face of the new brick veneer will be 8" beyond the current face of the CMU wall. Also, tented and heated staging for the installation of this new veneer will be required and take up approximately eight feet. Masonry work is very heavy and labor intensive. It is extremely improbable that if the contractor were to invest, at considerable cost, in trying to preserve these trees (some are three feet from the existing face of the masonry) that they would survive such an intensive construction environment in the dead of winter.
3. The intent of the overall building and landscape design is to provide a cohesiveness that seamlessly relates the building to the landscaping. This is proposed to be achieved by the specific rhythm of the trees in relation to the building. These rhythms are consistent around all sides of the proposed building, including the new plantings we are proposing on Elm Street. The existing tree's locations break that rhythm, even if they could be preserved.

It is for those reasons that we felt the best solution, in this particular case, was to remove the 4 existing trees and replace them with the 5 substantial, columnar shaped specimens that we have proposed. This, we feel is the best and most responsible solution as well as an opportunity to make this building a landmark with a consistent and unified treatment, both in the architecture and site design.



CURTIS WALTER STEWART
A r c h i t e c t s

434 Cumberland Avenue
Portland ME 04101-2325

Benedict B. Walter, Vice President

Phone: 207.774.4441
Fax: 207.774.4016
E-mail: BWalter@CWSarch.com

October 17, 2000

Rick Knowland
Senior Planner
Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Wild Oats Site Plan, 87 Marginal Way

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Rick Knowland
Wild Oats Site Plan
October 17, 2000
Page 2 of 2

I am confident that you and Jeff Tarling, upon further consideration of this letter and the design intent of the project, will agree that what we have proposed is both appropriate and the best solution for the site. With that said, I would like you to reconsider the planting plan as most recently submitted.

Please call me if you have further questions.

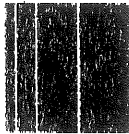
Very truly yours,

CURTIS WALTER STEWART ARCHITECTS

A handwritten signature in black ink, appearing to read "B. Walter", with a long horizontal flourish extending to the right.

Benedict B. Walter, Architect
Vice President

George Gamache, Adam Associates
Steve Doe, Sebago Technics



Sebago Technics

Engineering & Planning for the Future

Facsimile Cover Sheet

Project No. 99045

To: Rick Knowland

Company: CITY PARTNERS / PLANNING

Phone: _____

Fax: 756-8258

From: Steve Doe

Date: to 11-00 Present 11-3-00

Pages including this cover page: 2

Comments:

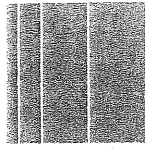
Rick - ATTACHED IS COMPUTATIONS FOR
VORTECHNICS 4000 AS REQUESTED
BY STEVE BUSHEY.

~~G. G. George Gantt~~

Reply Requested: _____ Yes No

Original to go out in mail: _____ Yes No

If you have any problems receiving this FAX, please contact Pam at:
(207) 856-0277
(207) 856-2206 FAX Number



Sebago Technics
Engineering & Planning for the Future

October 3, 2000
99045

Richard Knowland, Planner
Planning & Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

Amended Site Plan Application – Wild Oats Market, 87 Marginal Way

Dear Rick:

On behalf of Marginal Holdings, LLC, I am pleased to submit these final plan documents which we feel address the review comments made by the City. These plans also incorporate design changes requested by Wild Oats. Specific changes are as follows:

1. Building footprint and architectural elevations have been refined. Changes consist of refinement of the elevations and material selection, building signage, service area configuration, and utility connections. An outdoor eating area has also been added near the main entry to the site.
2. Landscape plantings have been enhanced to respond to the new architectural elevations and to provide a variety of seasonal interest along the public way.
3. The entry drive has been reduced from 30' to 26' and shifted north 10' to accommodate the outside eating area.
4. The transformer has been relocated to the service area.
5. A grease trap has been added and a new sanitary connection proposed into the sewer main on Marginal Way.

In addressing specific review comments made by the City, we have the following responses:

A. **Response Comments to September 14, 2000 Letter from Rick Knowland**

1. The traffic report is currently being revised by John Murphy. This report is expected to be completed following a meeting on October 3rd which was set up by the City to discuss traffic issues in the Bayside area.

2. Building mounted signage has been revised per allowable square footage and is shown on the architectural plans. A freestanding pylon sign is also shown near our main entrance. See architectural plans for details of all signs.
3. A lighting photometric plan is attached. Light pole and building mounted fixtures are shown on the attached site plan.
4. Architectural elevations and floor plans are attached.
5. As previously mentioned, the Landscape Plan has been improved upon from the original submission.
6. The septic system reference has been deleted.
- 7/8. The appropriate notes have been added to the plan documents.
9. The transformer has been relocated to the service area which is screened from the public way by a wall and evergreen plantings.
10. In accordance with Section 14-525(c), I offer the following written statements:
 - a. The proposed use is a health food store with a 60 indoor seat cafeteria and a 12-16 seat outdoor seasonal cafeteria.
 - b. Site acreage is 2.3 acres with an existing building of 23,775 gross square feet and a building addition of 8,242 gross square feet for a total new building of 32,017 square feet.
 - c. No existing easements are on the property. A new access easement is proposed along the common boundary with Back Cove Company.
 - d. Solid waste will be consistent with waste generated by grocery and health food stores. Waste material will be stored in an enclosed compactor in the service area and removed on a weekly basis by a private hauler.
 - e. The site is currently serviced by public water, sewer and overhead electric. There is adequate capacity for this new use. These services will be upgraded as shown on the attached Grading & Utility Plan.
 - f. The surface drainage plan is consistent with the previously prepared plan for The Bookland. Surface runoff will be collected on site in catch basins and piped through a Vortech Unit Model #4000 before entering the City storm drainage system in Marginal Way. The site is currently entirely impervious with no treatment system in place.

- g. A construction schedule is outlined in our Erosion & Sedimentation Control Plan on our Detail Sheet. Work on the project is anticipated to begin in October.
 - h. No State or Federal regulatory approvals are required for this development.
 - i. A letter from the applicant's lending institution is attached. The applicant has developed numerous projects throughout the New England area and is currently completing The Shops at Falmouth Village in Falmouth, Maine.
 - j. A letter from Southern Maine Properties (the owner) authorizing Marginal Holdings, LLC to undertake this project on their behalf is attached.
 - k. There are no unusual natural areas, wildlife habitats, or archaeological sites located on the property.
- 11. The material and height of the compactor screen is shown on the architectural plans. This area is fully enclosed with a screen fence and roof.
 - 12. CADD .dxf files will be made available upon request.
 - 13. We have requested information from Wild Oats as to their recycling program for solid waste. This will be submitted upon receipt.

B. Response Comments to Steve Bushey

- 1. New plans identify limits of work within the public right-of-way.
- 2. No response required.
- 3. Parking spaces along Marginal Way have been widened to a 19' depth. The Bookland project had 17' deep spaces which were acceptable.
- 4. The screen wall is detailed on the architectural drawings.
- 5. A foundation drain is proposed at the front entry door only. This will discharge into a drainage manhole in the parking lot.
- 6. A free-standing pylon sign will be located at the main site entrance and is shown on our site plan. The detail is shown on the architectural plans.
- 7. A sewer capacity letter has been sent to Frank Brancley. A copy is attached.

I trust this package, with the exception of the traffic report, is complete and in accordance with City requirements.

If you have questions on these plan documents, please call Ben Walters at CWS Architects or me.

Sincerely,

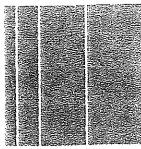
SEBAGO TECHNICS, INC.

A handwritten signature in black ink, appearing to read "Stephen G. Doe". The signature is stylized with a large, sweeping "S" and "D".

Stephen G. Doe, R.L.A.
Landscape Architect

SGD:jc
Enc.

cc: Ben Walters, CWS Architects
George Gamache, ADAM Associates



Sebago Technics

Engineering & Planning for the Future

October 3, 2000
99045

Mr. Frank Brancley
Public Works Department
City of Portland
55 Portland Street
Portland, ME 04101

Wild Oats Market, 87 Marginal Way

Dear Mr. Brancley:

On behalf of Marginal Holdings, LLC, I wish to request a sanitary sewer capacity letter from you for a proposed 32,000 square foot health food store located at 87 Marginal Way, Tax Map 34, Block D, Lots 1 and 7. Given the food use of this facility, a grease trap will be required in our sanitary line before entering the City system. We propose a new connection to the 36" main in Marginal Way. The existing service will be discontinued at the main on Elm Street.

We estimate this facility to generate 5,280 gallons per day based on the Maine State Plumbing Code for retail stores with public restrooms and cafeterias. We have submitted our plans and supportive documents to the City for final approval. I would appreciate it if you could please send your response to Rick Knowland in Planning with a copy to me.

Sincerely,

SEBAGO TECHNICS, INC.

Stephen G. Doe, R.L.A.
Project Manager

SGD:jc
Enc.

cc: Rick Knowland
George Gamache
Ben Walters

10/02/00 12:57 FAX 8172244318

TOPSFIELD ASSC

001



Sovereign

SOVEREIGN BANK NEW ENGLAND

A Division of Sovereign Bank

APPLICATION FOR FINANCING

August 29, 2000

Sovereign Bank New England
15 Westminster Street
RI WST 0102
Providence, RI 02903

Attn: James F. St. Thomas, Vice President

The undersigned, LLC, (hereinafter referred to as Applicant), requests Sovereign Bank New England, (hereinafter referred to as SBNE) to seek approval for a construction loan converting to a split-permanent mortgage for the amount and on the terms and conditions set forth below.

This is an application for financing. The purpose is to clarify the terms and conditions of which approval will be sought. This letter is provided for discussion purposes only and does not constitute an offer, agreement or commitment to lend. The actual terms and conditions upon which SBNE might extend credit to the applicant are subject to satisfactory completion of due diligence, credit committee approval, satisfactory review of documentation and such other terms and conditions as determined by SBNE in its sole discretion.

APPLICANT:

Marginal Holdings, LLC,

LOAN AMOUNT:

The lesser of \$ [redacted] or 75% Loan to Value, or the amount resulting in 1.25x debt service coverage based on SBNE's current underwriting constant.

USE OF PROCEEDS:

Proceeds shall be used to construct a 32,005 sf retail building in Portland, ME for 100% occupancy by Wild Oats Markets, Inc.

