

34A-A-2

2001-0011

68-76 Marginal Way

Bayside office Building

Atlantic National Trust

add to Spreadsheet

From: Larry Ash
To: Rick Knowland
Date: Wed, May 16, 2001 6:11 AM
Subject: Proposed office Building at Preble Street Extension/Marginal Way

Rick: To bring the intersection Level of Service up to an acceptable level a second (dual) left turn lane can be added on Preble Street Extension; that is, two left turn lanes from Preble St onto Marginal Way.

Tom Errico's analysis of this modification shows that the southbound lane approach and the intersection as a whole would result in LOS "D" which is acceptable to me. Without this dual left turn the LOS was expected to be "F".

There are two options for widening Preble Street to provide another turn lane, each with associated costs. The cheapest is estimated at \$42, 500 and would involve widening Preble Street by 12 feet on the easterly side. The second concept for widening is for 6 feet on both sides of Preble Street, the cost for this being aboput \$50,000. Both concepts include \$7,500 for signalization improvements.

Either modification is acceptable to me, in concept. I have not as yet seen a detailed drawing. I believe we have the right-of-way needed but I would need verification on this.

I believe it essential to require these improvements.

CC: Alex Jaegerman , William Bray

Peoples Heritage Bank, N.A.

One Portland Square
P.O. Box 9540
Portland, ME 04112-9540

800-462-3666
Tel: 207-761-8500

Irrevocable Letter of Credit No. 67295

October 29, 2001

Joseph E. Gray, Jr.
Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101



Re: Application of ATLANTIC BAYSIDE SQUARE LLC for construction of the commercial office complex at Preble Street and Marginal Way, Portland, Maine

Gentlemen:

Peoples Heritage Bank, N.A. hereby issues its Irrevocable Letter of Credit for the account of ATLANTIC BAYSIDE SQUARE LLC, as developer, (hereinafter referred to as "Developer"), in the name of the City of Portland, in the aggregate amount of Four Hundred Thirty Seven Thousand Four Hundred Eighty Dollars (\$437,480). These funds represent the estimated cost of installing site improvements as depicted on the **site improvements**, approved on September 26, 2001 and as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65.

This Irrevocable Letter of Credit is intended to satisfy the Developer's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development.

The City, through its Director of Planning and Urban Development and in his sole discretion, may draw on this Letter of Credit by presentation of a sight draft and the original Letter of Credit and all amendments thereto, at Peoples Heritage Bank, N.A. offices located at One Portland Square, P.O. Box 9540, Portland, Maine 04112-9540, Attn: Benjamin C. Geci, Vice President, stating that:

1. the Developer has failed to satisfactorily complete by December 31, 2002 the work on the improvements contained within the **site improvements** approval, dated September 26, 2001 ; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. the Developer has failed to post the ten percent (10%) Defect Guarantee required by Portland Code of Ordinances Chapter 14 §§501 and 525; or

4. the Developer or Peoples Heritage Bank, N.A. has failed to notify the City for inspections.

In the event of Peoples Heritage Bank, N.A.'s dishonor of the City of Portland's sight draft, Peoples Heritage Bank, N.A. shall inform the City of Portland in writing of the reason or reasons thereof within three (3) working days of the dishonor.

ATLANTIC BAYSIDE SQUARE LLC or Peoples Heritage Bank, N.A. will notify the Director of Public Works for the City of Portland after all underground work has been completed and after the City's representative shall have inspected same and if such work is to the satisfaction of the Department of Public Works and Planning, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize Peoples Heritage Bank, N.A., by written certification, to reduce the available amount of the Letter of Credit by a specified amount.

Thereafter, ATLANTIC BAYSIDE SQUARE LLC or Peoples Heritage Bank, N.A. will notify the City of Portland when additional site work is complete for inspection in compliance with the City's required inspection schedule. After such work has been inspected to the satisfaction of the Department of Public Works and Planning, the City of Portland Director of Planning and Urban Development or the City's Director of Finance as provided in Chapter 14§501 of the Portland Code of Ordinances, may authorize Peoples Heritage Bank, N.A. by written certification, to reduce the available amount of the Letter of Credit by a specified amount.

It is a condition of this Letter of Credit that it is deemed to be automatically extended without amendment for period(s) of one year each from the current expiration date hereof, or any future expiration date, unless within sixty (60) days prior to any expiration, Peoples Heritage Bank, N.A. notifies the City by certified mail (restricted delivery to Duane Kline, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that Peoples Heritage Bank, N.A. elects not to consider this Letter of Credit renewed for any such additional period.

In the event of such notice, the City, in its sole discretion, may draw hereunder by presentation of a sight draft drawn on the Bank, accompanied by the original Letter of Credit and all amendments thereto, and a statement purportedly signed by the Director of Planning and Urban Development, at Peoples Heritage Bank, N.A.'s offices located at One Portland Square, P.O. Box 9540, Portland, ME 04112-9540 stating that:

1. this drawing results from notification that Peoples Heritage Bank, N.A. has elected not to renew its Letter of Credit No. 67295; or

2. the Developer has failed to satisfactorily complete by December 31, 2002 the work on the improvements contained within the **site improvements** approval, dated September 26, 2001; or
3. The Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
4. the Developer has failed to post the ten percent (10%) Defect Guarantee required by Portland Code of Ordinances Chapter 14 §§501 and 525; or
5. the Developer or Peoples Heritage Bank, N.A. has failed to notify the City for inspections.

This Letter of Credit will automatically expire upon the earlier of:

1. Peoples Heritage Bank, N.A. receipt of written notification from the City of Portland that said work contained within the **site improvements** approval and as required by Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §46 through 65 has been completed in accordance with the City of Portland's specifications and Peoples Heritage Bank, N.A. Letter of Credit No. 67295 may be cancelled; or
2. the expiration date of December 31, 2002 or any automatically extended date as specified herein.

Very truly yours,

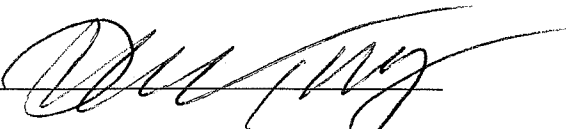
Peoples Heritage Bank, N.A.

Date: Oct 29, 2001

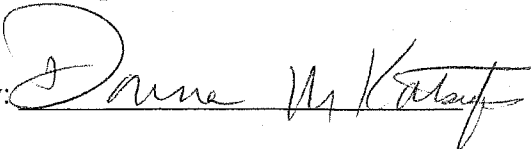
By: 

Its Duly Authorized Agent

Seen and Agreed to:
ATLANTIC BAYSIDE SQUARE LLC

By: 

Reviewed pursuant to Portland Code of Ordinances, Chapter 14 §§501, 525:

By: 

Date: 10-29-01

Alexander J. Jay
Director of Planning and Urban Development

11/01/01

By: [Signature]
Director of Finance

Date: 10-29-01

By: [Signature]
Corporation Counsel

Date: 10-29-01

Department of Planning and Urban Development
SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: _____

Name of Project: BAYJIG OFFICE BLDG

Address/Location: 76 MARGINAL WAY

Developer: _____

Form of Performance Guarantee: _____

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

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road - sf	<u>9,000</u>	<u>2</u>	<u>18,000</u>	<u>62,800</u>	<u>72</u>	<u>45,216</u>
Granite Curbing -new-lf	<u>300</u>	<u>20</u>	<u>6,000</u>	<u>1,400</u>	<u>8</u>	<u>11,200</u>
Sidewalks - sf-concrete	<u>5,625</u>	<u>6</u>	<u>33,750</u>	<u>3,750</u>	<u>10</u>	<u>37,500</u>
Sidewalks - sf-pave	<u>3,000</u>	<u>2</u>	<u>6,000</u>			
Island Concrete- cy	<u>75</u>	<u>150</u>	<u>11,250</u>			
Street Lighting Striping	<u>1</u>	<u>2,000</u>	<u>2,000</u>	<u>166</u>	<u>4</u>	<u>664</u>
Street Opening Repairs -ls	<u>1</u>	<u>5,000</u>	<u>5,000</u>			
Other -relocate curb-lf	<u>1,300</u>	<u>10</u>	<u>13,000</u>			
Signal - ls	<u>1</u>	<u>28,000</u>	<u>28,000</u>			
2. EARTH WORK						
Cut	<u>500</u>	<u>8</u>	<u>4,000</u>	<u>1,000</u>	<u>7</u>	<u>7,000</u>
Fill	<u>500</u>	<u>10</u>	<u>5,000</u>	<u>4,000</u>	<u>9</u>	<u>36,000</u>
Esplanada - sf	<u>3,000</u>	<u>2</u>	<u>6,000</u>			
3. SANITARY SEWER						
Manholes - lower	<u>1</u>	<u>1,000</u>	<u>1,000</u>	<u>1</u>	<u>3,500</u>	<u>3,500</u>
Piping				<u>115</u>	<u>20</u>	<u>2,300</u>
Connections				<u>1</u>	<u>2,500</u>	<u>2,500</u>
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other						
4. WATER MAINS	<u>50</u>	<u>50</u>	<u>2,500</u>			
5. STORM DRAINAGE						
Manholes - slate	<u>1</u>	<u>3,000</u>	<u>3,000</u>			
Catchbasins	<u>2</u>	<u>4,000</u>	<u>8,000</u>	<u>9</u>	<u>3,000</u>	<u>27,000</u>
Piping	<u>20</u>	<u>25</u>	<u>500</u>	<u>450</u>	<u>25</u>	<u>11,400</u>
Detention Basin						
Stormwater Quality Units				<u>1</u>	<u>10,000</u>	<u>10,000</u>
Other - clear existing	<u>1</u>	<u>10,000</u>	<u>10,000</u>			

6. SITE LIGHTING

3 2,000 6,000

8 2,000 16,000

7. EROSION CONTROL

Silt Fence _____
 Check Dams _____
 Ripe Inlet/Outlet Protection _____
 Level Lip Spreader _____
 Slope Stabilization _____
 Geotextile _____
 Hay Bale Barriers _____
 Catch Basin Inlet Protection _____

600 2.5 1,500

10 100 1,000

8. RECREATION AND OPEN SPACE AMENITIES

9. LANDSCAPING - 1s
 (Attach breakdown of plant materials, quantities, and unit costs)

1 15,000 15,000

1 30,700 30,700

10. MISCELLANEOUS - traffic control, etc.

1 10,000 10,000

TOTAL:

~~188,000~~ 194,000

\$243,480.00

GRAND TOTAL:

\$437,480.00

INSPECTION FEE (to be filled out by the City)

	PUBLIC	PRIVATE	TOTAL
A: 2.0% of totals:	<u>(3,880.00)</u>	<u>(4,869.60)</u>	<u>(8,749.60)</u>
or			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	<u>J.R.</u> (name)	<u>J.R.</u> (name)	<u>J.R.</u>

AGREEMENT

Rick Knowland
See Tech Support
Site loc.

BETWEEN THE
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
AND THE
CITY OF PORTLAND
REGARDING
DELEGATED REVIEW AUTHORITY
FOR THE ISSUANCE OF TRAFFIC MOVEMENT PERMITS
IN ACCORDANCE WITH CHAPTER 305 RULES PURSUANT TO
THE PROVISIONS OF TITLE 23 M.R.S.A. , SECTION 704-A

This **AGREEMENT** is entered into on this *18th* day of *OCTOBER*, 2000 by and between the **STATE OF MAINE DEPARTMENT OF TRANSPORTATION** (hereafter **DEPARTMENT**) and the **CITY OF PORTLAND**, a body corporate and politic located in the County of Cumberland (hereafter **CITY**) regarding delegated review authority to issue traffic movement permits for projects wholly located within the **CITY**'s corporate limits generating 100 or 200 passenger car equivalents at peak hours in accordance with the **DEPARTMENT**'s *Chapter 305 Rules and Regulations Pertaining To Traffic Movement Permits* (hereafter Chapter 305 Rules) pursuant to the provisions of Title 23 M.R.S.A., Section 704-A, subsection 4, as follows:

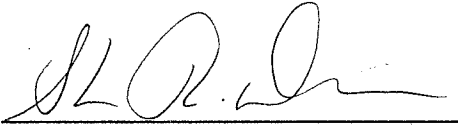
- A. The **DEPARTMENT** hereby registers and delegates to the **CITY** the authority to review and issue traffic movement permits in accordance with its Chapter 305 Rules pursuant to the provisions of 23 M.R.S.A. §704-A, subsection 4, for all projects defined therein under subsection 1-C wholly located within the **CITY**'s corporate limits generating 100 or 200 passenger car equivalents at peak hours, to the extent that the **CITY** complies with all of the conditions set forth therein. The **DEPARTMENT** agrees to provide technical assistance and reserves the right to review such projects as provided therein.
- B. The **CITY** agrees to review projects and issue traffic movement permits as delegated under the terms of this Agreement in accordance with the **DEPARTMENT**'s Chapter 305 Rules pursuant to the provisions of Title 23 M.R.S.A. §704-A as hereinbefore provided, and further agrees to make all necessary notifications to the **DEPARTMENT** as hereinafter provided:
 1. The **CITY** agrees to notify the **DEPARTMENT** upon receipt of any project application submitted for review which requires the issuance of a traffic movement permit as authorized under the terms of this Agreement. Such notification shall include a complete description of the project.

2. The **CITY** agrees to submit to the **DEPARTMENT** within fourteen (14) days of final action, a copy of the application, a copy of the record of review and action taken and a copy of any traffic movement permit issued pursuant to such review.

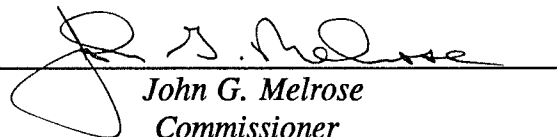
3. The **CITY** agrees to submit to the **DEPARTMENT** within fourteen (14) days of adoption, copies of any change or amendment to any ordinance or regulation used for the review of projects subject to the issuance of traffic movement permits as hereinbefore provided. All such ordinances and regulations shall be consistent with the **DEPARTMENT**'s Chapter 305 Rules. If any change or amendment to such ordinances and regulations causes the **CITY** to be in noncompliance with any of the provisions set forth herein, the **DEPARTMENT** shall immediately revoke all authorization to issue such permits and promptly resume all responsibility for the administration thereof upon written notice to the **CITY**.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate effective on the day and date first above written.

**STATE OF MAINE
DEPARTMENT OF TRANSPORTATION**




Witness

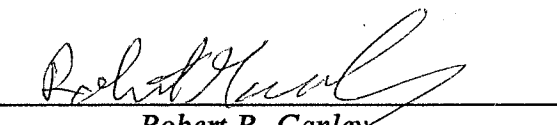
By: 

John G. Melrose
Commissioner

CITY OF PORTLAND



Witness

By: 

Robert B. Ganley
City Manager

NOTICE OF INTENT TO FILE

Please take notice that Atlantic National Trust having an address at 50 Portland Pier, Portland, Maine 04101, 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 May 21, 2001.

The application is for the construction of a 50,000 square foot office building and related parking. The new trip generation from the development is 117 trips per hour at peak hour.

The project is at the following location: corner of Marginal Way and Preble Street, 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 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 and 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.

Atlantic National Trust

By: 

May 21, 2001

ALEXANDER JAGGERMAN

ALEXANDER JAGGERMAN



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:

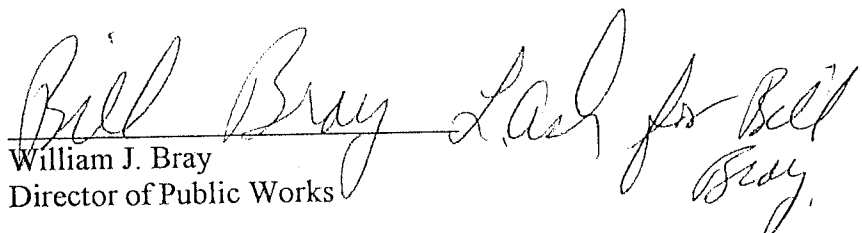
The developer shall contribute \$25,000.00 toward the improvements associated with this project, with a breakdown as follows:

- \$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 ✓

TR 10/20

At Lumec, blueprints have long since given way to functional reality and the performance of our products is proven and documented.

The following drawings illustrate a few of the many variations offered. All of these luminaires, unless noted, accept sources of up to 250 watts. Should you wish to interchange these components, please contact our representative regarding feasibility.

VR numbers describe illustrated bracket, pole, base cover and configuration.

When ordering Versalux luminaires, use the catalogue number substituting the VR number for the regular bracket and pole number.

The mounting height of the luminaire is indicated by identifying the height, in feet, of the light source above the ground.

An original concept can also be developed in cooperation with our technical services department.



To achieve a high level of customer satisfaction, Lumec designs and manufactures products according to the most stringent standards.

ISO 9002 Registered

The quality management system of Lumec is ISO 9002-94 registered with QMI.

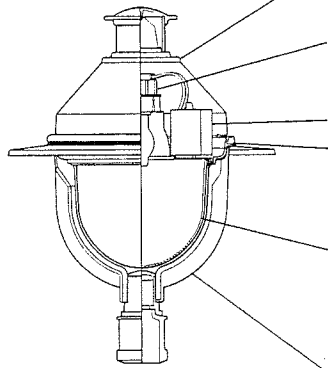
640 Cure-Boivin
Boisbriand, Quebec
Canada, J7G 2A7

Tel: (514) 430-7040
Fax: (514) 430-1453

As of end 1998 the area code will be 450

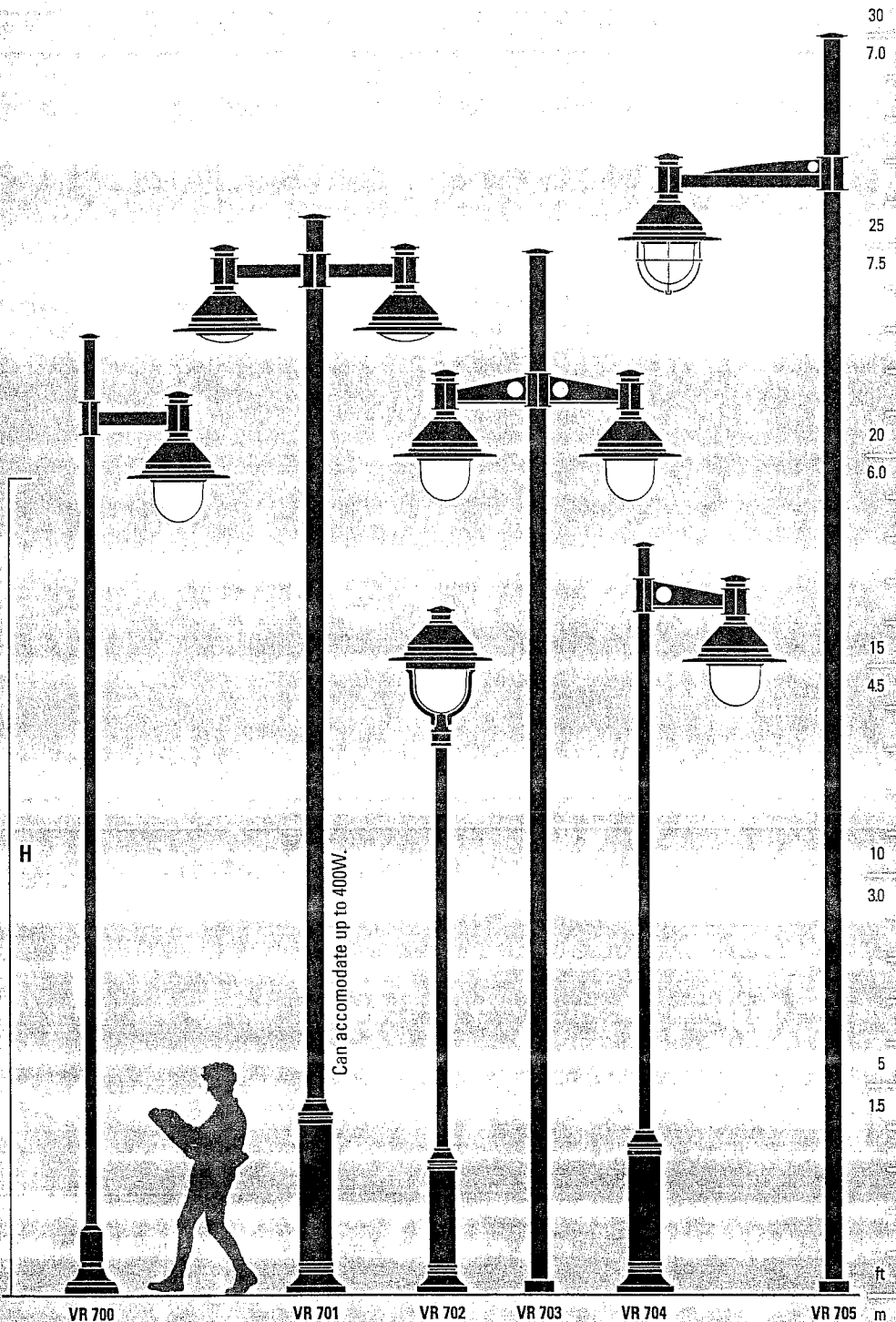


Specifications Features:



- Superior construction with a large aluminum hood and deflector mechanically assembled on the top part of the cast-aluminum technical ring.
- Toolfree lamp access via a shutter and sleeve with self-adjusting injection-molded silicone gasket. This hermetically seals the optical chamber, ensuring a better Light Loss Factor (LLF).
- Dropped-in ballast tray for outstanding maintenance ease.
- Toolfree access to the interior of the luminaire via a spring-loaded latch on the technical ring. The hood then pivots along a hinge built-into the technical ring, providing access to the lamp shutter and ballast tray.
- A Sealsafe™ sealed optical chamber, made of a hydroformed reflector permanently sealed on an injected refractor with internal prisms only (SHA and SSA optics), or on a tempered glass lens (SCB and SHB). The resulting lower LLF ensures superior photometric performance over time.
- Two-arm, cast-aluminum pole-top cradle welded to the bottom of the cast-aluminum technical ring.

TR10 model shown



MODE = MEMORY TRANSMISSION

START=APR-09 15:02

END=APR-09 15:03

FILE NO.=407

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	5	97746907	002/002	00:00:30

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258-*****

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: 4/9/01

To: STEV BRADSTREET

Company: _____

Fax #: 774-6907

From: BUCK KNOWLAND

RE: UPDATED COMMENTS FROM STEV BRADSTREET ON THE

MARGINAL WAY PROJECT. SEE YOU AT TOMORROW'S P.R.

WORKSHOP.

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: Mon, Apr 9, 2001 2:51 PM
Subject: Salt Shed Site

Rick,

I have reviewed the latest plans dated 3/27/01 prepared by EER on behalf of Atlantic National Trust and offer the following comments:

1. The general construction plan makes multiple references to removal and disposal of materials at an approved location. Who will be approving the offsite disposal locations?
2. Public Works staff should make an inventory of all materials that are to remain City property so that it is clear what the City wants to keep and what can be disposed of.
3. Some layout control should be provided for the island curb extension on Preble St. Ext. The existing island appears to be placed on a large radius, therefore the new extension should follow the existing geometry.
4. I recommend the new esplanade areas have a minimum of 6" of topsoil and be seeded and mulched with grass seed acceptable to the City Arborist.
5. The engineer should provide a statement as to the need for a bypass for the Downstream Defender. The proposed system is to discharge into an existing 36" or 42" storm drain that ultimately discharges to Back Cove. As evidenced in the existing conditions survey by Titcomb Associates, the downstream pipes are likely surcharged during high tide and during storm events. At elevation 10 in the parking lot, the lot may have occasional periods of flooding. I am not certain that any thing can be done about this, however I recommend the engineer consider this issue and possible measures such as backflow prevention in the storm drain outlet. Will backflow also cause any operating problems in the downstream defender?
6. Silt fence should be shown along the toe of any fill slopes. The plan currently shows none.
7. I recommend buffering be provided around the transformer.
8. Will the applicant be assessed any impact fees for introducing new sanitary flows to the sewer?
9. The detail plans should include the haybale barrier detail as is called out in the plan sheet. I would also accept the use of the Siltsack sediment collection device on all catch basins during construction.
10. The applicant should confirm the downstream conditions of the existing storm drain to confirm that blockages etc. from past site use do not exist.

Steve Bushey Technical Reviewer

4-4-01

TO: BILL NGEMEN

FROM: RICK KNOWLAND

RE: SALT SHED PARCEL

BILL UPDATED COMMENTS ON MARGINAL WAY PROJECT FROM TODAY'S STAFF MEETING. AS OTHER COMMENTS BECOME AVAILABLE, I WILL FORWARD THEM ACCORDINGLY. THESE COMMENTS ARE IN ADDITION TO OTHER COMMENTS PREVIOUSLY SUBMITTED TO YOU.

- THE DOWNSTREAM DEFENSE SHOULD BE MOVED OUTSIDE OF THE EASEMENT.
- LANDSCAPING (BUJHGS) SHOULD BE PLANTED ALONG THE WESTERLY PROPERTY LINE
- ALL OF THE SITE PLAN NOTES SHOULD BE ON THE SITE PLAN.
- NEEDED CURB TO KEEP CARS ON THE PROPERTY ALONG THE WESTERLY AND NORTHERLY PROPERTY LINES.
- SHOW THE EXISTING LANDSCAPING WITHIN THE I-295 R-O-W ADJACENT TO THE SITE.

- PARKING SPACES SHOULD BE 9' X 19'. YOU HAVE ENOUGH ROOM TO INCREASE THE STALL LENGTH FOR A NUMBER OF ROWS.

- DO YOU HAVE PERMISSION YET FROM MDOT TO USE THAT STORM DRAIN WITHIN THE I-295 R.O.W.

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: 4-03-01

To: BILL NEWMAN

Company: _____

Fax #: 774-3683

From: RICK KNOWLTON

RE: BILL - COMMENTS ON MARGINAL WAY. (6T)

GO OVER THESE COMMENTS

RK

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
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4-3-01

TO: BILL NEMMER

FROM: RICK KNOWLAND

RE: SALT SHED SITE BUILDING

THIS MEMO INTENDS TO PROVIDE AN UPDATE ON STAFF COMMENTS REGARDING THE ABOVE REFERENCED PROJECT.

• BUILDING DESIGN

- NEED PEBBLE ST SIDE AND COMPLETE WESTERLY SIDE BUILDING ELEVATIONS
 - THE PLANNING BOARD WILL WANT TO SEE MATERIAL SAMPLES OF THE BUILDING ... BRICK, METAL SUN SHADE, METAL CURTAIN WALL, METAL CORNER PANELS, METAL BRACES, ETC.
 - WHAT IS THE MECHANICAL EQUIPMENT SCREEN?
 - WHAT IS THE COLOR OF THE WINDOW TRIM?
 - WHAT MATERIAL IS CONTAINED IN THE "LITTLE BOXES" ALONG THE FACADE? HOW ARE THE SEAMS EXPRESSED?
- APPARENTLY THERE IS A STATE RESTRICTION ON CURB CUTS ALONG PEBBLE ST, WHILE THE CITY IS

ATTEMPTING TO "UNDO" THIS RESTRICTION, HOW NECESSARY IS IT FOR THIS DEVELOPMENT?

- WITH NEW TRAIN COMING TO BAYSIDE, WE ARE REQUESTING A 30 FOOT WIDE EASEMENT ALONG YOUR I-295 PROPERTY LINE. THE EASEMENT WOULD ALLOW CONSTRUCTION OF AN ELEVATED TRACKS WITH SUPPORT COLUMNS - NOT A FILLED BEAM WHICH WOULD WIPE OUT 410 PLUS SPACES FROM YOUR SITE. THE COLUMN SUPPORT TRACK MIGHT RESULT IN A FEW DISTURBED PARKING SPACES DEPENDING ON THE LOCATION OF THE COLUMNS.
- ASSUMING A CURB CUT ON PEARLE ST IS OK, THE DRIVEWAY WILL NEED TO BE SHIFTED OUTSIDE OF THE RAIL EASEMENT
- ONE OTHER COMMENT ON THE BUILDING DESIGN, WOULD SUGGEST YOU EXPLORE THE POSSIBILITY OF EXTENDING THE BAY CONCEPT FROM THE FIRST FLOOR TO THE UPPER STORIES OF THE BUILDING.
- TOMORROW IS OUR STAFF MEETING, SO I'LL FORWARD OTHER REVIEW COMMENTS AS THEY BECOME AVAILABLE

From: Alex Jaegerman
To: Joe Gray ; Lee Urban; Rick Knowland ; William B...
Date: Fri, Mar 23, 2001 2:16 PM
Subject: Re: Salt Shed parcel

I guess I'd want to know how important the second access point is to the project. As I recall Larry Ash wanted to be sure it was located/designed as right-in / right-out, and that cars could not would not cross the Preble Street median. Rick, any thoughts?

On the easement, we need to firm our position on this. I suggest that we get a contingent easement of some width, say 30 feet but that is just a guess, and we reserve the ability to utilize that for rail. Depending on the rail details, as yet undetermined, maybe this portion could be a structure rather than a berm, since it is right adjacent to the needed bridge structure over Preble Street. I'm sure its doable, but at what cost?. Let's assume it will displace some surface parking, does the city want to agree to provide that parking within some distance? What distance and what cost? This is another example of the need for some careful thought so we don't find ourselves in a disadvantageous situation of our own making if and when we decide to bring the train in. I think it would be a bad outcome if we or the state were faced with a taking after selling this land and approving the building.

>>> Lee Urban 03/23 1:51 PM >>>

Thanks, Bill. I'm glad you're on this. I'll not pass anything on to the developer at this point but will wait until Bill hears back from MDOT; but, Alex, should we notify them now nonetheless because of expectations reflected in the proposed site plan?

>>> William Bray 03/23 1:23 PM >>>

Wanted to update you "guys" on a pending issue with MDOT that I am trying to resolve. Last week I presented to MDOT a copy of the proposed site plan for the salt shed project and asked them define the limits of any easement/property they might need for the AMTRAC line as it might relate to this parcel of land. They have called me this week and advised that the proposed Preble Street ingress/egress drive, which currently exists on the face of the earth, may violate the control of access provisions on Preble Street. They will provide me with an official position next week. I have informed them that this needs to be resolved in the Developers favor or I will have to ask the Commissioner for his intervention. I will advise on the status after I return next week.

Bill

CC: Larry Ash

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: 3-21-01

To: STEV BRAD STREET

Company: EER

Fax #: 774-6907

From: RICK KNOWLAND

RE: STEV, ATTACHED IS A LETTER REGARDING

SOWEN CAPACITY FOR A PROJECT. NOW THAT YOU'VE

SEEN A TYPICAL LETTER, YOU CAN FRAME A REQUEST

LETTER ACCORDINGLY FOR THE SALT JUNG PROPERTY.

SHOULD YOU HAVE ANY QUESTIONS, PLEASE CALL ME.

RIK

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-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

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: 5-17-01

To: STGUC BUJHGY

Company: _____

Fax #: 879-0896

From: RICK KNOWLAND

RE: STGUC - THE SALT SHOD PROTECT IS STILL GOING

ON THE P.B MEETING ON TUESDAY FOR A PUBLIC HEARING.
APPLICANT REQUEST TO TABLE.

I WILL NEED AN E-MAIL OF COMMENTS FROM YOU. IS

IT POSSIBLE TO GET THESE FOR THE FRIDAY PACKET?

ATTACHED IS SOME MATERIAL THAT I WANTING JUNE THAT YOU

HAD.

THANKS

rk

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222 St. John Street, Suite 314, Portland, Maine 04102
Tel 207/828-1272 Fax 207/774-6907
WWW.EERINC.COM

March 26, 2001

Mr. William Nemmers
William Nemmers & Associates
424 Fore Street
Portland, ME 04101

**Subject: Bayside Site Development
Response to City's Review Comments**

Dear Bill:

The following discussion is in response to review comments received from Anthony Lombardo (February 6, 2001); Stephen Bushey, DeLuca-Hoffman (February 7, 2001); and Rick Knowland (March 15, 2001). Our response follows the same format and numbering system used in the above noted documents.

Anthony Lombardo (February 6, 2001) Comments

1. Question: The applicant appears to be grading on the abutting property northwest of the site. Does the applicant have a written authorization to modify this land to accommodate this site development?
1. Answer: No authorization has been granted at this time though Environmental Engineering & Remediation, Inc. (EER) is in contact with Maine Department of Transportation (MDOT) to discuss this item and the connection of the proposed stormdrain into their system. The City (Bill Bray and Alex Jaegerman) will be meeting with MDOT to discuss the potential railroad corridor at the back of the property and the use of the stormdrain system.
2. Question: The applicant is proposing a storm drain connection into the existing 96 inch diameter RCP interceptor sewer in Marginal Way. The excavation necessary to accommodate this connection will be in excess of 14 feet. Public Works is recommending the following in an attempt to minimize excavation in Marginal Way:
 - a. The applicant utilize the existing sanitary sewer service connection, slated for abandonment, as the connector for the proposed site storm drain system. All that may be necessary is to enlarge the existing connection to accept the proposed storm drain pipe diameter.

Mr. William Nemmers
March 26, 2001
Page 2

b. The applicant should consider directing the on-site storm drain system towards the existing DMH #1, located on the northeast abutting property. This structure probably discharges into the Preble Street storm drain. Outfalling the stormwater from this site, into this structure, would certainly be more cost effective to this project and would limit disruption associated with construction in either Marginal Way or Preble Street.

2. Answer: As noted in our response to question No. 1, EER anticipates being able to connect to the MDOT drainage system off the northwest side of the site. The abandoned sanitary sewer connection may be reused for the buildings sanitary sewer depending on depth and condition.

3. Question: It should be noted on the plans that any granite curb designated for demolition or removal from the right of way shall be taken to a specified City of Portland material stockyard.

3. Answer: A note has been added to the Demolition Notes regarding the disposition of granite curb removed from the right of way.

4. Question: The applicant should contact Carol Merritt, Public Works Street Openings Clerk, for information on all relevant permits and fees associated with working in the public right of way.

4. Answer: In a phone conversation with Carol Merritt on March 16, 2001, the following permits and fees would need to be obtained by the contractor.

Street Opening	\$142
Sidewalk Opening	\$107
Pavement Restoration	\$40/square yard
Sanitary Sewer/Stormdrain Connection	\$25/each

Stephen Bushey, DeLuca-Hoffman (February 7, 2001) Comments

Site Plan

1. Question: The coordinate system shown on the drawing suggests that the south (Marginal Way) side of the building may be in the right of way. The applicant should respond if this is correct or not.

1. Answer: The coordinate system and building location has been adjusted to reflect the building's face of foundation to be on the right of way line and not over it.

2. Question: The detail sheet contains details for granite and precast concrete curb. The curb type should be labeled on the plan as to where each type is proposed.

2. Answer: The curb type and limits have been noted on the plans.

3. Question: The applicant should comment about snow removal and storage on the site.

3. Answer: The Owner has indicated that he will contract with a maintenance company for snow plowing and removal. When the snow piles impact effective parking of tenants and clients, the maintenance company will remove the snow piles.

4. Question: Where will the dumpster facilities be and how will deliveries and other building services access the building?

4. Answer: The Owner intends to have the tenants contract with a maintenance company that will clean and remove waste directly from the building and offsite. Outside dumpster facilities will not be provided. Internal waste storage facilities will be provided in the building design.

Building deliveries are anticipated to be the typical UPS/FedEx, type truck that will pull up and stop within the site, make their deliveries and leave. No formal loading/unloading area is anticipated.

5. Question: Larry Ash should review the driveway locations and in particular the driveway configuration off Preble Street. There does not appear to be any left turns in or out of that driveway and I wonder if it should be reconfigured for right turn movements only. The Preble Street driveway should also have a handicap ramp on the north side I believe.

5. Answer: Tom Errico of Wilbur Smith Associates has conducted a traffic study for this project and has been in contact with Larry Ash to discuss internal traffic circulation and ingress/egress. A copy of Mr. Errico's report is attached.

A handicap ramp has been added to the north side of the Preble Street entrance.

6. Question: Will the proposed building be supported on piles and what if any impact will this have on construction?

6. Answer: The building will be supported on piles due to underlying clays. Based on discussions with the Owner's contractor (Wright-Ryan Construction) this poses no unusual impacts than would be expected on any other sites requiring piles.

Mr. William Nemmers
March 26, 2001
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7. Question: The site plan should identify the limits of curb removal and replacement on Preble Street and Marginal Way if there will be any.
7. Answer: Limits of curb removal and replacement are shown on the plans.
8. Question: Larry Ash should review the parking layout for adequate circulation and for the layout of those spaces directly adjacent the driveways. Should a couple of spaces at the Preble Street D/W be trimmed off?
8. Answer: Tom Errico is coordinating internal circulation with Larry Ash and any concerns will be addressed on the plans.
9. Question: What, if any, are the future plans for the land adjacent to this lot (Post Office) and how will this project relate to it.
9. Answer: At this time this project does not have any plans for developing the adjacent Post Office parcel. If that parcel does become available, the Owner has indicated interest in expanding the proposed building along Marginal Way and providing additional parking on the adjacent parcel.

Site Grading, Drainage and Erosion Control Plan

1. Question: The applicant should provide supporting computations for the pre-development and post-development runoff amounts, the storm drainage system pipe sizing and the water quality treatment computations related to efficiency and TSS removal. The applicant should also review and discuss the offsite system they expect to discharge to. The Public Works department should review the systems in Marginal Way and comment as to which pipe can be connected to. It may be necessary to discharge the site's runoff to the storm drain trunk line in Preble Street although I am not fully certain of the status of combined and separated sewers in that area. I do know that the City replaced the storm drain trunkline in Preble Street just a few years ago.
1. Answer: Pre-development and post-development calculations have been prepared and are enclosed. The stormdrain sizing calculations are enclosed along with quality treatment computations.

As discussed in Anthony Lombardo's comment No. 1, the stormdrain routing is being discussed with MDOT.

2. Question: The applicant must complete the plan to show proper rim and invert data.

2. Answer: Rim and invert elevations, and pipe lengths and slopes are now shown on the plans based on the assumption that access can be obtained to MDOT's stormdrain.

3. Question: It appears that grading easements will be necessary along the north and west sides of the property. Evidence of the applicant's rights to complete work in these areas is required.

3. Answer: As discussed in No. 1 of Anthony Lombardo's comments, access to the abutting property for stormdrain connection and/or grading is being discussed with MDOT.

4. Question: Jeff Tarling should review the proposed landscaping and grass mixture proposed for the site.

4. Answer: EER anticipates that these plans will be reviewed by Jeff Tarling and his comments will be satisfactorily addressed.

5. Question: All catch basin structures should be fitted with casco hoods if they have 15-inch diameter pipes or less.

5. Answer: A note has been added to the catch basin detail regarding the installation of Casco Traps in the catch basins.

Site Utilities

1. Question: The water lines should identify where the shutoffs will be.

1. Answer: Shutoffs have been shown on the plans.

2. Question: Has a site lighting plan be provided?

2. Answer: A site lighting plan is being prepared and will be submitted as soon as it is received. Catalog cuts of the lights are enclosed.

3. Question: Will the primary power service be off a pole mounted transformer or a pad mounted transformer. If a pad mounted transformer is proposed where will it be?

3. Answer: Service will be provided through a pad mounted transformer as shown on the plans.

- 4. Question: The Public Works department should review the proposed sewer connection. The applicant should also provide an ability to provide service request to the department and supporting computations for wastewater flows and water demands.
- 4. Answer: Capacity to serve letters have been submitted to the City, for the sanitary sewer and the Portland Water District, for water service. Their response is attached.

Site Landscaping, Striping and Signage Plan

- 1. Question: I recommend a crosswalk be provided at the parking lot building entrance.
- 1. Answer: In our opinion, a crosswalk is not necessary and would not be used based on the parking alignment. Employees would walk down the aisle between parking bays and cross the entrance drive and onto the sidewalk to gain access to the building.
- 2. Question: Signage identifying the parking lot entrance area as a 5 minute parking zone or something similar should be provided.
- 2. Answer: The base plan has been revised and this comment is no longer applicable.
- 3. Question: Cross walk striping across Preble Street should be provided.
- 3. Answer: Cross walk striping across Preble Street Extension exists today and is shown on the base plan.
- 4. Question: Should the applicant provide designated visitor parking spaces with appropriate signage?
- 4. Answer: The Owner's tenant agreement will stipulate that spaces adjacent to the building remain open for customers. Signage is not necessary.
- 5. Question: I presume the planning department and the City arborist will review the landscaping plan for planting selection, location, density and other issues as they relate to the City's goals for the Bayside area.
- 5. Answer: The landscaping plan will be reviewed by Jeff Tarling and the planning staff.
- 6. Question: There is no landscaping being proposed along the west side. Is this for a reason?
- 6. Answer: Landscaping is not proposed along the westerly property line due to the potential of extending parking if the Post Office parcel becomes available.

Rick Knowland (March 15, 2001) Comments

1. Question: As mentioned previously, Larry Ash (City Traffic Engineer) needs to be consulted with on the parameters of the traffic report that will be required.
1. Answer: Larry Ash has spoken with Tom Errico of Wilbur Smith Associates and his concerns are addressed in Mr. Errico's traffic report.
2. Question: The attached site plan notes should be put on the site plan.
2. Answer: The site plan notes have been included within the Erosion Control Notes and/or General Construction Notes.
3. Question: Provide copy of right, title or interest for the Advance Paper Co. site.
3. Answer: A copy of the right, title or interest for the Advance Paper Co. site will be provided by the Owner.
4. Question: You have previously received written engineering related comments from Stephen Bushey (dated February 7, 2001) and Anthony Lombardo (dated February 6, 2001).
4. Answer: Anthony Lombardo's and Stephen Bushey's comments have been addressed above.
5. Question: Need to obtain a sewer capacity letter from Public Works.
5. Answer: A capacity to serve letter has been sent to the City with their response attached.
6. Question: Need to obtain a water service capacity from Portland.
6. Answer: A capacity to serve letter has been sent to the Portland Water District with their response attached.
7. Question: The new sidewalk on Marginal Way and Preble Street should be labeled as such. I am assuming that concrete will be the sidewalk material of choice. I will verify this.
7. Answer: The sidewalk is now labeled and shall be concrete unless otherwise directed.
8. Question: Will there be an outside dumpster? If yes, show location and screening. It should be screened on all four sides.

Mr. William Nemmers
March 26, 2001
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8. Answer: An external dumpster will not be provided. Please refer to EER's response to Stephen Bushey's comment No. 4 under the Site Plan discussion.
9. Question: Location of nearest fire hydrant.
9. Answer: The nearest fire hydrant is located across Marginal Way.
10. Question: Exterior lighting - location, lighting fixture catalog cut, pole height and photometric values superimposed on the site plan. Also any lighting on the building. Lighting needs to be shielded and non-glaring.
10. Answer: Please refer to EER's response to Stephen Bushey's comment No. 2 under the Site Utilities discussion. Please refer to the architectural plans for any wall mounted fixtures.
11. Question: Parking requirements - although the B-5 zoning does not require zoning, the site plan ordinance does. See SGC 14-526 (2a) or (2b).
11. Answer: The current parking layout provides 167 spaces. This provides 1 space per 300 square feet of building space. Additional parking is being sought across Marginal Way and Preble Street Extension.
12. Question: See special B-5 site plan standards SGC 14-526 (2c).
12. Answer: The standards of Section 14-526 (2c) have been addressed and reflected in the building and site designs.
13. Question: Is the building within the street right of way? Please clarify.
13. Answer: Please refer to EER's response to Stephen Bushey's comment No. 1 under the Site Plan discussion.
14. Question: You need a planning board signature block.
14. Answer: A planning board signature block has been provided.
15. Question: Landscaping plan is conceptual. Show number of plantings, species and size. Show existing landscaping in the adjacent state right of way.
15. Answer: Please refer to EER's response to Stephen Bushey's comment No. 4 under the Site Landscaping, Striping and Signage discussion.

16. Question: What is the condition of the curbs? Infill curb shall meet City specifications (this should be noted on the plan).
16. Answer: The condition of the granite curb will be evaluated once conditions permit. It is the design intent that any curb that is removed in good condition shall be reused within the right of way where infilling is necessary. All radius curb within the right of way will be new. The remaining curb will remain in place. Any excess curb will be delivered to a specified City material stockyard.
17. Question: Railroad corridor footprint - Alex Jaegerman and Bill Bray will be going to MDOT shortly to get information on the railroad corridor footprint as it passes by this property. We will need an extra site plan to meet with MDOT.
17. Answer: As noted earlier, Bill Bray and Alex Jaegerman are scheduled to meet with MDOT to discuss the impact of this project on the possible railroad corridor.
18. Question: I assume the downstream defender is a water quality. You will need to provide sizing documentation for the unit relative to this site.
18. Answer: Sizing calculations for the downstream defender have been prepared and are enclosed.
19. Question: Will need building elevations on all four sides of the building façade. Materials should be labeled on the façade. Planning board will want to see sample building materials. We will have specific comments on the building elevations shortly.
19. Answer: The architect, Bill Nemmers, will provide the necessary architectural plans.
20. Question: Signage - size and location. As more staff comments become available, I will forward them accordingly.
20. Answer: Bill Nemmers will provide signage design in accordance with the City's requirements.

Meeting of March 15, 2001

1. This project is scheduled for the April 10 Planning Board Workshop. Revised plans and supporting data need to be submitted by March 27. Reduced plans (11"x17") will be accepted until April 5.
2. Owner may need to consider a contingent easement on the back of the property to accommodate the possible railroad corridor.

Mr. William Nemmers
March 26, 2001
Page 10

- 3. Larry Ash has commented that the Preble Street Extension entrance be moved toward Marginal Way to prevent traffic from cutting through the site to miss the traffic light. EER and Wilbur Smith Associates recommend that the island be extended to prevent that movement.

I trust this response addresses the City's comments at this time. We would be happy to meet with the planning staff to discuss this response in more detail.

If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.





WILLIAM NEMMERS ASSOCIATES ARCHITECTS
424 FORE ST, PORTLAND, ME 04101 774-3683.

March 26, 2001

Rick Knowland
City of Portland, Planning Office
Portland, Maine 04101

Re: SITE PLAN WORKSHOP APPLICATION
OFFICE BUILDING @ MARGINAL WAY AND PREBLE ST.

Dear Rick:

With this letter please find the packet of information for the Workshop hearing of this Project.

I have included the plans and answered questions from our Engineer as well as some noted elevation studies.

The agreements with the first floor tenant are currently being worked out. These discussions have produced some changes from the original plans we submitted last month, mostly in the way that the first floor will be used.

The first floor will be used as a retail office for travel services and insurance with a good deal of street traffic. As the neighborhood develops the percentage of pedestrian, as opposed to vehicular visits will increase. The first floor space will need additional customer parking for the retail office, which we have shown in the redesigned parking lot layout. Additional entrances from the parking lot, directly into the retail space are also being considered.

Based on these developments, the first floor retail will be accessible from the Preble Street corner as well as the parking lot. The access to the elevator and the office tower portion will be from the parking lot entry.

We have shown minimal work in the Marginal Way right-of-way. With the prospect of this street being completely redesigned within the next few years we would like to remain flexible with regard to the design of the street-scape at this time. We look forward to working with the City in the development of a Marginal Way suitable to the Bayside development plans.

Sincerely,

A handwritten signature in black ink, appearing to read 'William Nemmers', written in a cursive style with many loops and flourishes.

William Nemmers

*Traffic Impact Study
Bayside Site Development*

Portland, Maine

March 2001

Prepared For:

Environmental Engineering & Remediation
222 St. John Street
Portland, Maine 04102

Prepared By:

Wilbur Smith Associates
Engineers•Economists•Planners
59 Middle Street
Portland, Maine 04101

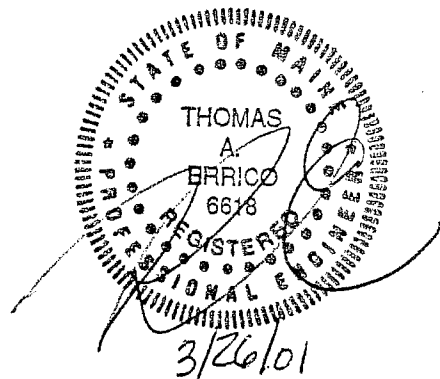


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SECTION 1 – INTRODUCTION

Environmental Engineering & Remediation, Inc. (EER) retained Wilbur Smith Associates (WSA) to prepare a Traffic Impact Study for the proposed Bayside Site Development located on Marginal Way at the intersection of Preble Street (refer to Figure 1). As currently planned the project will consist of a 50,000 square feet office building to be constructed in the existing City of Portland's Department of Public Works Salt storage area. Access to the project will be provide via tow driveway's, one on Marginal Way west of Preble Street and one on Preble Street Extension.

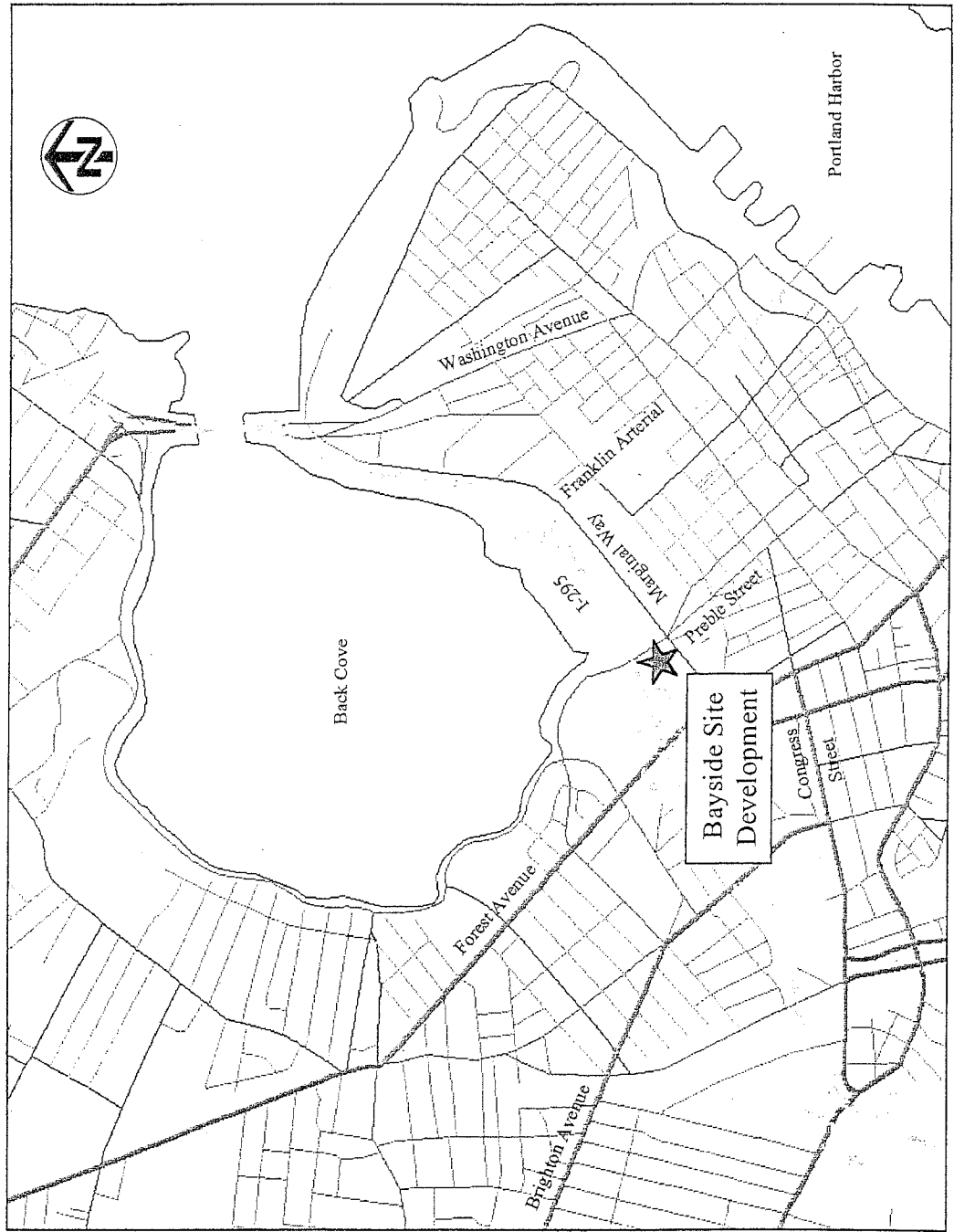
The scope of this traffic study reflects input from the City of Portland Traffic Engineer.

The purpose of this study is to evaluate the impact the proposed project has, on both safety and operations, on the transportation system in the vicinity of the project. Specifically the study will evaluate conditions at the Marginal Way/Preble Street and Preble Street Extension/Baxter Boulevard intersections.

The study includes the following:

- Estimate of traffic volumes in the study area for conditions without the project in 2001.
- Estimate of traffic generated from the site according to national trip generation data.
- Estimate of traffic volumes in the study area for conditions following build-out of the project in 2002.
- Evaluation of intersection operations both with and without the proposed project.
- Evaluation of accident data in the study area.
- Evaluation of access/egress, on-site parking, circulation and truck deliveries.

FIGURE 1 - SITE LOCATION MAP
Bayside Site Development
Portland, Maine



SECTION 2 – DATA COLLECTION

EER provided the following:

- Site Plan

The Maine Department of Transportation (MDOT) provided the following:

- Accident data in the vicinity of the project for the 1997-1999 three-year period.

Jack Murphy provided the following:

- Manual turning movement count at the intersection of Preble Street Extension and Baxter Boulevard.

WSA performed the following:

- Manual turning movement counts at the intersection Marginal Way and Preble Street.
- Field Reconnaissance of the study area.

SECTION 3 – EXISTING/FUTURE TRAFFIC VOLUMES

The primary purpose of this study is to show what effect the proposed project will have on the local transportation system. In general, the critical time period for a given project is directly associated with peaking characteristics of both the project-related traffic and the area transportation system. For this study, traffic conditions during the Weekday AM and PM peak hours were evaluated.

Development of AM and PM peak hour traffic volumes was based upon traffic counts conducted by WSA at the Marginal Way/Preble Street intersection and by Jack Murphy, P.E. at the Preble Street Extension/Baxter Boulevard intersection. A summary of the time and dates of the counts is presented as follows.

- Marginal Way/Preble Street – November 14, 2000 (7:00-9:00AM & 3:30-6:00PM)
- Preble Street Extension/Baxter Boulevard – November 14, 2000 (7:00-9:00AM & 3:30-6:00PM)

Design Hour Volume

The traffic pattern on any highway shows considerable variation in traffic volumes during different hours of the day and in hourly volumes throughout the year. It must be determined which of these hourly traffic volumes should be used for analysis and design. It would be wasteful to predicate the design on the (maximum) peak hour traffic of the year, yet the use of the average hourly traffic would result in an inadequate design. The hourly traffic volume used in design should not be exceeded very often or by very much. On the other hand, it should not be so high that traffic would rarely be great enough to make full use of the facility. Based upon the relationship between highest hourly volumes and daily traffic volumes, it has been concluded that the hourly traffic used in design should be the 30th Highest Hour Volume, or sometimes called Design Hour Volume.

For this study, the Design Hour Volumes were estimated from MDOT Weekly Group Mean Factors. Figure 2 presents the 2000 Design Hour traffic volumes within the study area.

SECTION 4 – NO-BUILD TRAFFIC VOLUMES

No-Build traffic volumes (without the proposed development) were developed for the anticipated opening year of the project (2002). In order to estimate traffic volumes during the No-Build condition, it is important to incorporate traffic generated by other developments in the study area. This is important because conditions associated with nearby developments may generate traffic that impact roadways being studied. Based upon input from the City of Portland, several area projects were included in the No-Build condition. The following presents a list of the projects included.

- ◆ Wild Oats Supermarket

To estimate future No-Build conditions, the 2000 Design Hour volumes were increased by a background growth factor of 2.0 percent per year (based upon historical data). Accordingly, the 2000 Design Hour volumes were increased by 2 percent and traffic expected from other approved developments were added. Figure 3 presents the 2002 No-Build traffic volumes (inclusive of the above developments) during both the Weekday AM and PM peak hours.

SECTION 4 – SITE GENERATION TRAFFIC

Traffic generated from the proposed development was based upon traffic generation rates contained in the publication Trip Generation, Institute of Transportation Engineers. Traffic generation was based upon Land Use Code 710 – General Office Building. The following table summarizes the expected traffic generated from the proposed 50,000 square foot office building during the AM and PM peak hours and on a weekday daily basis.

	Weekday		
	Enter	Exit	Total
AM Peak Hour	94	13	107
PM Peak Hour	23	112	135
Daily	390	390	780

Distribution of the site-generated traffic was based upon traffic volume distribution. Figure 4 presents the site generated traffic volumes during the AM and PM peak hours.

SECTION 5 – BUILD TRAFFIC VOLUMES

The Build Traffic Volumes within the study area were estimated for the year 2002. The Build Volumes were estimated by adding the site-generated traffic depicted on Figures 4 to the 2002 No-Build traffic volumes located on Figure 3. Figures 5 presents the 2002 Build Traffic Volumes during the AM and PM peak hours.

FIGURE 3 - 2002 NO-BUILD TRAFFIC VOLUMES

Bayside Site Development Portland, Maine

Legend

000 - AM Peak Hour
(000) - PM Peak Hour

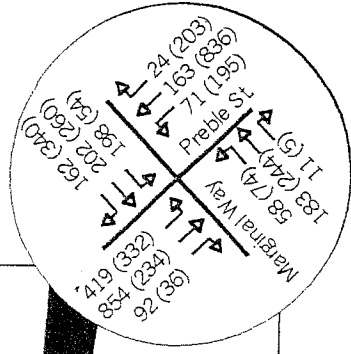
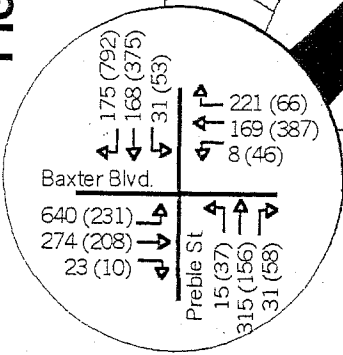


FIGURE 4 - SITE GENERATED TRAFFIC VOLUMES

Bayside Site Development
Portland, Maine

Legend

000 - AM Peak Hour
(000) - PM Peak Hour

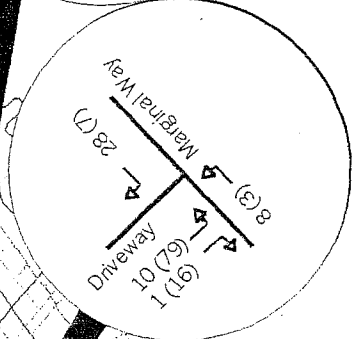
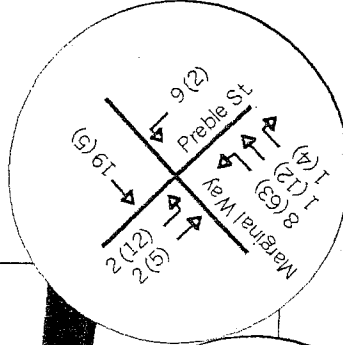
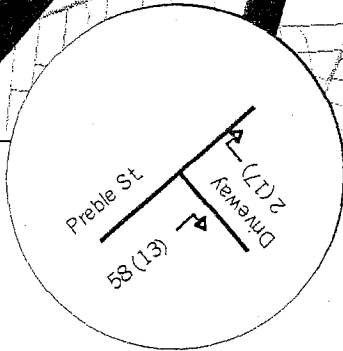
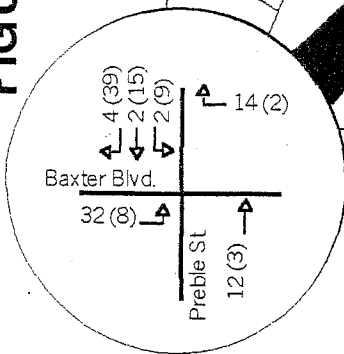
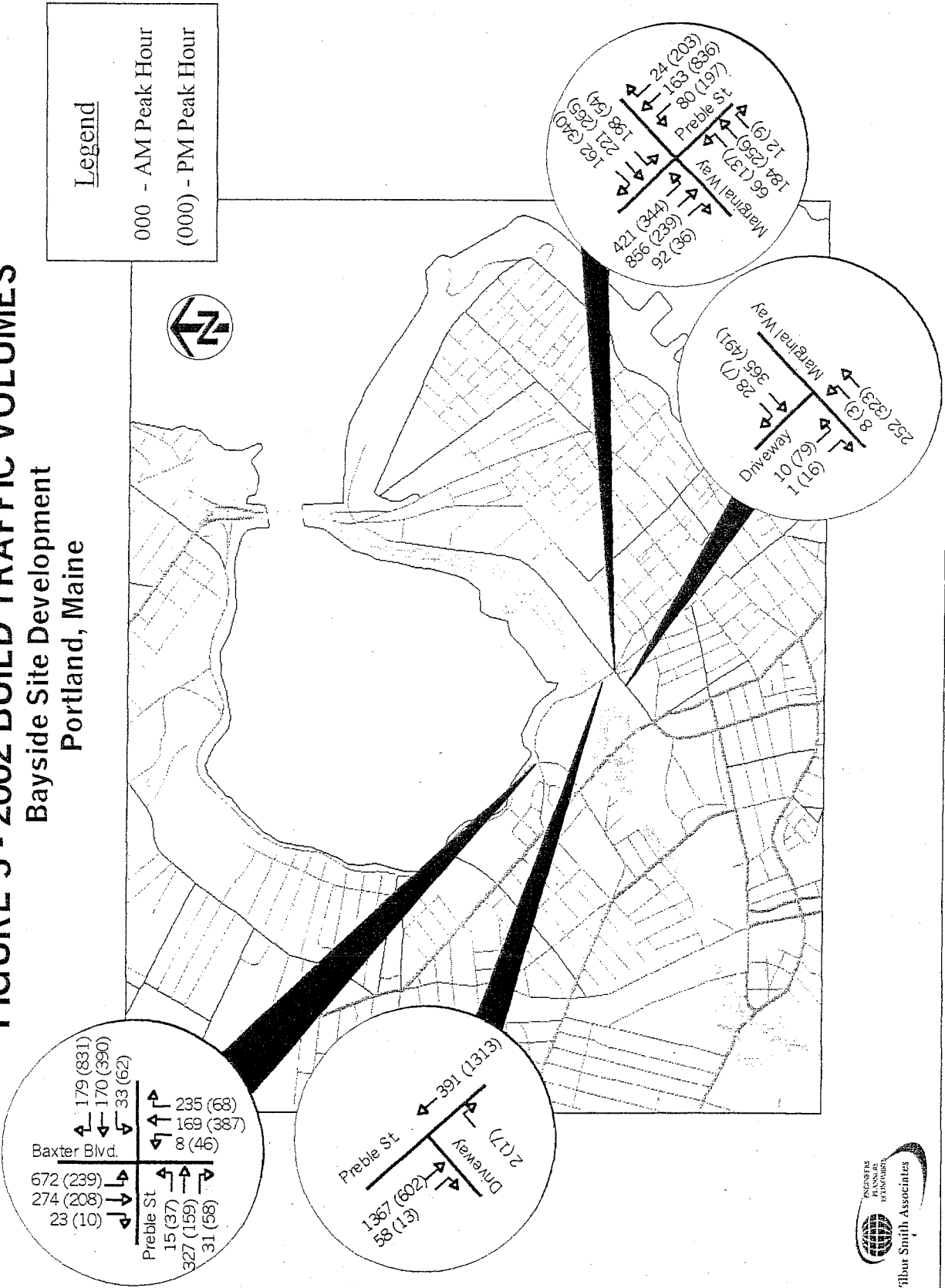


FIGURE 5 - 2002 BUILD TRAFFIC VOLUMES
Bayside Site Development
Portland, Maine



SECTION 6 – INTERSECTION ANALYSIS

To evaluate the impact of traffic generated by the proposed development, capacity analysis was performed at the study intersections for the 2002 No-Build and Build conditions.

The standard used to evaluate traffic operating conditions of the transportation system is referred to as the Level of Service (LOS). This is a qualitative assessment of the quantitative effect of factors such as speed, volume of traffic, geometric features, traffic interruptions, delays, and freedom to maneuver. LOS analysis was based upon procedures detailed in the 2000 Highway Capacity Manual, Transportation Research Board.

Signalized intersection LOS is based on average stopped delay per vehicle. The following table summarizes LOS categories and their associated delay.

LOS Criteria for Signalized Intersections

Level of Service	Average Delay Per Vehicle (seconds)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

The results of the unsignalized capacity analyses at the Marginal Way/Preble Street and Preble Street Extension/Baxter Boulevard intersections are presented in the following tables. The capacity analysis was based upon traffic signal phasing and timing as used in the approved Wild Oats Traffic Impact Study prepared by John L. Murphy, P.E.

**Marginal Way/Preble Street
Level of Service Summary**

	2002 No-Build LOS (Delay)		2002 Build Condition LOS (Delay)	
	AM	PM	AM	PM
Marginal Way EB LT	D (45.2)	E (64.7)	D (45.8)	F (180.3)
Marginal Way EB TH/RT	D (38.1)	D (40.4)	D (38.1)	D (40.7)
Marginal Way WB LT	D (45.6)	E (57.4)	D (45.6)	E (57.4)
Marginal Way WB TH/RT	C (33.2)	D (53.6)	C (33.4)	D (54.0)
Preble St. NB LT	D (47.5)	E (60.5)	D (50.0)	E (61.1)
Preble St. NB TH/RT	D (41.5)	F (122.8)	D (41.5)	F (122.8)
Preble St. SB LT	D (54.5)	E (69.5)	E (55.5)	E (75.6)
Preble St. SB TH/RT	D (42.2)	C (27.7)	D (42.5)	C (27.8)
Overall	D (43.4)	E (79.7)	D (43.8)	F (85.4)

**Preble Street Extension/Baxter Boulevard
Level of Service Summary**

	2002 No-Build LOS (Delay)		2002 Build Condition LOS (Delay)	
	AM	PM	AM	PM
Preble St. EB LT/TH/RT	D (39.1)	C (24.7)	D (39.5)	C (24.7)
Preble St. WB LT/TH	D (36.6)	C (26.6)	D (36.8)	C (27.1)
Preble St. WB RT	A (7.8)	B (10.8)	A (7.8)	B (11.2)
Baxter Blvd. NB LT/TH/RT	C (34.0)	C (27.7)	C (34.3)	C (27.8)
Baxter Blvd. SB LT	C (26.3)	B (17.4)	C (30.8)	B (17.7)
Baxter Blvd. SB TH/RT	A (7.0)	A (9.7)	A (7.0)	A (9.7)
Overall	C (27.5)	C (21.3)	C (29.2)	C (21.3)

Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the above table indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).

In an effort to mitigate intersection congestion, optimization of the traffic signal phasing was investigated. As noted in the following table, intersection operations are projected to

improve substantially, if the traffic signal timing is revised. As noted in the following table, intersection delay will be less than the pre-development condition.

**Marginal Way/Preble Street
Level of Service Summary
With Traffic Signal Improvements**

	2002 Build Condition LOS (Delay)
	PM
Marginal Way EB LT	F (123.5)
Marginal Way EB TH/RT	D (41.9)
Marginal Way WB LT	D (52.7)
Marginal Way WB TH/RT	E (72.0)
Preble St. NB LT	F (80.7)
Preble St. NB TH/RT	E (78.1)
Preble St. SB LT	F (102.7)
Preble St. SB TH/RT	C (23.6)
Overall	E (73.4)

SECTION 7 – SAFETY ANALYSIS

Accident data from the period 1997 – 1999 was obtained from MDOT for roadways and intersections in the vicinity of the project site. A summary of the data is presented in the following table.

LOCATION	1997-1999 ACCIDENTS	YEARLY AVERAGE	CRITICAL RATE FACTOR
Marginal Way/Preble Street	20	6.67	0.66
Preble Street/Baxter Boulevard	31	10.33	0.93
Preble Street between Marginal Way and Baxter Boulevard	8	2.67	0.27
Marginal Way between Forest and Preble	9	3.00	0.47

MDOT considers a Critical Rate Factor (CRF) of over 1.0 and 8 accidents over a three-year period as a general guideline to identify potential safety deficiencies. As noted in the above table, no study area locations meet this criterion.

SECTION 9 – SITE ACCESS AND CIRCULATION

The following summarizes our comments relative to review of a site plan prepared by EER. Specifically, the assessment included an evaluation of sight distance, on-site circulation and access, and on-site parking supply.

Sight Distance

Driveway and intersecting road placement shall be such that an exiting vehicle has an unobstructed sight distance according to MDOT standards. Accordingly, sight distances from the existing driveways on Marginal Way and Preble Street Extension were reviewed and assessed according to standards contained in the publication Access Management Improving the Efficiency of Maine Arterials, MDOT. For roads with vehicular speeds of 35 MPH (posted speed limit) and driveways with low to medium traffic volumes, the minimum sight distance is 350 feet. The following table summarizes the field measured sight distances at the project driveways.

LOCATION	LEFT SIGHT DISTANCE (FEET)	RIGHT SIGHT DISTANCE (FEET)	MINIMUM STANDARD (FEET)
Site Drive @ Marginal Way	500+	500+	350
Site Drive @ Preble Street Extension	500+	Not Applicable	350

As noted in the above table, all driveways meet MDOT standards for sight distance. It should be noted that two large trees obstruct sight distance when exiting the site drive on Marginal Way and looking westerly. Motorist should be able to pull out and avoid the trees. However, it is recommended that conditions be monitored and the trees be removed if problems develop.

Access and Circulation

In general we find the access to be acceptable with the following comments.

- The two access drives should be aligned such that they intersect Marginal Way and Preble Street Extension at an angle near 90 degrees.
- The City of Portland Traffic Engineer has expressed concern relative to vehicles exiting the Preble Street Extension driveway and performing an illegal left-turn. To help discourage this movement it is suggested that the island be extended approximately fifty feet.

On-Site Parking

A on-site parking demand analysis was conducted for the proposed 50,000 square foot office building to ascertain the adequacy of the proposed parking supply. A summary of the analysis is presented in the following table.

CURRENT PARKING SUPPLY	168 PARKING SPACES
City of Portland Parking Ordinance 1 space per 400 square feet	125 Parking Spaces
ITE Parking Generation 2.79 spaces per 1,000 square feet	140 Parking Spaces
Parking, ENO Foundation 3 spaces per 1,000 square feet	150 Parking Spaces

As noted above an adequate parking supply will be provided.

SECTION 10 – CONCLUSIONS/RECOMMENDATIONS

1. The proposed 50,000 square foot office development is expected to generate 107 vehicles (94 entering/13 exiting) during the AM peak hour. During the PM peak hour 135 vehicles (23 entering/112 exiting) will be generated. On a 24-hour basis 780 vehicles will be generated.

-
2. Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the analysis indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).
 3. In an effort to mitigate congestion at the Marginal Way/Preble Street intersection, optimization of the traffic signal phasing is recommended. As noted in Section 6 intersection operations are projected to improve, if the traffic signal timing is revised, and intersection delay will be less than the pre-development condition.
 4. Evaluation of accident data in the vicinity of the project was performed for the most recent 3-year period from the MDOT. Results indicate no roadways or intersections within the study area are High Accident Locations.
 5. Sight distance was evaluated for driveways on both Marginal Way and Preble Street Extension. Results indicate all driveways meet MDOT standards for sight distance.

STORMWATER MANAGEMENT REPORT

FOR

ATLANTIC NATIONAL TRUST
BAYSIDE SITE DEVELOPMENT
PORTLAND, MAINE

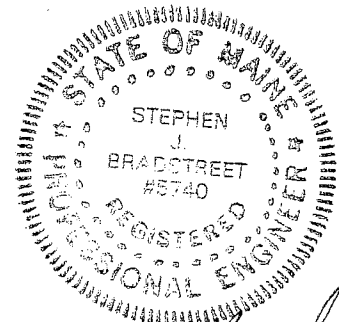
Prepared for:

Atlantic National Trust
50 Portland Pier, Suite 400
Portland, Maine 04101

Submitted by:

Environmental Engineering & Remediation, Inc.
222 St. John Street
Suite 314
Portland, Maine 04102

March 27, 2001



Stephen J. Bradstreet
3/27/01

Stormwater Management Report for Bayside Site Development Portland, Maine

PROJECT'S HYDROLOGICAL LOCATION

The Bayside Site Development is located on the northwest corner of the intersection of Preble Street Extension and Marginal Way in Portland, directly east of Interstate 295. Figure 1 presents the approximate location of the property. The site is relatively flat and is located approximately 700 feet south of Back Cove, an inlet from the Atlantic Ocean. The site and most of the area around it is constructed on fill placed during the 19th and 20th centuries. Prior to filling, the area was submerged.

PRE-DEVELOPMENT CONDITIONS

The site proposed for development comprises two properties. The City of Portland currently utilizes the northeast property for sand and salt storage. It is primarily developed with a 50 foot by 80 foot salt shed and some construction equipment is also stored on the property. The second property is improved with a warehouse and storage shed. Ground cover on both properties is almost exclusively pavement and gravel. There is very little vegetation on the site. The majority of the combined site drains to a catch basin to the north. A smaller portion of the site drains toward Marginal Way, and a relatively insignificant portion drains toward Preble Street.

POST-DEVELOPMENT CONDITIONS

The site will be redeveloped with an office building located in the eastern corner of the property (closest to the intersection). The building will have a footprint of approximately 10,000 square feet. A parking lot with 167 spaces and 7 grassed islands will be constructed appurtenant to the building. Nine catch basins will collect runoff in the parking lot and deliver it to a Downstream Defender™ for suspended solids treatment. The stormwater will then be discharged to the City/MDOT's stormwater collection system located north of the site. Green space will be created on the islands and adjacent to the office building, and erosion from the site should be significantly reduced due to the elimination of bare soil surfaces.

STORMWATER RUNOFF CALCULATIONS

Stormwater runoff calculations for this project were made using the Hydro CAD computer program, which is based on the Soil Conservation Service's TR-20 methodology. Runoff hydrographs are generated based on a standard type III storm. Three storm frequencies were modeled; the two-year storm (3.0 inches in 24 hours); the ten-year storm (4.7 inches in 24 hours); and the 25-year storm (5.5 inches in 24 hours).

Two subcatchment areas (SC-1 and SC-2) were delineated and analyzed for change in peak storm flow. The subject property is constructed on fill of varying origin, which is typically not categorized in one hydrologic soil group. Recognizing that the gravel surface areas of the site are heavily compacted and silted due to years of use they were modeled as a hydrologic soil group D. Grassed areas were also modeled as group D soils. Areas other than the gravel and grass (paved or buildings) have an assigned curve number that is independent of the hydrologic soil group. In order to minimize road disturbance and simplify the treatment system, the two subcatchments are combined into one through the construction of a stormwater collection system, and are analyzed as such for post-development conditions.

Runoff Curve numbers were determined based on land coverage and soil type. Soil type obtained from the *Soil Survey of Cumberland County, Maine*, issued August 1974 by the United States Department of Agriculture's Soil Conservation Service. Times of concentration were developed based on runoff flow paths for each watershed.

Based on the calculations presented in Appendix A, the stormwater results are tabulated below.

Drainage Area	Pre-Development (CFS)			Post-Development (CFS)		
	2 Year	10 Year	25 Year	2 Year	10 Year	25 Year
1	3.39	5.61	6.64	5.25	8.57	10.12
2	2.23	3.64	4.30	-	-	-

The following table indicates total pre- and post-development runoff conditions.

Storm Event	Pre-Development (CFS)	Post-Development (CFS)
2 Year	5.62	5.25
10 Year	9.25	8.57
25 Year	10.94	10.12

A Downstream Defender™ is incorporated for stormwater quality treatment. The Downstream Defender™ is a proprietary hydrodynamic separator from H.I.L. Technology, Inc. that is designed to capture settleable solids, floatables, oil, and grease from stormwater runoff. If installed and maintained according to the manufacturer's instructions, a six-foot diameter Downstream Defender™ will remove 80 percent of all particles down to and including 150 micron, and remove 70 percent of all sediment having a particle size distribution similar to Maine Department of Transportation (MDOT) road sand, at a flow rate of 5.25 cfs generated by the 2-year storm event. Based on total suspended solids (TSS) having a similar particle size distribution and density to MDOT road sand, and that most of the TSS pollutant load (first flush) will occur during storm intensities less than the 2-year storm event, an 80 percent net annual TSS removal

will be achieved. Recognizing the current, unvegetated condition of the site, runoff water quality should be greatly improved.

MAINTENANCE OF STORMWATER COLLECTION FACILITIES

The Owner shall maintain the facilities in a clean, operating condition by removing debris and sediment from ditches, catch basins, and storm drain piping as necessary to maintain flow and water quality. Appendix B contains operation and maintenance instructions for the Downstream Defender™ along with a maintenance log. The maintenance log shall be maintained by the Owner and shall be provided to the City, upon request, for review.

QUALIFICATIONS STATEMENT

The engineer conducting this stormwater analysis is a registered professional engineer in the State of Maine with over 18 years of experience in stormwater management and design.

SUMMARY AND CONCLUSIONS

Two pre-development subcatchments were analyzed in order to determine peak pre-development runoff flows. Construction of a storm drain collection and treatment system will combine the two subcatchment areas into one. According to the methodology used for stormwater analysis, 2-year, 10-year, and 25-year peak flows from the site are reduced due to the addition of grassed areas. Stormwater quality is improved using a Downstream Defender™ to remove suspended solids.

H.I.L. TECHNOLOGY, INC.
94 Hutchins Drive
Portland, ME 04102

PHONE (207) 756-6200
FAX (207) 756-6212
TOLL FREE 1-800-848-2706
E-MAIL: hiltech@hil-tech.com


H.I.L.
TECHNOLOGY
INC.

E-5

OPERATION AND MAINTENANCE OF THE DOWNSTREAM DEFENDER



OPERATION

The Downstream Defender operates on simple fluid hydraulics. It is self-activating, has no moving parts and no external power requirement. Therefore, no procedures are required to operate the unit.

As stormwater flows through the Downstream Defender, sediment is directed towards the center and base where it is stored in the collection facility, beneath the vortex chamber. Sediment is contained outside of the treatment flow path and protected by the center cone. Floatables are trapped in the outer annular space between the cylindrical dip plate and the concrete manhole wall at the top water level. Treated effluent is released from the inner annular space, between the dip plate and center shaft, through the outlet pipe, near the top of the vessel. The floatables lid isolates separated and stored oil and floatables from the treated effluent.

The Downstream Defender is unique in that the sediment and oil storage areas are outside the treatment flow path. Previously collected solids, oils and floatables are thereby protected from re-entrainment into the effluent during major storms or surcharge conditions. Furthermore, as sediment, floatables and oil are collected and stored over a period of several months, treatment capacities are not reduced as pollutants accumulate between clean-outs.

After a storm event, the water level in the Downstream Defender drains down to the invert of the outlet pipe, keeping the unit wet. Maintaining a wet unit has two major advantages:

1. It keeps the oil and floatables stored on the water surface separate from sediment stored below the vortex chamber, providing the option for separate oil disposal, such as passive skimmers, if desired.
2. It prevents stored sediment from solidifying in the base of the unit. The clean-out procedure becomes much more difficult and labor intensive if the system

allows fine sediment to dry-out and consolidate. When this occurs, clean-out crews must enter the chamber and manually remove the sediment; a labor intensive operation in a hazardous environment.

The Downstream Defender has large clear openings and no internal restrictions or weirs, minimizing the risk of blockage and hydraulic losses. Orifices and internal weirs can create two serious hydraulic problems:

1. Increased risk of blockage - Small orifices tend to collect debris and trash such as soda cans, sticks and Styrofoam cups which further reduce opening size and may even block openings completely. This alters the hydraulics in a flow-through treatment device, adversely affecting operation and performance and can eventually lead to system back-ups and maintenance issues. Removing debris from a submerged orifice may require pumping down the chamber.
2. Increased headlosses - Internal restrictions and weirs significantly increase hydraulic losses in a flow-through treatment device. The higher the flow through the system, the higher the headloss. This problem is exacerbated during the more intense storm events, backing up the storm sewer and increasing the risk for upstream flooding.

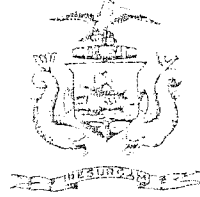
MAINTENANCE PROCEDURE

A commercially or municipally owned sump-vac is used to remove captured sediment and floatables. Access ports are located in the top of the manhole. The floatables access port is above the area between the concrete manhole wall and the dip plate. The sediment removal access port is located directly over the hollow center shaft. Floatables and oil should be removed prior to the removal of the sediment.

The frequency of the sump vac procedure is determined in the field after installation. During the first year of operation, the unit should be inspected every six months to determine the rate of sediment and floatables accumulation. A probe can be used to determine the level of solids in the sediment storage facility. When approximately 1.5 / 2 / 2.5 / 3.0 ft. of sediment depth has accumulated, the contents should be removed by sump vac. It is recommended that the units be cleaned annually.

Although a small portion of water is removed along with the pollutants during the clean-out process, the units are typically not completely dewatered- minimizing disposal costs. The sump vac procedure for a typical 6-ft diameter Downstream Defender with one foot of sediment depth and two inches of oil and debris takes about 25 minutes and removes about 150 gallons of water in the process.

Department of Public Works

William J. Bray
Director

CITY OF PORTLAND

20 March 2001

Mr. Stephen J. Bradstreet, P.E.,
Environmental Engineering & Remediation,
222 St. John Street, Suite 314,
Portland, Maine 04102

**RE: The Capacity to handle The Proposed Professional Building
Wastewater Flows, at 68-76 Marginal Way.**

Dear Mr. Bradstreet:

The existing ninety-six inch diameter reinforced concrete sanitary sewer pipe located in Marginal Way has adequate capacity to transport the anticipated wastewater flows of 3,750 GPD, from your proposed building. The Portland Water District sewage treatment facilities located off Marginal Way have adequate capacity to treat the anticipated wastewater flows of 3,750 GPD, from your proposed building.

Anticipated Wastewater Flows from the Proposed Building

Recent Wastewater flows from 52 Marginal Way (Formerly Advanced Paper Co.)	=	48 GPD
250 Proposed Employees @ 15 GPD/Employee	=	<u>3,750 GPD</u>
Total Anticipated Increase in Wastewater Flows for this Project	=	3,702 GPD

If I can be of further assistance, please call me at 874-8832.

Sincerely,

CITY OF PORTLAND

Frank J. Brancely, BA, MA
Senior Engineering Technician

FJB

cc: Joseph E. Gray, Director, Department of Planning, & Urban Development, City of Portland
Richard Knowland, Senior Planner, Dept. of Planning & Urban Development, City of Portland
Katherine A. Staples, PE, Engineering Manager, City of Portland
Bradley Roland, PE, Environmental Projects Engineer, City of Portland
Anthony W. Lombardo, PE, Project Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Desk File



Portland Water District

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

ATTACHMENT B

(207) 774-5961
FAX (207) 761-8307
www.pwd.org

March 20, 2001

Stephen J. Bradstreet, P.E.
Environmental Engineering & Remediation, Inc.
222 St. John St. Suite 314
Portland, Me. 04102

Re: 68 Marginal Way- Portland

Dear Mr. Bradstreet


This letter is to confirm there should be an adequate supply of clean and healthful water to serve the needs of the proposed office building near the intersection of Marginal Way and Preble Street. Checking District records, I find there are 8" water mains in both street.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the needs of your proposed project. A map is included indicating water mains and hydrants in the area.

Hydrant Location: Marginal Way @Hanover St.
Hydrant # 241
Static pressure = 92 PSI
Flow = 1404 GPM
Last Tested = 6/28/91

If the district can be of further assistance in this matter, please let us know.

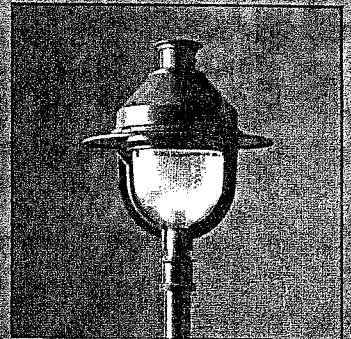
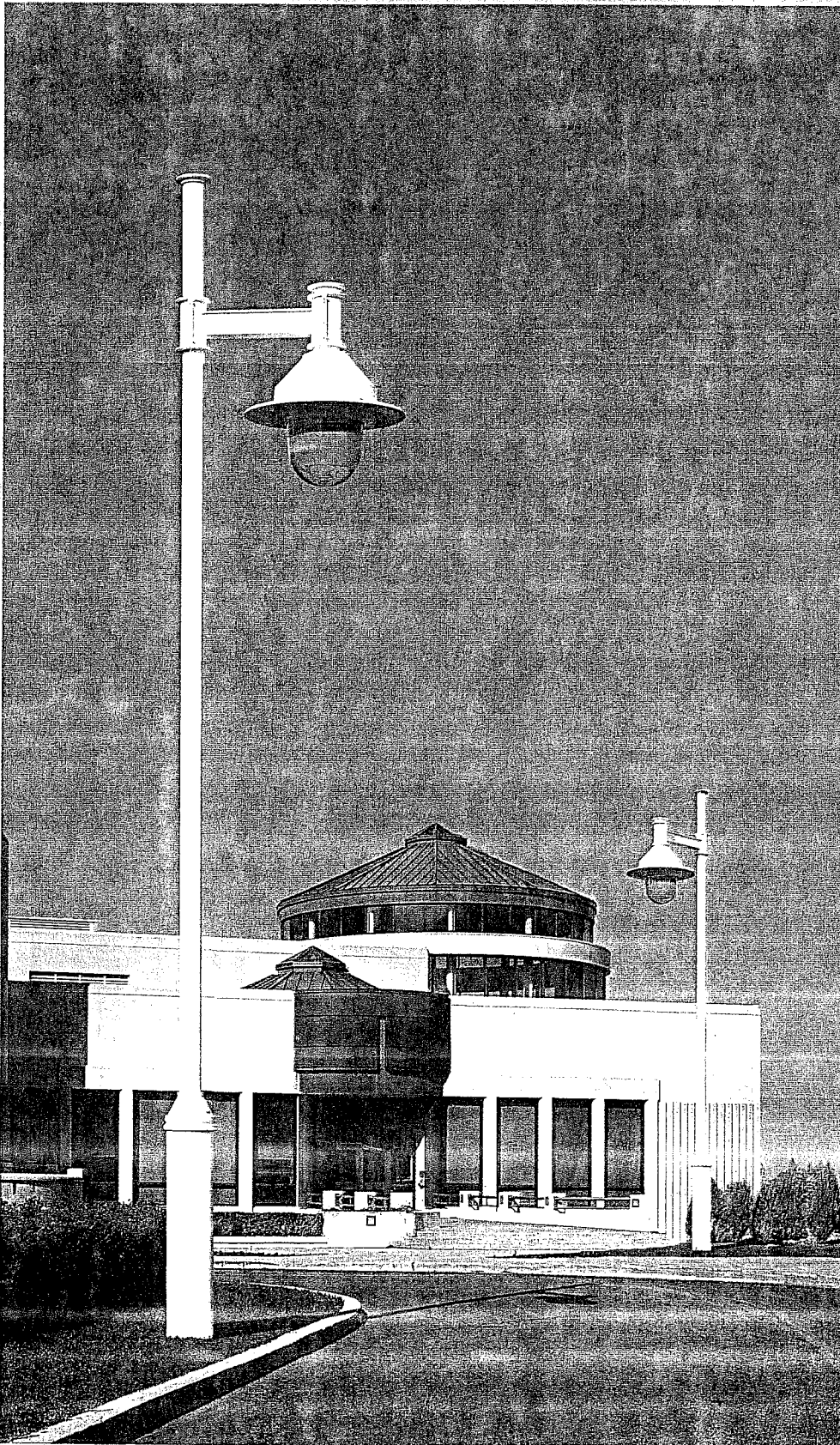
Sincerely,
Portland Water District


Jim Pandiscio
Means Coordinator

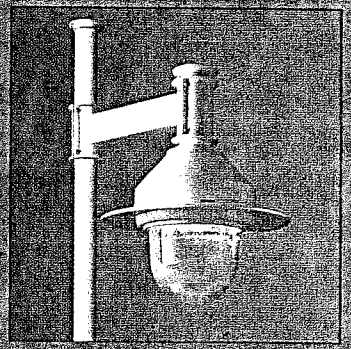
ATTACHMENT H-1

Transit Series

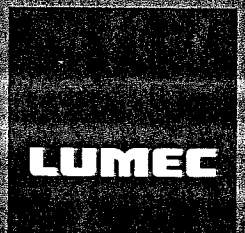
TR10/20



TR10™ - SHA



TR20™ - SHA - SN44



TR20™ - SHA - SN44 - SAM8

TR10/20

Transit series **TR10™** and **TR20™** luminaires incorporate a **Sealsafe™** sealed optical chamber.