SECURITY:

1. Senior leasehold mortgage position on improvements to be constructed on approximately 110,000sf located at 87 Marginal Way, Portland, ME. The improvements will consist of a 32,005 sf commercial retail building to be 100% occupied.
2. A first collateral assignment of the construction and architectural contracts used in connection with the construction project. The contractor shall be approved by SBNE. It is our understanding that the contractor will be Allied Cook.
3. Collateral assignment of the lease with Wild Oats Markets, Inc. Contract income shall be as follows:

<u>Lessee</u>	<u>Annual Net Rent</u>	<u>Term</u>
Wild Oats	\$584,091 Yrs 1-10	20 years
	\$680,106 Yrs. 11-20	

Initials:

Page 2

4. A first and exclusive security interest covering all personal property of the Applicant located on or used in connection with the premises.
5. A Collateral Assignment of any reserves, escrow's or contingency accounts

GROUND LEASE:

The unsubordinated ground lease must be satisfactory to SBNE in all respects including term, rent, purchase options, and notice and cure provisions to the leasehold lender. The initial annual rent (payable in monthly installments) for yrs. 1-10 is \$██████████, increasing to \$██████████ yrs. 11-20.

INTEREST RATE:

Applicant will have the option of selecting from a floating rate or a fixed rate. The floating rate options shall be indexed to a) SBNE's Prime Rate (WSJ) plus 3/4%, or b) LIBOR plus 325 basis points.

FIXED RATE
OPTION:

At the Applicant's option, a fixed interest rate may be provided during the mini-perm period. Such interest rate shall be determined at the time a Fixed Rate Option is offered by SBNE and shall provide SBNE a yield equivalent to SBNE's cost of funds plus 250 basis points based on the remaining term and a 20 year mortgage amortization schedule.

PREPAYMENT:

Prepayment is permitted at any time without penalty upon thirty (30) days prior written notice (subject to prepayment penalties associated with breakage of LIBOR Contracts).

In the event the fixed rate option is exercised, an appropriate yield maintenance clause shall be included in the documentation sufficient to compensate SBNE for any loss incurred due to the prepayment.

TERM/
MATURITY:

Construction Period: 12 months Term Loan Period: 4 years Five (5) year construction mini-perm loan, maturing sixty (60) months from closing. The loan term includes a construction loan period that commences at closing and expires the earlier of: 12 months from closing, or commencement of rent from Wild Oats. Amortization based on a 20 year schedule shall commence on the due date of the first full month after the construction period ends.

LATE PAYMENT:

There shall be a late payment penalty of 5% of the payment amount. A 7-day grace period will be provided.

DEFAULT RATE:

Should SBNE not receive the monthly interest payments on the due date, the default rate will be 18%. Automatic debit service from the Operating Account is available to make the loan payments on a monthly due date as selected by the Applicant.

APPLICATION FEE:

Seventy-five basis points (\$██████████) due at closing.

Initials:

Handwritten initials and a signature are present on a horizontal line.

Page 3

PAYMENTS:

Interest shall be computed on the daily outstanding principal on the basis of a 360 day year, but shall accrue and be payable monthly for the actual number of days during which funds are outstanding.

FLOOD INSURANCE:

In accordance with requirements imposed on National Banks which make loans secured by real estate, the Borrowers shall supply to SBNE satisfactory flood insurance or a satisfactory authoritative certificate that the premises are not in such a zone.

GUARANTEE:

Joint, several and unconditional guarantees, shall be provided by Jeffrey Gove and Christopher Forbes Nash who, in the aggregate shall maintain at least a 51% ownership stake in the Applicant.

SURVEY:

The Applicant, at its expense, shall furnish an up-to-date certified engineer's survey of the subject property to be mortgaged, showing no state of facts objectionable to SBNE. Such survey shall show that the proposed buildings are within lot and building lines and shall show all easements, improvements, appurtenances, utilities and rights of way (whether below, at, or above ground level) which exist at the date of certification. A recertification of the original survey may be accepted by SBNE. Acceptance or non-acceptance of a recertified survey will be at the sole discretion of SBNE.

PRE-FUNDING REQUIREMENT:

- 1) SBNE approved appraisal indicating the loan to value based on the Market Value of the Leashold Estate to be no greater than 75%
- 2) Cash equity injection of a minimum of \$ [REDACTED] including Topsfield's commissions.
- 3) Signed lease with Wild Oats, satisfactory to SBNE. A satisfactory SNDA will be required.


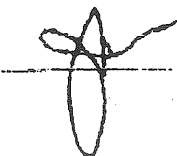
SOURCES & USES:

See attached Schedule "A"

KEY COVENANTS:

- 1) The Project and Applicant shall provide Debt Coverage Ratio of 1.25x, on a stabilized basis. The test assumes the amortization will be 25 years. The first test will be conducted at 6/30/02, on a six month running basis annualized. Thereafter tests will be semi-annual based on the previous 12 months of operations. "Debt Coverage Ratio" shall be defined as the ratio of Net Operating Income from the subject property divided by principal and interest payments. "Net Operating Income" shall be defined for any period of time as all rental and other income received by the Borrower from the subject property before interest, extraordinary expenses (Capex), non-cash expenses and income taxes less all real estate taxes and assessments, insurance, other operating expenses, and non-discretionary capital expenditures (maintenance expense) spent by the Borrower in relation to the subject property during that period.
- 2) A Minimum loan to value of 75% must be provided for the subject property on a "as completed" basis. Compliance must be maintained throughout the term of the loan.

Initials:

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Page 4

- 3) Individual Guarantors, Jeffrey Gove and Christopher Forbes Nash, shall maintain individual debt service coverage of at least 1.25x with debt service coverage calculated as follows: Gross income, (salaries, draws, commissions, net cash flow from real estate investments, and investment income) less living expenses calculated at 25% of Gross Income, less Federal and State Taxes divided by personal debt service.
- 4) The Applicant and Guarantors and any affiliate borrowers, on an aggregate basis, shall maintain minimum liquidity of [REDACTED]. This requirement shall be tested quarterly during construction and thereafter annually as verified by copies of bank and investment fund statements due by 4/15 of each year.

FINANCIAL DISCLOSURES:

- Receipt of Applicant's accountant prepared annual financial statements within 120 days of the fiscal year end and annual Federal Tax return within 30 days of such filing.
- Receipt of management prepared quarterly Operating Statements beginning with the quarter in which the Certificate of Occupancy is issued.
- Receipt of annual personal income tax returns of the individual Guarantors. In addition, the Guarantors must also submit a personal financial statement cash flow schedule for all real estate projects, and a debt summary (obligation amount, debt service and maturity date) for all direct and indirect obligations.

SPECIAL REQUIREMENTS:

- A) Applicant to furnish all necessary documents pertaining to this transaction, including, but not limited to: surveys, title insurance, liability and fire insurance. All documents in connection with this transaction are subject to review and approval by the attorneys for SBNE.
- B) Applicant will indemnify SBNE from any claim of brokerage fee in this transaction.
- C) Applicant will not sell, transfer, or otherwise dispose of its leasehold interest and improvements without the prior written consent of SBNE, whose consent will not be unreasonably withheld.
- D) This Loan will be subject to site inspections by SBNE.
- E) At Applicant's expense, Applicant agrees to allow SBNE to order an appraisal based upon the lease fee value of the Leasehold Estate. Said appraisal to be completed by an appraiser designated by or acceptable to SBNE and the SBNE Appraisal Review Unit, and provide a loan to value ratio not to exceed 75%. The costs of said appraisal is to be borne by Applicant.

Initials:

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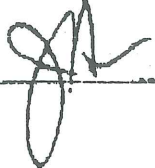
Page 5

- F) The Applicant shall give evidence in all respects, that all hazardous, or toxic materials presently located on the subject property being provided as collateral, or on the common property area in which the Applicant has an undivided interest, or properties adjacent to the site are under a specific state and local approved plan requiring No Further Action. Said evidence must be considered in the form of Phase I Environmental Site Assessment update with associated reports as deemed necessary and appropriate by SBNE. The loan documents shall contain a provision whereby the Borrowers shall be obligated to immediately contain and remove any new oil or hazardous or toxic materials that are considered a spill, or not properly contained, found on the property. Applicant must be deemed in compliance with all applicable laws. The Applicant shall indemnify SBNE against any costs and expenses arising from containment and removal of such material
- G) Prior to funding of the Construction Loan, Applicant shall supply SBNE evidence that all necessary permits and zoning approvals have been obtained in connection with the project, including a building permit
- H) Approval of the cost breakdown for construction by SBNE in the form of a detailed construction budget. The final contract shall be a Guaranteed Maximum Price Contract acceptable to SBNE, and must be bonded to the satisfaction of SBNE
- I) Loan to be funded in the amount of 90% on the work in place and stored on site as requested by Subcontractors and as certified to by SBNE's architects. Such 10% retainage to be held back until a Certificate of Occupancy is received.
- J) Prior to the beginning of construction, SBNE will retain an independent engineer at Applicant's cost to review and approve the plans, specifications and construction budget. In addition at Applicant's cost the independent engineer shall perform inspections from the start through the completion of construction of the project. SBNE will provide a good faith estimate of costs before proceeding.
- K) Applicant agrees to maintain their main operating account with SBNE into which construction disbursements will be funded.

EXPENSES.

By the Applicant's acceptance to the terms of this application, the Applicant hereby agree to pay all expenses normal to this transaction, including but not limited to, appraisal fees, environmental site assessment fees, broker's fees, title insurance, tax search, mortgage tax, recording fees, survey charges, and SBNE's attorneys' fees, whether or not the loan is approved or thereafter closes.

Initials:

 _____  _____

Page 6.

MATERIAL ADVERSE CHANGE:

If there occurs a material adverse change in the circumstances or conditions affecting the Applicant, Guarantors, or the premises to be mortgaged, (as determined by SBNE), up to the time a commitment is issued or the loan request is rejected, this Application (except for the provision relating to "Expenses" above), shall be null and void.

If the above terms are acceptable, please indicate by signing below and returning one original of this Application For Financing to SBNE.

This application for financing will expire September 15, 2000.

APPLICANT:

SOVEREIGN BANK

Portland Ventures, LLC

By: [Signature] Date: 9-6-00
Jeffrey Cove

By: [Signature] Date: 9/6/00
James F. St. Thomas
Vice President

GUARANTORS

[Signature] Date: 9-6-00
Christopher Forbes Nash

[Signature] Date: 9-6-00
Jeffrey Cove

200 2

6E44'0N X8'X2

07/20/00 13:46

002 002

**SOUTHERN MAINE PROPERTIES COMPANY
5 MILK STREET
PORTLAND, ME 04112**

July 19, 2000

Marginal Holdings, LLC
c/o Tapfield Associates, Inc.
20 Burlington Mall Road, Suite 460
Burlington, MA 01803
Attention: Jeffrey P. Gow

RE: Property at 57 Marginal Way, Portland, Maine

Gentlemen:

This letter will confirm our agreement that you have our permission to make applications to and seek permits and approvals from the City of Portland and any other municipal or governmental entities having jurisdiction over the property at 57 Marginal Way, Portland, Maine, all for the purposes of obtaining any necessary permits for the development and/or reuse of the property. You agree to copy us on all communications with any officials or staff and that you shall provide us copies of any written communications and all applications filed with the city. You agree to comply with the provisions in other documents received by us with respect to the permits and approvals for the aforesaid property. You also agree to inform Mr. George Gagnache of Adam Associates and other representatives who may act on your behalf of the applicable provisions of such other documents.

If there are any questions with regard to the foregoing, please let us know. We wish you the best of luck in this process, and we look forward to concluding a successful transaction with you.

Very truly yours,

By: [Signature]

cc: Dennis Keefer, Esq.

OUTSTANDING PROPERTY APPLICANCES: 11/19/00



Sebago Technics

Engineering & Planning for the Future

October 3, 2000
99045

Mr. Frank Brancley
Public Works Department
City of Portland
55 Portland Street
Portland, ME 04101

Wild Oats Market, 87 Marginal Way

Dear Mr. Brancley:

On behalf of Marginal Holdings, LLC, I wish to request a sanitary sewer capacity letter from you for a proposed 32,000 square foot health food store located at 87 Marginal Way, Tax Map 34, Block D, Lots 1 and 7. Given the food use of this facility, a grease trap will be required in our sanitary line before entering the City system. We propose a new connection to the 36" main in Marginal Way. The existing service will be discontinued at the main on Elm Street.

We estimate this facility to generate 5,280 gallons per day based on the Maine State Plumbing Code for retail stores with public restrooms and cafeterias. We have submitted our plans and supportive documents to the City for final approval. I would appreciate it if you could please send your response to Rick Knowland in Planning with a copy to me.

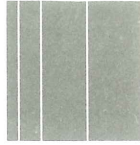
Sincerely,

SEBAGO TECHNICS, INC.

Stephen G. Doe, R.L.A.
Project Manager

SGD:jc
Enc.

cc: Rick Knowland
George Gamache
Ben Walters



Sebago Technics

Engineering & Planning for the Future

August 11, 2000
99045

Rick Knowland, Senior Planner
City of Portland
389 Congress Street
Portland, Maine 04101

Amended Site Plan Application - Wild Oats, 87 Marginal Way

Dear Rick:

On behalf of Southern Maine Properties, Inc. and Marginal Holdings LLC, I am pleased to submit seven (7) copies of the amended site plan for a proposed Wild Oats market to be constructed at 87 Marginal Way. This site was original approved in 1999 for a New Bookland Retail Store totaling 26,500 square feet. This new proposal is to increase the size of the building to 32,005 square feet and increase the on-site parking from 124 to 140 spaces. The Maine Rock Gym Climbing Tower will be removed to accommodate this additional parking. The building will have two loading bays and a fully enclosed waste compactor. This service area will be screened from the public way by a masonry wall. The building itself will be expanded in three directions. An expansion towards Marginal Way will bring the building within 7' of the public way. The expansion to the north will extend at approximately 14'. The loading dock along the railroad right-of-way will be a new storage area and is similar in size to the Bookland proposal. The building architecture is currently being refined by Curtis Walter Stewart Architects in Portland. A copy of the preliminary plan presented to you and Alex Jaegerman is enclosed for review. The building has several unique architectural features which compliment the streetscape experience, as well as a new brick façade which is an upgrade of the existing painted concrete block. We will be forwarding to you refined elevations as they become available.

As far as additional site changes from the approved Bookland project, we have extended a storm drain line to pick up stormwater from the new paved area. Otherwise, the previous stormwater treatment system is essentially unchanged from the previously approved plan. Site lighting is also increased due to additional parking areas. Fixtures are full cut off metal halide on a 20' pole. Fixture wattage is anticipated to be 250 wts. We will be providing a lighting photometric plan to you upon receipt from our lighting consultant.

New information to amend the Bookland application is as follows:

1. Site Plan
2. Grading Plan
3. Landscape Plan
4. Site Construction Details
5. Letter of Authorization from Southern Maine Properties to Marginal Holdings, LLC to proceed with amendments
6. Preliminary Architectural Elevations

I trust this information is complete with the exception of the lighting photometric plan. If you have questions or require additional information, please call me.

Sincerely,

SEBAGO TECHNICS, INC.

A handwritten signature in black ink that reads "Stephen G. Doe". The signature is written in a cursive, flowing style.

Stephen G. Doe, R.L.A.
Landscape Architect

SGD:dlf

cc: George Gamache - Adam Associates
Ben Walter - CWS Architects
Southern Maine Properties Company
Jeffrey Goves - Topsfield Associates, Inc.
Leslie E. Lowry - Jensen, Baird, Gardner & Henry



July 24, 2000

George Gamache
Adams Associates
for Topsfield Associates
90 Lewis Avenue
Walpole, MA 02081

8-1-00
MARGG,
COULD WE REVIEW
THIS AT WEDNESDAY
STAFF MTG?
THIS IS THE BOOK LAM
SITE
RK

Re: Proposed Wild Oats Market – Parking Requirements
Marginal Way and Elm Street
Portland, Maine

Dear George,

I have reviewed the Portland Zoning Ordinance for Off Street Parking requirements. DIVISION 20, OFF-STREET PARKING, Sec. 14-322 Uses Requiring Off-Street Parking lists two uses that might be applicable to this project. They are:

- (8) Retail Stores: One (1) parking space for each two hundred (200) square feet of first floor area in excess of two thousand (2000) square feet not used for bulk storage and one (1) parking space fore each seven hundred (700) square feet or major fraction thereof, for each floor above the first floor.
- (9) Restaurants or establishments constructed and intended for the dispensing of food and drink as the principal activity: One (1) parking space for each one hundred fifty (150) square feet, or major fraction thereof, of floor area not used for bulk storage or food preparation.

As I read the ordinance, we would be required to provide one (1) space for each 200 SF of retail area, excluding the back rooms. Since we don't know where that line will be drawn in plan, it is hard to calculate the number of spaces required. Also, it is possible that the City might require that we use the "Restaurants" parking ratios for the portion of the facility dedicated to the café. Again, we do not know where that line is to be drawn. It would be a good idea to confirm the calculation methodology with the Planning Department and Code Enforcement Officer.

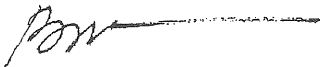
As an example, if we were to assume that we had a retail floor area of 22,000 SF and a Café of 2,000 SF, leaving 8,000 SF for back room and bulk storage, the Zoning Ordinance as per my reading of it would require 124 parking spaces. The current version of the site plan shows 143 parking spaces. Working backwards, this scenario might allow increasing the retail floor area to 25,800 SF, leaving 4,200 SF of back room and bulk storage space.

I have enclosed a copy of the Off-Street portion of the Zoning Ordinance for your further interpretation. In any case, I believe this should help Wild Oats in their planning efforts if we are able to clarify that our calculation methods are appropriate. I am forwarding a copy of this letter to Rick Knowland so he can follow up on the issue with the Code Enforcement Officer.

Please call if you have further questions on this issue.

Very truly yours,

CURTIS WALTER STEWART ARCHITECTS



Benedict B. Walter, Architect
Vice President

cc: Rick Knowland, City of Portland Planning Department
Don Crofts, Project Manager, Wild Oats Market Inc.
Jed Hayes, SullivanHayes Companies



CURTIS WALTER STEWART
A r c h i t e c t s

434 Cumberland Avenue
Portland ME 04101-2325

Benedict B. Walter, Vice President

Phone: 207.774.4441
Fax: 207.774.4016
E-mail: BWalter@CWSarch.com

Rick Knowland

July 14, 2000

George Gamache
Adams Associates
for Topsfield Associates
90 Lewis Avenue
Walpole, MA 02081

Re: Proposed **Wild Oats Market**
Marginal Way and Elm Street
Portland, Maine

Dear George,

I spoke again today with Rick Knowland of the City of Portland Planning Department regarding your concern that a rumored "overlay zone" that is being considered for the Bayside area might effect your ability to develop the parcel at 87 Marginal Way as you are planning, with a Wild Oats Market. He stated that overlay zone which has yet to be drafted and adopted would be designed to provide incentives to land owners who would like to pursue higher density developments. He felt this would not restrict your proposed project in any way.

He said he would keep us abreast of any development of this proposed overlay zone and I requested a copy of the draft of the proposal for review when it becomes available.

Very truly yours,

CURTIS WALTER STEWART ARCHITECTS

Benedict B. Walter, Architect
Vice President

cc: ~~Rick Knowland, City of Portland Planning Department~~
Peter W. Quesada, Fore River Company

TX/RX NO. 7739 07/20/00 15:40 P.002

**SOUTHERN MAINE PROPERTIES COMPANY
3 MILK STREET
PORTLAND, ME 04112**

July 19, 2000

Marginal Holdings, LLC
c/o Tapscott Associates, Inc.
20 Burlington Mall Road, Suite 460
Burlington, MA 01805
Attention: Jeffrey F. Cove

RE: Property at 87 Marginal Way, Portland, Maine

Gentlemen:

This letter will confirm our agreement that you have our permission to make applications to and seek permits and approvals from the City of Portland and any other agencies or governmental entities having jurisdiction over the property at 87 Marginal Way, Portland, Maine, all for the purposes of obtaining any necessary permits for the development and/or reuse of the property. You agree to copy us on all communications with any officials or staff and that you shall provide us copies of any return communications and all applications filed with the city. You agree to comply with the provisions in other documents executed by us with respect to the permits and approvals for the aforesaid property. You also agree to inform Mr. George Gemache of Adam Association and other representatives who may act on your behalf of the applicable provisions of such other documents.