As it is hermetically sealed, the **Sealsafe™** optical chamber protects the optical system, producing a lower Light Loss Factor (LLF) than conventional optical systems while maintaining the luminaire's photometric performance.

The lower LLF also translates into a lower initial lamp wattage, reducing the luminaire's electrical consumption.

Sealsafe SHA and **SSA** optical chambers offer exceptional photometric performance thanks to a state-of-the-art reflector/refractor combination which minimizes glare.

Sealsafe SCB and **SHB** optical chambers also offer outstanding photometric performance by combining of the same reflector and a sagged tempered-glass lens.

The absence of external prisms makes the surface of the reflector and lens self-cleaning, minimizing the deterioration of the optical system.

Toolfree access to the lamp via a sleeve and shutter, and a ballast tray dropped inside a ballast box make Transit luminaires easy to maintain.

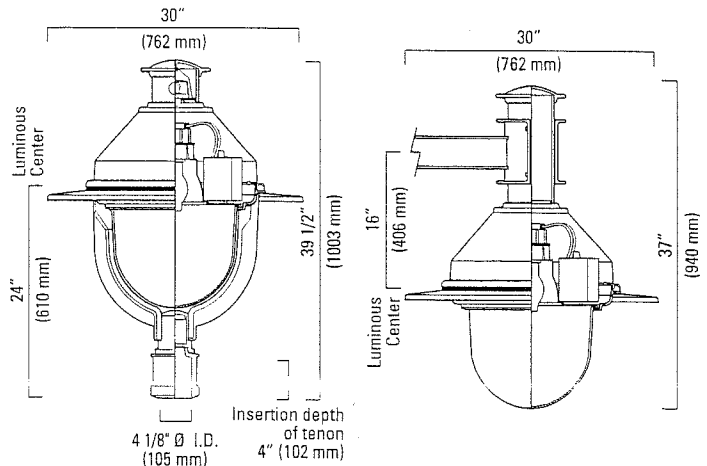
All these high-performance features are built into stylish and well-designed luminaires, making Transit series luminaires perfect for contemporary landscapes and buildings.

Luminaire

The **TR10** luminaire consists of a sealed optical chamber made of a hydroformed reflector permanently sealed on an injected refractor with internal prisms only. A toolfree lamp access shutter and sleeve, with self-adjusting injection-molded silicone gasket, keep the optical chamber hermetically sealed. The optical system is surrounded by a one-piece, two-arm, cast-aluminum cradle welded to the bottom piece of a cast-aluminum technical ring. A large aluminum hood and a deflector are mechanically assembled on the top part of the technical ring.

The **TR20** luminaire is similar to the **TR10** but is suspended from a mounting instead of being supported by a cradle.

TR10 and **TR20** luminaires are **UL** and **CSA** approved.



EPA: 1.52 sq.ft.
Weight: 40 lbs. (18.1 kg)

TR10 - SHA4L - PH

TR20 - SSA3M

Lamp Guide

Wattage	TR10/TR20	
	SHA/SSA	SCB/SHB
70 MH	—	—
100 MH	—	—
175 MH	—	—
250 MH	—	—
400 MH	N/A	●
70 HPS	—	—
100 HPS	—	—
150 HPS	—	—
250 HPS	—	—
400 HPS	N/A	●

● Remote ballast in mounting or pole base.

TR10™ and **TR20™** Transit series luminaires accommodate H.I.D. or incandescent lamps as shown in the above table.

The **UL** or **CSA**-recognized **CWA**-type ballast features a -30F° (-34C°) lamp-starting capacity, a power factor of 90% or better and a regulation of lamp within ±10% of rated input voltage. **HPS** ballasts operate within **ANSI** trapezoidal limits.

The ballast is integrated in the hood of the luminaire, on a unitized ballast tray dropped inside a ballast box.

Optical Systems

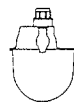


SHA optics

Hyper-extensive sealed optical chamber consisting of a reflector permanently assembled on top of a prismatic refractor.

SHA3M: Asymmetrical (III)

SHA4L: Asymmetrical (IV)



SSA optics

Semi-cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a prismatic refractor.

SSA3M: Asymmetrical (III)

In the above optics, the sleeve and shutter permit exact positioning of the lamp.

Refractor available in:

- AC:** Acrylic
- PC:** Polycarbonate

Add suffix to optical system code.



SCB optics

Cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens.

SCB3M: Asymmetrical (III)



SHB optics

Hyper-extensive sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens.

SHB3M: Asymmetrical (III)

In the above optics, the sleeve and shutter permit exact positioning of the lamp.

(Lamps not included)

For further information, refer to the *Photometric Guide*.

Mountings

TR10 luminaire mountings:

CR



The arm is made of a 2" by 4" (51 by 102 mm) aluminum extrusion. The luminaire base is a 4" (102 mm) round aluminum extrusion.

JR



Consists of two rectangular 2" by 3" (51 by 76 mm) extruded-aluminum arms welded to a 4" (102 mm) round extruded-aluminum luminaire base.

TR20 luminaire mountings:

TN12



Arm is made of a 2 1/4" by 3 3/4" rectangular (57 by 95 mm) aluminum extrusion welded to two cast-aluminum pole or luminaire adaptors.

SN12



The cast-aluminum arm is welded to two cast-aluminum pole or luminaire adaptors.

UN12



Arm is made of a 2 1/4" by 3 3/4" rectangular (57 by 95 mm) aluminum extrusion and an aluminum decorative wedge, both welded to two cast-aluminum pole or luminaire adaptors.

For the **SN**, **TN** and **UN** mountings the arm is mechanically assembled around a pole and a **TR20** luminaire top.

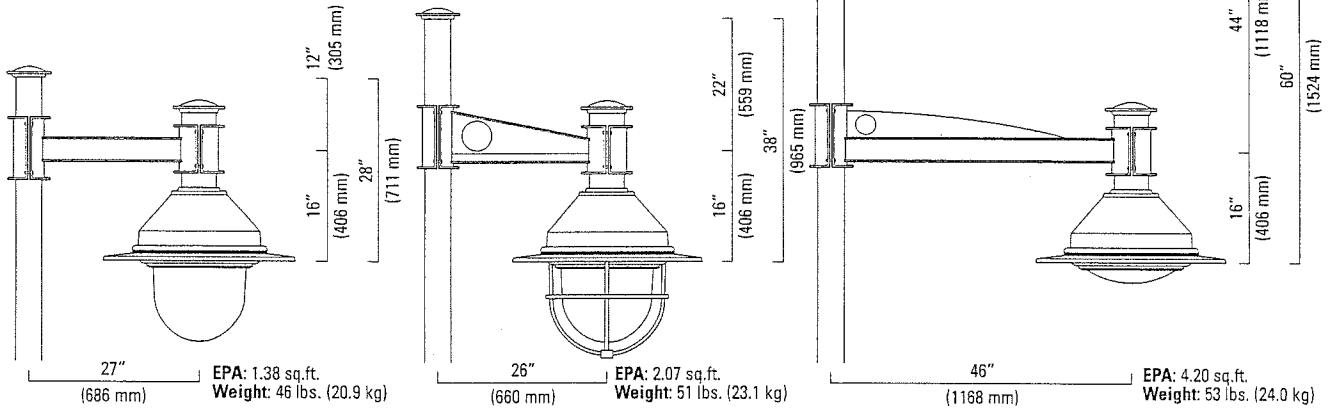
The pole-top section of the **SN**, **TN** and **UN** mountings varies from 12" (305 mm) minimum on up. Specify height required after mounting code.

Ordering Sample

Lamp	Luminaire	Optical System	Voltage	Mounting & Configuration	Pole	Finish	Options
100 HPS	TR10	SHA4L - AC	240V	CR-1A	SM6-15	GN6-TX	FS

Lumec reserves the right to substitute materials or change the manufacturing process of its products without prior notification.

Note:
The pole-top section of the **SN, TN** and **UN** mountings varies from 12" (305 mm) minimum on up. Specify height required after mounting code.

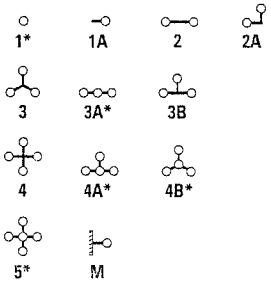


TR20 - SHA4L - SN12

TR20 - SHA3M - TN22 - GRD

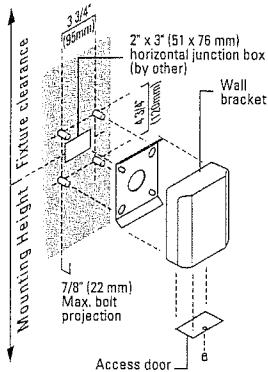
TR20 - SCB3M - UN44

Configurations



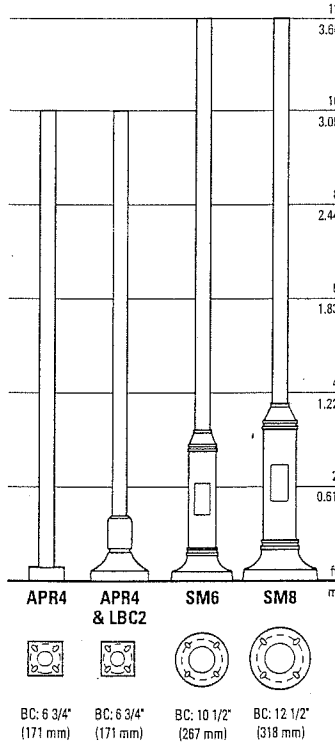
* Applicable to TR10 luminaire only.

Typical wall mounting detail for TR10 luminaire mountings



Consult the Pole Guide for details.

Poles



Consult the Pole Guide for details and the complete line of poles.

Finishes

16 Standard Colors Available

The specially-formulated textured (TX) Lumital powder coat is available in a range of 16 standard colors. This unique coating of thermosetting polyester resins provides a highly-durable UV-resistant exterior finish as per ASTM G7.

Lumital coatings are specially formulated for outstanding salt-spray resistance according to ASTM B117 standards.

All surfaces are chemically treated using a four-step (aluminum) or seven-step (steel) process prior to painting. Consult Lumec for complete specifications.

SCL Special Color (liquid)
SCP Special Color (powder)
Provide a 4" (102 mm) square color chip.

It is possible to order smaller minimal quantities of powder paint at a premium. Your representative will be able to tell you if a powder coat paint can be developed for your project.

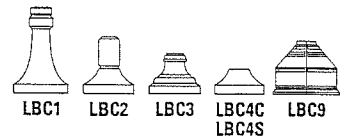
Please note that where quantities do not warrant it, Lumec reserves the right to use an oven-cured liquid polyurethane finish.

Options

FS	Luminaire integrated fuse
HS	House shield
GRD	Decorative guard (TR20 model only. Not applicable with SCB and SHB optics.)
HB	Hinged base (TR10 only. APR4, APS4, APR5 & APS5 poles only)
DR*	Duplex receptacle (120 volts only)
GFI*	Duplex receptacle with ground fault interrupter (120 volts only)
PH	Photoelectric cell
LS*	Provision for loudspeaker outlet
BA*	Banner arm
IP	Interior paint (pole only, consult factory for applicable poles)
LBC	Optional base cover

* Consult factory for feasibility with cast-aluminum shafts.

Base covers for APR4 & SPR4 poles only (replace standard base cover).



**CITY OF PORTLAND, MAINE
MEMORANDUM**

RE: Chair Caron and Members of the Planning Board
FROM: Richard Knowland, Senior Planner
DATE : April 10, 2001
RE: 67 Marginal Way Office Building

A workshop session has been scheduled to consider a proposed office building at the corner of Marginal Way and Preble Street. The rear of the property is adjacent to I-295. The applicant is Atlantic National Trust (Ted West). Site plans and building elevations are shown on Attachments A and B. The development is subject to site plan review.

This parcel is also known as the "city salt shed" site. The applicant has a purchase and sales agreement from the city for this parcel. The applicant has also purchased the Advance Paper Co. site, which has been incorporated in this proposal. Both the Advance Paper Co. building and the salt shed will be removed from the site.

Zoning: B-5 Business
Land Area: 86,709 sq. ft.
Building Footprint: 10,000 sq. ft.
Building Floor Area: 50,000 sq. ft.
Building Height: 5 stories or 63.5 ft.
Parking Spaces: 167

Bayside Plan

The Bayside Plan envisions a dense and urban pattern of development. This development meets that test. The building is 5 stories high. The building is sited along the street edge on both Marginal Way and Preble Street. The building has been designed to accommodate potential first floor retail with large windows along Marginal Way and Preble Street.

Sec. 14-526(27) requires that B-5 development meet certain standards. Two critical standards involve building placement and orientation to the street. This proposal does locate the building to the street line. The building is "oriented toward the street" and "includes prominent facades with windows and entrances oriented toward the street."

Circulation

Driveways are proposed along Marginal Way and Preble Street to serve the 167 space on site parking lot. Larry Ash recommends that the dividing strip on Preble Street be extended to the north so that vehicles exiting the Preble Street driveway do not take a left hand turn onto Preble Street. The plan has been revised accordingly.

Larry Ash
A traffic impact study has been prepared by Wilbur Smith Associates. A summary of the reports conclusions is shown below.

- The development is expected to generate 107 vehicles (94 entering/13 existing) during the AM peak hour. During the PM peak hour 135 vehicles (23 entering/112 existing) will be generated. On a 24-hour basis 780 vehicles will be generated.
- Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the analysis indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).
- In an effort to mitigate congestion at the Marginal Way/Preble Street intersection, optimization of the traffic signal phasing is recommended. As noted in section 6 intersection operations are projected to improve, if the traffic signal timing is revised, and intersection delay will be less than the pre-development condition.

Larry Ash, City Traffic Engineer, will be attending Tuesday's workshop should the Board have any traffic related questions.

MDOT Driveway Restriction

There is apparently an MDOT restriction on driveways along Preble Street that dates back to the I-295 construction project. William Bray, Public Works Director, became aware of this restriction in a recent conversation with MDOT. Mr. Bray has requested to MDOT that this restriction be eliminated. If the City is not successful in this endeavor, vehicle access will need to be limited to Marginal Way.

Parking

The B-5 zone does not require parking. However under Sec.14-526 (2a) of the site plan ordinance where off-street parking is not required under zoning, “. . . the site plan shall provide sufficient parking to satisfy the reasonably foreseeable demand for parking which will be generated by the proposed development.”

Based on a 50,000 sq. ft. of office space, the zoning ordinance (1 parking space for every 400 sq. ft. of office space) would require 125 parking spaces. The applicant is proposing 167 spaces.

On page 9 of the Traffic Impact Study, the applicant has submitted parking demand analysis from several sources.

ITE Parking Generation . . . 2.79 space per 1,000 sq. ft . . . 140 spaces needed.

Parking, ENO foundation in 3 spaces per 1,000 sq. ft. . . . 150 spaces needed.

The first floor has been described as retail. The floor plans indicate this space as being used for “travel agents”, “insurance agents” and “back office area”. Assuming this is considered retail space (and using the zoning parking formula), this would add 8 more spaces to the 125-space figure above.

Rail Line

It is expected that MDOT will construct a rail line in Bayside hugging I-295 for the Boston to Portland (and parts north) train. This alignment will pass through this property along the northerly (I-295) property line. We are therefore requesting a 30-foot wide easement along the northerly side of the property from the applicant. This easement would allow the construction and maintenance of an elevated railway supported by columns. Parking could take place under the elevated railway. This easement would not allow the construction of an earth berm since it would disrupt over 40 parking spaces on the site. Penny Littell, Associate Corporation Counsel, is in the process of drafting such an easement.

Pedestrians

A continuous sidewalk is shown running along the backside of the building to Preble Street and Marginal Way. A small pedestrian sidewalk-plaza is shown at the Preble Street/Marginal Way front entrance.

A 10-foot wide concrete sidewalk will be constructed along the entire property frontage of Preble Street and Marginal Way.

Landscaping

A landscaping plan has been submitted. Eight deciduous trees will be planted within the street esplanade with six more near the street line, but on private property.

At the end of each parking aisle, two trees will be planted to soften the blacktop and define parking aisles. Various other plant material and bushes are proposed in clusters near the building.

Jeff Tarling, City Arborist, is in the process of reviewing the landscape plan. He is recommending that plantings be provided along the westerly property lines (Advance Paper Co. side). He also requested that landscaping adjacent to the site within the I-295 right-of-way be shown on the plan.

The applicant indicated there will be no outside dumpster for trash. A compartment within the building will be created for waste storage.

Engineering Comments

Engineering comments from Public Works and DeLuca Hoffman are summarized in Attachment C with the applicant's responses to these comments. The site plans in the Board's packet are intended to address these comments. Steve Bushey of DeLuca Hoffman will be at Tuesday's meeting to answer any engineering related questions the Board may have.

Stormwater

According to the submitted stormwater analysis, 2-year, 10-year and 25-year peak flows from the site are reduced due to the addition of grassed areas. There is a net increase of green space over the existing site with the removal of two buildings on the site. Eight catch basins will be installed within the parking lot. Stormwater will flow into an existing stormdrain within the I-295 right-of-way that connects into Preble Street. Applicant needs to provide documentation that MDOT approves of this.

Stormwater quality issues are addressed by a Down Stream Defender. This should be relocated outside the 30-foot rail easement in case a support column needs to be built on it.

Building Design

Building façade elevations have been submitted. (See Attachment B). The Marginal Way and Preble Street facades will be primary brick. The first floor (along Marginal Way) will have large windows similar to a retail use. A metal shade is shown along the top of the windows, like an awning.

The top floor of the building is treated with a continuous band of glazing. Above this is a metal "sunshade" with extended metal brackets that caps the building top (Marginal Way side.) This gives the building a hint of an industrial or even hi-tech look. This theme is further reinforced by periodic colored brick or medallion squares suggesting the presence of tie rods. The façade also appears to have joints that connect to the medallion forming large squares around each window.

On the I-295 side, the building has a base of brick with the remainder of the façade split by large expanses of brick and windows.

Staff has forwarded the following comments to the applicant on the building elevations.

more info on building materials, material samples need to see elevations on Preble and westerly side

Façade elevations for the Preble Street side and the complete westerly side need to be submitted.

Building material samples need to be submitted; brick, metal sunshade, metal curtain wall, metal corner panels, metal braces, etc.

What is the material of the mechanical equipment screen?

What is the color of the window trim?

What material is contained in the medallion along the façade? How are the connecting joints highlighted?

Lighting *not a total cut-off fixture need more info on its non-glare capabilities*

The applicant proposes 8 pole mounted light fixtures in the parking lot. A catalog cut of the Lumec TR20 fixture is shown on Attachment H. Further information on the non-glare capabilities of the fixture should be provided. The pole height is not indicated. A site plan with photometric values has been submitted. (See Attachment A).

Attachments

- A. Site Plans
- B. Building Elevations
- C. Background Info
- D. Traffic Impact Study
- E. Stormwater Management Plan
- F. Public Works Sewer Capacity Letter
- G. Portland Water District Letter
- H. Lighting

From: Jennifer Dorr
To: "srbushey@maine.rr.com"@Portland.gwgwia; Alan Hol...
Subject: Re: next wednesday's devrev meeting

1. Masonic Building, Congress Street...kt
2. Forest City lights....kt EEEEEEEKKKKKKK! - will this never go away?
3. 220 Lane Ave - Hoglund - single fam - "deceptive" plot plan - ms
4. Battery Craven - latest proposal - ms
5. salt shed parcel...rk
6. cheverus, ocean ave...rk
7. prp 3...rk
8. Fore Street condos...kt
9. 1000 congress street....kt
10. River's Edge...js
11. 145 Anderson Street...kt
12. Starbird Road Contract Zone....kt
13. Peaks Island Inn...flat roof..Marge...js

CC: "parkside@maine.rr.com"@Portland.gwgwia; Ben Snow...

June 12
p.m to 5pm
with p.m to 29th

* conflict of interest talk to Steve Condy

* neighbor in 7th floor p.h.

recs of who came

From: "stephen bushey" <bbushey@maine.rr.com>
To: Portland.CityHall(RWK)
Date: Wed, Feb 7, 2001 2:12 PM
Subject: Atlantic National Trust Bayside site development

Rick,

I have reviewed the plans dated 1/22/01 for the Atlantic National Trust project and provide the following comments:

Site Plan

1. The coordinate system shown on the drawing suggests that the south(Marginal Way) side of the building may be in the R.O.W. The applicant should respond if this is correct or not.
2. The detail sheet contains details for granite and precast concrete curb. The curb type should be labeled on the plan as to where each type is proposed.
3. The applicant should comment about snow removal and storage on the site.
4. Where will the dumpster facilities be and how will deliveries and other building services access the building?
5. Larry Ash should review the driveway locations and in particular the driveway configuration off Preble St. There does not appear to be any left turns in or out of that driveway and I wonder if it should be reconfigured for right turn movements only. The Preble st. Driveway should also have a HC ramp on the north side I believe.
6. Will the proposed building be supported on piles and what if any impact will this have on construction?
7. The site plan should identify the limits of curb removal and replacement on Preble st. and Marginal way if there will be any.
8. Larry Ash should review the parking layout for adequate circulation and for the layout of those spaces directly adjacent the driveways. Shouls a couple of spaces at the Preble st. D/W be trimmed off?
9. What, if any are the future plans for the land adjacent this lot (Post Office?) and how will this project relate to it.

Site Grading, Drainage and erosion control plan

1. The applicant should provide supporting computations for the predevelopment and postdevelopment runoff amounts, the storm drainage system pipe sizing and the water quality treatment computations related to efficiency and TSS removal. The applicant should also review and discuss the offsite system they expect to discharge to. The Public Wroks Dept. should review the systems in Marginal way and comment as to which pipe can be connected to. It may be necessary to discharge the site's runoff to the storm drain trunk line in Preble St. although I am not fully certain of the status of combined and separated sewers in that area. I do know that the City replaced the storm drain trunkline in Preble street just a few years ago.
2. The applicant must complete the plan to show proper rim and invert data.
3. It appears that grading easements will be necessary along the north and west sides of the property. Evidence of the applicant's rights to complete work in these areas is required.



4. Jeff Tarling should review the proposed landscaping and grass mixture proposed for the site.
5. All catch basin structures should be fitted with casco hoods if they have 15" dia. pipes or less.

Site Utilities

1. The water lines should identify where the shutoffs will be.
2. Has a site lighting plan be provided?
3. Will the primary power service be off a pole mounted transformer or a pad mounted transformer. If a pad mounted transformer is proposed where will it be?
4. The Public Works Dept. should review the proposed sewer connection. The applicant should also provide an ability to provide service request to the Dept. and supporting computations for wastewater flows and water demands.

Site Landscaping, striping and signage plan

1. I recommend a crosswalk be provided at the parking lot building entrance.
2. Signage identifying the parking lot entrance area as a 5 minute parking zone or something similar should be provided.
3. Cross walk striping across Preble st. should be provided.
4. Should the applicant provide designated visitor parking spaces with appropriate signage?
5. I presume the planning dept. and the city arborist will review the landscaping plan for planting selection, location, density and other issues as they relate to the City's goals for the Bayside area.
6. There is no landscaping being proposed along the west side. Is this for a reason?

If you have any questions regarding these comments please call

Steve Bushey Technical Reviewer



City of Portland Planning Department

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

sent
2/6/01

FAX TRANSMISSION COVER SHEET

Date: 2-6-01

To: BILL NGEMMERS

Company: _____

Fax #: 774-3683

From: RICK KNOWLTON

RE: BILL - AN INITIAL COMMENT FROM

PUBLIC WORKS, WE WILL HAVE MORE

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: Anthony Lombardo
To: RICK KNOWLAND
Date: Tue, Feb 6, 2001 12:48 PM
Subject: Atlantic National Trust...Bayside Site Development

Rick,

I've reviewed the plans and offer the following comments:

1. The applicant appears to be grading on the abutting property northwest of the site. Does the applicant have a written authorization to modify this land to accommodate this site development ?
2. The applicant is proposing a storm drain connection into the existing 96" diameter RCP interceptor sewer in Marginal Way. The excavation necessary to accommodate this connection will be in excess of 14 feet. Public Works is recommending the following in an attempt to minimize excavation in Marginal Way:
 - a. the applicant utilize the existing sanitary sewer service connection, slated for abandonment, as the connection for the proposed site storm drain system. All that may be necessary is to enlarge the existing connection to accept the proposed storm drain pipe diameter.
 - b. the applicant should consider directing the on site storm drain system towards the existing DMH #1, located on the northeast abutting property. This structure probably discharges into the Preble St. storm drain. Outfalling the stormwater from this site, into this structure, would certainly be more cost effective to this project and would limit disruption associated with construction in either Marginal Way or Preble Street.
3. It should be noted on the plans that any granite curb designated for demolition or removal from the right of way shall be taken to a specified City of Portland material stockyard.
4. The applicant should contact Carol Merritt, Public Works Street Openings Clerk, for information on all relevant permits and fees associated with working in the public right of way.

From: Anthony Lombardo
To: RICK KNOWLAND
Date: Tue, Feb 6, 2001 12:48 PM
Subject: Atlantic National Trust...Bayside Site Development

Rick,

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1. The applicant appears to be grading on the abutting property northwest of the site. Does the applicant have a written authorization to modify this land to accommodate this site development ?
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4. The applicant should contact Carol Merritt, Public Works Street Openings Clerk, for information on all relevant permits and fees associated with working in the public right of way.

DEVELOPMENT REVIEW

Depending on the type and size of development, your proposal may fall under one or more of the review categories listed below. Attached is a copy of the ordinance(s) applicable to your project. A Planning Staff member can assist you in determining what category of review your project falls under as well as any specific questions you may have regarding the applicable city ordinance.

ZONING REVIEW

Permitted

Conditional Use

Special Zoning Standard

SITE PLAN

SUBDIVISION

HISTORIC PRESERVATION

CHAPTER 25 . . . (Curbing and sidewalk requirement) For non residential development undergoing site plan review, granite curbing and sidewalks shall be installed along the entire street frontage of the property if none presently exist. If there is existing curbing and sidewalk in unsatisfactory condition, the applicant is responsible for repairing/replacing them.

MINIMUM STREET IMPROVEMENT STANDARDS (SEC. 14-403)

SHORELAND ZONING REVIEW

FLOOD PLAIN MANAGEMENT REGULATIONS

DOWNTOWN URBAN DESIGN GUIDELINES (FOR B-3 ZONE)

DOWNTOWN PORTLAND ACTIVITIES DISTRICT (FOR B-3 ZONE)

SIGNS

OTHER REVIEWS

SITE PLAN AND SUBDIVISION NOTES

Listed below are notes typically required on all site plans. These notes are listed in an effort to assist the applicant in preparing a site plan. This list is intended to supplement but not substitute the specific submission requirements of the site plan, subdivision, and other ordinances. The specific submission requirements are found in each ordinance and should be reviewed carefully by the applicant. Please note that different sites and developments may pose different site plan issues which affect the content of a site plan submission.



Landscaping shall meet the "Arboricultural Specifications and Standards of Practice and Landscape Guidelines" of the City of Portland Technical and Design Standards and Guidelines.



The entire site shall be developed and/or maintained as depicted on the site plan. Approval of the Planning Authority or Planning Board shall be required for any alteration to or deviation from the approved site plan, including, without limitation: topography; drainage; landscaping; retention of wooded or lawn areas; access; size, location, and surfacing of parking areas; and location and size of buildings.



All powerline utilities shall be underground.



Sidewalks and curbing shall be designed and built with tip down ramps at all street corners, crosswalks and driveways in conformance with the City of Portland Technical and Design Standards and Guidelines.



All erosion and sediment control measures shall be designed in accordance with Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices published by the Cumberland County Soil and Water Conservation District and Maine Department of Environmental Protection, March 1991 or latest edition. [Note: the site plan should specify the erosion control device to be employed (silt fence, hay bale, etc.) as well as their location.]



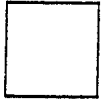
All erosion control measures shall be installed prior to any site excavation or regrading.



All disturbed areas on the site not covered by buildings or paved areas shall be stabilized with loam and seed or other methods as required by Best Management Practices [see above.]

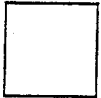


Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representative. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.



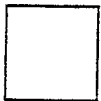
Existing vegetation shall be conserved in areas shown on this site. Fencing or other protective barriers shall be erected outside the drip-line of individual, groupings of trees designated for preservation prior to the onset of construction. Regrading shall not take place within the drip-line of trees designated for preservation. No storage or construction materials shall be permitted within the drip-line of trees to be preserved.

[For subdivisions]



A minimum of two trees per lot shall be conserved or planted in the front yard of each lot meeting the City of Portland's Arboricultural Specification and Standard of Practice and Landscape Design Guidelines. Developer may contract for the placement of landscaping, but shall remain ultimately liable to the City of Portland for financial obligation for compliance with City ordinances and approvals. Such financial obligation shall be neither transferrable nor waivable by the developer.

[For Single Family Lots]



A minimum of two trees per lot shall be conserved or planted in the front yard of each lot meeting the City of Portland's Arboricultural Specification and Standard of Practice and Landscape Design.

OTHER SITE PLANNING RESOURCES

The site plan and subdivision ordinances require specific submission requirements. To assist an applicant in preparing the technical submissions of a development plan, the City of Portland Technical and Design Standards and Guidelines have been developed. This document outlines technical standards pertaining to a wide range of construction details, including sidewalk and driveway construction, stormwater management, landscaping, roadway and utility design standards. This guidebook should be used in the preparation of all development plans.

Other resources include the Historic Resources Design Manual for construction activities in the historic districts and the Urban Design Standards and Guidelines for site and building alterations in the B-3 zone (downtown).

In low lying flood prone areas along streams and the shore, the Flood Insurance Rate Map (FIRM) can assist a property owner in determining whether their property is in a flood zone.

All of the above documents are available in the Planning Department office. The City of Portland Technical and Design Standards and Guidelines is also available at Public Works office at 55 Portland Street.

*width discrepancy with site plan
allow parking underneath*

**RAIL ROAD TRANSPORTATION
EASEMENT DEED**

KNOW ALL PERSONS BY THESE PRESENTS, that **ATLANTIC NATIONAL TRUST LLC**, a Limited Liability Company with an address at 50 Portland Pier, Suite 400 in Portland, Maine, for consideration paid, receipt whereof is hereby acknowledged, grants to the **CITY OF PORTLAND**, a body politic and corporate located in Cumberland County, State of Maine, with warranty covenants, an easement described as follows:

The right perpetually to enter at any and all times upon property situated on Preble Street Extension and Marginal Way, Portland, in said County of Cumberland and State of Maine, said property being described as follows:

Twenty five feet in width along the rear portion of Tax Map and Lot No. _____, as further delineated on the Site Plan approved by the Portland Planning Board on _____, 2001, to be recorded in the Cumberland County Registry of Deeds. Said property to include the air rights to an infinite height over said twenty five foot strip.

Meaning and intending to convey rights to a portion of the property conveyed to this Grantor by deed of City of Portland dated _____ to be recorded in the Cumberland County Registry of Deeds.

Said easement for the sole purpose of and conveying the right to construct, operate and maintain all structures, fixtures and appurtenances necessary for the operation of railroad transportation service through, over and above said strip, together with the right to make connections with a rail line to land adjoining said railroad road transportation easement; together with the right to trim, cut down and remove trees, bushes, and other vegetation of all kinds, to remove debris and deposits of any kind and to alter and regrade the contours of said easement to such extent as in the sole judgment of the Grantee is necessary or appropriate for any of the above purposes; and to enter upon said easement at any and all times for any of the foregoing purposes, reserving to the Grantor and its successors and assigns the use and enjoyment of said strips and for such purposes only as will in no way interfere temporarily or otherwise with the perpetual use thereof by the Grantee, its successors and assigns for the purpose above mentioned, provided that no building or any kind of permanent structure, including, but not limited to, walls and fences, shall be erected on said strip by the Grantor, its successors or assigns; and that the Grantor, its successors and assigns shall not remove earth from said easement without the written permission of the Grantee, its successors and assigns.

From: "stephen bushey" <bbushey@maine.rr.com>
To: Portland.CityHall(RWK)
Date: Wed, Feb 7, 2001 2:12 PM
Subject: Atlantic National Trust Bayside site development

2/13/01
BILL,
MORG ENGINEERING
COMMENTS.

RICK KNOWLAND
874-8725

Rick,

I have reviewed the plans dated 1/22/01 for the Atlantic National Trust project and provide the following comments:

Site Plan

1. The coordinate system shown on the drawing suggests that the south (Marginal Way) side of the building may be in the R.O.W. The applicant should respond if this is correct or not.
2. The detail sheet contains details for granite and precast concrete curb. The curb type should be labeled on the plan as to where each type is proposed.
3. The applicant should comment about snow removal and storage on the site.
4. Where will the dumpster facilities be and how will deliveries and other building services access the building?
5. Larry Ash should review the driveway locations and in particular the driveway configuration off Preble St. There does not appear to be any left turns in or out of that driveway and I wonder if it should be reconfigured for right turn movements only. The Preble st. Driveway should also have a HC ramp on the north side I believe.
6. Will the proposed building be supported on piles and what if any impact will this have on construction?
7. The site plan should identify the limits of curb removal and replacement on Preble st. and Marginal way if there will be any.
8. Larry Ash should review the parking layout for adequate circulation and for the layout of those spaces directly adjacent the driveways. Should a couple of spaces at the Preble st. D/W be trimmed off?
9. What, if any are the future plans for the land adjacent this lot (Post Office?) and how will this project relate to it.

Site Grading, Drainage and erosion control plan

1. The applicant should provide supporting computations for the predevelopment and postdevelopment runoff amounts, the storm drainage system pipe sizing and the water quality treatment computations related to efficiency and TSS removal. The applicant should also review and discuss the offsite system they expect to discharge to. The Public Works Dept. should review the systems in Marginal way and comment as to which pipe can be connected to. It may be necessary to discharge the site's runoff to the storm drain trunk line in Preble St. although I am not fully certain of the status of combined and separated sewers in that area. I do know that the City replaced the storm drain trunkline in Preble street just a few years ago.
2. The applicant must complete the plan to show proper rim and invert data.
3. It appears that grading easements will be necessary along the north and west sides of the property. Evidence of the applicant's rights to complete work in these areas is required.

Kon Nuh
Frank O'Connor
3-8-01

B.B. galt shop schedul

March 2002 10 month construct

+ traffic permit

BB can be out mid-April

would start construct June

will be demo Advance Paper soon

35K → 160 spaces

BMC + BUC will go to AUGUSTA

1st floor retail (AAA) plus rest

3/4 of other floors

SALT LAKE SITE WORK
4-10-01

B. H. Hemmery

Steve Bradstreet

36 inch

2 84 inch to Preble

will confirm ownership + connection

is not a true cut-off

O.D. left turn out on Preble¹⁰ inappropriate
right on right work

S.B. not proposing left turn

if columns are in the aisle a problem

discussed about city owned land for parking plus post office
lane

C.H. relationship to Hanover stop line with the driveway
what about environmental issue

S.B. salt is not a concern

C.H. how far will you drive piling?

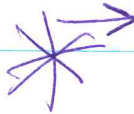
15 ft till 60-90 ft clay till you hit till → 60-80 ft

E.R. why the extra space when studies indicate a low
amount

O.D given uncertainty of the rail facility better to have more parking

K.C. have they closed on the property? where is the deed?
* want a copy of the contract

Mark

 necessity
license footings

aerial one too

40-45 people per floor \rightarrow figures 200 plus spaces

R.N. layout varies top floor not the same

as a practical matter 3 per 1,000 is lighter

what about snow storage

S.B. ^{snow} will be removed off-site when it becomes a problem

M. snow operator will push snow onto the I-295 road
address the snow dumping issue

E.H. "advance details"
Marginal Way ^{elevation} attractive

"part 2 seismic zone"

Larry Ash

J.C. poor level of service relative to the standards explain

wildcats, permanent study, train station, forest / I-295

doesn't have specific solution developer should contribute
a certain amount of money he is working on a
recommendation

financial contribution

What are ped. access, signal, sidewalk
Carry add left turn lane in each direction

J.C. need to resolve Probk Jr prior to the p.h.
if its eliminated can marginal way draw on
OK

L.A. not a serious impact

O.D. is doubling number to ~~10~~

J.C. a p.h. question

K.C. shouldn't be a big deal Probk Jr curb cut

L.A. left turn lane on Marginal Way

O.D. gta = are these questions being resolved?

Stem B yes

* Mark traffic schematic sketch on how this
intersection ^{on how it} would work ^{for the public hear}



MAING BANK + TRUST BLDG











D. H. S. BUILDING ON MARGINAL WAY



These billboards, located in Georgia, are 40 feet in length.



MAINS BANK + TRUST BLDG.



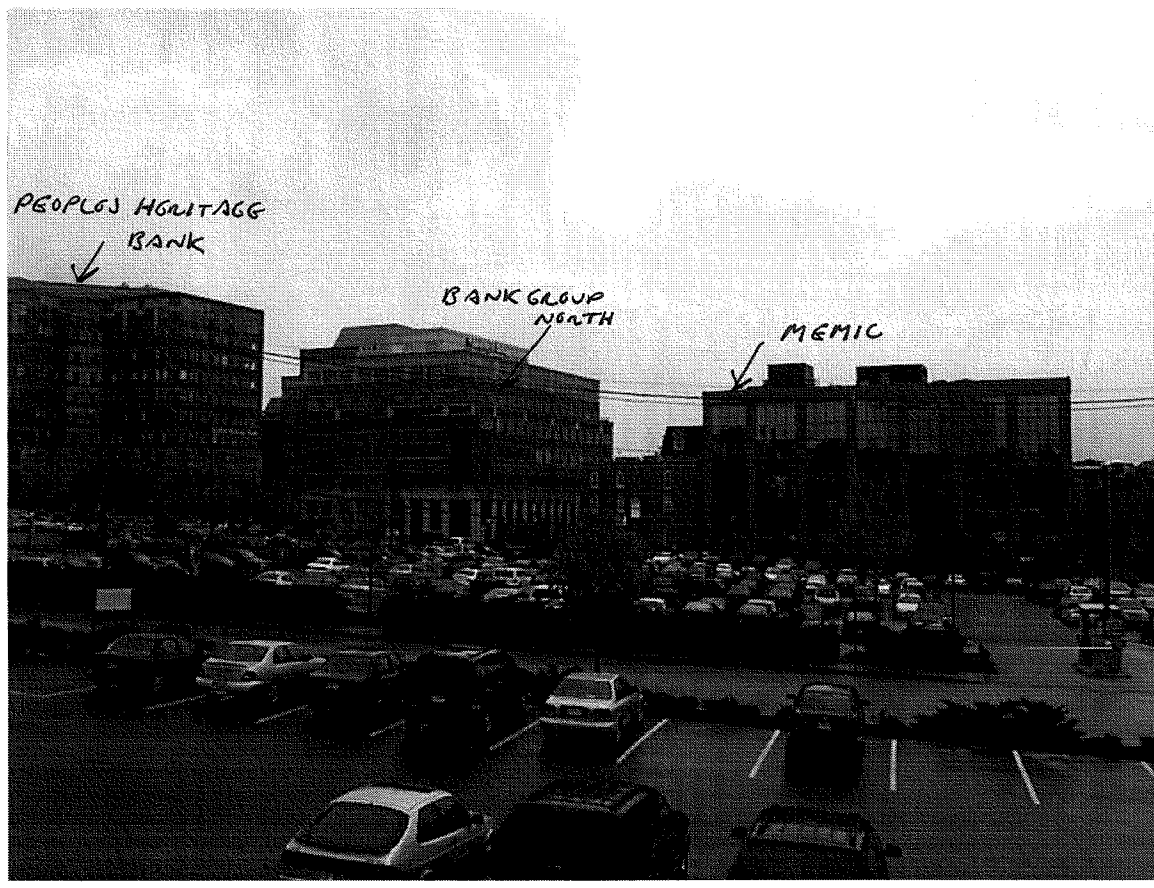
MONUMENT SQUARE



MIDDLE ST AND TEMPLE ST



SPLIND ST TOPPLE ST



VIEW NEAR LGNTON ST LOOKING TOWARD
OLD PINE



D.H.S. BLOC ON MARGINAL WAY



These billboards, located in Georgia, are 40 feet in length.

long for a subtenant sign



NORTHBOUND LANE



SOUTHBOUND LANE



April 12, 2002

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

RE: Portland Foot & Ankle sign @ Bayside Office Building

Dear Rick:

It was good to see you again today. Thanks for taking the time to meet with us to discuss your letter of April 4, 2002, which denies our planned signage. I hope I made it clear why I feel your arguments were not founded but please let me reiterate for the benefit of those in Planning who were not in attendance at the meeting. We appreciate your offer to share this information with your fellow planners and reconsider your decision. We would like to avoid going to the Planning Board not only because of the legal costs, but also because the building is ahead of schedule and we will soon need this sign.

First, you state the sign "should be located along the gray masonry band just above the first floor."

Placing the white letters over light gray masonry will render them much less visible than on the red brick as designed. Also, relocating the sign to this position on the building would render the sign completely out of sight of the viewing public as discussed below.

Second, you state "we have generally allowed lead corporate tenants to have signs near the top of the buildings with subtenant signs on the first floor. This is the established pattern in the Downtown and peninsula area for multi-story office buildings of this height and magnitude. This becomes very evident as one drives through the city on I-295 as well as in the Downtown area. When we met on March 27, 2002, I was not aware of this very strong pattern regarding subtenant signs."

When asked to elaborate on this today, you cited the Hannaford Brothers building as a "very striking example of this pattern." Actually, this is not true because Hannaford is, for the most part, a one-story strip mall not a multi story office building. Furthermore, the site is owned by Hannaford Brothers and therefore signage is controlled by the landlord. Finally, Hannaford has expanded so much that, at this point, the only other business in the entire mall which serves the public is a used bookstore.

In actuality, this "very strong pattern" you describe does not exist. I took my own drive through the peninsula and quickly noted four buildings similar in height and magnitude to our building which prove my point. Please refer to the enclosed photos of 17 Pearl Street, 130 Middle Street, 100 Middle Street, and the new Cianchette Block on Commercial Street. Each has two or even three significant signs above street level. Furthermore, each is in an area served mostly by pedestrian traffic rather than high-speed auto traffic, the significance of which is discussed below.

Finally, you state your determination is based upon the "plan review ordinance standard of sec. 14-526 (22)."

Your determination can't possibly find validation in that section. The sign complies with every single aspect of pages 14-582 through 14-584 which specify sign requirements. I would like to direct your attention specifically to paragraph 22, section a, on page 14-582. It states the sign "shall be designed to suit the conditions from which it will be viewed, **especially** (not maybe, sometimes, etc.) in relation to the distance, travel speed, and mode of travel of the viewing public."

We are moving to this new site because of visibility and easy access. We value the site's proximity to I-295. We are not moving there to be near Preble Street or Marginal Way. We have a high percentage of patients who will come to our offices via I-295 along the costal corridor. The viewing public will be "viewing" from I-295; not Preble Street, and not Marginal Way. If we were to move the sign to ground level as you request, it would be visible to no one but the woodchucks on the I-295 embankment!

Please refer to the enclosed photo taken from the "viewing" area, I-295. You will note the first 3 floors of the building are not even visible because of the elevation of the highway. The folks who wrote the above quoted planning ordinance chose the word "**especially**" for a good reason. They understood that a sign designed to be viewed by the public traveling at 55 mph from 100 yards or more needs to be located in a clearly visible area. We find it hypocritical that the city has approved the above examples of multiple elevated signs per building in areas primarily viewed by low speed, close up pedestrian traffic, yet you are rejecting our request for an elevated sign in an area viewed almost exclusively from an interstate highway!

My colleagues and I are investing huge sums of money in this new site because of visibility and access. It is that simple. We have worked hard to design a tasteful sign to compliment Portland's new gateway region. The font and colors draw heavily from those established by the Maine Medical Center, the Maine Sleep Institute, and the MMC MRI Center (the latter two are yet another example of multiple signs on a building of similar height and magnitude). We have purposely avoided the popular but garish reds and greens seen along I-295 in favor of a cleaner and more traditional white lettering on red brick. The economic impact of loosing this sign would be enormous. If the City wants to attract good businesses to the gateway area, it needs to be reasonable in its demands, including signage issues.

Thanks again for reconsidering your denial of our proposed sign.

Sincerely,

Danforth DeSena, D.P.M.
Portland Foot & Ankle

Cc: K. Paul Flanigan, D.P.M.
Robert S. Juris, D.P.M.
Jeff DiPaolo, Neokraft Signs

Enc: photos 17 Pearl Street
130 Middle Street
100 Middle Street
Cianchette Block
I-295 viewing area



JM Johns Manville

HANOVER
INSURANCE

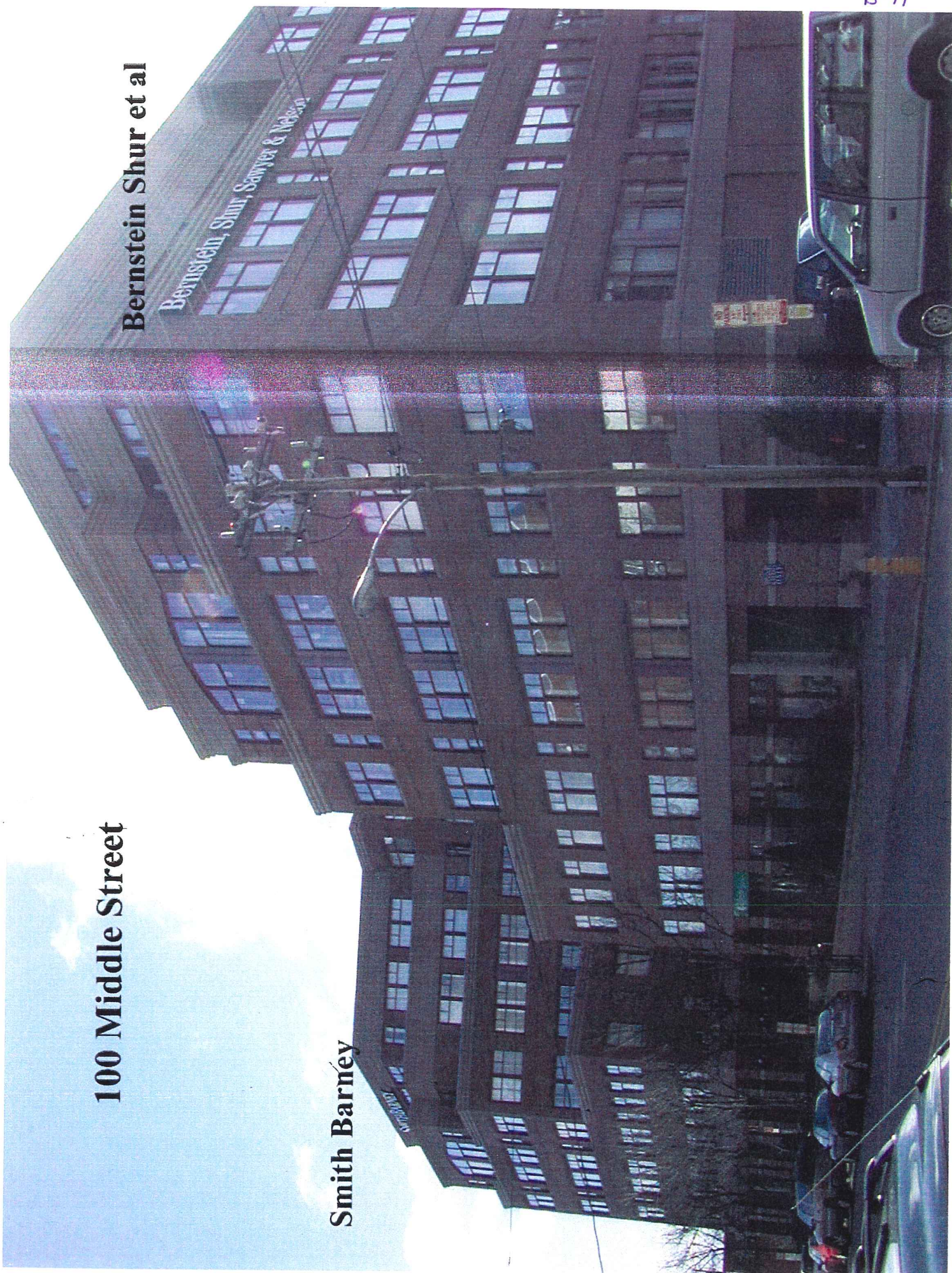
C-C

100 Middle Street

Smith Barney

Bernstein Shur et al

B-11



PRICEWATERHOUSECOOPERS

PURDY POWERS & COMPANY

130 MIDDLE STREET

130

AIRBORNE EXPRESS

DROP BOX







ATLANTIC BAYSIDE SQUARE, LLC
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

April 29, 2002

Re: Bayside Square Office Building - Signage

Dear Rick,

We are submitting this letter to address two issues relating to Bayside signage which I understand will be discussed by the Planning Board at the May 14th meeting.


Atlantic Bayside Square, LLC ("Atlantic") is the owner /developer of Bayside Square office building which is approximately 52,000 Sq Ft and will ultimately have four tenants. We have signed leases with AAA Northern New England ("AAA"), Portland Foot & Ankle ("PF&A") and the General Services Agency ("GSA"). AAA will occupy the entire 1st, 2^d and 5th floors and about one-half of the third floor. GSA will occupy about one-half of the third floor and does not desire signage. PF&A and the vacant space will be located on the 4th floor.

AAA and PF&A have both retained Neokraft Signs, Inc. to design their signage and obtain necessary approvals. All signage is required to be approved, not only by the City but also by both AAA and Atlantic. AAA will not approve other tenant signage at the ground floor level because they occupy that entire floor. At your request, and because we do not yet know who the last tenant will be, we asked Neokraft to submit as part of their signage application for PF&A and AAA, a concept plan for this "ABC Tenant". It is my understanding that planning department staff has conceptually approved AAA signage but has denied the application for PF&A for reasons having to do with its location on the building. This would effectively deny our ABC Tenant signage as well.

We wish to confirm our support and approval of the signage as requested by PF&A to be located between the 4th and 5th floor on the "I 295" side only of the building. This was reviewed and approved by both AAA and Atlantic prior to submission. We not only feel that the signage is tasteful and appropriate for the building, we agree with their position that it is in keeping with applicable site plan review ordinances. We have made every effort to design and construct a building that befits this prominent location. It is not enough, however, to simply build buildings that are nice to look at. For this, or any other project to be successful, our tenants must be economically successful as well. This means that the reality of signage is no small matter. Their request seems so simple. It is duplicated on prominent buildings elsewhere in the City. They have asked that they be allowed to have a single sign on the same side of the building as their office space, sized to meet code, facing the direction they think is most valuable to their business, and at a height on the building that gives it the needed visibility to which they are entitled by ordinance. We hope that the Planning Board will approve their request as submitted.

In addition to approving PF&A's request we, of course, would like to have approval of our concept plan for the 4th "ABC" tenant. It is intended that when the last tenant is committed, they will apply to the City for final approval of their signage consistent with the concept plan for which we are now asking approval. We request that the tenant have the option of locating a single sign either on the I 295 side of the building between the 3rd and 4th floors as shown or on one of the other faces of the building between the 4th and 5th floors also as shown in part. We ask that this latter location not be restricted to a specific face of the building as we are not in a position to know the ultimate need of the tenant. As their space will be on the Marginal Way side of the building, they may very well want to locate their sign on that face. As with PF&A, we know that signage will be an important factor in our ability to attract a viable tenant for our vacant space. We want to be able to offer signage as requested and ask for approval of this concept for the building.

Sincerely,



Steven A. Shaw
Owner Representative

Planning & Urban Development

Alexander Jaegerman
Planning Director**CITY OF PORTLAND**

April 4, 2002

Mr. Jeff DiPaolo
Neokraft Signs
686 Main Street
Lewiston, Maine 04240

RE: Bayside Office Building Signage, 76 Marginal Way

Dear Mr. DiPaolo,

This letter is intended to summarize staff comments on the proposed signage plans for the AAA Building on Marginal Way submitted on April 1st by Neokraft Signs.

Building Signs

1. AAA sign... The location and size of the AAA sign at the top brick band of the building is acceptable. Rather than using a pure white background for the AAA sign it is recommended that a color similar to the gray masonry block (used for the building) be explored. This would blend in better with the color and texture of the building. The AAA sign at this location on the building is acceptable but if you would rather relocate the sign to the top parapet wall (the HVAC enclosure) that would be a possibility. The sign could also be larger in its proposed location or on the parapet at that location.
2. Upper story tenant signs... The Portland Foot & Ankle and ABC tenant signs are not acceptable as shown on the submitted plans. The subtenant signs should be located along the gray masonry band just above the first floor. In the past we have generally allowed lead corporate tenants to have signs near the top of buildings with subtenant signs on the first floor. This is the established pattern in the Downtown and peninsula area for multi-story office buildings of this height and magnitude. This becomes very evident as one drives through the city on I-295 as well as in the Downtown area. When we met on March 27, 2002, I was not aware of this very strong pattern regarding subtenant signs. A reminder that this determination is not made under the zoning ordinance, rather it relates to the site plan review ordinance standard of sec. 14-526 (22) that was previously distributed to you.

Freestanding (Pylon) Signs

1. Again referencing the site plan review standard, sec. 14-526 (22) states "in the case of free standing signs, such signs shall relate to the architecture of the buildings they identify and shall be integrated with other site and landscape features." The submitted plan does not address this standard. You may want to consider designing a sign wall made of the masonry materials of the building with an inset of the individual tenant names or some other method of incorporating the masonry building materials into the pylon sign design.

SIGN
REVISED AND
IS NOW
ACCEPTABLE

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

Sincerely,



Richard Knowland
Senior Planner

Cc:

- Lee Urban, Director, Planning & Development
- Alex Jaegerman, Director, Planning Division
- Sarah Hopkins, Development Review Services Manager
- Marge Schmuckal, Zoning Administrator
- Steven Shaw, Atlantic Bayside Square, 50 Portland Pier Suite 400 Portland, ME 04101

ATTACHMENT D

It seems only appropriate that the firm has signage to promote it's business. I do not see it as taking away from the apparence of the building. it will allow people traveling along I-295 to take exit #7 to find the office. It also will look professional. If others are to have a sign, it is only right that the Drs. have one as well.

Randall Chasse Miss Portland Diner

PLANNING REPORT #36-02

**BAYSIDE OFFICE BUILDING
76 MARGINAL WAY
SITE PLAN REVISION**

Submitted to:

Portland Planning Board
Portland, Maine

May 14, 2002

I. INTRODUCTION

A public hearing has been scheduled to consider a signage proposal for the new Bayside Office Building in the vicinity of 76 Marginal Way. The signage proposal is being referred to the Planning Board by Planning Staff for review. Applicant is Portland Foot and Ankle, a sub-tenant of the building, who is represented by Neokraft Sign Inc. The sign will be reviewed for conformance with sec. 14-526(22) of the site plan ordinance since it represents a revision to the original site plan approval.

59 notices were sent to area property owners.

II. BACKGROUND

On June 12, 2001, Atlantic National Trust received Planning Board site plan approval for a 5-story 50,000 sq. ft. office at 76 Marginal Way (corner of Marginal Way and Preble Street). The applicant subsequently re-designed the façade of the building and on September 21, 2001 the Planning Board approved the façade changes. The façade designs did not include a sign plan.

Recently Neokraft Sign, on behalf of several tenants of the building, submitted proposed signage for the building.

The Portland Foot and Ankle sign is being referred to the Board out of concern that the sign does not meet Sec. 14-526(22) of the site plan ordinance. The applicant would like to proceed with Portland Foot and Ankle sign but staff is not comfortable with the proposal. The sign does meet zoning requirements but the proposal must also address the sign standard of the site plan ordinance.

Since the board reviewed and approved a revision facade for the bldg., we felt it appropriate that the Board

By way of background there are several signs proposed for this building.

Point to the planning plan

Portland Foot and Ankle . . . This sign is discussed in the next section of this report.

2. AAA Sign . . . AAA is the lead tenant of this building occupying 3 1/2 floors or 70% of the building. Their sign will be mounted on the rooftop HVAC screen wall. Staff finds this sign acceptable and intends to approve it unless the Board has comments otherwise at Tuesday's meeting. We did not want to approve the sign without the Board first seeing the full context of all signage on the building. The sign is shown on the façade drawings. The sign's size and specifications are shown on Attachment A-5.
3. Freestanding signs . . . Two freestanding signs are proposed at the Preble Street and Marginal Way driveway entrances to the office building. Again staff finds these acceptable and intends to approve it unless the Board has comments otherwise. Size and specifications for the signs is shown on Attachment A-6.

4. ABC Tenant . . . The building owner would like to have another upper story tenant sign but they do not have a tenant yet and therefore the actual sign cannot be approved at this time. Once we know the ultimate size and design of the sign, it can be processed for review accordingly. However the Board's decision on the Portland Foot and Ankle Sign should provide staff guidance on future review. Comments from the Board regarding this sign would be most helpful.

III. PORTLAND FOOT AND ANKLE PROPOSAL

Portland Foot and Ankle is proposing a sign 2 feet high and 38 feet long mounted on the I-295 side of the building. See Attachment A-1. The sign will be placed just above the 4th floor. The sign lettering is described as "lighted wall letters on raceways." The letters are formed by white neon tubing. Portland Foot and Ankle as a tenant will occupy one-half of a floor of the 5 floor building.

The site plan ordinance includes a standard on signs. The original site plan application and building façade plan did not incorporate signage. The standard is shown below:

Sec. 14-526(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.
- b. In the case of freestanding signs, such signs shall relate to the architecture of the buildings they identify and shall be integrated with other site and landscape features.

In considering the Portland Foot and Ankle sign, we reviewed the site plan standard language as well as the context of the sign, building and its surroundings.

During our review, a couple of issues became evident:

1. As one drives along I-295 and views the Downtown skyline, every taller office building (without exception) has one lead tenant sign per building along the upper stories of the buildings. Smaller sub-tenant signs typically take place along the first floor of buildings. This is the established pattern as seen from I-295 as well as those areas of the Downtown not seen from I-295.

skyline photos didn't cover

The Bayside Office Building is proposing 3 upper story signs - AAA as lead tenant and two sub-tenant signs. Staff is not comfortable setting such a precedent for the Bayside area given the visibility and prominence of this building in a gateway location. *which is why we are referring it to the Board*

Staff has driven along I-295 several times and also through the Downtown and the pattern is very clear - one upper story lead corporate tenant sign with sub-tenant signage taking place along the first story of the building. The applicant has pointed out a few exceptions to this. The exceptions are 27 Pearl Street (Johns Manville and Hanover Insurance), 130 Middle Street (Price Water Cooper and Purdy Powers and Company) and the Cianchette building (Commercial Street and Fore Street.) There are two lead tenants signs on the 100 Middle Street building (Bernstein Shur and Smith Barney) but these are separate office towers connected together by a one story lobby.

*Cinemas building Pleasant and Center St
but these are the exceptions overwelding condition*

2. The Bayside Building has frontage on three streets: Marginal Way, Preble Street and Marginal Way. There are opportunities along the lower floors to have sub-tenant signs visible from several streets. There are also tenant information signs at the Preble and Marginal Way driveways of the building.

IMAGIST 470 Forest Ave. 3 story brick Bldg Dartmouth 26 MAY rec'd by Nov I-295 by UConn Jr 3 story

3. The proposed Portland Foot and Ankle sign is 2 feet high and 38 feet long. This size is relatively large. In reviewing the sub-tenant sign examples submitted by the applicant, the Portland Foot and Ankle sign is much larger than these. It is ironic that the proposed sub-tenant is larger than the AAA sign.

Portland Foot + Ankle occupies 1/2 of a floor or 11% of the building

The Portland Foot and Ankle position is expressed on Attachment C. They would like the proposed sign for its visibility along I-295. They also interpret the site plan standard by emphasizing the sign's view from I-295 in terms of distance, travel speed and mode of travel.

HANNAFORD SHOPPING CENTER Avenue I-295 one sign

*PAJ
OUT
NOTICE*

IV. STAFF ANALYSIS AND RECOMMENDATION

Planning and Economic Development have discussed this proposal in hopes of finding a sign solution that will meet the owner/tenant needs while upholding the intent of the standards for signs. One concept that would be worth considering is to allow one additional tenant sign to be placed on the brick field located between the second and third floor of the building facing I-295. Such a placement would give good visibility to the sign while avoiding excessive signage at the top of the building for secondary tenants.

If this placement is selected, the maximum lettering size should be specified. Staff recommends a maximum of 16" for such lettering.

V. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #36-02, the Planning Board finds:

- A. That the sign plan submitted for the Bayside office building regarding the Portland Foot and Ankle sign is in conformance with sec. 14-526(22) of the site plan ordinance of the land use code. [as follows:]
 - one additional tenant sign may be placed within the brick field between the second and third stories of the building facing I-295, with letter height not to exceed 16".

Attachments

- A. Proposed Signage Plan
- B. Applicant Statements in Support of Proposed Sign
- C. Planning Staff Letter dated 4-4-02
- D. Written Public Comment



Neokraft

ATTACHMENT B-1

Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

April 15, 2002

Mr. Richard Knowland, Senior Planner
City of Portland Planning Department
389 Congress Street
Portland, ME 04101

RE: Bayside Office Building Signage, 76 Marginal Way

Dear Mr. Knowland,

In response to your letter regarding the signage at the above-mentioned property, we respectfully submit the following.

Building Signs

1. In regard to the AAA signs on the building, we accept the previously voiced changes and have complied with them.

2. In regard to the changes noted for the Portland Foot and Ankle, and the ABC (future) tenant signs we take issue with the request to change the position of the signs on the building. In keeping with the spirit of the site plan review ordinance standard section 14-526 (22) where it states in part that a sign, "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."

In designing the signs, we took the viewing distance, speed of travel and visibility factors into consideration when we sized the lettering and when we placed the signs on the building. Having the lettering at the proposed size, color and location creates a situation where they can easily and safely be viewed given that the area where the signs are visible is where traffic is merging from the Forest Avenue on ramp and the Franklin Street off ramp when heading North. To make the lettering smaller, or to change the location on the building will create a situation where people will have to try to read the sign for a longer period of time and this creates an unsafe condition. The enclosed plan and letter visibility chart will demonstrate the viewing time of the proposed sign, and the need for maintaining its size and location to be an effective identification device.

It is our position that moving the signs to the space above the first floor windows is contrary to the Plan Review Standard. The enclosed photographs further this argument by showing that the signs will not be visible from Interstate 295 if they are placed at the first floor location on the building. The greatest value to a tenant in this building is the exposure to Interstate 295, not the exposure to

Neokraft Signs Inc.
686 Main Street
Leicester, MA 01461

the ground level passers-by. When traveling Southbound on the interstate, only the top three floors of the building are visible above the guardrails. This limits the visibility of the signs to these areas. When traveling Northbound the top 4 floors are visible only for a very short period of time and the location of the signs at the first floor level still is inadequate.

It is important to note that the ordinance itself was written such that the requirements for freestanding signs are very restrictive in the B-5 zone compared to other zones, and that the ordinance offsets this with a less restrictive standard for the building signage. It can be inferred from this that the crafters of the ordinance would rather have larger and more prominent signs on the building than as a large freestanding sign, and in writing this ordinance they fully expected the wall signs to be larger.

Also, in response to the statement in your letter regarding major tenants having their signs located near the top of buildings, and sub-tenants having their signs located just above the first floor, please see the enclosed examples showing this is not always the case and therefore a precedent has been set allowing sub-tenants to have their signs located on the upper floors of the building. Since other buildings have the sub-tenant's signs on upper floors there is reason to allow the sub-tenant signs for this building to be on the upper floors.

Finally, to not allow the signs to be located as designed creates a hardship on the tenants by forcing them to locate their signs in a place that minimizes their exposure and thereby reduces their ability to market their business to the public via their sign. You will find enclosed a summary we have prepared of what the Small Business Administration and a recent Arbitron study says about the marketing value of on premise signs. Additionally, their landlord will not approve a sign in any place on the building but the space above the fourth floor which is where the tenant is located in the building.

Freestanding Signs

1. In regard to the suggested changes for the freestanding signs we have updated the plans to utilize the brick from the building in the design as requested. This is further detailed in the drawings supplied with this letter.

Thank you in advance for your careful consideration of these points. As always I am available at 800-339-2258 if you should have any questions.

Sincerely,



Jeff DiPaolo
Project Manager



Neokraft

Neokraft Signs Inc.
686 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

The Value of Outdoor Advertising Media & Directional Signs

The Small Business Administration says that the use of outdoor advertising and on-premise signs serve the following functions.

- They target a specific geographic area.
- They provide a means of direction to the facility.
- They develop a memory for a location and the products and services available at that location.
- They reinforce a memory and extend recall of other advertising efforts.
- They attract new customers by prompting first-time or impulse visits.
- They modify customary purchase decisions and habits.

Outdoor advertising plays a crucial role because, along with radio, it is the only medium that reaches consumers who are not exposed to either the local newspaper or to the local TV news. Outdoor media reaches the entire socio-economic spectrum of Americans.

According to a 2001 Arbitron study on the role of outdoor advertising, out-of-home media occupies the top three spots in media reach: 96% of vehicle passengers (over 7 days); daily radio 86%; and pedestrian traffic (7 days) 79%. This is followed by local evening news (7 days) 75%, and daily newspapers at 69%. It notes that 29% of Americans say that they do not read newspaper; 20% read from one to 5 minutes; 28% from 16 to 30 minutes; and 23% spend more than 31 minutes per day. The average American travels approximately 300 miles per week in a vehicle, and 96% of all Americans travel in a vehicle at least once a week.

PLANNING REPORT #20-01

BAYSIDE OFFICE BUILDING

**76 MARGINAL WAY
SITE PLAN REVIEW**

ATLANTIC NATIONAL TRUST, APPLICANT

Submitted to:

Portland Planning Board
Portland, Maine

May 22, 2001

- Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the analysis indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).
- In an effort to mitigate congestion at the Marginal Way/Preble Street intersection, optimization of the traffic signal phasing is recommended. As noted in section 6 intersection operations are projected to improve, if the traffic signal timing is revised, and intersection delay will be less than the pre-development condition.

Larry Ash, City Traffic Engineer, has reviewed the site plan and the traffic report. The significant traffic issue in the review is the left hand turn from Preble Street (southbound) to Marginal Way. Currently operating at an E level, it is projected to slide to an F level with the project. Mr. Ash is reviewing several options to address this issue including a double left turn from Preble Street and a protected permissive phase light for the Preble Street turn. Mr. Ash will be attending Tuesday's public hearing to outline his recommendations.

MDOT Traffic Movement Permit

As indicated earlier, the Board will be reviewing this project under local delegated review authority for an MDOT Traffic Movement Permit. The City received delegated review authority on October 18, 2000 (see Attachment F.) This development qualifies for this review because the projected site traffic demand exceeds 100 passenger car equivalents at peak hours.

Mr. Ash's comments will likely include conditions of approval regarding traffic improvements. In addition to traffic improvements, there are two other conditions of approval that should be considered for the traffic permit. The first condition involves a requirement to revise the traffic analysis should off-site parking be used for this project. It has come to the attention of staff that the applicant has been seeking off-site parking spaces for this project. If the applicant does pursue this, the site traffic analysis will need to be revised accordingly (reflecting the location and number of spaces) for review and approval by the City Traffic Engineer.

The second condition of approval is an apparent MDOT restriction on driveways along Preble Street. The existing driveway on Preble Street has been in existence since at least 1978. Should it be determined that the Preble Street driveway is required to be eliminated, the site plan shall be revised accordingly. Elimination of the Preble Street driveway will not adversely affect circulation on Preble Street or Marginal Way.

Parking

The B-5 zone does not require parking. However under Sec.14-526 (2a) of the site plan ordinance where off-street parking is not required under zoning, “. . . the site plan shall provide sufficient parking to satisfy the reasonably foreseeable demand for parking which will be generated by the proposed development.”

Based on a 50,000 sq. ft. of office space, the zoning ordinance (1 parking space for every 400 sq. ft. of office space) would require 125 parking spaces. The applicant is proposing 166 spaces.

On page 9 of the Traffic Impact Study, the applicant has submitted parking demand analysis from several sources.

ITE Parking Generation . . . 2.79 space per 1,000 sq. ft . . . 140 spaces needed.

Parking, ENO foundation in 3 spaces per 1,000 sq. ft. . . . 150 spaces needed.

The first floor has been described as retail. The floor plans indicate this space as being used for “travel agents”, “insurance agents” and “back office area”. Assuming this is considered retail space (and using the zoning parking formula), this would add 8 more spaces to the 125-space figure above.

The applicant has provided documentation supporting their position of having an adequate number of parking spaces. However staff has become aware that the applicant has been seeking additional off-site parking for this project.

Rail Line

The applicant is well aware of potential plans for a rail corridor adjacent to I-295. The office building is located a considerable distance from a projected path of the rail corridor. If private land is needed for the corridor, MDOT will need to acquire the land. If the site plan changes because of the rail corridor, a revised site plan will need to be submitted.

Pedestrians

A continuous sidewalk is shown running along the backside of the building to Preble Street and Marginal Way. A small pedestrian sidewalk-plaza is shown at the Preble Street/Marginal Way front entrance.

A 10-foot wide concrete sidewalk will be constructed along the entire property frontage of Preble Street and Marginal Way.

Street Curb

The site has existing granite curb in good condition on both streets. The existing Public Works driveway on Marginal Way will be closed with new granite curb. There is a section of concrete curb west of that driveway. This needs to be replaced with granite curb.

3. Bulk, location, height of proposed structures, health or safety impacts

There are no known health or safety problems associated with the proposed bulk, location or height of the proposed building and use. The nearest buildings (Miss Portland Diner and Wild Oats) are in excess of 150 feet away from the proposed building.

4. Bulk, location or height of proposed structures minimize, diminution in value or utility to neighboring structures

The existing site is underutilized. It includes a material storage facility and a one story warehouse building (Allied Paper Company.) The proposed development will significantly improve the value and appearance of the site, impacting nearby properties in a positive manner.

5. Sewers, water and utilities

A letter from Public Works indicates that the existing 96 inch diameter reinforced concrete sewer pipe located in Marginal Way has adequate capacity to accommodate the wastewater flows from this site (see Attachment G.) The letter further states that the Portland Water District sewerage treatment facilities has adequate capacity to serve this development.

A letter from the Portland Water District indicates that there is adequate capacity in the 8 inch waterline to serve the domestic and fire protection needs of this project (see Attachment H.)

The site drainage system includes catch basins which will collect stormwater into a storm drain that is connected into Preble Street.

Water quality issues are addressed by a Downstream Defender which is located on the far northerly end of the on-site storm drain.

Responses to staff engineering related comments are shown on Attachment D.

Steve Bushey, Development Review Coordinator, has reviewed and approved the site plan.

6/7. Landscaping

A landscaping plan has been submitted. Eight deciduous trees will be planted within the street esplanade with six more near the street line, but on private property.

At the end of each parking aisle, two trees will be planted to soften the blacktop and define parking aisles. Various other plant material and bushes are proposed in clusters near the building.

The landscaping plan has been revised to include plantings along the westerly property line. This material includes 37 red chokeberries planted 5 feet on center (2 to 3 feet high).

Several planting beds are shown near or adjacent to the building. Existing landscape material adjacent to the site but within the I-295 right-of-way is noted on the plan. These plantings include 5 colorado spruce and six other plantings (crabapple, dogwood, lilac and burning bush.)

Some of the landscaping proposed along Preble Street (exclusive of the street trees) is actually within the city right-of-way. This planting material includes shrubs and 4 robin hill serviceberry trees. The applicant will need a license from the city to plant this material within the right-of-way.

The applicant indicates there will be no outside dumpster for trash. A compartment within the building will be created for waste storage.

8. Drainage, erosion and sedimentation control

According to the submitted stormwater analysis, 2-year, 10-year and 25-year peak flows from the site are reduced due to the addition of grassed areas. There is a net increase of green space over the existing site with the removal of two buildings on the site. Eight catch basins will be installed within the parking lot. Stormwater will flow into an existing stormdrain within the I-295 right-of-way that connects into Preble Street. Applicant needs to provide documentation that MDOT approves of this arrangement. (See Attachment I.)

Erosion control measures are shown on the site plan. All erosion control will be in accordance with "Best Management Practices" (Cumberland County Soil and Water Conservation District.) All disturbed areas on the site not covered by buildings or paved areas shall be stabilized with loam and seed or other methods as required by Best Management Practices.

9. Lighting

The applicant proposes 8 pole mounted light fixtures in the parking lot. A catalog cut of the Lumec Tr20 fixture is shown on Attachment J. This does not appear to be a full cut-off fixture. Applicant should substantiate the cut-off capabilities, of this fixture or replace it with one that does have a full cut-off feature. The pole height is not indicated. A site plan with photometric values has been submitted. (See Attachment)

10. Fire

Lt. Gayland McDougall of the Fire Department reviewed the site plan and found it acceptable.

11. Infrastructure

The proposed plan does not conflict with any known existing or proposed infrastructure planned by the city.

The proposed building is located a considerable distance from the location of a possible rail corridor.

12. Natural Resources Impact

There are no known adverse impacts upon existing natural resources including groundwater, surface water, wetlands, unusual natural acres and wildlife and fisheries habitats. This site is located in an urban area and was previously distributed and developed.

Stormwater runoff contaminant concerns are addressed by a water quality unit.

13. Groundwater Resources

Site is served by public water and sewer.

14. B-5 Standards

a. Shared Infrastructure

This project consolidates two parcels (city salt shed and Allied Paper) into one planned development, which previously had separate infrastructure such as utilities, driveways and parking.

b. Building to Street Line

The building will be located directly at the street line.

- c. Building oriented to the street with prominent facades with windows and entrances oriented toward the street.

The building is oriented to the street. The main entrance to the building is at the corner of Marginal Way and Preble Street. The design treatment of the building clearly delineates this as the gateway to the building. The windows along both sides of the street appear to be oriented toward the street. The applicant indicates that the first floor windows will have a greater transparency than the solar gray glass planned for the upper stories.

- d. Parking

The building is proposed at the street line with parking toward the rear of the site to the maximum extent practicable.

IV. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #20-01, the Planning Board finds:

- A. That the plan is in conformance with the site plan ordinance of the land use code.

Potential Conditions of Approval:

- i. That a revised lighting plan shall be submitted for Planning Staff review and approval.
- ii. That the site plan shall be revised reflecting granite curb along that portion of the Marginal Way property frontage that has existing concrete curb.
- iii. That the applicant receives a license from MDOT to use the existing storm drain system (along the northerly property) within I-295.

- B. That the plan is in conformance with 23MRSA 704-A and Chapter 305 Rules and Regulations pertaining to Traffic Movement Permits.

Potential Conditions of Approval:

- i. Comments of Larry Ash, City Traffic Engineer. (Mr. Ash will be present at Tuesday's meeting to discuss his recommendation.)
- ii. Should off-site parking be used for this development, the applicant shall submit a revised traffic analysis for review and approval by the City Traffic Engineer.
- iii. Should it be determined that the Preble Street driveway needs to be eliminated, the site plan shall be revised accordingly.

Attachments

- A. Site Plans
- B. Original Building Elevations
- C. Revised Building Elevations
- D. Background Information
- E. Traffic Impact Study
- F. MDOT/Portland Delegated Review Authority Agreement
- G. Public Works Sewer Capacity Letter
- H. Portland Water District Letter
- I. Stormwater Management Plan
- J. Lighting
- K. Financial Capacity Letter
- L. Zoning Administrator Memo
- M. Applicant's Property Right, Title and Interest
- N. Summary of Neighborhood Meeting
- O. Memo from Corporation Counsel



Memorandum

To: Rick Knowland
From: Tom Daigneault
Date: August 22, 2001
Subject: Bayside Office Building

Enclosed is the information you requested regarding the Bayside project. The actual brick sample has not yet been selected yet. The brick will be a standard size common brick in the red range. As you requested the glass is non-reflective. I will be in touch with Steve Bradstreet regarding the other items that need to be on the plans and will discuss with him what needs to be done for the off site improvements.

Thank you in advance for your assistance in getting this project started soon.

Tom

Tom



FAX TRANSMITTAL COVER SHEET

Date: 9/26/01

To: City of Portland, Me - Planning Dept
Rick Knowland
Phone: 207-874-8725
Fax: 207-756-8258

From: Tom Daigneault

Pages: Cover +1

RE: Bayside

Rick:

Thank you for your assistance and diligence in preparing the information package for the public hearing with the planning board last night.

Attached is a photometry chart published by the mfg of the lights. If we use the 70MH ballast on all the fixtures it will produce 2.24 fc under the fixture and .9 fc out 10'-12'. The design of the lens is fully recessed from the shell of the fixture making them cut off fixtures.

It is my understanding that with this information and what has been submitted that the planning staff is ready to sign off to the building permit once you have received from the owner the performance guarantee package.

Thank you again.

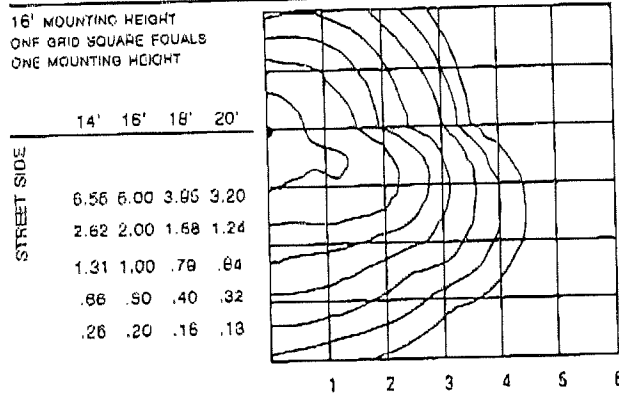
Tom

Photometry

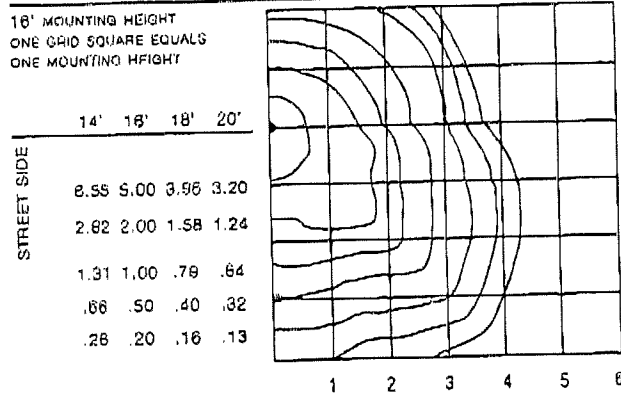
LAMP TYPE	LUMENS	CONVERSION FACTOR	
		M1	M2
70MH, CLEAR-17	5200		.33
100MH, CLEAR-17	8500		.53
175MH, CLEAR-17(M1:E28)	12000	.44	.76
250MH, CLEARBT-28	23000	.71	FIN ORIENTED LAMP
400MH, CLEARBT-28	40000	1.38	FIN ORIENTED LAMP
70HPS, CLEARBT-28	8400		.40
100HPS, CLEAR-17	8500		.58
150HPS, CLEAR-17(M1:E28)	18000	.65	1.00
250HPS, CLEARED-18	28000	1.00	
400HPS, CLEARED-18	50000	1.72	

NOTE: If using a lamp with different lumen output than listed above, consult AAL for conversion factor.

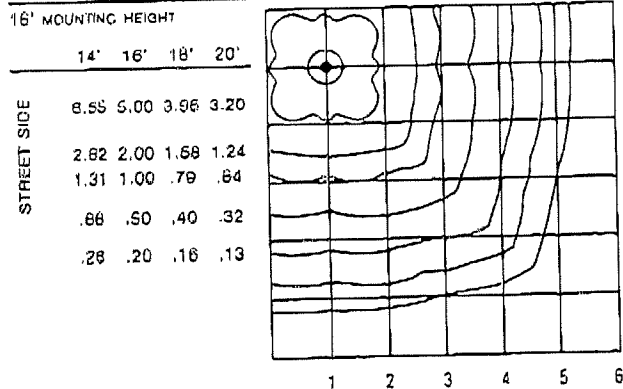
M1 H3 250HP SED-18



M1 H4 250HP SED-18



M1 H5 250HP SED-18

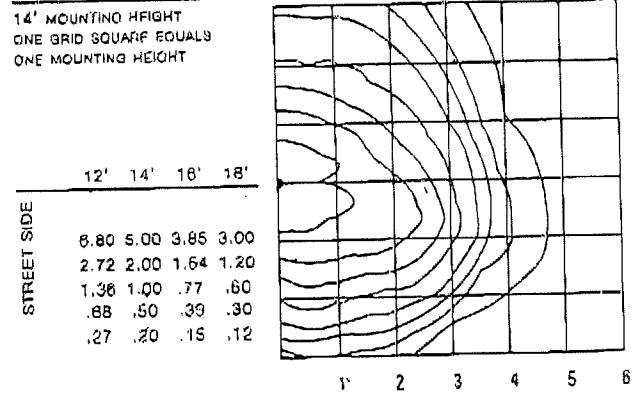


The values below are in initial foot candles. Discount values to account for light losses due to voltage, temperature and atmospheric variations which affect light output.

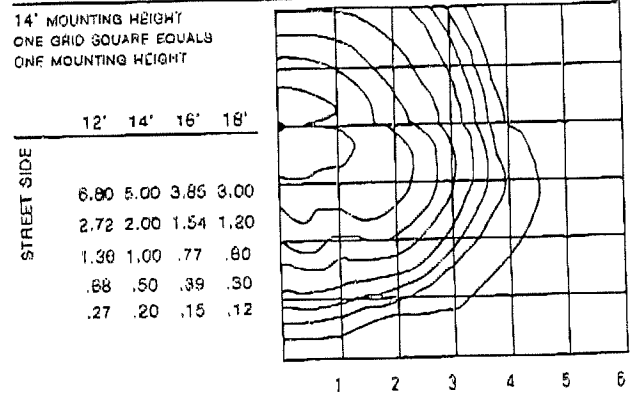
To substitute another lamp in the foot candle charts below, multiply the chart values by the lamp conversion factor on the left. Mounting height is to the lamp center.

All testing performed by a certified independent laboratory. Photometry is available in IES formatted files on CD-Rom and our website at www.aal.net or call your local AAL representative.

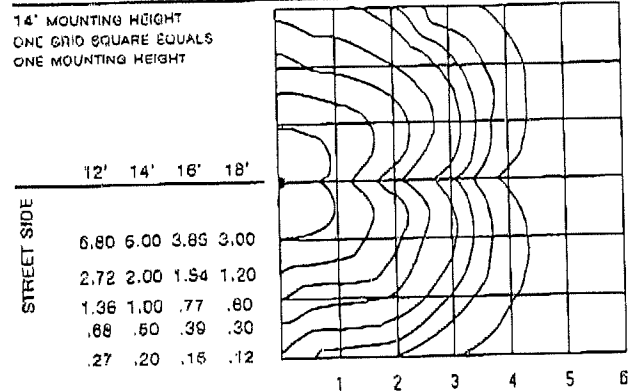
M2 H2 150HP SE-17



M2 H3 150HP SE-17



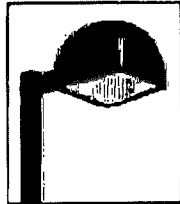
M2 H5 150HP SE-17



EFFEX AREA LUMINAIRES EAL - ARM MOUNT

19" HOUSING

ORDERING GUIDE

Catalog Number	Distribution	Voltage	Mounting	Options	Finish (12)	Fixture Type:
EALM - 1000 (1)						EAL PT SERIES ARCHITECTURAL AREA LUMINAIRES ARM MOUNT Metal Halide 1000W - 250W 
EALM - 400 (2)						
EALM - 250 (3)						
	<input type="checkbox"/> 1V Type One Vertical Lamp	<input type="checkbox"/> 120 <input type="checkbox"/> 208	<input type="checkbox"/> S Surface Arm (4)	<input type="checkbox"/> BL Bi-Level <input type="checkbox"/> LQ Solid State Quartz Restrike (7)	<input type="checkbox"/> TBK = Black (Textured) <input type="checkbox"/> DB = Dark Bronze	
	<input type="checkbox"/> 2V Type Two Vertical Lamp	<input type="checkbox"/> 240 <input type="checkbox"/> 277	<input type="checkbox"/> MA2 Adjustable Mastfitter (5)	<input type="checkbox"/> PCB Photocell Button (8)	<input type="checkbox"/> GR = Gray <input type="checkbox"/> WHT = White	
	<input type="checkbox"/> 3V Type Three Vertical Lamp	<input type="checkbox"/> 480 <input type="checkbox"/> QV	<input type="checkbox"/> LA Limited Access (6)	<input type="checkbox"/> TLR Twist Lock Receptacle (9)	<input type="checkbox"/> SA = Satin Aluminum	
	<input type="checkbox"/> 4V Type Four Vertical Lamp	<input type="checkbox"/> 5T Multi five tap (400W MH only)		<input type="checkbox"/> 50Hz 50 Hertz Ballast	<input type="checkbox"/> GN = Green (Textured)	
	<input type="checkbox"/> 5V Type Five Vertical Lamp	<input type="checkbox"/> LB=Less Ballast		<input type="checkbox"/> Fusing (10) F1 - 120/277 F2 - 208/240/480	<input type="checkbox"/> RAL# _____ (13) Custom Finish	
	<input type="checkbox"/> 2H Type Two Horizontal Lamp			<input type="checkbox"/> LDR (11)		
	<input type="checkbox"/> 3H Type Three Horizontal Lamp					
	<input type="checkbox"/> 4H Type Four Horizontal Lamp					
	<input type="checkbox"/> 5H Type Five Horizontal Lamp					

NOTES:

- (1) Requires reduced outer jacketed E1737 clear lamps. Available with vertical lamp optical modules only, Types 1V, 2V, 3V, 4V and 5V.
- (2) Types 1V, 2V, 3V, 4V and 5V vertical lamp optical modules require E1737 clear lamps. Types 2H, 3H, 4H, and 5H horizontal lamp optical modules require ED28 clear lamps. Not available with Type One horizontal lamp optical modules.
- (3) Available with Types 1V, 2V, 3V, 4V and 5V vertical lamps and 2H, 3H, 4H and 5H optical modules. Both style optical modules require ED28 lamps. Type One not available with horizontal lamp optical modules.
- (4) 11" long surface arm for mounting to straight square poles or SPTA-XXX-DT4 pole top adapter bracket.
- (5) For single light mounting on 2-3/8" OD x 4" long horizontal tenons. Two bolt required through tenon. When mounting at 90° the tenon length must be 8" in order to allow the corners to clear.
- (6) Limited Access Mounting minimum access required (reflector module does not have to be removed when installing) when mounting. Available only on 4" to 5" round poles (RPA required) or 5" straight square or larger poles. On 4" straight square poles mounting of one EAL or two EAL @ 180° is permissible. Not available with "QV" quad-voltage models, single voltage must be specified.
- (7) Time delay hot and cold quartz restrike. Requires one Q150/DC 120V lamp (by others).
- (8) Available in 120V, 208V, 240V and 277V only. Specify voltage.
- (9) Twist lock photocell receptacle. Photocell by others.
- (10) Factory installed fusing. Specify voltage.
- (11) Accent door reveal. Lens door available in standard or RAL powder coat finish. Specify color. Example: LDR-RED(RAL3020.)
- (12) Standard finish is "UltraClad" textured black polyester powder coat electrostatically applied and oven cured.
- (13) RAL custom finish available. Specify from the RAL Color chart. Custom finishes and accent lens door reveal are subject to additional charges, minimum quantities and longer lead times. Consult factory.
- (14) Specify mounting configuration: 190= Single Light; 290= Two Light @ 90°; 2180= Two Light @ 180°; 390= Three Light @ 90°; 490= Four Light @ 90°; 3120= Three light @ 120° - RPTA only.
- (15) Shield can be mounted to the back, front or sides of the luminaire lens door frame.

SPECIFICATIONS:

- **HOUSING** - Marine-grade die-cast aluminum housing sealed and weatherproof and does not have weep hole or fillers.
- **OPTICAL MODULE** - Reflectors shall be made of high purity anodized aluminum. Multi-faceted, segmented reflectors shall have minimum reflectivity of 95% and shall be made of "Super Sheef" with inorganic dielectric coating. Optical assembly shall be field-rotatable and exchangeable. Socket shall be porcelain, grip-type, mogul base 4KV pulse rated.
- **LAMP ACCESS** - O-Ring gasketed lens door shall be secured by four captive screws and hinges open for lamp access. Mechanical stops in the housing ensure the O-ring is properly compressed after each (re) lamping.
- **LENS** - Lens shall be clear tempered flat glass (horizontal optics) or sag glass (vertical optics) to withstand thermal and physical shock.
- **SOCKET** - A porcelain, 5KV or 4KV pulse rated, grip-type mogul based socket used to prevent lamp loosening and to maintain proper lamp positioning.
- **BALLAST** - All ballast are high power factor with reliable starting to -20° F for metal halide. Ballast coil windings are copper with a class H (180° C) rated insulation.
- **MOUNTING** - Standard surface mounting arm (field installed) shall be heavy gauge extruded aluminum 11" long. Threaded tension rods shall be used to bolt to 4" and larger straight square poles with round pole adapters available for 4" through 5" OD round poles and 3" - 4" OD round poles.
- **FINISH** - Standard finish is a textured black "UltraClad" polyester powder electrostatically applied and oven cured. Other colors available upon request.
- **U.L. LISTING** - UL listed for wet locations.
- **USER PROTECTION** - Luminaire and ballast are covered by a standard published five-year limited warranty.

MOUNTING ACCESSORIES

- **SW-DT4-TBK** for wall mounting EAL luminaires with "S" surface arms. Mounting hardware not included.
- **RPA-4/5"OD-EAL-TBK** Round Pole Adapter for mounting single EAL luminaires with "S" arms to 4" through 5" round poles with plain cut tops.
- **RPA-3/4"OD-EAL-TBK** same as above except 3" through 4" round poles with plain cut tops.
- **SPTA-XXX-DT4-TBK** Square Pole Tenon Adapter allows EAL Arm Mount Models to be mounted to Straight Square Poles having 2 3/8" OD x 4" tall tenons. Any mounting configuration can be used (XXX=must specify 1@90°; 2@180°; 2@90°; 3@90° or 4@90°). Cast aluminum with flush cap for wiring access. Mounts to tenon with stainless steel screws. Standard finish is textured black. See note (14).
- **RPTA-XXX-DT4-TBK** Round Pole Tenon Adapter same as above, also three @ 120°. Requires RPA Round Pole Adapter.

ACCESSORIES

- **SK-10-EFX-TBK** (15) House side shield mounted externally to reduce light behind the pole.
- **AL-10-EFX** 1/8" thick polycarb auxiliary lens available on horizontal lamp optical modules only. Useful life is limited by UV discoloration.
- **F1-30 Amp Single Fuse Kit** 120V or 277V.
- **F2-30 Amp Double Fuse Kit** 208V, 240V or 480V.

JOB NAME

P.O. BOX 808, San Marcos, TX 78667-0608, (512) 392-5821, FAX (512) 753-1122, <http://www.widelite.com>

WideLite
a GENLITE company

ELECTRICAL CHARACTERISTICS

DISTRIBUTION GUIDE

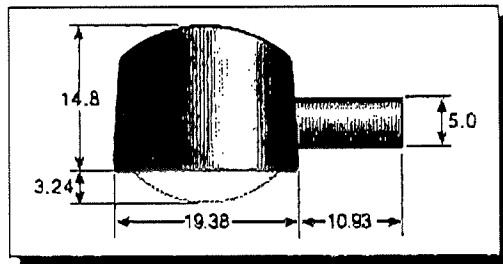
Wattage	Ballast Type	Primary Voltage	Line Watts	Line Current (1)	Regulation Line Volts	Lamp Watts
1000	REG-HPF	120/208 240/277 480	1080	9.0/5.2 4.5/3.9 2.3	+/- 10%	+/- 10%
400	REG-HPF	120/208 240/277 480	458	4.0/2.3 2.0/1.75 1.0	+/- 10%	+/- 10%
250	REG-HPF	120/208 240/277 480	310	2.5/1.44 1.25/1.08 .62	+/- 10%	+/- 10%

Catalog Number	Reflector Type	Lamp Style
EALM-1000	1V, 2V, 3V, 4V, 5V vertical lamp	E/BT37 clear
EALM-400	1V, 2V, 3V, 4V, 5V vertical lamp ----- 2H, 3H, 4H, 5H horizontal lamp	E/BT37 clear ----- ED28 clear
EALM-250	1V, 2V, 3V, 4V, 5V vertical lamp ----- 2H, 3H, 4H, 5H horizontal lamp	ED28 clear ----- ED28 clear

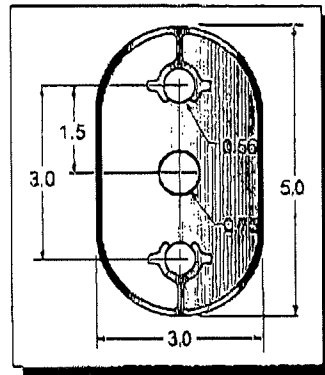
(1) The line current shown is the highest of starting, operating or open current

DIMENSIONS

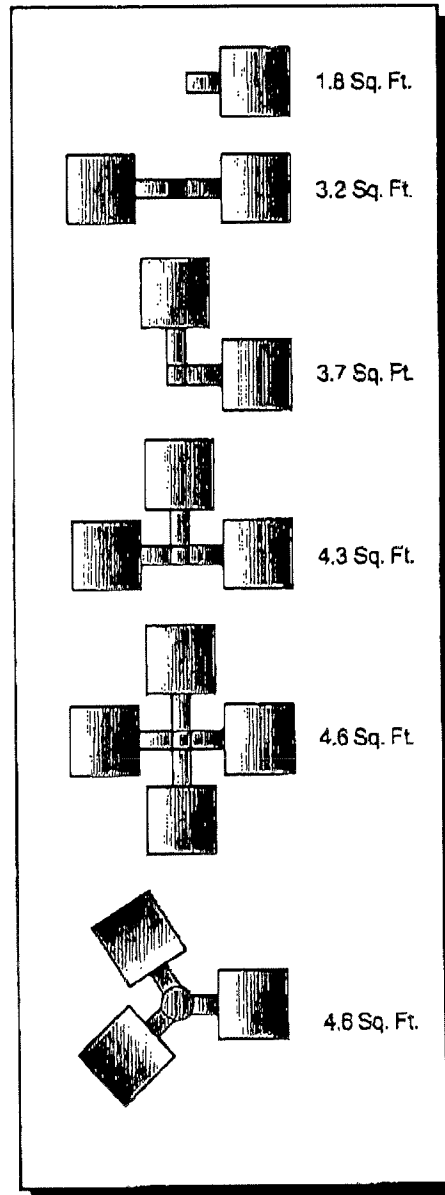
S - SURFACE ARM



DRILL TEMPLATE #4

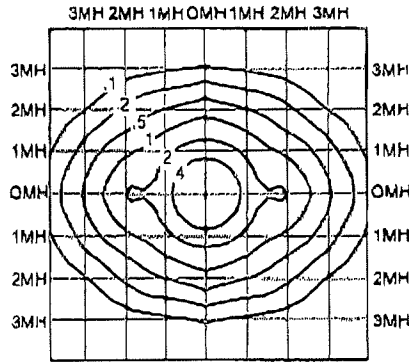


EFFECTIVE PROJECTED AREA



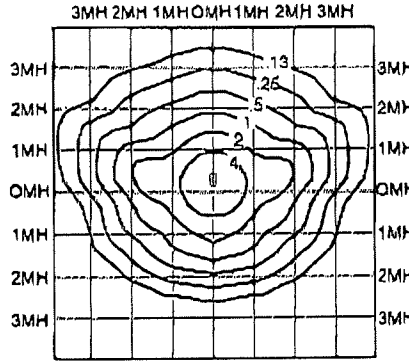
PHOTOMETRICS • 1000 - 250 WATT • METAL HALIDE

EALM - 1000 - 1V



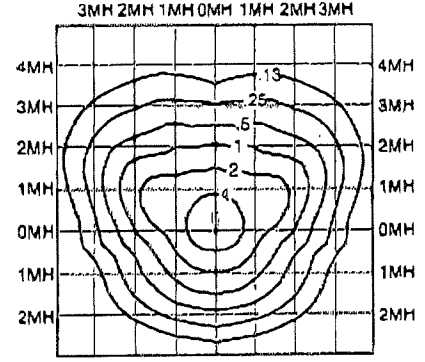
CONVERSION MULTIPLIERS		Mounting Height (in feet)			
Wattages	25	30	35	40	
250	.46	.32	.24	.18	
400	1.86	.73	.41	.32	
1000	2.56	1.78	1.3	1.00	

EALM - 1000 - 2V



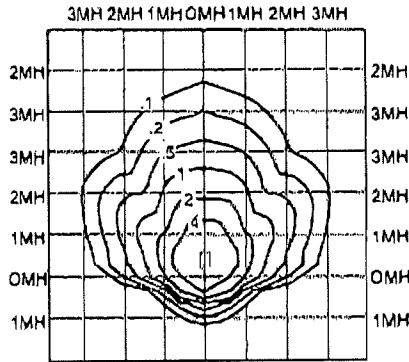
CONVERSION MULTIPLIERS		Mounting Height (in feet)			
Wattages	25	30	35	40	
250	.46	.32	.24	.18	
400	1.86	.73	.41	.32	
1000	2.56	1.78	1.3	1.00	

EALM - 1000 - 3V



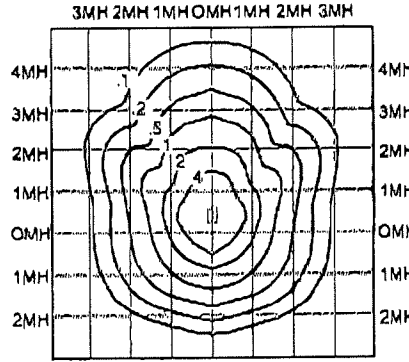
CONVERSION MULTIPLIERS		Mounting Height (in feet)			
Wattages	25	30	35	40	
250	.46	.32	.24	.18	
400	1.86	.73	.41	.32	
1000	2.56	1.78	1.3	1.00	

EALM - 1000 - 4S



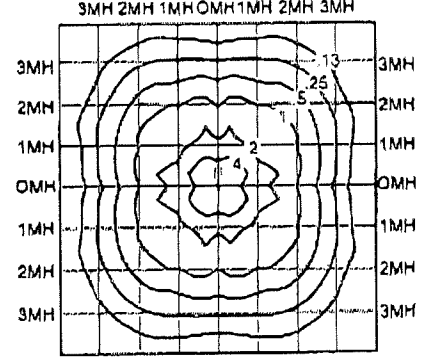
CONVERSION MULTIPLIERS		Mounting Height (in feet)			
Wattages	25	30	35	40	
250	.46	.32	.24	.18	
400	1.86	.73	.41	.32	
1000	2.56	1.78	1.3	1.00	

EALM - 1000 - 4V



CONVERSION MULTIPLIERS		Mounting Height (in feet)			
Wattages	25	30	35	40	
250	.46	.32	.24	.18	
400	1.86	.73	.41	.32	
1000	2.56	1.78	1.3	1.00	

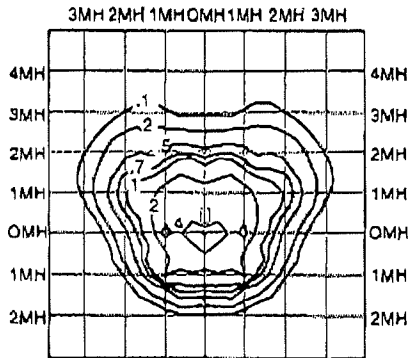
EALM - 1000 - 5V



CONVERSION MULTIPLIERS		Mounting Height (in feet)			
Wattages	25	30	35	40	
250	.46	.32	.24	.18	
400	1.86	.73	.41	.32	
1000	2.56	1.78	1.3	1.00	

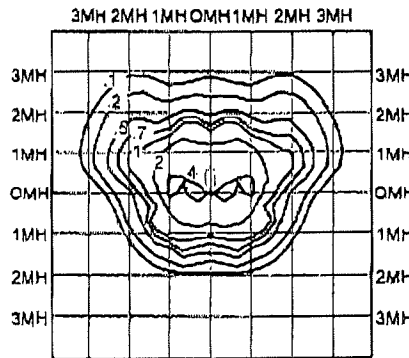
PHOTOMETRICS • 400 - 250 WATT • METAL HALIDE

EALM - 400 - 2H



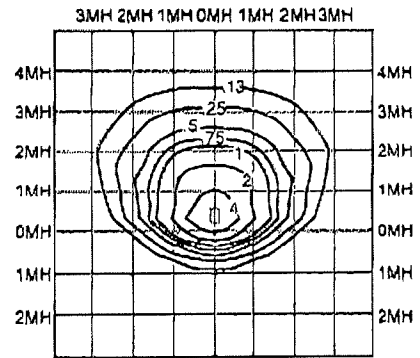
CONVERSION MULTIPLIERS			
Wattages	Mounting Height (in feet)		
	20	25	30
250	1.26	.80	.56
400	2.25	1.44	1.0

EALM - 400 - 3H



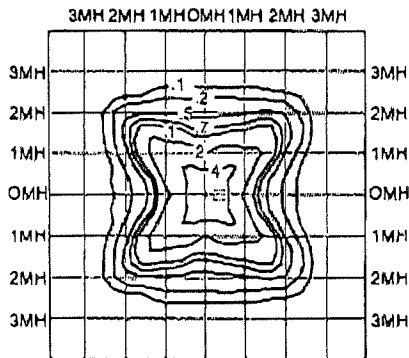
CONVERSION MULTIPLIERS			
Wattages	Mounting Height (in feet)		
	20	25	30
250	1.26	.80	.56
400	2.25	1.44	1.0

EALM - 400 - 4H



CONVERSION MULTIPLIERS			
Wattages	Mounting Height (in feet)		
	20	25	30
250	1.26	.80	.56
400	2.25	1.44	1.0

EALM - 400 - 5H

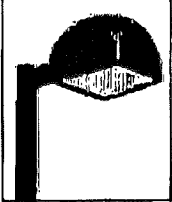


CONVERSION MULTIPLIERS			
Wattages	Mounting Height (in feet)		
	20	25	30
250	1.26	.80	.56
400	2.25	1.44	1.0

EFFEX AREA LUMINAIRES EAL - ARM MOUNT

13" HOUSING

ORDERING GUIDE

Catalog Number	Distribution	Voltage	Mounting	Options	Finish (11)	Fixture Type:
EALM - 175 (1)	<input type="checkbox"/> 2H Type Two	<input type="checkbox"/> 120	<input type="checkbox"/> S Surface	<input type="checkbox"/> BL Bi-Level	<input type="checkbox"/> TBK = Black	EAL SERIES ARCHITECTURAL AREA LUMINAIRES ARM MOUNT Metal Halide 175W - 100W 
EALM - 150 (1)	<input type="checkbox"/> Horizontal Lamp	<input type="checkbox"/> 208	<input type="checkbox"/> MA2 Adjustable Mastfitter (3)	<input type="checkbox"/> LQ Solid State Quartz Restrike (4)	<input type="checkbox"/> DB = Dark Bronze	
EALM - 100 (1)	<input type="checkbox"/> 3H Type Three	<input type="checkbox"/> 240		<input type="checkbox"/> PCB Photocell Button (5)	<input type="checkbox"/> GR = Gray	
	<input type="checkbox"/> Horizontal Lamp	<input type="checkbox"/> 277		<input type="checkbox"/> TLR Twist Lock Receptacle (6)	<input type="checkbox"/> WHT = White	
	<input type="checkbox"/> 4H Type Four	<input type="checkbox"/> 480		<input type="checkbox"/> 50Hz 50 Hertz Ballast	<input type="checkbox"/> SA = Satin Aluminum	
	<input type="checkbox"/> Horizontal Lamp	<input type="checkbox"/> QV		<input type="checkbox"/> Fusing (7) F1 - 120/277 F2 - 208/240/480	<input type="checkbox"/> GN = Green (Textured)	
	<input type="checkbox"/> 5H Type Five	<input type="checkbox"/> LB=Leads Ballast		<input type="checkbox"/> PSL (8)	<input type="checkbox"/> RAL# _____ (12)	
	<input type="checkbox"/> Horizontal Lamp			<input type="checkbox"/> ASL (9)	Custom Finish	
	<input type="checkbox"/> 5V Type Five			<input type="checkbox"/> LDR (10)		
	<input type="checkbox"/> Vertical Lamp					

NOTES:

- (1) Available with Types 2H, 3H, 4H, 5H horizontal and 5V vertical optical modules only for standard ED17 medium base clear lamps.
- (2) 7" long surface arm for mounting to straight square poles or SPTA.
- (3) For single fixture mounting on 2-3/8" OD x 4" long horizontal tenons. Thru bolt required through tenon. When mounting at 90° the tenon length must be minimum 8" in order for corners to clear.
- (4) Time delay hot and cold quartz restrike. Requires one Q150/DC 120V lamp (by others.)
- (5) Available in 120V, 208V, 240V and 277V only. Specify voltage.
- (6) Twist lock photocell receptacle. Photocell by others.
- (7) Factory installed fusing. Specify voltage.
- (8) Polycarbonate sag lens (useful life limited by UV discoloration). Must be mounted horizontally only.
- (9) Acrylic sag lens. Must be mounted horizontally.
- (10) Accent door reveal. Lens door available in standard or RAL powder coat finish. Specify color. Example: LDR-RED (RAL3020).
- (11) Standard finish is "UltraClad" textured black polyester powder coat electrostatically applied and oven cured.
- (12) RAL custom finish available. Specify from RAL color chart. Custom finishes and accent lens door reveal are subject to additional charges, minimum quantities and longer lead times. Consult factory.
- (13) Specify mounting configuration: 180= Single Light @ 90°; 2180 = Two Light @ 180°; 390= Three Light @ 90°; 490= Four Light @ 90°. Three Light @ 120° for RPTA. Example: SPTA-2180-DT6-TBK.
- (14) Shield can be mounted to the back, front or side of luminaire lens door frame.
- (15) Fuses are XTCK20 type rated 30 amps (175W and 150W) and 10 amps (100W) unless otherwise specified and field installed in the luminaire housing when wiring the ballast.

SPECIFICATIONS:

- **HOUSING** - Marine-grade die-cast aluminum housing sealed and weatherproof and does not have weep holes or filters.
- **OPTICAL MODULE** - High-performance reflector systems made from high purity anodized aluminum, mounted in frames to create optical modules that are field-rotatable and exchangeable.
- **LAMP ACCESS** - O-Ring gasketed lens door shall be secured by four captive screws and hinges open for lamp access. Mechanical stops in the housing ensure the O-ring is properly compressed after each (ra) lamping.
- **LENS** - Lens shall be flat tempered glass to withstand thermal and physical shock.
- **SOCKET** - A porcelain, 4KV pulse rated, Grip-type medium base socket used to prevent lamp loosening and to maintain proper lamp positioning.
- **BALLAST** - All ballast are high power factor with reliable starting to -20°F for metal halide. Ballast coil windings are copper with a class H (180°C) rated insulation.
- **MOUNTING** - Standard surface mounting arm (field installed) shall be heavy gauge extruded aluminum 7" long. Threaded tension rods shall be used to bolt to 3-1/2" and larger straight square poles with round pole adapter available for 3" through 4" OD round poles.
- **FINISH** - Standard finish is a textured black "UltraClad" polyester powder electrostatically applied and oven cured. Other colors available upon request.
- **U.L. LISTING** - UL listed for wet locations.
- **USER PROTECTION** - Luminaire and ballast are covered by a standard published five-year limited warranty.

MOUNTING ACCESSORIES

- **SW-DT6-TBK** for wall mounting EAL luminaires with "S" surface arms. Mounting hardware not included.
- **RPA-3/4"OD-EAL-TBK** Round Pole Adapter for mounting single EAL luminaires with "S" arms to 3" through 4" round poles with plain cut tops or RPTAs.
- **SPTA-XXX-DT6-TBK** Square Pole Tenon Adapter allows EAL Arm Mount Models to be mounted to Straight Square Poles having 2-3/8" OD x 4-1/2" tall tenons. Any mounting configuration can be used (XXX=must specify 1@90°; 2@180°; 2@90°; 3@90° or 4@90°). Cast aluminum with flush cap for wiring access. Mounts to tenon with cup point stainless steel screws. Standard finish is textured black. See note (13).
- **RPTA-XXX-DT6-TBK** - Round Pole Tenon Adapter same as above plus three @ 120°. Requires RPA Round Pole Adapter.

JOB NAME

ACCESSORIES

- **SK-40-EFX-TBK** (14) House side shield mounted externally to reduce light behind the pole.
- **AL-40-EFX** 1/8" thick polycarb auxiliary lens available on horizontal lamp optical modules only. Useful life is limited by UV discoloration.
- **F1-30 Amp Single Fuse Kit** (15) 120V or 277V.
- **F2-30 Amp Double Fuse Kit** (16) 208V, 240V or 480V.

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ELECTRICAL CHARACTERISTICS

DISTRIBUTION GUIDE

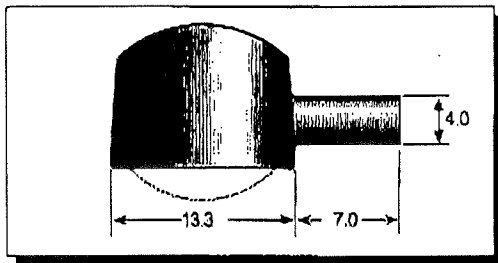
Wattage	Ballast Type	Primary Voltage	Line Watts	Line Current (1)	Regulation Line Volts	Lamp Watts
175	REG-HPF	120/208 240/277 480	210	1.8/1.04 .90/.80 .45	+/- 10%	+/- 10%
150	HX-HPF	120/208 240/277	185	3.65/2.10 1.8/1.58	+/- 5%	+/- 10%
100	HX-HPF	120/208 240/277	129	2.8/1.5 1.3/1.15	+/- 5%	+/- 10%

Catalog Number	Reflector Type	Lamp Style
EALM-175	2H, 3H, 4H, 5H horizontal lamp 5V vertical lamp	ED17 clear ED17 clear
EALM-150	2H, 3H, 4H, 5H horizontal lamp 5V vertical lamp	ED17 clear ED17 clear
EALM-100	2H, 3H, 4H, 5H horizontal lamp 5V vertical lamp	ED17 clear ED17 clear

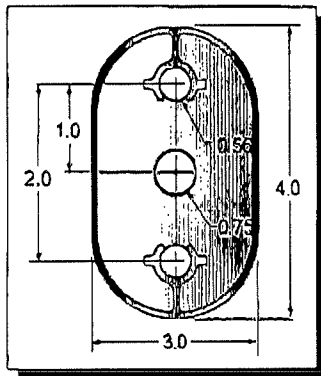
(1) The line current shown is the highest of starting, operating or open current

DIMENSIONS

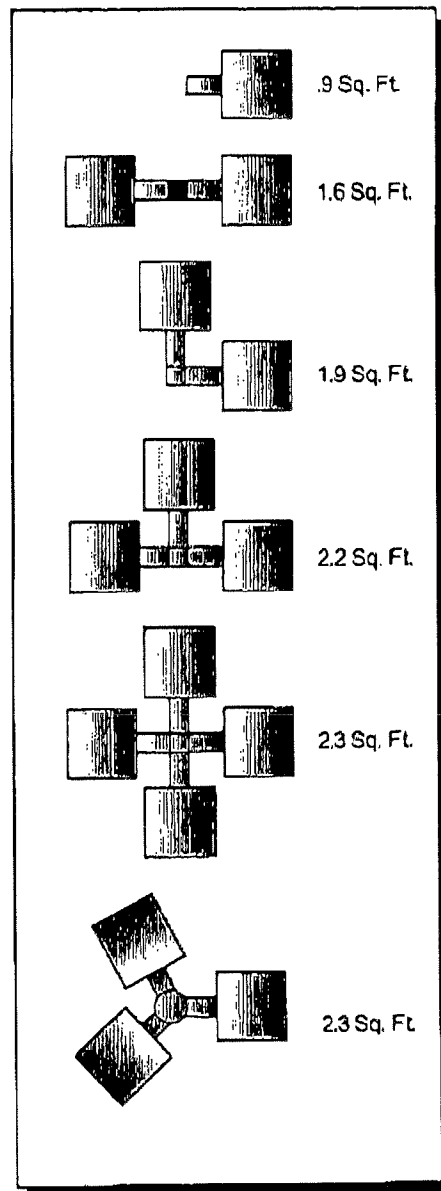
S - SURFACE ARM



DRILL TEMPLATE #6

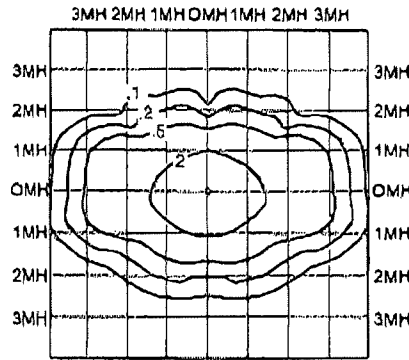


EFFECTIVE PROJECTED AREA



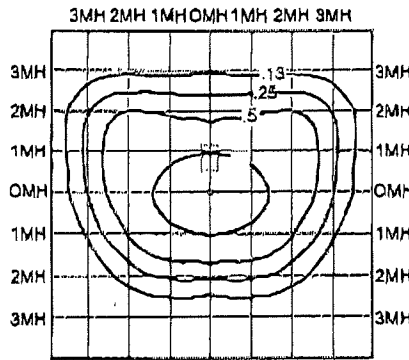
PHOTOMETRICS • 175 WATT – 100 WATT • METAL HALIDE

EALM - 150 - 2H



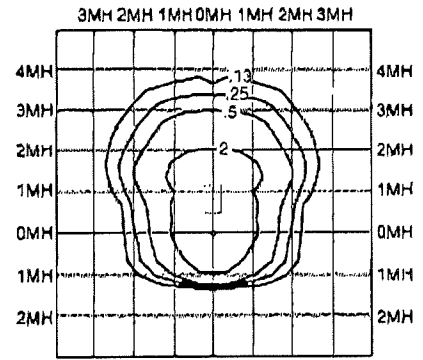
CONVERSION MULTIPLIERS			
Wattages	Mounting Height (In feet)		
	10	15	20
100	1.35	0.60	0.34
150	2.25	1.00	0.56
175	2.42	1.07	0.60

EALM - 150 - 3H



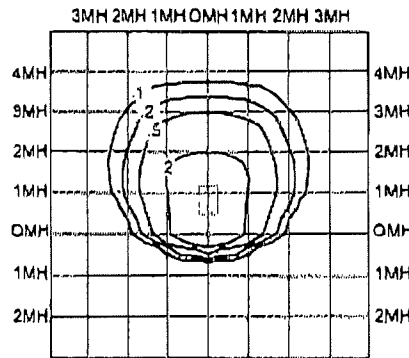
CONVERSION MULTIPLIERS			
Wattages	Mounting Height (In feet)		
	10	15	20
100	1.35	0.60	0.34
150	2.25	1.00	0.56
175	2.42	1.07	0.60

EALM - 150 - 4H



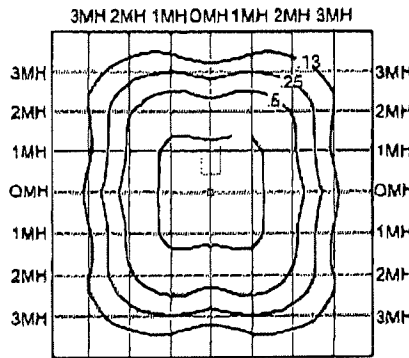
CONVERSION MULTIPLIERS			
Wattages	Mounting Height (In feet)		
	10	15	20
100	1.35	0.60	0.34
150	2.25	1.00	0.56
175	2.42	1.07	0.60

EALM - 150 - 4S



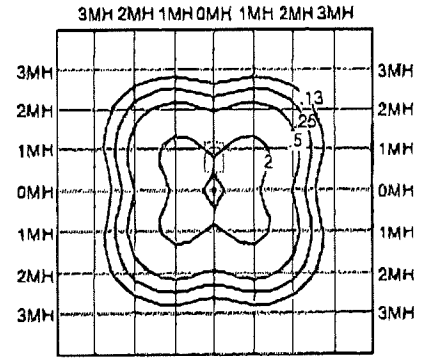
CONVERSION MULTIPLIERS			
Wattages	Mounting Height (In feet)		
	10	15	20
100	1.35	0.60	0.34
150	2.25	1.00	0.56
175	2.42	1.07	0.60

EALM - 150 - 5H



CONVERSION MULTIPLIERS			
Wattages	Mounting Height (In feet)		
	10	15	20
100	1.35	0.60	0.34
150	2.25	1.00	0.56
175	2.42	1.07	0.60

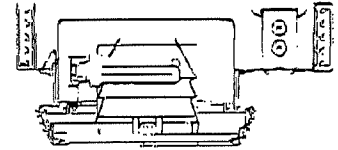
EALM - 150 - 5V



CONVERSION MULTIPLIERS			
Wattages	Mounting Height (In feet)		
	10	15	20
100	1.35	0.60	0.34
150	2.25	1.00	0.56
175	2.42	1.07	0.60

DESIGNER CANOPY LUMINAIRE

200 SERIES



GENERAL DESCRIPTION: The Gardco Designer Canopy Luminaire is a family of downlight and wall wash ceiling mounted fixtures utilizing high intensity discharge and compact fluorescent lamps. The contemporary form housing is available in a variety of architectural finishes assuring compatibility with the building. Downlight optical systems are offered with prismatic or fresnel lenses and the wall washer is offered with a prismatic lens. The Designer Canopy Luminaire is suitable for outdoor applications and features rugged die cast construction, silicone seals and gaskets, and polyester powdercoat finishes.

ORDERING

PREFIX/MOUNTING	DISTRIBUTION	WATTAGE	VOLTAGE	FINISH	OPTIONS
220	P	100MH	120	BRP	F
220	P	50MH	120	BRP	F
221	F*	70MH	277	BLP	RS
		100MH	347	BGP	
		150MH		WP	
		175MH		NP	
		50HPS		OC	
		70HPS		SC	
		100HPS			
		150HPS			
		42TRF			

TYPE	PREFIX/MOUNTING	DISTRIBUTION	WATTAGE/SOURCE	VOLTAGE	FINISH	OPTIONS

PREFIX/MOUNTING

220 = Downlight
221 = Wall Wash

DISTRIBUTION

P = Prismatic Lens
F* = Fresnel Lens

FINISH

BRP = Bronze Paint
BLP = Black Paint
BGP = Beige Paint
WP = White Paint
NP = Natural Paint
OC = Optional Color (See Color Selection Guide)
SC = Special Color (Provide Color Chip)

OPTIONS

F = Fusing
RS = Tamper Resistant Hardware

* Available in 220 units only.



GARDCO
LIGHTING
2661 Alvarado Street
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800/227-0758
510/257-6600 in California
Fax: 510/257-3688
Sialighting.com
79713-92/206

DESIGNER CANOPY LUMINAIRE

200 SERIES

SPECIFICATIONS

GENERAL: The Gardco Outdoor Canopy Luminaire utilizes compact fluorescent and high intensity discharge lamps. Housing is recessed in ceiling cavity and shallow trim assembly is surfaced mounted on canopy. Two downlight and one wall wash optical systems are available.

HOUSINGS: Housing assembly features die cast aluminum plaster flange, formed steel ballast tray, adjustable mounting brackets, and steel housing cover.

TRIMS: Die cast aluminum trim mechanically secures tempered glass lens. Hollow core, extruded silicone gaskets seal trim assembly to both housing and lens to permanently exclude insects, moisture, dust, and pollutants from luminaire.

OPTICAL SYSTEMS: Fresnel lens provides an even, symmetrical downlight distribution. Prismatic downlight lens creates an elongated lighting pattern.

Prismatic wall wash distribution provides uniform illumination on adjacent vertical surfaces. Cutout side trim on the Designer Canopy Luminaire allows light pattern on the wall to reach the ceiling line.

ELECTRICAL: All HID luminaires utilize magnetic ballasts that are high power factor and designed for reliable lamp starting to -20° F. Medium base pulse rated sockets are glazed porcelain with nickel plated screw shells.

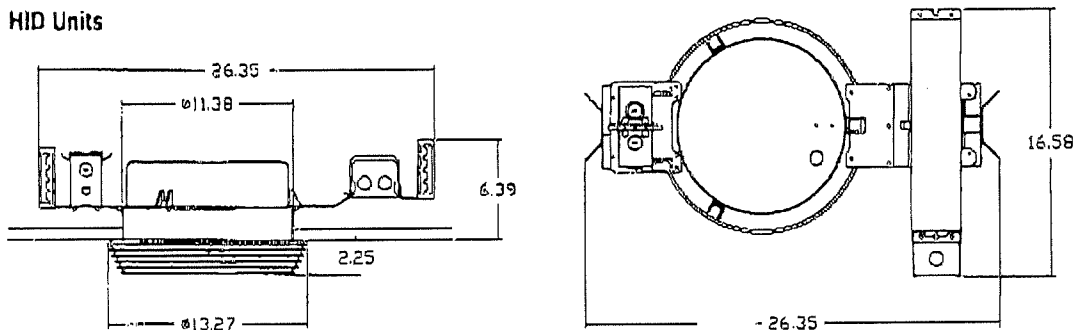
All fluorescent luminaires utilize electronic ballasts that are high power factor and designed for reliable lamp starting to 0°F. Sockets are high temperature PBT with brass contacts.

FINISH: Each luminaire receives a fade and abrasion resistant electrostatically applied, thermally cured, (TGIC) polyester powdercoat finish.

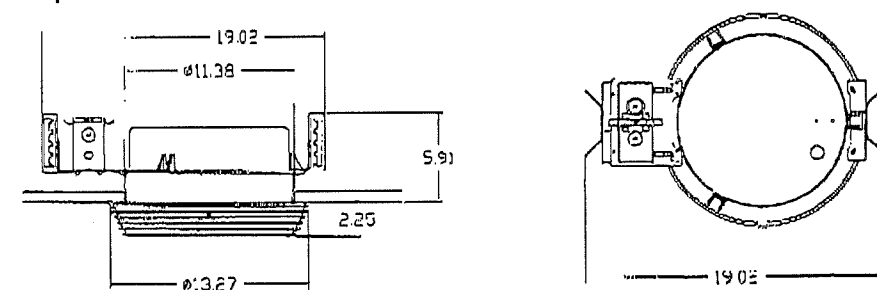
LABELS: All luminaires have UL and CSA (or CUL) Damp Location labels.

DIMENSIONS

HID Units



Compact Fluorescent Units




Gardco Lighting reserves the right to change materials or modify the design of its products without notification as part of the company's continuing product improvement program.

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510/357-6900 in California
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EFFEX WALL LUMINAIRES - EWL SERIES**13" HOUSING****ORDERING GUIDE****Metal Halide, Pulse Start Metal Halide 175 Watt - 70 Watt
Compact Fluorescent 2 X 42 Watt - 42 Watt**

Catalog Number	Distribution	Voltage	Options	Finish ⁽¹¹⁾	Fixture Type:
EWLM - 175 ⁽¹⁾	<input type="checkbox"/> 2H Type Two	<input type="checkbox"/> 120	<input type="checkbox"/> LQ Quartz	<input type="checkbox"/> TBK = Black	EWL SERIES ARCHITECTURAL WALL LUMINAIRES
EWLM - 150 ⁽¹⁾	Horizontal Lamp	<input type="checkbox"/> 208	Restrike	(Textured)	
EWLM - 100 ⁽¹⁾	<input type="checkbox"/> 3H Type Three	<input type="checkbox"/> 240	With Time	<input type="checkbox"/> DB = Dark	Metal Halide &
EWLM - 70 ⁽¹⁾	Horizontal Lamp	<input type="checkbox"/> 277	Delay ⁽⁴⁾	Bronze	Pulse Start Metal Halide
EWLP - 150 ⁽¹⁾	<input type="checkbox"/> 4H Type Four	<input type="checkbox"/> 480	<input type="checkbox"/> PCB Photocell	<input type="checkbox"/> GR = Gray	175W - 70W
	Horizontal Lamp	<input type="checkbox"/> QV	Button ⁽⁶⁾	<input type="checkbox"/> WHT = White	Compact Fluorescent
EWLCF - 242 ⁽²⁾	<input type="checkbox"/> 4HS Type Four	<input type="checkbox"/> LB	<input type="checkbox"/> TLR Twist Lock	<input type="checkbox"/> SA = Silver	2 X 42 - 42 Watt
EWLCF - 42 ⁽²⁾	Shielded		Receptacle ⁽⁶⁾	Aluminum	
	Horizontal Lamp ⁽³⁾		<input type="checkbox"/> 50 Hz 50 Hertz	<input type="checkbox"/> GN = Green	
	<input type="checkbox"/> 5H Type Five		Ballast	(Textured)	
	Horizontal Lamp		<input type="checkbox"/> BL (B)-Level	<input type="checkbox"/> RAL# _____ ⁽¹²⁾	
	<input type="checkbox"/> 5V Type Five		<input type="checkbox"/> PSL ⁽⁷⁾	Custom	
	Vertical Lamp		<input type="checkbox"/> ASL ⁽⁸⁾	Finish	
	<input type="checkbox"/> AI Ambient Indirect		<input type="checkbox"/> GSL ⁽⁹⁾	<input type="checkbox"/> LDR# _____ ⁽¹³⁾	
	Horizontal Lamp		<input type="checkbox"/> FUSING ⁽¹⁰⁾		
	<input type="checkbox"/> AW Accent Wide		F1 - 120/277		
	Horizontal Lamp		F2 - 208/240/480		
	<input type="checkbox"/> AN Accent Narrow		<input type="checkbox"/> PMK Pole Mounting		
	Horizontal Lamp		Kit		
			<input type="checkbox"/> SPTA Square Pole		
			Tenon Adaptor		

NOTES:

- (1) Available with Types 2H, 3H, 4H, 4HS, 5H, AI, AW, AN horizontal and 5V vertical optical modules only for standard ED17 medium base clear lamps.
- (2) Available with Type 5V vertical optical module only for T4 GX24g4 lamp(s).
- (3) Reduces backside light trespass with internal shield.
- (4) Time delay hot and cold quartz restrike. Requires one Q150.DC 120v lamp (by others).
- (5) Available in 120V, 208V, 240V and 277V only. Specify voltage.
- (6) Twist lock photocell receptacle. Photocell by others.
- (7) Polycarbonate sag lens (useful life limited by UV discoloration). For Direct (down) lighting applications only.
- (8) Acrylic sag lens. For Direct (down) lighting applications only.
- (9) Tempered Glass Sag Lens
- (10) Fuses are KTK30 type rated 30 amps (175W and 150W) and KTK10 type rated 10 amps (100W and below) unless otherwise specified and field installed in the luminaire housing when wiring the ballast.
- (11) Standard finish is "UltraClad" textured black polyester powder coat electrostatically applied and oven cured. (TBK).
- (12) RAL custom finish available. Specify from RAL color chart. Custom finishes and accent lens door reveal are subject to additional charges, minimum quantities and longer lead times. Consult factory.
- (13) Accent door reveal. Lens door available in standard or RAL powder coat finish. Specify color. Example: LDR-RED (RAL3020).

SPECIFICATIONS:

- **HOUSING** - Marine-grade die-cast aluminum housing sealed and weatherproof and does not have weep holes or filters.
- **OPTICAL MODULE** - High-performance reflector systems made from high purity anodized aluminum, mounted in frames to create optical modules that are field-rotatable and exchangeable.
- **LAMP ACCESS** - O-Ring gasketed lens door shall be secured by four captive screws and hinges open for lamp access. Mechanical stops in the housing ensure the O-ring is properly compressed after each (re) lamping.
- **LENS** - Lens shall be 7/32" clear tempered glass to withstand thermal and physical shock.
- **SOCKET** - A porcelain, 4KV pulse rated, grip-type medium base socket (GX24g4 for Compact Fluorescent) used to prevent lamp loosening and to maintain proper lamp positioning.
- **BALLAST** - All ballast are high power factor with reliable starting to -40°F for high pressure sodium. Ballast coil windings are copper with a class H (180°C) rated insulation.
- **MOUNTING** - Standard mounting for wall or pole shall be provided by a cast aluminum arm that attaches to a concealed mounting bracket. The arm shall mount in either direct (down) or indirect (up) orientation with the same mounting hardware. Shall have flexible aiming of 5° toward the wall or pole and 10° away.
- **FINISH** - Standard finish is a textured black "UltraClad" polyester powder electrostatically applied and oven cured. Other colors available upon request.
- **U.L. LISTING** - UL listed for wet locations in either direct or indirect orientations.
- **USER PROTECTION** - Luminaire and ballast are covered by a standard published five-year limited warranty.
- **IP Rating** - Optical Housing shall comply with an IP65 rating for dust and weatherproofing.
- **ISO 9001** - Luminaire shall be manufactured in an ISO 9001 Certified facility.

JOB NAME

DISTRIBUTION GUIDE & BALLAST DATA

CATALOG NUMBER	REFLECTOR LENS TYPE	LAMP STYLE	LAMP BASE	PRIMARY VOLTAGE	LINE WATTS	LINE CURRENT (1)	BALLAST TYPE
EWLM-175	13" Types 2H, 3H, 4H, 4HS, 5H, 5V, AI, AW, AN	ED17 Clear	Medium	120/208 240/277 480	210	1.80/1.10 0.90/0.80 0.45	REG
EWLM-150	13" Types 2H, 3H, 4H, 4HS, 5H, 5V, AI, AW, AN	ED17 Clear	Medium	120/208 240/277	185	3.65/2.10 1.80/1.58	HX
EWLM-100	13" Types 2H, 3H, 4H, 4HS, 5H, 5V, AI, AW, AN	ED17 Clear	Medium	120/208 240/277	130	2.60/1.50 1.30/1.15	HX
EWLM-70	13" Types 2H, 3H, 4H, 4HS, 5H, 5V, AI, AW, AN	ED17 Clear	Medium	120/208 240/277	95	1.90/1.04 0.90/0.80	HX
EWLP-150	13" Types 2H, 3H, 4H, 4HS, 5H, 5V, AI, AW, AN	ED17 Clear	Medium	120/277	189	1.75/0.75	SCWA
EWLCF-42	13" Type 5V	T4	GX24g4	120/277	47	0.39/0.17	E
EWLCF-242	13" Type 5V	T4	GX24g4	120/277	94	0.41/0.34	E

(1) The line current shown is the highest of starting, operating or open current.

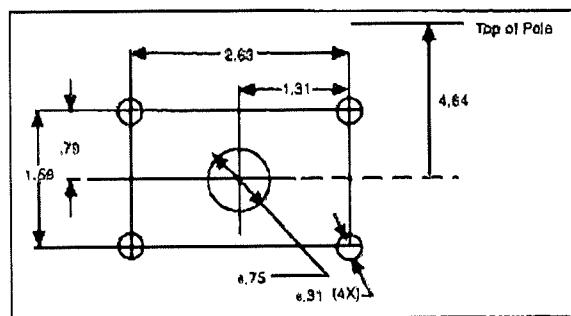
ACCESSORIES

- **EWL-PMK** - Pole Mounting Kit. Hardware for mounting EWL directly to square poles. Includes threaded back up plate, four 1/4-20 stainless steel screws and lockwashers used to mount the universal wall bracket. Pole must be pre-drilled to accommodate the screws and wires. See drill template below.
- **SPTA-XXX-EWL** - Square Pole Tenon Adaptor. Allows EWL to be mounted to square poles with 2" OD X 4" tall tenons. Possible mounting configurations are 1@90° or 2@180° (specify XXX). Flush cap for wiring access. Mounts to tenon with four cup point stainless steel screws. Standard finish is textured black.
- **EWL-SCB-13** - Surface Conduit Box. Cast aluminum J-box and fixture mount for attachment (by others) to existing walls, beams or columns. Surface Conduit Box has one 3/4" NPT conduit tap in each side, top, bottom and back. Standard finish is textured black.
- **SK-40-EFX** - External House Side Shield. Fixed external house side shield to reduce the light on a particular side of the luminaire. Installs to core holes in the lens door frame. May also be mounted to the sides or front of the luminaire.
- **EWL-5DS-13, EWL-10DS-13** - 5° and 10° Shield. Allows luminaire adjustment while keeping cutoff edge nearly horizontal.
- **AL-40-EFX** - Polycarbonate Lens. The auxiliary polycarbonate lens is formed to follow the contours of the casting.
- **Colored Lens** (consult factory). Color coated polycarbonate lens available in a wide selection of colors and shades. Colors will fade over time depending on the color selection.
- **WG-40-EFX** - Polished stainless steel wireguard.

DIMENSIONS

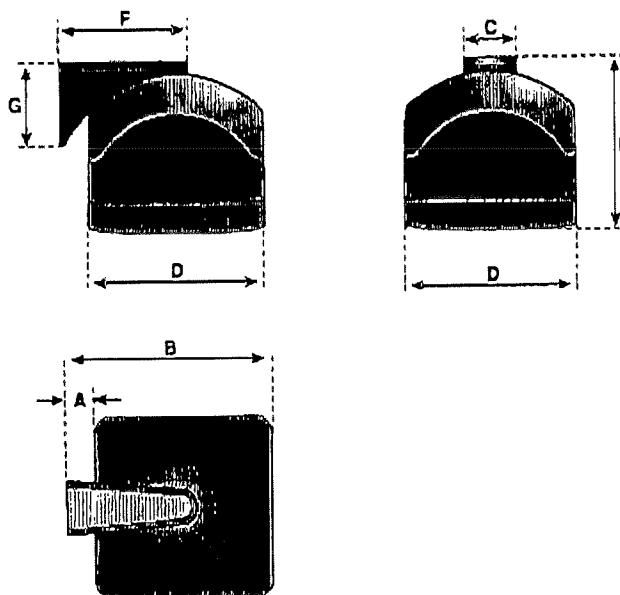
EWL DIMENSIONS	A	B	C	D	E	F	G
175 WATT (13" HOUSING)							
Inches	2.1	15.4	4.0	13.3	12.3	9.7	6.0
Centimeters	5.3	39.1	10.2	33.8	31.2	24.6	15.2

DRILL TEMPLATE



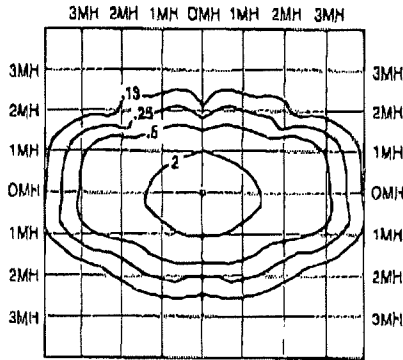
EFFECTIVE PROJECTED AREA

PRODUCT	EPA (FT ²)
EWL 175	
1 @ 90	0.8
2 @ 180	1.4



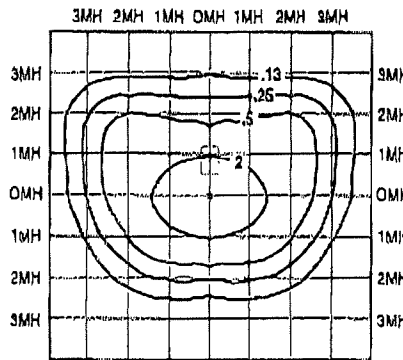
PHOTOMETRICS • METAL HALIDE, PULSE START METAL HALIDE 175 WATT - 70 WATT

EWLM - 150 - 2H



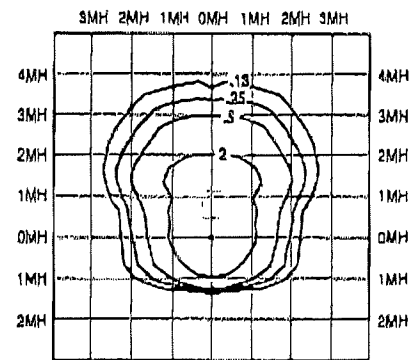
Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.85	0.38	0.21
100	1.35	0.60	0.34
150	2.25	1.00	0.56
150P	2.31	1.03	0.57
175	2.42	1.07	0.60

EWLM - 150 - 3H



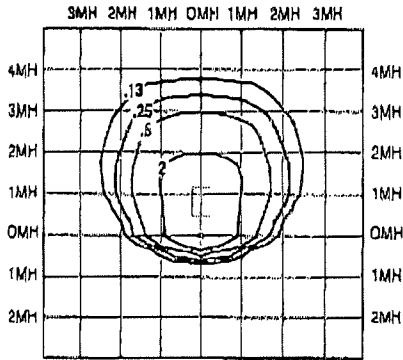
Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.85	0.38	0.21
100	1.35	0.60	0.34
150	2.25	1.00	0.56
150P	2.31	1.03	0.57
175	2.42	1.07	0.60

EWLM - 150 - 4H



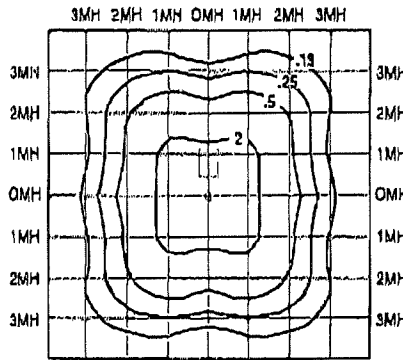
Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.85	0.38	0.21
100	1.35	0.60	0.34
150	2.25	1.00	0.56
150P	2.31	1.03	0.57
175	2.42	1.07	0.60

EWLM - 150 - 4HS



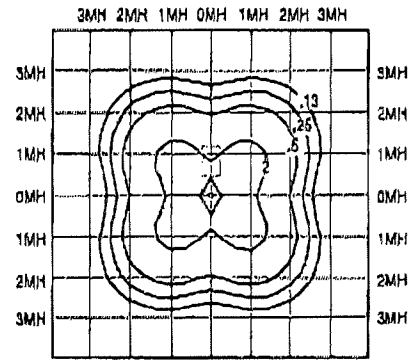
Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.85	0.38	0.21
100	1.35	0.60	0.34
150	2.25	1.00	0.56
150P	2.31	1.03	0.57
175	2.42	1.07	0.60

EWLM - 150 - 5H



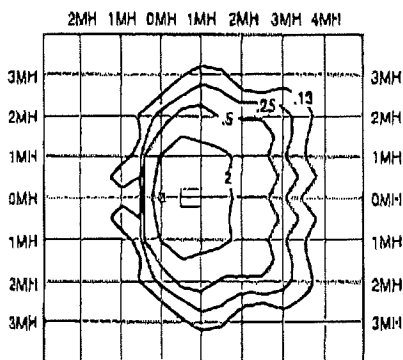
Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.85	0.38	0.21
100	1.35	0.60	0.34
150	2.25	1.00	0.56
150P	2.31	1.03	0.57
175	2.42	1.07	0.60

EWLM - 150 - 5V



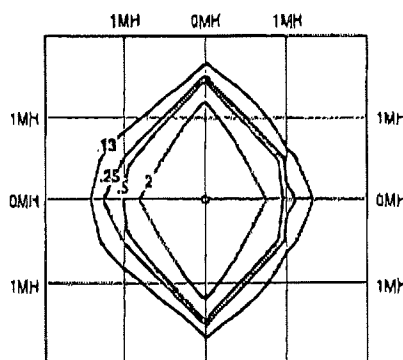
Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.85	0.38	0.21
100	1.35	0.60	0.34
150	2.25	1.00	0.56
150P	2.31	1.03	0.57
175	2.42	1.07	0.60

EWLM - 175 - AI



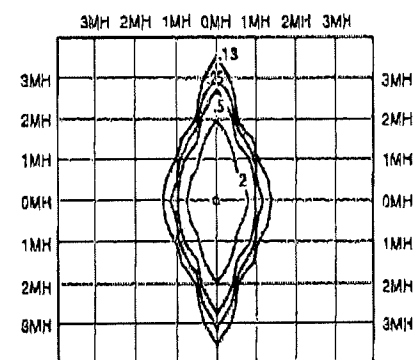
Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.78	0.35	0.19
100	1.23	0.55	0.30
150	2.07	0.92	0.51
150P	2.18	0.96	0.53
175	2.25	1.00	0.56

EWLM - 175 - AN



Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
	10	15	20
70	0.78	0.35	0.19
100	1.23	0.55	0.30
150	2.07	0.92	0.51
150P	2.18	0.96	0.53
175	2.25	1.00	0.56

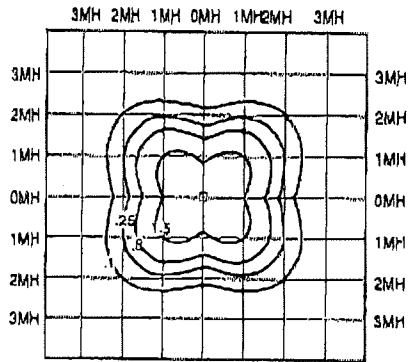
EWLM - 175 - AW



Wattages	CONVERSION MULTIPLIERS		
	Mounting Height (in feet)		
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70	0.78	0.35	0.19
100	1.23	0.55	0.30
150	2.07	0.92	0.51
150P	2.18	0.96	0.53
175	2.25	1.00	0.56

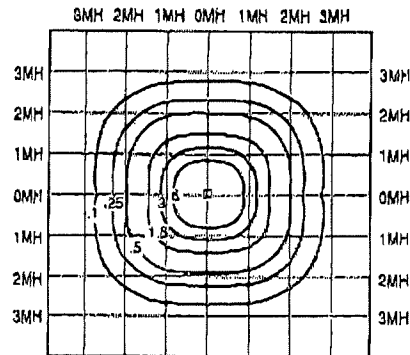
PHOTOMETRICS • COMPACT FLUORESCENT 2X42 WATT - 42 WATT

EALCF-42-5V



CONVERSION MULTIPLIERS			
		Mounting Height (in feet)	
Wattages	10	15	20
42	1.00	.44	.25

EALCF-2X42-5V



CONVERSION MULTIPLIERS			
		Mounting Height (in feet)	
Wattages	10	15	20
84	1.00	.44	.25



FAX TRANSMITTAL COVER SHEET

Date: 9/6/01

To: City of Portland, Me Planning Dept
Rick Knowland
Phone: 207-874-8683
Fax: 207-756-8258

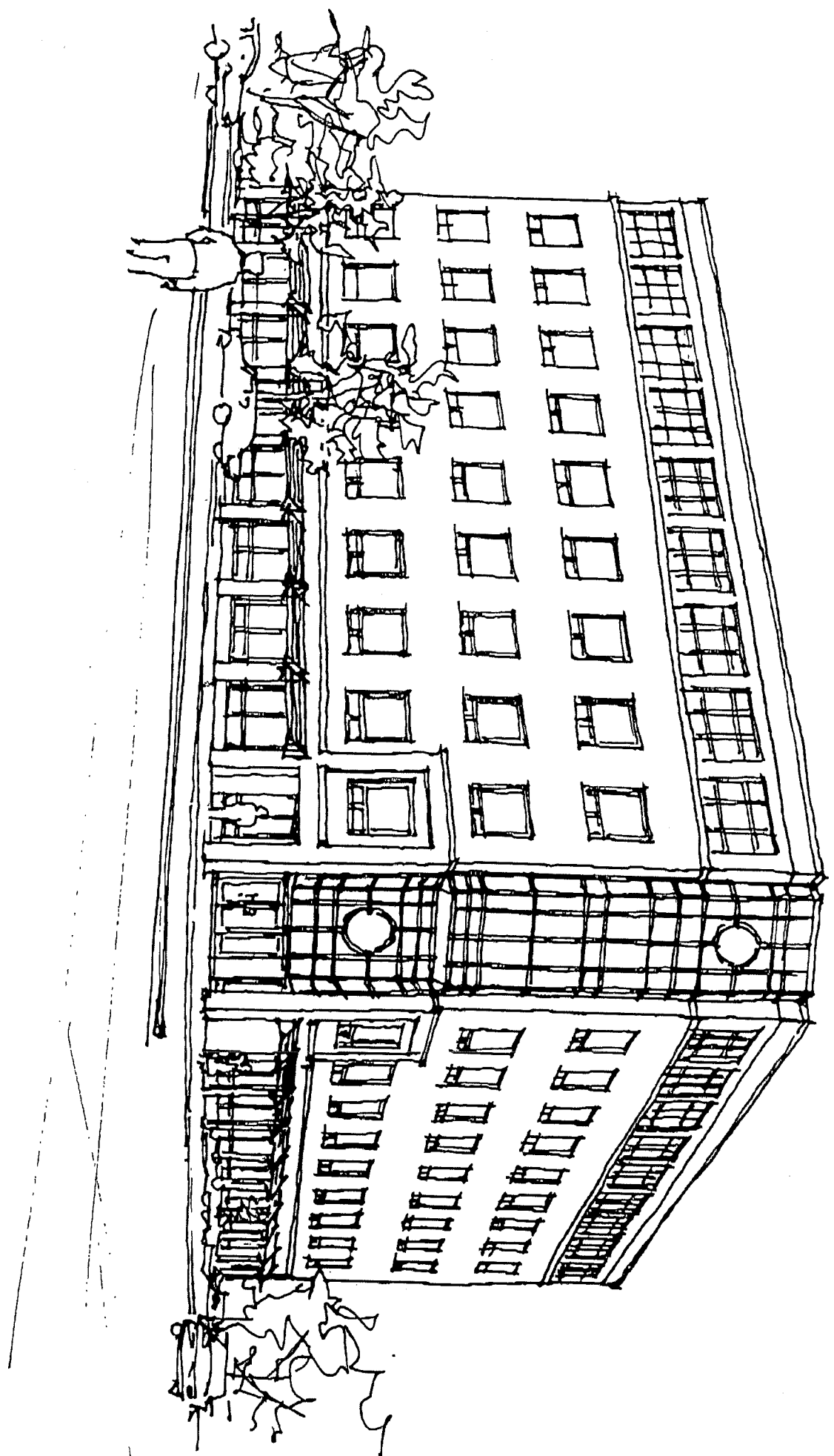
From: Opechee Construction Corporation
Mark Woglom & Tom Daigneault

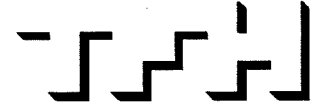
Pages: 2

RE: Bayside Elevations

Attached is a hand sketch of a revised entry with awnings along the sidewalk elevations. Please call Mark with questions or comments.

11 CORPORATE DRIVE, BELMONT, NH 03220
PHONE (603) 527-9090 FAX (603) 527-9191





TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

NARRATIVE ON BUILDING MATERIALS BAYSIDE OFFICE BUILDING

Like many of the commercial structures built on Portland's peninsula, Bayside office building is clearly articulated with a base, body and crown. Our design intent is to create a building reminiscent of Portland's past in a contemporary structure incorporating materials and systems focused on environmental concerns.

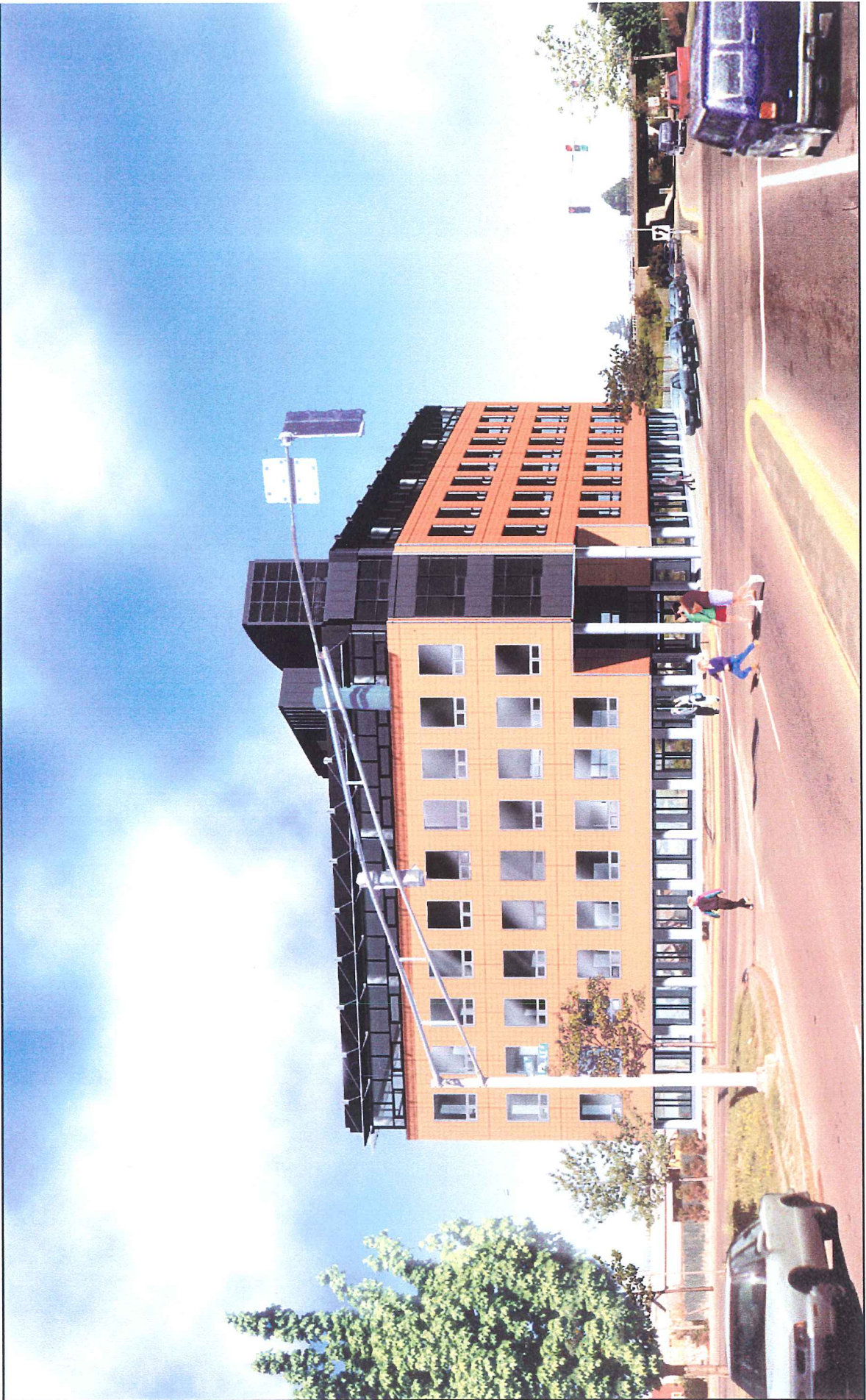
The base is light and open constructed of concrete piers and glass, not unlike the granite and glass on ground floor levels predominant in the Old Port Exchange. The mostly glass area of the lower floor allows the retail area to be open to interior views from by-passing cars as well as pedestrians. The glass here has a greater transparency than the solar gray glass above to better serve the retail use. The glass wall framing is inset in round pre-cast cementitious panels which cover the columns. Additional panels are placed at 10 foot increments along the wall. The areas on the walls adjacent to the entrances at both the Preble street side and the parking lot side are proposed as Monson Slate panels, a material which has a soft gray texture which will blend with the overall color scheme.

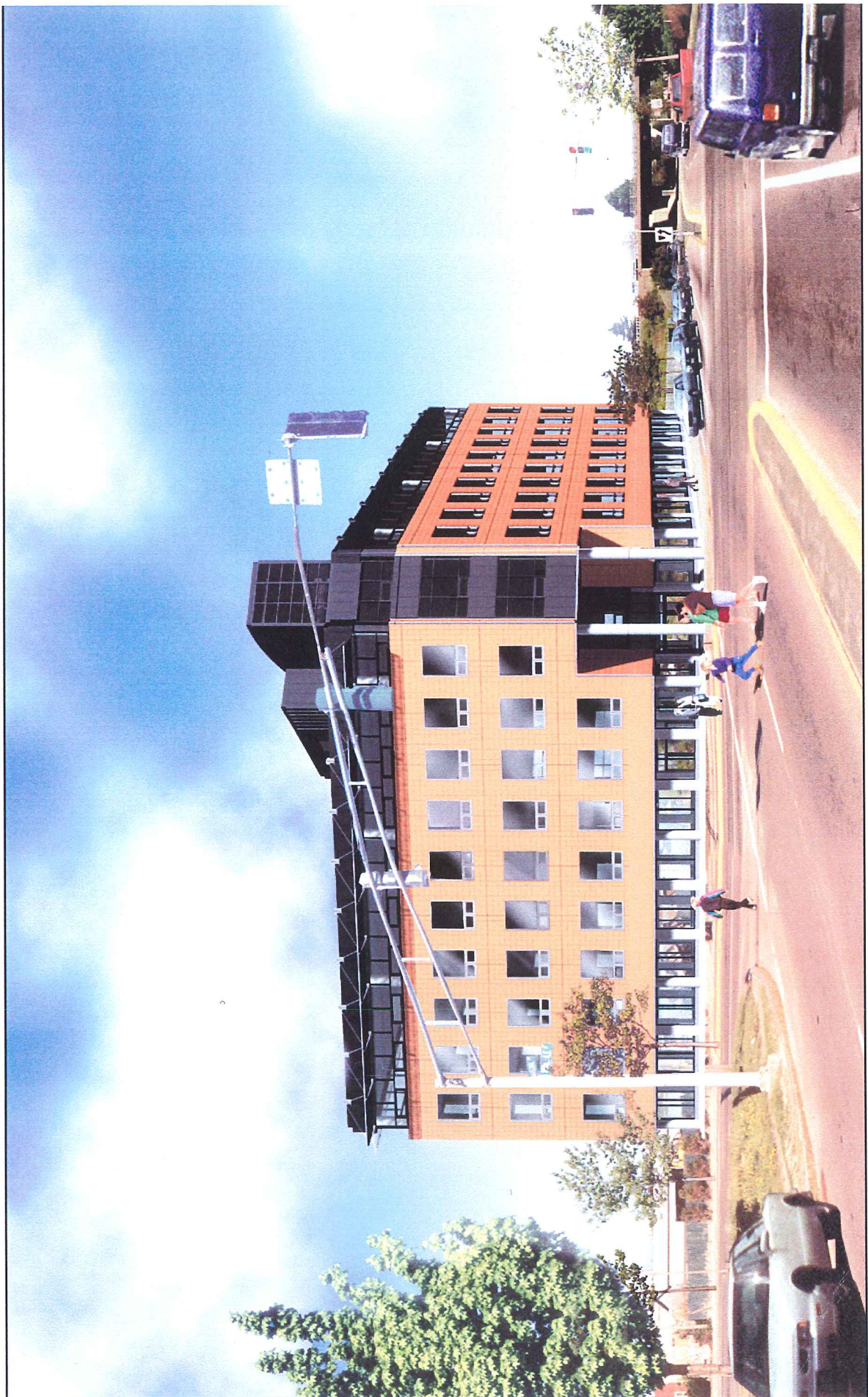
The body is sheathed in terra cotta tile reminiscent of the red/orange color of local brick. The wall surface of the central portion is proposed to be 12" square masonry. This tile is part of an exterior wall system which does not require mortar, thus eliminating the need for winter heating and tenting, and will allow construction in the middle of the winter. This system does not require mortar in its construction, thus eliminating the need for winter heating and tenting. The grid established by these tiles has dictated the opening sizes for windows and the end conditions of the walls. The masonry is visually held in place by galvanized steel angles at the corners. The window frames are natural aluminum and the glass is solar gray, which complements the overall gray color scheme of the galvanized

steel and the panels on the upper floor. The face of the frames are set at the face of the masonry, with the glass set back deep in the frame.

The crown or top story, with its projecting sunshades, creates an undulating which was accomplished a century and a half ago with Italianate detailing consisting of brackets, coffers and various moldings and decorative brickwork. The glass and panel wall on the upper floor is solar gray glass and terne (a zinc/nickel compound) coated steel panels that weather to a rich gray. We are proposing aluminum sun-shade screens on the south-east and south-west sides of the building which are attached to the parapet by aluminum rods and connected to a series of ornamental elements (antifixa) along the roofline. These antifixa remain on the other two sides to articulate the joint between the building parapet and the sky.

The corner at Preble and Marginal Way is visually important and is accented by the vertical "slot" of gray glass and a weathered terne-coated panel. This surface is extended up above the roof to connect the building with the mechanical equipment penthouse area, which we also propose being shielded with a gray metal panel. This extension, which may include some air intake louvers set back into the frame, gives an added visual emphasis to the corner.





**CITY OF PORTLAND, MAINE
SITE PLAN CHECKLIST**

Project Name, Address of Project

I.d. Number

Submitted () & Date	Item	Required Information	Section 14-525 (b,c)
	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
<u>✓</u>	(2)	Name and address of applicant and name of proposed development	a
<u>✓</u>	(3)	Scale and north points	b
<u>✓</u>	(4)	Boundaries of the site	c
<u>Yes No</u>	(5)	Total land area of site	d
<u>✓</u>	(6)	Topography - existing and proposed (2 feet intervals or less)	e
<u>✓</u>	(7)	Plans based on the boundary survey including:	2
<u>✓</u>	(8)	Existing soil conditions	a
<u>✓</u>	(9)	Location of water courses, marshes, rock outcroppings and wooded areas	b
<u>No</u>	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
<u>✓</u>	(11)	Approximate location of buildings or other structures on parcels abutting the site	d
<u>No</u>	(12)	Location of on-site waste receptacles	e
<u>✓</u>	(13)	Public utilities	e
<u>✓</u>	(14)	Water and sewer mains	e
	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
	(17)	Location and dimensions of on-site pedestrian and vehicular accessways	g
<u>✓</u>	(18)	Parking areas	g
	(19)	Loading facilities	g
<u>✓</u>	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
<u>material condition of curb</u>	(21)	Curb and sidewalks	g
	(22)	Landscape plan showing:	h
	(23)	Location of existing proposed vegetation	h
	(24)	Type of vegetation	h
<u>need more info</u>	(25)	Quantity of plantings	h
	(26)	Size of proposed landscaping	h
	(27)	Existing areas to be preserved	h
	(28)	Preservation measures to be employed	h
	(29)	Details of planting and preservation specifications	h
	(30)	Location and dimensions of all fencing and screening	i
<u>No</u>	(31)	Location and intensity of outdoor lighting system	j
<u>No</u>	(32)	Location of fire hydrants, existing and proposed	k
<u>?</u>	(33)	Written statement	c
	(34)	Description of proposed uses to be located on site	l
	(35)	Quantity and type of residential, if any	l
<u>✓</u>	(36)	Total land area of the site	b2
<u>✓</u>	(37)	Total floor area and ground coverage of each proposed building and structure	b2
<u>✓</u>	(38)	General summary of existing and proposed easements or other burdens	c3
<u>✓</u>	(39)	Method of handling solid waste disposal	4



CITY OF PORTLAND

20 March 2001

Mr. Stephen J. Bradstreet, P.E.,
Environmental Engineering & Remediation,
222 St. John Street, Suite 314,
Portland, Maine 04102

**RE: The Capacity to handle The Proposed Professional Building
Wastewater Flows, at 68-76 Marginal Way.**

Dear Mr. Bradstreet:

The existing ninety-six inch diameter reinforced concrete sanitary sewer pipe located in Marginal Way has adequate capacity to transport the anticipated wastewater flows of 3,750 GPD, from your proposed building. The Portland Water District sewage treatment facilities located off Marginal Way have adequate capacity to treat the anticipated wastewater flows of 3,750 GPD, from your proposed building.

Anticipated Wastewater Flows from the Proposed Building	
Recent Wastewater flows from 52 Marginal Way (Formerly Advanced Paper Co.)	= 48 GPD
250 Proposed Employees @ 15 GPD/Employee	= <u>3,750 GPD</u>
Total Anticipated Increase in Wastewater Flows for this Project	= 3,702 GPD

If I can be of further assistance, please call me at 874-8832.

Sincerely,
CITY OF PORTLAND
Frank Brancely
Frank J. Brancely, BA, MA
Senior Engineering Technician

FJB

- cc: Joseph E. Gray, Director, Department of Planning, & Urban Development, City of Portland
- ✓ Richard Knowland, Senior Planner, Dept. of Planning & Urban Development, City of Portland
- Katherine A. Staples, PE, Engineering Manager, City of Portland
- Bradley Roland, PE, Environmental Projects Engineer, City of Portland
- Anthony W. Lombardo, PE, Project Engineer, City of Portland
- Stephen K. Harris, Assistant Engineer, City of Portland
- Desk File

From: "stephen bushey" <bbushey@maine.rr.com>
To: Portland.CityHall(RWK)
Date: Wed, Feb 7, 2001 2:12 PM
Subject: Atlantic National Trust Bayside site development

Rick,

I have reviewed the plans dated 1/22/01 for the Atlantic National Trust project and provide the following comments:

Site Plan

1. The coordinate system shown on the drawing suggests that the south(Marginal Way) side of the building may be in the R.O.W. The applicant should respond if this is correct or not.
2. The detail sheet contains details for granite and precast concrete curb. The curb type should be labeled on the plan as to where each type is proposed.
3. The applicant should comment about snow removal and storage on the site.
4. Where will the dumpster facilities be and how will deliveries and other building services access the building?
5. Larry Ash should review the driveway locations and in particular the driveway configuration off Preble St. There does not appear to be any left turns in or out of that driveway and I wonder if it should be reconfigured for right turn movements only. The Preble st. Driveway should also have a HC ramp on the north side I believe.
6. Will the proposed building be supported on piles and what if any impact will this have on construction?
7. The site plan should identify the limits of curb removal and replacement on Preble st. and Marginal way if there will be any.
8. Larry Ash should review the parking layout for adequate circulation and for the layout of those spaces directly adjacent the driveways. Shouls a couple of spaces at the Preble st. D/W be trimmed off?
9. What, if any are the future plans for the land adjacent this lot (Post Office?) and how will this project relate to it.

Site Grading, Drainage and erosion control plan

1. The applicant should provide supporting computations for the predevelopment and postdevelopment runoff amounts, the storm drainage system pipe sizing and the water quality treatment computations related to efficiency and TSS removal. The applicant should also review and discuss the offsite system they expect to discharge to. The Public Wroks Dept. should review the systems in Marginal way and comment as to which pipe can be connected to. It may be necessary to discharge the site's runoff to the storm drain trunk line in Preble St. although I am not fully certain of the status of combined and separated sewers in that area. I do know that the City replaced the storm drain trunkline in Preble street just a few years ago.
2. The applicant must complete the plan to show proper rim and invert data.
3. It appears that grading easements will be necessary along the north and west sides of the property. Evidence of the applicant's rights to complete work in these areas is required.

4. Jeff Tarling should review the proposed landscaping and grass mixture proposed for the site.
5. All catch basin structures should be fitted with casco hoods if they have 15" dia. pipes or less.

Site Utilities

1. The water lines should identify where the shutoffs will be.
2. Has a site lighting plan be provided?
3. Will the primary power service be off a pole mounted transformer or a pad mounted transformer. If a pad mounted transformer is proposed where will it be?
4. The Public Works Dept. should review the proposed sewer connection. The applicant should also provide an ability to provide service request to the Dept. and supporting computations for wastewater flows and water demands.

Site Landscaping, striping and signage plan

1. I recommend a crosswalk be provided at the parking lot building entrance.
2. Signage identifying the parking lot entrance area as a 5 minute parking zone or something similar should be provided.
3. Cross walk striping across Preble st. should be provided.
4. Should the applicant provide designated visitor parking spaces with appropriate signage?
5. I presume the planning dept. and the city arborist will review the landscaping plan for planting selection, location, density and other issues as they relate to the City's goals for the Bayside area.
6. There is no landscaping being proposed along the west side. Is this for a reason?

If you have any questions regarding these comments please call

Steve Bushey Technical Reviewer

From: "Steve Bushey" <srbushey@maine.rr.com>
To: "Rick Knowland" <RWK@ci.portland.me.us>
Date: Thu, May 17, 2001 4:52 PM
Subject: Salt Shed Site.

Rick,

I have reviewed the latest plans dated 4/24/01 for the proposed Bayside site development. In general the site plans appear complete and acceptable for approval, notwithstanding any additional comments or concerns staff, the Board or Public Works may have. I offer these final comments:

1. The Public Works dept. should comment on the need to sawcut the existing pavement for all proposed curbing installation with the ROW.
2. The applicant should review the condition of the existing CB #2 at the proposed Marginal Way entrance. Since this will now be in the travel way, the brick and mortar work should be checked and redone if necessary to insure that the frame doesn't fall apart later on. A temporary sediment barrier such as a siltsack should also be installed at that basin during construction.
3. I recommend that the granite curbing be extended around the north side of the Preble Street D/W to the Bit. curbing otherwise it will seem odd to have three different curb types within one small area. I am also uncertain as to why Bit. curb is being proposed around the perimeter. this will be prone to damage from snowplowing most likely over time. Should the concrete curb be considered?

If you have any questions please call

Steve Bushey, Technical Reviewer

From: Larry Ash
To: Rick Knowland
Date: Wed, May 16, 2001 6:11 AM
Subject: Proposed office Building at Preble Street Extension/Marginal Way

Rick: To bring the intersection Level of Service up to an acceptable level a second (dual) left turn lane can be added on Preble Street Extension; that is, two left turn lanes from Preble St onto Marginal Way.

Tom Errico's analysis of this modification shows that the southbound lane approach and the intersection as a whole would result in LOS "D" which is acceptable to me. Without this dual left turn the LOS was expected to be "F".

There are two options for widening Preble Street to provide another turn lane, each with associated costs. The cheapest is estimated at \$42, 500 and would involve widening Preble Street by 12 feet on the easterly side. The second concept for widening is for 6 feet on both sides of Preble Street, the cost for this being aboput \$50,000. Both concepts include \$7,500 for signalization improvements.

Either modification is acceptable to me, in concept. I have not as yet seen a detailed drawing. I believe we have the right-of-way needed but I would need verification on this.

I believe it essential to require these improvements.

CC: Alex Jaegerman , William Bray

3-15-01

TO: BILL NEMMEN

FROM: RICK KNOWLAND

RE: 76 MARGINAL WAY OFFICE BUILDING

1. AS MENTIONED PREVIOUSLY, LARRY ASH (CITY TRAFFIC ENGINEER) NEEDS TO BE CONSULTED WITH ON THE PARAMETERS OF THE TRAFFIC REPORT THAT WILL BE REQUIRED.
2. THE ATTACHED SITE PLAN NOTES SHOULD BE PUT ON THE SITE PLAN
3. PROVIDE COPY OF RIGHT, TITLE OR INTEREST FOR THE ALLIED PAPER CO. SITE
4. YOU HAVE PREVIOUSLY RECEIVED WRITTEN ENGINEERING RELATED COMMENTS FROM STEPHEN BUSHEY (DATED 2-7-01) AND ANTHONY LOMBARDI (DATED 2-6-01)
5. NEED TO OBTAIN A SEWER CAPACITY LETTER FROM PUBLIC WORKS.
6. NEED TO OBTAIN A ^{WATER} SERVICE CAPACITY FROM PORTLAND WATER DISTRICT

7. THE NEW SIDEWALK ON MARGINAL WAY AND PROBLE STREET SHOULD BE LABELED AS SUCH. I ^{AM} ASSUMING THAT CONCRETE WILL BE THE SIDEWALK MATERIAL OF CHOICE. I WILL VERIFY THIS.

8. WILL THERE BE AN OUTSIDE DUMPSTER? IF YES, SHOW LOCATION AND SCREENING. IT SHOULD BE SCREENED ON ALL 4 SIDES.

OK 9. LOCATION OF NEAREST FIRE HYDRANT.

10. EXTERIOR LIGHTING ... LOCATION, LIGHTING FIXTURE CATALOG CUT, POLE HEIGHT AND PHOTOMETRIC VALUES SUPERIMPOSED ON THE SITE PLAN. ALSO ANY LIGHTING ON THE BUILDING. LIGHTING NEEDS TO BE SHIELDED AND NONGLARING.

11. PARKING REQUIREMENT:.. ALTHOUGH THE B-5 ZONING DOES NOT REQUIRE ZONING, THE SITE PLAN ORDINANCE DOES. SEE SEC 14-526 (2a) OR (2b)

12. SEE SPECIAL B-5 SITE PLAN STANDARDS SEC. 14-526 (2c)

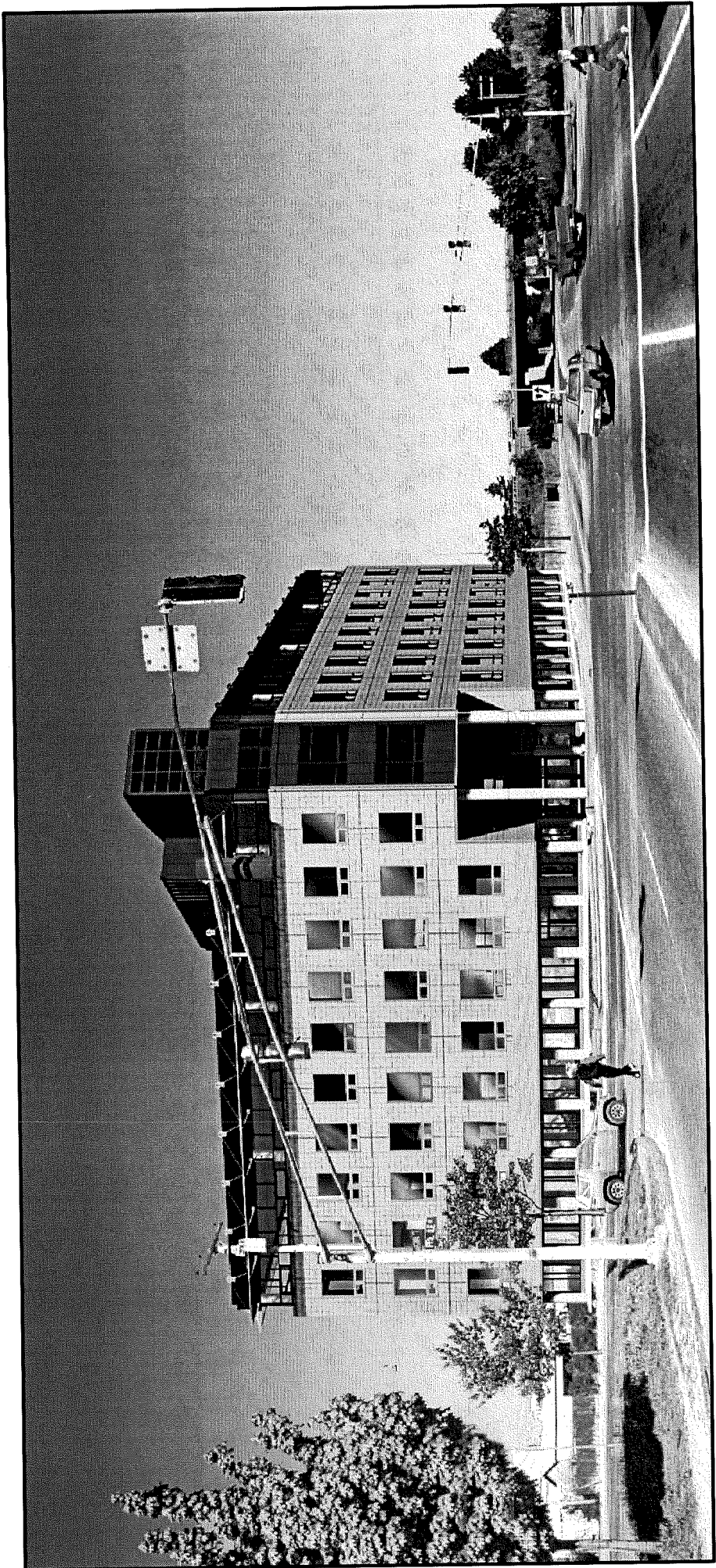
13. IS THE BUILDING WITHIN THE STREET R-O-W? PLEASE CLARIFY

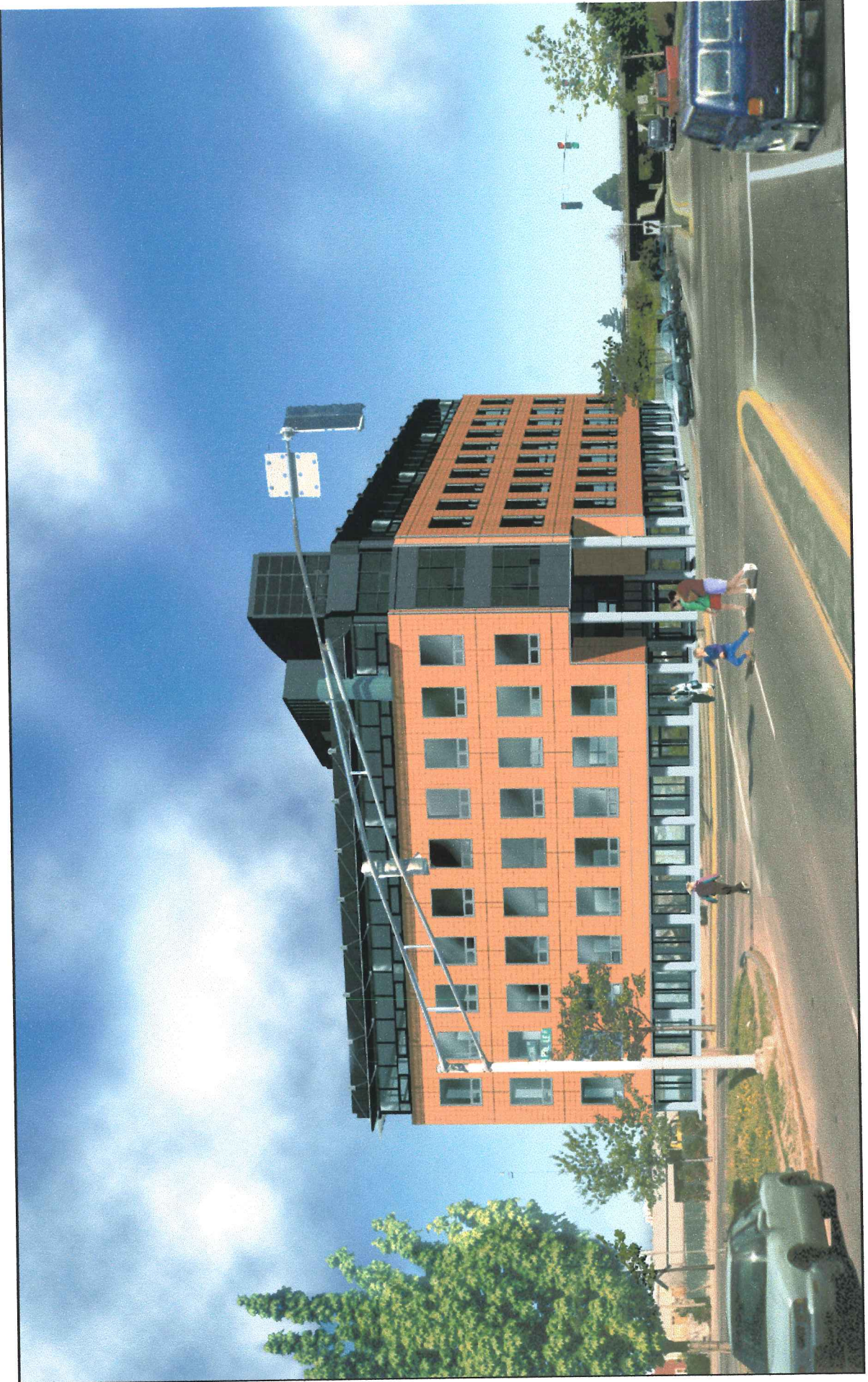
14. YOU DON'T NEED A PLANNING BOARD SIGNATURE BLOCK.