If there are any questions with regard to the foregoing, please let us know. We wish you the best of luck in this process, and we look forward to concluding a successful transaction with you.

Very truly yours,

SOUTHERN MAINE PROPERTIES COMPANY

By: [Signature]

cc: Dennis Keeler, Esq.



Curtis Walter Stewart
Architects

FAX TRANSMITTAL

434 Cumberland Avenue Portland ME 04101-2325
www.CWSArch.com

Phone: 207.774.4441
Fax: 207.774.4016

To: <u>GEORGE GAMACHE</u>	From: <u>BEN WALTER</u>
Company: <u>ADAMS ASSOCIATES</u> <u>BPS FIELD ASSOCIATES</u>	Message: <u>WILD OATS MARKET</u> <u>PORTLAND, ME</u>
Fax No: <u>1-508-660-2672</u>	<u>FOLLOW-UP NOTES ON</u> <u>MEETING W/ RICK KNOWLAND.</u>
Date: <u>7-14-2000</u>	
Project/No.: <u>WILD OATS</u>	
Copies to: <u>RICK KNOWLAND -</u>	<u>874-8716</u>
<u>DON CROTT, W.O. -</u>	<u>303-928-0018</u>
<u>JED HAYES -</u>	<u>860-679-5260</u>
<u>PETER QUESADA -</u>	<u>772-9078</u>

Please notify CWS if received in error.

No. of Pages:

Planning

7-14-00

MARCG
PENNY
ALEX

DISCUSSION WITH BEN WALTERS ON THE
HOT SHOTS BLOG. IF THESE NOTES APPEAR
"OFF THE WALL" LET ME KNOW

THANKS
RICK



CURTIS WALTER STEWART
A R C H I T E C T S

434 Cumberland Avenue
Portland ME 04101-2325

Benedict B. Walter, Vice President

Phone: 207.774.4441
Fax: 207.774.4016
E-mail: BWalter@CWSArch.com

July 13, 2000

George Gamache
Adams Associates
for Topsfield Associates
90 Lewis Avenue
Walpole, MA 02081

Re: Proposed **Wild Oats Market**
Marginal Way and Elm Street
Portland, Maine

Dear George,

I had a follow up telephone conversation with Rick Knowland of the City of Portland Planning Department on July 12, 2000. Based on discussions with the planning staff, legal staff and code enforcement staff, he clarified the following items that were asked at our last meeting:

1. If we demolish the existing building and reconstruct it, even if within the same footprint, it would trigger starting the planning process over. This would require bringing the project to the planning board for review and approval;
2. If we were to add less than 10,000 SF of new floor area to the previously approved plan, we would not be required to go back to the planning board for review and approval. The plan would be reviewed by staff;
3. If we were to add vertically (we discussed 4' to bring it to 20') to the building, it would not be required to go back to the planning board as long as less than 10,000 SF of new floor area were added to the previously approved plan;
4. If Topsfield Associates were able to demonstrate right, title and interest to develop the property (in its land lease), it may be possible to piggyback this project on the previous application (he is still a little unclear on this but is hopeful). The other option might be to submit a new application that references the past approval;
5. He had an initial discussion with Marge Schmuckel, Code Enforcement Officer, about signage. Her preliminary interpretation was that a building can only have 4 facades, and thus, the sign on the angled facade facing the corner of Elm/Prebble Streets and Marginal Way would have to be considered to be on one of the two streets. I have a call in to her to further clarify this interpretation and to clarify the intent of the free standing sign requirements.

I also had a conversation with Lee Urban, Economic Development Director for the City of Portland about the possible existing (6" +/-) and future (14" +/-)

George Gamache
Proposed **Wild Oats Market** – Portland, Maine
July 13, 2000
Page 2 of 2

encroachment of the south west corner of the building on the city sidewalk. He recommended that the owner document the existing condition with an updated survey and title work and write a proposed easement for the improved building. He would identify the appropriate channels in the city required to review and approve the easement. He felt that if all was in order, it shouldn't become an issue.

In summary, all indication were that the general plan as we proposed it was received well by staff and should be approved, pending minor discussions and revisions, as proposed. I will keep you informed of further developments.

Very truly yours,

CURTIS WALTER STEWART ARCHITECTS



Benedict B. Walter, Architect
Vice President

cc: Rick Knowland, City of Portland Planning Department
Don Crofts, Project Manager, Wild Oats Market Inc.
Jed Hayes, SullivanHayes Companies
Peter W. Quesada, Fore River Company

**CURTIS WALTER STEWART**
A r c h i t e c t s434 Cumberland Avenue
Portland ME 04101-2325

Benedict B. Walter, Vice President

Phone: 207.774.4441
Fax: 207.774.4016
E-mail: BWalter@CWSArch.com

July 6, 2000

Don Crotts, Project Manager
Wild Oats Market Inc.
3375 Mitchell Lane, 1st Floor
Boulder CO 80301

1-303-928-0018

Jed Hayes
SullivanHayes Companies
10 Waterside Drive, Suite 200
Farmington CT 06032

1-806-679-8260

Re: **Proposed Wild Oats Market**
Marginal Way and Elm Street
Portland, Maine

Dear Don and Jed,

Attached (hard copy and email) are the proposed building shell plans and site sketch for the above referenced project being developed by Topsfield Associates. This provides a total building footprint of approximately 32,005 square feet of both existing renovated and new construction and 143 parking spaces.

I believe our preliminary and informal discussion yesterday with Rick Knowland of the Portland Planning Department about the overall scope of the project and the approvals process went very well. Because we have a current approval on the site and because we are proposing an addition of less than 10,000 sf, he is hopeful that the code enforcement officer will allow a "staff review" of our application rather than sending the project to the planning board. Review by the planning board should be avoided if at all possible, as it might add many months to the approval process. Rick is in the process of checking with the city's code review and legal department to determine if these assumptions are correct and how the process should take place, i.e. should we continue the previous application of re-apply.

In terms of the buildings use and the design concept, Rick seemed encouraged to see that a café with many opportunities for fenestration to break up the facades might be part of the design. He encouraged us to consider the pedestrian experience in our design, an element that the city is trying to foster in plans for a Bayside renaissance. He emphasized that the city would encourage the owner and tenant to pursue ways of engaging pedestrian activity as is highlighted in the Bayside master plan, "A New Vision for Bayside" (attached). He also liked bringing the building closer to the property line and the propose use of masonry as a finish material.

DRUMMOND
WOODSUM &
MACMAHON

HUGH G. E. MACMAHON
JOHN A. GRAUSTEIN
DANIEL AMORY
ROBERT E. HIRSHON
HARRY R. PRINGLE
RICHARD A. SPENCER
DONALD A. KOPP
RONALD N. WARD
JOHN S. KAMINSKI
WILLIAM L. PLOUFFE
JERROL A. CROUTER
MICHAEL E. HIGH
RICHARD A. SHINAY
BRUCE W. SMITH
E. WILLIAM STOCKMEYER
BENJAMIN E. MARCUS

MELISSA A. HEWEY
ERIC R. HERLAN
GREGORY W. SAMPLE
MARK E. STANDEN
DANIEL J. ROSE
KAIGHN SMITH, JR.
DAINA J. NATHANSON
EDWARD J. KELLEHER
S. CAMPBELL BADGER
AMY K. TCHAO
DEIRDRE M. SMITH
DANA A. LUKENS*
DAVID S. SHERMAN, JR.
BARBARA L. GOODWIN
ROBERT P. NADEAU

*Admitted in Massachusetts only

ATTORNEYS AT LAW
245 COMMERCIAL STREET
POST OFFICE BOX 9781
PORTLAND, MAINE 04104-5081
(207) 772-1941 FAX (207) 772-3627
TTY (207) 828-8260

March 24, 2000

OF COUNSEL
HAROLD E. WOODSUM, JR.
JOSEPH L. DELAFIELD III
LABOR RELATIONS & CONFLICT
MANAGEMENT CONSULTANT
ROGER P. KELLEY
POLICY & LABOR RELATIONS
CONSULTANT
ANN S. CHAPMAN
SPECIAL COUNSEL
ROBERT L. GIPS
INDIAN AFFAIRS CONSULTANT
MARCHELL WESAW

Joesph E. Gray, Jr., Planning Director
City of Portland - City Hall
389 Congress Street, 4th Floor
Portland, ME 04101

VIA HAND DELIVERY

RE: Bookland Site, 87 Marginal Way

Dear Mr. Gray:

On March 25, 1999, the Portland Planning Board granted site plan approval for this Project. For reasons which have been well-publicized, the Project has not commenced. The purpose of this letter is to request a one-year extension of the site plan approval through March 25, 2001. The authority for this request is contained in Portland City Ordinance Article V, Sec. 14-521(f).

The developer is in the final stages of negotiations with a substitute user and we anticipate the commencement of construction well in advance of the expiration of the extended approval.

If you have any questions or need additional information, please contact me. Thank you for your consideration and assistance.

Sincerely,



Ronald N. Ward

cc: Southern Maine Properties Co.

RNW/abm23556



CITY OF PORTLAND

March 28, 2000

Mr. Ronald Ward
Drummond Woodsum & MacMahon
245 Commercial Street
PO Box 9781
Portland ME 04104

RE: Bookland, 87 Marginal Way

Dear Mr. Ward:

This letter is in reference to your letter of March 24, 2000 regarding a request to extend the site plan approval for the Bookland project. In my capacity as Planning Director and under the provisions of sec. 14-525(f), I am approving a one year extension of the Bookland site plan to March 25, 2001.

Should you have any questions on this letter, please call me.

Sincerely,

Joseph E. Gray, Jr.
Director of Planning and Urban Development

- cc: Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner
P. Samuel Hoffses, Building Inspector
Penny Littell, Associate Corporation Counsel
Inspection Department
Development Review Coordinator
Lee Urban, Director of Economic Development
Don Hall, Appraiser, Assessor's Office
Susan Doughty, Assessor's Office
— Approval Letter File

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CITY OF PORTLAND

Developer: Marginal Holdings, LLC
Location: 87 Marginal Way
Project: Wild Oats

Date: December 22, 2000

Marginal Holdings, LLC is seeking a Traffic Movement Permit from the City of Portland, pursuant to delegated authority granted it by the Maine Department of Transportation, for a proposed 32,000 square foot health food store and café on the corner of Marginal Way and Preble Street in Portland. This development is expected to generate 370 passenger car equivalents during peak hours, with 217 of these trips being new trips attributable to the development.

Based on findings of fact, the City, under delegated authority, approves the Traffic Movement Permit application of Marginal Holdings, LLC for the proposed Wild Oats, subject to the following conditions:

SECTION A:

- The installation of pedestrian crosswalks, per City standards, on all legs of the intersection at Preble/Marginal Way and on two legs (on the northerly and easterly side) of the intersection at Marginal Way and Franklin Arterial; and
- The upgrade of eight (8) new pedestrian counters at the intersection of Preble / Marginal Way and four (4) new pedestrian counters at the intersection of Marginal Way and Franklin Arterial; and
- The installation of approximately two hundred and twenty (220) feet of asphalt sidewalk from the intersection at Marginal Way along Preble to the driveway of Hillman's Electric; and
- Modification to the median to accommodate pedestrian use on Marginal Way (westerly side); and
- Movement of stop bars and replacement of two (2) vehicle detection loops on Marginal Way (westerly side); and
- Placement of new pavement markers on Marginal Way (westerly side); and

The City of Portland will install the improvements noted in this Section A, using money contributed by the developer and federal funds provided through PACTs, and in conjunction with the installation of improvements along Marginal Way.

SECTION B:

The developer will also be installing the following improvements as a condition of this approval:

- The installation of a left turn lanes and median within the existing paved right of way of Marginal Way servicing Wild Oats, all as shown on the Off-Site Street Improvement plans, dated 12-21-00; and
- The striping of the roadway as contained in the Traffic Report of John L. Murphy, P.E., dated November 2000.

SECTION C:

Truck deliveries to the development shall be limited during p.m. peak hours as determined by the City of Portland Traffic Engineer.

SECTION D:

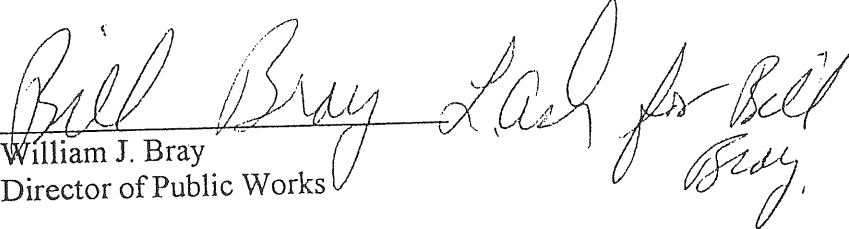
The developer shall contribute \$25,000.00 toward the improvements associated with this project, with a breakdown as follows:

- \$18,500.00 to be used in mitigation of traffic impacts resulting from this development; and
- \$6,500.00 to be used in the installation of improvements noted in Section A above.

SECTION E:

The developer will also submit, and pursue in good faith, a Development Action Grant from the Downtown Portland Corporation for an amount of money, not to exceed \$9,000.00, for portions of the unfunded costs of such traffic infrastructure improvements noted in Section A above. Receipt of such Grant is not a condition of this Permit, and the City shall install the Section A improvements notwithstanding receipt of the Grant.

Approved by:


William J. Bray
Director of Public Works

Cc: Steve Landry, MDOT
Dean Lessard, MDOT
Leslie Lowry, Esq.
Larry Ash, City of Portland Traffic Engineer
Alex Jaegerman, Planning
Rick Knowland, Planning ✓



CITY OF PORTLAND

December 29, 2000

Mr. Ronald Ward, Esq.
Drummond Woodsum & MacMahon
245 Commercial Street
P.O.Box 9781
Portland, Maine 04101

RE: 87 Marginal Way

Dear Mr. Ward:

This letter is in reference to your FAX of December 27, 2000 regarding a request to extend the site plan approval for the Bookland project. The site plan currently is set to expire on March 25, 2001. In my capacity as Planning Director and under the provisions of §14-525(1), I am approving a one-year extension of the Bookland site plan to March 25, 2002.

Should you have any questions on this letter, please call me.

Sincerely,


Joseph E. Gray, Jr.
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner ✓
P. Samuel Hoffses, Building Inspector
Inspection Department
Development Review Coordinator
Lee Urban, Director of Economic Development
Don Hall, Assessor's Office
Susan Doughty, Assessor's Office
Approval Letter File

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CITY OF PORTLAND

May 29, 2001

Steve Doe
Sebago Technics
One Chabot Street
P. O. Box 1339
Westbrook, ME 04098-1339

RE: Wild Oats, Marginal Way, 34-0-7

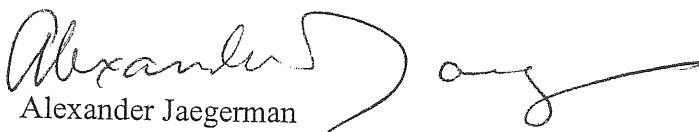
Dear Mr. Doe,

This letter is to confirm that the Portland Planning Authority has reviewed and approved revisions to the grading plans for the Wild Oats site. The revisions are described in a letter dated May 1, 2001 from you to the Planning Office. The approval is subject to the following conditions.

1. That applicant addresses the questions raised in Stephen Bushey memo dated May 16, 2001, (memo attached).
2. That the 5 replacement trees along Preble Street shall be a minimum 3 inches in caliber.
3. That the sea green junipers along the front parking lot shall be a minimum 30 inches in height.

Should you have any questions concerning this letter, please call Rick Knowland of the Planning Office.

Sincerely,


Alexander Jaegerman
Chief Planner

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CC: Richard Knowland, Senior Planner
P. Samuel Hoffses, Chief of Building Inspections
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Jay Reynolds, Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Nancy Knauber, Associate Engineer
Jeff Tarling, city Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Inspections Department
Lee Urban, Director of Economic Development
Don Hall, Appraiser, Assessor's Office
Susan Doughty, Assessor's Office
Approval Letter

From: stephen bushey <bbushey@maine.rr.com>
To: srbushey@maine.rr.com <srbushey@maine.rr.com>
Date: Wednesday, May 16, 2001 7:22 AM
Subject: Wild Oats

Rick,

I have reviewed the May 1 letter and plan from Sebago Technics for the Wild Oats project. In general there seems to be no major impact by their proposal to keep soil material onsite and raise the grades. I suggest however that the applicant provide additional information as to the MEDEP requirements for keeping of this special waste onsite. Are any type of fabrics or material required over the special waste to act as a warning layer? Are there any deed restrictions or other legal language necessary to allow future owners the understanding that special waste exist? What provisions is the applicant required to make for construction of utilities etc. within any special waste. What provisions if any are required for the temporary stockpiling of material, exposure, wind protection, etc. during construction. I presume a VRAP is not required however this should be confirmed.

If you have any questions please call.

Steve Bushey, Technical Reviewer

PLANNING REPORT #7-99

BOOKLAND SITE PLAN REVIEW
87 MARGINAL WAY
SOUTHERN MAINE PROPERTIES CO.

Submitted to:

Portland Planning Board
Portland, Maine

March 23, 1999

I. INTRODUCTION

A public hearing has been scheduled to consider a proposal by Southern Maine Properties Company for a retail development at 87 Marginal Way (corner of Marginal Way and Elm Street.) This development is intended to renovate the existing "Hot Shots" building into a Bookland retail store. This application is before the Board because it represents a change in use, exceeding 10,000 sq. ft. of floor area, which requires site plan review.

24 notices were sent to area property owners.

II. FINDINGS

Zoning:	B-5
Land Area:	102,000 sq. ft.
Existing Building Footprint:	23,594 sq. ft.
Proposed Building Footprint:	26,500 sq. ft.
Adjacent Uses:	Whole Grocer and West Marine (northerly); vacant railroad land (easterly); Elm Street (southerly); Marginal Way and city parking lot (westerly.)

An outside terrace is proposed at the rear of the building as part of a cafe. A community room is also planned within the building for community meeting.

Building Elevations

Since the last workshop, the applicant has incorporated an architectural feature at the Marginal Way corner of the building as a gateway entrance. This is intended to address Sec. 14-526(26) - "buildings shall be oriented toward the street and shall include prominent facades, with windows and entrances toward the street." Staff had suggested at the last workshop that a gateway structure be added at this corner to emphasize a more visible entrance from Marginal Way.

Below is a summary of previous design changes that were discussed at the March 9th workshop.

Marginal Way Elevation . . . On the right-hand side, a doorway has been added with windows on either side. The windows on the far corner have now been off-set to complement the door. The doorway will apparently serve as an emergency exit. To the left of the mural, a window has been added.

North (Main Entrance) Elevation . . . The Bookland tower entrance has been rotated 20 degrees (now 22.5 degrees) toward Marginal Way. This has been done to give the entrance more of a Marginal Way orientation. In addition, a plaza with landscaping and benches is planned from the entrance to Marginal Way as an "extended" entrance area.

Rear (East) Elevation . . . More windows have been added on the far corner of the facade (close to Elm Street). This portion of the facade was previously blank. Most of the rear facade will have a 1/2" square metal grid that helps break up the facade. A five foot high cedar fence will be placed along the outside of the cafe which will be raised several feet above the ground.

Elm Street (South) Elevation . . . An extra set of windows was added on the corner (Elm Street/Marginal Way). A large wall mural is shown on the opposite corner. A window was shifted to the left of the mural to provide more visual interest.

The building will have an exterior of dryvit. The dryvit will be green in color on two sides while the remaining sides will be blue and yellow. Corrugated metal canopies will be placed above each window opening. Metal siding will be used along a portion of the rear wall and loading area.

III. STAFF REVIEW

This development has been reviewed by staff for conformance with the standard of the site plan ordinance. Since the March 9th workshop, a revised site plan was submitted to staff on Tuesday, March 16th. With the limited time frame for review, the Development Review Coordinator and Public Works comments were not available at the writing of this report. We hope to have these comments for Tuesday's meeting.

1/2. Traffic

The site will be served by two driveways from Marginal Way. An existing driveway opening (nearest the building) will be shifted about 32 feet to the east. A second curb cut (although labeled as "new curb cut" on the plan) is an existing driveway opening that is being slightly modified. The circulation of the parking lot has been coordinated with the parking lot of the adjacent parcel (Whole Grocer), which is owned by the applicant.