... PLANNING PLAN IS CONCEPTUAL. SHOW NUMBER OF

PLANTINGS, SPECIES AND SIZE. SHOW ^{EXISTING} LANDSCAPING IN THE ADJACENT STATE R-O-W.

16. WHAT IS THE CONDITION OF THE CURBS? INFILL CURB SHALL MEET CITY SPECIFICATIONS [THIS SHOULD BE NOTED ON THE PLAN]
17. RAILING CORRIDOR FOOTPRINT. ALEX JARGEMAN AND BILL BRAY WILL BE GOING TO MDOT SHORTLY TO GET INFO ON THE RAILING CORRIDOR FOOTPRINT AS IT PASSES BY THIS PROPERTY. WE WILL NEED AN EXTRA SITE PLAN TO MEET WITH MDOT.
18. I ASSUME THE DOWNSTREAM DESIGNER IS A WATER QUALITY. YOU WILL NEED TO PROVIDE SIZING DOCUMENTATION FOR THE UNIT RELATING TO THIS SITE.
19. WILL NEED BUILDING ELEVATIONS ON ALL 4 SIDES OF THE BUILDING FACADE. MATERIALS SHOULD BE LABELED ON THE FACADE. PLANNING BOARD WILL WANT TO SEE SAMPLE BUILDING MATERIALS. WE WILL HAVE SPECIFIC COMMENTS ON THE BUILDING ELEVATIONS SHORTLY.
20. SIGNAGE... SIZE AND LOCATION
AS MORE STAFF COMMENTS BECOME AVAILABLE, I WILL FORWARD THEM ACCORDINGLY





building materials

**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Chair Caron and Members of the Portland Planning Board
FROM: Richard Knowland, Senior Planner
DATE: September 11, 2001
SUBJECT: Bayside Office Building, 76 Marginal Way

On May 22, 2001, the Planning Board approved a site plan for a 50,000 sq. ft. office building at 76 Marginal Way (the "Salt Shed" site.) The applicant, Atlantic National Trust, is now proposing a different façade treatment to the building than what the Board approved. The applicant requests approval for the new building façade.

The basic building shell is similar to the original concept - 5 stories high, built to the street line and almost identical building footprints. Although both buildings have a base, body and top, they have different materials and architectural details.

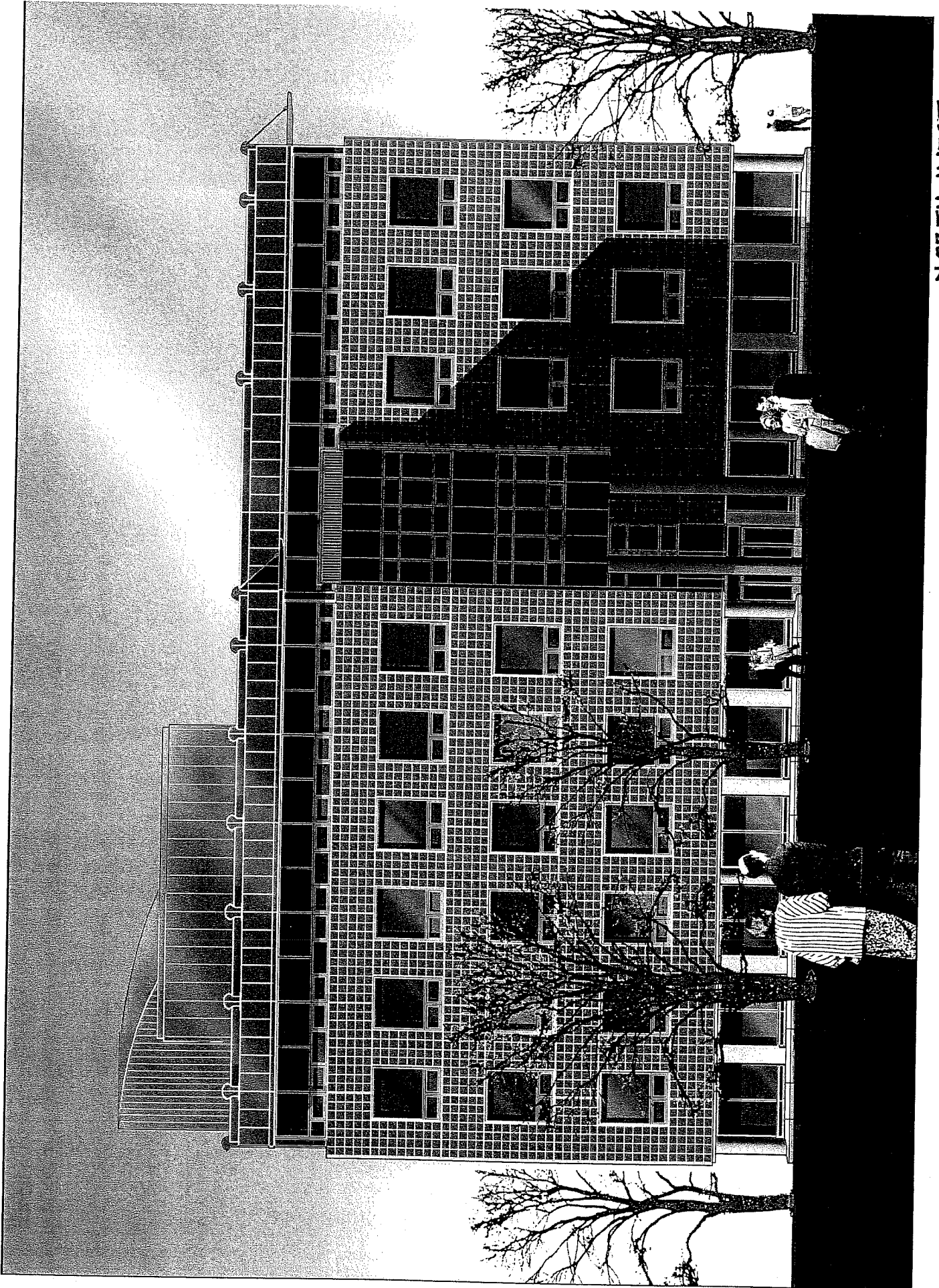
Original Façade

As the Board will recall, the primary façade was a terra cotta masonry tile. See Attachment A. The first floor had large windows giving the impression of a retail storefront, reinforced by a series of columns along the façade. The upper story of the building was capped by windows, metal trim, and metal shades. The metal trim was described as tern (zinc/nickel compound) coated steel panels. The sunshades were supported by aluminum rods and connected to a series of ornamental elements.

The Preble Street/Marginal Way corner of the building was slotted providing a very visible entrance. The corner treatment includes columns two stories high, tern metal panels and gray glass windows to the roofline. The corner treatment was further accentuated by a gray colored structure (housing mechanical equipment) integrated into the building design that rose above the roofline.

Proposed Façade

The proposed façade design is simpler and more conservative than the original façade design. Attachment B includes a description of the changes, building elevations and some material information. The primary exterior material is red brick (standard size). The base of the building will have a ground face masonry unit (gray in color) punctuated by large windows. This masonry material is continued along the roofline and as an accent strip below the fifth floor. The first floor windows will be clear glass while the upper story glazing has a tint of blue.



NORTH WEST

ATLANTIC BAYSIDE SQUARE, LLC
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

January 15, 2002

Re: Bayside Square Office Building


Dear Rick,

Based on our meeting last week, I have enclosed information relating to minor design improvements we are proposing for the Bayside Office building which is now under construction. These improvements are as follows:

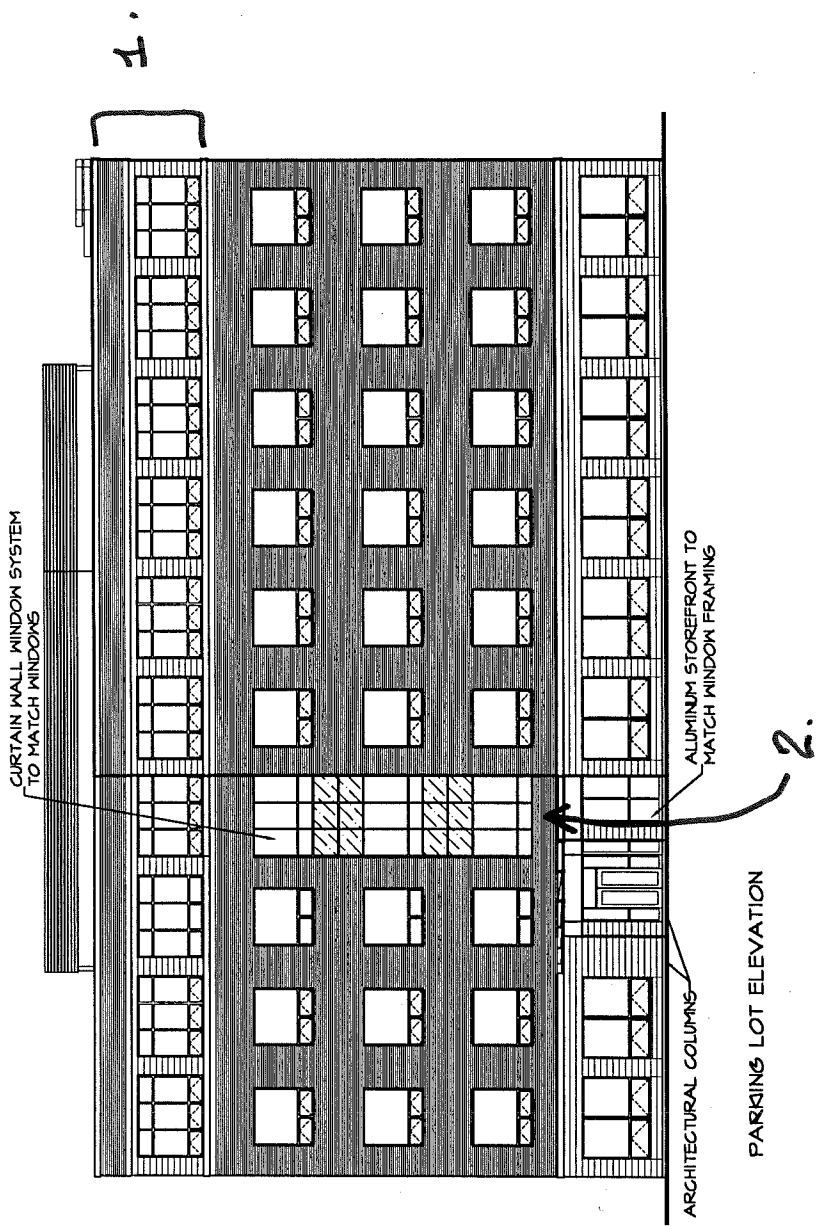
1. Re-ordering the ground face masonry and brick at the fifth floor level in order to project a definite "top" to the building by placing brick as the top element as opposed to ground face masonry which tends to "disappear" into the sky. The ground face masonry will now be used around the fifth floor windows as shown on the attached plan.
2. Parking Lot Elevation: The fifth floor window treatment is continued on the South side and replaces the curtain wall at that level so that again, a more definite visual top is obtained.
Add horizontal brick treatment at the intersection of the curtain wall and the canopy for structural and design continuity reasons. This treatment is repeated at the Marginal Way/Preble Street entrance.
3. Marginal Way/Preble Street intersection elevations: Add a more prominent "crown" to the top of the curtain wall that not only continues the theme of the fifth floor brick and masonry, but also adds a more finished focal piece to the top of this corner.
4. Glazing will be changed from blue to gray except on the first floor which remains clear as before. Blue glass would have necessitated blue spandrel glass in certain areas to hide interior structural members or elevator machinery. We think this would have looked gaudy. The gray is a better fit with the building. Window and door frames will be in a matching "Sea Wolf" light gray as submitted to you last Friday.

These revisions are as shown on the new elevation drawings submitted herewith. We feel that, although minor changes, they bring the more dominant traditional elements of the building into a better relationship while still maintaining the impact of the expansive glass areas and the entrances as the focal points of the building. We hope that you will find these improvements suitable for your approval.

Sincerely,


Steven A. Shaw

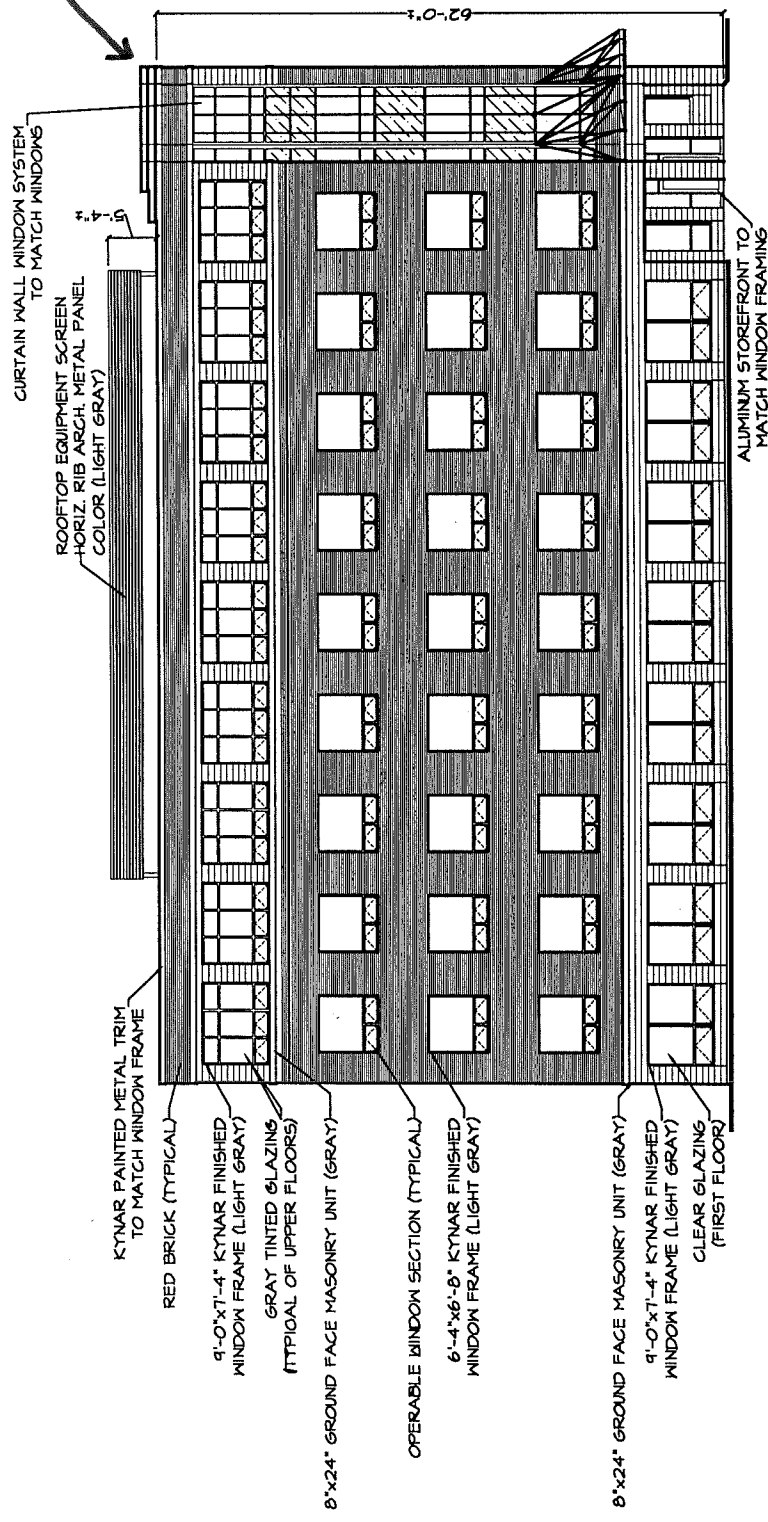
- ELEV. - 162'-0" ±
ROOF TRIM
- ELEV. - 144'-0"
FIFTH FLOOR
- ELEV. - 136'-4"
FOURTH FLOOR
- ELEV. - 124'-6"
THIRD FLOOR
- ELEV. - 112'-3"
SECOND FLOOR
- ELEV. - 100'-0"
FIRST FLOOR



BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE
 JANUARY 14, 2002



3.

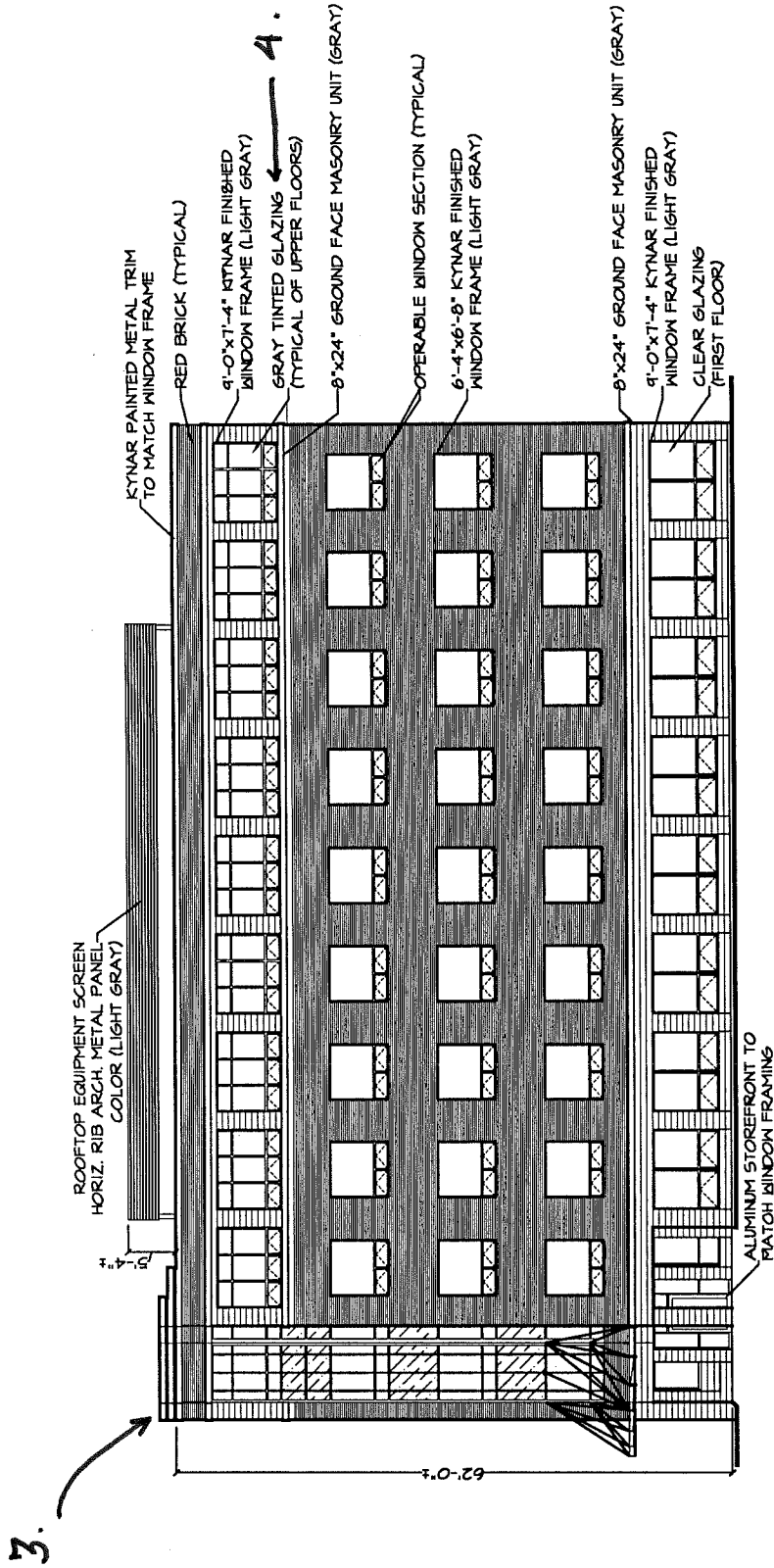


MARGINAL WAY ELEVATION



BAYSIDE OFFICE BUILDING
PORTLAND, MAINE

JANUARY 14, 2002



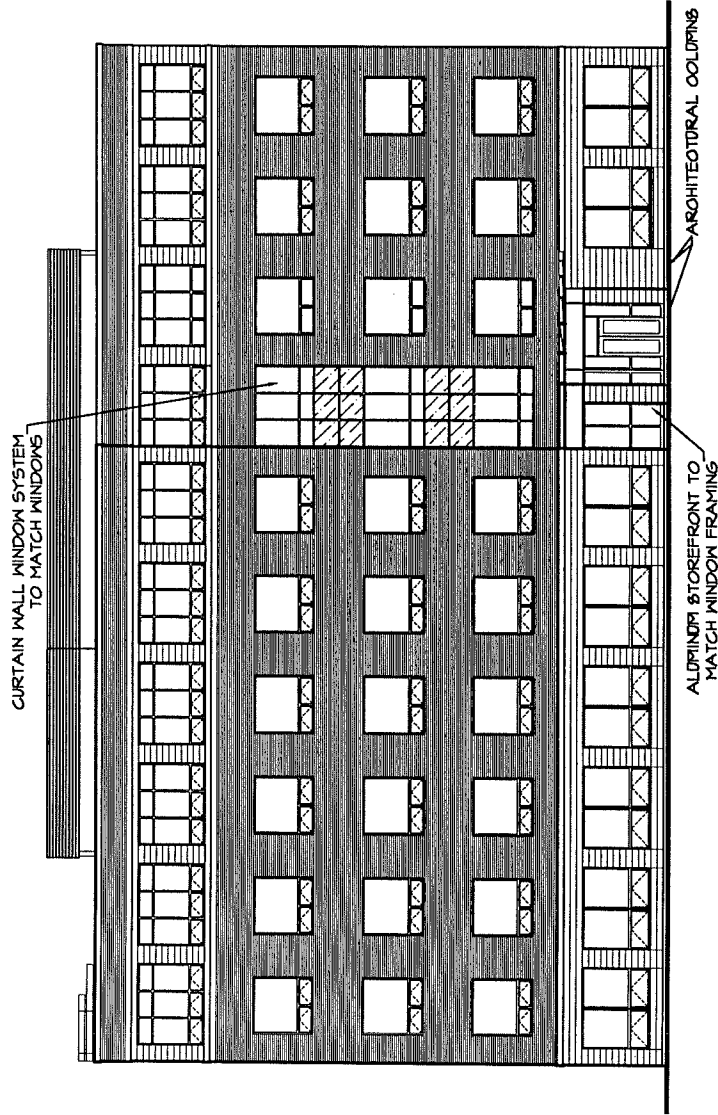
PREBLE STREET ELEVATION



CONSTRUCTION CORPORATION

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE

JANUARY 14, 2002



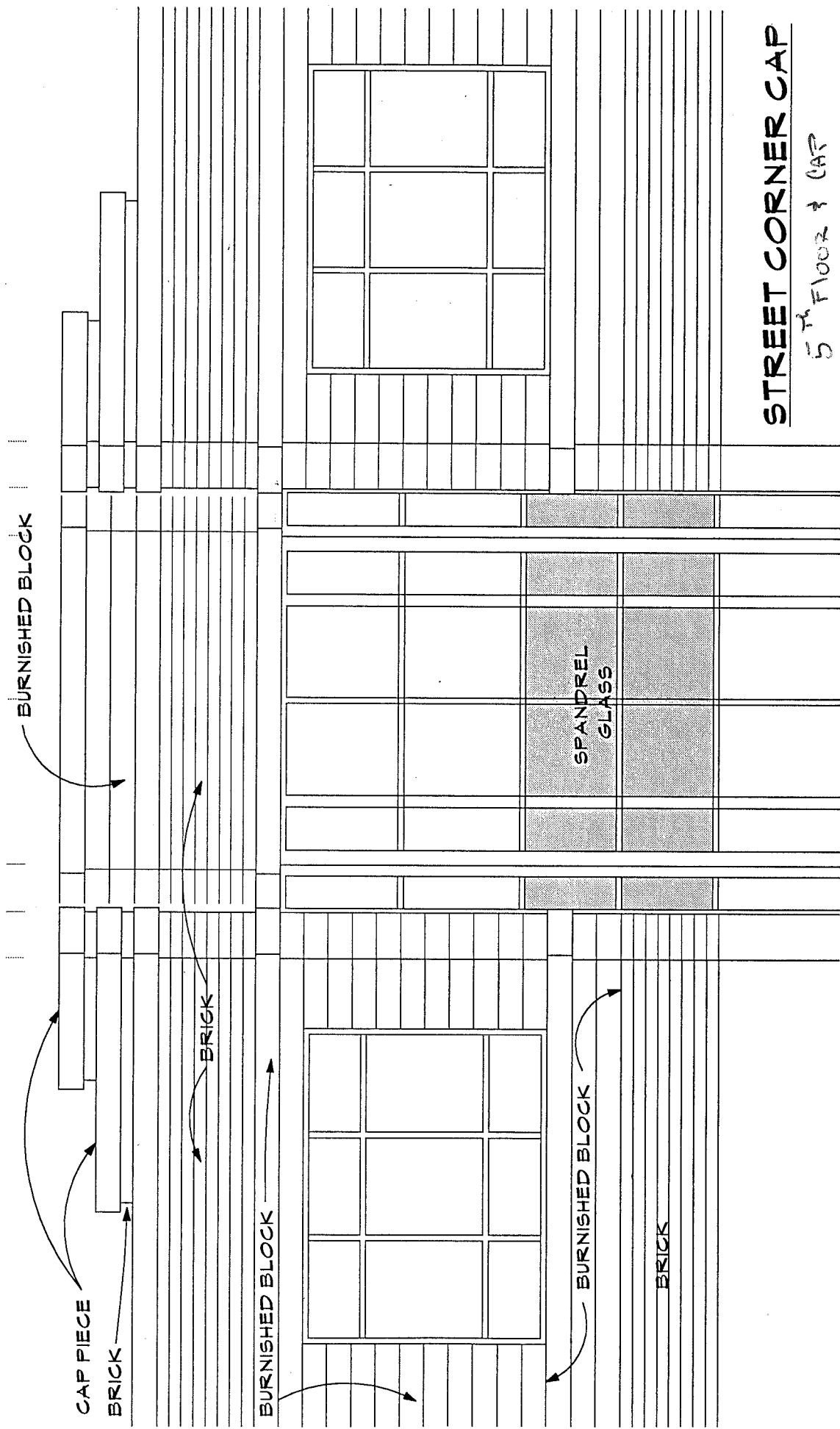
- ELEV. - 162'-0" ±
 ROOF TRIM
- ELEV. - 149'-0"
 FIFTH FLOOR
- ELEV. - 136'-4"
 FOURTH FLOOR
- ELEV. - 124'-6"
 THIRD FLOOR
- ELEV. - 112'-3"
 SECOND FLOOR
- ELEV. - 100'-0"
 FIRST FLOOR

1-295 ELEVATION

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE
 JANUARY 14, 2002



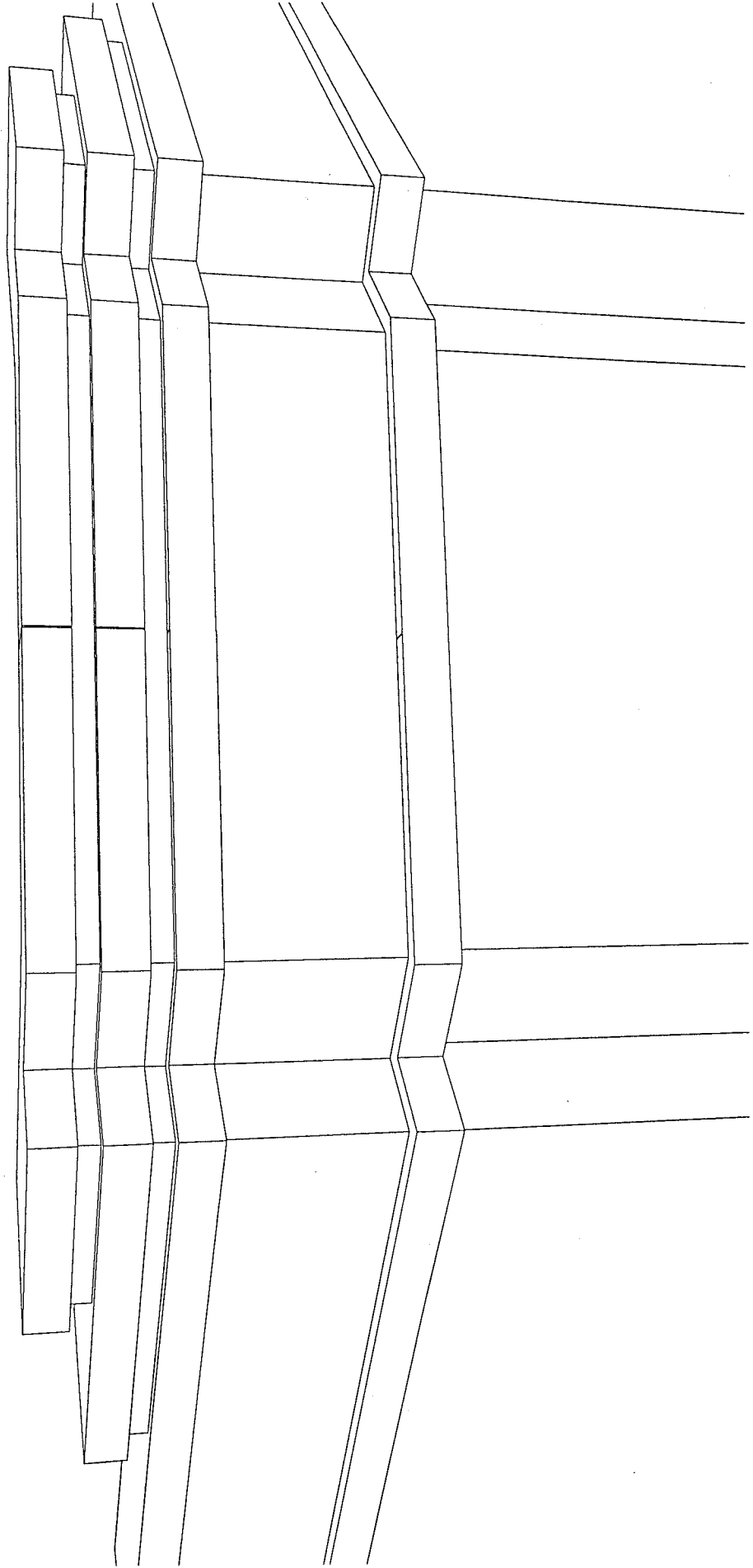
1/15/02



STREET CORNER CAP
5TH FLOOR & CAP

Bayside Office Building

1/15/02



"Perspective" of corner "CA?"

Bayside Office Building

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

October 4, 2001

OPECHEE Construction Corp.
Mr. Tom Daigneault, Vice President
11 Corporate Drive
Belmont, NH 03220

RE: Bayside Office Building, 76 Marginal Way
(APPL ID 2001-0011 CBL 034A A002001)

Dear Mr. Daigneault,

On September 25, 2001, the Portland Planning Board voted 6 to 1 (Caron opposed) that a proposed revision to the building façade for an office building (vicinity of 76 Marginal Way) is in conformance with the Site Plan Ordinance subject to the following condition.

- i. That the final details of the entryway treatment at the main entrances of the building, the building mounted light fixture, and the pedestrian light pole fixtures (Preble Street side) shall be submitted for Planning Staff review and approval.

The approval is based on the submitted application site plan, and stated conditions. If there are any questions, please contact the Planning Staff.

Sincerely,



Jaimey Caron, Chair
Portland Planning Board

cc: Alexander Jaegerman, Chief Planner
Richard Knowland, Senior Planner
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Jay Reynolds, Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer
Eric Labelle, City Engineer



CITY OF PORTLAND

October 4, 2001

OPECHEE Construction Corp.
Mr. Tom Daigneault
11 Corporate Drive
Belmont, NH 03220

RE: Bayside Office Building, Vicinity of 76 Marginal Way
(APPL ID 2001-0011, CBL 034A A002001)

Dear Mr. Daigneault,

This letter is to confirm that the Portland Planning Authority has reviewed and approved certain revisions to the Bayside office building (vicinity of 76 Marginal Way) site plan. The approved revisions include reconfiguring certain parking spaces to compact spaces resulting in a total of 184 on-site parking spaces; reconfiguring the building footprint by the front and rear building entrances; eliminating a minor walkway from the westerly side of the building; adding light fixtures along the face of the building and three light poles along Preble Street.

These revisions are described in a letter dated September 5, 2001 and September 24, 2001 from Stephen Bradstreet of EER.

Should you have any questions concerning this letter please contact the Planning Office.

Sincerely,

Alexander Jaegerman,
Chief Planner

cc: ✓ Richard Knowland, Senior Planner
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Jay Reynolds, Development Review Coordinator
William Bray, Deputy Director/City Traffic Engineer



FAX TRANSMITTAL COVER SHEET

Date: 9/21/01

To: City of Portland, Me - Planning Dept
Jay Reynolds
Phone: 207-874-8725
Fax: 207-756-8258

From: Tom Daigneault

Pages: Cover plus two

RE: Bayside Square LLC

Jay:

I have attached my best estimate of the items for the performance guarantee for the Bayside project. Please call with any questions. The owners representative in Portland will be the one who actually brings in the original forms. His name is Steve Shaw. We are hoping to have all sign offs from the Planning Dept. early next week.

Thank you.

Tom

OK'd. 10-5 J.R.

Department of Planning and Urban Development
SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: _____

Name of Project: BAYJIG OFFICE BLDG

Address/Location: 76 MARSHALL WAY

Developer: _____

Form of Performance Guarantee: _____

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

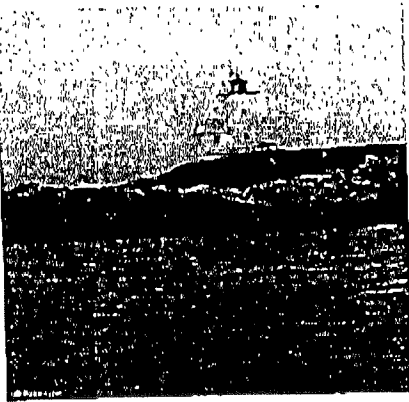
TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road - sf	<u>9,000</u>	<u>2</u>	<u>18,000</u>	<u>62,800</u>	<u>72</u>	<u>45,216</u>
Granite Curbing -new-1f	<u>300</u>	<u>20</u>	<u>6,000</u>	<u>1,400</u>	<u>8</u>	<u>11,200</u>
Sidewalks - sf-concrete	<u>5,625</u>	<u>6</u>	<u>33,750</u>	<u>3,750</u>	<u>10</u>	<u>37,500</u>
Sidewalks - sf-pave	<u>3,000</u>	<u>2</u>	<u>6,000</u>			
Island Concrete- cy	<u>75</u>	<u>150</u>	<u>11,250</u>			
Street Lighting Striping	<u>1</u>	<u>2,000</u>	<u>2,000</u>	<u>166</u>	<u>4</u>	<u>664</u>
Street Opening Repairs -1s	<u>1</u>	<u>5,000</u>	<u>5,000</u>			
Other -relocate curb-1f	<u>1,300</u>	<u>10</u>	<u>13,000</u>			
Signal - 1s	<u>1</u>	<u>28,000</u>	<u>28,000</u>			
2. EARTH WORK						
Cut	<u>500</u>	<u>8</u>	<u>4,000</u>	<u>1,000</u>	<u>7</u>	<u>7,000</u>
Fill	<u>500</u>	<u>10</u>	<u>5,000</u>	<u>4,000</u>	<u>9</u>	<u>36,000</u>
Esplanada - sf	<u>3,000</u>	<u>2</u>	<u>6,000</u>			
3. SANITARY SEWER						
Manholes - lower	<u>1</u>	<u>1,000</u>	<u>1,000</u>	<u>1</u>	<u>3,500</u>	<u>3,500</u>
Piping				<u>115</u>	<u>20</u>	<u>2,300</u>
Connections				<u>1</u>	<u>2,500</u>	<u>2,500</u>
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other						
4. WATER MAINS						
	<u>50</u>	<u>50</u>	<u>2,500</u>			
5. STORM DRAINAGE						
Manholes - slate	<u>1</u>	<u>3,000</u>	<u>3,000</u>			
Catchbasins	<u>2</u>	<u>4,000</u>	<u>8,000</u>	<u>9</u>	<u>3,000</u>	<u>27,000</u>
Piping	<u>20</u>	<u>25</u>	<u>500</u>	<u>450</u>	<u>25</u>	<u>11,400</u>
Detention Basin						
Stormwater Quality Units				<u>1</u>	<u>10,000</u>	<u>10,000</u>
Other - clear existing	<u>1</u>	<u>10,000</u>	<u>10,000</u>			

6. SITE LIGHTING	<u>3</u>	<u>2,000</u>	<u>6,000</u>	<u>8</u>	<u>2,000</u>	<u>16,000</u>
7. EROSION CONTROL						
Silt Fence				<u>600</u>	<u>2.5</u>	<u>1,500</u>
Check Dams						
Ripe Inlet/Outlet Protection						
Level Lip Spreader						
Slope Stabilization						
Geotextile						
Hay Bale Barriers						
Catch Basin Inlet Protection				<u>10</u>	<u>100</u>	<u>1,000</u>
8. RECREATION AND OPEN SPACE AMENITIES						
9. LANDSCAPING - 1s (Attach breakdown of plant materials, quantities, and unit costs)	<u>1</u>	<u>15,000</u>	<u>15,000</u>	<u>1</u>	<u>30,700</u>	<u>30,700</u>
10. MISCELLANEOUS - traffic control, etc.	<u>1</u>	<u>10,000</u>	<u>10,000</u>			
TOTAL:		<u>\$188,000</u>	<u>194,000</u>		<u>\$243,480.00</u>	
GRAND TOTAL:					<u>\$437,480.00</u>	

INSPECTION FEE (to be filled out by the City)

	<u>PUBLIC</u>	<u>PRIVATE</u>	<u>TOTAL</u>
A: 2.0% of totals:	<u>(3,070.00)</u>	<u>(4,869.60)</u>	<u>(8,749.60)</u>
or			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	<u>J.R.</u>	<u>J.R.</u>	<u>J.R.</u>
	(name)	(name)	



ATLANTIC NATIONAL TRUST, LLC
d/b/a ATLANTIC CAPITAL INVESTMENTS
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

Fax Transmission

TO: R. KNEWLAND

DATE: 10-5-07

FROM: Steve Shaw

Pages (including cover):

5

FAX:

RE: Boyside Square.

Rick,

Per your request I attached
the D.O.T. Storm Drain easement
signed by D.O.T.

All easements/licenses will be
signed by Atlantic @ closing on the
Salt Shed parcel.

~~Steve Shaw~~

~~Steve Shaw~~

DRAINAGE AGREEMENT, LICENSE AND GRANT OF EASEMENT

This Agreement is made this ____ day of _____, 2001, by and between Atlantic Bayside Square, LLC ("Owner"), and the State of Maine, acting by and through its Department of Transportation ("State"), as successor to the State Highway Commission.

I. RECITALS

1. Owner owns a certain parcel of land (the "ABS Property") located at the northwesterly corner of the intersection of Marginal Way and Preble Street Extension in the City of Portland, County of Cumberland, State of Maine; said ABS Property is more particularly described in a deed from the City of Portland dated _____ and recorded in the Cumberland County Registry of Deeds in Book _____, Page _____, and a deed from Theodore V. West dated May 17, 2001 and recorded in said Registry of Deeds in Book 16325, Page 357.

2. The State maintains a drainage system (the "Drainage System") for the purpose of flowing water over, across and through property acquired in fee simple by the State of Maine by its State Highway Commission in a Notice of Layout and Taking dated October 16, 1968, recorded in the Cumberland County Registry of Deeds in Book 3062, Page 837 (the "State Property"). Said property is shown on a plan entitled "Maine State Highway Commission - Right of Way Map - State Highway '295' - 14 - Portland - Cumberland County - Federal Aid Project No. I-295-3(30) - U-014-1(1) Preble St. Ext." dated Jan. 1967 - Dec. 1967, S.H.C. File No. 3-185, Sheet 62 of 73 Sheets, on file at the Maine Department of Transportation.

3. Owner plans to undertake new construction on the ABS Property, which construction includes the installation of storm drains. In conjunction with the installation of the storm drains, Owner desires to connect to the Drainage System by installing a six foot (6') catch basin in the existing forty-two inch (42") drainage pipe on the State Property that runs generally parallel to the northeasterly boundary of the ABS Property.

II. DRAINAGE AGREEMENT AND LICENSE

In consideration of the mutual covenants contained herein, the receipt and sufficiency whereof are hereby acknowledged, the State and Owner hereby agree as follows:

1. The State shall permit Owner to connect with and modify the Drainage System by installing a 6' catch basin in the State's existing 42" drainage pipe at approximately Station 37+55, 188' right, Preble St. extension stationing as shown on the Right of Way plan referenced in Section I, Paragraph 2, above. Said structure to be approximately five feet from the ABS Property's northerly line.

2. The State shall permit Owner to install and connect fifteen-inch (15") and eighteen-inch (18") storm drains to said 6' catch basin. Said storm drains extend in general northerly direction from the ABS Property onto the State Property.
3. The materials and location of said catch basin and storm drains, as they affect the State Property, are subject to approval by the State.
4. Owner agrees to comply with all municipal, state and federal laws, including but not limited to zoning, land use and environmental laws, and shall obtain all permits, if any, necessary for Owner's proposed connection to the Drainage System.
5. Owner's connection to the Drainage System shall be at Owner's sole cost and expense.
6. Owner shall be responsible for maintenance of the 6' catch basin and 15" and 18" storm drains connected thereto from the ABS Property. Such maintenance shall conform to the State's standard maintenance practices.
7. The State hereby grants Owner a license to enter on to the State Property for the purpose of installing and maintaining the 6' catch basin, and installing, connecting and maintaining said 15" and 18" storm drains to said catch basin.
8. Owner shall not cause any floor, foundation or other drains or drainage to enter the State's Drainage System, except for runoff entering from the State Property or the ABS Property.
9. The State shall provide Owner with written notice of any breach in the terms of this Agreement; and Owner shall have thirty days from the receipt of such notice to commence curative action of such breach. In the event Owner fails to commence curative action within 30 days or fail to carry out said curative action to completion satisfactory to the State; or in the event of any circumstances related to the Owner's connection the Drainage System that the State deems to be an emergency to which Owner is unwilling or unable to adequately respond, then the State shall have the right to cure such breach or emergency without giving notice to Owner and Owner shall pay to the State all reasonable costs and expenses related to the State's curative action. In addition, in the event of such a breach of any of the terms of this Agreement the State, in its sole discretion, shall have the option of terminating this Agreement and dismantling the catch basin and storm drains installed on the State Property by Owner.
9. As a condition of this Drainage Agreement and Grant of Easement, Owner, its successors and assigns, shall indemnify and hold harmless the State from any and all claims, losses, costs, damages, demands, governmental actions, or causes of action whatsoever arising out of the Owner's modification, connection to, construction, installation, maintenance, use or repair of the Drainage System or other appurtenances associated with this Agreement.

III. GRANT OF EASEMENT

1. Owner hereby grants and conveys a perpetual easement to the State to enter the ABS Property as referenced in Section I, Paragraph 1, above, at all times for the purpose of inspecting Owner's drainage system, and for the additional purposes of repair, maintenance, cleaning and/or dismantling in the event the State conducts curative action pursuant to Section II, Paragraph 9, above.

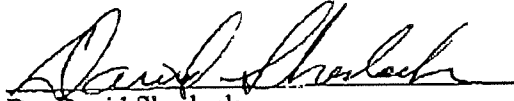
2. This Easement shall burden the ABS Property described in Section I, Paragraph 1, above.

THIS AGREEMENT, LICENSE AND GRANT OF EASEMENT shall be binding upon the State and Owner, their respective heirs, successors and assigns.

OWNER WAIVES any further compensation from the State arising from the terms of this Agreement and Grant of Easement or on account of any rights or interests herein.

In witness thereof, the parties have hereunto set their hands and seals on the day and date set forth above.

**STATE OF MAINE
DEPT. OF TRANSPORTATION**



By: David Sherlock
Its Assistant Division Engineer, duly
authorized

ATLANTIC BAYSIDE SQUARE, LLC

By: Theodore V. West
Its Manager, duly authorized

STATE OF MAINE

_____, ss. _____, 2001

Personally appeared before me the above-named Theodore V. West in his capacity as Manager of Atlantic Bayside Square, and acknowledged the foregoing to be his free act and deed in his said capacity and the free act and deed of Atlantic Bayside Square.

Attorney at Law/Notary Public
Print Name:
My commission expires:
Seal:

H\LEGAL\SHARED\ANTUGHES\DRAINAGE\PORTLAND\AGREEMENT

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

June 18, 2001

Mr. William Nemmers
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Bayside Office Building, Vicinity of 68-76 Marginal Way

Dear Mr. Nemmers.

On June 12, 2001 the Portland Planning Board voted on the following motions for a proposal by Atlantic National Trust for a proposed 50,000 sq. ft. office building in the vicinity of 68-76 Marginal Way.

1. The Planning Board voted 7-0 that the plan was in conformance with the site plan ordinance of the land use code with the following conditions of approval:
 - i. That a revised lighting plan shall be submitted for Planning Staff review and approval.
 - ii. That the site plan shall be revised reflecting granite curb along that portion of the Marginal Way property frontage that has existing concrete curb.
 - iii. That the applicant receives an easement from MDOT to use the existing storm drain system (along the northerly property line) within the I-295 right-of-way.
 - iv. That the applicant receives City approval for a license to install plantings and to construct a sidewalk within the public right-of-way.
 - v. That dimensioned drawings of the final building elevations for all 4 sides of the building shall be submitted for Planning Staff review and approval.

2. The Planning Board voted 7-0 that the plan was in conformance with 23 MRSA 704-A and chapter 305 rules and regulations pertaining to traffic movement permits with the following conditions of approval:

- i. That plan shall be revised reflecting the comments of Larry Ash, City Traffic Engineer, in a memo dated 6-14-01 (attached).
- ii. Should off-site parking be used for this development, the applicant shall submit a revised traffic analysis for review and approval by the City Traffic Engineer.
- iii. Should it be determined that the Preble Street driveway needs to be eliminated, the site plan shall be revised according

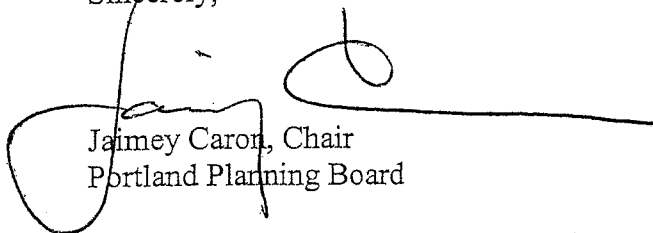
Please note the following provisions and requirements for all site plan approvals:

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 work's 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 approval is based on the submitted application, site plan, and stated conditions. If there are any questions, please contact the planning staff.

Sincerely,



Jaimey Caron, Chair
Portland Planning Board

CC: Alexander Jaegerman, Chief Planner
Mike Nugent, Inspections Service Manager
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Jay Reynolds, Development Review Coordinator
Larry Ash, 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
Stephen Bradstreet, Environmental Engineering and Remediation, 222 St. John
Street, Suite 314, Portland, ME 04102
Approval Letter

**CITY OF PORTLAND, MAINE
DEPARTMENT OF PUBLIC WORKS
OPERATIONS/ENGINEERING - INSPECTIONS
M E M O R A N D U M**

TO: Rick Knowland, Planning
FROM: Larry Ash, Traffic Engineer *LA*
DATE: June 14, 2001
SUBJECT: Bayside Site Development

As per discussion at the Planning Board Public Hearing, Tuesday, June 12, 2001 I have the following recommendations for this proposed development:

1. That a second left turn lane be added to turn left from Preble Street onto Marginal Way thus creating a dual left turn lane. Plans prepared by Environmental Engineering and Remediation is an acceptable geometric realignment or design; this allows for approximately 6 feet to be added on each side of Marginal Way along with modification to the median. Appropriate pedestrian timings for this added distance will be taken into account and this added pedestrian time will not take time away from vehicular timing movements.
2. The median in Marginal Way on the westerly side of the intersection should be extended to prevent left turns onto Marginal Way from Hanover Street. Additionally, the nose of the median should be modified to improve the turning radius (50 ft) for vehicles turning north to west or left from Elm Street onto Marginal Way.
3. Should the right-in/right-out only driveway on Preble Street be permitted to remain functional then, and only then, should the median in Preble Street be extended to prevent any possibility of left turns out onto Preble Street.
4. That given high right turning volumes from Marginal Way onto Preble Street (northbound), an exclusive right turn lane be added. This right turn lane will also contribute to an improvement in the level of service.
5. My recommendation is that the developer/applicant pay for these traffic improvements.

cc: William J. Bray, P.E., Director of Public Works
Katherine Staples, P.E., Engineering Manager
Alex Jaegerman, Planning
Penny Littel, Corporation Counsel

Memorandum

Project: Bayside Office Building

Project No.

Date: 06/12/2001

To: Rick Knowland

Tel:
Fax: 756:8258

From: Bill Nemmers

Tel: 207-775-6141
Fax: 207-773-0194

Re: Attachment "O" MDOT letter re: road-edge setback

Rick:

For your information I reviewed the location of our proposed building with respect to the (4) points in the memo (from Penny Littell) which you sent me.

Her Memo indicated that no building be constructed:

- 1) Within the right-of-way: Our building is situated totally within our property line and NOT in the MDOT right-of-way.
- 2) Within 33 feet of the Centerline: Preble street here has a 120 foot right-of-way. Our building is therefore 60 feet from the centerline which is greater than the 33 allowed.
- 3) Within 20 feet from the edge of paving: According to our survey, the building is sited at least 30 feet from the existing paving edge at the Preble Street side.
- 4) Reconstruction of existing buildings: This project is not a reconstruction of an existing building.

It is my contention that, since none of the above conditions are present in our submittal, we are in compliance with 23 M RSA sec. 1401.

Bill Nemmers

*****-PORTLAND, MAINE - *****
 -TFH ARCHITECTS
 7568258 634 8 000/001 00:00:00
 STATION NAME/TEL. NO. PAGES DURATION
 STN NO. COM RBBR NO. STATION NAME/TEL. NO. PAGES DURATION
 FILE NO. = 146
 MODE = MEMORY TRANSMISSION
 START-JUN-12 16:25
 END-JUN-12 16:47
 *****-COMM, JOURNAL- ***** DATE JUN-12-2001 TIME 16:47 *** P.01

DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

RICHARD KNOWLAND
SENIOR PLANNER

9-28-01

LARRY,

ATTACHED IS AN ESTIMATE FOR
THE PERFORMANCE GUARANTEE FOR
THE BAYSIDE OFFICE BLOC. THE
ESTIMATE LINGO MARKCO "L"
REPRESENTS YOUR TRAFFIC IMPROVE-
MENTS. IS THIS AN ADEQUATE
AMOUNT OF MONEY, PLEASE LET
ME KNOW.

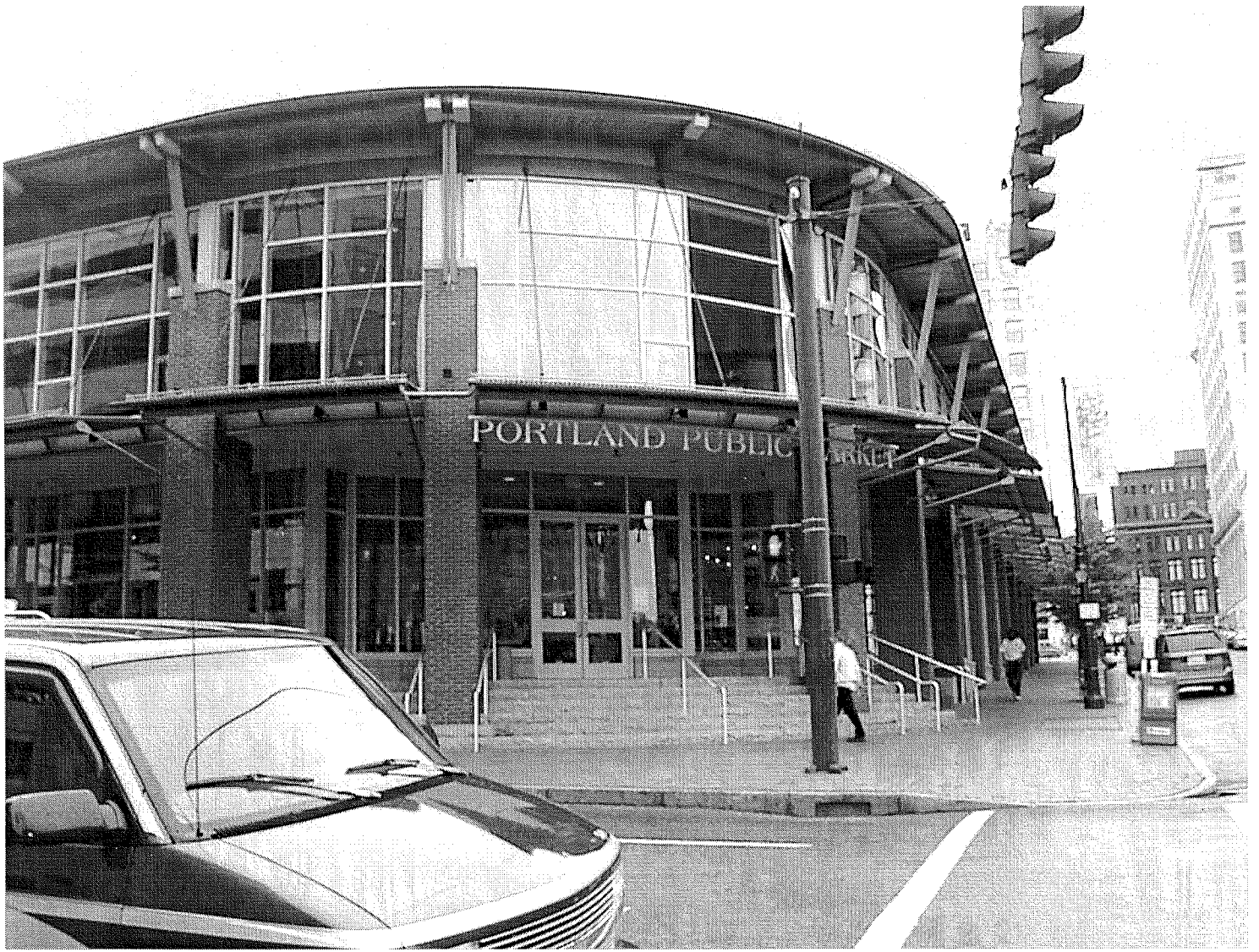
THE TOTAL IS ~~131,250~~ ^{98,250} PLUS \$10,000
FOR TRAFFIC CONTROL.

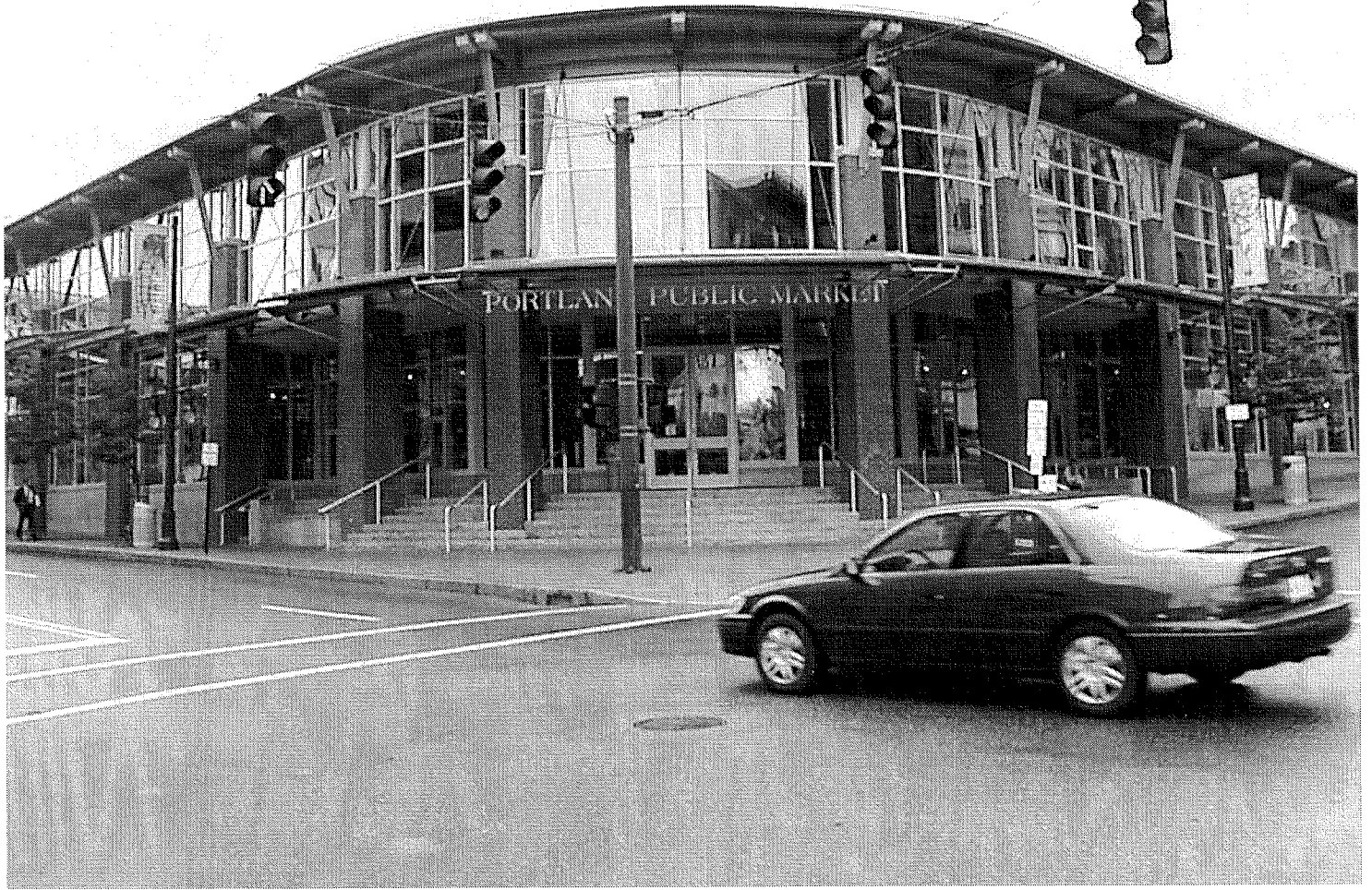
From: Larry Ash
To: Rick Knowland
Date: Thu, Sep 27, 2001 2:14 PM
Subject: Bayside Site Development--Salt Shed site

Rick: I have reviewed plans for modification of vehicle travel lanes at the intersection of Preble St@ Marginal Way and am in agreement with the plans as presented by Tom Errico, dated 9/20/2001.

From: Anthony Lombardo
To: Jay Reynolds
Date: Thu, Oct 4, 2001 6:58 AM
Subject: Bayside Square

Jay,
I just received the estimate this morning in inter-office mail. I've reviewed the numbers and it all appears in order.





Department of Planning and Urban Development
SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: _____

Name of Project: _____

Address/Location: _____

Developer: _____

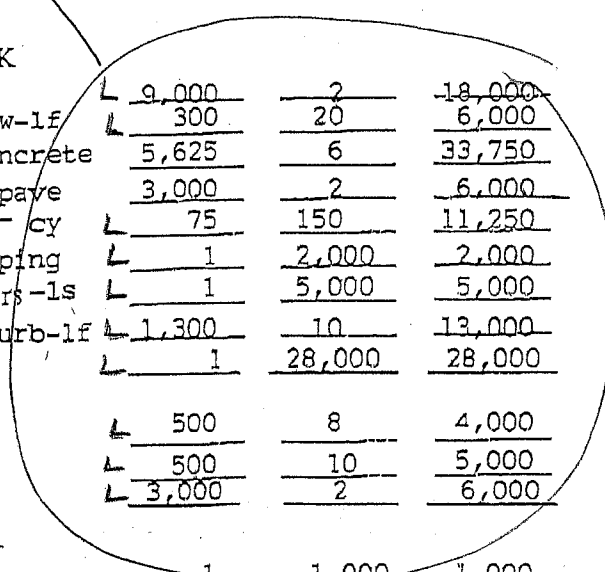
Form of Performance Guarantee: _____

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

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road - sf	<u>9,000</u>	<u>2</u>	<u>18,000</u>	<u>62,800</u>	<u>72</u>	<u>45,216</u>
Granite Curbing -new-lf	<u>300</u>	<u>20</u>	<u>6,000</u>	<u>1,400</u>	<u>8</u>	<u>11,200</u>
Sidewalks - sf-concrete	<u>5,625</u>	<u>6</u>	<u>33,750</u>	<u>3,750</u>	<u>10</u>	<u>37,500</u>
Sidewalks - sf-pave	<u>3,000</u>	<u>2</u>	<u>6,000</u>			
Island Concrete- cy	<u>75</u>	<u>150</u>	<u>11,250</u>			
Street Lighting Striping	<u>1</u>	<u>2,000</u>	<u>2,000</u>	<u>165</u>	<u>4</u>	<u>664</u>
Street Opening Repairs -1s	<u>1</u>	<u>5,000</u>	<u>5,000</u>			
Other -relocate curb-lf	<u>1,300</u>	<u>10</u>	<u>13,000</u>			
Signal - 1s	<u>1</u>	<u>28,000</u>	<u>28,000</u>			
2. EARTH WORK						
Cut	<u>500</u>	<u>8</u>	<u>4,000</u>	<u>1,000</u>	<u>7</u>	<u>7,000</u>
Fill	<u>500</u>	<u>10</u>	<u>5,000</u>	<u>4,000</u>	<u>9</u>	<u>36,000</u>
Esplanada - sf	<u>3,000</u>	<u>2</u>	<u>6,000</u>			
3. SANITARY SEWER						
Manholes - lower	<u>1</u>	<u>1,000</u>	<u>1,000</u>	<u>1</u>	<u>3,500</u>	<u>3,500</u>
Piping				<u>115</u>	<u>20</u>	<u>2,300</u>
Connections				<u>1</u>	<u>2,500</u>	<u>2,500</u>
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other						
4. WATER MAINS	<u>50</u>	<u>50</u>	<u>2,500</u>			
5. STORM DRAINAGE						
Manholes - slate	<u>1</u>	<u>3,000</u>	<u>3,000</u>			
Catchbasins	<u>2</u>	<u>4,000</u>	<u>8,000</u>	<u>9</u>	<u>3,000</u>	<u>27,000</u>
Piping	<u>20</u>	<u>25</u>	<u>500</u>	<u>450</u>	<u>25</u>	<u>11,400</u>
Detention Basin						
Stormwater Quality Units				<u>1</u>	<u>10,000</u>	<u>10,000</u>
Other - clear existing	<u>1</u>	<u>10,000</u>	<u>10,000</u>			

LARRY TRAFFIC RELATED IMPROVEMENTS \$98,250





ATLANTIC BAYSIDE SQUARE, LLC
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

January 15, 2002

Re: Bayside Square Office Building

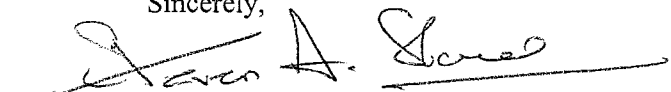
Dear Rick,

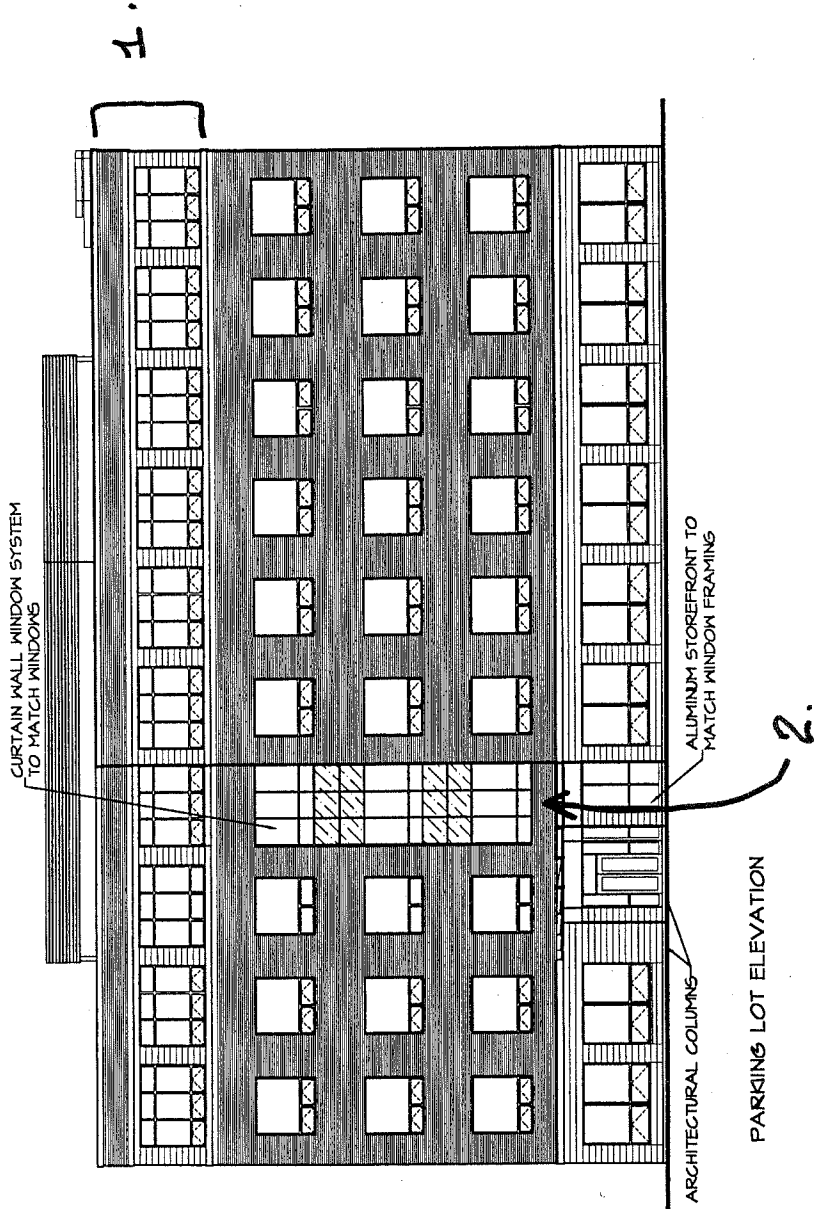
Based on our meeting last week, I have enclosed information relating to minor design improvements we are proposing for the Bayside Office building which is now under construction. These improvements are as follows:







1. Re-ordering the ground face masonry and brick at the fifth floor level in order to project a definite "top" to the building by placing brick as the top element as opposed to ground face masonry which tends to "disappear" into the sky. The ground face masonry will now be used around the fifth floor windows as shown on the attached plan.
2. Parking Lot Elevation: The fifth floor window treatment is continued on the South side and replaces the curtain wall at that level so that again, a more definite visual top is obtained.
Add horizontal brick treatment at the intersection of the curtain wall and the canopy for structural and design continuity reasons. This treatment is repeated at the Marginal Way/Preble Street entrance.
3. Marginal Way/Preble Street intersection elevations: Add a more prominent "crown" to the top of the curtain wall that not only continues the theme of the fifth floor brick and masonry, but also adds a more finished focal piece to the top of this corner.
4. Glazing will be changed from blue to gray except on the first floor which remains clear as before. Blue glass would have necessitated blue spandrel glass in certain areas to hide interior structural members or elevator machinery. We think this would have looked gaudy. The gray is a better fit with the building. Window and door frames will be in a matching "Sea Wolf" light gray as submitted to you last Friday.

These revisions are as shown on the new elevation drawings submitted herewith. We feel that, although minor changes, they bring the more dominant traditional elements of the building into a better relationship while still maintaining the impact of the expansive glass areas and the entrances as the focal points of the building. We hope that you will find these improvements suitable for your approval.

Sincerely,


Steven A. Shaw

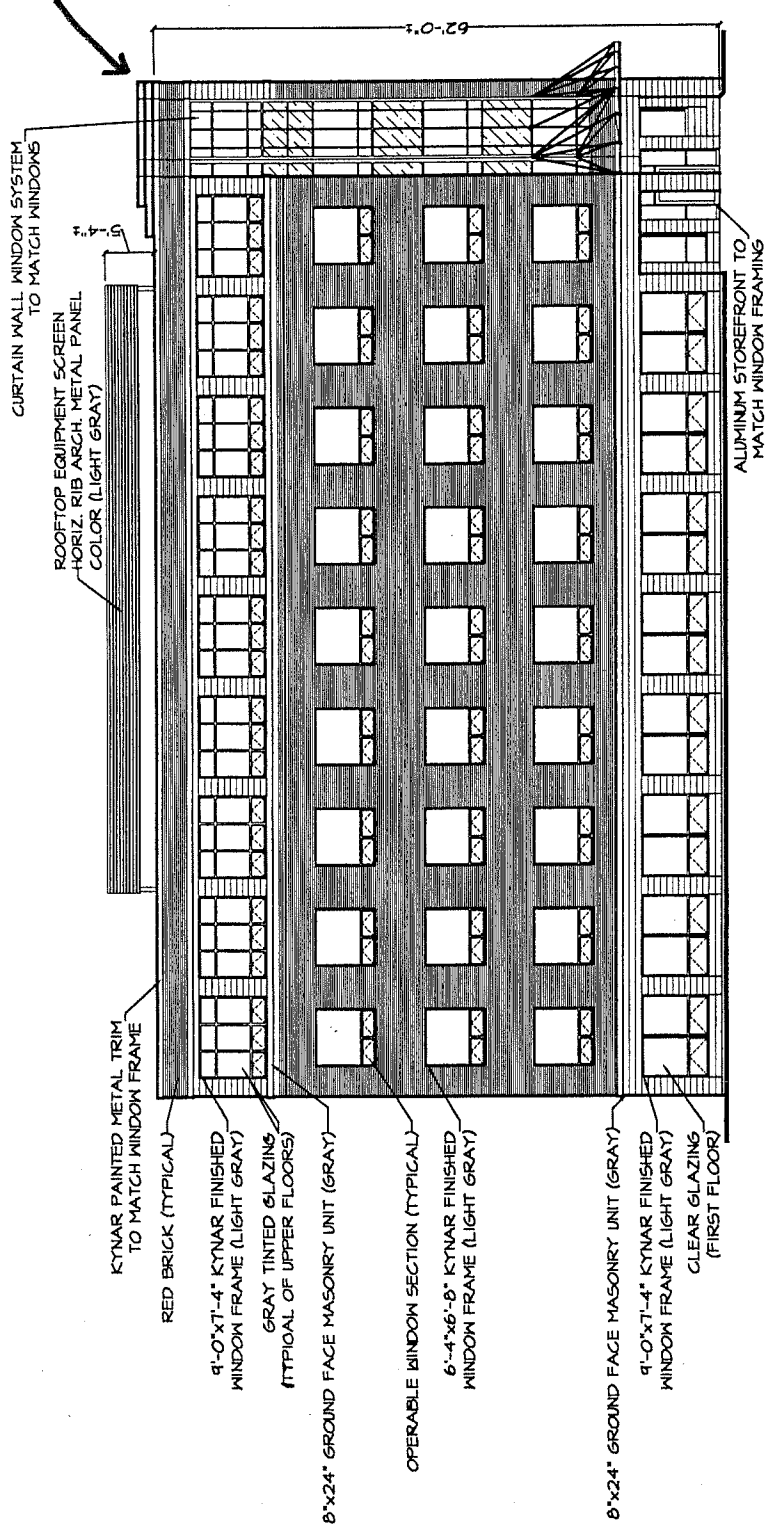


- 
 ELEV. - 162'-0" ±
 ROOF TRIM
- 
 ELEV. - 144'-0"
 FIFTH FLOOR
- 
 ELEV. - 126'-4"
 FOURTH FLOOR
- 
 ELEV. - 124'-6"
 THIRD FLOOR
- 
 ELEV. - 112'-3"
 SECOND FLOOR
- 
 ELEV. - 100'-0"
 FIRST FLOOR

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE
 JANUARY 14, 2002



3.



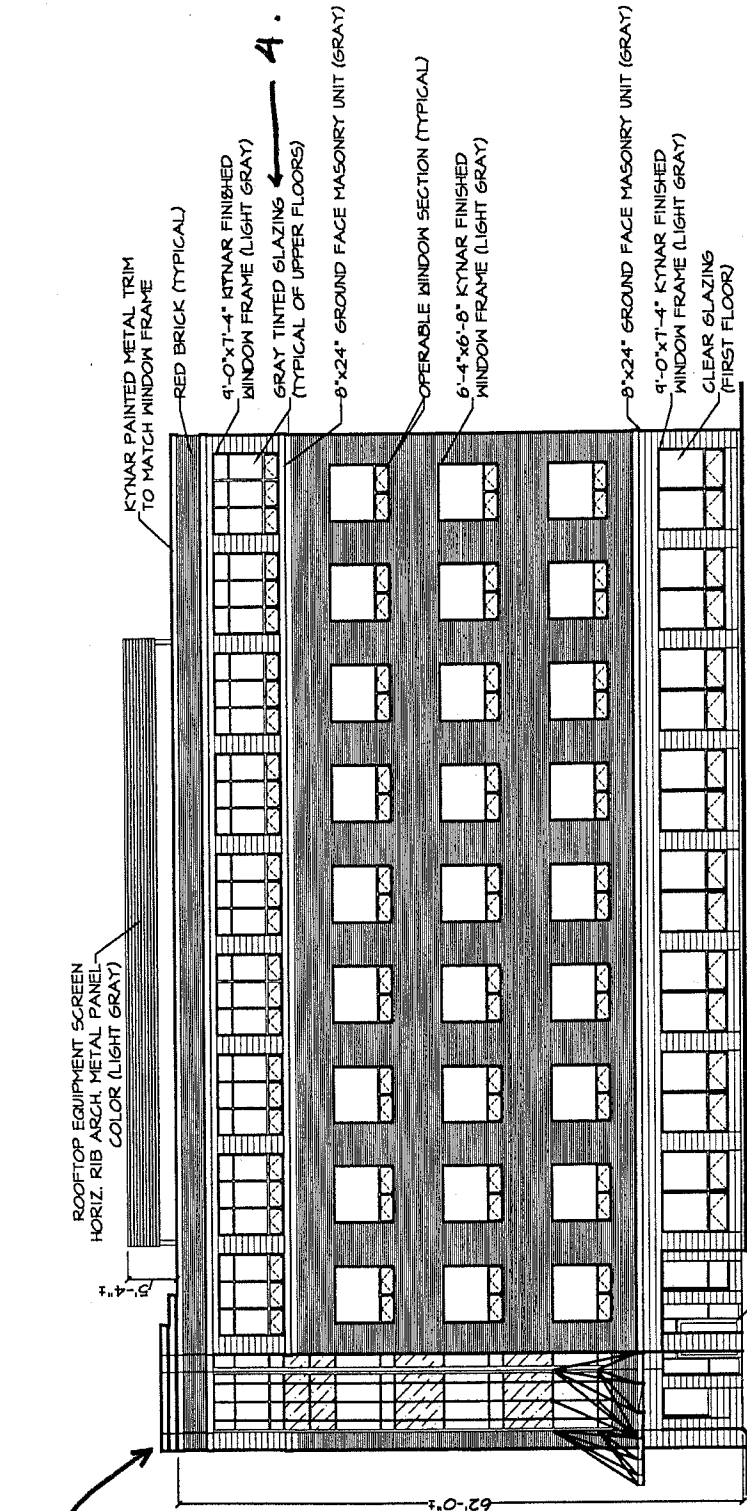
MARGINAL WAY ELEVATION



CONSTRUCTION CORPORATION

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE

JANUARY 14, 2002



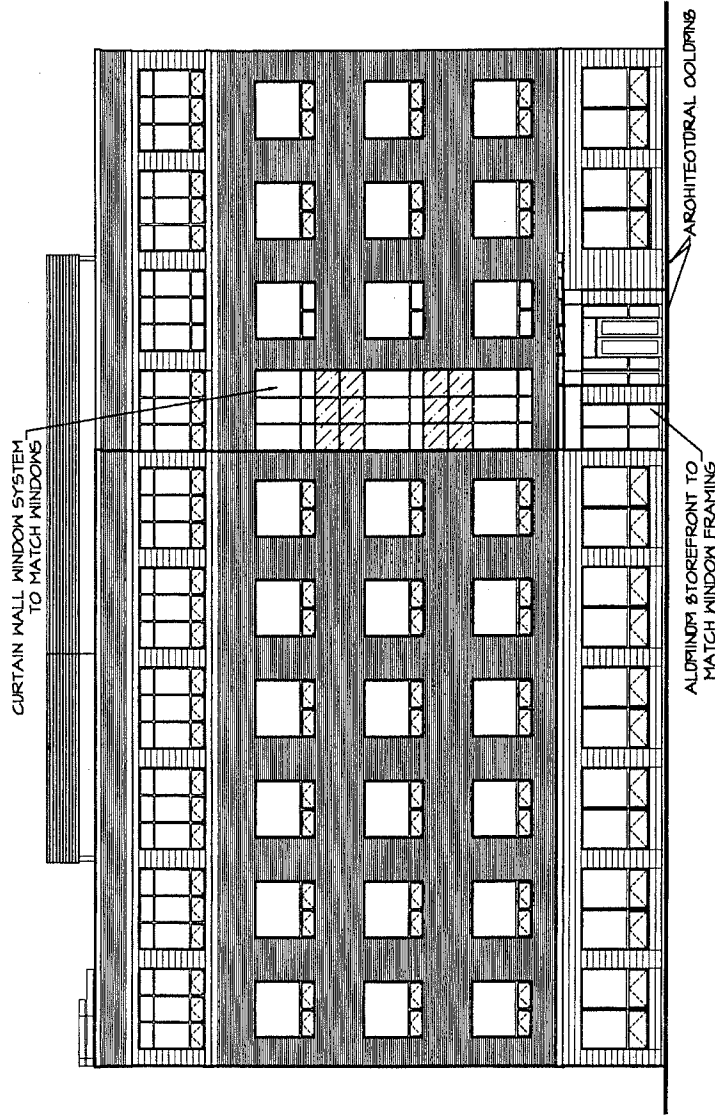
PREBLE STREET ELEVATION



CONSTRUCTION CORPORATION

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE

JANUARY 14, 2002









1-295 ELEVATION

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE

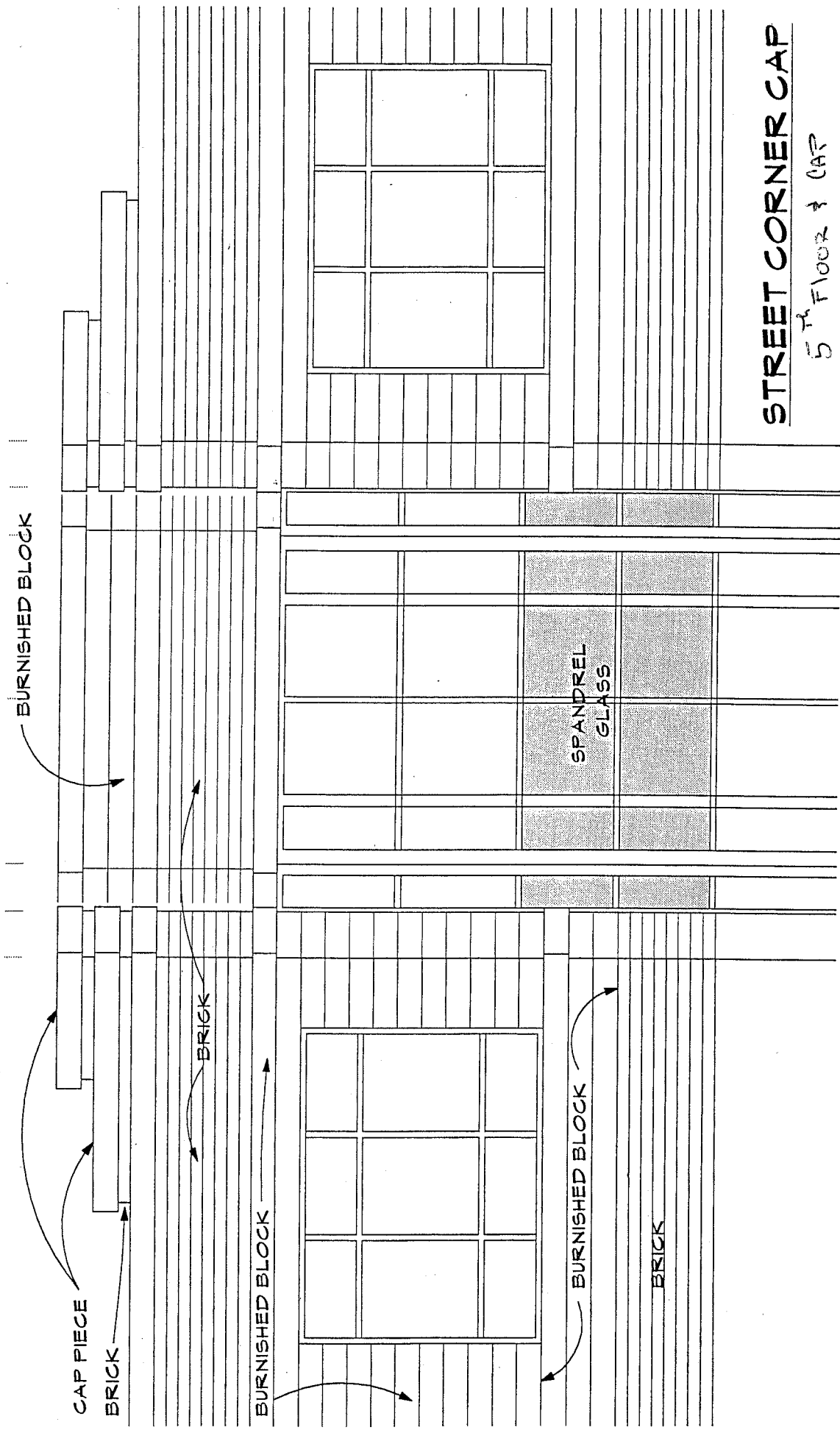
JANUARY 14, 2002



CONSTRUCTION CORPORATION

- 
 ELEV. - 162'-0" ±
 ROOF TRIM
- 
 ELEV. - 149'-0"
 FIFTH FLOOR
- 
 ELEV. - 136'-4"
 FOURTH FLOOR
- 
 ELEV. - 124'-6"
 THIRD FLOOR
- 
 ELEV. - 112'-3"
 SECOND FLOOR
- 
 ELEV. - 100'-0"
 FIRST FLOOR

1/15/02

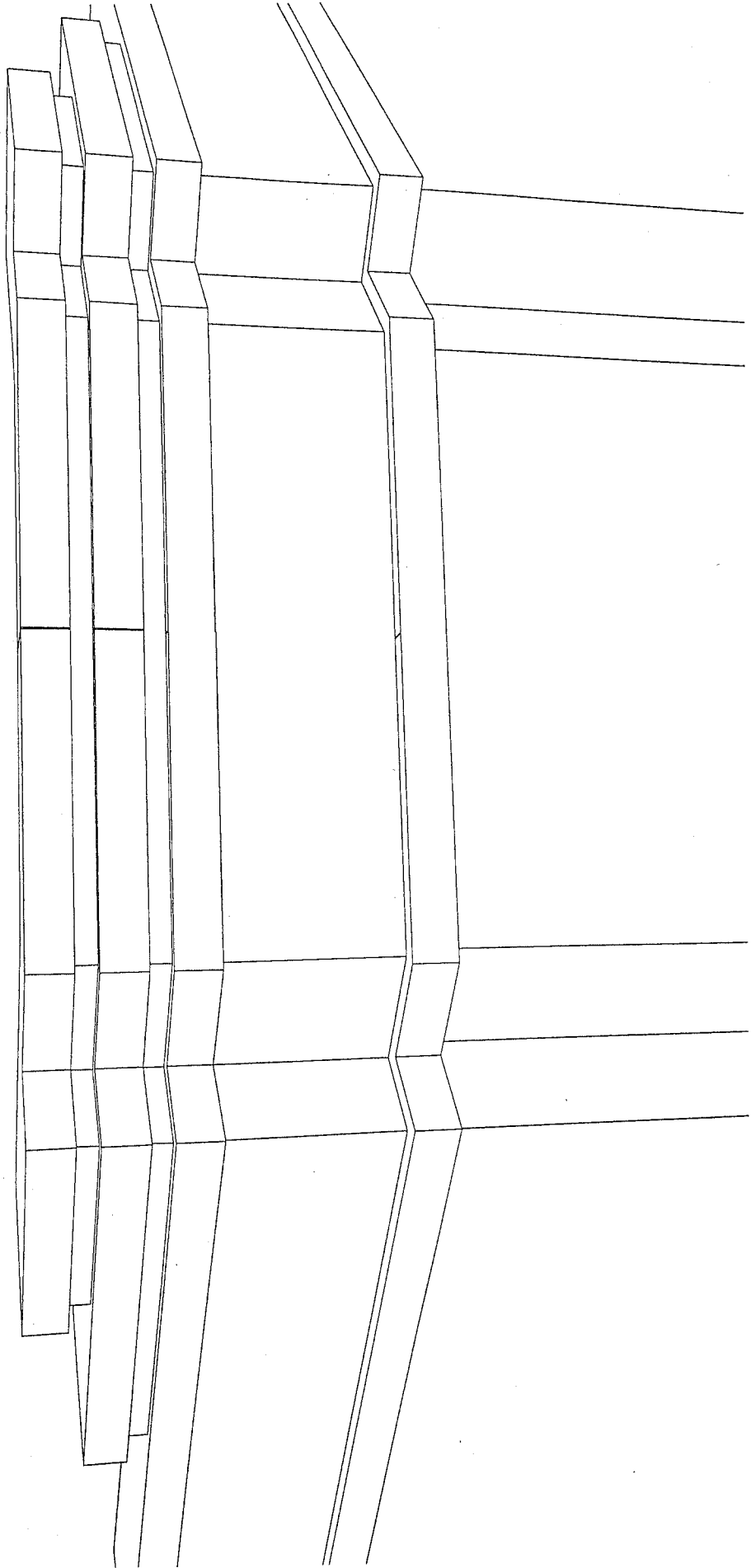


STREET CORNER CAP

5th FLOOR & CAP

BAYSIDE OFFICE BUILDING

1/15/02



"Perspective" of corner "CA2"

BAYSIDE OFFICE BUILDING

Facsimile

To: Rick Knowland

@Fax: 756-8258

From: ~~Fred Paganucci~~
Fred Paganucci
Department Of Transportation
FAX # 287-2393

Date: 4/9/01

Re: Peble Street Extension

Number of Pages (including cover sheet): 3

Remarks : Urgent For your review Reply ASAP

Please Comment For your information As requested

Rick: PLS send enclosed copy of R/W Plan file 3-185 showing peble st EXT between Marginal Way + I-295. Also a part of the layout + taking showing the control of access. My tel # is 287-368

The State Highway Commission directs that this Notice of Layout and Taking be recorded in the Registry of Deeds of Cumberland County, filed with the City Clerk of the City of Portland and with the County Commissioners of Cumberland County, and published in the "Portland Press Herald", a paper published in the County where said highway is located; and also directs that a copy of the Right of Way Map be filed with the County Commissioners of said County, and also that Notice be sent by Certified Mail to any Owners and Mortgagees of Record.