Concrete curb stops will be installed for parking spaces adjacent to Marginal Way. We would normally require curb stops at the rear of the property but a note indicates that an existing fence will remain.

Larry Ash, City Traffic Engineer, has requested that a traffic analysis be submitted for this project but as of the writing of this report none has been received.

At the February 9th workshop, there was a concern expressed about how the turning movements of the Whole Grocer and the new parking lot would mesh. Mr. Ash's initial comment was that a modification in the Whole Grocer parking lot should be considered. The applicant expressed reservations concerning this change because it might change a curb cut location. Prior to Tuesday's meeting we will discuss this issue further with Mr. Ash.

3. Bulk, location, height of proposed structure, health and safety problems

There are no known health or safety problems associated with this project.

4. Bulk, location, height of proposed structures minimizes substantial diminution in the value or utility to surrounding structures

The applicant controls the Whole Grocer and West Marine parcel. Vacant railroad land is behind the property. This proposal redevelops a vacant and underutilized structure which should increase the value of nearby properties.

5. Sewers, storm drains, water

The applicant intends to use the existing utility lines in Marginal Way. The plan shows water, electric, gas, sewer and storm drain lines. Also, sewer capacity letters from Public Works have not been submitted.

The applicant apparently intends to use an existing overhead power line from Marginal Way. However, a note also on the plan indicates that all utilities shall be underground. This should be clarified.

6/7. Landscaping

The landscaping plan for the parking lot needs work. The islands within the parking lot and the green space between the parking spaces and the Marginal Way sidewalk show under story plantings. To effectively break-up the mass of black top within the parking lot, staff would suggest that deciduous trees be planted in each island plus additional trees along the street edge.

The landscaping plan directly adjacent to the building is more developed. The black top area between the building and Marginal Way would be removed and replaced with lawn and plantings. The landscaping utilizes three existing street trees along Marginal Way and four street trees along Elm Street. A variety of understory plantings are proposed between the building and Marginal Way.

Three Japanese Tree Lilacs (2 1/2" - 3" cal.) will be planted in the entryway plaza.

No significant vegetation exists on the site, except for the street trees referenced above.

The plan indicates that a fence will be placed around a dumpster toward the rear of the property. The type of fence (solid or partial screen) is not indicated.

Although a new sidewalk is shown along Marginal Way, the plan does not specify the surface cover of the esplanade. This should be grass.

8. Soil and drainage

Stormwater from the parking lot will flow into an existing storm drain line in Marginal Way via three catchbasins on site. The existing site is almost entirely covered with blacktop, building, or gravel. With the introduction of lawn area in front of the building, there will be a net reduction of impervious surface. About 15,000 sq. ft. of the parking lot which is currently gravel, will be resurfaced with blacktop. The remainder of the parking lot will have a new coating of asphalt.

A treatment system for dirty stormwater should be installed on this site.

The Development Review Coordinator and Public Works are in the process of reviewing the plan.

A note on the plan indicates that erosion and sedimentation control measures shall be designed in accordance with Best Management Practices of the Cumberland County Soil and Water Conservation District and DEP.

9. Lighting

The site plan indicates there will be seven light poles within the parking lot. A note on the plan indicates the light poles will be 30 feet high, with a two light fixtures per pole. A catalog cut of the fixture and a site plan with photometric values of the lighting pattern has not been submitted. The Department of Human Services building was approved by the Board with 25-foot high light poles. We would suggest a similar height for these poles.

A variety of exterior lighting fixtures are proposed along the building facade. This could provide an interesting design feature for nighttime viewing of the building. See Attachments in March 9th staff memo.

10. Fire

The Fire Department has reviewed the plan and finds it acceptable.

11. Infrastructure

The proposed development is designed so as to be consistent with off-premises infrastructure existing or planned by the city.

12. Impact on Natural Resources

There are no known adverse impacts upon the existing natural resources including groundwater quantity and quality, surface water quantity and quality, wetlands, unusual natural areas, and wildlife and fisheries habitat. This is an urban location with a site covered by building and parking lots.

13. Groundwater

This site is served by public water and sewer.

14. Signs

The signage and murals proposed for the building appear to complement and enhance the architectural attributes of the building. These elements help break up segments of the facade that are blank, creating some unusual interest. They are of an appropriate size and scale.

Two murals are proposed. The murals are described as "art work". The mural on the Elm Street side of the building is approximately 50 feet long. The mural along Marginal Way is a freestanding structure just a few feet in front of the building. At the widest point, the mural has a dimension of about 32 feet.

Marge Schmuckal, Zoning Administrator, has reviewed the submitted signage plans and offers the following comments (Attachment D.) She indicates that murals as a work of art, are exempt from the sign ordinance assuming there is no commercial message/name.

This memo is to address issues as shown on the submitted Bookland plans. The City Sign Ordinance exempts works of art from requiring a permit if they do not include a commercial message. I interpret that to mean that no commercial message/name, trademark, logo, or symbol should be located on the art work.

A work of art is required to be permitted (i.e., to have a sign permit) if it contains a commercial message/name, trademark, logo, or symbol. That commercial message etc. would be restricted to no more than ten (10) percent of the total area of the artwork.

It is my interpretation that the two art work murals could meet the art work exemption if the proposed magazine/book and wall murals were not a real magazine or book cover. It should be non-specific to a product and contain no logo.

15. B-5 Development Standards

a. Shared Infrastructure:

Circulation on the site has been planned and coordinated with the Whole Grocer parcel which is controlled by the applicant. This includes parking and vehicular access.

b. Buildings and uses shall be located close to the street:

The applicant is proposing to renovate an existing building. The building footprint is virtually on the Elm Street roadway line while on Marginal Way the building is set back about 30 feet.

c. Buildings shall be oriented toward the street and shall include prominent facades with windows and entrances oriented toward the street. Uses that include public access to a building or commercial/office uses in mixed-use developments shall be oriented toward major streets whenever possible.

This issue has been discussed in some detail at previous workshops. Staff has suggested some type of architectural element be designed at the Marginal Way corner of the building that would serve as a gateway or entryway to the building. We were concerned that the earlier changes were not strong enough to address the goal of the standard. The details of the building elevations are described in Section II of this report.

With the inclusion of a gateway detail, the Marginal Way front door (accessory), and the large mural, the design has evolved to be more responsive as a prominent facade adjacent to a major street.

- d. Parking lots shall be located toward the rear of the property and shall be located along property lines where joint use or combined parking areas with abutting properties are proposed or anticipated.

Parking is located along the side of the building. The applicant indicates that in the long term a building will be constructed in the parking lot toward Marginal Way which would push the parking further to the rear.

- e. Standards for increasing front setback.

This standard does not apply since the applicant is proposing to renovate an existing building.

16. Land Survey

A land survey was submitted by the applicant; but the seal, date, and some of the detail are difficult to read. A legible land survey needs to be submitted.

IV. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and material submitted by the applicant and on the basis of information provided in Planning Report #7-99, the Planning Board finds:

- A. That the plan is in conformance with the Site Plan Ordinance of the Land Use Code.
 - 1. The applicant submit additional information on the exterior lighting including a photometric plan, a catalog cut of the parking lot light fixtures, and a reduction in the light pole height to a maximum of 24 feet, for city staff review and approval.
 - 2. That a revised landscaping plan be submitted for staff review and approval.
 - 3. That the site plan be revised reflecting the comments of the Development Review Coordinator and Public Works.

4. That the applicant submit a legible land survey for staff review and approval.
5. That a traffic analysis report be submitted for review and approval by the City Traffic Engineer.
6. That the site plan be revised to reflect a gross esplanade adjacent to the Marginal Way sidewalk.

Attachments

- A. Background Information
- B. Site Plan
- C. Building Elevations
- D. Memo from Marge Schmuckal, Zoning Administrator

3/15/99

Site Plan Review

Renovations to an Existing Building for a New Retail Facility at 87 Marginal Way, Portland, Maine

Below are responses to contents requirements as set forth in Portland's Land Use §14-525b. The numbers below correspond to the numbers given in the code.

§14-525(b)1)

a. Applicant: Southern Maine Properties Company
P.O. Box 7525
Portland, ME 04112

Development Name: 87 Marginal Way
New Office Building

- b. See Site Plan "A".
- c. See Site Plan "A".
- d. See Site Plan "A";
- e. See Grading / Site Plan.

§14-525(b)2)

- a. Existing soils – sand, gravel, bricks, ash, grey silty clay, grey silty sand, and gravel.
- b. Site is 100% impervious and without rock outcroppings. No easements or rights of way. See Grading / Site Plan.
- c. See Grading / Site Plan and Elevations.
- d. See Grading / Site Plan.
- e. See Grading / Site Plan.
- f. None.
- g. See Grading / Site Plan.
- h. See Landscaping Plan.
- i. See Grading / Site Plan and outdoor café fence details.
- j. See site lighting photometrics plan to follow.
- k. See Grading / Site Plan.
- l. N/A.
- m. See written statement.
- n. All temporary erosion control measures to follow Cumberland County SWCD guidelines. Temporary erosion control devices will be in place before commencing other construction and sediment removal measures will be taken before runoff water leaves the site. See Grading / Site Plan.

3/15/99

Site Plan Review – Written Statements
Renovation to an Existing Building for a Retail Facility at 87 Marginal Way, Portland, Maine

Below are responses to written statement requirements as set forth in Portland’s Land Use §14-525c. The numbers below correspond to the numbers given in the code.

14-525c: Owners

Southern Maine Properties Company (SMPC)
P.O. Box 7525
Portland, ME 04112

- 1) Site to be used for retail sales and café.
- 2) Land Area
102,000 ±sf

Existing Coverage
Bldg. & loading platform = 26,300± sf
Proposed Coverage
Bldg, Bldg. Additions, & platform = 26,500± sf
- 3) None.
- 4) Normal retail waste.
- 5) Site is currently served by:
PWD – water & sprinklers
Portland Sewer Department – sewer & storm
CMP – electrical
Northern Utilities – natural gas
Bell Atlantic – telephone
- 6) Site currently impervious except for the tree wells and landscaped strip along southerly side of building: Install new catch basins for surface drainage. Grading plan to follow.
- 7) Permitting – 1 month
Construction – 5 months
 - Site work
 - New building construction
- 8) None.
- 9) Whereas Key Bank has recently decided not to finance this project it is unknown at this time whether or not a financial institution would finance this project.
- 10) See attached tax bills.
- 11) None.
- 12) Any plans in this format will follow.