Dated at Augusta, Maine
October 16, 1968


MAINE STATE HIGHWAY COMMISSION



David H. Stevens, Chairman



Bertrand A. Lacharite, Member



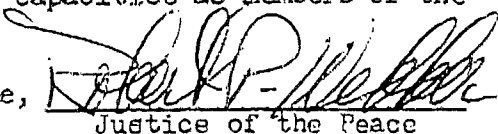
Steven D. Shaw, Member

State of Maine
County of Kennebec .ss.

Augusta, Maine, October 16, 1968

Personally appeared the above named David H. Stevens, Bertrand A. Lacharite, and Steven D. Shaw, and acknowledged the above instrument to be their free act and deed in their capacities as members of the Maine State Highway Commission.

Before me,


Justice of the Peace

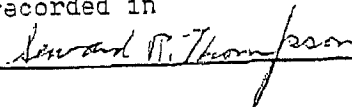
REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

OCT 24 1968

Received at 2 35 P.M. and recorded in

BOOK 3062

PAGE 837



Register

Parcel or Item No	Apparent Owner	Area	Slopes	Drainage	Other Rights	Misc. & Blgds.
1010	Omitted					
1011	Omitted					
1012-1	Hildreth Broad-casting Co. Aram Mongolian (Option to Purchase)	3±S.F.	None	None	Temp. Work Rights	None
1012-2	Hildreth Broad-casting Co.	None	None	None	Rights	None
1013	Aram Mongolian	9830±S.F.	None	None	Temp. Work Rights	None
1014-1	City of Portland	625±S.F.	None	None	None	None
1014-2	City of Portland	536175±S.F.	None	None	Grading Rights	None
1014-3	City of Portland	5.03±Ac.	None	None	None	None
1015	Florence F. Fenton	113245±S.F.	None	None	None	None
1016	D&E Realty Co., Inc.	510±S.F.	None	None	None	None
1017	Frances M. Leo Service Oil Co., Inc. (Lessee)	40175±S.F.	None	None	None	Storage Tanks, Office & Shed
1018	Unknown Heirs of Charles Q. Clapp, Charles B. Coleman	37880±S.F.	None	None	None	None
1019	Charles B. Coleman	9490±S.F.	None	None	None	None
1020	Unknown Heirs of Charles Q. Clapp	3180±S.F.	None	None	None	None
1021	American Realty Investors, Inc.	10.07±Ac.	None	None	None	None

Control of Access

Access to and egress from State Highway "295" to or from adjoining land is prohibited;

Access to and egress from State Highway "14" to or from adjoining land is prohibited except as follows:

- Station 23+00 100.00' Lt. to Station 23+50 50.00' Lt.
- Station 25+96.15 50.00' Lt. to Station 26+33.85 50.00' Lt.
- Station 28+96.15 50.00' Lt. to Station 29+33.85 50.00' Lt.
- Station 31+20.50 50.00' Lt. to Station 31+69.50 50.00' Lt.

There is also excepted and allowed, to the owner of record, its successors, or assigns, a public or private entrance, the location to be mutually agreed upon by the owner of record, the City of Portland and the State of Maine, and be acceptable to the City of Portland and State of Maine, between Station 28+50 and Station 32+00 Right of the Preble Street Extension Base Line.

The area in question - by the sand/salt garage and the park + side lot are not in the above permitted areas and therefore have control of access stat 40+00 to 32+00 retain Right.

BAYVIEW OFFICE BLDG
PUBLIC HEARING
JUNE 12, 2001

Marginal Way, Preble St, I-295

parcel result of combining City salt shed ^{parcel} and Advanced Paper Co ^{parcel}

Board review: site plan; local delegation review authority for an
MOU traffic permit (generate ^{generate} in more than 100 vehicle trips
in ^{the} a peak hours)

Bayview Plan ^{compatibility} multistory, built to the streetline, 10-floor
built to accommodate retail good fit

Circulation Long Ash

driveway on Marginal and Preble St.

166 parking spaces on page 5 of staff report is a summary
of documentation regarding the parking demand for this use
B-5 zone does not require parking but there is a site plan
standard sec 14-526 (2d) that does require ^{parking} based on
reasonable foreseeable demand ^{page 5 of staff report}

~~rail line~~ building is sited well away from ^{part of} a potential
new sidewalks proposed along street frontage as well as
interior sidewalks

utilities ^{to serve this project} are located in Marginal and Preble St

water quality issues addressed
& catch basins within the parking lot connects into an existing
storm drain within I-295 r-o-w

lighting 8 pole mounted fixtures. fixture needs to be replaced with a full cut-off fixture attachment & landscaping plan along the street as well as within the plan building design

attachment b drawing shown at the last workshop. the applicants also showed the board other concept drawings. since that time, the building has evolved into the building shown on Attachment C. ~~The~~

base material is a 12 inch x 12 inch masonry tile ^{red/orange in color}

project architect ^{directs} design + building material samples; video

first floor has the appearance of a building ^{with} ~~of a~~

retail use; it is pedestrian friendly ^{with the bays and columns}

while the upper floor windows are darker, ^{glass} we've

been told that the 11th floor window will be

more transparent suggesting a building that is oriented to the street rather than inward

Conditions of approval

Larry Ash presentation

Orlando problem of driveway question
right turn exit would be good
could add a right hand turn at Proke to Morgan
to facilitate circulation to Meru
preserve preble st

Mark double turn lane
is there enough land for it
L.A. don't have to take land on this side

L.A. Steve's estimate is \$50-60k for the
traffic improvements

Mark enforcement issue of building setback

Bill Nemmers

Steve Bradstreet

talks about cost sharing with city mentions wild oats
cost sharing

Deb K why are looking for off-site parking?

Steve B more of a market feature

Bill W. Morgan Way is in a flux
would like to sit down with the city
prior to find customers

Facsimile

To: Rick Knowland

@Fax: 756-8258

From: ~~Fred Paganucci~~
Fred Paganucci
Department Of Transportation
FAX # 287-2393

Date: 4/9/01

Re: Preble Street Extension

Number of Pages (including cover sheet): 3

Remarks : Urgent For your review Reply ASAP

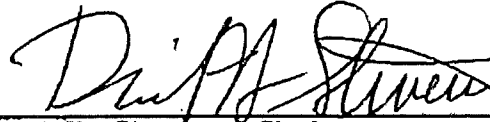
Please Comment For your information As requested

Rick: pls find enclosed copy of R/W Plan file 3-185 showing preble st EXT between Marginal Way + I-295. Also a part of the layout + taking showing the control of access. My tel # is 287-3681

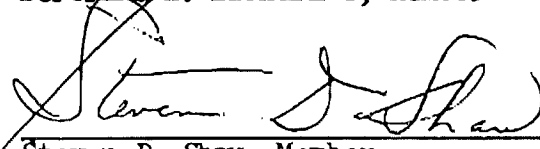
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MAINE STATE HIGHWAY COMMISSION


David H. Stevens, Chairman

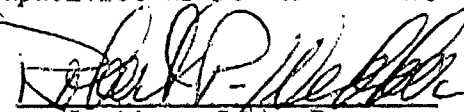

Bertrand A. Lacharite, Member


Steven D. Shaw, Member

State of Maine
County of Kennebec .ss.

Augusta, Maine, October 16, 1968

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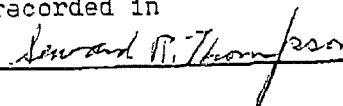
Before me, 
Justice of the Peace

REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE

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BOOK 3062 PAGE 837

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1019	Charles B. Coleman	9490±S.F.	None	None	None	None
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ATLANTIC BAYSIDE SQUARE, LLC

50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

February 6, 2002

Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

Re: Bayside Square Office Building

Dear Rick,

Thank you for reviewing and approving the recent minor revisions to the façade of the Bayside Square office building. We are certain that the changes will improve the look of the finished project. One of the revisions we submitted was a change in upper story window glass color to "optigrey". The January 28th approval letter from Alex Jaegerman requested that we "explore" a lighter shade of gray than the sample submitted for these windows.

We have done this and would like to retain our first choice for the window glass as submitted. This selection was indeed made after exploring several options and obtaining multiple samples of glass to compare. These samples included both lighter and darker samples than that finally selected. It was the opinion of several architects involved with the project that a lighter shade of gray would not work as well with the spandrel glass that is required to be used in the curtain walls, as the contrast would be too great. Of all the grays available, the one submitted was only one "step up" in darkness from the very lightest and one that we feel will work best with other components of the building.

We respectfully request approval of the "optigrey" glass sample as previously submitted.

Sincerely,



Steven A. Shaw

ATLANTIC BAYSIDE SQUARE, LLC

50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

February 6, 2002

Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

Re: Bayside Square Office Building

Dear Rick,

Thank you for reviewing and approving the recent minor revisions to the façade of the Bayside Square office building. We are certain that the changes will improve the look of the finished project. One of the revisions we submitted was a change in upper story window glass color to "optigrey". The January 28th approval letter from Alex Jaegerman requested that we "explore" a lighter shade of gray than the sample submitted for these windows.

We have done this and would like to retain our first choice for the window glass as submitted. This selection was indeed made after exploring several options and obtaining multiple samples of glass to compare. These samples included both lighter and darker samples than that finally selected. It was the opinion of several architects involved with the project that a lighter shade of gray would not work as well with the spandrel glass that is required to be used in the curtain walls, as the contrast would be too great. Of all the grays available, the one submitted was only one "step up" in darkness from the very lightest and one that we feel will work best with other components of the building.

We respectfully request approval of the "optigrey" glass sample as previously submitted.

Sincerely,



Steven A. Shaw

September 24, 2001

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

**Subject: Bayside Office Building
Vicinity of 68-76 Marginal Way
Response to Additional Items Requested by City Staff**

Dear Rick:

Enclosed are seven sets of revised plans reflecting the additional items requested by City staff. The items requested consist of the following.

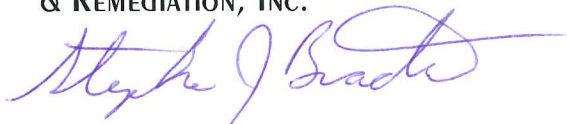
1. Wall pack lighting that extends from the building into the right of way has been shown.
2. Pedestrian light poles within the right of way have been shown.
3. A new building footprint has been shown reflecting the new plans generated by Opechee Construction Corp. This revision resulted in the removal of the sidewalk to a previously located entrance on the west elevation of the building.
4. The building awning has been shown where it extends into the right of way.

An intersection signalization plan was submitted separately by Wilbur Smith Associates last week. That plan addresses the concerns raised by Larry Ash.

If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

cc: Tom Daigneault
Ted West
Bill Nemmers
Frank O'Connor

ATLANTIC NATIONAL TRUST, LLC
D/B/A
ATLANTIC CAPITAL INVESTMENTS
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

September 6, 2001

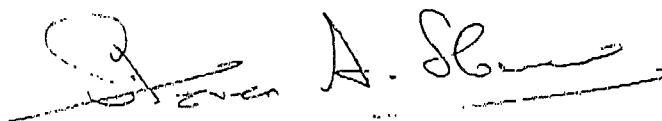
Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

Re: Bayside Square- Opechee Construction Corp.

Dear Richard,

Per your request, please accept this letter authorizing Opechee Construction Corp. as our representative with regard to submissions requested by the planning department in connection with the September 11th Planning Board meeting or other issues in connection with the Bayside project.

Thank you for your assistance.



Steven A. Shaw
Owner Representative

cc: Mark Woglom, Opechee Construction



September 6, 2001

Mr. Rick Knowland
Planning Department
City of Portland, Maine
389 Congress Street
Portland, ME 04101

RE: Bayside Square

Dear Rick,

Please find attached the requested architectural information relative to the Bayside Square office building on Marginal Way. The following is a summary of the proposed changes:

1. Tile façade changed to brick:

Early plans of the project depicted a brick siding. At some stage in the project it was determined that brick siding would add approximately 20% to the weight of the structure. Due to poor soil conditions, this additional weight results in significant additional piling costs. A search for lighter material was initiated and ultimately a tile veneer was selected. Upon further review the tile presented the following problems:

1. The freezing and thawing cycles of a New England climate raised concerns with the structural methodology for adhering the tiles.
2. The somewhat atypical method of installing a tile facade was resulting in cost that exceeded brick, and therefore negated the efficiency of the lighter material.
3. Many of the prospective tenants who viewed the tiles were concerned with the overall aesthetics. Some simply disliked the tile, and others were concerned that the building might quickly become dated as design trends change.

It was determined that a predominantly brick façade would be structurally proven, durable, and yield the high quality aesthetics that the tenants and owners desired.

2. Ground face masonry accents in lieu of black metal panel:

The initial design implemented a black metal panel as a building accent to the tile façade. Again, this material resulted in building weight savings. Any black material is susceptible to fading over time. Concerns were raised that the ultimate fading of this material would result in a dated and unmaintained appearance. Accordingly, an architectural ground face masonry accent has been added to the building. This product achieves the same long-term durability and aesthetics as the brick.

3. Replacement of tall profile mechanical equipment structure with low profile mechanical equipment and equipment screen.

The original building employed a very tall mechanical equipment housing located on the most prominent building corner. Efforts were made in the initial design to incorporate this structure into the corner facade of the building. However there may have been insufficient consideration given to the appearance of this structure from alternative views. The view from an elevated I-295 would be significantly more intrusive than that depicted on the rendering. Accordingly we have incorporated the following changes:

1. We have elected to use a grouping of low profile mechanical equipment set back from the roofline, rather than one large, tall piece of mechanical equipment.
2. To further enhance the appearance, we have proposed a low profile mechanical equipment screen to minimize the visual impact of mechanical equipment.

4. Removal of the 5th story metal canopy at the southerly and easterly elevations, and replacement with pedestrian scale awnings along the Marginal Way and Preble Street elevations.

The original renderings depicted a metal canopy above the 5th floor windows along the southerly and easterly elevations. Many of the prospective tenants felt that this canopy, combined with the black panels, gave the building an ominous "Darth Vader" effect. Concerns were also raised that snow and ice accumulating on the metal canopy could fall to the street level, with the potential for serious injury to pedestrians. In lieu of the 5th floor canopy we have elected to install awnings along the 1st floor elevation, yielding a more human scale pedestrian environment.

5. Ground floor metal accent materials have been changed to masonry accent materials.

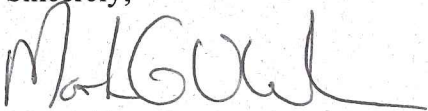
The original plans specified metal panel column covers along the 1st floor Marginal Way and Preble Street elevations. As can be seen on the site plans, the elevations are in close proximity to the public sidewalks. The metal panel elements would likely be subject to damage from snow removal equipment. The current design utilizes masonry at these areas. The masonry will be much less susceptible to potential damage.

6. Minor revisions to the building footprint.

The original site engineering plans closely depicted the building shape, but did not accurately depict such architectural building features as cantilevered building areas and architectural columns. The attached sheet shows an accurate depiction of the building footprint and overhead cantilevers which will be constructed on site.

I trust that this information will be helpful in your review of our project.

Sincerely,



Mark G.V. Woglom
President

MGVW/csh

Attachments

September 5, 2001

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

**Subject: Bayside Office Building
Vicinity of 68-76 Marginal Way
Response to Conditions of Approval**

Dear Rick:

Enclosed are seven sets of revised plans reflecting the conditions of approval as noted in your June 18, 2001 letter to Bill Nemmers. The following discussion reflects our response to those conditions.

1. Site Plan Ordinance Conditions of Approval
 - i. It was acknowledged by planning staff that the lights chosen for the project were acceptable. The specifications for the lamp, luminaire and pole have been noted on Sheet C-103.
 - ii. The concrete curb on Marginal Way has been noted to be replaced with granite curb.
 - iii. Amy Hughes of MDOT's legal division is finalizing the stormwater easement/agreement and will be sending it to Bill Welch at Bernstein, Shur, Sawyer and Nelson (Atlantic National Trust's attorney) for execution.
 - iv. Bill Welch has contacted Penny Littel to obtain approval for a license to install plantings and to construct a sidewalk within the public right of way.
 - v. Opechee Construction Corporation has submitted building elevations for the City's review.
2. Traffic Movement Conditions of Approval
 - i. Sheet C-106 shows the off-site improvements requested by Larry Ash. These improvements have been discussed with Mr. Ash through Tom Errico of Wilbur Smith Associates. The plan reflects:
 1. Second left turn lane from Preble Street Extension onto Marginal Way.

2. Extension of the island on Marginal Way to prevent left turns from Hanover Street. The nose of the island has been modified to improve the turning radius from Elm Street.
 3. The entrance onto Preble Street Extension remains as shown.
 4. A right turn lane from Marginal Way onto Preble Street Extension has been shown.
 5. The applicant is aware that he is responsible for traffic improvement costs.
- ii. The entity of Atlantic Bayside Square, LLC, does not propose to create any new parking off site as part of this project.
 - iii. There has not been a determination that the Preble Street entrance has to be eliminated.

It should be noted that the number of parking spaces on site has been increased from 167 to 184 by the use of compact spaces along the west and north sides of the parking lot. These spaces are 8 feet by 15 feet along the west side and 8 feet by 19 feet along the north side. The ratio of compact to full size spaces is 34.2 percent.

Once we have received MDOT's easement/agreement, we will forward it to the City.

If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

cc: Tom Daigneault
Ted West
Bill Nemmers
Frank O'Connor

ATLANTIC BAYSIDE SQUARE, LLC
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

Richard Knowland

April 29, 2002

Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

Re: Bayside Square Office Building - Signage

Dear Rick,

We are submitting this letter to address two issues relating to Bayside signage which I understand will be discussed by the Planning Board at the May 14th meeting.

Bayside Square is approximately 52,000 Sq Ft and will ultimately have four tenants. We have signed leases with AAA Northern New England ("AAA"), Portland Foot & Ankle ("PF&A") and the General Services Agency ("GSA"). AAA will occupy the entire 1st, 2^d and 5th floors and about one-half of the third floor. GSA will occupy about one-half of the third floor and does not desire signage. PF&A and the vacant space will be located on the 4th floor.

AAA and PF&A have both retained Neokraft Signs, Inc. to design their signage and obtain necessary approvals. All signage is required to be approved, not only by the City but also by both Atlantic Bayside Square ("Atlantic") as owner and AAA. At your request, and because we do not yet know who the last tenant will be, we asked Neokraft to submit as part of their signage application for PF&A and AAA, a concept plan for this "ABC Tenant". It is my understanding that planning department staff has conceptually approved AAA signage but has denied the application for PF&A for reasons having to do with its location on the building. This would effectively deny our ABC Tenant signage as well.

We wish to confirm our support and approval of the signage as requested by PF&A to be located between the 4th and 5th floor on the "I 295" side only of the building. This signage was reviewed and approved by both AAA and Atlantic prior to submission. We not only feel that the signage is tasteful and appropriate for the building, we agree with their position that it is in keeping with applicable site plan review ordinances. We have made every effort to design and construct a building that befits this prominent location. It is not enough, however, to simply build buildings that are nice to look at. For this, or any other project to be successful, our tenants must be economically successful as well. This means that the reality of signage is no small matter. Their request seems so simple. It is duplicated on prominent buildings elsewhere in the City. They have asked that they be allowed to have a single sign on the same side of the building as their office space, sized to meet code, facing the direction they think is most valuable to their business, and at a height on the building that gives it the needed visibility to which they are entitled by ordinance. We hope that the Planning Board will approve their request as submitted.

In addition to approving PF&A's request we, of course, would like to have approval of our concept plan for the 4th "ABC" tenant. It is intended that when the last tenant is committed, they will apply to the City for final approval of their signage consistent with the concept plan for which we are now asking approval. We request that the tenant have the option of locating a single sign either on the I 295 side of the building between the 3rd and 4th floors as shown or on one of the other faces of the building between the 4th and 5th floors also as shown in part. We ask that this latter location not be restricted as to which face of the building as we are not in a position to know the ultimate need of the tenant. As their space will be on the Marginal Way side of the building, they may very well want to locate their sign on that face. As with PF&A, we know that signage will be an important factor in our ability to attract a viable tenant for our vacant space. We want to be able to offer signage as requested and ask for approval of this concept for the building.

Sincerely,

Steven A. Shaw
Owner Representative



2

PRICEWAIVERHOUSE COOPERS

PURDY POWERS & COMPANY

130 MIDDLE STREET

130

AIRBORNE EXPRESS
DROP BOX





5

100 Middle Street

Smith Barney

Bernstein Shur et al



**DRUMMOND
WOODSUM &
MACMAHON**
Attorneys at Law

22222222

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PORTLAND, MAINE 04104-5081
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TTY (207) 828-8260

rward@dwmlaw.com

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

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

May 14, 2002

Portland Planning Board
389 Congress Street
Portland, ME 04101
ATTN: Jaimey Caron, Chair

Re: 76 Marginal Way -
Portland Foot & Ankle Signage

Ladies and Gentlemen:

This office represents the Applicant, Portland Foot & Ankle ("PFA"), in connection with its signage request at 76 Marginal Way. We shall make an oral presentation at tonight's hearing, based upon the following summary which we request be included in the permanent record of the hearing:

The proposed signage complies with the Portland zoning ordinances in all respects as conceded on page 2 of the Planning Report No. 36-02 ("Report"). The sole reason why this application is before you is the Planning Staff's "discomfort" that the proposed signage is consistent with your Site Plan Ordinance ("SPO") appearing in Sec. 14-526(a)(22). More accurately, the Staff seeks your guidance in applying the criteria to this newly-developing area. We submit that the proposed signage meets the zoning ordinance requirements and the SPO requirements and that the apparent "discomfort" reflects a policy suggestion by the Staff which has no basis in the Portland ordinance or, to date, in any ascertainable policy previously applied by the Planning Board.

Sec. 14-526(a)(22) breaks down the signage requirement into three primary components:

May 14, 2002

Page 2

1. That the sign “complement and enhance the architectural attributes of the building . . .”
2. That the sign “be appropriate to the scale and character of the neighborhood”; and
3. That the sign shall “be designed to suit the conditions from which it will be viewed, especially (emphasis added) in relation to the distance, travel speed and mode of travel of the viewing public.”

The Report does not explain how the Applicant fails to meet these criteria. Apparently Staff is satisfied that the sign meets the first of these criteria. Compliance with the third criteria is unquestioned since the proposed sign is the Applicant’s sole sign and faces toward I-295, the dominant feature of this area. The sign vendor, Neokraft Signs, will further explain to the Planning Board why the proposed size of the sign is necessary to meet the minimum requirements for visibility for vehicular traffic traveling in excess of 50 m.p.h. The sizing of the sign is intended to meet industry standards for this application. The remaining criteria, relating to the scale and character of the neighborhood, leaves open the question of how the proposed signage fails to “fit.”

The Applicant would not propose to characterize this “neighborhood” for the Planning Board, which is well aware of its attributes. In summary, the subject premises is the sole new building to be located within the strip lying between the west side of Marginal Way and the east side of the I-295 corridor. No area in the City is more attuned to the reality of the interstate highway and its impacts upon appropriate signage. Tenants, including the Applicant, choose this location because of its proximity to I-295. Simply stated, the signs need to be sufficiently large and sufficiently elevated to be visible from I-295 in order for the owners/tenants to realize upon their investments.

Nothing in the proposed signage conflicts with the balance of this “neighborhood,” however defined. The only other new, multi-story building in the area (Department of Human Services) is a single-occupant, governmental facility. The signage proposed here is consistent with similar buildings further inland on the peninsula, as we will demonstrate at the hearing. The signage proposed is no different than what one would expect to see in other areas of Portland, or similar highway-related areas of other cities.

In short, the current proposal meets the requirements of both the zoning ordinance and SPO and should be allowed to proceed without further delay.

The Report suggests a possible Motion for the Board to consider. That suggestion is that the PFA sign be located between the second and third stories facing I-295, with letter height not to exceed 16 inches. This “compromise” does not help, for the following reasons:

May 14, 2002

Page 3

1. A sign located between the second and third floors facing I-295 would not be fully visible to the traffic traveling southbound on I-295, due to the elevations involved and highway components (see photo submission).

2. As will be explained by Neokraft Signs, 16 inch letters would not meet industry visibility standards from I-295 due to the distances and speeds involved. The two-foot lettering was designed with these needs in mind.

3. Any signage by PFA requires the approval of the owner, AAA (anchor tenant) and the City. PFA's leased space is located on the fourth floor of the building. The fourth floor signage location has the approval of the owner and AAA. Relocating the signage to the area between the second and third floors would result in physical attachment to the floors occupied by AAA. PFA does not have its consent to do so.

The real issue involved in this hearing is not whether this Applicant complies, but whether the Planning Board will adopt an unwritten policy regarding signage which can then be applied to future developments. With all due respect, this would turn due process upside down. A policy such as that proposed by the Staff may be warranted but it should first be tested by the same process which would apply to any significant new policy. A proposal should be brought forth, the public heard on the proposal and the end result should be reflected in the ordinances in order to give fair notice to developers, tenants and businesses of what the expectations of our City will be. We doubt that the City would adopt an ordinance as restrictive as that suggested by the Staff but that is a debate for another place and time. Here, the Applicant has demonstrated its compliance with the ordinances and must be allowed to go forward.

We look forward to meeting with you and answering your questions at our hearing on May 14. Thank you for your consideration.

Sincerely,



Ronald N. Ward

cc: Portland Foot & Ankle
ATTN: Dan DeSena
Penny Littell, Esq.

RNW/abm

Received
8/20/95

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

TRANSPORTATION BUILDING

STATE HOUSE STATION 16

AUGUSTA, MAINE 04333-0016



JOHN G. MELROSE
Commissioner

August 23, 1995

Dear Code Enforcement Officer:

The Maine Department of Transportation would like to inform all Code Enforcement Officers in municipalities along the Interstate Highway System of the current interpretation of on-premise sign law and the recent changes by the 117th Maine Legislature. These changes become law on September 29, 1995. Our Maine Traveler Information Services Act Title 23 M.R.S.A. § 1901-1925 bulletin is being reprinted to incorporate the changes. This package will be available to anyone upon request at the end of September.

With the passage of L.D. 1335, "An Act to Amend Laws Pertaining to On-premise Signs by Allowing for Changeable Signs" (copy enclosed) the Department is concerned that abutters visible from the Interstate Highway System may use the opportunity to advertise on changeable message boards. This type of advertising is fine as long as it is done legally and there is no off-premise advertising.

A sign located within 50 feet of the principal building or structure may be one or two sided visible from the highway. However, only one faced signs would still be allowed over 50 feet and up to one thousand feet from the building or structure. This sign can not exceed 20 feet in length, width or height or 150 square feet in total area, including border and trim, but excluding supports.

This means that all on-premise signs over 50 feet from the principal building or structure visible from the Interstate Highway System can only have advertisement or messages on one side as viewed from the Interstate Highway System.

Your efforts in this matter are greatly appreciated and if you have questions concerning this, don't hesitate to call at (207)287-2616.

Sincerely,

William W. McFarland
Supervisor
R/W Control

WWM:lah

enclosure

MODE = MEMORY TRANSMISSION

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-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258 *****

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: 4-5-02

To: JEFF DI PAOLO

Company: NGOKRAFT

Fax #: 207-782-0009

From: RICK KNOWLAND

RE: JEFF, ATTACHED IS A LETTER CONCERNING

THE PROPOSED SIGN FOR THE AAA BUILDING.

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

May 17, 2002

Mr. Jeff DiPaolo
Neokraft Sign, Inc.
686 Main Street
Lewiston, ME 04240

RE: 76 Marginal Way, CBL: 34-A-2, Application #2001-0011

Dear Mr. DiPaolo,

This letter is to confirm that the Portland Planning Authority has granted approval under sec.14-526(22) of the site plan ordinance for several signs for the Bayside office building in the vicinity of 76 Marginal Way. These signs include AAA signs mounted on the rooftop HVAC screen and two free-standing directory signs at the Marginal Way and Preble Street driveways.

Should you have any questions concerning this letter, please call the planning division office.

Sincerely,

Alexander Jaegerman
Planning Division Director

cc: Sarah Hopkins, Development Review Program Manager
✓ Richard Knowland, Senior Planner
Marge Schmuckal, Zoning Administrator
Penny Littell, Associate Corporation Counsel
Jodine Adams, Inspection
Approval Letter File
Correspondence File
Steven Shaw, Atlantic Bayside Square, LLC, 50 Portland Pier, Suite 400,
Portland, ME 04101

Inspection Department

✓ Approval Letter File

Ron Ward, Drummond Woodsum and McMahon, 245 Commercial St.,
PO Box 9781 Portland, ME 04104-5081

Steven Shaw, Atlantic Bayside Square, LLC, 50 Portland Pier, Suite 400,
Portland, ME 04101

Inspection Department

✓ Approval Letter File

Ron Ward, Drummond Woodsum and McMahon, 245 Commercial St.,
PO Box 9781 Portland, ME 04104-5081

Steven Shaw, Atlantic Bayside Square, LLC, 50 Portland Pier, Suite 400,
Portland, ME 04101

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

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May 17, 2002

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Sincerely,

Alexander Jaegerman
Planning Division Director

cc: Sarah Hopkins, Development Review Program Manager
Richard Knowland, Senior Planner
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Steven Shaw, Atlantic Bayside Square, LLC, 50 Portland Pier, Suite 400,
Portland, ME 04101

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

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Economic Development

May 17, 2002

Mr. Jeff DiPaolo
Neokraft Sign, Inc.
686 Main Street
Lewiston, ME 04240

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Should you have any questions concerning this letter, please call the planning division office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Alexander Jaegerman", followed by a long horizontal line.

Alexander Jaegerman
Planning Division Director

cc: Sarah Hopkins, Development Review Program Manager
Richard Knowland, Senior Planner
Marge Schmuckal, Zoning Administrator
Penny Littell, Associate Corporation Counsel
Jodine Adams, Inspection
✓Approval Letter File
Correspondence File
Steven Shaw, Atlantic Bayside Square, LLC, 50 Portland Pier, Suite 400,
Portland, ME 04101



STATE OF MAINE
 DEPARTMENT OF TRANSPORTATION
 16 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0016

*received
 9/11/00*

ANGUS S. KING, JR.
 GOVERNOR

September 13, 1999

JOHN G. MELROSE
 COMMISSIONER

Electronic Sign Update

To Whom It May Concern:

The State of Maine Department of Transportation (MDOT) would like to advise all municipal officials and sign fabricators/sellers concerning the position, installation, operation and/or use of variable message signs (VMS) and any other electronic changeable message signboard visible to motorists along all public highways.

The variable message signs should only be used to convey information to motorists which assists them in the driving task. This means that use of VMS for purposes other than those related to safety and operational issues is inappropriate and may be illegal. The VMS is a traffic control device and not intended for promotion of events, fund raising activities, municipal recognition, or commercial advertising.

The MDOT does not issue permits for variable message signs or on-premise electronic changeable message signs. Permits and authorization are regulated by the local municipality. However, MDOT does administer the changeable sign subsection contained in Title 23, M.R.S.A. §1914 on-premise signs, sub paragraph 11, changeable signs, which only allows for the message to change every four hours, except that a public institution of education may change the message on changeable message board signs located on the public institutions premises every 20 minutes. An electronic changeable message sign may only substitute time and temperature. All other information must be static for the period required as indicated above.

Maine law still prohibits signs which are illuminated by a flashing, intermittent or moving light or lights, except as provided above. Also, Title 23, M.R.S.A. §1914 6.E. states "moves, has any animated or moving parts or has the appearance of movement, except as provided in subsection 11." All revolving signs and flashing arrows are illegal.

The reason the legislature does not want moving or continuously changing messages on signs, other than VMS's, is a highway safety issue creating driver distraction, inattention, and for aesthetic concerns.

The Department hopes that this letter will help clarify our policy in this area. Should you have any questions on this or any other sign matters please write or call me at (207)287-2616 or visit our web site @ <http://www.state.me.us/mdot/traffic/obds/homepage.htm> in Title 23 §1901-1925. Please copy and disseminate this information as necessary.

Sincerely

William W. McFarland
 Supervisor
 R/W Maint. Control

WWM:lah



PRINTED ON RECYCLED PAPER

ATLANTIC BAYSIDE SQUARE, LLC
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

March 12, 2002

Re: Bayside Square Office Building

Dear Rick,

Enclosed please find Bayside site and building elevation plans which have been revised to show both signage and some minor changes for which we are requesting staff approval. I have also enclosed a letter from Steve Bradstreet of EER, the site-engineering firm, with additional details regarding the following changes:

1. **Signage**; Bayside will have four tenants. Three have signed leases, only two of these want signage. The remaining space is not leased, but signage is assumed for this tenant as well. Elevation drawings have been prepared by Neokraft Signs, Inc. which depict signage both on the building facade and at site entrances. The drawings depict tenant signage for AAA Northern New England and Portland Foot & Ankle, the two existing tenants requesting signs. We have also shown two options for a third tenant sign (only one would be installed). As we do not have a signed lease with this tenant, we are presenting these for concept approval. The site plan has been amended to show signage at both the Marginal Way and Preble Street entrances per Steve Bradstreet's attached letter. Landscaping has been modified to accommodate the signs.

2. **AAA generator**; AAA has an emergency generator that cannot be placed inside the building. This was not known at the time of original site plan approval. The site plan has been revised to show the proposed location at the rear of the parking lot with appropriate screening.

3. **Lighting**; In order to make the lighting on the building façade and in the parking lot more design compatible and to slightly improve the photo metrics we are requesting a change in the parking lot fixture as set forth in EER's attached letter. In addition we would like to request that staff consider adding three (3) wall mounted downlight fixtures on the Preble Street façade in lieu of the approved pole lamps. We feel that the wall fixtures would continue the lighting theme utilized on the Marginal Way façade and be a better use of lighting than the pole fixtures. There is more than enough sidewalk illumination in the area from existing streetlights on Preble Street and the additional pole lamps seem to add unnecessary elements in a small area between building and sidewalk.

Please let us know if you need additional information and thank you for considering these requests.

Sincerely,



Steven A. Shaw
Owner Representative

March 12, 2002

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

Subject: Bayside Square, 68 Marginal Way

Dear Rick:

The attached plans show modifications to the landscaping plan, which incorporate the proposed signs at both entrances. The signs have been kept 5 feet behind the right of way and the landscaping modified to accommodate the signs. There is no loss in plantings, only rearrangement. Please refer to Neokraft's sign plans.

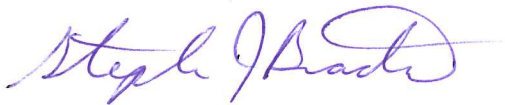
The AAA generator that will be moved from their existing site will be located at the back of the property toward Preble Street Extension. Arborvitae have been shown around the generator which allow for operation and maintenance of the equipment.

The Utility Plan has been modified to reflect the photometrics of a Kim Lighting fixture, the Matrix. Catalog cuts have been provided for your review. The owner's architect feels that the Matrix fixture is more compatible with the Mitre fixture on the building, than is the Lumec - Transit series as previously approved. The photometrics were revised with this fixture and are shown on the plans. It is felt that the new photometrics are equal to and in some areas, better than those presented earlier with the Lumec-Transit series.

If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

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: 4-5-02

To: JEFF DIPAULO

Company: NSOKRAFT

Fax #: 207-782-0089

From: RICK KNOWLANO

RE: JEFF, ATTACHED IS A LETTER CONCERNING
THE PROPOSED SIGN FOR THE AAA BUILDING.

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

Planning & Urban Development
April 2, 2002

Alexander Jaegerman
Planning Director



CITY OF PORTLAND

Mr. Steven Shaw
Atlantic Bayside Square, LLC
50 Portland Pier
Suite 400
Portland, ME 04101

RE: Bayside Office Building, 76 Marginal Way

Dear Mr. Shaw:

This letter is intended to give you an update on staff comments regarding proposed revisions to the Bayside Office Building site plan. Most of the site changes were highlighted in a letter from you dated 3-12-02.

- Parking lot lighting plan . . . The light fixtures should not exceed 250 watts. There are a number of hotspots in the vicinity of the light poles. These are significantly higher than the original plan. This needs to be addressed.
- Signs . . . The proposed building and freestanding signs are in the process of being reviewed. Neokraft formally applied for the sign permits on Monday.
- Generator . . . I am assuming that the generator will be shifted to the far corner of the parking lot on a subsequent site plan. The landscaping/screening plan will need to be revised accordingly. Has there been any discussion of painting the bright orange generator casing with a more subdued color such as green? Given its appearance, this should be seriously considered.
- Preble Street Light Poles . . . As requested, three street light poles in front of the building along Preble Street may be deleted. In lieu of this change, the site plan should be revised reflecting additional wall mounted light fixtures along the Preble Street façade. The type and spacing of the light fixtures should mirror the light fixtures found on the Marginal Way façade.

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

Sincerely,

✓ Richard Knowland
Senior Planner

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: 3-18-02

To: JEFF DIRAULO

Company: _____

Fax #: 782-0009

From: RICK KNOWLAND

RE: JEFF - ATTACHED IS A COPY OF THE
SITE PLAN STANDARD REGARDING SIGNS.

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

MODE = MEMORY TRANSMISSION

START=MAR-18 11:13

END=MAR-18 11:14

FILE NO.=789

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

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: 3-18-02

To: JGFF DIRAULO

Company: _____

Fax #: 782-0009

From: RICK KNOWLAND

RE: JGFF - ATTACHED IS A COPY OF THE

SITE PLAN STANDARD REGARDING SIGNS

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

ORDS/Message. ~~HM~~

TRAFFIC /
U.S. / MDOT
STATE. ME
ATP. / CDD
STATE

C. This subsection is administered by the Department of Transportation unless the municipality in which the sign is located and the Department of Transportation have agreed in writing that the municipality may administer this subsection.

This size, intensity of illumination and acceptable rate of change between the time display and the temperature display must comply with rules, policy or guidelines adopted by the Department of Transportation. Time and temperature signs erected before the effective date of this subsection need not comply with the rules, policy or guidelines.

B. For the purposes of this subsection, time and temperature signs are signs that electronically or mechanically display the time and temperature by the complete substitution or replacement of a display showing the time with a display showing the temperature.

A. For the purpose of this subsection, changeable message board signs are those signs in which the message may be electronically, mechanically or manually changed by the complete substitution or replacement of one display by another. The message on changeable message board signs may not be changed more than once in any 4-hour period.

as the sign complies with all the terms of paragraph A or B.

11. Changeable signs. Notwithstanding subsection 6,

Sec. 3. 23 MRSA §1914, sub-§11 is enacted to read:

9. Jurisdiction by local authority in compact or built-up sections. Administration of this chapter by the Department of Transportation shall does not apply to on-premise advertisements located in compact or built-up sections, the administration of which shall be the responsibility of local authority. In compact or built-up areas adjacent to the interstate, the Department of Transportation shall be responsible for the administration of this section. The "compact or built-up section" of any town or city shall be the territory contiguous to any highway which that is built up with buildings devoted to business or dwelling purposes which that are situated less than 200 feet apart for a distance of at least 1/4 of a mile.

Sec. 2. 23 MRSA §1914, sub-§9, as repealed and replaced by PL 1981, c. 318, §4, is amended to read:

E. Moves ex. has any animated or moving parts or has the appearance of movement, except as provided in subsection 11.

Table 2.8 Sign Regulations by Zone

Downtown Business (B-3), Urban Commercial (B-5), Waterfront Central (WC) and Waterfront Special Use (WSU) Zones

* Signs located on individual landmark properties or within historic districts, P.A.D. overlay districts or P.A.D. encouragement areas shall, in addition to the provisions herein, be subject to article IX of this Code or the downtown urban design guidelines, as applicable. Where the design guidelines are more restrictive than these regulations, the design guidelines shall supercede the otherwise applicable dimensional standards.

* Freestanding signs shall be allowed only if the front facade of the building (or individual tenant's/tenant's frontage in the case of a multi-tenant building) is set back a distance of at least 20 feet from either of the front facades of the abutting buildings (or other tenants' frontage in the same multi-tenant building).

Freestanding Signs * See restrictions on Penninsula

	Single & Multi-tenant Buildings
Area	16 sq. ft.
Height	6 ft.
Minimum Setback	5 ft.
# Freestanding signs per lot	1 per abutting street

Building Signs

	Single Tenant Buildings	Multi-Tenant Buildings	
		Bldg. ID Sign and/or Upper Floor Tenant Signs	Ind. Ground Floor Tenant Signs
Maximum cumulative permitted area of all building signs	na	na	na
Sq. ft. per linear ft. of bldg. facade on which sign will be placed	2 sq. ft.	na	2 sq. ft. per ft. of tenant's building frontage
Maximum % of wall area on which sign(s) is(are) to be placed	na	5% of the facade	na
# bldg. signs permitted per lot	1 per facade + 1	1 per facade + 1 per tenant	1 per tenant (a)

(a) If individual tenant fronts on more than one street, one additional building sign is permitted for each additional frontage.

- (18) If any part of a proposed structure or object is within one hundred (100) feet of any landmark, historic district, or historic landscape district designated or otherwise subject to the protection of article IX and not separated from such landmark or district by any public street, or any portion of any such street, such structure or object shall be determined not to be incongruous to the architectural style or character of those portions of such designated landmark or district as are currently visible to the development when viewed from a street or public open space;
- (19) View corridors: The placement and massing of proposed development shall not substantially obstruct those public views to landmarks and natural features from those locations identified on the View Corridor Protection Plan, a copy of which is on file in the department of planning and urban development;
- (20) The proposed development shall have no adverse impact upon the existing natural resources including groundwater quantity and quality, surface water quantity and quality, wetlands, unusual natural areas, and wildlife and fisheries habitats. Stormwater runoff from paved areas shall be treated to the extent practicable to minimize contaminants;
- (21) The proposed development shall not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.
- (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.

- b. The signage shall either be of special design merit or shall respond to unique circumstances associated with the subject property;
 - c. The signage shall have no detrimental impact upon the neighborhood;
 - d. The provisions of this subsection shall be limited to commercial uses in business or industrial zones, industrial uses or institutional uses.
- (24) All major or minor businesses shall meet the following requirements:
- a. *Signs:* Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.
 - b. *Circulation:* No ingress or egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.
 - c. *Drive-up features:* Drive-up features, such as gasoline pumps, vacuum cleaners and menu/order boards, shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.
 - d. *Car washes:* Car washes shall be designed to avoid the tracking of residual waters into the street.
- (25) Development in the industrial zones shall meet the following additional requirements:

- g. *Building tops:* Buildings or structures which exceed one hundred fifty (150) feet in height shall be designed so as to provide a distinctive top to the building which visually conveys a sense of interest and vertical termination to the building, as described and illustrated in the Downtown Urban Design Guidelines;
- (17) The applicant has submitted all information required by this article and the development complies with all applicable provisions of this Code;
- (18) If any part of a proposed structure or object is within one hundred (100) feet of any landmark, historic district, or historic landscape district designated or otherwise subject to the protection of article IX and not separated from such landmark or district by any public street, or any portion of any such street, such structure or object shall be determined not to be incongruous to the architectural style or character of those portions of such designated landmark or district as are currently visible to the development when viewed from a street or public open space;
- (19) View corridors: The placement and massing of proposed development shall not substantially obstruct those public views to landmarks and natural features from those locations identified on the View Corridor Protection Plan, a copy of which is on file in the department of planning and urban development;
- (20) The proposed development shall have no adverse impact upon the existing natural resources including groundwater quantity and quality, surface water quantity and quality, wetlands, unusual natural areas, and wildlife and fisheries habitats. Stormwater runoff from paved areas shall be treated to the extent practicable to minimize contaminants;
- (21) The proposed development shall not pose an unreasonable risk that a discharge to a significant groundwater aquifer will occur.

*Traffic Impact Study
Bayside Site Development*

Portland, Maine

March 2001

Prepared For:

Environmental Engineering & Remediation
222 St. John Street
Portland, Maine 04102

Prepared By:

Wilbur Smith Associates
Engineers•Economists•Planners
59 Middle Street
Portland, Maine 04101

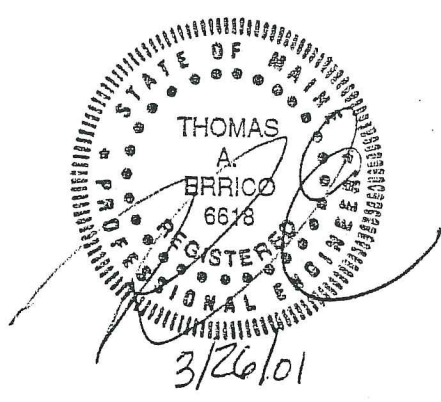


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SECTION 1 – INTRODUCTION

Environmental Engineering & Remediation, Inc. (EER) retained Wilbur Smith Associates (WSA) to prepare a Traffic Impact Study for the proposed Bayside Site Development located on Marginal Way at the intersection of Preble Street (refer to Figure 1). As currently planned the project will consist of a 50,000 square feet office building to be constructed in the existing City of Portland's Department of Public Works Salt storage area. Access to the project will be provide via tow driveway's, one on Marginal Way west of Preble Street and one on Preble Street Extension.

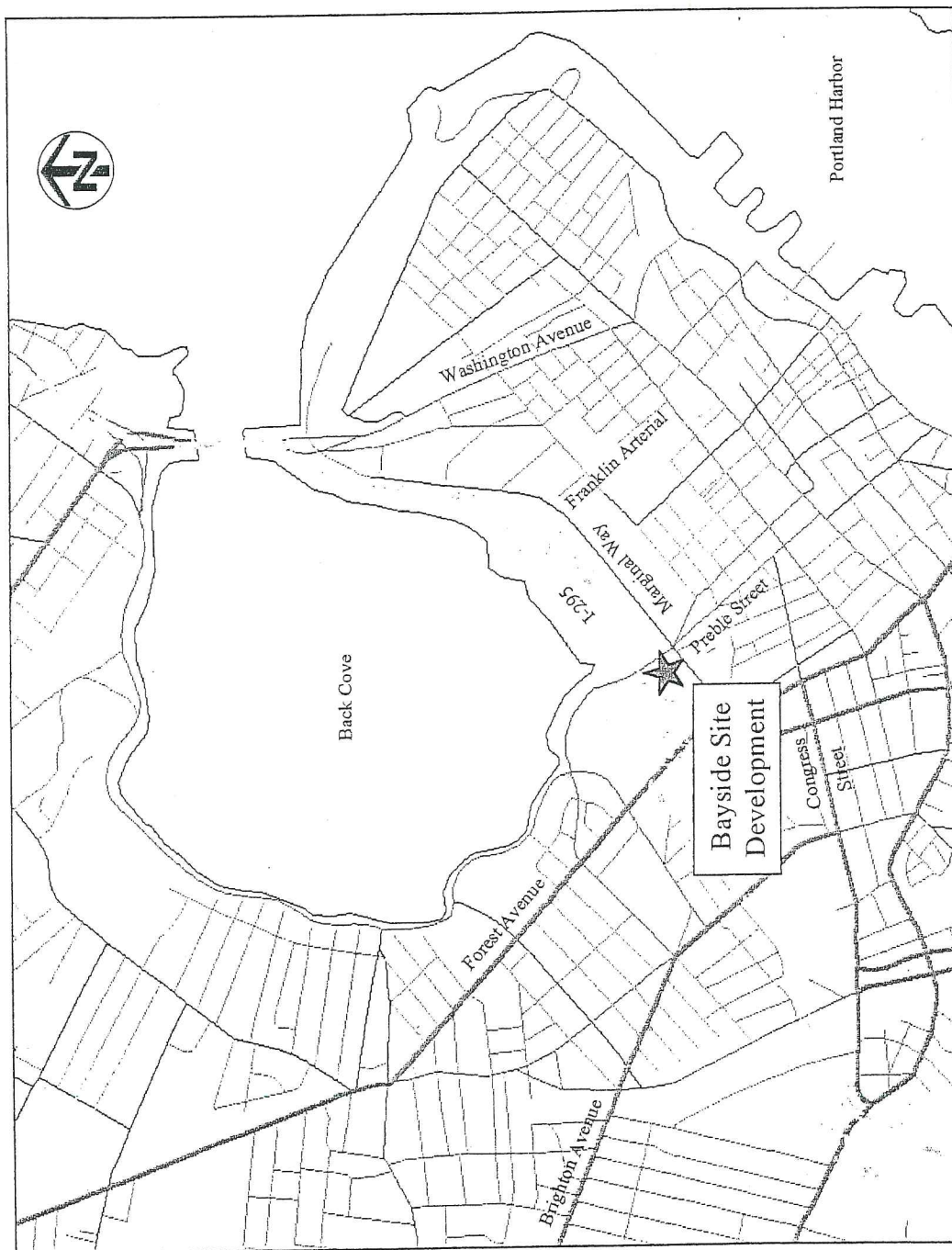
The scope of this traffic study reflects input from the City of Portland Traffic Engineer.

The purpose of this study is to evaluate the impact the proposed project has, on both safety and operations, on the transportation system in the vicinity of the project. Specifically the study will evaluate conditions at the Marginal Way/Preble Street and Preble Street Extension/Baxter Boulevard intersections.

The study includes the following:

- Estimate of traffic volumes in the study area for conditions without the project in 2001.
- Estimate of traffic generated from the site according to national trip generation data.
- Estimate of traffic volumes in the study area for conditions following build-out of the project in 2002.
- Evaluation of intersection operations both with and without the proposed project.
- Evaluation of accident data in the study area.
- Evaluation of access/egress, on-site parking, circulation and truck deliveries.

FIGURE 1 - SITE LOCATION MAP
Bayside Site Development
Portland, Maine



SECTION 2 – DATA COLLECTION

EER provided the following:

- Site Plan

The Maine Department of Transportation (MDOT) provided the following:

- Accident data in the vicinity of the project for the 1997-1999 three-year period.

Jack Murphy provided the following:

- Manual turning movement count at the intersection of Preble Street Extension and Baxter Boulevard.

WSA performed the following:

- Manual turning movement counts at the intersection Marginal Way and Preble Street.
- Field Reconnaissance of the study area.

SECTION 3 – EXISTING/FUTURE TRAFFIC VOLUMES

The primary purpose of this study is to show what effect the proposed project will have on the local transportation system. In general, the critical time period for a given project is directly associated with peaking characteristics of both the project-related traffic and the area transportation system. For this study, traffic conditions during the Weekday AM and PM peak hours were evaluated.

Development of AM and PM peak hour traffic volumes was based upon traffic counts conducted by WSA at the Marginal Way/Preble Street intersection and by Jack Murphy, P.E. at the Preble Street Extension/Baxter Boulevard intersection. A summary of the time and dates of the counts is presented as follows.

-
- Marginal Way/Preble Street – November 14, 2000 (7:00-9:00AM & 3:30-6:00PM)
 - Preble Street Extension/Baxter Boulevard – November 14, 2000 (7:00-9:00AM & 3:30-6:00PM)

Design Hour Volume

The traffic pattern on any highway shows considerable variation in traffic volumes during different hours of the day and in hourly volumes throughout the year. It must be determined which of these hourly traffic volumes should be used for analysis and design. It would be wasteful to predicate the design on the (maximum) peak hour traffic of the year, yet the use of the average hourly traffic would result in an inadequate design. The hourly traffic volume used in design should not be exceeded very often or by very much. On the other hand, it should not be so high that traffic would rarely be great enough to make full use of the facility. Based upon the relationship between highest hourly volumes and daily traffic volumes, it has been concluded that the hourly traffic used in design should be the 30th Highest Hour Volume, or sometimes called Design Hour Volume.

For this study, the Design Hour Volumes were estimated from MDOT Weekly Group Mean Factors. Figure 2 presents the 2000 Design Hour traffic volumes within the study area.

SECTION 4 – NO-BUILD TRAFFIC VOLUMES

No-Build traffic volumes (without the proposed development) were developed for the anticipated opening year of the project (2002). In order to estimate traffic volumes during the No-Build condition, it is important to incorporate traffic generated by other developments in the study area. This is important because conditions associated with nearby developments may generate traffic that impact roadways being studied. Based upon input from the City of Portland, several area projects were included in the No-Build condition. The following presents a list of the projects included.

- ◆ Wild Oats Supermarket

To estimate future No-Build conditions, the 2000 Design Hour volumes were increased by a background growth factor of 2.0 percent per year (based upon historical data). Accordingly, the 2000 Design Hour volumes were increased by 2 percent and traffic expected from other approved developments were added. Figure 3 presents the 2002 No-Build traffic volumes (inclusive of the above developments) during both the Weekday AM and PM peak hours.

SECTION 4 – SITE GENERATION TRAFFIC

Traffic generated from the proposed development was based upon traffic generation rates contained in the publication Trip Generation, Institute of Transportation Engineers. Traffic generation was based upon Land Use Code 710 – General Office Building. The following table summarizes the expected traffic generated from the proposed 50,000 square foot office building during the AM and PM peak hours and on a weekday daily basis.

	Weekday		
	Enter	Exit	Total
AM Peak Hour	94	13	107
PM Peak Hour	23	112	135
Daily	390	390	780

Distribution of the site-generated traffic was based upon traffic volume distribution. Figure 4 presents the site generated traffic volumes during the AM and PM peak hours.

SECTION 5 – BUILD TRAFFIC VOLUMES

The Build Traffic Volumes within the study area were estimated for the year 2002. The Build Volumes were estimated by adding the site-generated traffic depicted on Figures 4 to the 2002 No-Build traffic volumes located on Figure 3. Figures 5 presents the 2002 Build Traffic Volumes during the AM and PM peak hours.

FIGURE 3 - 2002 NO-BUILD TRAFFIC VOLUMES

Bayside Site Development Portland, Maine

Legend

000 - AM Peak Hour
(000) - PM Peak Hour

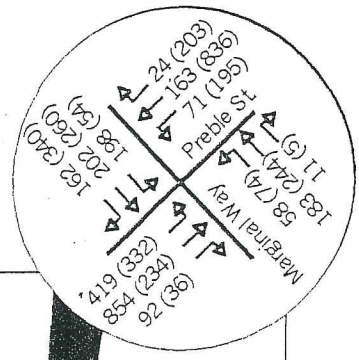
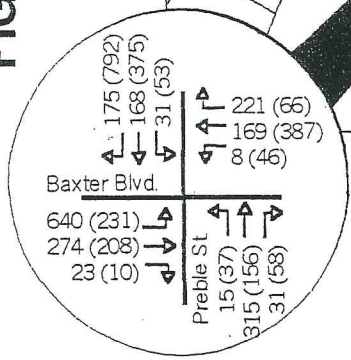


FIGURE 4 - SITE GENERATED TRAFFIC VOLUMES

Bayside Site Development Portland, Maine

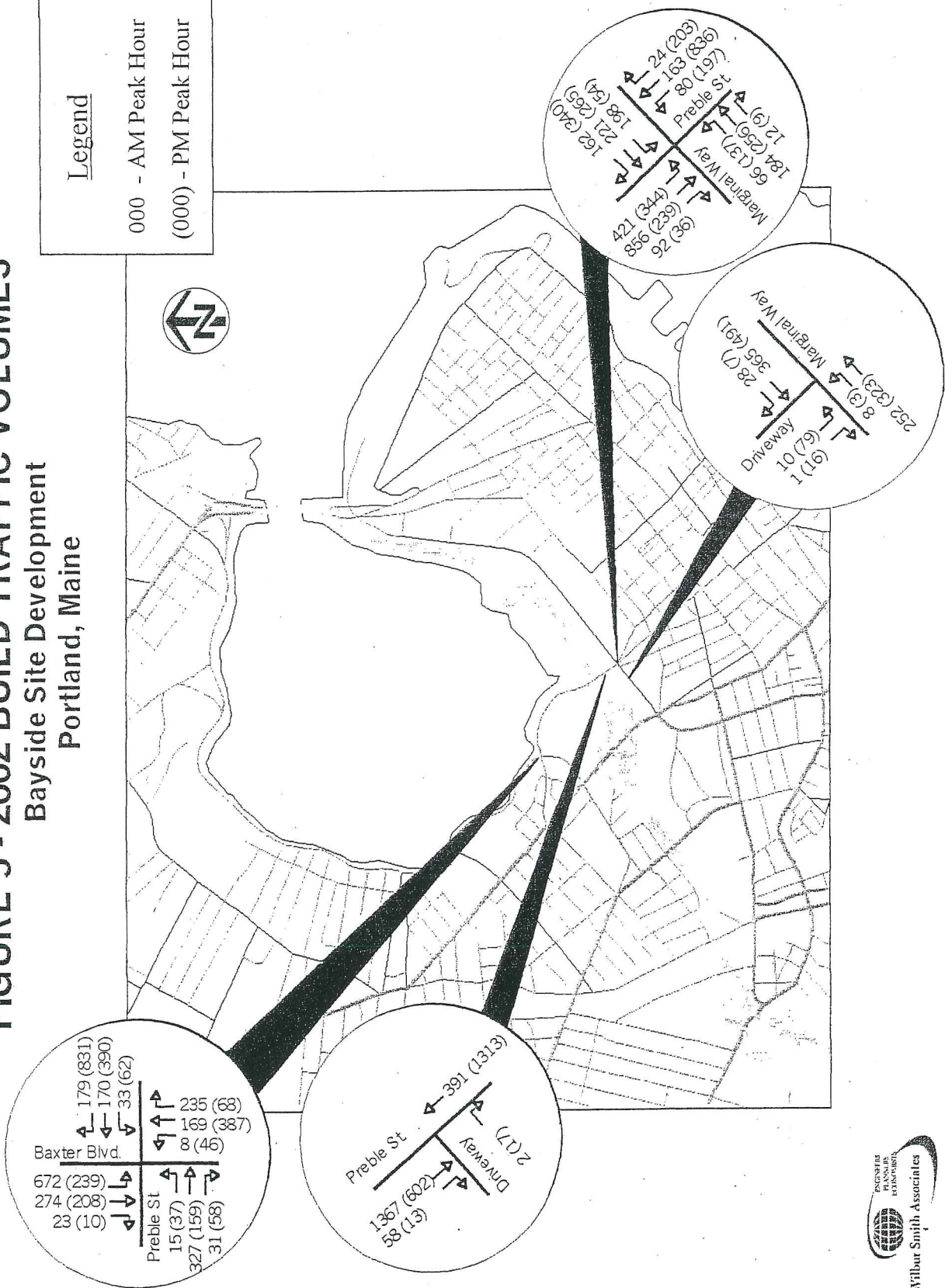
Legend

000 - AM Peak Hour
(000) - PM Peak Hour



FIGURE 5 - 2002 BUILD TRAFFIC VOLUMES
 Bayside Site Development
 Portland, Maine

Legend
 000 - AM Peak Hour
 (000) - PM Peak Hour



SECTION 6 – INTERSECTION ANALYSIS

To evaluate the impact of traffic generated by the proposed development, capacity analysis was performed at the study intersections for the 2002 No-Build and Build conditions.

The standard used to evaluate traffic operating conditions of the transportation system is referred to as the Level of Service (LOS). This is a qualitative assessment of the quantitative effect of factors such as speed, volume of traffic, geometric features, traffic interruptions, delays, and freedom to maneuver. LOS analysis was based upon procedures detailed in the 2000 Highway Capacity Manual, Transportation Research Board.

Signalized intersection LOS is based on average stopped delay per vehicle. The following table summarizes LOS categories and their associated delay.

LOS Criteria for Signalized Intersections

Level of Service	Average Delay Per Vehicle (seconds)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

The results of the unsignalized capacity analyses at the Marginal Way/Preble Street and Preble Street Extension/Baxter Boulevard intersections are presented in the following tables. The capacity analysis was based upon traffic signal phasing and timing as used in the approved Wild Oats Traffic Impact Study prepared by John L. Murphy, P.E.

**Marginal Way/Preble Street
Level of Service Summary**

	2002 No-Build LOS (Delay)		2002 Build Condition LOS (Delay)	
	AM	PM	AM	PM
Marginal Way EB LT	D (45.2)	E (64.7)	D (45.8)	F (180.3)
Marginal Way EB TH/RT	D (38.1)	D (40.4)	D (38.1)	D (40.7)
Marginal Way WB LT	D (45.6)	E (57.4)	D (45.6)	E (57.4)
Marginal Way WB TH/RT	C (33.2)	D (53.6)	C (33.4)	D (54.0)
Preble St. NB LT	D (47.5)	E (60.5)	D (50.0)	E (61.1)
Preble St. NB TH/RT	D (41.5)	F (122.8)	D (41.5)	F (122.8)
Preble St. SB LT	D (54.5)	E (69.5)	E (55.5)	E (75.6)
Preble St. SB TH/RT	D (42.2)	C (27.7)	D (42.5)	C (27.8)
Overall	D (43.4)	E (79.7)	D (43.8)	F (85.4)

**Preble Street Extension/Baxter Boulevard
Level of Service Summary**

	2002 No-Build LOS (Delay)		2002 Build Condition LOS (Delay)	
	AM	PM	AM	PM
Preble St. EB LT/TH/RT	D (39.1)	C (24.7)	D (39.5)	C (24.7)
Preble St. WB LT/TH	D (36.6)	C (26.6)	D (36.8)	C (27.1)
Preble St. WB RT	A (7.8)	B (10.8)	A (7.8)	B (11.2)
Baxter Blvd. NB LT/TH/RT	C (34.0)	C (27.7)	C (34.3)	C (27.8)
Baxter Blvd. SB LT	C (26.3)	B (17.4)	C (30.8)	B (17.7)
Baxter Blvd. SB TH/RT	A (7.0)	A (9.7)	A (7.0)	A (9.7)
Overall	C (27.5)	C (21.3)	C (29.2)	C (21.3)

Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the above table indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).

In an effort to mitigate intersection congestion, optimization of the traffic signal phasing was investigated. As noted in the following table, intersection operations are projected to

improve substantially, if the traffic signal timing is revised. As noted in the following table, intersection delay will be less than the pre-development condition.

**Marginal Way/Preble Street
Level of Service Summary
With Traffic Signal Improvements**

	2002 Build Condition LOS (Delay)
	PM
Marginal Way EB LT	F (123.5)
Marginal Way EB TH/RT	D (41.9)
Marginal Way WB LT	D (52.7)
Marginal Way WB TH/RT	E (72.0)
Preble St. NB LT	F (80.7)
Preble St. NB TH/RT	E (78.1)
Preble St. SB LT	F (102.7)
Preble St. SB TH/RT	C (23.6)
Overall	E (73.4)

SECTION 7 – SAFETY ANALYSIS

Accident data from the period 1997 – 1999 was obtained from MDOT for roadways and intersections in the vicinity of the project site. A summary of the data is presented in the following table.

LOCATION	1997-1999 ACCIDENTS	YEARLY AVERAGE	CRITICAL RATE FACTOR
Marginal Way/Preble Street	20	6.67	0.66
Preble Street/Baxter Boulevard	31	10.33	0.93
Preble Street between Marginal Way and Baxter Boulevard	8	2.67	0.27
Marginal Way between Forest and Preble	9	3.00	0.47

MDOT considers a Critical Rate Factor (CRF) of over 1.0 and 8 accidents over a three-year period as a general guideline to identify potential safety deficiencies. As noted in the above table, no study area locations meet this criterion.

SECTION 9 – SITE ACCESS AND CIRCULATION

The following summarizes our comments relative to review of a site plan prepared by EER. Specifically, the assessment included an evaluation of sight distance, on-site circulation and access, and on-site parking supply.

Sight Distance

Driveway and intersecting road placement shall be such that an exiting vehicle has an unobstructed sight distance according to MDOT standards. Accordingly, sight distances from the existing driveways on Marginal Way and Preble Street Extension were reviewed and assessed according to standards contained in the publication Access Management Improving the Efficiency of Maine Arterials, MDOT. For roads with vehicular speeds of 35 MPH (posted speed limit) and driveways with low to medium traffic volumes, the minimum sight distance is 350 feet. The following table summarizes the field measured sight distances at the project driveways.

LOCATION	LEFT SIGHT DISTANCE (FEET)	RIGHT SIGHT DISTANCE (FEET)	MINIMUM STANDARD (FEET)
Site Drive @ Marginal Way	500+	500+	350
Site Drive @ Preble Street Extension	500+	Not Applicable	350

As noted in the above table, all driveways meet MDOT standards for sight distance. It should be noted that two large trees obstruct sight distance when exiting the site drive on Marginal Way and looking westerly. Motorist should be able to pull out and avoid the trees. However, it is recommended that conditions be monitored and the trees be removed if problems develop.

Access and Circulation

In general we find the access to be acceptable with the following comments.

- The two access drives should be aligned such that they intersect Marginal Way and Preble Street Extension at an angle near 90 degrees.
- The City of Portland Traffic Engineer has expressed concern relative to vehicles exiting the Preble Street Extension driveway and performing an illegal left-turn. To help discourage this movement it is suggested that the island be extended approximately fifty feet.

On-Site Parking

A on-site parking demand analysis was conducted for the proposed 50,000 square foot office building to ascertain the adequacy of the proposed parking supply. A summary of the analysis is presented in the following table.

CURRENT PARKING SUPPLY	168 PARKING SPACES
City of Portland Parking Ordinance 1 space per 400 square feet	125 Parking Spaces
ITE Parking Generation 2.79 spaces per 1,000 square feet	140 Parking Spaces
Parking, ENO Foundation 3 spaces per 1,000 square feet	150 Parking Spaces

As noted above an adequate parking supply will be provided.

SECTION 10 – CONCLUSIONS/RECOMMEDATIONS

1. The proposed 50,000 square foot office development is expected to generate 107 vehicles (94 entering/13 exiting) during the AM peak hour. During the PM peak hour 135 vehicles (23 entering/112 exiting) will be generated. On a 24-hour basis 780 vehicles will be generated.

-
2. Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the analysis indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).
 3. In an effort to mitigate congestion at the Marginal Way/Preble Street intersection, optimization of the traffic signal phasing is recommended. As noted in Section 6 intersection operations are projected to improve, if the traffic signal timing is revised, and intersection delay will be less than the pre-development condition.
 4. Evaluation of accident data in the vicinity of the project was performed for the most recent 3-year period from the MDOT. Results indicate no roadways or intersections within the study area are High Accident Locations.
 5. Sight distance was evaluated for driveways on both Marginal Way and Preble Street Extension. Results indicate all driveways meet MDOT standards for sight distance.

SALT SHED MOOF SCOPING MEETING

<u>NAME</u>	<u>ADDRESS</u>
William Nemmers - Architect	
Thomas Erico	
Stephen J Bradstreet	EER
Bill Bray	CITY
RICK KNOWNUM	PLANNING OFFICE



Wilbur Smith Associates

May 21, 2001

59 Middle Street
Portland, ME 04101
(207) 871-1785
(207) 871-5825 fax
www.wilbursmith.com

Mr. Richard Knowland
Senior Planner
City of Portland Department of Planning
389 Congress Street
Portland, ME 04101

Subject: Bayside Site Development – Portland, Maine

Dear Mr. Knowland:

Attached please find four (4) copies of the Maine Department of Transportation (MDOT) Traffic Movement Permit Application for the proposed Bayside Site Development project located off Marginal Way in Portland, Maine. The Application includes the following as required by MDOT:

- Application forms on pages 14 and 15 of the Traffic Movement Permit.
- Sections 1 through 6 of the Traffic Movement Permit.

I hope this letter and the attached information is acceptable. Please call me should you have any questions or need additional information.

Sincerely,


WILBUR SMITH ASSOCIATES

Thomas A. Errico, P.E.
Senior Transportation Engineer

Department of Transportation
Traffic Engineering Division
16 State House Station
Augusta, Maine 04333
Telephone: 207-287-3775

FOR MDOT USE 1/2000
ID #
Total Fees:
Date: Received

**PERMIT APPLICATION - TRAFFIC
TRAFFIC MOVEMENT PERMIT, 23 M.R.S.A. § 704 - A**

Please type or print:

This application is for: Traffic 100-200 PCE's X
Traffic 200+ PCE's

Name of Applicant: MR. TED WEST

Address: ATLANTIC NATIONAL TRUST Telephone: 828-1080
S. PORTLAND PIER, SUITE 400 PORTLAND ME 04101

Name of local contact or agent: WILLIAM NEMMERS AND ASSOCIATES

Address: 100 COMMERCIAL ST. PORTLAND, ME Telephone: 775-6141
04101

Name and type of development: BAYSIDE SITE DEVELOPMENT-OFFICE BUILDING

Location of development including road, street, or nearest route number: _____

68 MARGINAL WAY

City/Town/Plantation: PORTLAND, County: CUMBERLAND, Tax Map # 34A-A-4, Lot # 1
34A-A-2, Lot # 2

Do you want a consolidated review with DEP pursuant to 23 M.R.S.A. § 704-A (7)?
Yes No X

Was this development started prior to obtaining a traffic permit? NO

Is the project located in an area designated as a growth area (as defined in M.R.S.A. title 30 - A, chapter 187)?
Yes No X

Is this project located within a compact area of an urban compact municipality? Yes X No

Is this development or any portion of the site currently subject to state or municipal enforcement action?
NO

Existing DEP or MDOT permit number (if applicable): _____

Name(s) of DOT staff person(s) contacted concerning this application: _____

Name(s) of DOT staff person(s) present at the scoping meeting for 200+ applications: _____

1/2000

CERTIFICATION

The traffic engineer responsible for preparing this application and/or attaching pertinent site and traffic information hereto, by signing below, certifies that the application for traffic approval is complete and accurate to the best of his/her knowledge.

Signature: 

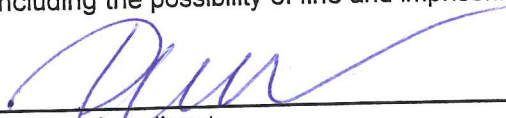
Re/Cert/Lic No.: P.E. # 6618

Name (print): THOMAS A. ERICO

Date: MAY 21, 2001

If the signature below is not the applicant's signature, attach letter of agent authorization signed by applicant.

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."


Signature of applicant

5/21/01
Date

SECTION 1 – SITE AND TRAFFIC INFORMATION

- A. Site Plan** - The proposed Bayside Site Development will be located on Marginal Way at the intersection of Preble Street (refer to Figure 1). As currently planned the project will consist of a 50,000 square foot office building to be constructed in the existing City of Portland's Department of Public Works Salt storage area and the Advanced Paper Company building. Access to the project will be provide via two driveways, one on Marginal Way west of Preble Street and one on Preble Street Extension. A site plan is attached.
- B. Existing and Proposed Site Uses** – The existing site contains the City of Portland's Department of Public Works salt storage area and the Advanced Paper Company building. The project will consist of a 50,000 square foot office building.
- C. Site and Vicinity Boundaries** – Figure 1 depicts a regional map showing the roads and other proposed developments in the vicinity of the site.
- D. Proposed Uses in the Vicinity of the Proposed Development** – The following list of developments were identified by the City of Portland as being approved and not built. Traffic from these developments, and others as required, will be incorporated in the traffic study.
- Wild Oats Supermarket
- E. Trip Generation** – Traffic generated from the proposed development was based upon traffic generation rates contained in the publication Trip Generation, Institute of Transportation Engineers. Traffic generation was based upon Land Use Code 710 – General Office Building. The following table summarizes the expected traffic generated from the proposed 50,000 square foot office building during the AM and PM peak hours and on a weekday daily basis.

	Weekday		
	Enter	Exit	Total
AM Peak Hour	94	13	107
PM Peak Hour	23	112	135
Daily	390	390	780

F. Trip Distribution – The distribution of site trips was based upon a review of existing traffic distribution at intersections in the study area. Figure 2 presents the preliminary trip distribution during the AM and PM peak hours.

G. Trip Assignment – Figure 3 summarizes the trip assignment for the AM and PM peak hours.

FIGURE 1 - STUDY AREA AND NEARBY PROPOSED PROJECTS

Bayside Site Development
Portland, Maine

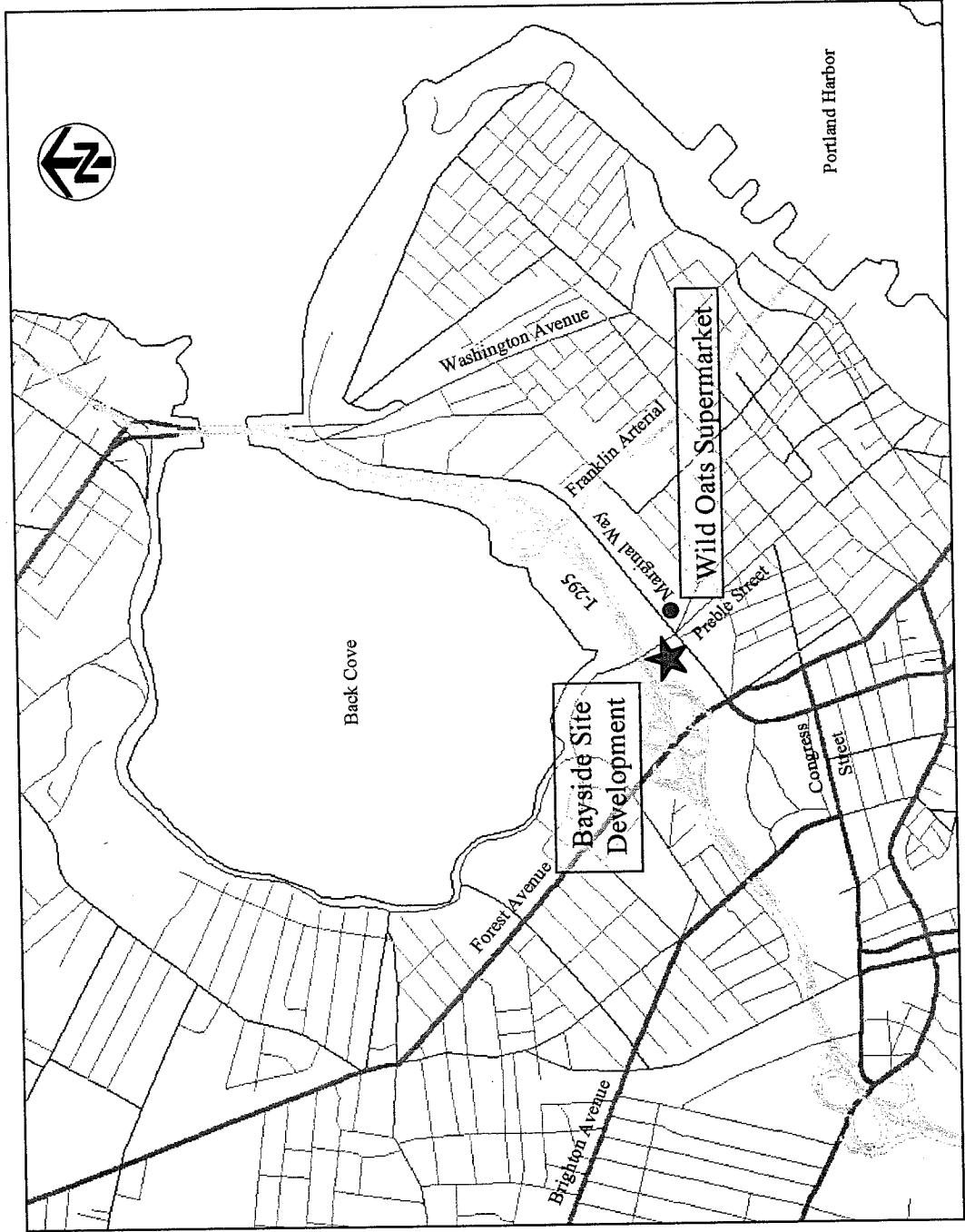


FIGURE 2 - SITE TRAFFIC DISTRIBUTION

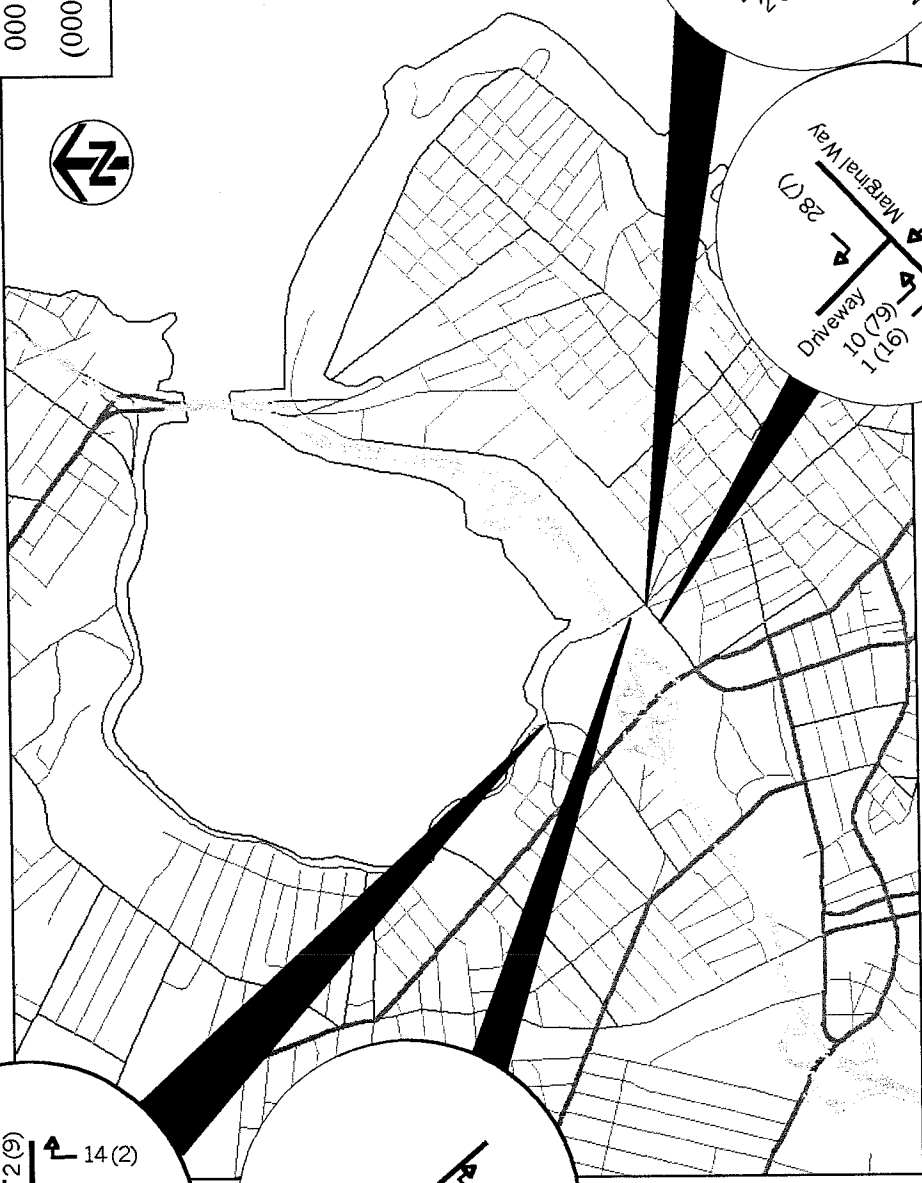
Bayside Site Development
Portland, Maine



FIGURE 3 - A.M.P.M. PEAK HOUR TRIP DISTRIBUTION

Bayside Site Development
Portland, Maine

Legend
 000 - AM Peak Hour
 (000) - PM Peak Hour



From: "Steve Bushey" <SBushey@DelucaHoffman.com>
To: "Rick Knowland (E-mail)" <RWK@ci.portland.me.us>
Date: Fri, Jun 8, 2001 4:04 PM
Subject: Bayside Development at the Former Salt Shed Site

Rick,

I have reviewed the various application materials prepared by EER for the aforementioned project and find that they have substantially address all my comments and concerns. On this basis I can recommend the project for approval with the standard conditions for Erosion and Sediment control.

If you have any questions please call.

Steve Bushey, Technical Reviewer

From: Penny Littell
To: RICK KNOWLAND
Date: Fri, Jun 8, 2001 3:37 PM
Subject: Salt Shed

Rick: I wanted to remind you of the state statute which requires buildings along state or state aid highways to be set back at least twenty (20) feet from the outside edge of certain highways. 23 MRSA sec 1401 reads:
Installations restricted

No person shall install, erect or construct, or cause to be installed, erected or constructed any such installations as buildings, gasoline pumps or other fixtures, excepting only the installations or other property devoted to the public use of any public utility or district and underground pipe lines, in, upon or near any state or state aid highway, located as follows:

1. Within right of way. Within the full width of the right of way of any state or state aid highway as laid out by the State, the county or the town; or

2. Within 33 feet of center line. Within 33 feet of the center line of any such highway. This provision shall not apply to installations or other property in existence on August 6, 1949; or

3. Within 20 feet from outside edge of certain highways. Within 20 feet from the outside edge of any of the paved portion of any such highway having more than 2 travel lanes and having a total paved portion in excess of 24 feet in width. This provision shall not apply to installations or other property in existence on September 1, 1955.

4. Provision waived. The commissioner, in his discretion, may, if he determines that highway safety and the public welfare will not be adversely affected by the reconstruction of a building in the general location of the previously existing building, waive the provision of subsection 2.

Any person found guilty of violating this section shall be punished by a fine of not less than \$5 nor more than \$500, and whoever after conviction of such violation unlawfully maintains any such installations as buildings, gasoline pumps or other fixtures for 30 days after such conviction may be punished by a further fine of not more than \$50 for each day upon which such installations as buildings, gasoline pumps or other fixtures are maintained.

This may apply to the Salt Shed but Public Works Director Bill Bray is engaged in ongoing discussions with MDOT Commissioner Melrose about this issue.

DEPARTMENT OF PLANNING AND
URBAN DEVELOPMENT

RICHARD KNOWLAND
SENIOR PLANNER

5/25/01

JGFF,
COULD YOU TAKE A LOOK AT
THE SALT HCO SITE PLAN?
IS SCREENING FOR TRANSFORMER
ADEQUATE? PUBLIC HEARING IS
JUNE 12 TH SO I'D APPRECIATE
COMMENTS FOR MAY 30 TH STAFF
MTG

THANKS

RLK

**CITY OF PORTLAND, MAINE
MEMORANDUM**

RE: Chair Caron and Members of the Planning Board

FROM: Richard Knowland, Senior Planner

DATE : May 22, 2001

RE: 76 Marginal Way, Salt Shed Parcel

The application for a proposed office building at 67 Marginal Way cannot be considered at Tuesday's meeting and should be tabled to the Board's June 12th agenda. We discovered this week that this development requires a MDOT Traffic Movement Permit for which the Board serves as the local review authority. Appropriate notice and application procedures need to be adhered to for this application to be considered. A June 12th meeting is the soonest date that will allow us to follow those procedures.

The Board should be aware that if this issue had not come up, staff would have recommended tabling this application due to changes in the building façade and late submission of building elevations. We are hopeful that between now and the next meeting, these issues can be resolved.

Prior to scheduling a public hearing (presumably June 12th), the applicant will submit a formal Traffic Movement Permit and finalize the building elevations.

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: 5-24-01

To: BILL NEMMON

Company: _____

Fax #: 773-0194

From: RICK KNOWLAND

RE: BILL - ATTACHED ARE THE "RULES" FOR THE

NEIGHBORHOOD MEETING. IF YOU HAVE ANY QUESTIONS,

GIVE ME A CALL.

RLK

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

City of Portland Planning Department

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Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: 5-21-01

To: BILL NEWMAN

Company: _____

Fax #: 773-0194

From: RICK KNOWLAND

RE: BILL - ATTACHED IS THE MEMO THAT WENT TO
THE PLANNING BOARD HAVE BEEN IN TOUCH WITH
TOM SARIKO ABOUT THE TRAFFIC PERMIT APPLICATION
AND SETTING UP A SCOPING MEETING. WOULD LIKE TO
SET UP A MEETING WITH YOU FOLK, MYSELF AND
ALAN HOLT THIS FRIDAY. LET ME KNOW WHAT TIME
WORKS FOR YOU.

RK

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MODE = MEMORY TRANSMISSION

START=MAY-21 12:49

END=MAY-21 12:50

FILE NO.=617

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-CITY OF PORTLAND -

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City of Portland Planning Department

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Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: 5-21-01

To: BILL NEMMENJ

Company: _____

Fax #: 773-0194

From: RICK KNOWLAND

RE: BILL - ATTACHED IS THE MEMO THAT WENT TO

THE PLANNING BOARD HAVE BEEN IN TOUCH WITH

TOM GRAYO ABOUT THE TRAFFIC PERMIT APPLICATION

AND SETTING UP A SCOPING MEETING. WOULD LIKE TO

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ALAN HOLT THIS FRIDAY. LET ME KNOW WHAT TIME

WORK FOR YOU.

RK

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MODE = MEMORY TRANSMISSION

START=MAY-21 13:48

END=MAY-21 13:49

FILE NO.=618

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001	OK		97730194	002/002	00:00:35

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City of Portland Planning Department

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Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: 5-20-01

To: BILL NEHMEY

Company: _____

Fax #: 773-0194

From: RICK KNOWLTON

RE: MEMO FROM STOVE BUSHBY DATCO MAY 17, 2001

YOU SHOULD RECEIVE 2 PAGE(S),
INCLUDING THIS COVER SHEET.
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PLEASE CALL (207)874-8721 OR (207)874-8719.

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Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: 5-20-01

To: BILL NEMMEN

Company: _____

Fax #: 773-0194

From: RICK KNOWLAND

RE: MEMO FROM STEVE BUSHEI DATED MAY 17, 2001

YOU SHOULD RECEIVE 2 PAGE(S),
INCLUDING THIS COVER SHEET.
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PLEASE CALL (207)874-8721 OR (207)874-8719.

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: 5-17-01

To: STEVIE BUSHBY

Company: _____

Fax #: 879-0896

From: RICK KNOWLAND

RE: STEVIE - THE SALT SHOP PROJECT IS STILL GOING

ON THE P.B. MEETING ON TUESDAY FOR A PUBLIC HEARING.
APPLICANT REFUSED TO TABLE.

I WILL NEED AN E-MAIL OF COMMENTS FROM YOU. IS

IT POSSIBLE TO GET THESE FOR THE FRIDAY PACKET?

ATTACHED IS SOME MATERIAL THAT I WANTING SOME THAT YOU

HAD.

THANKS

RK

YOU SHOULD RECEIVE 8 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

From: Larry Ash
To: Rick Knowland
Date: Wed, May 16, 2001 6:11 AM
Subject: Proposed office Building at Preble Street Extension/Marginal Way

Rick: To bring the intersection Level of Service up to an acceptable level a second (dual) left turn lane can be added on Preble Street Extension; that is, two left turn lanes from Preble St onto Marginal Way.

Tom Errico's analysis of this modification shows that the southbound lane approach and the intersection as a whole would result in LOS "D" which is acceptable to me. Without this dual left turn the LOS was expected to be "F".

There are two options for widening Preble Street to provide another turn lane, each with associated costs. The cheapest is estimated at \$42, 500 and would involve widening Preble Street by 12 feet on the easterly side. The second concept for widening is for 6 feet on both sides of Preble Street, the cost for this being about \$50,000. Both concepts include \$7,500 for signalization improvements.

Either modification is acceptable to me, in concept. I have not as yet seen a detailed drawing. I believe we have the right-of-way needed but I would need verification on this.

I believe it essential to require these improvements.

CC: Alex Jaegerman , William Bray

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: 4/11/01

To: BILL NGMMON

Company: _____

Fax #: 774-3683

From: RICK KNOWLTON

RE: BILL - COMMENTS ON THE LATEST BUILDING
ELEVATIONS FOR THE MARGINAL WAY PROJECT

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.



CITY OF PORTLAND

May 11, 2001

Mr. William Nemmers
William Nemmers And Associates
424 Fore Street
Portland, ME 04101

RE: 76 Marginal Way

Dear Bill,


We have received the revised building elevations (dated 4-8-01) for the Bayside office building and have some comments.

This is a totally different building than what was presented at the April 10th Planning Board workshop meeting. The materials, massing at the corner, proportions, fenestration, windows and façade treatment are radically different. We thought that the design presented at the Planning Board workshop was headed in the right direction. The recently submitted one is a step backward. We have serious reservations regarding the design. I believe the Planning Board will also have similar concerns.

Bill, we would recommend that you stick with the original design and if you need to make some refinements we can discuss this. Also, I have previously requested a copy of the applicant's right, title and interest in the Allied Paper Co. site. We obviously need this prior to the May 22nd public hearing.

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

Sincerely,


Richard Knowland
Senior Planner

CC: Alexander Jaegerman, Chief Planner
Sarah Hopkins, Developmental Review Services Manager
Lee Urban, Director of Economic Development

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: 4-4-01

To: BILL NEMMERS

Company: _____

Fax #: 774-3683

From: RICK KNOWLAND

RE: BILL - SEC ATTACHED COMMENTS

YOU SHOULD RECEIVE 3 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

MODE = MEMORY TRANSMISSION

START=APR-09 10:11

END=APR-09 10:19

FILE NO.=397

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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City of Portland Planning Department

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Portland, ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258

FAX TRANSMISSION COVER SHEET

Date: 4-09-01

To: LARRY ASH

Company: TRAFFIC DIVISION

Fax #: 874-8473

From: RICK KNOWLAND

RE: LARRY - ATTACHED IS THE MATERIAL FROM

THE WILCOATS APPEAL. ALSO ATTACHED IS THE PLANNING
BOARD AGENDA FOR TOMORROW AS WELL AS THE STAFF MEETING
FOR THE SAFT JACO SITE BUILDING. SEE YOU AT TOMORROW'S
WORKSHOP. IF YOU THINK YOU ARE GOING TO REQUIRE OFF-
SITE IMPROVEMENTS COULD YOU LET ME KNOW PRIOR TO THE
WORKSHOP?

THANKS

RK

YOU SHOULD RECEIVE 12 PAGE(S),
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MODE = MEMORY TRANSMISSION

START=APR-09 10:27

END=APR-09 10:30

FILE NO.=399

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	2	98790896	008/008	00:02:45

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***** -PLANNING DEPT. - ***** 2077568258- *****

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: 4-09-01

To: STEVE BUNGY

Company: _____

Fax #: 879-0896

From: RICK KNOWLAND
~~STEVE BUNGY~~

RE: STEVE, ATTACHED IN THE PLANNING BOARD

AGENDA AND STAFF MEMO FOR THE SAULT SNEO

SITE. SEE YOU AT TUESDAY WORKSHOP.

YOU SHOULD RECEIVE 8 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL (207)874-8721 OR (207)874-8719.

MARGINAL WAY



ORIGINAL DESIGN

A-3

ORIGINAL DESIGN

A-4

PREBLE STREET



ORIGINAL DESIGN

A-5

SOUTH WEST

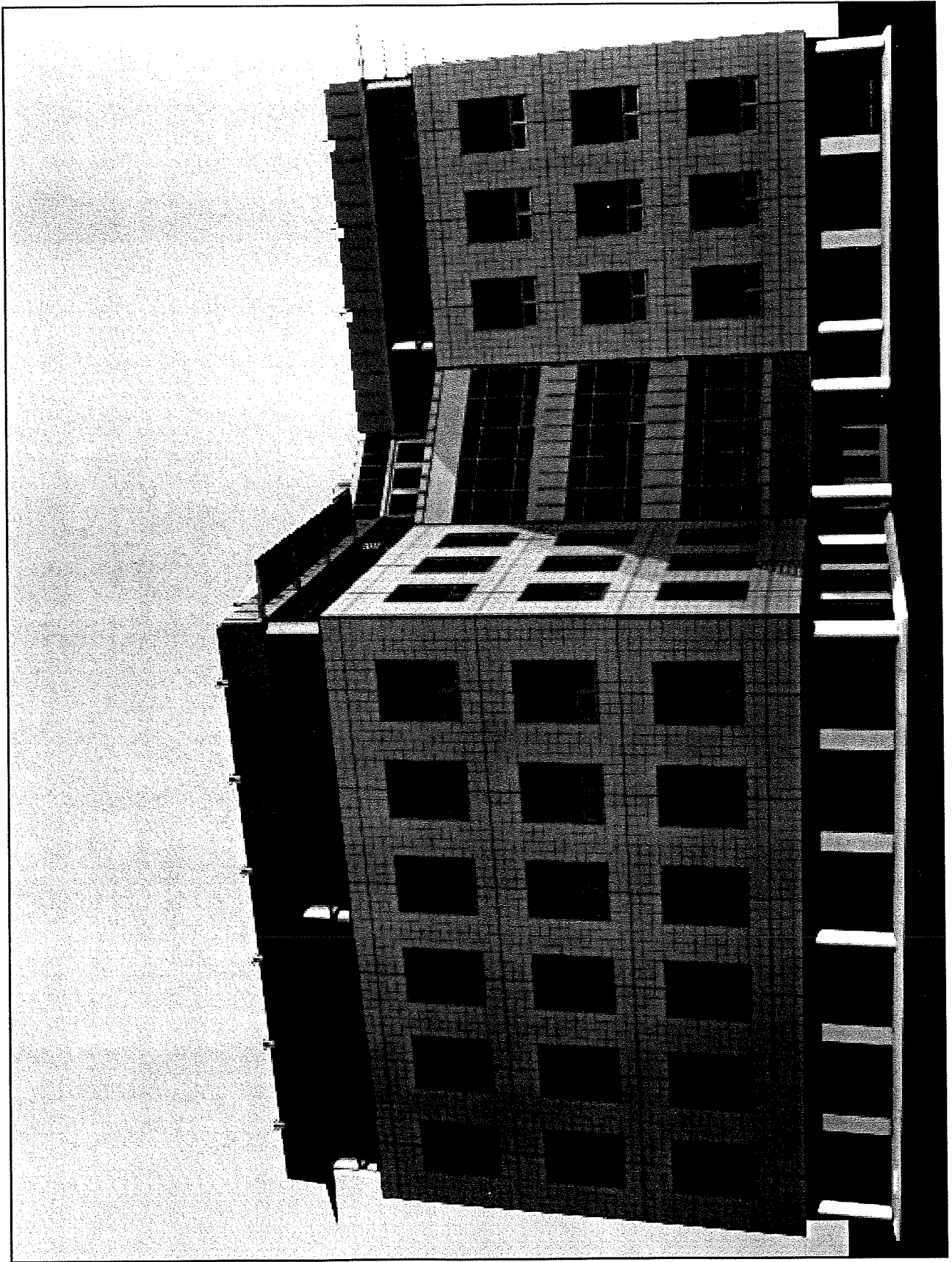


ORIGINAL DESIGN

A-6

NORTH WEST





Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
or Commercial Structures and Additions Thereto

In the interest of processing your application in the quickest possible manner, please complete the Information below for Site Plan Review

NOTE**If you or the property owner owes real estate or personal property taxes or user charges on ANY PROPERTY within the City, payment arrangements must be made before permits of any kind are accepted.

Applicant TED WEST, ATLANTIC NATIONAL TRUST
50 PORTLAND PIER,
PORTLAND, ME. 04101- 828-1080 Application Date 01.24.01

Applicant's Mailing Address _____ Project Name/Description BOYSIDE OFFICE BUILDING

Consultant/Agent WILLIAM NEMMEES
424 POES ST.
PORTLAND ME 04101 774-3683 Address Of Proposed Site 76 MARGINAL WAY @ PREBUS ST.
340. A. 002, 004

Applicant/Agent Daytime telephone and FAX _____ 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 _____ Other(Specify) _____

50,000 SF _____ 85,000 SF _____ B-1 _____
Proposed Building Square Footage and /or # of Units Acreage of Site Zoning

You must Include the following with you application:
1) A Copy of Your Deed or Purchase and Sale Agreement
2) 9 sets of Site Plan packages containing the information found in the attached sample plans and checklist.
(Section 14-522 of the Zoning Ordinance outlines the process, copies are available for review at the counter, photocopies are \$ 0.25 per page)

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

Signature of applicant: [Signature] Date: 01.24.01

Site Review Fee: Major \$500.00 Minor 400.00

This application is for site review ONLY, a Building Permit application and associated fees will be required prior to construction.

Office Building Project
Marginal Way @ Preble Street
WRITTEN STATEMENT for SITE PLAN REVIEW

AUGUST 1999

- 1) **OWNER:** Ted West, Atlantic National Trust, 50 Portland Pier, Portland, ME 04101
- 2) **DESCRIPTION OF USE:** The site presently consists of two parcels, one housing a warehouse, and one housing the City of Portland's salt shed. This Proposal would construct a 5-story, 50,000 square foot office building and approximately 160 parking spaces on the two parcels.
- 3) **TOTAL AREA OF SITE:** The property has been surveyed and consists of approximately 85,000 square feet.
- 4) **TOTAL AREA OF BUILDING GROUND COVER:** The proposed building has a ground cover area of 10,100 square feet.
- 5) **EASEMENTS:** There are no easements on the property. The City of Portland has included several conditions-of-use in the sale agreement to the Applicant. These conditions have to do with the bulk and use of the property: a building of 50,000 square feet is required with a major use of office space required.
- 6) **SOLID WASTE GENERATION:** Solid wastes, normal for office uses, generated by the site's users will be contracted for private removal. An enclosed waste holding area will be included as part of the building design.
- 7) **EVIDENCE OF SEWER AND WATER ACCESS:** The building is served by laterals from existing sanitary waste and water lines existing in Marginal Way. There appears to be enough capacity to accommodate this project, however, the development of this Bayside Area may require changes in the existing systems.
- 8) **DRAINAGE SITUATION:** The current Storm Drain line is a 96" reinforced concrete pipe in Marginal Way, in the right-of-way on our side of the street. Water from our site will be discharged into this line after being run through a silt/oil separator.
- 9) **CONSTRUCTION SCHEDULE:**
The construction of the building would commence in the Spring of 2001.
- 10) **COMMENT REGARDING FEDERAL OR STATE PERMITS:** No State or Federal Permits are required for the project at this time. If



WILLIAM NEMMERS ASSOCIATES ARCHITECTS
424 FORE ST. PORTLAND, ME 04101 774-3683.

January 17, 2001

Marge Schmuckal, Zoning Administrator
City of Portland
Portland, Maine 04101

Re SITE PLAN APPLICATION
OFFICE BUILDING
MARGINAL WAY @ PREBLE STREET

Dear Marge

With this letter I am submitting an Application for Site Plan Approval for the above project. The Application includes (9) copies of:

- a) the application
 - b) written statement
 - c) copy of deed
 - d) letter of financial capacity
 - e) site plans including layout and grading
 - f) landscape plans.
 - g) boundary survey
 - h) building plans and elevations
 - i) proposal for the re-design of Marginal Way
- Foothill Bank
 E.E.R. : Site Engineers
 Barry Hosmer: Landscape Architect
 Titcomb Assoc.: Surveyors
 William Nemmers: Architect
 William Nemmers: Architect

We have reviewed the project with in the Portland Planning Office. The Project consists of a 50,000 square foot building with a footprint of 10,000 sq ft per floor. We have shown parking for 159 full size cars on the site. There is no Zoning requirement for any parking, but the building tenants need parking.

The Site consists of two parcels put together by the Developer. There is a 34,000 sf lot on the corner of Preble and Marginal Way (the Salt Shed Lot) which has been acquired from the city for the purpose of constructing a project of this magnitude and there is the adjacent 52,000 sf abandoned paper warehouse lot.

There are no ordinance required setback requirements.

The ordinance limits the building height to 65 feet, exclusive of rooftop appurtenances. Our design is shown as five stories and 63 feet high.

The plans of the city for the Bayside area are still being developed. This fact introduces several undetermined issues into the development of this project. Some of these issues can be resolved as this building gets developed and other issues are longer term ones that will have to be completed after this project is constructed. Examples of the former are the building design as relates to the area. Examples of the latter are the redesign of the Forest Avenue/ I296 interchange, the introduction of the Amtrak rail line, new sewer, water and electric utilities for the area, and the development of a new plan for Marginal Way. With regard to the last item, we have included a sketch of what a redesigned Marginal Way might be. This schematic plan includes input from the Planning Office and our ideas and includes parking, narrower travel lanes, sidewalks and planting philosophy, and the losing of Hanover Street. These improvements will in all probability be scheduled after our building is in place and therefore some phasing of the sitework may be necessary.

We would like to be put on the Planning Board Schedule for a workshop session. If you need additional information, please let me know.

Sincerely,



William Nemmers

RECEIVED

0-5

MAY 24 2001

EER ENVIRONMENTAL
ENGINEERING &
REMEDICATION, INC.

222 ST. JOHN STREET, SUITE 314, PORTLAND, MAINE 04102
Tel 207/828-1272 Fax 207/774-6907
WWW.EERINC.COM

TFH ARCHITECTS, P.A.

May 22, 2001

Mr. William Nemmers
TFH Architects
100 Commercial Street
Portland, ME 04101

Post-It® Fax Note	7671	Date	6/5	# of pages	2
To	Rick Knowland	From	Bill Nemmers		
Co./Dept.	Planning Dept	Co.	TFH		
Phone #		Phone #			
Fax #	756-8258	Fax #	773-0194		

**Subject: Bayside Site Development
Response to City's Review Comments**

Dear Bill:

The following discussion is in response to review comments received from Stephen Bushey, DeLuca-Hoffman (May 17, 2001). Our response follows the same format and numbering system used in the above noted document.

Stephen Bushey, DeLuca-Hoffman (May 17, 2001) Comments

- 1. Question: The Public Works department should comment on the need to saw cut the existing pavement for all proposed curbing installation with the ROW.
- 1. Answer: The applicant will address the need for saw cutting within the ROW if the City requests that it be provided.
- 2. Question: The applicant should review the condition of the existing catch basin No. 2 at the proposed Marginal Way entrance. Since this will now be in the travel way, the brick and mortar work should be checked and redone if necessary to insure that the frame doesn't fall apart later on. A temporary sediment barrier such as a silt sack should also be installed at that basin during construction.
- 2. Answer: EER will evaluate the condition of the existing catch basin, but recommends that Public Works confirm the recommendation. A temporary sediment barrier would potentially pose a concern for traffic so a "silt sack" would be proposed in this situation.
- 3. Question: I recommend that the granite curbing be extended around the north side of the Preble Street D/W to the bituminous curbing otherwise it will seem odd to have three different curb types within one small area. I am also

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Mr. William Nemmers
May 22, 2001
Page 2

uncertain as to why bituminous curb is being proposed around the perimeter. This will be prone to damage from snowplowing most likely over time. Should the concrete curb be considered?

3. Answer: The granite curb will be extended around the entrance to the bituminous curb. The bituminous curb is proposed as a cost saving measure and because of potential future expansion into the adjacent parcel. The removal of bituminous curb is less costly than removing and resetting concrete curb.

I trust this response addresses the City's comments at this time. If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

Enclosure

April 24, 2001

Mr. William Nemmers
William Nemmers & Associates
424 Fore Street
Portland, ME 04101

**Subject: Bayside Site Development
Response to City's Review Comments**

Dear Bill:

The following discussion is in response to review comments received from Stephen Bushey, DeLuca-Hoffman (April 9, 2001) and Rick Knowland (April 3 and April 4, 2001). Our response follows the same format and numbering system used in the above noted documents.

Stephen Bushey, DeLuca-Hoffman (April 9, 2001) Comments

- 1. Question: The general construction plan makes multiple references to removal and disposal of materials at an approved location. Who will be approving the offsite disposal locations?
- 1. Answer: The references to disposal of materials at an approved location has been removed. A general note has been added regarding disposal in accordance with local and state regulations.
- 2. Question: Public Works staff should make an inventory of all materials that are to remain City property so that it is clear what the City wants to keep and what can be disposed of.
- 2. Answer: The City should remove all material it plans to retain ownership of.
- 3. Question: Some layout control should be provided for the island curb extension on Preble Street Extension. The existing island appears to be placed on a large radius, therefore the new extension should follow the existing geometry.

3. Answer: The island has been revised to follow the same radial alignment of the existing island.

4. Question: I recommend the new esplanade areas have a minimum of 6-inches of topsoil and be seeded and mulched with grass seed acceptable to the City Arborist.

4. Answer: The detail has been revised to reflect 6-inches of topsoil and that the contractor provide a seed mix acceptable to the City Arborist.

5. Question: The engineer should provide a statement as to the need for a bypass for the Downstream Defender. The proposed system is to discharge into an existing 36 inch or 42 inch storm drain that ultimately discharges to Back Cove. As evidenced in the existing conditions survey by Titcomb Associates, the downstream pipes are likely surcharged during high tide and during storm events. At elevation 10 in the parking lot, the lot may have occasional periods of flooding. I am not certain that anything can be done about this, however, I recommend the engineer consider this issue and possible measures such as backflow prevention in the storm drain outlet. Will backflow also cause any operating problems in the downstream defender?

5. Answer: A bypass pipe is provided based on recommendations of the manufacturer of the Downstream Defender. The bypass pipe is raised to an elevation reflective of the maximum storm event allowed through the Downstream Defender.

The infrequency of storm events that produce flood events reaching or exceeding elevation 10, does not require special provision for backflow prevention. Maintenance, plugging, and freezing are all problematic for backflow prevention on stormdrain systems.

Based on discussion with the Downstream Defender manufacturer, backflow does not create a problem with the operation of the system, since all sediment and floatables are contained within internal chambers in the structure.

6. Question: Silt fence should be shown along the toe of any fill slopes. The plan currently shows none.

6. Answer: Silt fence is now shown on the plan.

7. Question: I recommend buffering be provided around the transformer.

Mr. William Nemmers
April 24, 2001
Page 3

7. Answer: Buffering is provided around the transformer.
8. Question: Will the applicant be assessed any impact fees for introducing new sanitary flows to the sewer?
8. Answer: The applicant will address impact fees when they are presented by the City.
9. Question: The detail plans should include the hay bale barrier detail as is called out in the plan sheet. I would also accept the use of the Siltsack sediment collection device on all catch basins during construction.
9. Answer: The plan has been revised to refer to the correct detail and to suggest the use of Siltsack.
10. Question: The applicant should confirm the downstream conditions of the existing storm drain to confirm that blockages etc. from past site use do not exist.
10. Answer: A note has been provided on the plan requiring the contractor to flush the existing storm drain and clean out sediment from DMH #1.

Rick Knowland (April 3, 2001) Comments

1. Question: Building Design.
- Need Preble Street side and complete westerly side building elevations.
 - The planning board will want to see material samples of the building (i.e., brick, metal sun shade, metal curtain wall, metal corner panels, metal braces, etc.).
 - What is the mechanical equipment screen?
 - What is the color of the window trim?
 - What material is contained in the "little boxes" along the façade?
How are the seams expressed?
1. Answer: William Nemmers will address the architectural issues.
2. Question: Apparently there is a state restriction on curb cuts along Preble Street. While the City is attempting to "undue" this restriction, how necessary is it for this development?
2. Answer: It is our understanding that the City is resolving the issue of the curb cut on Preble Street Extension.

Mr. William Nemmers
April 24, 2001
Page 4

3. Question: With new train coming to Bayside, we are requesting a 30-foot wide easement along your I-295 property line. The easement would allow construction of an elevated track with support columns, not a filled berm, which would wipe out ± 40 spaces from your site. The column support track might result in a few disturbed parking spaces depending on the location of the columns.
3. Answer: A 30-foot easement has been shown on the plans.
4. Question: Assuming a curb cut on Preble Street is okay, the driveway will need to be shifted outside of the rail easement.
4. Answer: Based on the location of the 30 foot easement, parallel to I-295, the Preble Street Extension entrance is outside of the easement.
5. Question: One other comment on the building design would suggest you explore the possibility of extending the bay concept from the first floor to the upper stories of the building.
5. Answer: William Nemmers will address the architectural issues.

Rick Knowland (April 4, 2001) Comments

1. Question: The Downstream Defender should be moved outside of the easement.
1. Answer: The Downstream Defender has been moved outside the easement.
2. Question: Landscaping (bushes) should be planted along the westerly property line.
2. Answer: Landscaping has been provided along the westerly property line.
3. Question: All of the site plan notes should be on the site plan.
3. Answer: All of the site plan notes are now shown on the site plan.
4. Question: Need curb to keep cars on the property along the westerly and northerly property lines.
4. Answer: Curb has been provided around the entire perimeter of the parking lot.
5. Question: Show the existing landscaping within the I-295 right of way adjacent to the site.

Mr. William Nemmers
April 24, 2001
Page 5

5. Answer: The existing landscaping within the I-295 right of way is now shown.
6. Question: Parking spaces should be 9 feet by 19 feet. You have enough room to increase the stall length for a number of rows.
6. Answer: The parking space size has been revised to reflect 9 feet by 19 feet.
7. Question: Do you have permission yet from Maine Department of Transportation (MDOT) to use that storm drain within the I-295 right of way.
7. Answer: We are still discussing the issue with MDOT. I have recently talked with Roger Gobeil and sent him a letter (attached) and plan for his review. Based on discussed with him, MDOT does not usually accept connections but will, with conditions, regarding maintenance, liability and emergency access. I spoke with Roger today and he is assembling MDOT's as-builts and will be drafting an agreement to be signed by the owners.

Other Comments

At the Planning Board Workshop, a board member or planning staff noted that the light fixtures did not appear to be cut off fixtures. The fixture, TR 20 SCB3M-UN44, has a SCB optic, which is described in the literature as "Cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens". It also states "the optical systems assembly provides high photometric cut-off performance, minimizes glare and reduces energy consumption over time".

I trust this response addresses the City's comments at this time. If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

Enclosure



222 ST. JOHN STREET, SUITE 314, PORTLAND, MAINE 04102
Tel 207/828-1272 Fax 207/774-6907
WWW.EERINC.COM

April 17, 2001

Mr. Roger Gobeil, Division Engineer
Maine Department of Transportation
Division 6
P.O. Box 1940
Portland, ME 04104

Subject: Proposed Bayside Development, 68 Marginal Way, Portland

Dear Mr. Gobeil:

We are currently assisting Atlantic National Trust in the development of the above-mentioned site. The site is currently occupied by Advance Paper Co. and the City of Portland's Salt Shed. A catch basin and a drain manhole are located along the northern boundary of the site. The existing 36- or 42-inch line appears to be of corrugated metal construction. The basin, manhole, and pipeline are apparently owned and maintained by Maine Department of Transportation (MDOT). The City of Portland has asked that we not connect to their storm drain located adjacent to the property as it discharges to a combined sewer; therefore, we are requesting permission to discharge stormwater to MDOT's collection system at this location by installing a catch basin in the line in accordance with MDOT design standards.

Some time ago Joshua Saucier from our office contacted David Sherlock with some general questions regarding storm drain infrastructure in this area. Mr. Sherlock informed Mr. Saucier that any plans of storm drains in this area would be located in the vault in Augusta. After working for several hours with MDOT personnel in Augusta, we were unable to find an overall plan of this area.

During a recent site visit, we observed significant sedimentation around and entering the subject manhole and catch basin. The side slope of the City's sand pile approaches 1:1, and channelization along the northeast side of the pile led to the drain manhole where it appears to have piped around the cover.

Our proposed connection will be located downstream from a Downstream Defender, which will remove the majority of the suspended solids. This treatment, together with stabilization of the site relative to the pavement and grassed areas should significantly reduce the frequency of cleaning activities for the catch basin and manhole. The peak flow to the collection system will be increased from 5.61 cubic feet per second

(cfs) to 8.57 cfs in the 10-year storm; however, the reduced sedimentation in the system should increase the collection system's flow capacity. The total stormwater flow from the site actually decreases in the post-development condition but more of the site area is directed toward MDOT's storm drain system. As part of the construction, the contractor will flush the upstream and downstream storm drain lines after installation. Our client proposes to maintain all drainage infrastructure up to the installed catch basin. We are also requesting a grading easement in this area to improve drainage from the site.

We understand that MDOT is typically reluctant to allow external connections to their collection systems; however, this project stands to greatly improve the appearance of Marginal Way, as did construction of the new Department of Human Services building in this area. This project has the support of the City, as evident of their sale of the salt shed parcel for this development. We are currently revising our drawings for a submission to the City next Tuesday, April 24. This letter will be submitted in that package and we are hoping to have a preliminary response from MDOT.

We have included a grading and drainage plan for your use. Your assistance in this matter is greatly appreciated. If you have any questions or require further information, please feel free to call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

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222 ST. JOHN STREET, SUITE 314, PORTLAND, MAINE 04102
Tel 207/828-1272 Fax 207/774-6907
WWW.EERINC.COM

March 26, 2001

Mr. William Nemmers
William Nemmers & Associates
424 Fore Street
Portland, ME 04101

**Subject: Bayside Site Development
Response to City's Review Comments**

Dear Bill:

The following discussion is in response to review comments received from Anthony Lombardo (February 6, 2001); Stephen Bushey, DeLuca-Hoffman (February 7, 2001); and Rick Knowland (March 15, 2001). Our response follows the same format and numbering system used in the above noted documents.

Anthony Lombardo (February 6, 2001) Comments

1. Question: The applicant appears to be grading on the abutting property northwest of the site. Does the applicant have a written authorization to modify this land to accommodate this site development?
1. Answer: No authorization has been granted at this time though Environmental Engineering & Remediation, Inc. (EER) is in contact with Maine Department of Transportation (MDOT) to discuss this item and the connection of the proposed stormdrain into their system. The City (Bill Bray and Alex Jaegerman) will be meeting with MDOT to discuss the potential railroad corridor at the back of the property and the use of the stormdrain system.
2. Question: The applicant is proposing a storm drain connection into the existing 96 inch diameter RCP interceptor sewer in Marginal Way. The excavation necessary to accommodate this connection will be in excess of 14 feet. Public Works is recommending the following in an attempt to minimize excavation in Marginal Way:
 - a. The applicant utilize the existing sanitary sewer service connection, slated for abandonment, as the connector for the proposed site storm drain system. All that may be necessary is to enlarge the existing connection to accept the proposed storm drain pipe diameter.

b. The applicant should consider directing the on-site storm drain system towards the existing DMH #1, located on the northeast abutting property. This structure probably discharges into the Preble Street storm drain. Outfalling the stormwater from this site, into this structure, would certainly be more cost effective to this project and would limit disruption associated with construction in either Marginal Way or Preble Street.

2. Answer: As noted in our response to question No. 1, EER anticipates being able to connect to the MDOT drainage system off the northwest side of the site. The abandoned sanitary sewer connection may be reused for the buildings sanitary sewer depending on depth and condition.

3. Question: It should be noted on the plans that any granite curb designated for demolition or removal from the right of way shall be taken to a specified City of Portland material stockyard.

3. Answer: A note has been added to the Demolition Notes regarding the disposition of granite curb removed from the right of way.

4. Question: The applicant should contact Carol Merritt, Public Works Street Openings Clerk, for information on all relevant permits and fees associated with working in the public right of way.

4. Answer: In a phone conversation with Carol Merritt on March 16, 2001, the following permits and fees would need to be obtained by the contractor.

Street Opening	\$142
Sidewalk Opening	\$107
Pavement Restoration	\$40/square yard
Sanitary Sewer/Stormdrain Connection	\$25/each

Stephen Bushey, DeLuca-Hoffman (February 7, 2001) Comments

Site Plan

1. Question: The coordinate system shown on the drawing suggests that the south (Marginal Way) side of the building may be in the right of way. The applicant should respond if this is correct or not.

1. Answer: The coordinate system and building location has been adjusted to reflect the building's face of foundation to be on the right of way line and not over it.

Mr. William Nemmers
March 26, 2001
Page 3

2. Question: The detail sheet contains details for granite and precast concrete curb. The curb type should be labeled on the plan as to where each type is proposed.

2. Answer: The curb type and limits have been noted on the plans.

3. Question: The applicant should comment about snow removal and storage on the site.

3. Answer: The Owner has indicated that he will contract with a maintenance company for snow plowing and removal. When the snow piles impact effective parking of tenants and clients, the maintenance company will remove the snow piles.

4. Question: Where will the dumpster facilities be and how will deliveries and other building services access the building?

4. Answer: The Owner intends to have the tenants contract with a maintenance company that will clean and remove waste directly from the building and offsite. Outside dumpster facilities will not be provided. Internal waste storage facilities will be provided in the building design.

Building deliveries are anticipated to be the typical UPS/FedEx, type truck that will pull up and stop within the site, make their deliveries and leave. No formal loading/unloading area is anticipated.

5. Question: Larry Ash should review the driveway locations and in particular the driveway configuration off Preble Street. There does not appear to be any left turns in or out of that driveway and I wonder if it should be reconfigured for right turn movements only. The Preble Street driveway should also have a handicap ramp on the north side I believe.

5. Answer: Tom Errico of Wilbur Smith Associates has conducted a traffic study for this project and has been in contact with Larry Ash to discuss internal traffic circulation and ingress/egress. A copy of Mr. Errico's report is attached.

A handicap ramp has been added to the north side of the Preble Street entrance.

6. Question: Will the proposed building be supported on piles and what if any impact will this have on construction?

6. Answer: The building will be supported on piles due to underlying clays. Based on discussions with the Owner's contractor (Wright-Ryan Construction) this poses no unusual impacts than would be expected on any other sites requiring piles.

Mr. William Nemmers
March 26, 2001
Page 4

7. Question: The site plan should identify the limits of curb removal and replacement on Preble Street and Marginal Way if there will be any.
7. Answer: Limits of curb removal and replacement are shown on the plans.
8. Question: Larry Ash should review the parking layout for adequate circulation and for the layout of those spaces directly adjacent the driveways. Should a couple of spaces at the Preble Street D/W be trimmed off?
8. Answer: Tom Errico is coordinating internal circulation with Larry Ash and any concerns will be addressed on the plans.
9. Question: What, if any, are the future plans for the land adjacent to this lot (Post Office) and how will this project relate to it.
9. Answer: At this time this project does not have any plans for developing the adjacent Post Office parcel. If that parcel does become available, the Owner has indicated interest in expanding the proposed building along Marginal Way and providing additional parking on the adjacent parcel.

Site Grading, Drainage and Erosion Control Plan

1. Question: The applicant should provide supporting computations for the pre-development and post-development runoff amounts, the storm drainage system pipe sizing and the water quality treatment computations related to efficiency and TSS removal. The applicant should also review and discuss the offsite system they expect to discharge to. The Public Works department should review the systems in Marginal Way and comment as to which pipe can be connected to. It may be necessary to discharge the site's runoff to the storm drain trunk line in Preble Street although I am not fully certain of the status of combined and separated sewers in that area. I do know that the City replaced the storm drain trunkline in Preble Street just a few years ago.
1. Answer: Pre-development and post-development calculations have been prepared and are enclosed. The stormdrain sizing calculations are enclosed along with quality treatment computations.

As discussed in Anthony Lombardo's comment No. 1, the stormdrain routing is being discussed with MDOT.

Mr. William Nemmers
March 26, 2001
Page 5

2. Question: The applicant must complete the plan to show proper rim and invert data.
2. Answer: Rim and invert elevations, and pipe lengths and slopes are now shown on the plans based on the assumption that access can be obtained to MDOT's stormdrain.
3. Question: It appears that grading easements will be necessary along the north and west sides of the property. Evidence of the applicant's rights to complete work in these areas is required.
3. Answer: As discussed in No. 1 of Anthony Lombardo's comments, access to the abutting property for stormdrain connection and/or grading is being discussed with MDOT.
4. Question: Jeff Tarling should review the proposed landscaping and grass mixture proposed for the site.
4. Answer: EER anticipates that these plans will be reviewed by Jeff Tarling and his comments will be satisfactorily addressed.
5. Question: All catch basin structures should be fitted with casco hoods if they have 15-inch diameter pipes or less.
5. Answer: A note has been added to the catch basin detail regarding the installation of Casco Traps in the catch basins.

Site Utilities

1. Question: The water lines should identify where the shutoffs will be.
1. Answer: Shutoffs have been shown on the plans.
2. Question: Has a site lighting plan be provided?
2. Answer: A site lighting plan is being prepared and will be submitted as soon as it is received. Catalog cuts of the lights are enclosed.
3. Question: Will the primary power service be off a pole mounted transformer or a pad mounted transformer. If a pad mounted transformer is proposed where will it be?
3. Answer: Service will be provided through a pad mounted transformer as shown on the plans.

Mr. William Nemmers
March 26, 2001
Page 6

4. Question: The Public Works department should review the proposed sewer connection. The applicant should also provide an ability to provide service request to the department and supporting computations for wastewater flows and water demands.
4. Answer: Capacity to serve letters have been submitted to the City, for the sanitary sewer and the Portland Water District, for water service. Their response is attached.

Site Landscaping, Striping and Signage Plan

1. Question: I recommend a crosswalk be provided at the parking lot building entrance.
1. Answer: In our opinion, a crosswalk is not necessary and would not be used based on the parking alignment. Employees would walk down the aisle between parking bays and cross the entrance drive and onto the sidewalk to gain access to the building.
2. Question: Signage identifying the parking lot entrance area as a 5 minute parking zone or something similar should be provided.
2. Answer: The base plan has been revised and this comment is no longer applicable.
3. Question: Cross walk striping across Preble Street should be provided.
3. Answer: Cross walk striping across Preble Street Extension exists today and is shown on the base plan.
4. Question: Should the applicant provide designated visitor parking spaces with appropriate signage?
4. Answer: The Owner's tenant agreement will stipulate that spaces adjacent to the building remain open for customers. Signage is not necessary.
5. Question: I presume the planning department and the City arborist will review the landscaping plan for planting selection, location, density and other issues as they relate to the City's goals for the Bayside area.
5. Answer: The landscaping plan will be reviewed by Jeff Tarling and the planning staff.
6. Question: There is no landscaping being proposed along the west side. Is this for a reason?
6. Answer: Landscaping is not proposed along the westerly property line due to the potential of extending parking if the Post Office parcel becomes available.

Mr. William Nemmers
March 26, 2001
Page 7

Rick Knowland (March 15, 2001) Comments

1. Question: As mentioned previously, Larry Ash (City Traffic Engineer) needs to be consulted with on the parameters of the traffic report that will be required.
1. Answer: Larry Ash has spoken with Tom Errico of Wilbur Smith Associates and his concerns are addressed in Mr. Errico's traffic report.
2. Question: The attached site plan notes should be put on the site plan.
2. Answer: The site plan notes have been included within the Erosion Control Notes and/or General Construction Notes.
3. Question: Provide copy of right, title or interest for the Advance Paper Co. site.
3. Answer: A copy of the right, title or interest for the Advance Paper Co. site will be provided by the Owner.
4. Question: You have previously received written engineering related comments from Stephen Bushey (dated February 7, 2001) and Anthony Lombardo (dated February 6, 2001).
4. Answer: Anthony Lombardo's and Stephen Bushey's comments have been addressed above.
5. Question: Need to obtain a sewer capacity letter from Public Works.
5. Answer: A capacity to serve letter has been sent to the City with their response attached.
6. Question: Need to obtain a water service capacity from Portland.
6. Answer: A capacity to serve letter has been sent to the Portland Water District with their response attached.
7. Question: The new sidewalk on Marginal Way and Preble Street should be labeled as such. I am assuming that concrete will be the sidewalk material of choice. I will verify this.
7. Answer: The sidewalk is now labeled and shall be concrete unless otherwise directed.
8. Question: Will there be an outside dumpster? If yes, show location and screening. It should be screened on all four sides.

Mr. William Nemmers

March 26, 2001

Page 8

8. Answer: An external dumpster will not be provided. Please refer to EER's response to Stephen Bushey's comment No. 4 under the Site Plan discussion.
9. Question: Location of nearest fire hydrant.
9. Answer: The nearest fire hydrant is located across Marginal Way.
10. Question: Exterior lighting - location, lighting fixture catalog cut, pole height and photometric values superimposed on the site plan. Also any lighting on the building. Lighting needs to be shielded and non-glaring.
10. Answer: Please refer to EER's response to Stephen Bushey's comment No. 2 under the Site Utilities discussion. Please refer to the architectural plans for any wall mounted fixtures.
11. Question: Parking requirements - although the B-5 zoning does not require zoning, the site plan ordinance does. See SGC 14-526 (2a) or (2b).
11. Answer: The current parking layout provides 167 spaces. This provides 1 space per 300 square feet of building space. Additional parking is being sought across Marginal Way and Preble Street Extension.
12. Question: See special B-5 site plan standards SGC 14-526 (2c).
12. Answer: The standards of Section 14-526 (2c) have been addressed and reflected in the building and site designs.
13. Question: Is the building within the street right of way? Please clarify.
13. Answer: Please refer to EER's response to Stephen Bushey's comment No. 1 under the Site Plan discussion.
14. Question: You need a planning board signature block.
14. Answer: A planning board signature block has been provided.
15. Question: Landscaping plan is conceptual. Show number of plantings, species and size. Show existing landscaping in the adjacent state right of way.
15. Answer: Please refer to EER's response to Stephen Bushey's comment No. 4 under the Site Landscaping, Striping and Signage discussion.

Mr. William Nemmers
March 26, 2001
Page 9

16. Question: What is the condition of the curbs? Infill curb shall meet City specifications (this should be noted on the plan).
16. Answer: The condition of the granite curb will be evaluated once conditions permit. It is the design intent that any curb that is removed in good condition shall be reused within the right of way where infilling is necessary. All radius curb within the right of way will be new. The remaining curb will remain in place. Any excess curb will be delivered to a specified City material stockyard.
17. Question: Railroad corridor footprint - Alex Jaegerman and Bill Bray will be going to MDOT shortly to get information on the railroad corridor footprint as it passes by this property. We will need an extra site plan to meet with MDOT.
17. Answer: As noted earlier, Bill Bray and Alex Jaegerman are scheduled to meet with MDOT to discuss the impact of this project on the possible railroad corridor.
18. Question: I assume the downstream defender is a water quality. You will need to provide sizing documentation for the unit relative to this site.
18. Answer: Sizing calculations for the downstream defender have been prepared and are enclosed.
19. Question: Will need building elevations on all four sides of the building façade. Materials should be labeled on the façade. Planning board will want to see sample building materials. We will have specific comments on the building elevations shortly.
19. Answer: The architect, Bill Nemmers, will provide the necessary architectural plans.
20. Question: Signage - size and location. As more staff comments become available, I will forward them accordingly.
20. Answer: Bill Nemmers will provide signage design in accordance with the City's requirements.

Meeting of March 15, 2001

1. This project is scheduled for the April 10 Planning Board Workshop. Revised plans and supporting data need to be submitted by March 27. Reduced plans (11"x17") will be accepted until April 5.
2. Owner may need to consider a contingent easement on the back of the property to accommodate the possible railroad corridor.

Mr. William Nemmers
March 26, 2001
Page 10

3. Larry Ash has commented that the Preble Street Extension entrance be moved toward Marginal Way to prevent traffic from cutting through the site to miss the traffic light. EER and Wilbur Smith Associates recommend that the island be extended to prevent that movement.

I trust this response addresses the City's comments at this time. We would be happy to meet with the planning staff to discuss this response in more detail.

If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

**CITY OF PORTLAND, MAINE
DEPARTMENT OF PUBLIC WORKS
OPERATIONS/ENGINEERING - INSPECTIONS
M E M O R A N D U M**

TO: Rick Knowland, Planning
FROM: Larry Ash, Traffic Engineer *La*
DATE: June 14, 2001
SUBJECT: Bayside Site Development

As per discussion at the Planning Board Public Hearing, Tuesday, June 12, 2001 I have the following recommendations for this proposed development:

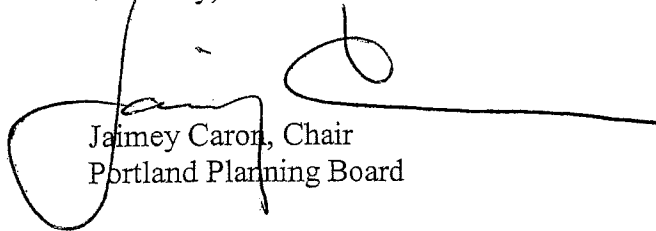
1. That a second left turn lane be added to turn left from Preble Street onto Marginal Way thus creating a dual left turn lane. Plans prepared by Environmental Engineering and Remediation is an acceptable geometric realignment or design; this allows for approximately 6 feet to be added on each side of Marginal Way along with modification to the median. Appropriate pedestrian timings for this added distance will be taken into account and this added pedestrian time will not take time away from vehicular timing movements.
2. The median in Marginal Way on the westerly side of the intersection should be extended to prevent left turns onto Marginal Way from Hanover Street. Additionally, the nose of the median should be modified to improve the turning radius (50 ft) for vehicles turning north to west or left from Elm Street onto Marginal Way.
3. Should the right-in/right-out only driveway on Preble Street be permitted to remain functional then, and only then, should the median in Preble Street be extended to prevent any possibility of left turns out onto Preble Street.
4. That given high right turning volumes from Marginal Way onto Preble Street (northbound), an exclusive right turn lane be added. This right turn lane will also contribute to an improvement in the level of service.
5. My recommendation is that the developer/applicant pay for these traffic improvements.

cc: William J. Bray, P.E., Director of Public Works
Katherine Staples, P.E., Engineering Manager
Alex Jaegerman, Planning
Penny Littel, Corporation Counsel

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 approval is based on the submitted application, site plan, and stated conditions. If there are any questions, please contact the planning staff.

Sincerely,



Jaimey Caron, Chair
Portland Planning Board

CC: Alexander Jaegerman, Chief Planner
Mike Nugent, Inspections Service Manager
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Jay Reynolds, Development Review Coordinator
Larry Ash, 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
Stephen Bradstreet, Environmental Engineering and Remediation, 222 St. John
Street, Suite 314, Portland, ME 04102
Approval Letter

6-12-07

IV. REVISED MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #20-01, the Planning Board finds:

A. That the plan is in conformance with the site plan ordinance of the land use code.

Potential Conditions of Approval:

- i. That a revised lighting plan shall be submitted for Planning Staff review and approval.
- ii. That the site plan shall be revised reflecting granite curb along that portion of the Marginal Way property frontage that has existing concrete curb.
- iii. That the applicant receives an easement from MDOT to use the existing storm drain system (along the northerly property lines) within the I-295 right-of-way.
- iv. That the applicant receives City approval for a license to install plantings and to construct a sidewalk within the public right-of-way.
- v. That dimensioned drawings of the final building elevations for all 4 sides of the building shall be submitted for Planning staff review and approval.

6-0 Perm

B. That the plan is in conformance with 23MRSA 704-A and Chapter 305 Rules and Regulations pertaining to Traffic Movement Permits.

Potential Conditions of Approval:

- i. Comments of Larry Ash, City Traffic Engineer.
- ii. Should off-site parking be used for this development, the applicant shall submit a revised traffic analysis for review and approval by the City Traffic Engineer.
- iii. Should it be determined that the Preble Street driveway needs to be eliminated, the site plan shall be revised accordingly.

submit comments in writing
" applicant shall comply with the written comments of C.D., CA

6-0

NOTICE OF INTENT TO FILE

Please take notice that Atlantic National Trust having an address at 50 Portland Pier, Portland, Maine 04101, 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 May 21, 2001.

The application is for the construction of a 50,000 square foot office building and related parking. The new trip generation from the development is 117 trips per hour at peak hour.

The project is at the following location: corner of Marginal Way and Preble Street, 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 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 and 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.

Atlantic National Trust

By: 

May 21, 2001

ALEXANDRA JAGGELMAN

ALEXANDRA JAGGELMAN



CITY OF PORTLAND

June 27, 2001

Mr. Steve Landry
State of Maine
Department of Transportation
16 State House Station
Augusta, ME 04333-0016

Dear Steve,

On June 12, 2001 the Planning Board approved a traffic movement permit for a proposed 50,000 office building in the vicinity of 68-76 Marginal Way in Portland. Enclosed is an approval letter for the traffic movement permit including conditions of approval. I have also enclosed a staff report that went to the Planning Board as part of the approval process.

Previously sent to you were a copy of the application and a notice of the scoping meeting which was held on May 30, 2001.

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

Sincerely,

Richard Knowland, Senior Planner

CC: Alexander Jaegerman, Chief Planner
William Bray, Director of Public Works
Larry Ash, Traffic Engineer
Penny Littell, Associate Corporation Counsel

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

June 18, 2001

Mr. William Nemmers
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Bayside Office Building, Vicinity of 68-76 Marginal Way

Dear Mr. Nemmers.

On June 12, 2001 the Portland Planning Board voted on the following motions for a proposal by Atlantic National Trust for a proposed 50,000 sq. ft. office building in the vicinity of 68-76 Marginal Way.

1. The Planning Board voted 7-0 that the plan was in conformance with the site plan ordinance of the land use code with the following conditions of approval:
 - i. That a revised lighting plan shall be submitted for Planning Staff review and approval.
 - ii. That the site plan shall be revised reflecting granite curb along that portion of the Marginal Way property frontage that has existing concrete curb.
 - iii. That the applicant receives an easement from MDOT to use the existing storm drain system (along the northerly property line) within the I-295 right-of-way.
 - iv. That the applicant receives City approval for a license to install plantings and to construct a sidewalk within the public right-of-way.
 - v. That dimensioned drawings of the final building elevations for all 4 sides of the building shall be submitted for Planning Staff review and approval.

2. The Planning Board voted 7-0 that the plan was in conformance with 23 MRSA 704-A and chapter 305 rules and regulations pertaining to traffic movement permits with the following conditions of approval:
 - i. That plan shall be revised reflecting the comments of Larry Ash, City Traffic Engineer, in a memo dated 6-14-01 (attached).
 - ii. Should off-site parking be used for this development, the applicant shall submit a revised traffic analysis for review and approval by the City Traffic Engineer.
 - iii. Should it be determined that the Preble Street driveway needs to be eliminated, the site plan shall be revised according

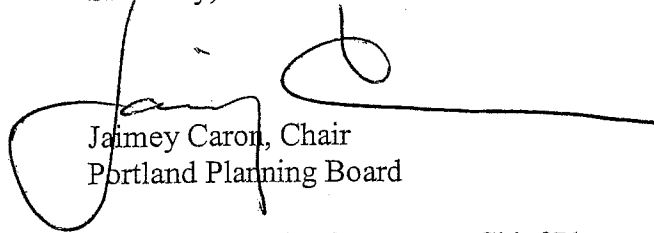
Please note the following provisions and requirements for all site plan approvals:

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 work's 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 approval is based on the submitted application, site plan, and stated conditions. If there are any questions, please contact the planning staff.

Sincerely,



Jaimey Caron, Chair
Portland Planning Board

CC: Alexander Jaegerman, Chief Planner
Mike Nugent, Inspections Service Manager
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Jay Reynolds, Development Review Coordinator
Larry Ash, 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
Stephen Bradstreet, Environmental Engineering and Remediation, 222 St. John
Street, Suite 314, Portland, ME 04102
Approval Letter

**CITY OF PORTLAND, MAINE
DEPARTMENT OF PUBLIC WORKS
OPERATIONS/ENGINEERING - INSPECTIONS
M E M O R A N D U M**

TO: Rick Knowland, Planning
FROM: Larry Ash, Traffic Engineer *LA*
DATE: June 14, 2001
SUBJECT: Bayside Site Development

As per discussion at the Planning Board Public Hearing, Tuesday, June 12, 2001 I have the following recommendations for this proposed development:

1. That a second left turn lane be added to turn left from Preble Street onto Marginal Way thus creating a dual left turn lane. Plans prepared by Environmental Engineering and Remediation is an acceptable geometric realignment or design; this allows for approximately 6 feet to be added on each side of Marginal Way along with modification to the median. Appropriate pedestrian timings for this added distance will be taken into account and this added pedestrian time will not take time away from vehicular timing movements.
2. The median in Marginal Way on the westerly side of the intersection should be extended to prevent left turns onto Marginal Way from Hanover Street. Additionally, the nose of the median should be modified to improve the turning radius (50 ft) for vehicles turning north to west or left from Elm Street onto Marginal Way.
3. Should the right-in/right-out only driveway on Preble Street be permitted to remain functional then, and only then, should the median in Preble Street be extended to prevent any possibility of left turns out onto Preble Street.
4. That given high right turning volumes from Marginal Way onto Preble Street (northbound), an exclusive right turn lane be added. This right turn lane will also contribute to an improvement in the level of service.
5. My recommendation is that the developer/applicant pay for these traffic improvements.

cc: William J. Bray, P.E., Director of Public Works
Katherine Staples, P.E., Engineering Manager
Alex Jaegerman, Planning
Penny Littel, Corporation Counsel

**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Chair Caron and Members of the Portland Planning Board

FROM: Richard Knowland, Senior Planner

DATE: September 25, 2001

SUBJECT: Updated Information on Bayside Office, 76 Marginal Way

As the Board will recall, in the September 11th staff memo we identified two issues related to the façade design. Since that time, the applicant has revised the plan to address these concerns.

1. Staff Comment:

The corner entryway should be more prominent. The previous plan was more successful in this regard. This site is an important gateway to the City. We have suggested that a pedestrian scale glass and metal suspended entry element be designed into the Marginal Way and Preble Street building entrance. This element needs to be integrated into the overall design of the building.

Applicant Response:

The applicant has submitted a plan showing a glass and metal suspended entryway element for the Marginal Way and Preble Street building entrance. A similar entryway element is proposed for the parking lot entrance of the building. The submitted plan meets the objectives of staff's comment. We have requested specific information on the dimensions and materials of the canopy. See Attachment A and B. The canopy is 20 feet at its widest point and is 6 feet deep.

2. Staff Comment:

Appropriate pedestrian scale light fixtures mounted along the first floor of the building (along Marginal Way and Preble Street sides) would give the first floor a more retail flavor and enliven the façade at the pedestrian level.

Applicant Response:

The applicant has submitted a plan indicating building mounted light fixtures along the first floor façade on the Marginal Way and Preble Street sides of the building. Three pedestrian pole mounted lights (12 feet high) are proposed along the Preble Street side of the building with a similar light fixture. This is being done since there is a 10 foot landscape area between the sidewalk and the building in contrast to the Marginal Way sidewalk which is directly adjacent to the building. The submitted concept addresses the staff comment. The applicant is in the process of submitting more specific information on the light fixtures (Mitre series fixtures). See Attachment C.

MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in this memo and the staff memo of 9-11-01, the Planning Board finds:

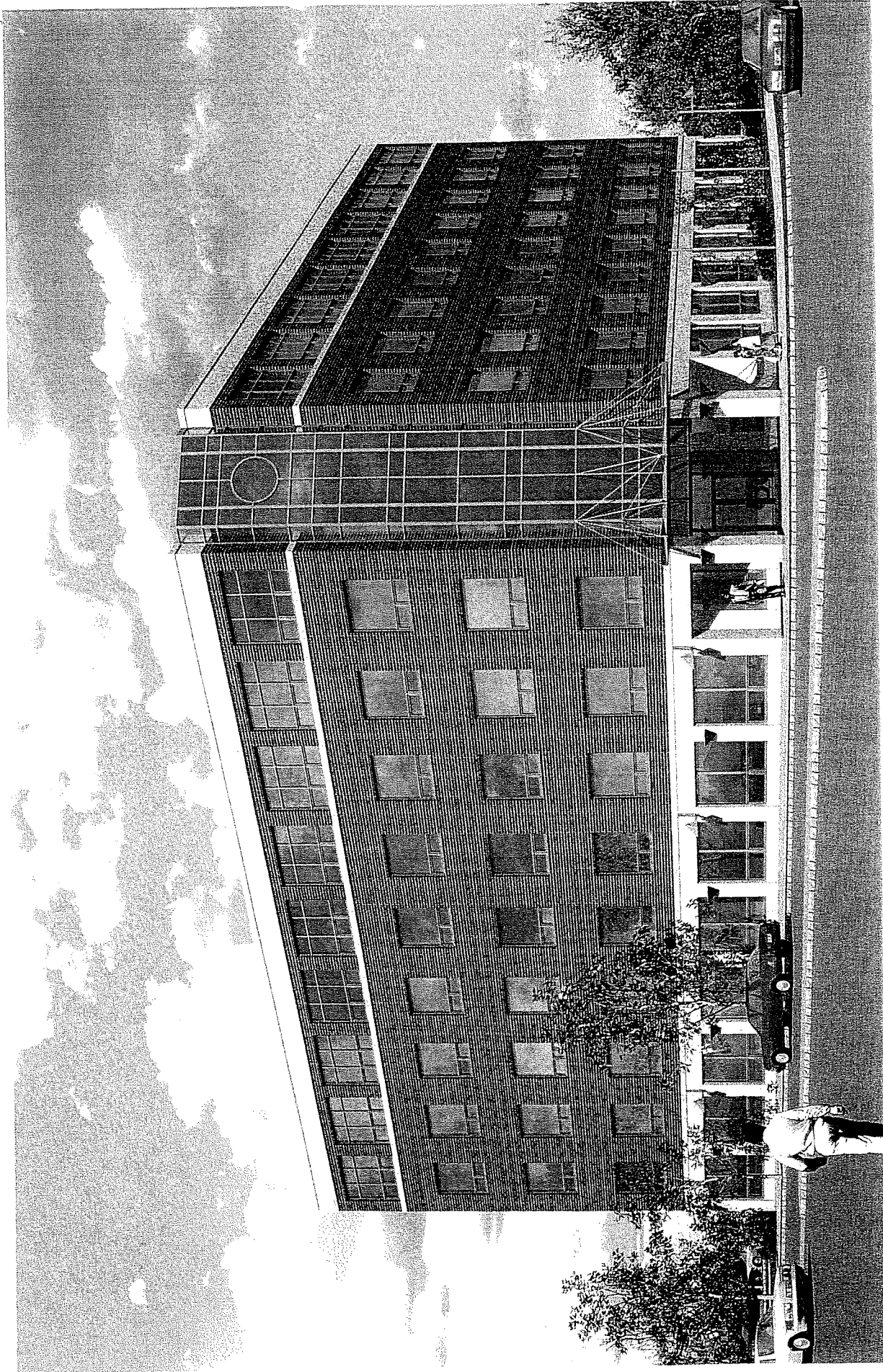
- A. That the revised building façade plan is in conformance with the Site Plan Ordinance of the Land Use Code.

Potential Conditions of Approval:

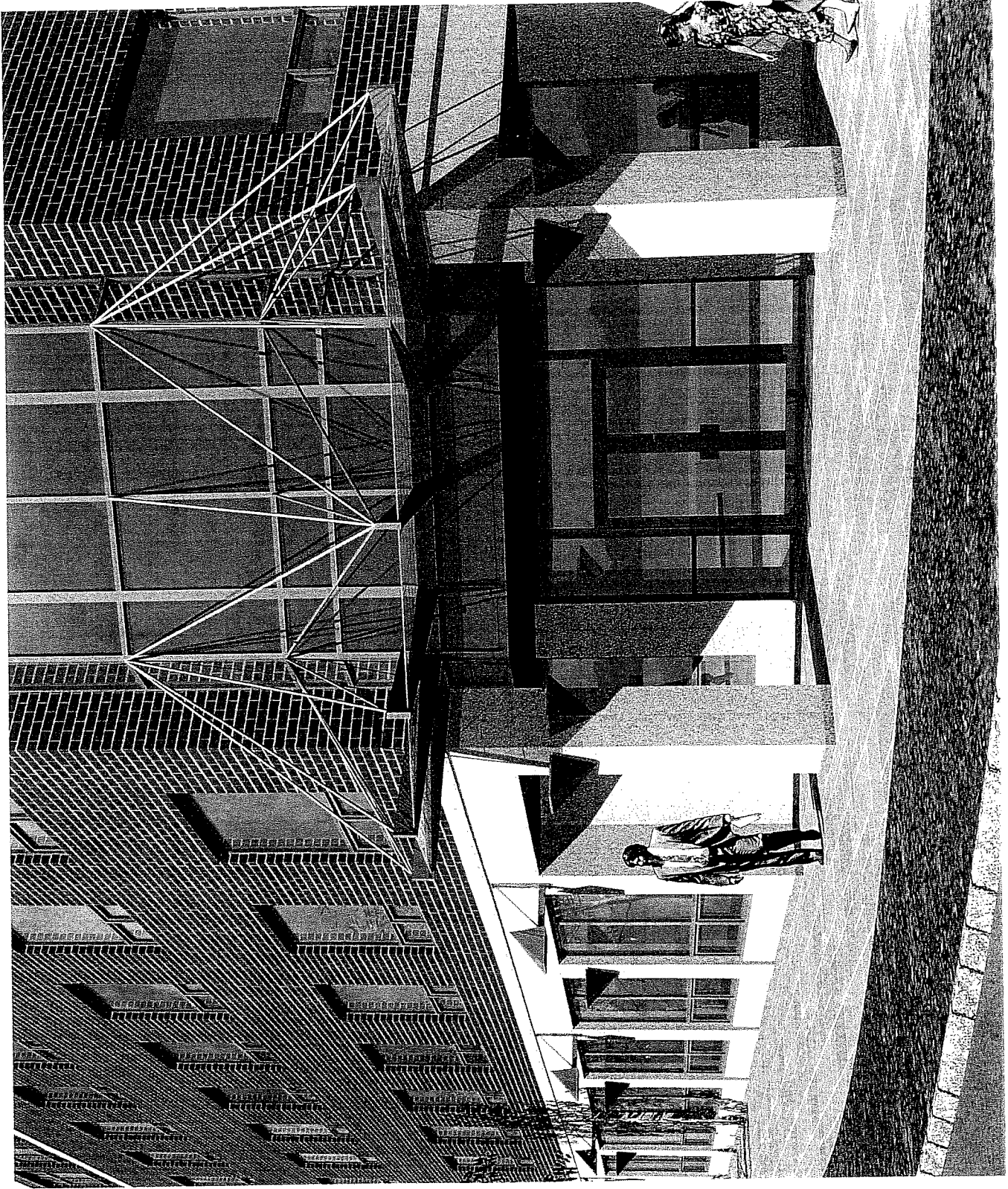
- i. That the final details of the entryway treatment at the main entrances of the building, the building mounted light fixture, and the pedestrian light pole fixtures (Preble Street side) shall be submitted for planning staff review and approval.

Attachments

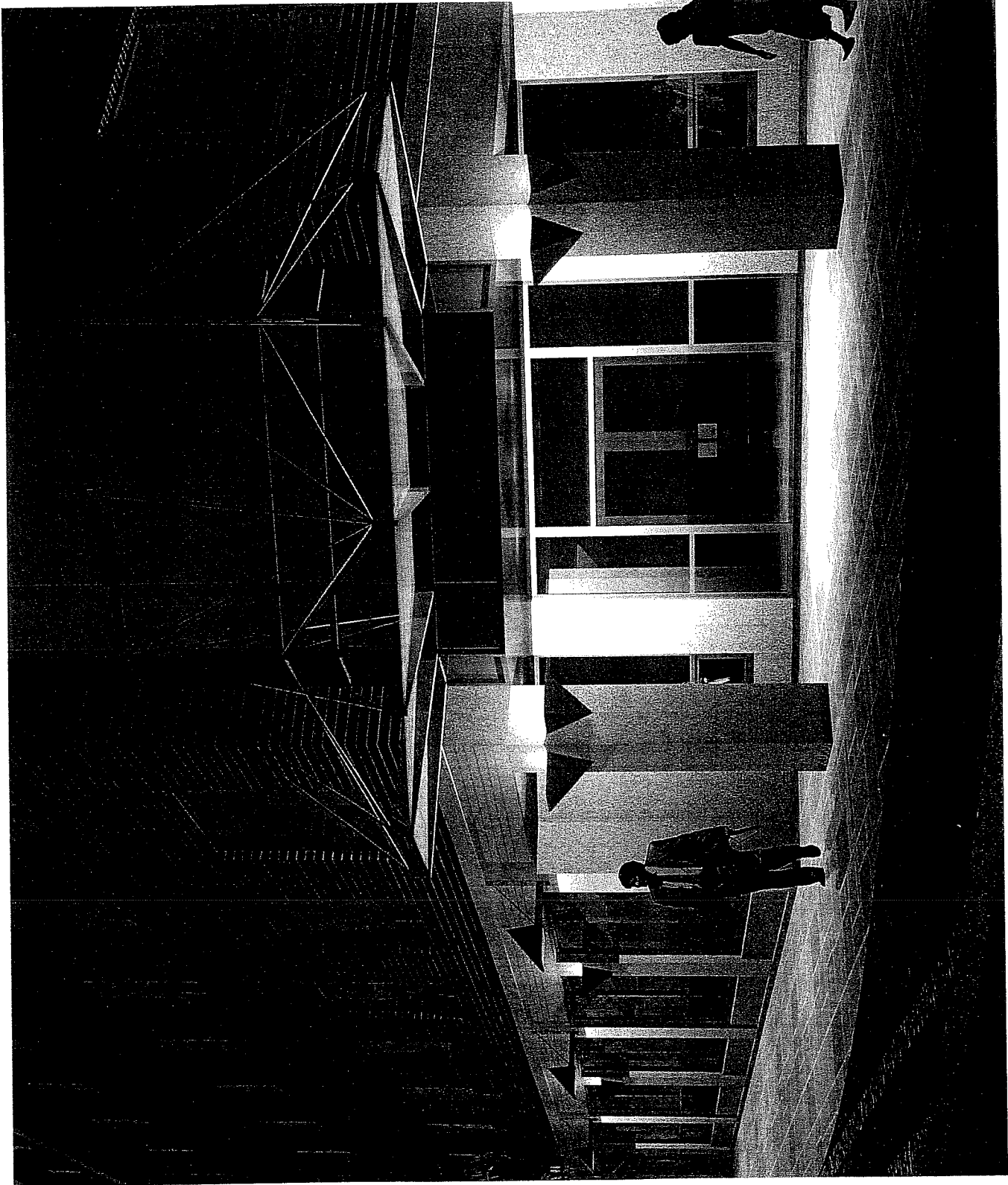
- A. Building Elevations
- B. Canopy Info.
- C. Lighting Info.



BAYSIDE OFFICE COMPLEX



BAYSIDE OFFICE COMPLEX



BAYSIDE OFFICE COMPLEX





FAX TRANSMITTAL COVER SHEET

Date: 9/20/01

To: City of Portland, Me - Planning Dept
Rick Knowland
Phone: 207-874-8725
Fax: 207-756-8258

From: Tom Daigneault

Pages: Cover plus two

RE: Bayside Square Office Building

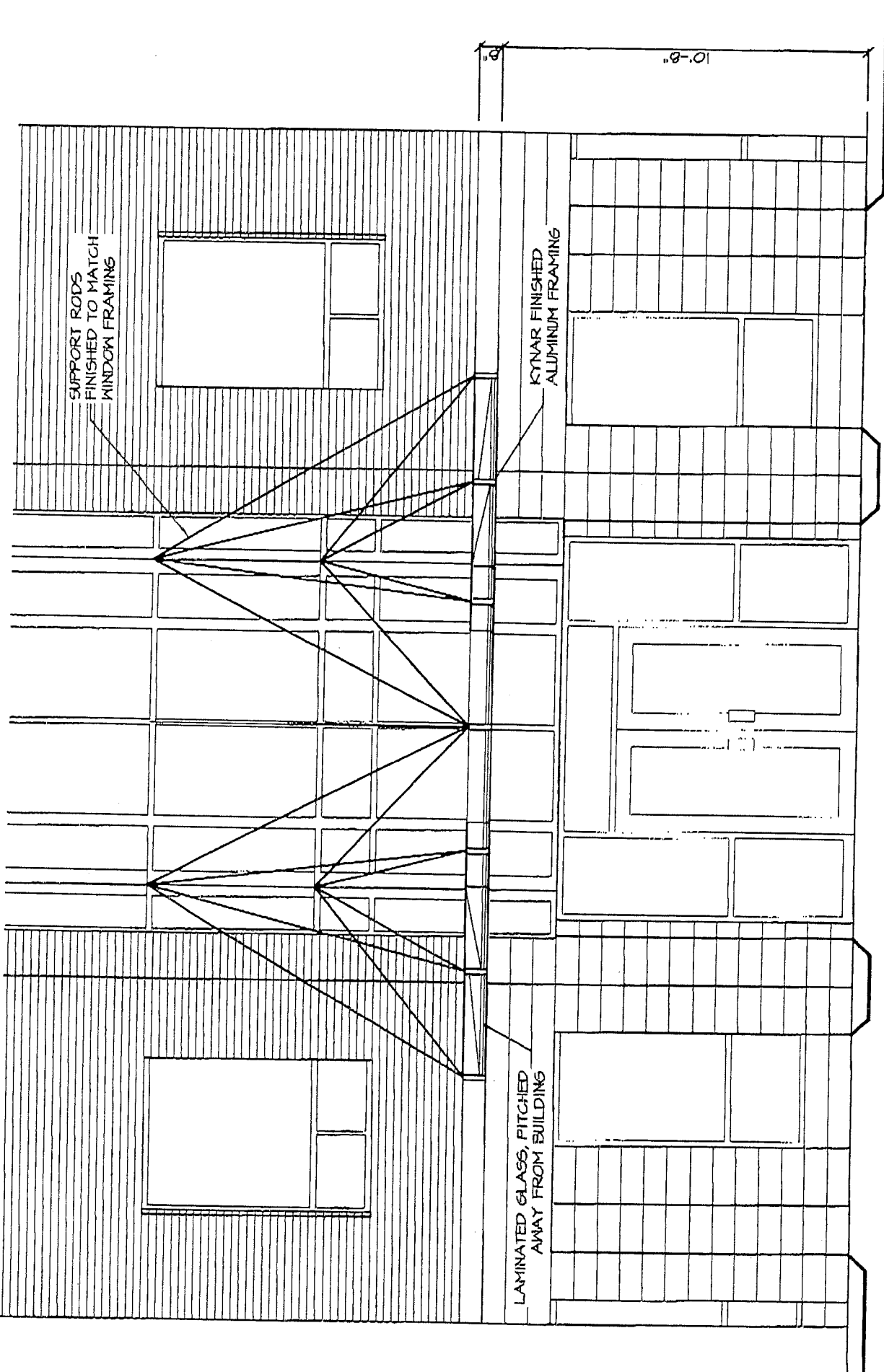
Rick:

Attached to this memo are the dimensioned plans with finishes for the canopy on the corner of Preble Street Extension and Marginal Way. This same canopy theme will be built at the parking lot entry. The canopy will be designed and built to hold the applicable snow load in the Portland area. The canopy will have to be cleaned on a regular basis for both dust and bird waste. If you look closely at the rendering you will notice the glass portion of the canopy slopes away from the building. The finishes on the canopy will match the finishes on the windows and glazed areas.

The building and walk lights are from Architectural Area Lighting from La Mirada, California. I have downloaded the appropriate pages from their catalog and will have those copied and in your office by 3:00 today.

Thank you and the staff for assisting in bringing these elements of the facility into focus.

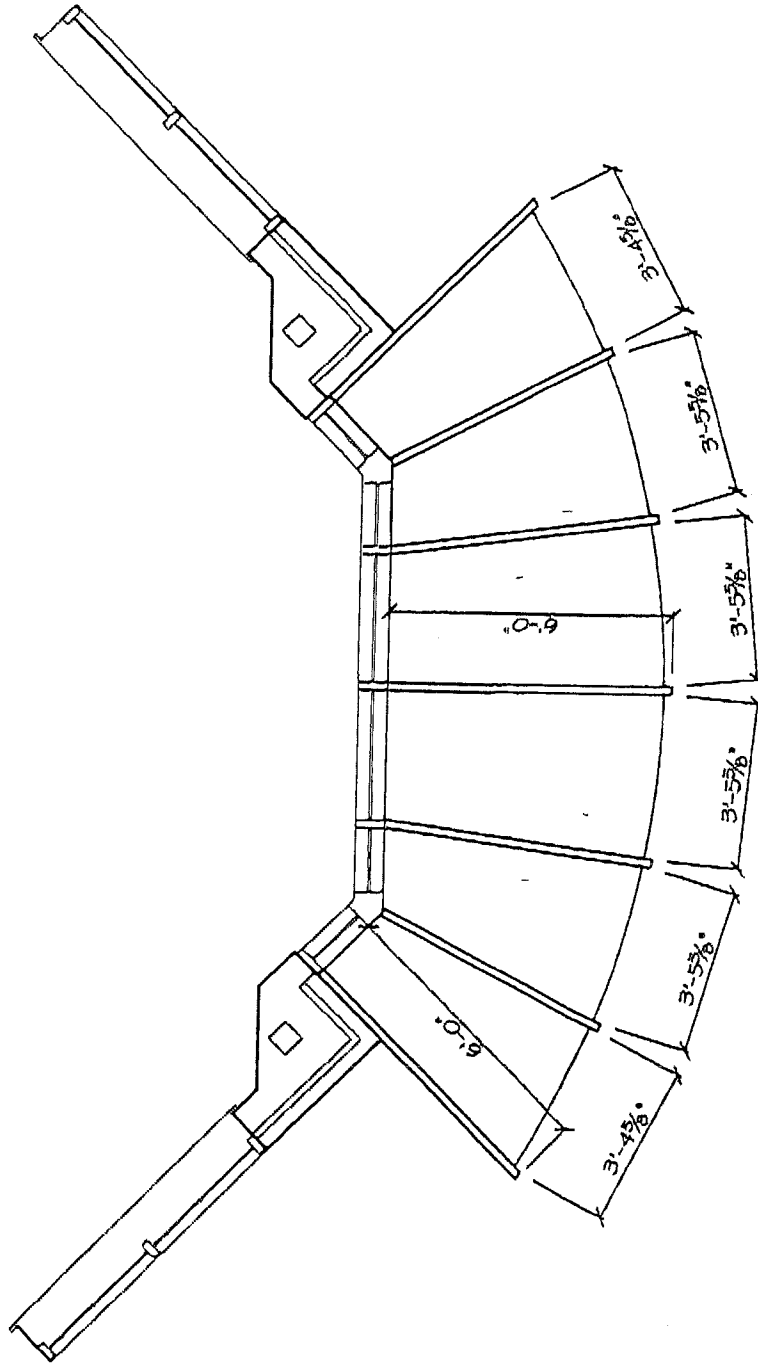
Tom



CONSTRUCTION CORPORATION

11 CORPORATE DRIVE, BELMONT NH 03220
PHONE (603)327-9090 FAX (603)377-9191

CANOPY ELEVATION
1/4" = 1'-0"



CONSTRUCTION CORPORATION

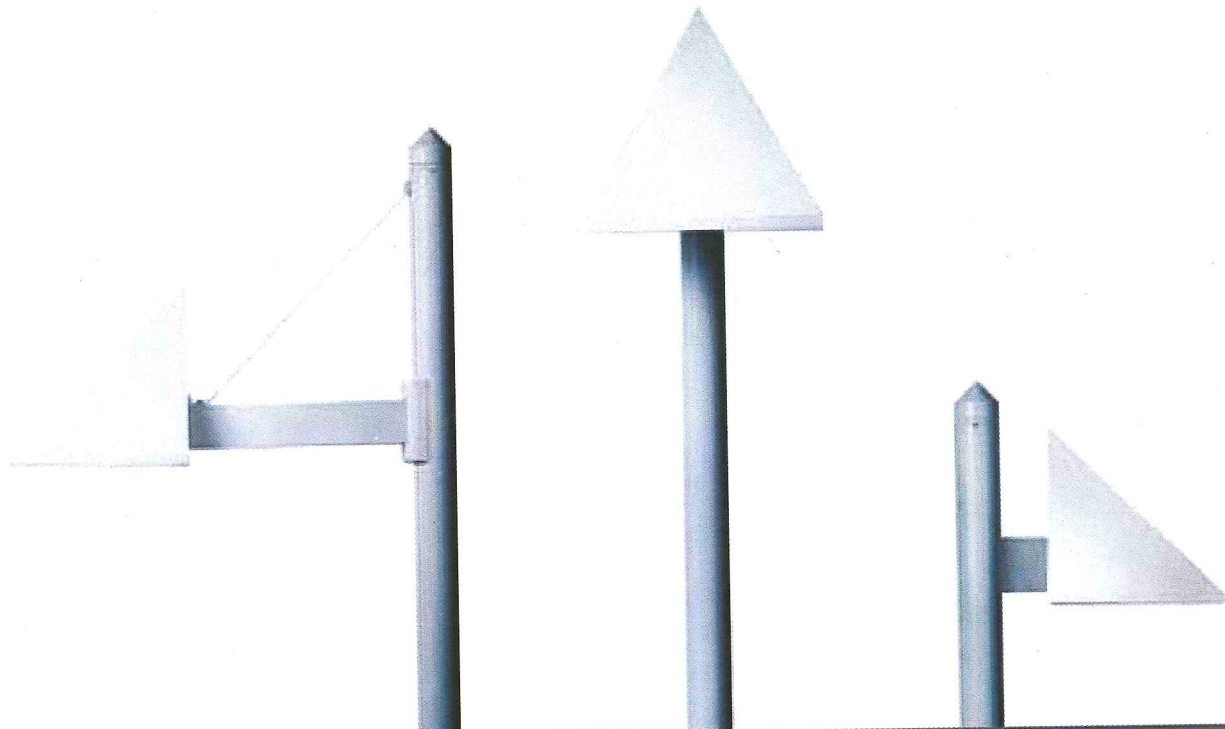
11 CORPORATE DRIVE, BELMONT NH 03220
PHONE (603) 527-9090 FAX (603) 527-9191

CANOPY PLAN VIEW
1/4" = 1'-0"

MITRE

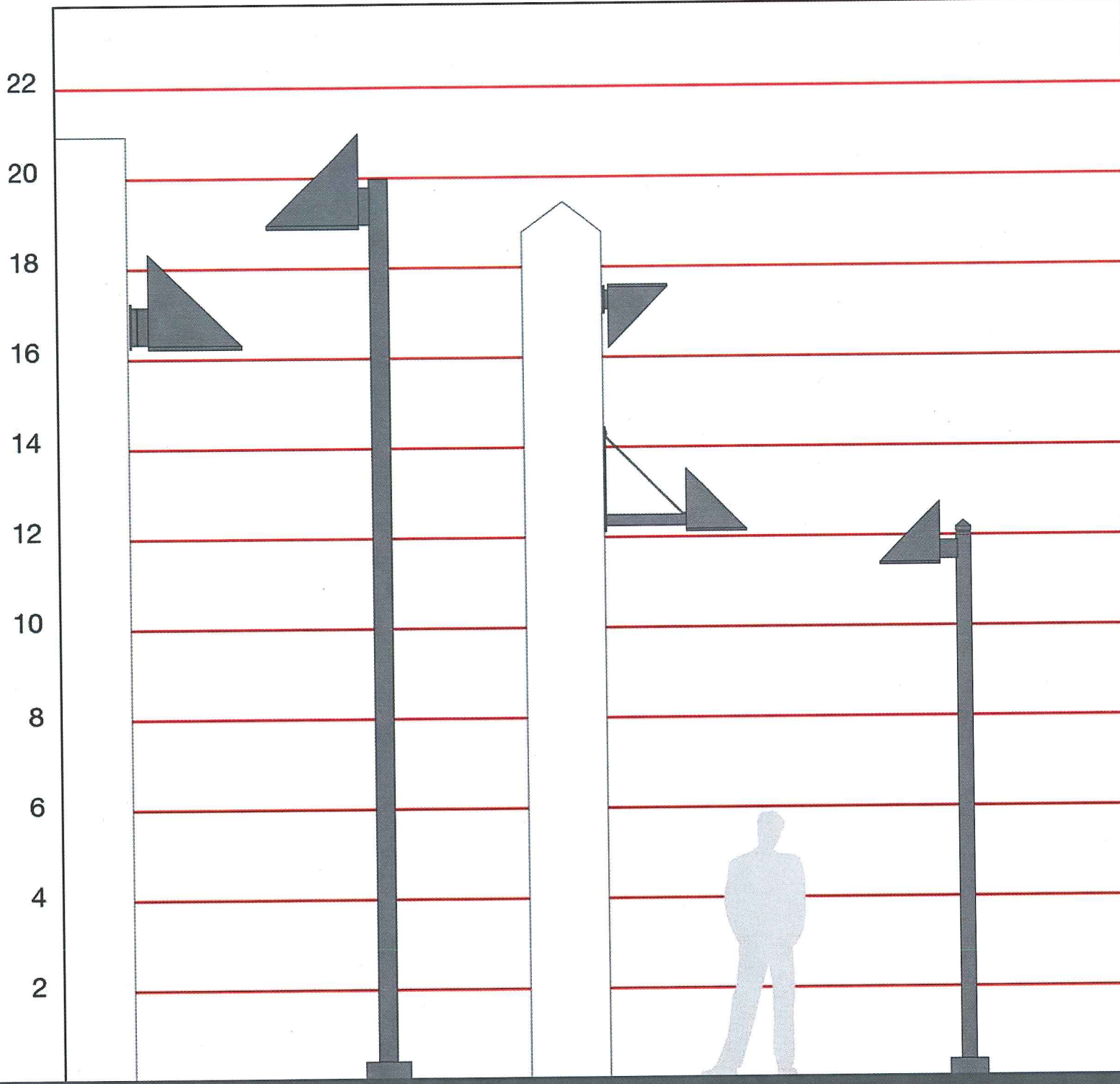
ARCHITECTURAL AREA LIGHTING

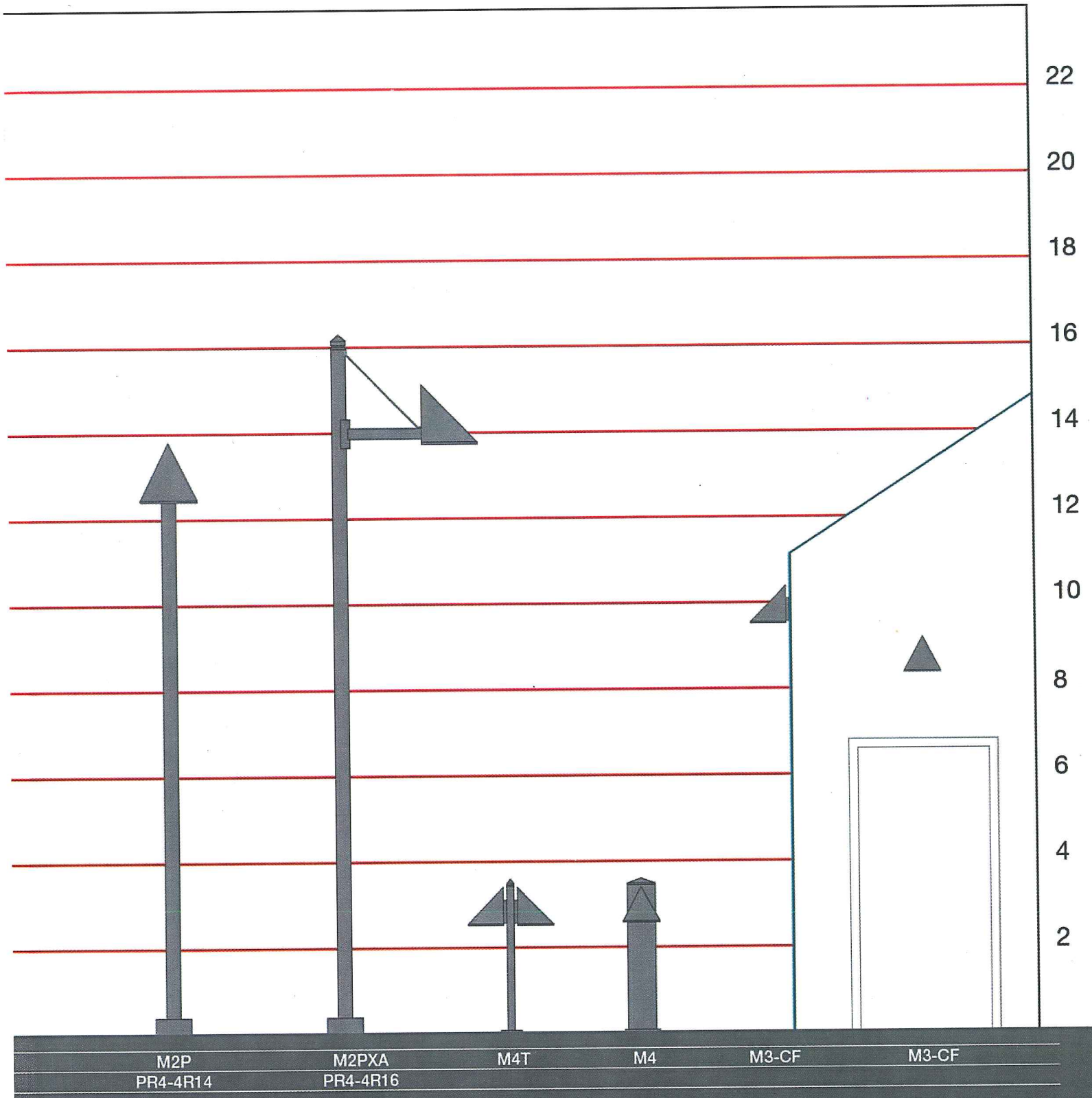
The Mitre is an expression of classic geometric form. Designed to compliment architectural expressions of precision, structure, and line. The simple elegance of the Mitre series belies its engineered strength and enduring quality. State of the art optical systems provide precise, energy efficient illumination. The Mitre series is offered in three sizes for proper scale and application where form is a prerequisite to function.