T. 11, 1998
\$7,415.53

DUE MARCH
\$7,415.53

PAY THIS AMOUNT
\$7,415.53

FIRST BILLING
S38427-99

ENDING INST:

CBL

Assessed Property Description

ACCOUNT NUMBER S38427-99

034 -- D-007-001

34-D-7-1
MARGINAL WAY 87
PREBLE ST
101987 SF



SOUTHERN MAINE PROP CO

PO BOX 7525
PORTLAND ME 04112

BRING COMPLETE TAX BILL WHEN
PAYING IN PERSON.

Please Make Your Check Payable to:
City of Portland

Send Copy of Bill to Mortgage Holder

PARTIAL PAYMENTS MAY BE MADE
AT ANY TIME.

Change of Address

Name:

RETURN THIS TOP PORTION WITH PAYMENT

Credit cards are not accepted for property tax payments.

KEEP THIS PORTION

ACCOUNT NUMBER S38427-99

1999 REAL ESTATE PROPERTY TAX STATEMENT
City of Portland

CBL 034 -- D-007-001

Fiscal Year 1999

July 1, 1998 - June 30, 1999

ENDING INST.

Owner of Record as of April 1, 1998

SOUTHERN MAINE PROP CO

5 MILK ST
PORTLAND ME 04101

Assessed Property Description
34-D-7-1
MARGINAL WAY 87
PREBLE ST
101987 SF

CURRENT BILLING DISTRIBUTION

School	\$ 7,845.64
Public Works	\$ 1,067.84
Parks & Recreation	\$ 385.61
Fire	\$ 1,171.65
Police	\$ 1,453.44
Debt Repayments	\$ 1,364.46
General Government	\$ 593.21
County	\$ 474.59
Health & Human Services	\$ 489.42-
Library	\$ 459.76
Metro Transit District	\$ 341.11
Enterprise Funds	\$ 88.99-
Regional Waste Systems	\$ 252.13

CURRENT BILLING INFORMATION

Land Value	\$ 204,570.00
Building Value	\$ 381,870.00
Total Value	\$ 586,440.00
Exemptions	\$.00
Homestead	\$.00
Taxable Value	\$ 586,440.00
Tax Rate	\$ 25.29
TOTAL TAX AMOUNT PAID	\$ 14,831.06
	\$.00

Remittance Instructions

To avoid standing in line, it is recommended that taxes be paid by mail. Please make check or money orders payable to: CITY OF PORTLAND. Credit cards are not accepted for property tax payments.

Use enclosed envelope to return your payment or mail to:

City of Portland
AUG 17 1998
P.O. Box 944
Portland, ME 04112-0544

ORP FIVE COMPANY Change of address and check off box on return envelope.

Zoning Division
Marge Schmuckal
Zoning Administrator



Department of Urban Development
Joseph E. Gray, Jr.
Director

CITY OF PORTLAND

TO: Rick Knowland, Senior Planner
FROM: Marge Schmuckal, Zoning Administrator
SUBJECT: Bookland Project - 87 Marginal Way - 34-D-1 & 7

March 10, 1999

This memo is to address signage issues as shown on the submitted Bookland plans. The City Sign Ordinance exempts works of art from requiring a permit if they do not include a commercial message. I interpret that to mean that no commercial message/name, trademark, logo, or symbol should be located on the art work.

A work of art is required to be permitted if it contains a commercial message/name, trademark, logo, or symbol. That commercial message etc. would be restricted to no more than ten (10) percent of the total area of the artwork.

It is my interpretation that the two art work murals could meet the art work exemption if the proposed magazine/book and wall murals were not a real magazine or book cover. It should be non-specific to a product and contain no logo.

cc: Penny Littell, Corporation Council
file

Planning Department



Richard Knowland
Senior Planner

CITY OF PORTLAND

TO: LGG URBAN
ALGX JAGGERMAN
JACK LUFKIN

file copy

389 Congress St., 4th fl. • Portland, ME • (207) 874-8725 • Fax 756-8258
Email: rwk@ci.portland.me.us

Mrs. Knowland,

I don't know if you had a hand in approving the Wild Oats building, but as Senior Planner you should know the sentiments expressed in this letter can be directed to those

individuals in Portland who have been involved in making wild Oats existence here in Portland possible. If you were not involved, please forward to the appropriate person(s).

Thank you
Jimmy Perkins

December 31, 2002

Wild Oats Community Markets, Inc.
3375 Mitchell Lane
Boulder, CO 80301

Dear Mr. Odak,

I am writing to express my concern and disappointment, even anger, that Wild Oats **Community Markets** has decided to establish a store in Portland, Maine right next to The Whole Grocer. How can you say that you are a **community** store when you are establishing a store right beside a local, independent, true small-scale (approx. 8,000 sq. ft.) community store right next door that has been in the business for over 18 years? It's not that I don't believe in competition, but did you have to locate in such close proximity? Your choice of location was absolutely cruel!

What a hypocritical business/ group of people you are. How can you say (and I quote from your web site) "(we) support our local communities" and "(we are) passionate about supporting our communities" when you have done something like this? Would you say that building & opening this Portland store is supporting a local business? You also say, "We measure every business decision against its impact on the communities in which we do business." I'd like to know what you came up with when you measured the impact your store would have on The Whole Grocer- the business and it's employees and it's loyal customers?!

There is a substantial population here in the Portland area that could sustain both stores, but only if they are a significant distance across town from one another. I would like to know why you chose such a location when there are so many other locations with large populations nearby. Truly, areas to the north, south and west of downtown Portland, could have used a natural foods store. Both Wild Oats and The Whole Grocer could have coexisted and, I believe, thrived. but, now, I don't see how that can happen. All I see is you and your company taking advantage of the hard work the Whole Grocer has done over the years to establish themselves and attract customers at that Marginal

Way location where they have been for the past
5 years.

You are just one more big business
furthering the big business negative reputation.

I'd be interested in your comments.

Cordially,

Tammy Bevins

Tammy Bevins
30 Ledgewood Drive
Yarmouth, ME 04096

cc Mr. James Cloutier, Mayor of Portland
Mr. Rick Knowland, Senior Planner
Ms. Chandrika Sanyal, Owner, The Whole Grocer

Department of Planning & Development
Lee D. Urban, Director



Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

December 6, 2002

CITY OF PORTLAND

Mr. Chris Gove
157 Main Street
Kingston, NH 03848

RE: Wild Oats

Dear Chris,

Since our telephone conversation, I have talked to Larry Ash (City Traffic Engineer) and Jay Reynolds (Development Review Coordinator) concerning the Wild Oats performance guarantee.

Mr. Ash indicates that several traffic related items have not been completed for the Wild Oats site. These items include the following. These items are also highlighted on the attached traffic movement permit letter.

1. The installation of a left turn lanes and median within the existing paved right-of-way of Marginal Way serving Wild Oats, all as shown on the Off-Site Street Improvement plans, dated 12-21-00.
2. The striping of the roadway as contained in the Traffic Report of John L. Murphy, P. E., dated November 2000.

Unfortunately until these items are installed, we cannot release the remaining amount of the performance guarantee. We would strongly recommend that these items be installed as soon as weather permits.

Should you have any questions concerning this letter please call me.

Sincerely,

✓ Rick Knowland,
Senior Planner

cc: Alexander Q. Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Program Manager
Jay Reynolds, Development Review Coordinator
Larry Ash, City of Portland Traffic Engineer



CITY OF PORTLAND

Developer: Marginal Holdings, LLC
Location: 87 Marginal Way
Project: Wild Oats

Date: December 22, 2000

Marginal Holdings, LLC is seeking a Traffic Movement Permit from the City of Portland, pursuant to delegated authority granted it by the Maine Department of Transportation, for a proposed 32,000 square foot health food store and café on the corner of Marginal Way and Preble Street in Portland. This development is expected to generate 370 passenger car equivalents during peak hours, with 217 of these trips being new trips attributable to the development.

Based on findings of fact, the City, under delegated authority, approves the Traffic Movement Permit application of Marginal Holdings, LLC for the proposed Wild Oats, subject to the following conditions:

SECTION A:

- The installation of pedestrian crosswalks, per City standards, on all legs of the intersection at Preble/Marginal Way and on two legs (on the northerly and easterly side) of the intersection at Marginal Way and Franklin Arterial; and
- The upgrade of eight (8) new pedestrian counters at the intersection of Preble / Marginal Way and four (4) new pedestrian counters at the intersection of Marginal Way and Franklin Arterial; and
- The installation of approximately two hundred and twenty (220) feet of asphalt sidewalk from the intersection at Marginal Way along Preble to the driveway of Hillman's Electric; and
- Modification to the median to accommodate pedestrian use on Marginal Way (westerly side); and
- Movement of stop bars and replacement of two (2) vehicle detection loops on Marginal Way (westerly side); and
- Placement of new pavement markers on Marginal Way (westerly side); and

The City of Portland will install the improvements noted in this Section A, using money contributed by the developer and federal funds provided through PACTs, and in conjunction with the installation of improvements along Marginal Way.

SECTION B:

The developer will also be installing the following improvements as a condition of this approval:

- * The installation of a left turn lanes and median within the existing paved right of way of Marginal Way servicing Wild Oats, all as shown on the Off-Site Street Improvement plans, dated 12-21-00; and
- * The striping of the roadway as contained in the Traffic Report of John L. Murphy, P.E., dated November 2000.

SECTION C:

Truck deliveries to the development shall be limited during p.m. peak hours as determined by the City of Portland Traffic Engineer.