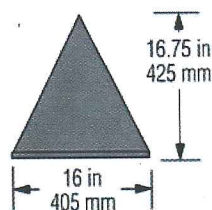
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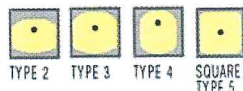




M2 Medium Scale Pole Mount (70 to 175 watt)



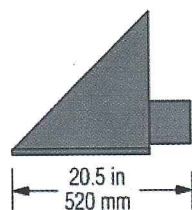
REFLECTOR TYPES



Ordering Examples

FIXTURE	LAMP	POLE	OPTIONS	COLOR
M2PXA-H2	150MHT6	PR4-4R12	VRL	BLK
M2PXA-H3	150HPS	PR4-4R16	RST	DGN
M2P-H3	100MH	PR4-4R12	•	WHT
M2P-H2	70MHT6	PR4-4R10	•	MAL

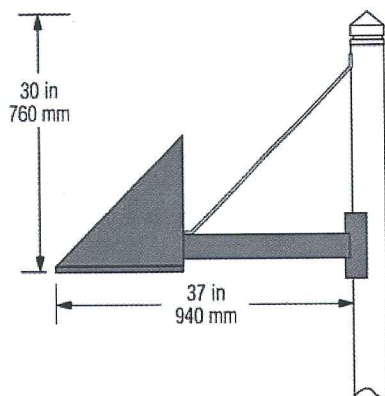
Pole Mounted



CAT NO.	REFLECTOR
M2P-H2	TYPE 2
M2P-H3	TYPE 3
M2P-H4	TYPE 4
M2P-H5	TYPE 5

WEIGHT: 32 POUNDS
EPA: .90; IP: 64

Extended Arm



CAT NO.	REFLECTOR
M2PXA-H2	TYPE 2
M2PXA-H3	TYPE 3
M2PXA-H4	TYPE 4
M2PXA-H5	TYPE 5

WEIGHT: 41 POUNDS
EPA: 1.55; IP: 64

Ballast

70MH

70 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

70MHT6

70 watt metal halide multitap ballast 120/208/240/277 volt. Uses a G12 base, clear T-6 ceramic MH lamp.

100MH

100 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

150MH

150 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

150MHT6

150 watt metal halide ballast 120/208/240/277 volt. Uses a G12 base, clear T-6 ceramic MH lamp.

175MH

175 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

70HPS

70 watt high pressure sodium ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

100HPS

100 watt high pressure sodium ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

150HPS

150 watt high pressure sodium ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

All ballasts prewired for 277 volts.

Lamps not included.

Colors

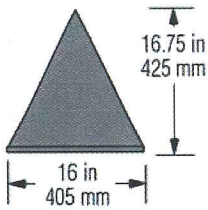
WHT White	BLK Black	DGN Dark Green	DBZ Dark Bronze
LGY Light Gray	CRT Corten	GALV Galvanized	MAL Matte Aluminum

Custom and RAL colors are available at an extra cost. Please submit a color sample or RAL color number.

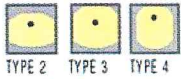
Options for M2P

PV	Articulating arm pivots 20 degrees, contoured to fit to a 4"/100mm pole
VRL	Vandal resistant, acrylic lens.
RST	Instant restart ballast for a standard 150 watt HPS (S55) lamp.
QL	Socket for a T-4 mini-cand halogen lamp, 100 watts maximum. Field wired to a separate electrical circuit.
QRS	Restrike controller and socket for a T-4 mini-halogen lamp, 100 watts.

M2 Medium Scale Wall Mount (70 to 175 watt)

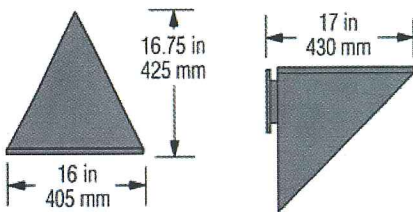


REFLECTOR TYPES



TYPE 2 TYPE 3 TYPE 4

Up Light



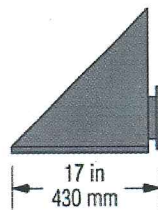
CAT NO.	REFLECTOR
M2WU-H2	TYPE 2
M2WU-H3	TYPE 3
M2WU-H4	TYPE 4

WEIGHT: 32 POUNDS
EPA: .90; IP: 64

Ordering Examples

FIXTURE	LAMP	OPTIONS	COLOR
M2WD-H2	70MHT6	VRL	BLK
M2WDX-H3	150HPS	RST	DGN
M2WU-H3	100MH	•	WHT
M2WU-H2	70MH	•	MAL

Down Light



CAT NO.	REFLECTOR
M2WD-H2	TYPE 2
M2WD-H3	TYPE 3
M2WD-H4	TYPE 4

WEIGHT: 32 POUNDS
EPA: .90; IP: 64

Ballast

70MH
70 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

70MHT6
70 watt metal halide multitap ballast 120/208/240/277 volt. Uses a G12 base, clear T-6 ceramic MH lamp.

100MH
100 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

150MH
150 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

150MHT6
150 watt metal halide ballast 120/208/240/277 volt. Uses a G12 base, clear T-6 ceramic MH lamp.

175MH
175 watt metal halide multitap ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

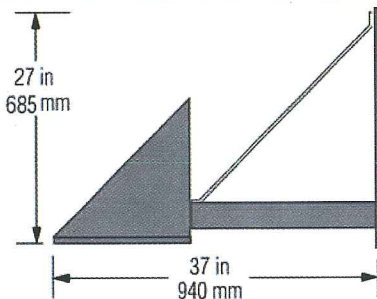
70HPS
70 watt high pressure sodium ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

100HPS
100 watt high pressure sodium ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

150HPS
150 watt high pressure sodium ballast 120/208/240/277 volt. Use medium base, clear ED-17 lamps.

All ballasts prewired for 277 volts. Lamps not included.

Down Light with Extended Arm



CAT NO.	REFLECTOR
M2WDX-H2	TYPE 2
M2WDX-H3	TYPE 3
M2WDX-H4	TYPE 4

WEIGHT: 32 POUNDS
EPA: .90; IP: 64

Options for M2W

PVW	Articulating arm pivots 20 degrees, with cast aluminum wall plate.
VRL	Vandal resistant, acrylic lens
RST	Instant restart ballast for a standard 150 watt HPS (S55) lamp.
QL	Socket for a T-4 mini-cand halogen lamp, 100 watts maximum. Field wired to a separate electrical circuit.
QRS	Restrike controller and socket for a T-4 mini-halogen lamp, 100 watts.

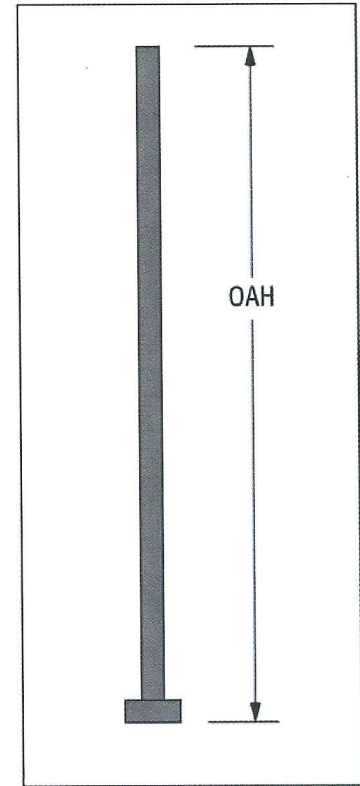
Pole Information

4" ROUND

Catalog Numbers

BASE	POLE-WALL	WT	OAH	STEADY WIND		GUST FACTOR (1.3)	
				70/91	80/104	90/117	100/130
PR4	4R8-125	19	8'/2.4M	14.3	12.0	9.6	7.4
PR4	4R10-125	22	10'/3.1M	11.8	8.6	6.5	5.2
PR4	4R12-125	26	12'/3.7M	9.8	8.2	6.6	5.0
PR4	4R14-125	30	14'/4.3M	7.9	6.6	5.2	3.9
PR4	4R16-125	33	16'/4.9M	6.4	5.3	4.1	3.0
PR4	4R10-226	36	10'/3.1M	22.2	18.5	15.0	12.0
PR4	4R12-226	42	12'/3.7M	18.2	15.4	12.7	9.9
PR4	4R14-226	49	14'/4.3M	14.7	12.4	10.2	8.0
PR4	4R16-226	55	16'/4.9M	12.5	10.4	8.3	6.3

BOLT CIRCLE: 7"/180MM
BASE DIAMETER: 9"/230MM

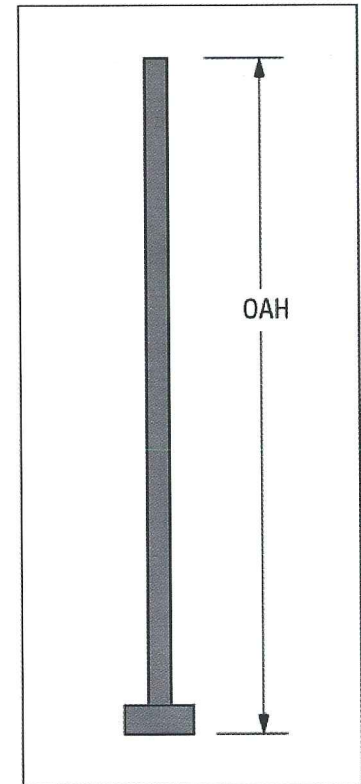


5" ROUND

Catalog Numbers

BASE	POLE-WALL	WT	OAH	STEADY WIND		GUST FACTOR (1.3)	
				70/91	80/104	90/117	100/130
PR5	5R10-188	48	10'/3.1M	26.0	20.8	16.0	12.6
PR5	5R12-188	55	12'/3.7M	22.5	17.2	13.2	10.5
PR5	5R14-188	61	14'/4.3M	18.2	13.5	10.5	8.2
PR5	5R16-188	68	16'/4.9M	14.5	11.0	8.5	6.6
PR5	5R18-188	75	18'/5.5M	12.0	9.0	6.8	5.2
PR5	5R20-188	81	20'/6.1M	9.8	7.4	5.5	4.0
PR5	5R12-250	67	12'/3.7M	27.0	22.7	18.8	15.5
PR5	5R14-250	76	14'/4.3M	24.5	20.4	16.7	13.7
PR5	5R16-250	85	16'/4.9M	21.8	18.0	14.8	11.5
PR5	5R18-250	93	18'/5.5M	18.9	15.5	12.2	9.7
PR5	5R20-250	102	20'/6.1M	16.4	13.6	10.9	8.2

BOLT CIRCLE: 10"/255MM
BASE DIAMETER: 15"/320MM



Consult the pole section of your AAL Catalog for a complete range of decorative poles and accessories.



FAX MEMO

Date: 9/21/01

To: City of Portland, Me - Planning Dept
Rick Knowland
Phone: 207-874-8725
Fax: 207-756-8258

From: Tom Daigneault

RE: Bayside Square, LLC

Rick:

Per your request I submit the following:

1. Building mounted sidewalk down lights with the extended arm along the Marginal Way sidewalk elevation are: M2WDX - 2 Type 2 - 100MH. The fixtures lens surface will be mounted at 10' +/-.
2. Building mounted accent up lights located at entry columns and alternating columns around the building are: M2WU - H2 - Type 2 - 70MH. The fixture lens surface will be mounted at 9' +/-.
3. Pole mounted sidewalk down lights with extended arm along the sidewalk on Preble Street Extension are: M2PXA - H2 - Type 2 - 100MH. The poles will be PR4 - 4R12-125. This will place the fixture lens surface at 10' +/-.
4. All fixtures will be equipped with the Vandal Resistant Lens (VRL). The lens is fully recessed from the bottom of the fixture (top of the fixture in the up light).

I am sending under a separate Fax the on and off site estimated cost.

Tom

Notice of Neighborhood Review Meeting

Pursuant to the requirements of the guidelines for planning board approval of construction projects in the City of Portland – the developer of the project noted below is holding a neighborhood meeting to ascertain neighborhood opinion on the project.

PROJECT: 50,000sf Office Building

LOCATION: Corner of Preble Street and Marginal Way (salt shed lot and adjacent warehouse site)

DEVELOPER: Atlantic National Trust

MEETING TIME: June 5, 2001, 4pm

MEETING LOCATION: On Project Site

The project has been reviewed in a workshop meeting with the planning board and will be formally reviewed, with a public hearing, by the planning board at its June 12, 2001 meeting. Representatives of the developer, realtor, architects, and engineers will be on hand to answer questions.



222 ST. JOHN STREET, SUITE 314, PORTLAND, MAINE 04102

FAX

Date: 5/17/01
Number of pages including cover sheet: 7

To: Rich Knowland

Phone: _____
Fax phone: 756-8258
CC: _____

From: Steve Bradstreet

Phone: 207-828-1272
Fax phone: 207-774-6907

REMARKS: Urgent For your review Reply ASAP Please comment

Rich:
Here are the sample drainage easements from MDOT. Our client's attorney is drafting one up this week for MDOT's review

The information contained in this facsimile message is privileged and confidential information intended only for the use of the individual or entity named above. If the reader is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this facsimile in error, please immediately notify EER by telephone and return the original message to EER at the above address via the U. S. Postal Service. Thank you.

Transmittal Letter

Project: Bayside Office Building

Project No.: 301

Date: 05/17/01

To: Rick Knowland
Planning Dept. City of Portland

Phone No.: 874-8721

Fax No.:

If enclosures are not as noted, please inform us immediately.

We transmit:

- Herewith
 Under separate cover via _____
 In accordance with your request _____

For your:

- Approval
 Distribution to Parties
 Information
 Record
 Review and Comment
 Use

The following:

- Drawings
 Shop Drawing Prints
 Samples
 Specifications
 Shop Drawing Reproducibles
 Product Literature
 Change Order
 Other: Operating Manual

Copies	Date	Rev. No.	Description	Action
15 sets	5/17/01		15 Sets of 4 Elevation Drawings (Marginal Way, Preble St., NW and SW Views)	A

Action Code:

- A. Action indicated on item transmitted
 D. For signature and forwarding as noted below under Remarks
 B. No action required
 E. See Remarks below
 C. For signature and return to this office

Remarks:

Copies to: File	<input type="radio"/>	TFH Architects, P. A.
	<input type="radio"/>	100 Commercial Street
	<input checked="" type="radio"/>	Portland Maine 04101
	<input type="radio"/>	Telephone 207-775-6141
	<input type="radio"/>	Fax No.: 207-773-0194
	<input type="radio"/>	By: William Nemmers

057932

Sam

DRAINAGE AGREEMENT AND GRANT OF EASEMENT

This AGREEMENT is entered into this 18th day of December, 2000, by and between Gornam Savings Bank ("Owner"), and the State of Maine, acting by and through its Department of Transportation ("State").

I. RECITALS

1. Owner owns a certain parcel of land (the "Bank Property") located on the northerly sideline of State Route 5 in the Town of Waterboro, York County, Maine; said Bank Property is more particularly described in a deed from Arthur R. Kinney and Earl C. McNeal to Owner, dated January 27, 2000 and recorded January 28, 2000, in the York County Registry of Deeds, Book 9881, Page 148.

2. The State maintains a Drainage System and flows water over and across Owner's land (the "Drainage System"), which Drainage System and flowage rights, including the right to construct and maintain downspouts and outlet ditches, were acquired in a Notice of Layout and Taking dated May 6, 1981, recorded May 18, 1981 in the York County Registry of Deeds, Book 2788, Page 130.

3. Said Drainage System includes the 18" corrugated metal crosspipe culvert located under State Route 5 at Sta. 105+70 as shown on a plan entitled "State of Maine, Department of Transportation, Right of Way Map, State Highway '4', Waterboro, Federal Aid Project No. F-FR-04-1(8)" dated September, 1980, D.O.T File No. 16-255, Sheet 1 of 9 Sheets, on file at the Augusta office of the Department of Transportation. Said crosspipe connects to a corrugated metal pipe catch basin and grate on the Bank Property at a point approximately forty-two feet (42') left of Sta. 105+70 as shown on said plan.

4. The State's Drainage System also includes a six inch (6") underdrain that connects to said catch basin on the Bank Property as described in Paragraph 3, above.

5. Owner desires to construct a new bank branch on the Bank Property. In conjunction with this building project, Owner desires to modify the existing Drainage System and water flow on the Bank Property.

II. DRAINAGE AGREEMENT

In consideration of the mutual covenants contained herein, the receipt and sufficiency whereof are hereby acknowledged, the State and Owner hereby agree as follows:

1. Owner shall remove the existing corrugated metal pipe basin and grate and install a new catch basin and frame approximately 42' left of Sta. 105+70 on said plan. Owner will re-connect the State's 18' corrugated metal crosspipe and 6" underdrain to the new catch basin.

2. Owner shall install a twenty-four inch (24") stormdrain connected to said catch basin

that will extend in a northeasterly direction across the Bank Property for a length of one hundred five feet (105'), to another catch basin, also to be installed by Owner. Owner shall install another twenty-four inch (24") stormdrain connected to the last mentioned catch basin and extending further in a northeast direction for a length of one hundred one feet (101') to the outlet of Maddox Brook.

3. The materials and location of the catch basin and 24" stormdrain are subject to approval by the State.

4. Owner agrees to comply with all municipal, State and Federal zoning, land use, and environmental laws, and shall obtain all permits, if any, necessary for any extensions to or modifications of the existing Drainage System.

5. Owner's modifications to and extensions of the Drainage System shall be at Owner's sole cost and expense.

6. Owner shall be responsible for maintenance of the catch basins and stormdrains on and across the Bank Property to the outlet of [REDACTED]. Such maintenance shall conform to the Maine Department of Transportation's standard maintenance practices.

7. Owner shall not allow any floor, foundation or other drains or drainage to enter the Drainage System, except for runoff entering the Drainage System from the State's land and the Bank Property.

8. The State shall provide Owner with written notice of any breach in the terms of this Agreement, and Owner shall have thirty days from the receipt of such notice to commence curative action of such breach. In the event Owner fails to commence curative action within 30 days or fail to carry out said curative action to completion satisfactory to the State; or in the event of any circumstances related to the Owner's maintenance of the Drainage System that the State deems to be an emergency to which Owner is unwilling or unable to adequately respond, then the State shall have the right to cure such breach or emergency without giving notice to Owner and Owner shall pay to the State all reasonable costs and expenses related to the State's curative action. In addition, in the event of such a breach of any of the terms of this Agreement the State, in its sole discretion, shall have the option of terminating this Agreement and dismantling the Drainage System installed by Owner.

9. Owner shall indemnify and hold harmless the State from any and all claims, demands, governmental actions, or causes of action whatsoever arising out of the modification of the existing Drainage System as herein described or out of the terms of this agreement and further, Owner shall provide the State with proof of insurance. Such insurance shall be in an amount of no less than the liability of the State of Maine prescribed in the Maine Tort Claims Immunity Act or successor law, which at the time of this Agreement is \$400,000 per occurrence.

10. The State will continue to maintain the highway Drainage System, including the existing 18" corrugated metal crosspipe culvert and the 6" underdrain, along and across State

Route 5 up to, but not including, the catch basin located approximately 42 feet left of Sta. 105+70 in conformity with the State's standard maintenance practices.

11. The State will vacate its downspout and outlet ditch rights at Sta. 105+70 acquired by the Notice of Taking referenced in Section 1, Paragraph 1, above, by Deed of Vacation to Owner. Any and all other rights acquired by the State by virtue of said Notice of Layout and Taking shall remain in full force and effect.

III. GRANT OF EASEMENT

1. Owner, its successors and assigns, hereby grants and conveys a perpetual easement to the State, its successors and assigns, to enter Owner's Bank Property as referenced in Paragraph 1 of Section I, Recitals, at all times for the following purposes:

- a. Inspection, maintenance, cleaning and repair of such portion of the Drainage System as lies on Owner's Bank Property between the northerly side of State Route 5 at Sta. 105+70 and the new catch basin referenced in Section II, Paragraph 1;
- b. Inspection of the Drainage System to ensure Owner's compliance with the terms of this Drainage Agreement and Grant of Easement; and
- c. Repair, maintenance, cleaning and or removal of Owner's Drainage System in the event the State conducts curative action or dismantles the Drainage System pursuant to Section II, Paragraph 8 of the Drainage Agreement.

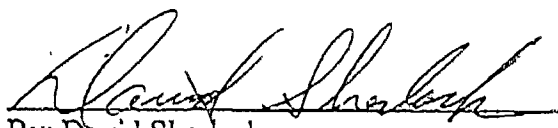
In addition, Owner hereby grants to the State the perpetual right to flow water over, through and across Owner's Drainage System.

THIS AGREEMENT AND GRANT OF EASEMENT shall be binding upon the State and Owner, their respective heirs, successors and assigns.

OWNER WAIVES any further compensation from the State arising from the terms of this Agreement and Grant of Easement or on account of any rights or interests herein.

In witness thereof, the parties have hereunto set their hands and seals on the day and date heretofore set forth

**STATE OF MAINE:
DEPARTMENT OF TRANSPORTATION**



By: David Sherlock
Its: Assistant Division Engineer

SAMPLE

058661

DRAINAGE AGREEMENT AND GRANT OF EASEMENT

This AGREEMENT is entered into this 30 day of November, 2000, by and between ~~_____~~ ("Owner"), and the State of Maine, acting by and through its Department of Transportation ("State").

I. RECITALS

1. Owner owns a certain parcel of land (the "Property") located on the east ~~side~~ ^{sideline} of U.S. Route 1 in the Town of York, York County, Maine, said property being ~~more~~ particularly described in a deed from York Building & Design Center, Inc. to Owner dated September 7, 2000 and recorded September 8, 2000, in the York County Registry of Deeds, Book 10208, Page 252, and as shown on a certain plan entitled "Standard Boundary Survey of Land to be conveyed to James P. Williams, Tr." dated June 2000, recorded September 25, 2000, in said Registry of Deeds, Plan Book 258, Page 10.

2. Owner maintains a drainage system (the "Drainage System") and flows water over and across the Property.

3. The State flows water through an 18" cross pipe located under U.S. Route 1 at Sta. 76+00 ± as shown on a plan entitled "State of Maine, Department of Transportation, Right of Way Map, York, Federal Aid Project No. FR-F-01-1(60)" dated June, 1982, D.O.T File No. 16-277, Sheet 5 of 20 Sheets, on file at the Augusta office of the Department of Transportation.

4. The State's 18" crosspipe connects to an 18" outlet pipe on the Property at a point located approximately forty feet (40') right of Sta. 76+00± on said Right of Way map. Said 18" outlet pipe extends in a southeasterly direction across Owner's Property.

5. Owner desires to modify the Drainage System by removing the existing 18" outlet pipe and installing a manhole and an 18" outlet pipe that connects to the State's 18" crosspipe and extends across Owner's Property.

II. DRAINAGE AGREEMENT

In consideration of the mutual covenants contained herein, the receipt and sufficiency whereof are hereby acknowledged, the State and Owner hereby agree as follows:

1. Owner shall remove the existing 18" outlet pipe on the Property, install a manhole at the State's 18" crosspipe and connect an 18" outlet pipe one hundred ten feet (110') in length in a position approximately parallel to and maintaining a distance of approximately 12 feet from the southeast U.S. Route 1 Right of Way line.

2. The materials and exact location of such manhole and 18" outlet pipe are subject to approval by the State.

April 24, 2001

Mr. William Nemmers
William Nemmers & Associates
424 Fore Street
Portland, ME 04101

**Subject: Bayside Site Development
Response to City's Review Comments**

Dear Bill:

The following discussion is in response to review comments received from Stephen Bushey, DeLuca-Hoffman (April 9, 2001) and Rick Knowland (April 3 and April 4, 2001). Our response follows the same format and numbering system used in the above noted documents.

Stephen Bushey, DeLuca-Hoffman (April 9, 2001) Comments

1. Question: The general construction plan makes multiple references to removal and disposal of materials at an approved location. Who will be approving the offsite disposal locations?
1. Answer: The references to disposal of materials at an approved location has been removed. A general note has been added regarding disposal in accordance with local and state regulations.
2. Question: Public Works staff should make an inventory of all materials that are to remain City property so that it is clear what the City wants to keep and what can be disposed of.
2. Answer: The City should remove all material it plans to retain ownership of.
3. Question: Some layout control should be provided for the island curb extension on Preble Street Extension. The existing island appears to be placed on a large radius, therefore the new extension should follow the existing geometry.

3. Answer: The island has been revised to follow the same radial alignment of the existing island.

4. Question: I recommend the new esplanade areas have a minimum of 6-inches of topsoil and be seeded and mulched with grass seed acceptable to the City Arborist.

4. Answer: The detail has been revised to reflect 6-inches of topsoil and that the contractor provide a seed mix acceptable to the City Arborist.

5. Question: The engineer should provide a statement as to the need for a bypass for the Downstream Defender. The proposed system is to discharge into an existing 36 inch or 42 inch storm drain that ultimately discharges to Back Cove. As evidenced in the existing conditions survey by Titcomb Associates, the downstream pipes are likely surcharged during high tide and during storm events. At elevation 10 in the parking lot, the lot may have occasional periods of flooding. I am not certain that anything can be done about this, however, I recommend the engineer consider this issue and possible measures such as backflow prevention in the storm drain outlet. Will backflow also cause any operating problems in the downstream defender?

5. Answer: A bypass pipe is provided based on recommendations of the manufacturer of the Downstream Defender. The bypass pipe is raised to an elevation reflective of the maximum storm event allowed through the Downstream Defender.

The infrequency of storm events that produce flood events reaching or exceeding elevation 10, does not require special provision for backflow prevention. Maintenance, plugging, and freezing are all problematic for backflow prevention on stormdrain systems.

Based on discussion with the Downstream Defender manufacturer, backflow does not create a problem with the operation of the system, since all sediment and floatables are contained within internal chambers in the structure.

6. Question: Silt fence should be shown along the toe of any fill slopes. The plan currently shows none.

6. Answer: Silt fence is now shown on the plan.

7. Question: I recommend buffering be provided around the transformer.

7. Answer: Buffering is provided around the transformer.
8. Question: Will the applicant be assessed any impact fees for introducing new sanitary flows to the sewer?
8. Answer: The applicant will address impact fees when they are presented by the City.
9. Question: The detail plans should include the hay bale barrier detail as is called out in the plan sheet. I would also accept the use of the Siltsack sediment collection device on all catch basins during construction.
9. Answer: The plan has been revised to refer to the correct detail and to suggest the use of Siltsack.
10. Question: The applicant should confirm the downstream conditions of the existing storm drain to confirm that blockages etc. from past site use do not exist.
10. Answer: A note has been provided on the plan requiring the contractor to flush the existing storm drain and clean out sediment from DMH #1.

Rick Knowland (April 3, 2001) Comments

1. Question: Building Design.
- Need Preble Street side and complete westerly side building elevations.
 - The planning board will want to see material samples of the building (i.e., brick, metal sun shade, metal curtain wall, metal corner panels, metal braces, etc.).
 - What is the mechanical equipment screen?
 - What is the color of the window trim?
 - What material is contained in the “little boxes” along the façade?
How are the seams expressed?
1. Answer: William Nemmers will address the architectural issues.
2. Question: Apparently there is a state restriction on curb cuts along Preble Street. While the City is attempting to “undue” this restriction, how necessary is it for this development?
2. Answer: It is our understanding that the City is resolving the issue of the curb cut on Preble Street Extension.

3. Question: With new train coming to Bayside, we are requesting a 30-foot wide easement along your I-295 property line. The easement would allow construction of an elevated track with support columns, not a filled berm, which would wipe out \pm 40 spaces from your site. The column support track might result in a few disturbed parking spaces depending on the location of the columns.
3. Answer: A 30-foot easement has been shown on the plans.
4. Question: Assuming a curb cut on Preble Street is okay, the driveway will need to be shifted outside of the rail easement.
4. Answer: Based on the location of the 30 foot easement, parallel to I-295, the Preble Street Extension entrance is outside of the easement.
5. Question: One other comment on the building design would suggest you explore the possibility of extending the bay concept from the first floor to the upper stories of the building.
5. Answer: William Nemmers will address the architectural issues.

Rick Knowland (April 4, 2001) Comments

1. Question: The Downstream Defender should be moved outside of the easement.
1. Answer: The Downstream Defender has been moved outside the easement.
2. Question: Landscaping (bushes) should be planted along the westerly property line.
2. Answer: Landscaping has been provided along the westerly property line.
3. Question: All of the site plan notes should be on the site plan.
3. Answer: All of the site plan notes are now shown on the site plan.
4. Question: Need curb to keep cars on the property along the westerly and northerly property lines.
4. Answer: Curb has been provided around the entire perimeter of the parking lot.
5. Question: Show the existing landscaping within the I-295 right of way adjacent to the site.

5. Answer: The existing landscaping within the I-295 right of way is now shown.
6. Question: Parking spaces should be 9 feet by 19 feet. You have enough room to increase the stall length for a number of rows.
6. Answer: The parking space size has been revised to reflect 9 feet by 19 feet.
7. Question: Do you have permission yet from Maine Department of Transportation (MDOT) to use that storm drain within the I-295 right of way.
7. Answer: We are still discussing the issue with MDOT. I have recently talked with Roger Gobeil and sent him a letter (attached) and plan for his review. Based on discussed with him, MDOT does not usually accept connections but will, with conditions, regarding maintenance, liability and emergency access. I spoke with Roger today and he is assembling MDOT's as-builts and will be drafting an agreement to be signed by the owners.


Other Comments

At the Planning Board Workshop, a board member or planning staff noted that the light fixtures did not appear to be cut off fixtures. The fixture, TR 20 SCB3M-UN44, has a SCB optic, which is described in the literature as "Cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens". It also states "the optical systems assembly provides high photometric cut-off performance, minimizes glare and reduces energy consumption over time".

I trust this response addresses the City's comments at this time. If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

Enclosure

April 17, 2001

Mr. Roger Gobeil, Division Engineer
Maine Department of Transportation
Division 6
P.O. Box 1940
Portland, ME 04104

Subject: Proposed Bayside Development, 68 Marginal Way, Portland

Dear Mr. Gobeil:

We are currently assisting Atlantic National Trust in the development of the above-mentioned site. The site is currently occupied by Advance Paper Co. and the City of Portland's Salt Shed. A catch basin and a drain manhole are located along the northern boundary of the site. The existing 36- or 42-inch line appears to be of corrugated metal construction. The basin, manhole, and pipeline are apparently owned and maintained by Maine Department of Transportation (MDOT). The City of Portland has asked that we not connect to their storm drain located adjacent to the property as it discharges to a combined sewer; therefore, we are requesting permission to discharge stormwater to MDOT's collection system at this location by installing a catch basin in the line in accordance with MDOT design standards.

Some time ago Joshua Saucier from our office contacted David Sherlock with some general questions regarding storm drain infrastructure in this area. Mr. Sherlock informed Mr. Saucier that any plans of storm drains in this area would be located in the vault in Augusta. After working for several hours with MDOT personnel in Augusta, we were unable to find an overall plan of this area.

During a recent site visit, we observed significant sedimentation around and entering the subject manhole and catch basin. The side slope of the City's sand pile approaches 1:1, and channelization along the northeast side of the pile led to the drain manhole where it appears to have piped around the cover.

Our proposed connection will be located downstream from a Downstream Defender, which will remove the majority of the suspended solids. This treatment, together with stabilization of the site relative to the pavement and grassed areas should significantly reduce the frequency of cleaning activities for the catch basin and manhole. The peak flow to the collection system will be increased from 5.61 cubic feet per second

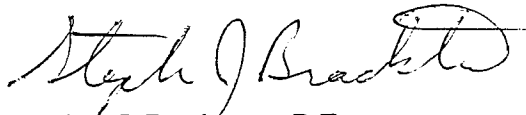
(cfs) to 8.57 cfs in the 10-year storm; however, the reduced sedimentation in the system should increase the collection system's flow capacity. The total stormwater flow from the site actually decreases in the post-development condition but more of the site area is directed toward MDOT's storm drain system. As part of the construction, the contractor will flush the upstream and downstream storm drain lines after installation. Our client proposes to maintain all drainage infrastructure up to the installed catch basin. We are also requesting a grading easement in this area to improve drainage from the site.

We understand that MDOT is typically reluctant to allow external connections to their collection systems; however, this project stands to greatly improve the appearance of Marginal Way, as did construction of the new Department of Human Services building in this area. This project has the support of the City, as evident of their sale of the salt shed parcel for this development. We are currently revising our drawings for a submission to the City next Tuesday, April 24. This letter will be submitted in that package and we are hoping to have a preliminary response from MDOT.

We have included a grading and drainage plan for your use. Your assistance in this matter is greatly appreciated. If you have any questions or require further information, please feel free to call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

p:\628\gobeil 04-17-01.doc



CITY OF PORTLAND

20 March 2001

Mr. Stephen J. Bradstreet, P.E.,
Environmental Engineering & Remediation,
222 St. John Street, Suite 314,
Portland, Maine 04102

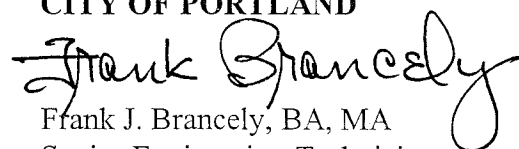
**RE: The Capacity to handle The Proposed Professional Building
Wastewater Flows, at 68-76 Marginal Way.**

Dear Mr. Bradstreet:

The existing ninety-six inch diameter reinforced concrete sanitary sewer pipe located in Marginal Way has adequate capacity to transport the anticipated wastewater flows of 3,750 GPD, from your proposed building. The Portland Water District sewage treatment facilities located off Marginal Way have adequate capacity to treat the anticipated wastewater flows of 3,750 GPD, from your proposed building.

<u>Anticipated Wastewater Flows from the Proposed Building</u>	
Recent Wastewater flows from 52 Marginal Way (Formerly Advanced Paper Co.)	= 48 GPD
250 Proposed Employees @ 15 GPD/Employee	= 3,750 GPD
Total Anticipated Increase in Wastewater Flows for this Project	= 3,702 GPD

If I can be of further assistance, please call me at 874-8832.

Sincerely,
CITY OF PORTLAND

Frank J. Brancely, BA, MA
Senior Engineering Technician

FJB

cc: Joseph E. Gray, Director, Department of Planning, & Urban Development, City of Portland
Richard Knowland, Senior Planner, Dept. of Planning & Urban Development, City of Portland
Katherine A. Staples, PE, Engineering Manager, City of Portland
Bradley Roland, PE, Environmental Projects Engineer, City of Portland
Anthony W. Lombardo, PE, Project Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Desk File



Portland Water District

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

(207) 774-5961
FAX (207) 761-8307
www.pwd.org

March 20, 2001

Stephen J. Bradstreet, P.E.
Environmental Engineering & Remediation, Inc.
222 St. John St. Suite 314
Portland, Me. 04102

Re: 68 Marginal Way- Portland

Dear Mr. Bradstreet

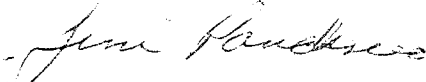
This letter is to confirm there should be an adequate supply of clean and healthful water to serve the needs of the proposed office building near the intersection of Marginal Way and Preble Street. Checking District records, I find there are 8" water mains in both street.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the needs of your proposed project. A map is included indicating water mains and hydrants in the area.

Hydrant Location: Marginal Way @Hanover St.
Hydrant # 241
Static pressure = 92 PSI
Flow = 1404 GPM
Last Tested = 6/28/91

If the district can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District


Jim Pandiscio
Means Coordinator

SECTION 3 – DEVELOPMENT ENTRANCES AND EXITS

- A. **Entrance and Exit Location** – The attached site plan depicts the preliminary driveway locations. Access to the project will be provided via two driveways, one on Marginal Way west of Preble Street and one on Preble Street Extension.

- B. **Plan View** – The attached site plan provides information on the intersections created by the development including sight distance and speed limits.

SECTION 4 – TITLE, RIGHT OR INTEREST

Attached please find relevant information.

4

QUITCLAIM DEED

HL
HARRIET LEVI, with a mailing address of 93 Rackleff Street, Portland, Maine 04103, for consideration paid, GRANT to THEODORE V. WEST, with a mailing address of c/o ATLANTIC NATIONAL TRUST, LLC 50 Portland Pier, Portland, Maine 04101, as ~~JOINT TENANTS and not as tenants in common~~, with QUITCLAIM COVENANT, that certain lot or parcel of land situated in the City of PORTLAND, County of CUMBERLAND and State of MAINE, and more particularly described on EXHIBIT A attached hereto and made a part hereof.

For the source of Grantor's title, reference is hereby made to a deed from Maine Surgical Supply Co. to William L. Levi and Harriet Levi as joint tenants, dated January 4, 1982 and recorded in the Cumberland County Registry of Deeds in Book 4908, Page 135. The said William L. Levi died on September 20, 1966, leaving the Grantor herein as the surviving joint tenant.

IN WITNESS WHEREOF, the said HARRIET LEVI has signed this instrument on the 24th day of July, 2000.

Harriet Levi

HARRIET LEVI

STATE OF MAINE
COUNTY OF CUMBERLAND

July 24, 2000

Personally appeared the above named HARRIET LEVI and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Robert S. Hark

Notary Public/Attorney-at-Law
Print Name: Robert S. Hark

*mc 7/24/00 @ 11:52
15612/20*

Exhibit A

I. A certain lot or parcel of land, with the buildings thereon, situated in Portland, in the County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at a point on the northerly side line of the Marginal Way, distant westerly along said side line one hundred twenty and one tenth (120.1) feet from the intersection of said side line with the westerly side line of Hanover Street produced, said point being at the southwesterly corner of land of the City of Portland; thence running South 67° 45' West and by said northerly side line of the Marginal Way a distance of one hundred forty (140) feet to an iron pipe driven into the ground; thence North 6° 14' West a distance of one hundred four (104) feet to an iron pipe at the Old Harbor Commissioner's Line; thence continuing the same course a distance of about three hundred thirty-eight (338) feet to the Government Channel; thence North 67° 45' East and by said Government Channel a distance of one hundred forty (140) feet to land of the City of Portland; thence South 6° 14' East and by land of the City of Portland a distance of about three hundred thirty-eight (338) feet to a pipe at the old Harbor Commissioner's Line; thence continuing the same course and by land of City of Portland a distance of one hundred four (104) feet to an iron pipe at the point of beginning.

Excepting and reserving, however, (1) that portion of the above-described premises condemned by the State of Maine and described in Notice of Layout and Taking recorded in said Registry of Deeds, Book 3062, Page 837, said portion also being delineated as Parcel No. 1008 on Maine State Highway Commission Right of Way Map with respect to Federal Aid Projects Nos. I-295-3(30) and U-014-1(11) dated December, 1967, (S.H.C. File No. 3-185) and (2) that portion of the above-described premises conveyed to the State of Maine by deed of Maine Surgical Supply Co. recorded in said Registry of Deeds, Book 3123, Page 424, being designated as Parcel 1008-A on said Right of Way Map.

II. Also, a certain lot or parcel of land situated on the northwesterly side of Marginal Way in Portland, bounded and described as follows:

Beginning at a granite monument on the northwesterly side line of Marginal Way, said granite monument being distant southwesterly along said northwesterly side line of Marginal Way one hundred nineteen and eighty hundredths (119.80) feet from a granite monument marking the intersection of said northwesterly side line of Marginal Way and the southwesterly side line of Preble Street Extension; thence northwesterly at right angles to said northwesterly side line of Marginal Way and through land of the City of Portland a distance of two hundred thirty-five and two hundredths (235.02) feet to a point

and the easterly side line of land now or formerly of Maine Surgical Supply Co.; thence southerly at an included angle of fifteen degrees and fifty-seven minutes ($15^{\circ} 57'$) and along said easterly side line of said Maine Surgical Supply Co. land a distance of two hundred forty-four and forty-three hundredths (244.43) feet, more or less, to said northwesterly side line of Marginal Way; thence northeasterly at an included angle of seventy-four degrees and three minutes ($74^{\circ} 3'$) and along said northwesterly side line of Marginal Way a distance of sixty-seven and seventeen hundredths (67.17) feet, more or less, to the granite monument at the point of beginning, containing seven thousand eight hundred ninety-three (7,893) square feet, more or less.

Being a portion of the premises conveyed to the City of Portland by Ezra Russell by deed dated April, 1849, and recorded in said Registry of Deeds, Book 213, Page 449.

Together with right conveyed by the City of Portland to Maine Surgical Supply Co. in deed dated December 28, 1976, and recorded in said Registry of Deeds, Book 3959, Page 165, and more particularly described as follows:

"It is understood and agreed that if and when Grantor secures authorization from the State Department of Transportation to construct and maintain an exit from its adjoining premises to the Preble Street Extension and such authorization will permit Grantor to do so, Grantor will convey to Grantee an easement of access not to exceed twenty-five (25) feet in width across the rear of its property to the property herein conveyed in such location and under such terms and conditions as the State Department of Transportation and/or the Grantor shall then determine, such easement of access to terminate at the Grantor's discretion if the use thereof shall interfere with Grantor's use of its remaining land or if and when Grantor shall convey such remaining land."

This conveyance of parcels I and II above is also subject to any encumbrances that could be discovered by a survey of the premises described above.

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT for the purchase and sale of real estate made as of the 28th day of July, 2000 by and between the CITY OF PORTLAND, a body politic and corporate located in Cumberland County, Maine (hereinafter referred to as "CITY"), and ATLANTIC NATIONAL TRUST, LLC of 50 Portland Pier, Suite 400, Portland in Cumberland County, Maine (hereinafter referred to as "BUYER").

W I T N E S S E T H:

WHEREAS, CITY did issue a Request for Proposals, RFP #7700, entitled "Sale and Re-Use of the "Salt Shed" Property (hereinafter "Property") and

WHEREAS, BUYER submitted a proposal dated June 15, 2000 in response to said Request for Proposals; and

WHEREAS, CITY has determined that BUYER's Proposal best suits the development of the Property;

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the parties intend to be legally bound as follows:

1. SALE.

CITY agrees to sell the Property as shown in Attachment 1 to Attachment A attached hereto and incorporated herein, to the BUYER, and BUYER agrees to purchase the Property in accordance with the provisions hereof.

2. CONSIDERATION.

The purchase price for the Property shall be One Hundred Ninety Five Thousand Dollars (\$195,000.00), which amount shall be paid at the closing set forth in Paragraph 6 hereof but subject to the terms of Paragraph 13 hereof.

3. TITLE.

Title to the Property shall be conveyed by Quitclaim Deed and shall be free of CITY liens.

SECTION 5 – PUBLIC OR PRIVATE RIGHTS-OF-WAY

According to information provided on the site plan the existing Marginal Way right-of-way is approximately 100 feet. Preble Street has a right-of-way of approximately 120 feet.

SECTION 6 – SCHEDULE

The current schedule is to begin construction in the Summer of 2001 and complete construction by Spring of 2002.

NOTICE OF INTENT TO FILE

Please take notice that Atlantic National Trust having an address at 50 Portland Pier, Portland, Maine 04101, 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 May 21, 2001.

The application is for the construction of a 50,000 square foot office building and related parking. The new trip generation from the development is 117 trips per hour at peak hour.

The project is at the following location: corner of Marginal Way and Preble Street, 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 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 and 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.

Atlantic National Trust

By: 

May 21, 2001

ALEXANDER JAGGERMAN

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ALEXANDER JAEGERMAN

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ALEXANDER JAEGERMAN

Atlantic National Trust

By: 

May 21, 2001

SALT SHED

Abutters

Southern Maine Properties

P.O. Box 7525, 5 Milk St.

Portland, ME. 04112

Ross Ferman

P.O. Box 2

Portland, ME. 04112

Marginal Way Food Corp.

49 Marginal Way

Portland, ME. 04101

Hannaford Bros. Co.

P.O. Box 1000

Portland, ME. 04104

U.S. Post Office

Postmaster

125 Forest Ave.

Portland, ME.

City of Westbrook

City Clerk

City Hall

2 York St.

Westbrook, ME. 04092

City of Westbrook

Planning Department

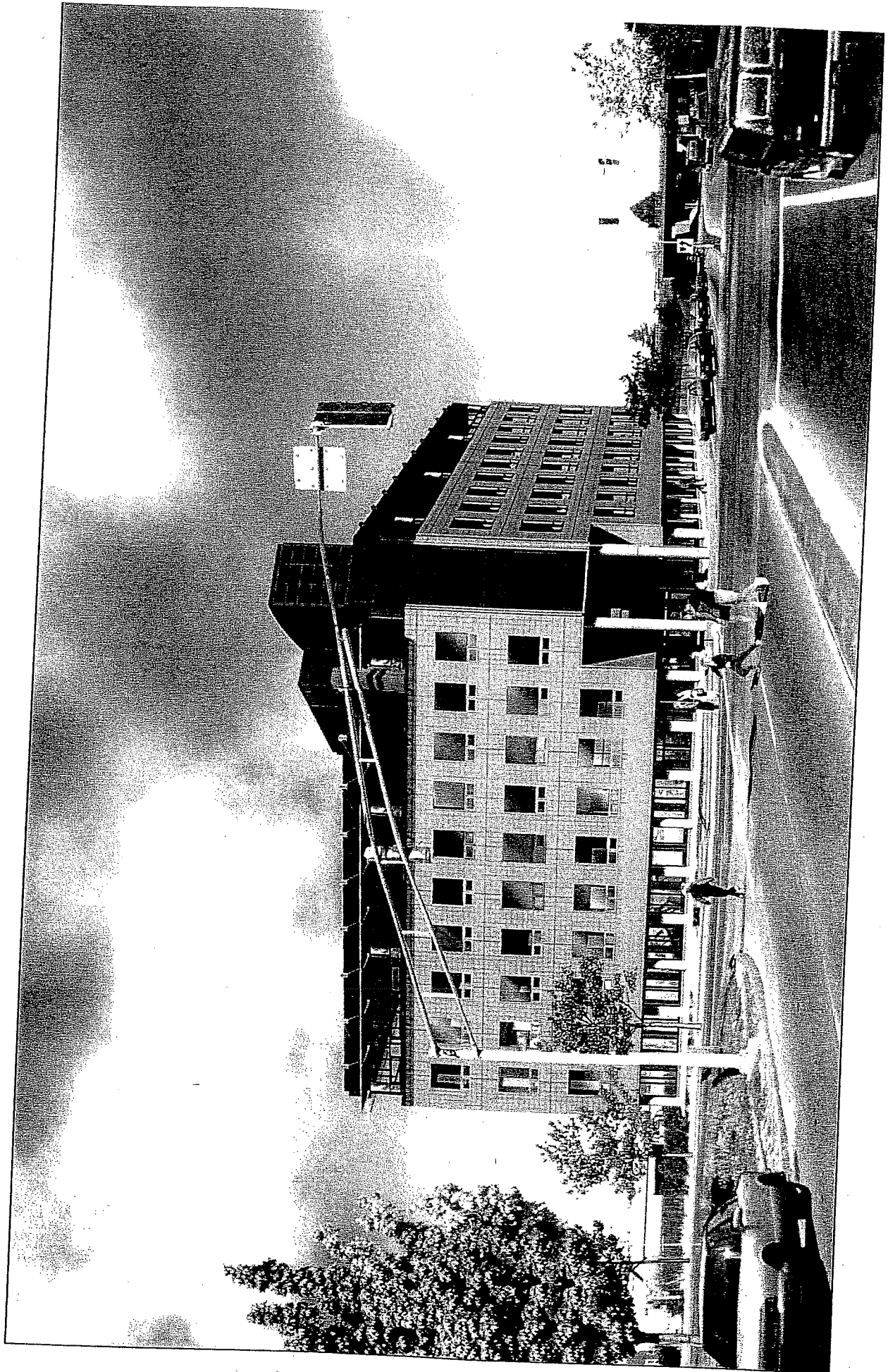
City Hall

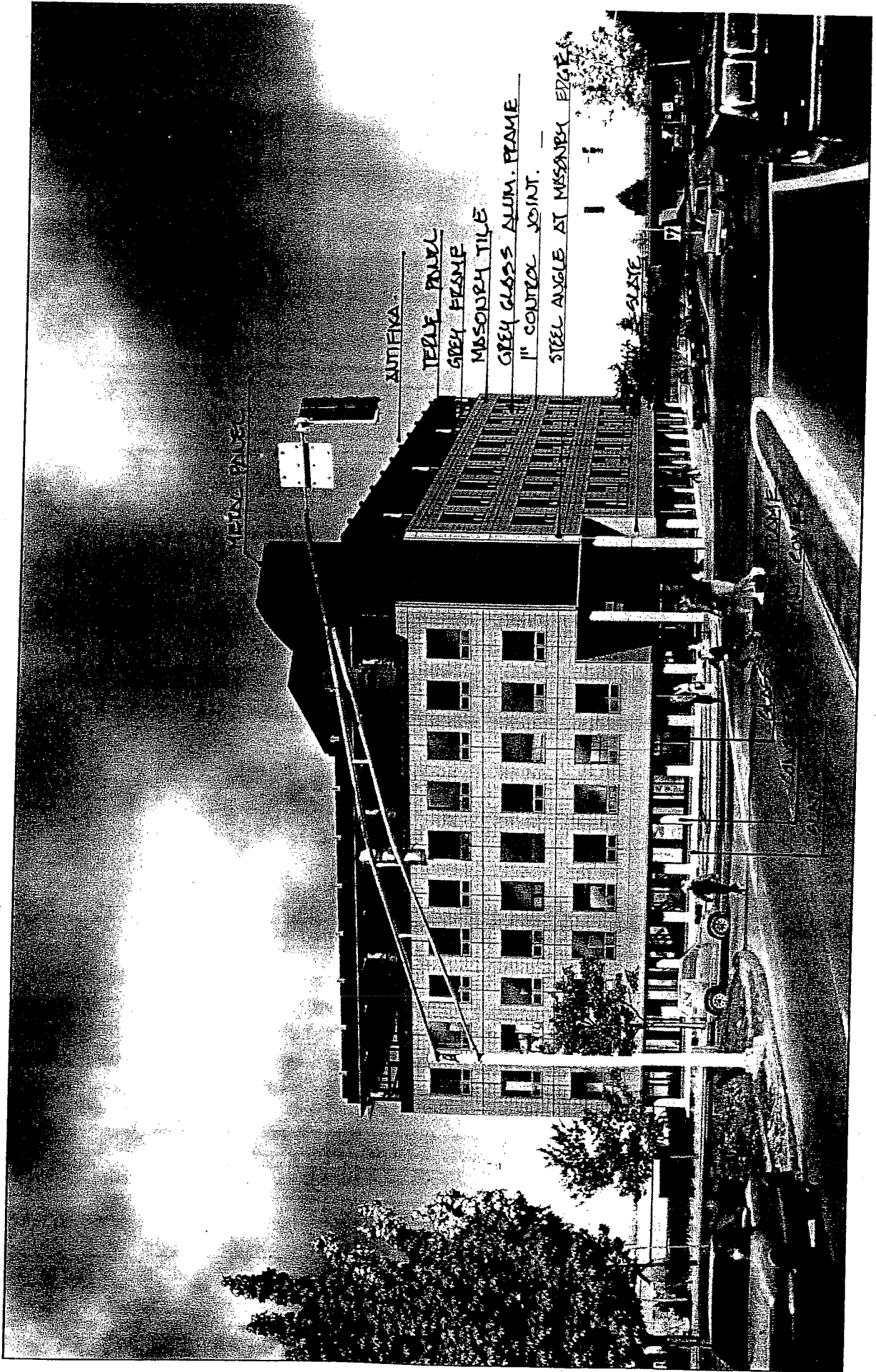
2 York Street

Westbrook, ME. 04092

ORIGINAL DESIGN

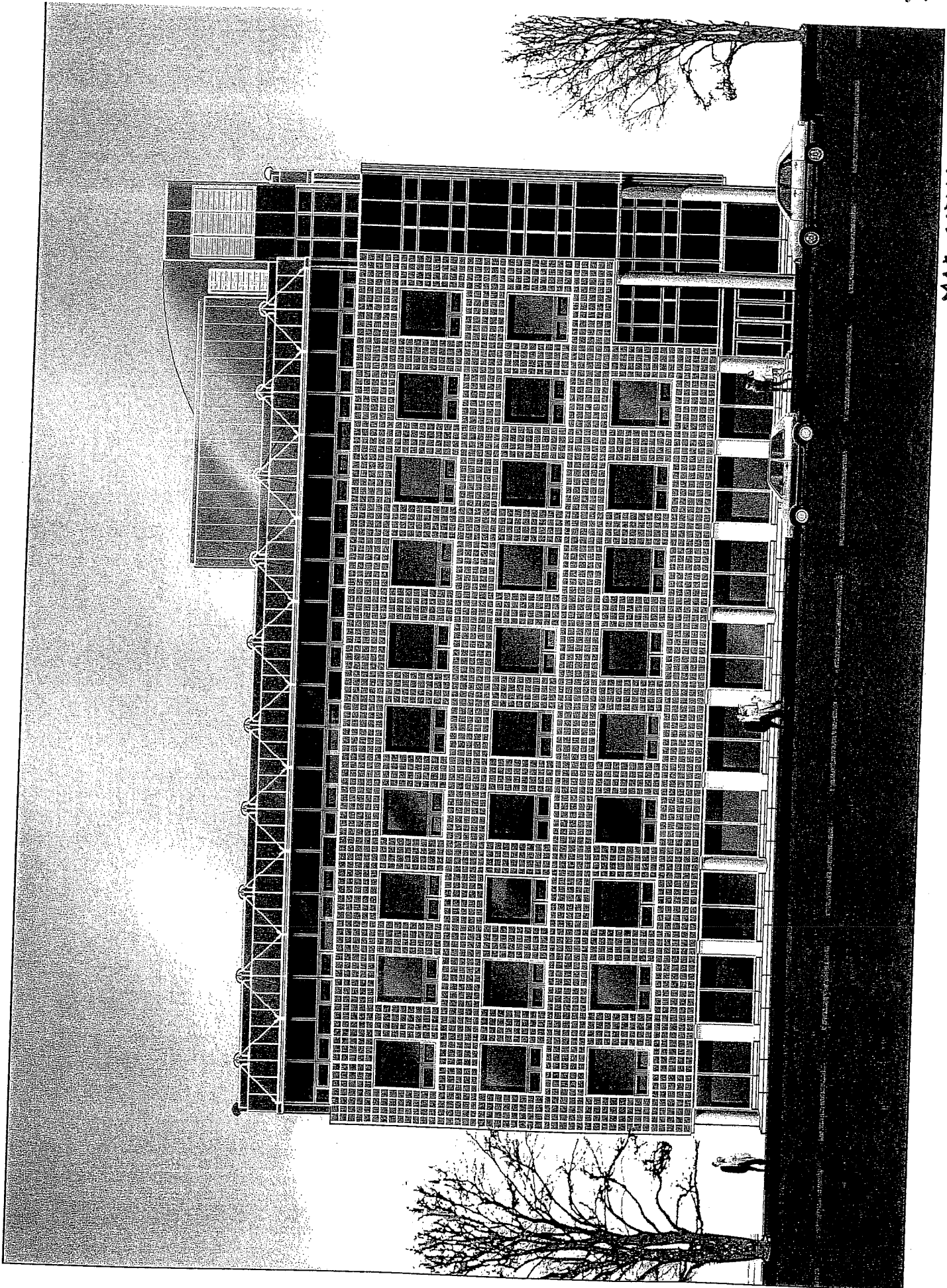
ATTACHMENT



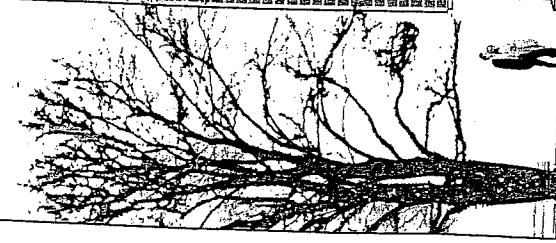


ORIGINAL DESIGN

A-3

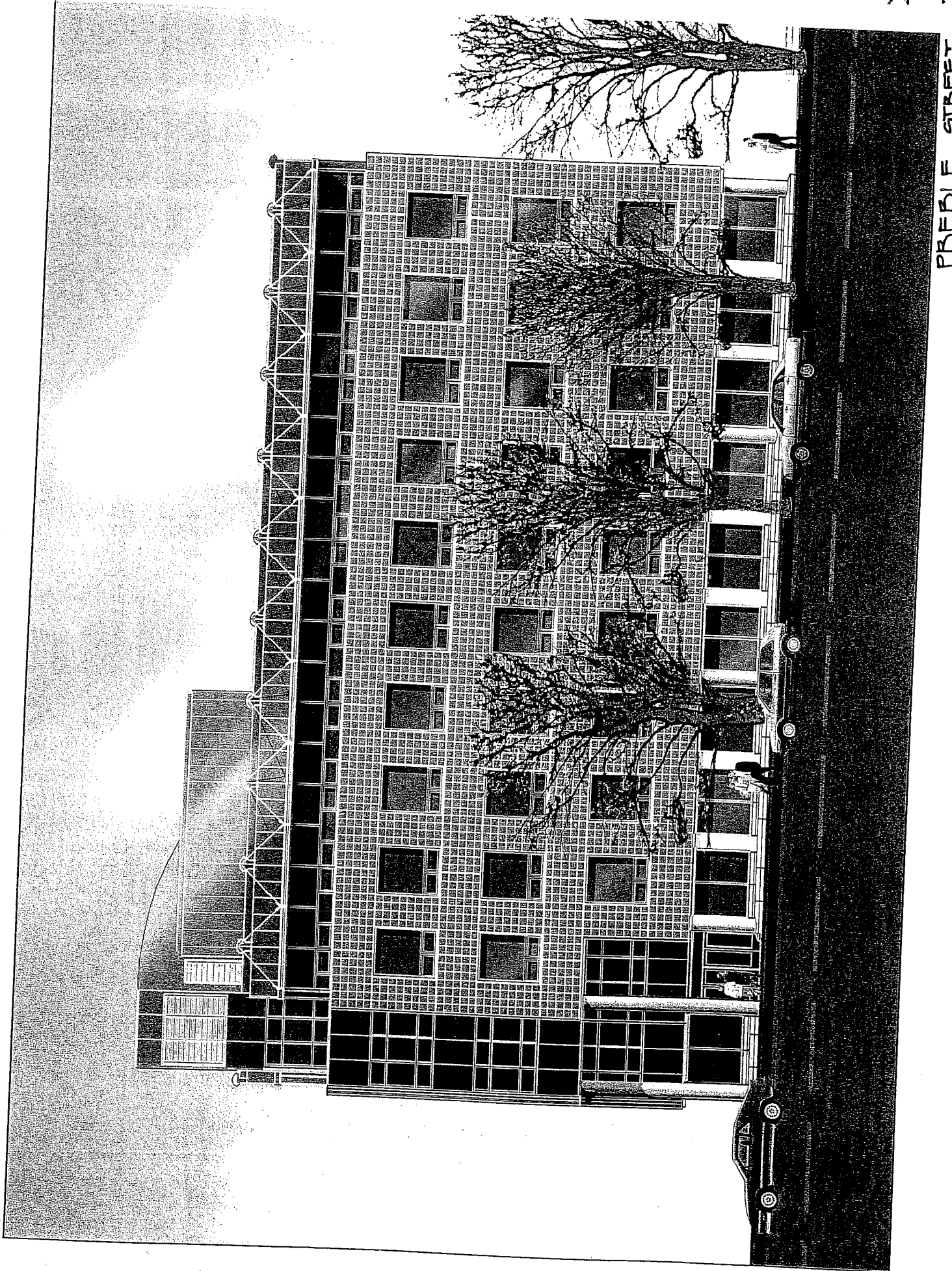


MARSHALL WAY



ORIGINAL DESIGN

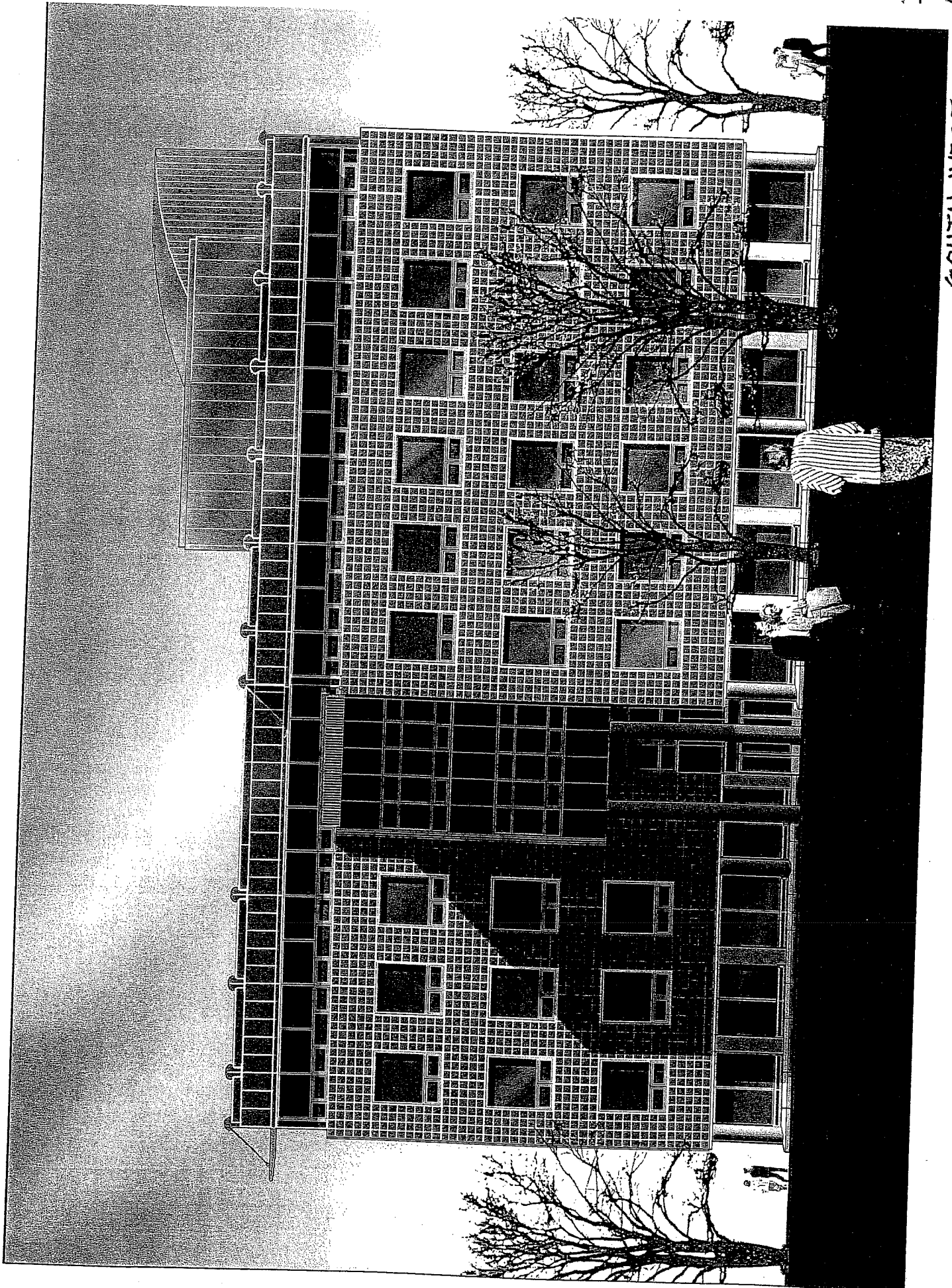
A-4



PREFACE STREET

ORIGINAL DESIGN

A-5



SOUTH WEST

April 24, 2001

Mr. William Nemmers
William Nemmers & Associates
424 Fore Street
Portland, ME 04101

**Subject: Bayside Site Development
Response to City's Review Comments**

Dear Bill:

The following discussion is in response to review comments received from Stephen Bushey, DeLuca-Hoffman (April 9, 2001) and Rick Knowland (April 3 and April 4, 2001). Our response follows the same format and numbering system used in the above noted documents.

Stephen Bushey, DeLuca-Hoffman (April 9, 2001) Comments

1. Question: The general construction plan makes multiple references to removal and disposal of materials at an approved location. Who will be approving the offsite disposal locations?
1. Answer: The references to disposal of materials at an approved location has been removed. A general note has been added regarding disposal in accordance with local and state regulations.
2. Question: Public Works staff should make an inventory of all materials that are to remain City property so that it is clear what the City wants to keep and what can be disposed of.
2. Answer: The City should remove all material it plans to retain ownership of.
3. Question: Some layout control should be provided for the island curb extension on Preble Street Extension. The existing island appears to be placed on a large radius, therefore the new extension should follow the existing geometry.

3. Answer: The island has been revised to follow the same radial alignment of the existing island.

4. Question: I recommend the new esplanade areas have a minimum of 6-inches of topsoil and be seeded and mulched with grass seed acceptable to the City Arborist.

4. Answer: The detail has been revised to reflect 6-inches of topsoil and that the contractor provide a seed mix acceptable to the City Arborist.

5. Question: The engineer should provide a statement as to the need for a bypass for the Downstream Defender. The proposed system is to discharge into an existing 36 inch or 42 inch storm drain that ultimately discharges to Back Cove. As evidenced in the existing conditions survey by Titcomb Associates, the downstream pipes are likely surcharged during high tide and during storm events. At elevation 10 in the parking lot, the lot may have occasional periods of flooding. I am not certain that anything can be done about this, however, I recommend the engineer consider this issue and possible measures such as backflow prevention in the storm drain outlet. Will backflow also cause any operating problems in the downstream defender?

5. Answer: A bypass pipe is provided based on recommendations of the manufacturer of the Downstream Defender. The bypass pipe is raised to an elevation reflective of the maximum storm event allowed through the Downstream Defender.

The infrequency of storm events that produce flood events reaching or exceeding elevation 10, does not require special provision for backflow prevention. Maintenance, plugging, and freezing are all problematic for backflow prevention on stormdrain systems.

Based on discussion with the Downstream Defender manufacturer, backflow does not create a problem with the operation of the system, since all sediment and floatables are contained within internal chambers in the structure.

6. Question: Silt fence should be shown along the toe of any fill slopes. The plan currently shows none.

6. Answer: Silt fence is now shown on the plan.

7. Question: I recommend buffering be provided around the transformer.

7. Answer: Buffering is provided around the transformer.
8. Question: Will the applicant be assessed any impact fees for introducing new sanitary flows to the sewer?
8. Answer: The applicant will address impact fees when they are presented by the City.
9. Question: The detail plans should include the hay bale barrier detail as is called out in the plan sheet. I would also accept the use of the Siltsack sediment collection device on all catch basins during construction.
9. Answer: The plan has been revised to refer to the correct detail and to suggest the use of Siltsack.
10. Question: The applicant should confirm the downstream conditions of the existing storm drain to confirm that blockages etc. from past site use do not exist.
10. Answer: A note has been provided on the plan requiring the contractor to flush the existing storm drain and clean out sediment from DMH #1.

Rick Knowland (April 3, 2001) Comments

1. Question: Building Design.
- Need Preble Street side and complete westerly side building elevations.
 - The planning board will want to see material samples of the building (i.e., brick, metal sun shade, metal curtain wall, metal corner panels, metal braces, etc.).
 - What is the mechanical equipment screen?
 - What is the color of the window trim?
 - What material is contained in the "little boxes" along the façade?
How are the seams expressed?
1. Answer: William Nemmers will address the architectural issues.
2. Question: Apparently there is a state restriction on curb cuts along Preble Street. While the City is attempting to "undue" this restriction, how necessary is it for this development?
2. Answer: It is our understanding that the City is resolving the issue of the curb cut on Preble Street Extension.

3. Question: With new train coming to Bayside, we are requesting a 30-foot wide easement along your I-295 property line. The easement would allow construction of an elevated track with support columns, not a filled berm, which would wipe out ± 40 spaces from your site. The column support track might result in a few disturbed parking spaces depending on the location of the columns.
3. Answer: A 30-foot easement has been shown on the plans.
4. Question: Assuming a curb cut on Preble Street is okay, the driveway will need to be shifted outside of the rail easement.
4. Answer: Based on the location of the 30 foot easement, parallel to I-295, the Preble Street Extension entrance is outside of the easement.
5. Question: One other comment on the building design would suggest you explore the possibility of extending the bay concept from the first floor to the upper stories of the building.
5. Answer: William Nemmers will address the architectural issues.

Rick Knowland (April 4, 2001) Comments

1. Question: The Downstream Defender should be moved outside of the easement.
1. Answer: The Downstream Defender has been moved outside the easement.
2. Question: Landscaping (bushes) should be planted along the westerly property line.
2. Answer: Landscaping has been provided along the westerly property line.
3. Question: All of the site plan notes should be on the site plan.
3. Answer: All of the site plan notes are now shown on the site plan.
4. Question: Need curb to keep cars on the property along the westerly and northerly property lines.
4. Answer: Curb has been provided around the entire perimeter of the parking lot.
5. Question: Show the existing landscaping within the I-295 right of way adjacent to the site.

5. Answer: The existing landscaping within the I-295 right of way is now shown.
6. Question: Parking spaces should be 9 feet by 19 feet. You have enough room to increase the stall length for a number of rows.
6. Answer: The parking space size has been revised to reflect 9 feet by 19 feet.
7. Question: Do you have permission yet from Maine Department of Transportation (MDOT) to use that storm drain within the I-295 right of way.
7. Answer: We are still discussing the issue with MDOT. I have recently talked with Roger Gobeil and sent him a letter (attached) and plan for his review. Based on discussed with him, MDOT does not usually accept connections but will, with conditions, regarding maintenance, liability and emergency access. I spoke with Roger today and he is assembling MDOT's as-builts and will be drafting an agreement to be signed by the owners.


Other Comments

At the Planning Board Workshop, a board member or planning staff noted that the light fixtures did not appear to be cut off fixtures. The fixture, TR 20 SCB3M-UN44, has a SCB optic, which is described in the literature as "Cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens". It also states "the optical systems assembly provides high photometric cut-off performance, minimizes glare and reduces energy consumption over time".

I trust this response addresses the City's comments at this time. If you have any questions, please feel free to give me a call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



Stephen J. Bradstreet, P.E.

Enclosure

April 17, 2001

Mr. Roger Gobeil, Division Engineer
Maine Department of Transportation
Division 6
P.O. Box 1940
Portland, ME 04104

Subject: Proposed Bayside Development, 68 Marginal Way, Portland

Dear Mr. Gobeil:

We are currently assisting Atlantic National Trust in the development of the above-mentioned site. The site is currently occupied by Advance Paper Co. and the City of Portland's Salt Shed. A catch basin and a drain manhole are located along the northern boundary of the site. The existing 36- or 42-inch line appears to be of corrugated metal construction. The basin, manhole, and pipeline are apparently owned and maintained by Maine Department of Transportation (MDOT). The City of Portland has asked that we not connect to their storm drain located adjacent to the property as it discharges to a combined sewer; therefore, we are requesting permission to discharge stormwater to MDOT's collection system at this location by installing a catch basin in the line in accordance with MDOT design standards.

Some time ago Joshua Saucier from our office contacted David Sherlock with some general questions regarding storm drain infrastructure in this area. Mr. Sherlock informed Mr. Saucier that any plans of storm drains in this area would be located in the vault in Augusta. After working for several hours with MDOT personnel in Augusta, we were unable to find an overall plan of this area.

During a recent site visit, we observed significant sedimentation around and entering the subject manhole and catch basin. The side slope of the City's sand pile approaches 1:1, and channelization along the northeast side of the pile led to the drain manhole where it appears to have piped around the cover.

Our proposed connection will be located downstream from a Downstream Defender, which will remove the majority of the suspended solids. This treatment, together with stabilization of the site relative to the pavement and grassed areas should significantly reduce the frequency of cleaning activities for the catch basin and manhole. The peak flow to the collection system will be increased from 5.61 cubic feet per second

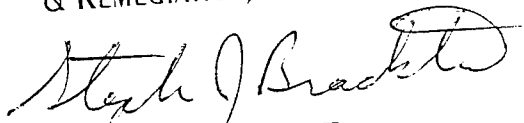
(cfs) to 8.57 cfs in the 10-year storm; however, the reduced sedimentation in the system should increase the collection system's flow capacity. The total stormwater flow from the site actually decreases in the post-development condition but more of the site area is directed toward MDOT's storm drain system. As part of the construction, the contractor will flush the upstream and downstream storm drain lines after installation. Our client proposes to maintain all drainage infrastructure up to the installed catch basin. We are also requesting a grading easement in this area to improve drainage from the site.

We understand that MDOT is typically reluctant to allow external connections to their collection systems; however, this project stands to greatly improve the appearance of Marginal Way, as did construction of the new Department of Human Services building in this area. This project has the support of the City, as evident of their sale of the salt shed parcel for this development. We are currently revising our drawings for a submission to the City next Tuesday, April 24. This letter will be submitted in that package and we are hoping to have a preliminary response from MDOT.

We have included a grading and drainage plan for your use. Your assistance in this matter is greatly appreciated. If you have any questions or require further information, please feel free to call.

Very truly,

ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.


Stephen J. Bradstreet, P.E.

p:\628\gobeil 04-17-01.doc

EER ENVIRONMENTAL
ENGINEERING &
REMEDIATION, INC.

March 26, 2001

Mr. William Nemmers
William Nemmers & Associates
424 Fore Street
Portland, ME 04101

**Subject: Bayside Site Development
Response to City's Review Comments**

Dear Bill:

The following discussion is in response to review comments received from Anthony Lombardo (February 6, 2001); Stephen Bushey, DeLuca-Hoffman (February 7, 2001); and Rick Knowland (March 15, 2001). Our response follows the same format and numbering system used in the above noted documents.

Anthony Lombardo (February 6, 2001) Comments

1. Question: The applicant appears to be grading on the abutting property northwest of the site. Does the applicant have a written authorization to modify this land to accommodate this site development?
1. Answer: No authorization has been granted at this time though Environmental Engineering & Remediation, Inc. (EER) is in contact with Maine Department of Transportation (MDOT) to discuss this item and the connection of the proposed stormdrain into their system. The City (Bill Bray and Alex Jaegerman) will be meeting with MDOT to discuss the potential railroad corridor at the back of the property and the use of the stormdrain system.
2. Question: The applicant is proposing a storm drain connection into the existing 96 inch diameter RCP interceptor sewer in Marginal Way. The excavation necessary to accommodate this connection will be in excess of 14 feet. Public Works is recommending the following in an attempt to minimize excavation in Marginal Way:
 - a. The applicant utilize the existing sanitary sewer service connection, slated for abandonment, as the connector for the proposed site storm drain system. All that may be necessary is to enlarge the existing connection to accept the proposed storm drain pipe diameter.

b. The applicant should consider directing the on-site storm drain system towards the existing DMH #1, located on the northeast abutting property. This structure probably discharges into the Preble Street storm drain. Outfalling the stormwater from this site, into this structure, would certainly be more cost effective to this project and would limit disruption associated with construction in either Marginal Way or Preble Street.

2. Answer: As noted in our response to question No. 1, EER anticipates being able to connect to the MDOT drainage system off the northwest side of the site. The abandoned sanitary sewer connection may be reused for the buildings sanitary sewer depending on depth and condition.
3. Question: It should be noted on the plans that any granite curb designated for demolition or removal from the right of way shall be taken to a specified City of Portland material stockyard.
3. Answer: A note has been added to the Demolition Notes regarding the disposition of granite curb removed from the right of way.
4. Question: The applicant should contact Carol Merritt, Public Works Street Openings Clerk, for information on all relevant permits and fees associated with working in the public right of way.
4. Answer: In a phone conversation with Carol Merritt on March 16, 2001, the following permits and fees would need to be obtained by the contractor.

Street Opening	\$142
Sidewalk Opening	\$107
Pavement Restoration	\$40/square yard
Sanitary Sewer/Stormdrain Connection	\$25/each

Stephen Bushey, DeLuca-Hoffman (February 7, 2001) Comments

Site Plan

1. Question: The coordinate system shown on the drawing suggests that the south (Marginal Way) side of the building may be in the right of way. The applicant should respond if this is correct or not.
1. Answer: The coordinate system and building location has been adjusted to reflect the building's face of foundation to be on the right of way line and not over it.

2. Question: The detail sheet contains details for granite and precast concrete curb. The curb type should be labeled on the plan as to where each type is proposed.

2. Answer: The curb type and limits have been noted on the plans.

3. Question: The applicant should comment about snow removal and storage on the site.

3. Answer: The Owner has indicated that he will contract with a maintenance company for snow plowing and removal. When the snow piles impact effective parking of tenants and clients, the maintenance company will remove the snow piles.

4. Question: Where will the dumpster facilities be and how will deliveries and other building services access the building?

4. Answer: The Owner intends to have the tenants contract with a maintenance company that will clean and remove waste directly from the building and offsite. Outside dumpster facilities will not be provided. Internal waste storage facilities will be provided in the building design.

Building deliveries are anticipated to be the typical UPS/FedEx, type truck that will pull up and stop within the site, make their deliveries and leave. No formal loading/unloading area is anticipated.

5. Question: Larry Ash should review the driveway locations and in particular the driveway configuration off Preble Street. There does not appear to be any left turns in or out of that driveway and I wonder if it should be reconfigured for right turn movements only. The Preble Street driveway should also have a handicap ramp on the north side I believe.

5. Answer: Tom Errico of Wilbur Smith Associates has conducted a traffic study for this project and has been in contact with Larry Ash to discuss internal traffic circulation and ingress/egress. A copy of Mr. Errico's report is attached.

A handicap ramp has been added to the north side of the Preble Street entrance.

6. Question: Will the proposed building be supported on piles and what if any impact will this have on construction?

6. Answer: The building will be supported on piles due to underlying clays. Based on discussions with the Owner's contractor (Wright-Ryan Construction) this poses no unusual impacts than would be expected on any other sites requiring piles.

7. Question: The site plan should identify the limits of curb removal and replacement on Preble Street and Marginal Way if there will be any.
7. Answer: Limits of curb removal and replacement are shown on the plans.
8. Question: Larry Ash should review the parking layout for adequate circulation and for the layout of those spaces directly adjacent the driveways. Should a couple of spaces at the Preble Street D/W be trimmed off?
8. Answer: Tom Errico is coordinating internal circulation with Larry Ash and any concerns will be addressed on the plans.
9. Question: What, if any, are the future plans for the land adjacent to this lot (Post Office) and how will this project relate to it.
9. Answer: At this time this project does not have any plans for developing the adjacent Post Office parcel. If that parcel does become available, the Owner has indicated interest in expanding the proposed building along Marginal Way and providing additional parking on the adjacent parcel.

Site Grading, Drainage and Erosion Control Plan

1. Question: The applicant should provide supporting computations for the pre-development and post-development runoff amounts, the storm drainage system pipe sizing and the water quality treatment computations related to efficiency and TSS removal. The applicant should also review and discuss the offsite system they expect to discharge to. The Public Works department should review the systems in Marginal Way and comment as to which pipe can be connected to. It may be necessary to discharge the site's runoff to the storm drain trunk line in Preble Street although I am not fully certain of the status of combined and separated sewers in that area. I do know that the City replaced the storm drain trunkline in Preble Street just a few years ago.
1. Answer: Pre-development and post-development calculations have been prepared and are enclosed. The stormdrain sizing calculations are enclosed along with quality treatment computations.

As discussed in Anthony Lombardo's comment No. 1, the stormdrain routing is being discussed with MDOT.

2. Question: The applicant must complete the plan to show proper rim and invert data.
2. Answer: Rim and invert elevations, and pipe lengths and slopes are now shown on the plans based on the assumption that access can be obtained to MDOT's stormdrain.
3. Question: It appears that grading easements will be necessary along the north and west sides of the property. Evidence of the applicant's rights to complete work in these areas is required.
3. Answer: As discussed in No. 1 of Anthony Lombardo's comments, access to the abutting property for stormdrain connection and/or grading is being discussed with MDOT.
4. Question: Jeff Tarling should review the proposed landscaping and grass mixture proposed for the site.
4. Answer: EER anticipates that these plans will be reviewed by Jeff Tarling and his comments will be satisfactorily addressed.
5. Question: All catch basin structures should be fitted with casco hoods if they have 15-inch diameter pipes or less.
5. Answer: A note has been added to the catch basin detail regarding the installation of Casco Traps in the catch basins.

Site Utilities

1. Question: The water lines should identify where the shutoffs will be.
1. Answer: Shutoffs have been shown on the plans.
2. Question: Has a site lighting plan be provided?
2. Answer: A site lighting plan is being prepared and will be submitted as soon as it is received. Catalog cuts of the lights are enclosed.
3. Question: Will the primary power service be off a pole mounted transformer or a pad mounted transformer. If a pad mounted transformer is proposed where will it be?
3. Answer: Service will be provided through a pad mounted transformer as shown on the plans.

4. Question: The Public Works department should review the proposed sewer connection. The applicant should also provide an ability to provide service request to the department and supporting computations for wastewater flows and water demands.

4. Answer: Capacity to serve letters have been submitted to the City, for the sanitary sewer and the Portland Water District, for water service. Their response is attached.

Site Landscaping, Striping and Signage Plan

1. Question: I recommend a crosswalk be provided at the parking lot building entrance.

1. Answer: In our opinion, a crosswalk is not necessary and would not be used based on the parking alignment. Employees would walk down the aisle between parking bays and cross the entrance drive and onto the sidewalk to gain access to the building.

2. Question: Signage identifying the parking lot entrance area as a 5 minute parking zone or something similar should be provided.

2. Answer: The base plan has been revised and this comment is no longer applicable.

3. Question: Cross walk striping across Preble Street should be provided.

3. Answer: Cross walk striping across Preble Street Extension exists today and is shown on the base plan.

4. Question: Should the applicant provide designated visitor parking spaces with appropriate signage?

4. Answer: The Owner's tenant agreement will stipulate that spaces adjacent to the building remain open for customers. Signage is not necessary.

5. Question: I presume the planning department and the City arborist will review the landscaping plan for planting selection, location, density and other issues as they relate to the City's goals for the Bayside area.

5. Answer: The landscaping plan will be reviewed by Jeff Tarling and the planning staff.

6. Question: There is no landscaping being proposed along the west side. Is this for a reason?

6. Answer: Landscaping is not proposed along the westerly property line due to the potential of extending parking if the Post Office parcel becomes available.

Rick Knowland (March 15, 2001) Comments

1. Question: As mentioned previously, Larry Ash (City Traffic Engineer) needs to be consulted with on the parameters of the traffic report that will be required.
1. Answer: Larry Ash has spoken with Tom Errico of Wilbur Smith Associates and his concerns are addressed in Mr. Errico's traffic report.
2. Question: The attached site plan notes should be put on the site plan.
2. Answer: The site plan notes have been included within the Erosion Control Notes and/or General Construction Notes.
3. Question: Provide copy of right, title or interest for the Advance Paper Co. site.
3. Answer: A copy of the right, title or interest for the Advance Paper Co. site will be provided by the Owner.
4. Question: You have previously received written engineering related comments from Stephen Bushey (dated February 7, 2001) and Anthony Lombardo (dated February 6, 2001).
4. Answer: Anthony Lombardo's and Stephen Bushey's comments have been addressed above.
5. Question: Need to obtain a sewer capacity letter from Public Works.
5. Answer: A capacity to serve letter has been sent to the City with their response attached.
6. Question: Need to obtain a water service capacity from Portland.
6. Answer: A capacity to serve letter has been sent to the Portland Water District with their response attached.
7. Question: The new sidewalk on Marginal Way and Preble Street should be labeled as such. I am assuming that concrete will be the sidewalk material of choice. I will verify this.
7. Answer: The sidewalk is now labeled and shall be concrete unless otherwise directed.
8. Question: Will there be an outside dumpster? If yes, show location and screening. It should be screened on all four sides.

8. Answer: An external dumpster will not be provided. Please refer to EER's response to Stephen Bushey's comment No. 4 under the Site Plan discussion.
9. Question: Location of nearest fire hydrant.
9. Answer: The nearest fire hydrant is located across Marginal Way.
10. Question: Exterior lighting - location, lighting fixture catalog cut, pole height and photometric values superimposed on the site plan. Also any lighting on the building. Lighting needs to be shielded and non-glaring.
10. Answer: Please refer to EER's response to Stephen Bushey's comment No. 2 under the Site Utilities discussion. Please refer to the architectural plans for any wall mounted fixtures.
11. Question: Parking requirements - although the B-5 zoning does not require zoning, the site plan ordinance does. See SGC 14-526 (2a) or (2b).
11. Answer: The current parking layout provides 167 spaces. This provides 1 space per 300 square feet of building space. Additional parking is being sought across Marginal Way and Preble Street Extension.
12. Question: See special B-5 site plan standards SGC 14-526 (2c).
12. Answer: The standards of Section 14-526 (2c) have been addressed and reflected in the building and site designs.
13. Question: Is the building within the street right of way? Please clarify.
13. Answer: Please refer to EER's response to Stephen Bushey's comment No. 1 under the Site Plan discussion.
14. Question: You need a planning board signature block.
14. Answer: A planning board signature block has been provided.
15. Question: Landscaping plan is conceptual. Show number of plantings, species and size. Show existing landscaping in the adjacent state right of way.
15. Answer: Please refer to EER's response to Stephen Bushey's comment No. 4 under the Site Landscaping, Striping and Signage discussion.

16. Question: What is the condition of the curbs? Infill curb shall meet City specifications (this should be noted on the plan).
16. Answer: The condition of the granite curb will be evaluated once conditions permit. It is the design intent that any curb that is removed in good condition shall be reused within the right of way where infilling is necessary. All radius curb within the right of way will be new. The remaining curb will remain in place. Any excess curb will be delivered to a specified City material stockyard.
17. Question: Railroad corridor footprint - Alex Jaegerman and Bill Bray will be going to MDOT shortly to get information on the railroad corridor footprint as it passes by this property. We will need an extra site plan to meet with MDOT.
17. Answer: As noted earlier, Bill Bray and Alex Jaegerman are scheduled to meet with MDOT to discuss the impact of this project on the possible railroad corridor.
18. Question: I assume the downstream defender is a water quality. You will need to provide sizing documentation for the unit relative to this site.
18. Answer: Sizing calculations for the downstream defender have been prepared and are enclosed.
19. Question: Will need building elevations on all four sides of the building façade. Materials should be labeled on the façade. Planning board will want to see sample building materials. We will have specific comments on the building elevations shortly.
19. Answer: The architect, Bill Nemmers, will provide the necessary architectural plans.
20. Question: Signage - size and location. As more staff comments become available, I will forward them accordingly.
20. Answer: Bill Nemmers will provide signage design in accordance with the City's requirements.

Meeting of March 15, 2001

1. This project is scheduled for the April 10 Planning Board Workshop. Revised plans and supporting data need to be submitted by March 27. Reduced plans (11"x17") will be accepted until April 5.
2. Owner may need to consider a contingent easement on the back of the property to accommodate the possible railroad corridor.

Mr. William Nemmers
March 26, 2001
Page 10

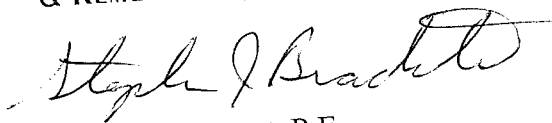
3. Larry Ash has commented that the Preble Street Extension entrance be moved toward Marginal Way to prevent traffic from cutting through the site to miss the traffic light. EER and Wilbur Smith Associates recommend that the island be extended to prevent that movement.

I trust this response addresses the City's comments at this time. We would be happy to meet with the planning staff to discuss this response in more detail.

If you have any questions, please feel free to give me a call.