SECTION D:

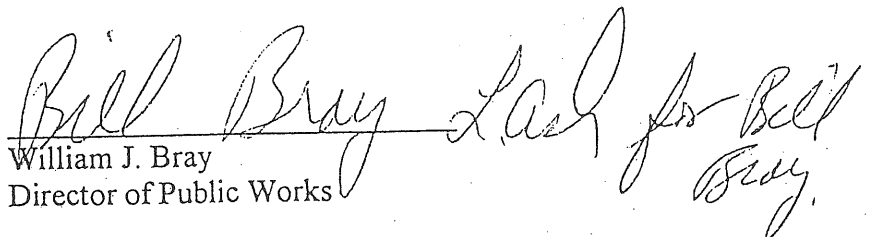
The developer shall contribute \$25,000.00 toward the improvements associated with this project, with a breakdown as follows:

- \$18,500.00 to be used in mitigation of traffic impacts resulting from this development; and
- \$6,500.00 to be used in the installation of improvements noted in Section A above.

SECTION E:

The developer will also submit, and pursue in good faith, a Development Action Grant from the Downtown Portland Corporation for an amount of money, not to exceed \$9,000.00, for portions of the unfunded costs of such traffic infrastructure improvements noted in Section A above. Receipt of such Grant is not a condition of this Permit, and the City shall install the Section A improvements notwithstanding receipt of the Grant.

Approved by:


William J. Bray
Director of Public Works

Cc: Steve Landry, MDOT
Dean Lessard, MDOT
Leslie Lowry, Esq.
Larry Ash, City of Portland Traffic Engineer
Alex Jaegerman, Planning
Rick Knowland, Planning ✓

Planning & Urban Development



CITY OF PORTLAND

TO: Duane Kline, Finance Department
FROM: Alexander Jaegerman, Chief Planner
DATE: October 23, 2001
SUBJECT: Request for Reduction in Performance Guarantee
Wild Oats #87 Marginal Way
ID# 1999-0167 Lead CBL #321A002001

A request by Marginal Holdings, LLC has been made for a reduction of Escrow Account #47304990436 for #87 Marginal Way.

Original Sum	\$ 256,033.00
Reduction Amount	<u>\$ 227,429.70</u>
Remaining Sum	\$ 28,603.30

This is the first reduction for the project.

Approved:


Alexander Jaegerman
Chief Planner

cc: Sarah Hopkins, Development Review Services Manager
✓ Richard Knowland, Senior Planner
Development Review Coordinator
Tony Lombardo, Public Works
Code Enforcement
file

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City of Portland Planning Department

389 Congress Street, 4th Floor
Portland, ME 04101
207-874-8721 or 207-874-8719
Fax: 207-756-8258

FAX TRANSMISSION COVER SHEET

Date: 8-31-00

To: STEVE DOE

Company: SEBAGO TECHNIC

Fax #: _____

From: RICK KNOWLAND

RE: STEVE - ATTACHED ARE COMMENTS FROM

STEVE BUDNEY, A REMINDER ABOUT THE TRAFFIC REPORT

UPDATE. THE 300 SQFT SIGN ALONG MARGINAL

WAY IS 16 SQFT ABOVE MAXIMUM ALLOWED. WOULD

IT BE POSSIBLE TO HAVE A WALKWAY THAT CONNECTS

THROUGH THIS SITE TO THE RAILROAD PROPERTY (FUTURE

TRAIL) SHOULD YOU HAVE ANY QUESTIONS, PLEASE

GIVE ME A CALL. WE ARE OBVIOUSLY INTERESTED IN

ANY UPDATES ON THE BUILDING ELEVATIONS.

YOU SHOULD RECEIVE 2 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL 207-874-8721 OR 207-874-8719.

From: "Steve Bushey" <srbushey@maine.rr.com>
To: "Rick Knowland" <RWK@ci.portland.me.us>
Date: Fri, Aug 25, 2000 2:42 PM
Subject: Wild Oats site plan application

Rick,

I have reviewed the application materials submitted for the Wild Oats project and offer the following comments:

1. the plans should identify the exact limits of works within the Public Right of Way.
2. Larry Ash should review and sign off on the driveway locations and configurations.
3. Are the 17' deep parking spaces along the Marginal way frontage acceptable?
4. Details for the screen wall should be provided.
5. The plans should identify where the foundation drain will discharge to.
6. Will there be any pylon signs for the project?
7. An ability to provide service letter with related impact fees or offsite sanitary sewer improvements should be obtained from the Public Works dept.

If you have any questions please call.

Steve Bushey Acting Development Review coordinator

Planning Department

Richard Knowland
Senior Planner



CITY OF PORTLAND

Planning Department

Richard Knowland
Senior Planner



CITY OF PORTLAND

GAYLANO,

REVISED SITE PLAN FOR 87 MARGINAL
WAY (BOOKLAND SITE) FOR YOUR
REVIEW. THIS WILL BE DISCUSSED AT

THU 8-23-00 STAFF MEETING.

THANKS

RIK

8-21-00

TONY,

REVISED SITE PLAN FOR 87 MARGINAL
WAY (BOOKLAND SITE) FOR YOUR
REVIEW. THIS WILL BE DISCUSSED AT

THU 8-23-00 STAFF MEETING.

THANKS

RIK

8-21-00

Planning Department

Richard Knowland
Senior Planner



CITY OF PORTLAND

8-21-00

JEFF

REVISED SITE PLAN FOR MARGINAL
WAY (BOOKLAND SITE) FOR YOUR
REVISION. THIS WILL BE DISCUSSED
AT THE 8-23-00 STAFF MEETING.

THANKS

RK

Planning Department

Richard Knowland
Senior Planner



CITY OF PORTLAND

8-21-00

LARRY,

REVISED SITE PLAN FOR MARGINAL
WAY (BOOKLAND SITE) FOR YOUR
REVISION. THIS WILL BE DISCUSSED AT
THE 8-23-00 STAFF MEETING.

THANKS

RK

Planning Department



CITY OF PORTLAND

Richard Knowland
Senior Planner

8-21-00

STOVE,

REGUNGO SITE PLAN FOR 87 MARGINAL
WAY (BOOKLAND SITE) FOR YOUR REVIEW.

THIS WILL BE DISCUSSED AT THE 8-23-00
STAFF MEETING.

THANKS,
RIK

Planning Department



CITY OF PORTLAND

Richard Knowland
Senior Planner

8-21-00

MARGE,

REGUNGO SITE PLAN FOR 87 MARGINAL
WAY (BOOKLAND SITE) FOR YOUR REVIEW.

THIS WILL BE DISCUSSED AT THE 8-23-00
STAFF MEETING.

THANKS,
RIK

MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
OIL & HAZARDOUS MATERIALS REPORT FORM

Spill Number P - 0191 - 01

Report Status: **FINAL**

SUBJECT / OWNER OR OPERATOR

Name (Last, First, MI): MARGINAL HOLDINGS LLC, C/O ADAMS ASSOC.
Address: 90 LEWIS AVE, Town: WALPOLE
State: MA Zip Code: 02081 Telephone: (508) 660-2672 Ext:
Comments: SPECIAL WASTE SOIL AND UST REMOVAL INVESTIGATION & REMEDIATION.

LOCATION / FACILITY INFORMATION

Name of Spill Location: COMMERCIAL PROPERTY
Address: 87 MARGINAL WAY & ELM Location ID: 36551
Minor Civil Division: PORTLAND Local Name: MARGINAL WAY
Latitude N: Longitude W:

SPILL / EVENT INFORMATION

Spill Type: A (Table A) Amount Spilled: 999.99 P (Gallons, Cubic Yards, Pounds, Barrels)
Product Reported Spilled: 92 (Table B) Product Actually Found: 92 (Table B)
Date Of Spill: Time Of Spill:
Date Reported: March 19, 2001 Time Reported:
Cause: 30 (Table C) Detection Method: 6 I (Table D)
Incident Code: A - CM - S - U (Table E)
Response Time Involved: 8.0 Wells At Risk: 0 Wells Impacted: 0
Investigator(s) BREZINSKI, STEPHEN SGB 7/3/01

REPORTING INFORMATION

Name (Last, First, MI): ACADIA ENV.
Address: Town: PORTLAND
State: ME Zip Code: Telephone: (207) 780-6359 Ext:

CLEAN-UP INFORMATION

Spilled Product Recovered: Method: J (Table K)
 Other Product Recovered: Method: (Table K)
 D-Tree Code: B1 D-Tree Date: 20-MAR-01
 Contaminated Soil: 999.99 T (Cubic Yards or Tons)
 Disposal Info: Contam. soil reused onsite. See narrative.

OTHER ACTIONS

Expenditure(s):	Third Party Damage Claim Expected:	N
From Surface Water Fund: N	Enforcement Referral:	N
From Ground Water Fund: N	Insurance Fund Claim:	N
From Hazardous Waste Fund: N	Technical Services Referral:	N

UNDERGROUND TANK(S) INFORMATION

Tank Registration Number:	8297	Number of Tanks Abandoned:	1
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NARRATIVE

On 3/20/01, I met at this site with reps. of Acadia Env., Allison-Cook Gen. Contractors, and with Dearborn Constr. Acadia had requested a waiver of the 30-day removal notice to remove a "mystery" UST found on the site during new construction. Soil from the site was being taken offsite to prepare the area for a new parking lot for a "Wild Oats" store. I approved early abandonment of the old, steel 300 gal. bare steel, heating oil tank (see attached) and noted no associated oil discharges. Fleet Env. cleaned, and disposed of the abandoned UST offsite.

Onsite I noted that the surrounding soil appeared contam. with ash and other building/demolition debris. From previous knowledge of the Marginal Way area, this is former Back Cove marine wetland and is extensively filled in with debris of unknown sources. This is documented in a number of sources including a 1987 Phase-2 study by GTI, a 1999-2000 Phase-1 by Acadia Env. and studies for Brownfield status. The contractors stated that they had already removed approx. 1000 tons of this soil to a site in Waterboro, ME. I also noted a patch of black waste-oil like spillage on surface water in the lot. The site has historically been considered having a Baseline-1 Clean-Up Goal for oil discharges.

Eric Hamlin & R. McMullin of DEP's Solid Waste Div. came down at my request to manage this soil issue. TCLP was required which indicated that the soil was a Special Waste though not hazardous. All the soil removed to Waterboro was required to be returned to site for eventual proper management. Options included disposal to a secure landfill, Comm. Recycling, or ARC, or reusing the material onsite. Hamlin has advised me that Marginal Holdings has chosen to reuse the soil onsite. Examination of consultant and DEP records and adherence to past site characterization would have eliminated the expenses of the work slowdown and need to re-relocate the soil back to Portland. See also DEP Solid Waste Div. records.

SG Breyer 7/3/01