Very truly,

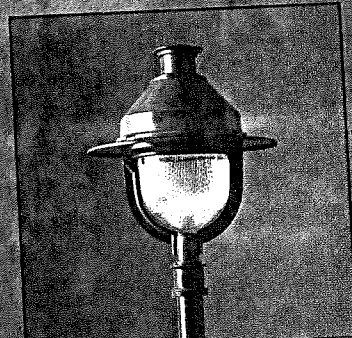
ENVIRONMENTAL ENGINEERING
& REMEDIATION, INC.



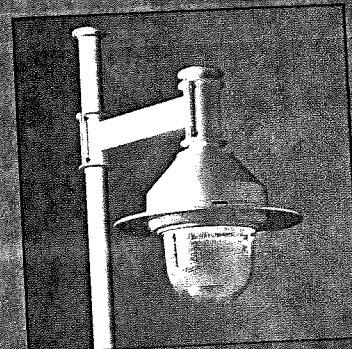
Stephen J. Bradstreet, P.E.

Transit Series

TR10/20

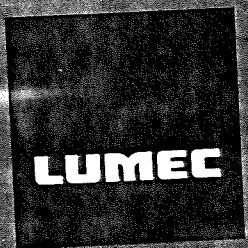


TR10™ - SHA



TR20™ - SHA - SN44

TR20™ - SHA - SN44 - SAM8



TR10/20

Transit series TR10™ and TR20™ luminaires incorporate a Sealsafe™ sealed optical chamber.

As it is hermetically sealed, the Sealsafe™ optical chamber protects the optical system, producing a lower Light Loss Factor (LLF) than conventional optical systems while maintaining the luminaire's photometric performance.

The lower LLF also translates into a lower initial lamp wattage, reducing the luminaire's electrical consumption.

Sealsafe SHA and SSA optical chambers offer exceptional photometric performance thanks to a state-of-the-art reflector/refractor combination which minimizes glare.

Sealsafe SCB and SHB optical chambers also offer outstanding photometric performance by combining of the same reflector and a sagged tempered-glass lens.

The absence of external prisms makes the surface of the reflector and lens self-cleaning, minimizing the deterioration of the optical system.

Toolfree access to the lamp via a sleeve and shutter, and a ballast tray dropped inside a ballast box make Transit luminaires easy to maintain.

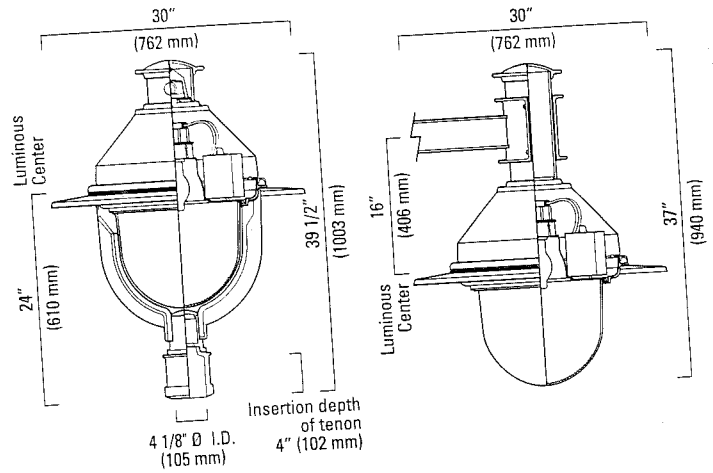
All these high-performance features are built into stylish and well-designed luminaires, making Transit series luminaires perfect for contemporary landscapes and buildings.

Luminaire

The TR10 luminaire consists of a sealed optical chamber made of a hydroformed reflector permanently sealed on an injected refractor with internal prisms only. A toolfree lamp access shutter and sleeve, with self-adjusting injection-molded silicone gasket, keep the optical chamber hermetically sealed. The optical system is surrounded by a one-piece, two-arm, cast-aluminum cradle welded to the bottom piece of a cast-aluminum technical ring. A large aluminum hood and a deflector are mechanically assembled on the top part of the technical ring.

The TR20 luminaire is similar to the TR10 but is suspended from a mounting instead of being supported by a cradle.

TR10 and TR20 luminaires are UL and CSA approved.



EPA: 1.52 sq.ft.
Weight: 40 lbs. (18.1 kg)

TR10 - SHA4L - PH

TR20 - SSA3M

Lamp Guide

Wattage	TR10/TR20	
	SHA/SSA	SCB/SHB
70 MH	—	—
100 MH	—	—
175 MH	—	—
250 MH	—	—
400 MH	N/A	●
70 HPS	—	—
100 HPS	—	—
150 HPS	—	—
250 HPS	—	—
400 HPS	N/A	●

● Remote ballast in mounting or pole base.

TR10™ and TR20™ Transit series luminaires accommodate H.I.D. or incandescent lamps as shown in the above table.

The UL or CSA-recognized CWA-type ballast features a -30F° (-34C°) lamp-starting capacity, a power factor of 90% or better and a regulation of lamp within ±10% of rated input voltage. HPS ballasts operate within ANSI trapezoidal limits.

The ballast is integrated in the hood of the luminaire, on a unitized ballast tray dropped inside a ballast box.

Optical Systems



SHA optics

Hyper-extensive sealed optical chamber consisting of a reflector permanently assembled on top of a prismatic refractor.

SHA3M: Asymmetrical (III)

SHA4L: Asymmetrical (IV)



SSA optics

Semi cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a prismatic refractor.

SSA3M: Asymmetrical (III)

In the above optics, the sleeve and shutter permit exact positioning of the lamp.

Refractor available in:

AC: Acrylic

PC: Polycarbonate

Add suffix to optical system code.



SCB optics

Cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens.

SCB3M: Asymmetrical (III)



SHB optics

Hyper-extensive sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens.

SHB3M: Asymmetrical (III)

In the above optics, the sleeve and shutter permit exact positioning of the lamp.

(Lamps not included)

For further information, refer to the Photometric Guide.

Mountings

TR10 luminaire mountings:

CR



The arm is made of a 2" by 4" (51 by 102 mm) aluminum extrusion. The luminaire base is a 4" (102 mm) round aluminum extrusion.

JR



Consists of two rectangular 2" by 3" (51 by 76 mm) extruded-aluminum arms welded to a 4" (102 mm) round extruded-aluminum luminaire base.

TR20 luminaire mountings:

TN12



Arm is made of a 2 1/4" by 3 3/4" rectangular (57 by 95 mm) aluminum extrusion welded to two cast-aluminum pole or luminaire adaptors.

SN12



The cast-aluminum arm is welded to two cast-aluminum pole or luminaire adaptors.

UN12



Arm is made of a 2 1/4" by 3 3/4" rectangular (57 by 95 mm) aluminum extrusion and an aluminum decorative wedge, both welded to two cast-aluminum pole or luminaire adaptors.

For the SN, TN and UN mountings the arm is mechanically assembled under a pole and a TR20 luminaire top.

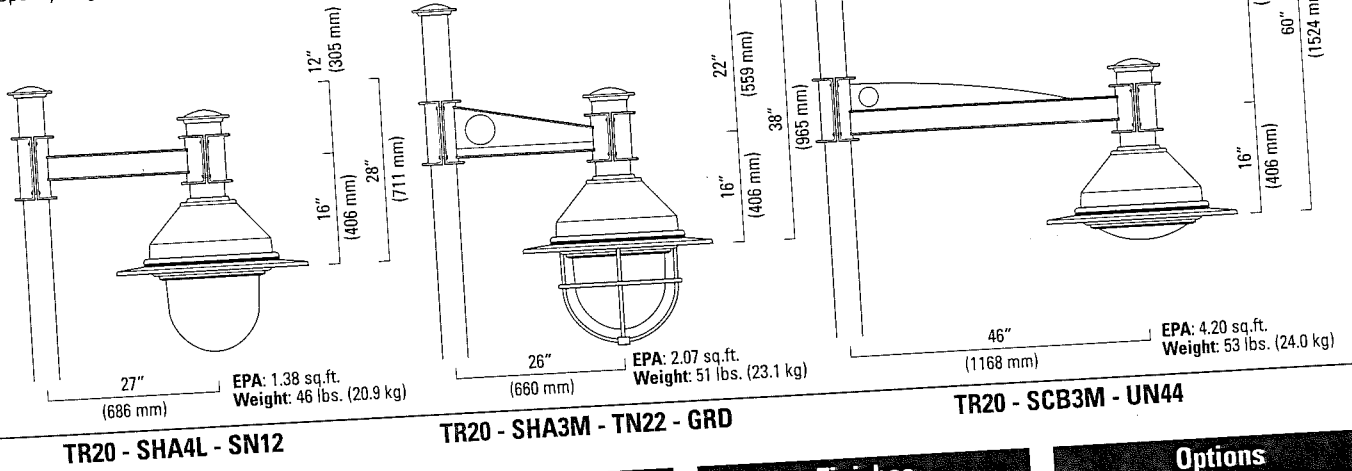
The pole-top section of the SN, TN and UN mountings varies from 12" (305 mm) minimum on up. Specify height required after mounting code.

Ordering Sample

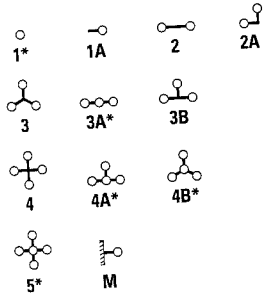
Lamp	Luminaire	Optical System	Voltage	Mounting & Configuration	Pole	Finish	Options
100 HPS	TR10	SHA4L - AC	240V	CR-1A	SM6-15	GN6-TX	FS

Lumec reserves the right to substitute materials or change the manufacturing process of its products without prior notification.

Note:
The pole-top section of the **SN, TN** and **UN** mountings varies from 12" (305 mm) minimum on up. Specify height required after mounting code.

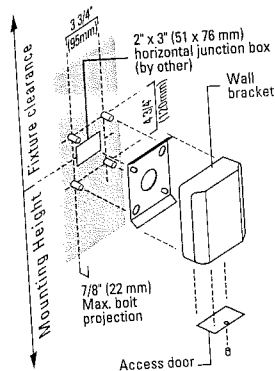


Configurations



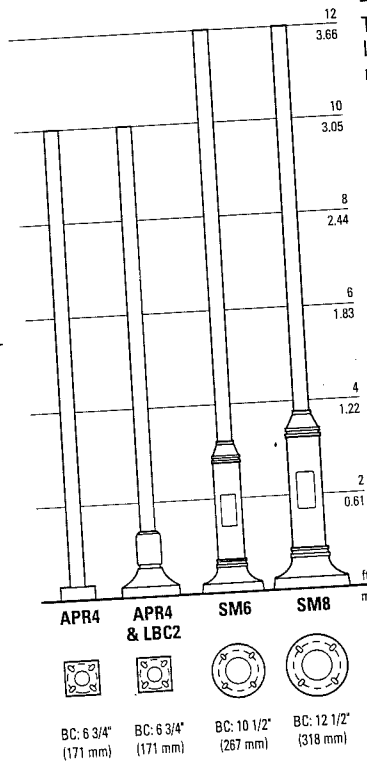
* Applicable to TR10 luminaire only.

Typical wall mounting detail for TR10 luminaire mountings



Consult the Pole Guide for details.

Poles



Consult the Pole Guide for details and the complete line of poles.

Finishes

16 Standard Colors Available

The specially-formulated textured (TX) Lumital powder coat is available in a range of 16 standard colors. This unique coating of thermosetting polyester resins provides a highly-durable UV-resistant exterior finish as per ASTM G7.

Lumital coatings are specially formulated for outstanding salt-spray resistance according to ASTM B117 standards.

All surfaces are chemically treated using a four-step (aluminum) or seven-step (steel) process prior to painting. Consult Lumec for complete specifications.

SCL Special Color (liquid)
SCP Special Color (powder)
Provide a 4" (102 mm) square color chip.

It is possible to order smaller minimal quantities of powder paint at a premium. Your representative will be able to tell you if a powder coat paint can be developed for your project.

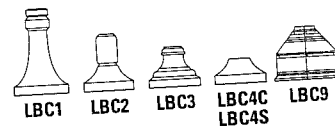
Please note that where quantities do not warrant it, Lumec reserves the right to use an oven-cured liquid polyurethane finish.

Options

FS	Luminaire integrated fuse
HS	House shield
GRD	Decorative guard (TR20 model only. Not applicable with SCB and SHB optics.)
HB	Hinged base (TR10 only. APR4, APS4, APR5 & APS5 poles only)
DR*	Duplex receptacle (120 volts only)
GFI*	Duplex receptacle with ground fault interrupter (120 volts only)
PH	Photoelectric cell
LS*	Provision for loudspeaker outlet
BA*	Banner arm
IP	Interior paint (pole only, consult factory for applicable poles)
LBC	Optional base cover

* Consult factory for feasibility with cast-aluminum shafts.

Base covers for APR4 & SPR4 poles only (replace standard base cover).



TR10/20

At Lumec, blueprints have long since given way to functional reality and the performance of our products is proven and documented.

The following drawings illustrate a few of the many variations offered. All of these luminaires, unless noted, accept sources of up to 250 watts. Should you wish to interchange these components, please contact our representative regarding feasibility.

VR numbers describe illustrated bracket, pole, base cover and configuration.

When ordering Versalux luminaires, use the catalogue number substituting the VR number for the regular bracket and pole number.

The mounting height of the luminaire is indicated by identifying the height, in feet, of the light source above the ground.

An original concept can also be developed in cooperation with our technical services department.

LUMEC

To achieve a high level of customer satisfaction, Lumec designs and manufactures products according to the most stringent standards.

ISO 9002 Registered

The quality management system of Lumec is ISO 9002-94 registered with QMI.

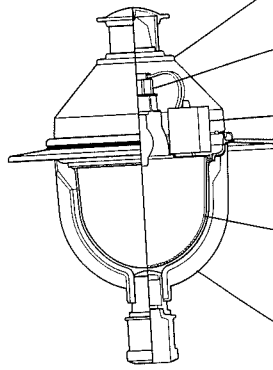
640 Cure-Boivin
Boisbriand, Quebec
Canada, J7G 2A7

Tel: (514) 430-7040
Fax: (514) 430-1453

As of end 1998 the area code will be 450.

THOMAS
LIGHTING

Specifications Features:



Superior construction with a large aluminum hood and deflector mechanically assembled on the top part of the cast-aluminum technical ring.

Toolfree lamp access via a shutter and sleeve with self-adjusting injection-molded silicone gasket. This hermetically seals the optical chamber, ensuring a better Light Loss Factor (LLF).

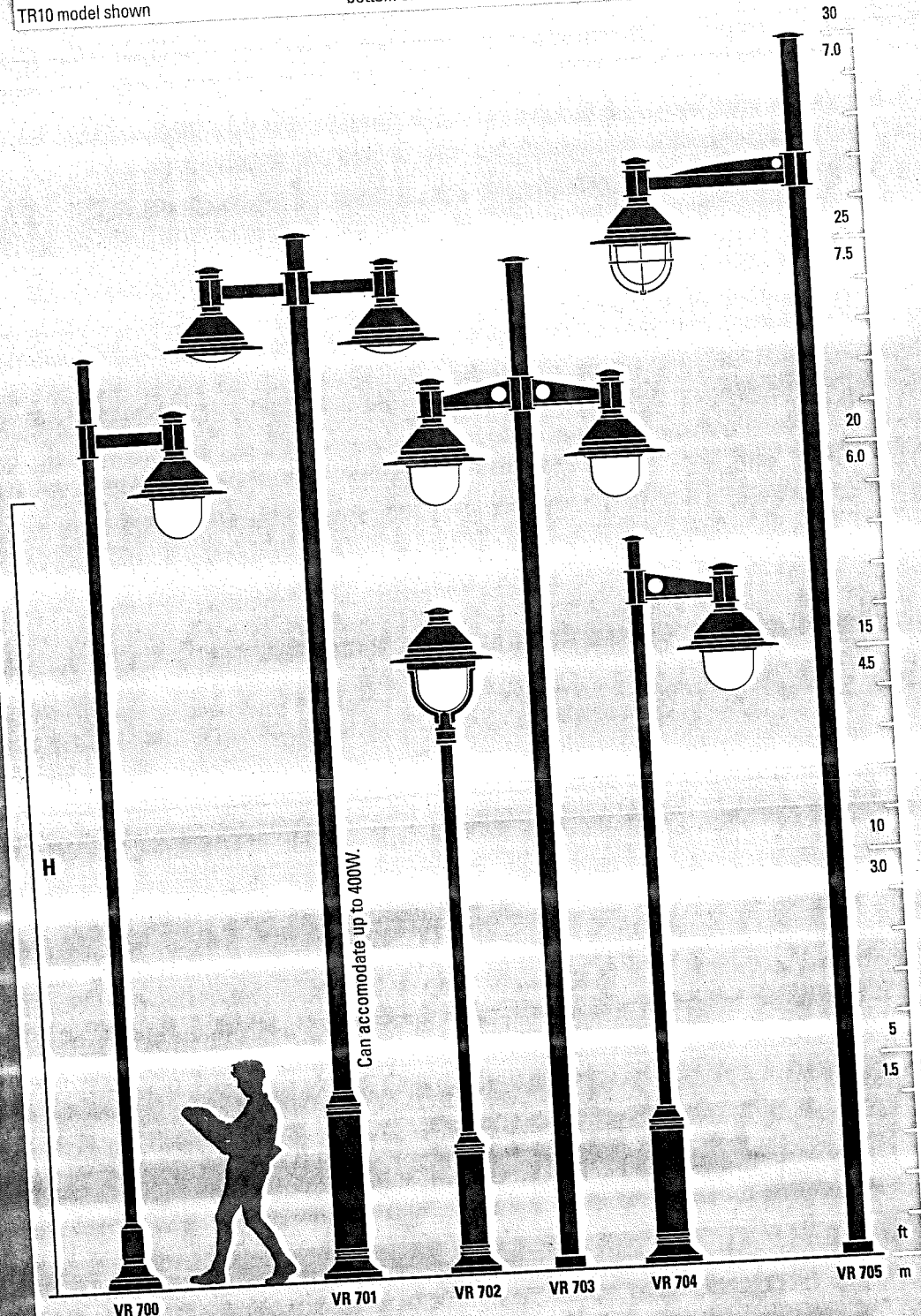
Dropped-in ballast tray for outstanding maintenance ease.

Toolfree access to the interior of the luminaire via a spring-loaded latch on the technical ring. The hood then pivots along a hinge built-into the technical ring, providing access to the lamp shutter and ballast tray.

A Sealsafe™ sealed optical chamber, made of a hydroformed reflector permanently sealed on an injected refractor with internal prisms only (SHA and SSA optics), or on a tempered glass lens (SCB and SHB). The resulting lower LLF ensures superior photometric performance over time.

Two-arm, cast-aluminum pole-top cradle welded to the bottom of the cast-aluminum technical ring.

TR10 model shown



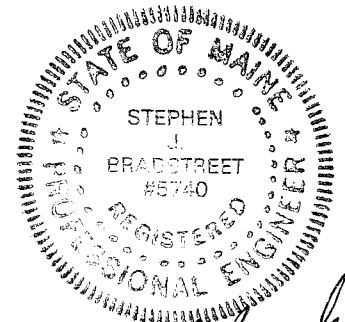
STORMWATER MANAGEMENT REPORT

FOR

**ATLANTIC NATIONAL TRUST
BAYSIDE SITE DEVELOPMENT
PORTLAND, MAINE**

Prepared for:

**Atlantic National Trust
50 Portland Pier, Suite 400
Portland, Maine 04101**



Submitted by:

**Environmental Engineering & Remediation, Inc.
222 St. John Street
Suite 314
Portland, Maine 04102**

Stephen J. Brachet
3/27/01

March 27, 2001

Stormwater Management Report for Bayside Site Development Portland, Maine

PROJECT'S HYDROLOGICAL LOCATION

The Bayside Site Development is located on the northwest corner of the intersection of Preble Street Extension and Marginal Way in Portland, directly east of Interstate 295. Figure 1 presents the approximate location of the property. The site is relatively flat and is located approximately 700 feet south of Back Cove, an inlet from the Atlantic Ocean. The site and most of the area around it is constructed on fill placed during the 19th and 20th centuries. Prior to filling, the area was submerged.

PRE-DEVELOPMENT CONDITIONS

The site proposed for development comprises two properties. The City of Portland currently utilizes the northeast property for sand and salt storage. It is primarily developed with a 50 foot by 80 foot salt shed and some construction equipment is also stored on the property. The second property is improved with a warehouse and storage shed. Ground cover on both properties is almost exclusively pavement and gravel. There is very little vegetation on the site. The majority of the combined site drains to a catch basin to the north. A smaller portion of the site drains toward Marginal Way, and a relatively insignificant portion drains toward Preble Street.

POST-DEVELOPMENT CONDITIONS

The site will be redeveloped with an office building located in the eastern corner of the property (closest to the intersection). The building will have a footprint of approximately 10,000 square feet. A parking lot with 167 spaces and 7 grassed islands will be constructed appurtenant to the building. Nine catch basins will collect runoff in the parking lot and deliver it to a Downstream Defender™ for suspended solids treatment. The stormwater will then be discharged to the City/MDOT's stormwater collection system located north of the site. Green space will be created on the islands and adjacent to the office building, and erosion from the site should be significantly reduced due to the elimination of bare soil surfaces.

STORMWATER RUNOFF CALCULATIONS

Stormwater runoff calculations for this project were made using the Hydro CAD computer program, which is based on the Soil Conservation Service's TR-20 methodology. Runoff hydrographs are generated based on a standard type III storm. Three storm frequencies were modeled; the two-year storm (3.0 inches in 24 hours); the ten-year storm (4.7 inches in 24 hours); and the 25-year storm (5.5 inches in 24 hours).

Two subcatchment areas (SC-1 and SC-2) were delineated and analyzed for change in peak storm flow. The subject property is constructed on fill of varying origin, which is typically not categorized in one hydrologic soil group. Recognizing that the gravel surface areas of the site are heavily compacted and silted due to years of use they were modeled as a hydrologic soil group D. Grassed areas were also modeled as group D soils. Areas other than the gravel and grass (paved or buildings) have an assigned curve number that is independent of the hydrologic soil group. In order to minimize road disturbance and simplify the treatment system, the two subcatchments are combined into one through the construction of a stormwater collection system, and are analyzed as such for post-development conditions.

Runoff Curve numbers were determined based on land coverage and soil type. Soil type obtained from the *Soil Survey of Cumberland County, Maine*, issued August 1974 by the United States Department of Agriculture's Soil Conservation Service. Times of concentration were developed based on runoff flow paths for each watershed.

Based on the calculations presented in Appendix A, the stormwater results are tabulated below.

Drainage Area	Pre-Development (CFS)			Post-Development (CFS)		
	2 Year	10 Year	25 Year	2 Year	10 Year	25 Year
1	3.39	5.61	6.64	5.25	8.57	10.12
2	2.23	3.64	4.30	-	-	-

The following table indicates total pre- and post-development runoff conditions.

Storm Event	Pre-Development (CFS)	Post-Development (CFS)
2 Year	5.62	5.25
10 Year	9.25	8.57
25 Year	10.94	10.12

A Downstream Defender™ is incorporated for stormwater quality treatment. The Downstream Defender™ is a proprietary hydrodynamic separator from H.I.L. Technology, Inc. that is designed to capture settleable solids, floatables, oil, and grease from stormwater runoff. If installed and maintained according to the manufacturer's instructions, a six-foot diameter Downstream Defender™ will remove 80 percent of all particles down to and including 150 micron, and remove 70 percent of all sediment having a particle size distribution similar to Maine Department of Transportation (MDOT) road sand, at a flow rate of 5.25 cfs generated by the 2-year storm event. Based on total suspended solids (TSS) having a similar particle size distribution and density to MDOT road sand, and that most of the TSS pollutant load (first flush) will occur during storm intensities less than the 2-year storm event, an 80 percent net annual TSS removal

will be achieved. Recognizing the current, unvegetated condition of the site, runoff water quality should be greatly improved.

MAINTENANCE OF STORMWATER COLLECTION FACILITIES

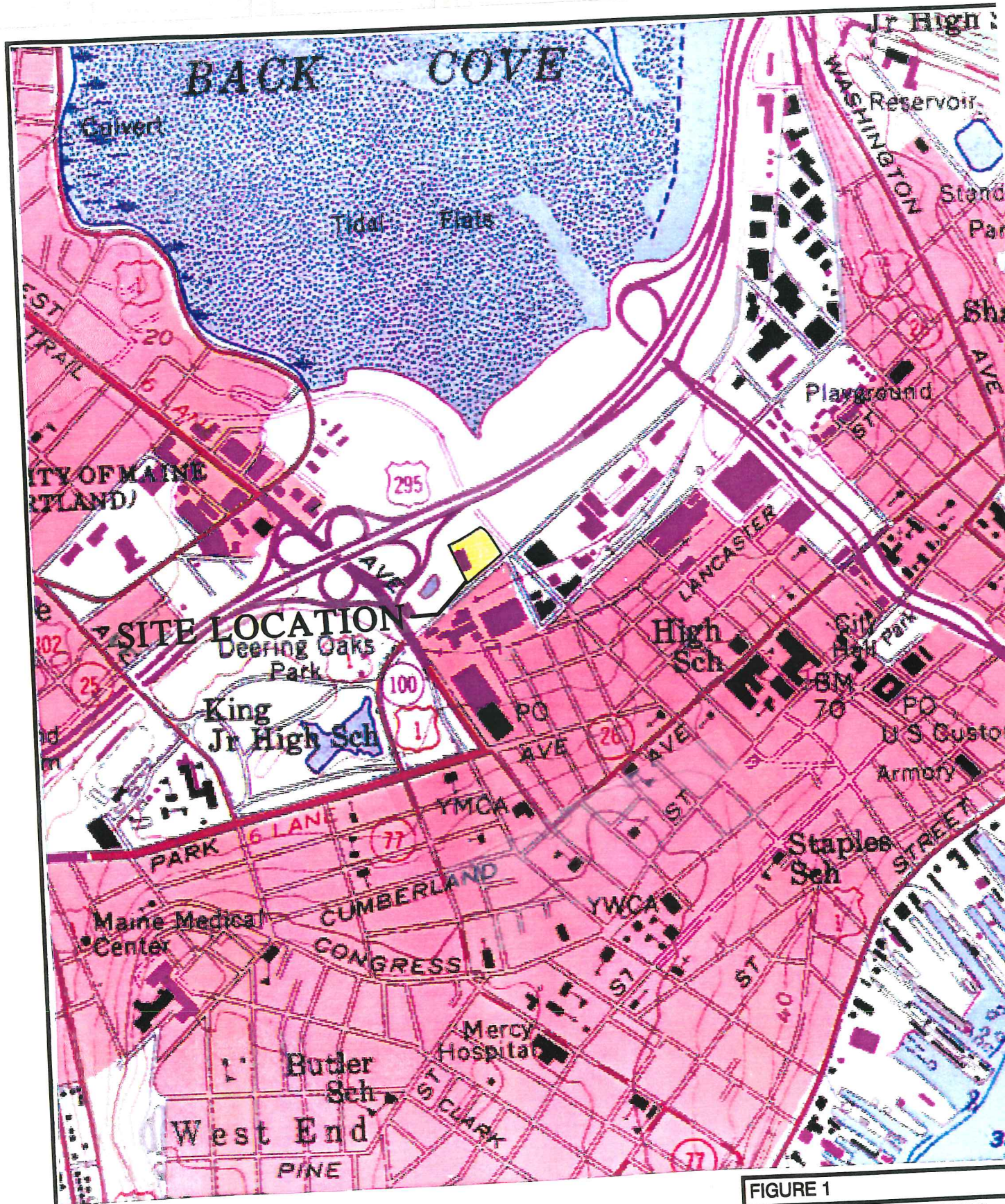
The Owner shall maintain the facilities in a clean, operating condition by removing debris and sediment from ditches, catch basins, and storm drain piping as necessary to maintain flow and water quality. Appendix B contains operation and maintenance instructions for the Downstream Defender™ along with a maintenance log. The maintenance log shall be maintained by the Owner and shall be provided to the City, upon request, for review.

QUALIFICATIONS STATEMENT

The engineer conducting this stormwater analysis is a registered professional engineer in the State of Maine with over 18 years of experience in stormwater management and design.

SUMMARY AND CONCLUSIONS

Two pre-development subcatchments were analyzed in order to determine peak pre-development runoff flows. Construction of a storm drain collection and treatment system will combine the two subcatchment areas into one. According to the methodology used for stormwater analysis, 2-year, 10-year, and 25-year peak flows from the site are reduced due to the addition of grassed areas. Stormwater quality is improved using a Downstream Defender™ to remove suspended solids.



PARTIAL COPY
 PORTLAND WEST, MAINE
 PHOTOREVISED 1978
 SCALE: 1" = 1,000

FIGURE 1
SITE LOCATION MAP
BAYSIDE SITE DEVELOPEME
 MARGINAL WAY & PREBLE STREET, PORTLAN

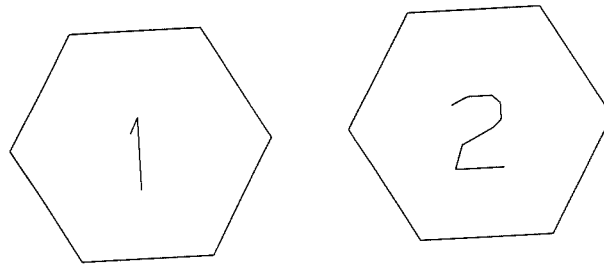
EER Environmental
 Engineering &
 Architects, Inc.
 222 St. John Street, Suite 714 Portland, Maine 04101

APPENDIX A
STORMWATER QUANTITY CALCULATIONS

**PRE-DEVELOPMENT
STORMWATER CALCULATIONS**

ata for Bayside Existing
2-YEAR TYPE III 24-HOUR RAINFALL= 3.00 IN
Prepared by Environmental Engineering & Remediation, Inc.
ydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

WATERSHED ROUTING



SUBCATCHMENT 1 = Subcatchment 1 (northwest side) ->
SUBCATCHMENT 2 = Subcatchment 2 (southeast side) ->

26 Mar 01

ata for Bayside Existing
 2-YEAR TYPE III 24-HOUR RAINFALL= 3.00 IN
 Prepared by Environmental Engineering & Remediation, Inc.
 HydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

Subcatchment 1 (northwest side)

UBCATCHMENT 1

PEAK= 3.39 CFS @ 12.03 HRS, VOLUME= .16 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 3.00 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.62	91	Gravel, D
.51	98	Building, Pavement
1.13	94	

Method	Comment	Tc (min)
R-55 SHEET FLOW	Segment A-B	.7
Smooth surfaces n=.011 L=65'	P2=3 in s=.031 '/'	1.9
SHALLOW CONCENTRATED/UPLAND FLOW	Segment B-C	
Paved Kv=20.3282 L=220' s=.009 '/'	V=1.93 fps	
Total Length= 285 ft		Total Tc= 2.6

Subcatchment 2 (southeast side)

UBCATCHMENT 2

PEAK= 2.23 CFS @ 12.03 HRS, VOLUME= .11 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 3.00 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.42	98	Building, Pavement
.30	91	Gravel, D
.72	95	

Method	Comment	Tc (min)
R-55 SHEET FLOW	Segment A-B	1.7
Smooth surfaces n=.011 L=100'	P2=3 in s=.009 '/'	.8
SHALLOW CONCENTRATED/UPLAND FLOW	Segment B-C	
Impaved Kv=16.1345 L=80' s=.012 '/'	V=1.77 fps	
Total Length= 180 ft		Total Tc= 2.5

26 Mar 01

ata for Bayside Existing
 10-YEAR TYPE III 24-HOUR RAINFALL= 4.70 IN
 Prepared by Environmental Engineering & Remediation, Inc.
 HydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

UBCATCHMENT 1 Subcatchment 1 (northwest side)

PEAK= 5.61 CFS @ 12.03 HRS, VOLUME= .28 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 4.70 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.62	91	Gravel, D
.51	98	Building, Pavement
1.13	94	

Method	Comment	Tc (min)
R-55 SHEET FLOW	Segment A-B	.7
Smooth surfaces n=.011 L=65'	P2=3 in s=.031 '/'	1.9
SHALLOW CONCENTRATED/UPLAND FLOW	Segment B-C	
Paved Kv=20.3282 L=220' s=.009 '/'	V=1.93 fps	
Total Length= 285 ft		Total Tc= 2.6

UBCATCHMENT 2 Subcatchment 2 (southeast side)

PEAK= 3.64 CFS @ 12.03 HRS, VOLUME= .18 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 4.70 IN
 SPAN= 10-15 HRS, dt=.01 HR

ACRES	CN	
.42	98	Building, Pavement
.30	91	Gravel, D
.72	95	

Method	Comment	Tc (min)
R-55 SHEET FLOW	Segment A-B	1.7
Smooth surfaces n=.011 L=100'	P2=3 in s=.009 '/'	.8
SHALLOW CONCENTRATED/UPLAND FLOW	Segment B-C	
Unpaved Kv=16.1345 L=80' s=.012 '/'	V=1.77 fps	
Total Length= 180 ft		Total Tc= 2.5

ata for Bayside Existing
 25-YEAR TYPE III 24-HOUR RAINFALL= 5.50 IN
 Prepared by Environmental Engineering & Remediation, Inc.
 HydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

SUBCATCHMENT 1 Subcatchment 1 (northwest side)

PEAK= 6.64 CFS @ 12.03 HRS, VOLUME= .33 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 5.50 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.62	91	Gravel, D
.51	98	Building, Pavement
1.13	94	

Method	Comment	Tc (min)
TR-55 SHEET FLOW	Segment A-B	.7
Smooth surfaces n=.011 L=65'	P2=3 in s=.031 '/'	1.9
SHALLOW CONCENTRATED/UPLAND FLOW	Segment B-C	
Paved Kv=20.3282 L=220' s=.009 '/'	V=1.93 fps	
Total Length= 285 ft		Total Tc= 2.6

SUBCATCHMENT 2 Subcatchment 2 (southeast side)

PEAK= 4.30 CFS @ 12.03 HRS, VOLUME= .21 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 5.50 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.42	98	Building, Pavement
.30	91	Gravel, D
.72	95	

Method	Comment	Tc (min)
R-55 SHEET FLOW	Segment A-B	1.7
Smooth surfaces n=.011 L=100'	P2=3 in s=.009 '/'	.8
SHALLOW CONCENTRATED/UPLAND FLOW	Segment B-C	
Impaved Kv=16.1345 L=80' s=.012 '/'	V=1.77 fps	
Total Length= 180 ft		Total Tc= 2.5

**POST-DEVELOPMENT
STORMWATER CALCULATIONS**

Circular Channel Analysis & Design
Solved with Manning's Equation

Open Channel - Uniform flow

Worksheet Name: Bayside Site Dev.

Comment: Flow to Downstream Defender

Solve For Actual Depth

Given Input Data:

Diameter.....	1.25 ft
Slope.....	0.0100 ft/ft
Manning's n.....	0.010
Discharge.....	7.90 cfs

Computed Results:

Depth.....	0.96 ft
Velocity.....	7.78 fps
Flow Area.....	1.02 sf
Critical Depth....	1.11 ft
Critical Slope....	0.0079 ft/ft
Percent Full.....	77.10 %
Full Capacity.....	8.40 cfs
QMAX @.94D.....	9.03 cfs
Froude Number.....	1.39 (flow is Supercritical)

Circular Channel Analysis & Design
Solved with Manning's Equation

Open Channel - Uniform flow

Worksheet Name: Bayside Site Dev.

Comment: Flow to Last Catch Basin

Solve For Actual Depth

Given Input Data:

Diameter.....	1.25 ft
Slope.....	0.0100 ft/ft
Manning's n.....	0.010
Discharge.....	6.40 cfs

Computed Results:

Depth.....	0.82 ft
Velocity.....	7.53 fps
Flow Area.....	0.85 sf
Critical Depth....	1.02 ft
Critical Slope....	0.0059 ft/ft
Percent Full.....	65.34 %
Full Capacity.....	8.40 cfs
QMAX @.94D.....	9.03 cfs
Froude Number.....	1.57 (flow is Supercritical)

Circular Channel Analysis & Design
Solved with Manning's Equation

Open Channel - Uniform flow

Worksheet Name: Bayside Site Dev.

Comment: Flow to Second to Last Catch Basin

Solve For Actual Depth

Given Input Data:

Diameter.....	1.25 ft
Slope.....	0.0100 ft/ft
Manning's n.....	0.010
Discharge.....	5.10 cfs

Computed Results:

Depth.....	0.70 ft
Velocity.....	7.17 fps
Flow Area.....	0.71 sf
Critical Depth....	0.92 ft
Critical Slope....	0.0047 ft/ft
Percent Full.....	56.25 %
Full Capacity.....	8.40 cfs
QMAX @.94D.....	9.03 cfs
Froude Number.....	1.67 (flow is Supercritical)

Circular Channel Analysis & Design
Solved with Manning's Equation

Open Channel - Uniform flow

Worksheet Name: Bayside Site Dev.

Comment: Flow to Third to Last Catch Basin

Solve For Actual Depth

*ALL ABOVE ARE LESS; THEREFORE
12" IS SUFFICIENT*

Given Input Data:

Diameter.....	1.00 ft
Slope.....	0.0100 ft/ft
Manning's n.....	0.010
Discharge.....	4.10 cfs

Computed Results:

Depth.....	0.73 ft
Velocity.....	6.66 fps
Flow Area.....	0.62 sf
Critical Depth....	0.86 ft
Critical Slope....	0.0073 ft/ft
Percent Full.....	73.15 %
Full Capacity.....	4.63 cfs
QMAX @.94D.....	4.98 cfs
Froude Number.....	1.41 (flow is Supercritical)



~~0.31~~ 0.31 AC. GRASS $C = 0.25$
 1.56 AC. IMP $C = 0.9$

USE WEIGHTED C FOR ENTIRE SITE
 CB#9 TO DOWNSTREAM DEFENDER

SITE $C = \frac{(0.31 AC)(0.25) + (1.56 AC)(0.9)}{1.87 AC} = 0.79$ SAY 0.80

TOTAL SITE
 $Q = C \cdot i \cdot A = (0.80)(5.3)(1.87) = 7.9$ CFS @ DEFENDER

~~0.35~~ CB#8 TO #9
 BOTTOM WATERSHED
 0.35 AC

$Q = (0.80)(5.3)(0.35) = 1.5$ CFS

$7.9 - 1.5 = 6.4$ @ SECOND TO LAST CB

CB#7 TO #8
 SECOND TO LAST WATERSHED
 0.30 AC

$Q = (0.80)(5.3)(0.30 AC) = 1.3$ CFS

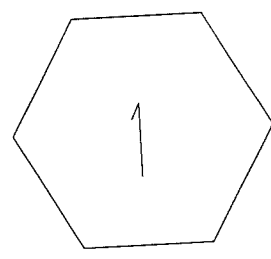
$6.4 CFS - 1.3 CFS = 5.1$
 TO SECOND TO LAST

CB#4 TO #7 PLUS CB#6 TO #7
 THIRD TO LAST WATERSHED
 0.23 AC

$Q = (0.80)(5.3)(0.23 AC) = 1.0$ CFS
 $5.1 CFS - 1.0 CFS = 4.1$

ata for Bayside Proposed
2-YEAR TYPE III 24-HOUR RAINFALL= 3.00 IN
Prepared by Environmental Engineering & Remediation, Inc.
ydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

WATERSHED ROUTING



SUBCATCHMENT



REACH



POND



LINK

UBCATCHMENT 1 = Subcatchment 1

->

26 Mar 01

ata for Bayside Proposed
 2-YEAR TYPE III 24-HOUR RAINFALL= 3.00 IN
 Prepared by Environmental Engineering & Remediation, Inc.
 HydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

Subcatchment 1

PEAK= 5.25 CFS @ 12.07 HRS, VOLUME= .28 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 3.00 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.31	80	Grass, D
1.56	98	Building, Pavement
1.87	95	

Method	Comment	Tc (min)
TR-55 SHEET FLOW	Segment A-B	4.4
grass: Short n=.15 L=40' P2=3 in s=.025 '/'		.8
CIRCULAR CHANNEL	Segment B-C	
15" Diameter a=1.23 sq-ft Pw=3.9' r=.313'		
=.01 '/' n=.01 V=6.84 fps L=310' Capacity=8.4 cfs		
Total Length= 350 ft	Total Tc=	5.2

ata for Bayside Proposed
 10-YEAR TYPE III 24-HOUR RAINFALL= 4.70 IN
 Prepared by Environmental Engineering & Remediation, Inc.
 HydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

UBCATCHMENT 1

Subcatchment 1

PEAK= 8.57 CFS @ 12.07 HRS, VOLUME= .46 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 4.70 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.31	80	Grass, D
1.56	98	Building, Pavement
1.87	95	

Method	Comment	Tc (min)
R-55 SHEET FLOW	Segment A-B	4.4
Grass: Short n=.15 L=40' P2=3 in s=.025 '/'		.8
CIRCULAR CHANNEL	Segment B-C	
15" Diameter a=1.23 sq-ft Pw=3.9' r=.313'		
n=.01 V=6.84 fps L=310' Capacity=8.4 cfs		
Total Length= 350 ft		Total Tc= 5.2

Data for Bayside Proposed
 25-YEAR TYPE III 24-HOUR RAINFALL= 5.50 IN
 Prepared by Environmental Engineering & Remediation, Inc.
 HydroCAD 5.01 000749 (c) 1986-1998 Applied Microcomputer Systems

SUBCATCHMENT 1 **Subcatchment 1**

PEAK= 10.12 CFS @ 12.07 HRS, VOLUME= .55 AF

SCS TR-20 METHOD
 TYPE III 24-HOUR
 RAINFALL= 5.50 IN
 SPAN= 10-15 HRS, dt=.01 HRS

ACRES	CN	
.31	80	Grass, D
1.56	98	Building, Pavement
1.87	95	

Method	Comment	Tc (min)
TR-55 SHEET FLOW	Segment A-B	4.4
Grass: Short n=.15 L=40' P2=3 in s=.025 '/'		.8
CIRCULAR CHANNEL	Segment B-C	
15" Diameter a=1.23 sq-ft Pw=3.9' r=.313'		
n=.01 V=6.84 fps L=310' Capacity=8.4 cfs		
Total Length= 350 ft		Total Tc= 5.2

Downstream Defender™ Design Chart (Imperial)

Standard Inlet Pipe Diameters

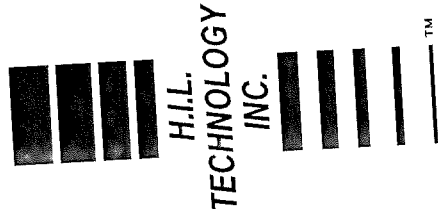
UNIT DIAMETER (feet)	DESIGN FLOW/ CAPACITY ²		INLET PIPE DIAMETER (inches)	OUTLET PIPE DIAMETER (inches)	HEADLOSS ³ @ DESIGN FLOW (inches)	HEADLOSS @ CAPACITY (inches)	WEIGHT FULL (lbs)	WEIGHT EMPTY ⁴ (lbs)	OIL STORAGE CAPACITY (gallons)	SEDIMENT STORAGE CAPACITY (cubic yards)	UNIT DIAMETER (feet)
	(cfs)	(gpm)									
4	0.75/3.0	330/1,350	8	12	<2	28	13,200	10,000	70	0.70	4
6	3.00/8.0	1,350/3,590	12	18	5	39	40,350	30,000	230	2.10	6
8	7.00/15.0	3,140/6,730	18	24	6	27	79,100	55,000	525	4.65	8
10	13.0/25.0	5,830/11,220	24	30	6	24	146,300	100,000	1,050	8.70	10

NOTES:

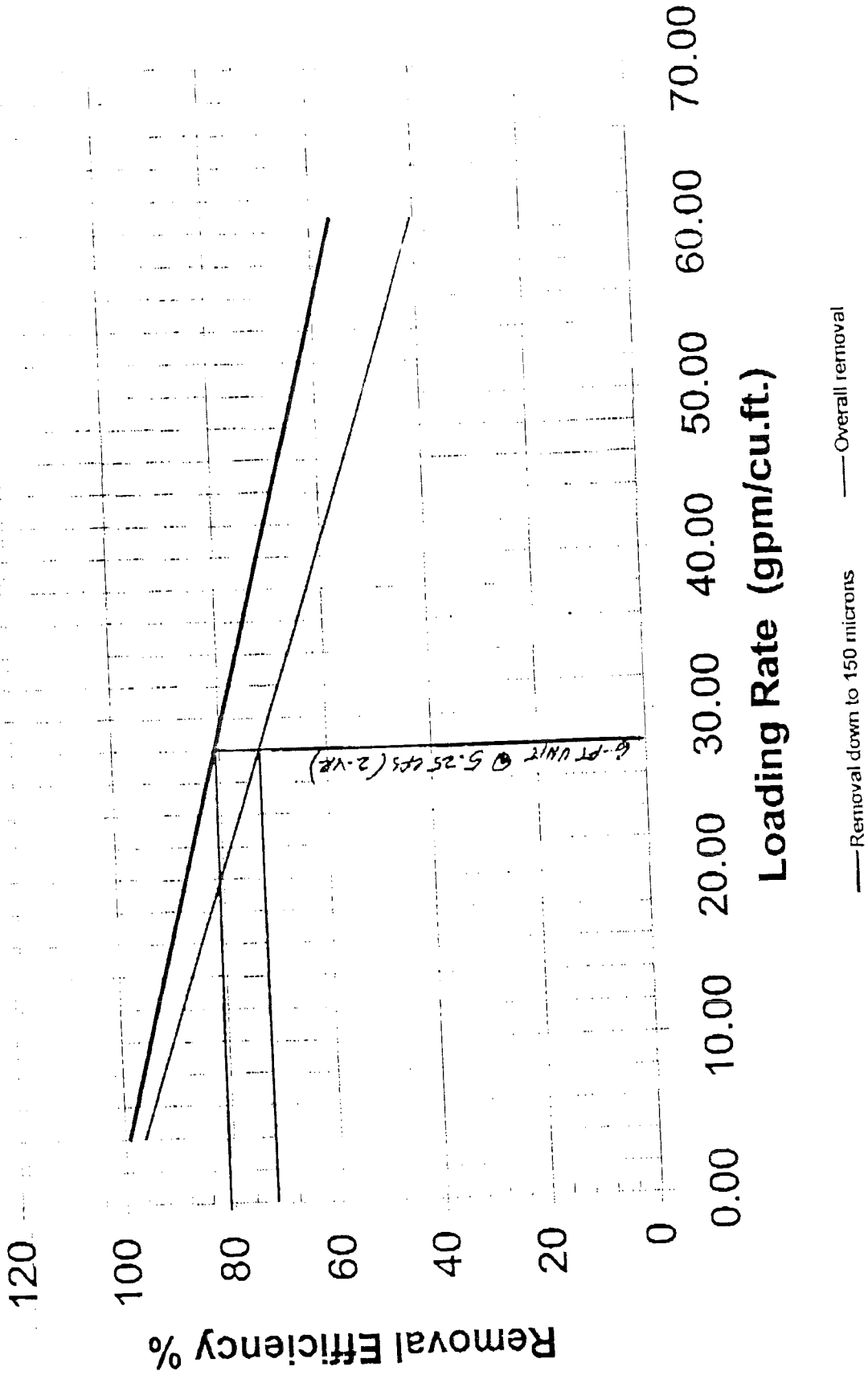
1. Design flow is based on 90% removal of all particles with specific gravity of 2.65 down to 150 microns, 84% overall removal efficiency based on an influent sediment gradation similar to typical Department of Transportation road sand.
2. Capacity flow rate is based on keeping headloss and removal efficiencies within a desirable range with a standard inlet pipe. Higher flow rates are possible if lower removal efficiencies and higher headlosses are acceptable.
3. Headloss is defined as the difference between the top water level upstream and the top water level downstream of the unit. Headlosses can be minimized by increasing the inlet pipe diameter up to the standard outlet pipe diameter.
4. Weights are calculated with internal components. Support frame, ledger angles, and mounting hardware are 304 stainless steel. Benching skirt, center cone and shaft, and dip plate are available in copolymer polypropylene or HDPE.

◆ AutoCAD drawings and Microsoft Word specifications available on disk.

◆ For pricing, delivery, and custom design, please call H.I.L. Technology, Inc., Proposal Engineering Department.



Downstream Defender Removal Efficiency vs. Flow



— Removal down to 150 microns - - - Overall removal

APPENDIX B

**DOWNSTREAM DEFENDER™ OPERATION AND MAINTENANCE
INSTRUCTIONS AND LOG**

H.I.L. TECHNOLOGY, INC.
94 Hutchins Drive
Portland, ME 04102

PHONE (207) 756-6200
FAX (207) 756-6212
TOLL FREE 1-800-848-2706
E-MAIL: hiltech@hil-tech.com



**H.I.L.
TECHNOLOGY
INC.**

OPERATION AND MAINTENANCE OF THE DOWNSTREAM DEFENDER

OPERATION

The Downstream Defender operates on simple fluid hydraulics. It is self-activating, has no moving parts and no external power requirement. Therefore, no procedures are required to operate the unit.

As stormwater flows through the Downstream Defender, sediment is directed towards the center and base where it is stored in the collection facility, beneath the vortex chamber. Sediment is contained outside of the treatment flow path and protected by the center cone. Floatables are trapped in the outer annular space between the cylindrical dip plate and the concrete manhole wall at the top water level. Treated effluent is released from the inner annular space, between the dip plate and center shaft, through the outlet pipe, near the top of the vessel. The floatables lid isolates separated and stored oil and floatables from the treated effluent.

The Downstream Defender is unique in that the sediment and oil storage areas are outside the treatment flow path. Previously collected solids, oils and floatables are thereby protected from re-entrainment into the effluent during major storms or surcharge conditions. Furthermore, as sediment, floatables and oil are collected and stored over a period of several months, treatment capacities are not reduced as pollutants accumulate between clean-outs.

After a storm event, the water level in the Downstream Defender drains down to the invert of the outlet pipe, keeping the unit wet. Maintaining a wet unit has two major advantages:

1. It keeps the oil and floatables stored on the water surface separate from sediment stored below the vortex chamber, providing the option for separate oil disposal, such as passive skimmers, if desired.
2. It prevents stored sediment from solidifying in the base of the unit. The clean-out procedure becomes much more difficult and labor intensive if the system

allows fine sediment to dry-out and consolidate. When this occurs, clean-out crews must enter the chamber and manually remove the sediment; a labor intensive operation in a hazardous environment.

The Downstream Defender has large clear openings and no internal restrictions or weirs, minimizing the risk of blockage and hydraulic losses. Orifices and internal weirs can create two serious hydraulic problems:

1. Increased risk of blockage - Small orifices tend to collect debris and trash such as soda cans, sticks and Styrofoam cups which further reduce opening size and may even block openings completely. This alters the hydraulics in a flow-through treatment device, adversely affecting operation and performance and can eventually lead to system back-ups and maintenance issues. Removing debris from a submerged orifice may require pumping down the chamber.
2. Increased headlosses - Internal restrictions and weirs significantly increase hydraulic losses in a flow-through treatment device. The higher the flow through the system, the higher the headloss. This problem is exacerbated during the more intense storm events, backing up the storm sewer and increasing the risk for upstream flooding.

MAINTENANCE PROCEDURE

A commercially or municipally owned sump-vac is used to remove captured sediment and floatables. Access ports are located in the top of the manhole. The floatables access port is above the area between the concrete manhole wall and the dip plate. The sediment removal access port is located directly over the hollow center shaft. Floatables and oil should be removed prior to the removal of the sediment.

The frequency of the sump vac procedure is determined in the field after installation. During the first year of operation, the unit should be inspected every six months to determine the rate of sediment and floatables accumulation. A probe can be used to determine the level of solids in the sediment storage facility. When approximately 1.5 / 2 / 2.5 / 3.0 ft. of sediment depth has accumulated, the contents should be removed by sump vac. It is recommended that the units be cleaned annually.

Although a small portion of water is removed along with the pollutants during the clean-out process, the units are typically not completely dewatered- minimizing disposal costs. The sump vac procedure for a typical 6-ft diameter Downstream Defender with one foot of sediment depth and two inches of oil and debris takes about 25 minutes and removes about 150 gallons of water in the process.

H.I.L. TECHNOLOGY, INC.
 94 Hutchins Drive
 Portland, ME 04102

PHONE (207) 756-6200
 FAX (207) 756-6212
 TOLL FREE 1-800-848-2706
 E-MAIL: hiltech @ hil-tech.com



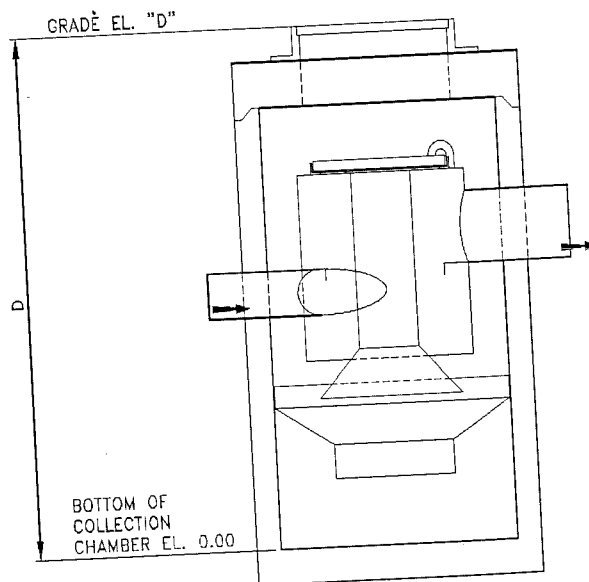
DOWNSTREAM DEFENDER MAINTENANCE LOG

H.I.L. Ref:			
Site Name:			
Site Location:			
Owner:		Contractor:	
Contact Name:		Contact Name:	
Company Name:		Company Name:	
Address:		Address:	
Telephone:		Telephone:	
Fax:		Fax:	

Installation Date: ___/___/___

Downstream Defender
 Diameter: _____

Downstream Defender
 Depth: ("D"): _____



Memorandum

Project: Bayside Office Building

Project No.

Date: 06/12/2001

To: Rick Knowland

Tel:
Fax: 756:8258

From: Bill Nemmers

Tel: 207-775-6141
Fax: 207-773-0194

Re: Attachment "O" MDOT letter re: road-edge setback

Rick:

For your information I reviewed the location of our proposed building with respect to the (4) points in the memo (from Penny Littell) which you sent me.

Her Memo indicated that no building be constructed:

- 1) Within the right-of-way: Our building is situated totally within our property line and NOT in the MDOT right-of-way.
- 2) Within 33 feet of the Centerline: Preble street here has a 120 foot right-of-way. Our building is therefore 60 feet from the centerline which is greater than the 33 allowed.
- 3) Within 20 feet from the edge of paving: According to our survey, the building is sited at least 30 feet from the existing paving edge at the Preble Street side.
- 4) Reconstruction of existing buildings: This project is not a reconstruction of an existing building.

It is my contention that, since none of the above conditions are present in our submittal, we are in compliance with 23 MREA sec. 1401.

Bill Nemmers

*****-PORTLAND, MAINE *****
*****-207 773 0194-*****

STN NO. 001
COM 634
RBBR NO. 7568258
STATION NAME/TEL. NO. 000/001 00:00:00
PAGES
DURATION
END-JUN-12 16:47
START-JUN-12 16:25
MODE = MEMORY TRANSMISSION
FILE NO. = 146

Landscape Easement

A certain Landscape Easement situated on the southerly side of Preble Street and the northeasterly side of Hanover Street, in the City of Portland, County of Cumberland, State of Maine being over a portion of the premises depicted on a plan of land titled "Site Plan of Gorham Savings Bank" dated through December 30, 2003 by Sebago Technics, Inc., said easement area to be situated between a proposed concrete sidewalk shown on said plan and the southerly right of way line of said Preble street, said easement area being more generally bounded and described as follows:

Preble Street Easement

Beginning at a point in the southerly right of way line of said Preble Street, said point lies S 40°-51'-01" E, 16.03 feet from a capped 5/8-inch rebar set at a point of curvature;

Thence N 58° E, passing through land of the Grantor, a distance of 2.0 feet, more or less to the southwesterly side of a proposed sidewalk as shown on said plan;

Thence generally S 42° E, by and along the southwesterly side of said proposed sidewalk and passing through said land of the Grantor, a distance of 72.0 feet to a point;

Thence S 58° W, passing through said land of the Grantor, a distance of 2.0 feet, more or less to a point in the southerly line of said Preble Street;

Thence generally northerly, turning more northeasterly on a curve to the right having a radius of 980.93 feet, a central angle of 03°-10'-56", by and along said Preble Street, an arc distance of 54.48 feet to a point of tangency;

Thence N 40°-51'-01" W, by and along said Preble Street, a distance of 17.54 feet to the point of beginning.

Hanover Street Easement

Beginning at a capped 5/8-inch rebar set in the northerly side of said Hanover Street in the easterly line of Marginal Way as shown on said plan;

Thence S 23°-56'-02" E, by and along said Hanover Street, a distance of 127.5 feet, to a point;

Thence S 66° W, passing trough land of the Grantor, a distance of 3.0 feet, more or less to the easterly side of a proposed sidewalk as shown on said plan;

Thence generally northwesterly and northerly along the easterly edge of said side walk to the point of beginning.

Meaning and intending to generally describe a certain Landscape Easement situated on the southerly side of Preble Street and the northeasterly side of Hanover Street for the purposes of instillation, repair, maintenance and replacement of landscaping vegetation and materials.

The bearings referenced herein are based upon Grid North NAD 1983 Maine West Zone.

DCS:dcs/df
April 1, 2004

01302

Traffic Signal Box
Easement Description

A certain easement situated on the westerly side of Preble Street, in the City of Portland, County of Cumberland, State of Maine, being over a portion of the premises depicted on a plan of land titled "Site Plan of Gorham Savings Bank" dated through December 30, 2003 by Sebago Technics, Inc., said easement area being more particularly bounded and described as follows:

Beginning at a capped 5/8-inch rebar set in the westerly side of said Preble Street at a point of curvature as shown on said plan;

Thence S 49°-08'-59" W, passing through land of the Grantor, a distance of 2.00 feet to a point;

Thence N 40°-51'-01" W, passing through said land of the Grantor, a distance of 12.17 feet to a point in the westerly side of said Preble Street;

Thence generally southeasterly, turning more southerly on a curve to the right having a radius of 38.00 feet, a central angle of 18°-40'-18" on a chord bearing and distance of S 50°-11'-10" E, 12.33 feet, by and along said Preble Street, an arc distance of 12.38 feet to the point of beginning.

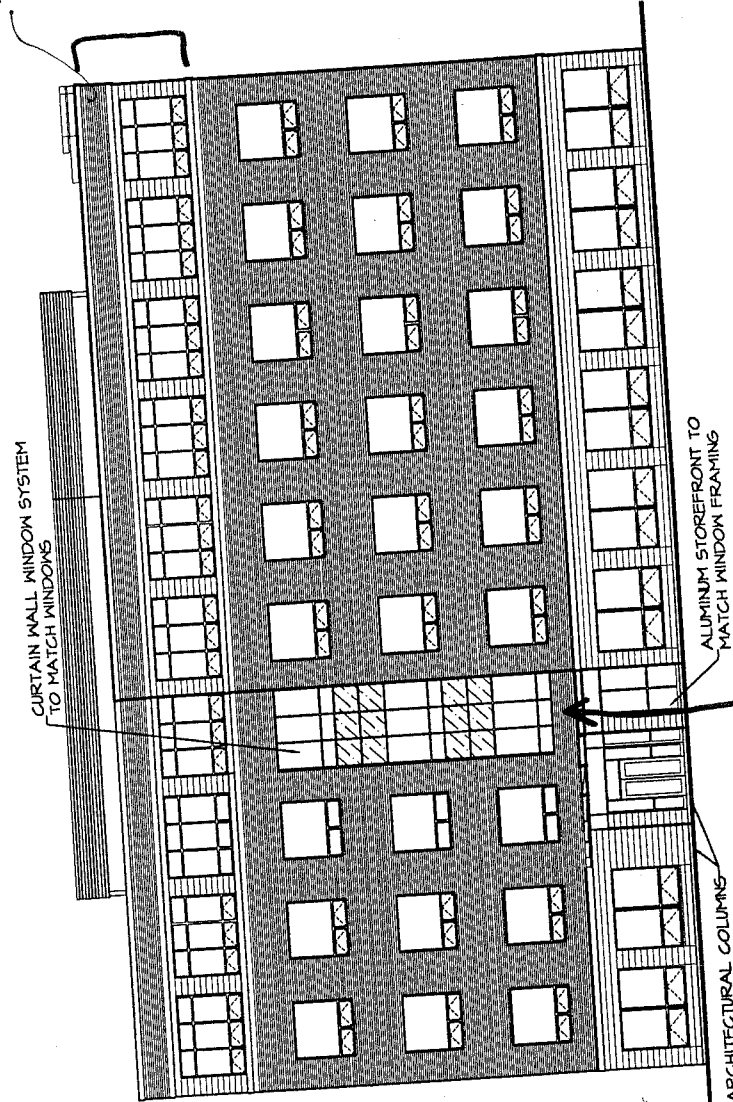
Meaning and intending to describe a certain Traffic Signal Box easement containing 16 square feet, more or less being over a portion of the premises depicted on a plan of land titled "Site Plan of Gorham Savings Bank" dated through December 30, 2003 by Sebago Technics, Inc.

The bearings referenced herein are based upon Grid North NAD 1983 Maine West Zone.

DCS:dcs/df
April 1, 2004

BACK CORNICE

1.



CURTAIN WALL WINDOW SYSTEM TO MATCH WINDOWS

ALUMINUM STOREFRONT TO MATCH WINDOW FRAMING

ARCHITECTURAL COLUMNS

PARKING LOT ELEVATION

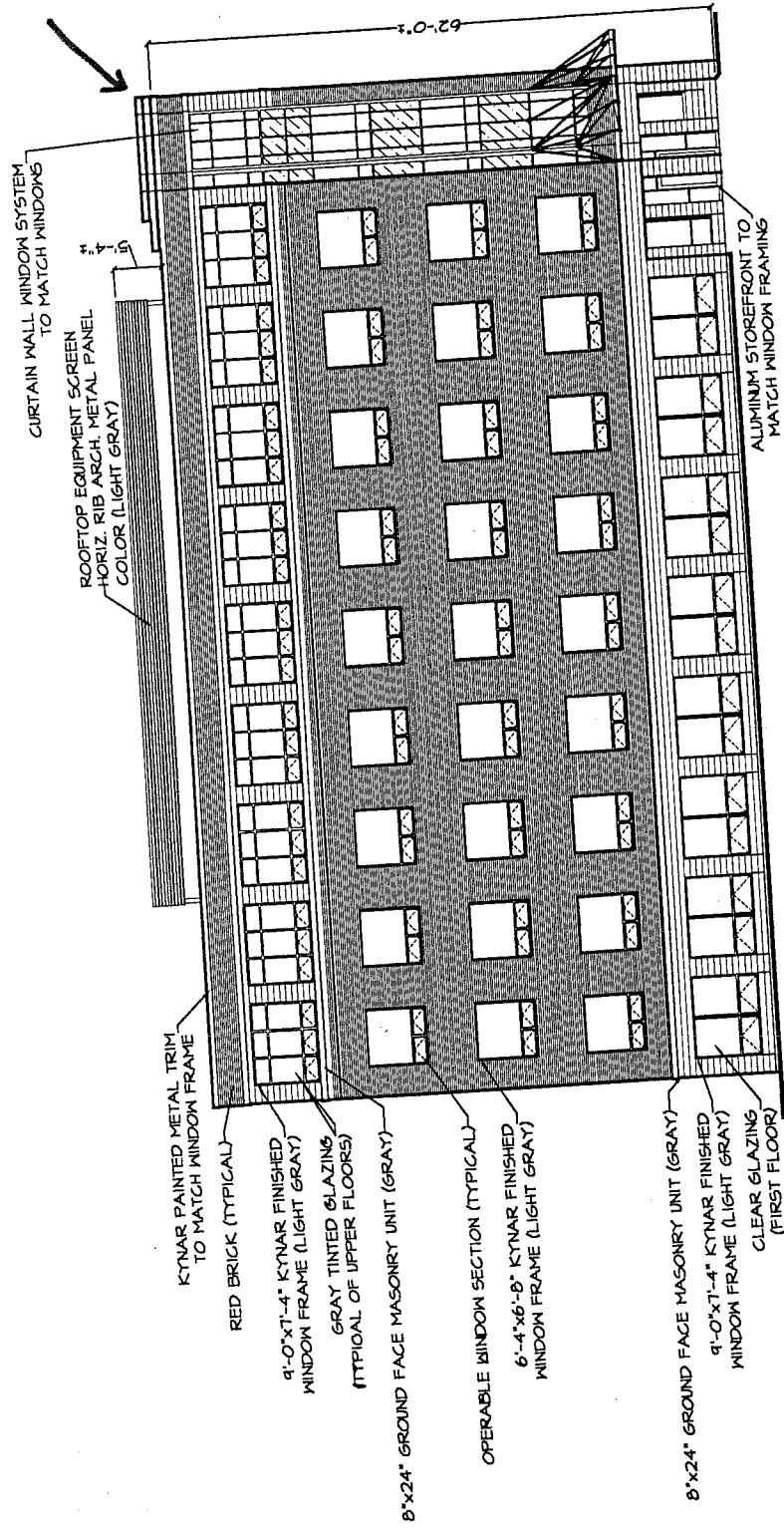
2.

- ELEV. - 162'-0" ±
ROOF TRIM
- ELEV. - 149'-0"
FIFTH FLOOR
- ELEV. - 136'-4"
FOURTH FLOOR
- ELEV. - 124'-6"
THIRD FLOOR
- ELEV. - 112'-3"
SECOND FLOOR
- ELEV. - 100'-0"
FIRST FLOOR



BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE
 JANUARY 14, 2002

3.

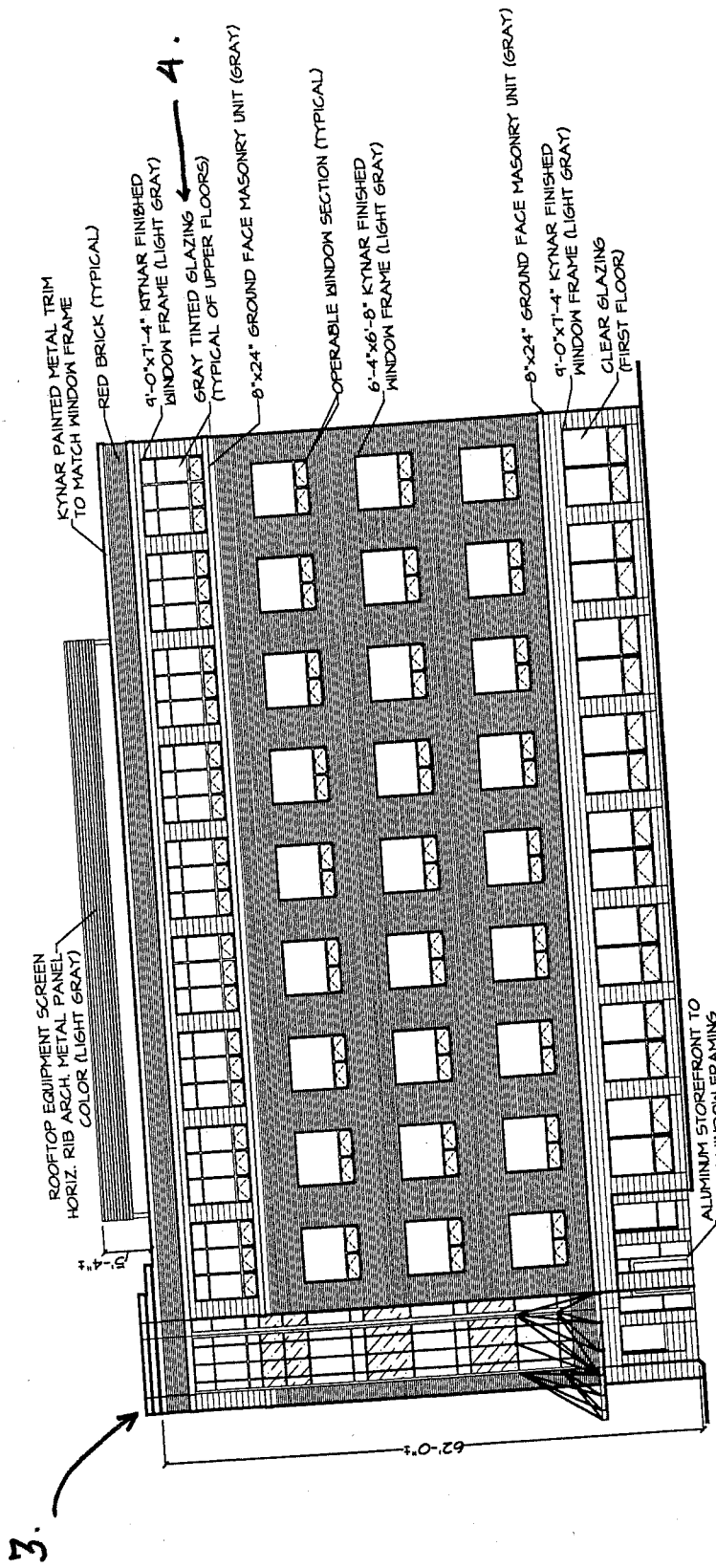


MARGINAL WAY ELEVATION

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE

JANUARY 14, 2002

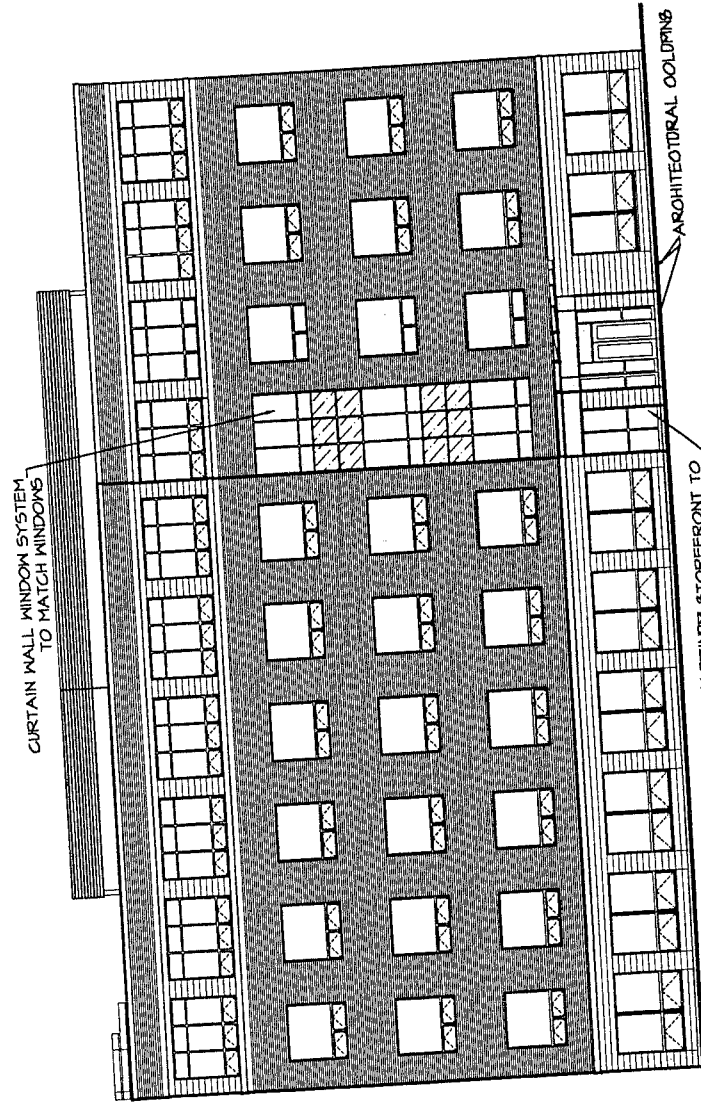




PREBLE STREET ELEVATION

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE
 JANUARY 14, 2002





ELEV. - 162'-0" ±
ROOF TRIM

ELEV. - 144'-0"
FIFTH FLOOR

ELEV. - 126'-4"
FOURTH FLOOR

ELEV. - 124'-6"
THIRD FLOOR

ELEV. - 112'-3"
SECOND FLOOR

ELEV. - 100'-0"
FIRST FLOOR

1-245 ELEVATION

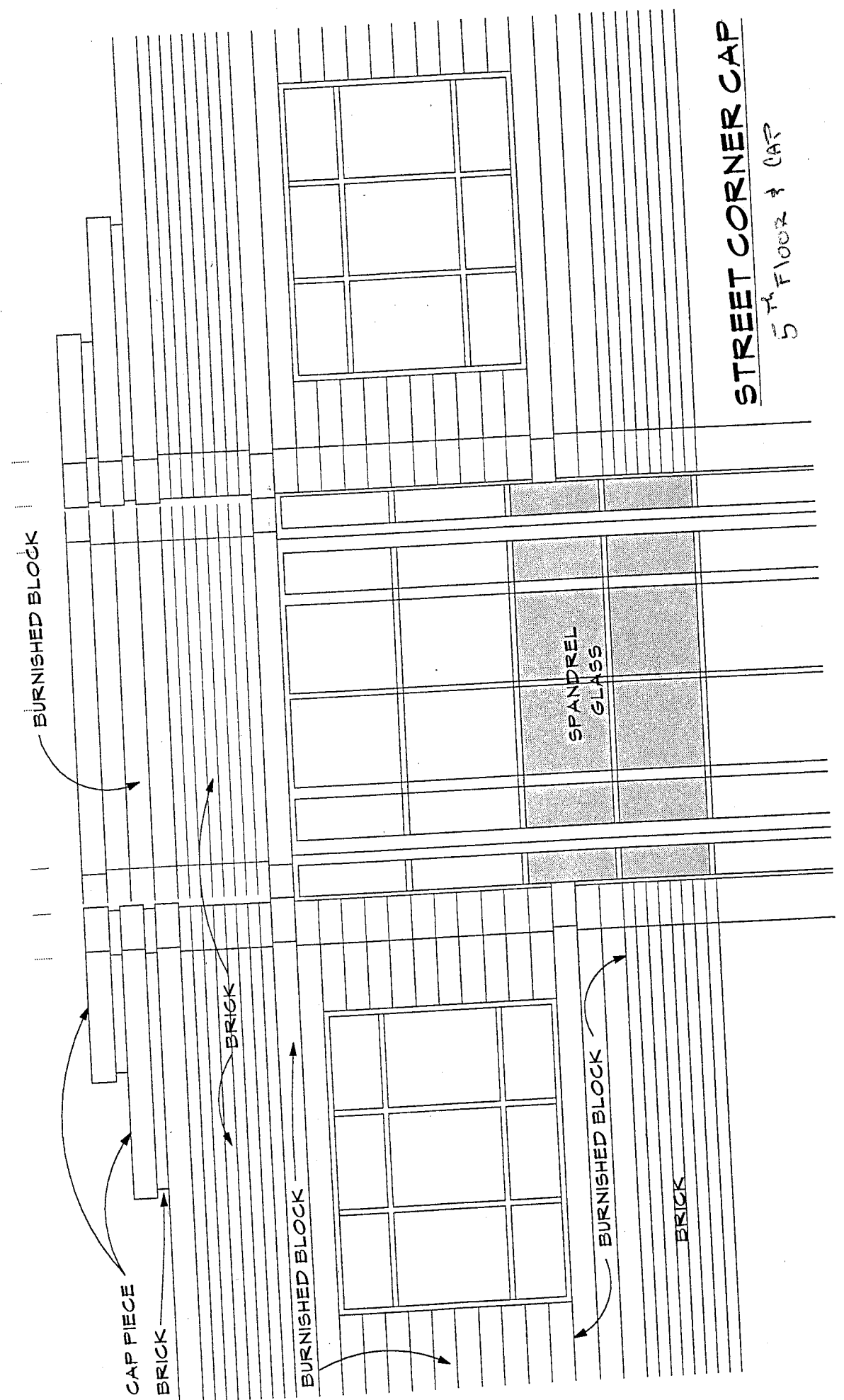
BAYSIDE OFFICE BUILDING
PORTLAND, MAINE

JANUARY 14, 2002



CONSTRUCTION CORPORATION

1/15/02

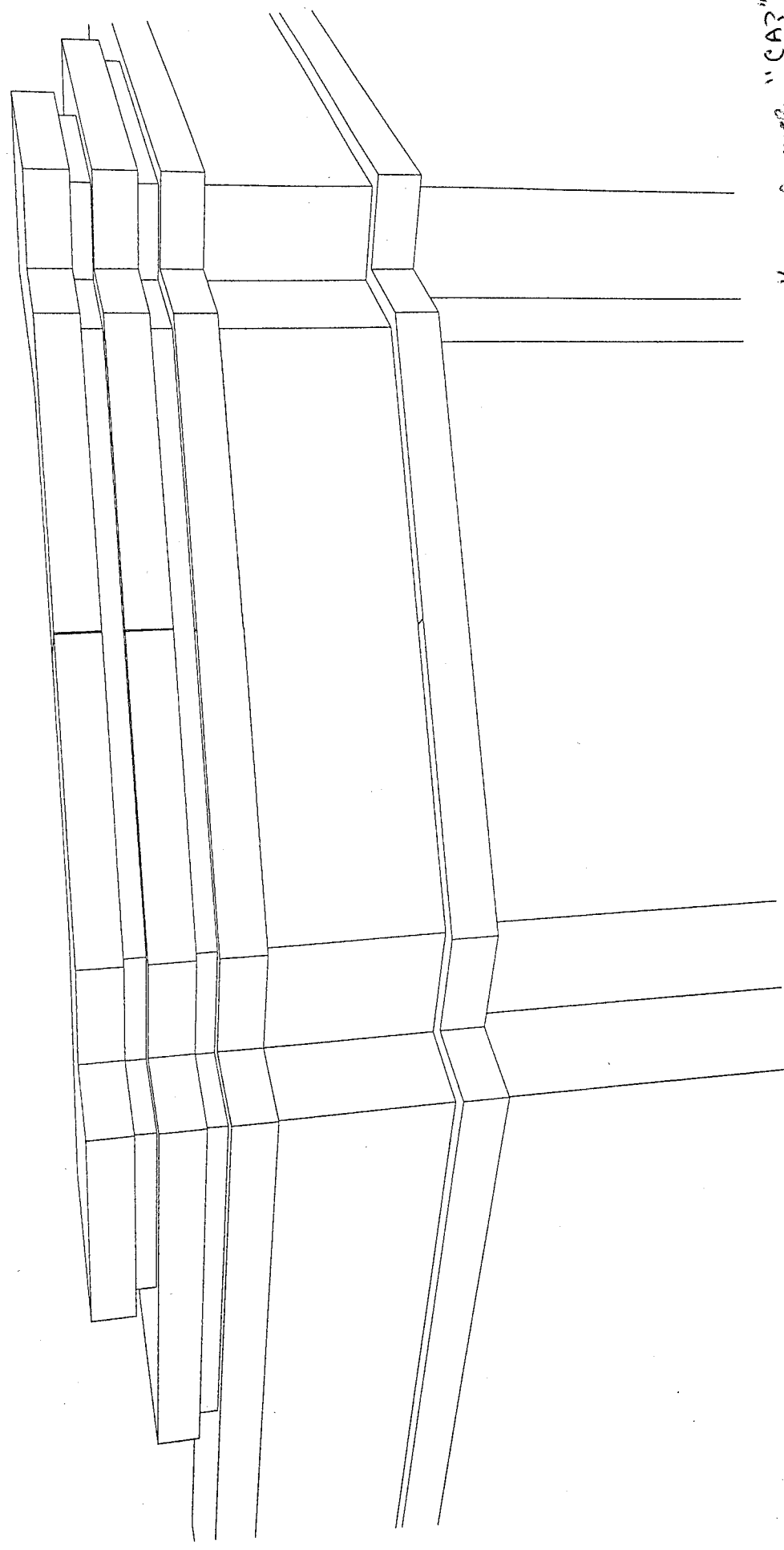


STREET CORNER CAP

5TH FLOOR & CAP

TRAYSIDE OFFICE BUILDING

1/15/02



"Perspective" of corner "CA?"

2. 1/15/02

ATLANTIC BAYSIDE SQUARE, LLC
50 Portland Pier, Suite 400, Portland, ME 04101
Phone: (800) 347-1080 (207) 828-1080 Fax: (207) 828-1048

January 15, 2002

Richard Knowland
Planning Department
City Of Portland
389 Congress Street
Portland, Maine 04101

Re: Bayside Square Office Building

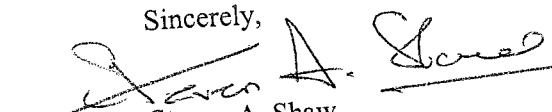
Dear Rick,

Based on our meeting last week, I have enclosed information relating to minor design improvements we are proposing for the Bayside Office building which is now under construction. These improvements are as follows:

1. Re-ordering the ground face masonry and brick at the fifth floor level in order to project a definite "top" to the building by placing brick as the top element as opposed to ground face masonry which tends to "disappear" into the sky. The ground face masonry will now be used around the fifth floor windows as shown on the attached plan. *brick cornice*
2. Parking Lot Elevation: The fifth floor window treatment is continued on the South side and replaces the curtain wall at that level so that again, a more definite visual top is obtained.
Add horizontal brick treatment at the intersection of the curtain wall and the canopy for structural and design continuity reasons. This treatment is repeated at the Marginal Way/Preble Street entrance.
3. Marginal Way/Preble Street intersection elevations: Add a more prominent "crown" to the top of the curtain wall that not only continues the theme of the fifth floor brick and masonry, but also adds a more finished focal piece to the top of this corner.
4. Glazing will be changed from blue to gray except on the first floor which remains clear as before. Blue glass would have necessitated blue spandrel glass in certain areas to hide interior structural members or elevator machinery. We think this would have looked gaudy. The gray is a better fit with the building. Window and door frames will be in a matching "Sea Wolf" light gray as submitted to you last Friday.

These revisions are as shown on the new elevation drawings submitted herewith. We feel that, although minor changes, they bring the more dominant traditional elements of the building into a better relationship while still maintaining the impact of the expansive glass areas and the entrances as the focal points of the building. We hope that you will find these improvements suitable for your approval.

Sincerely,


Steven A. Shaw



BAYSIDE OFFICE COMPLEX



MARGINAL WAY ELEVATION

BAYSIDE OFFICE COMPLEX



PREBLE STREET ELEVATION

BAYSIDE OFFICE COMPLEX



PARKING LOT ELEVATION

BAYSIDE OFFICE COMPLEX



— CURTAIN WALL WINDOW SYSTEM TO MATCH WINDOWS

— KYNAR PAINTED WINDOW FRAME (LT GRAY)

— BLUE TINTED GLAZING OPERABLE WINDOW SECTION (TYPE)

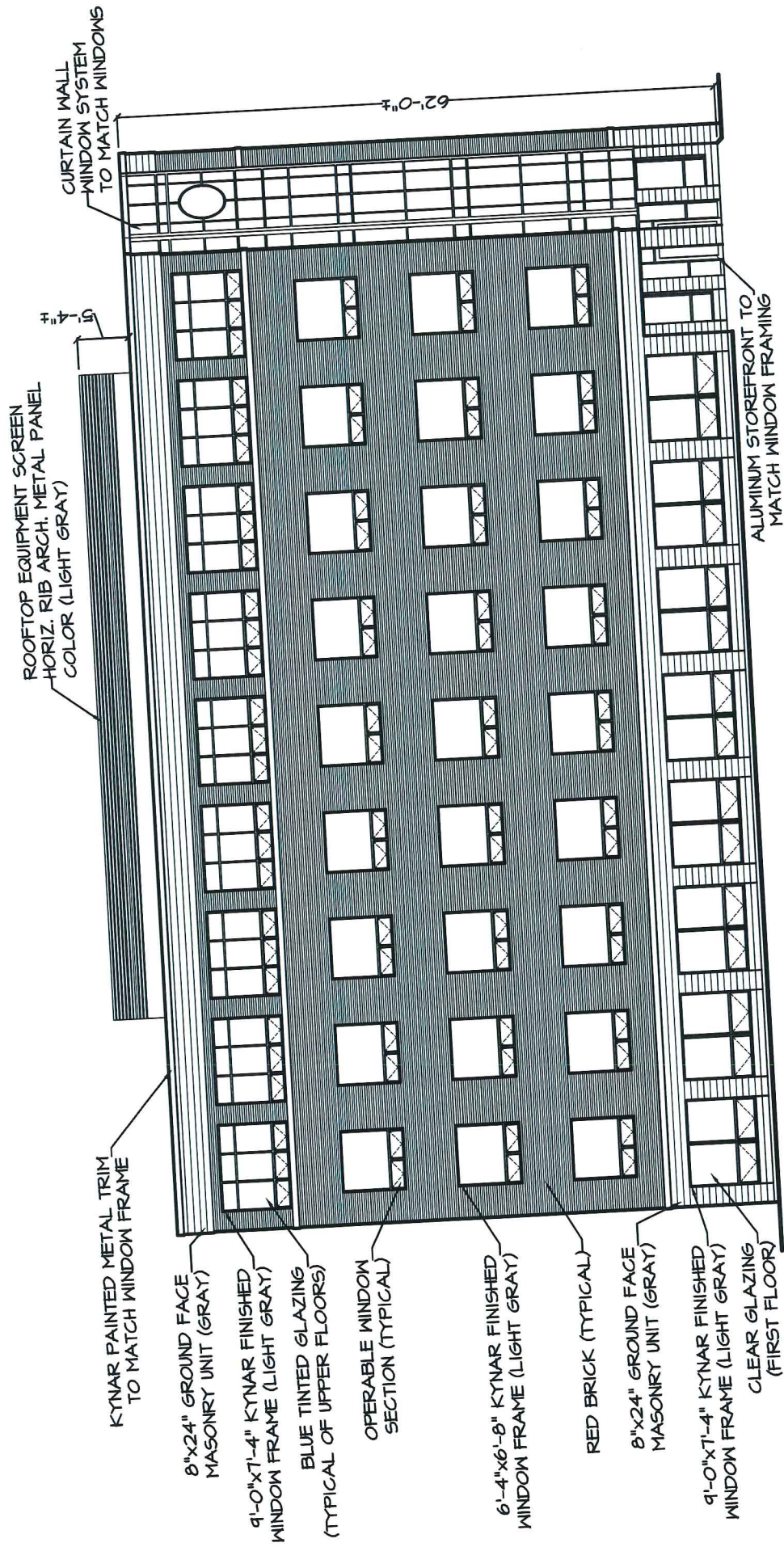
— ROOFTOP EQUIPMENT SCREEN HORIZONTAL FIN ARCHITECTURAL METAL PANEL (LT GRAY)

— 8" X 24" GROUND FACE MASONRY UNIT (GRAY)

— RED BRICK

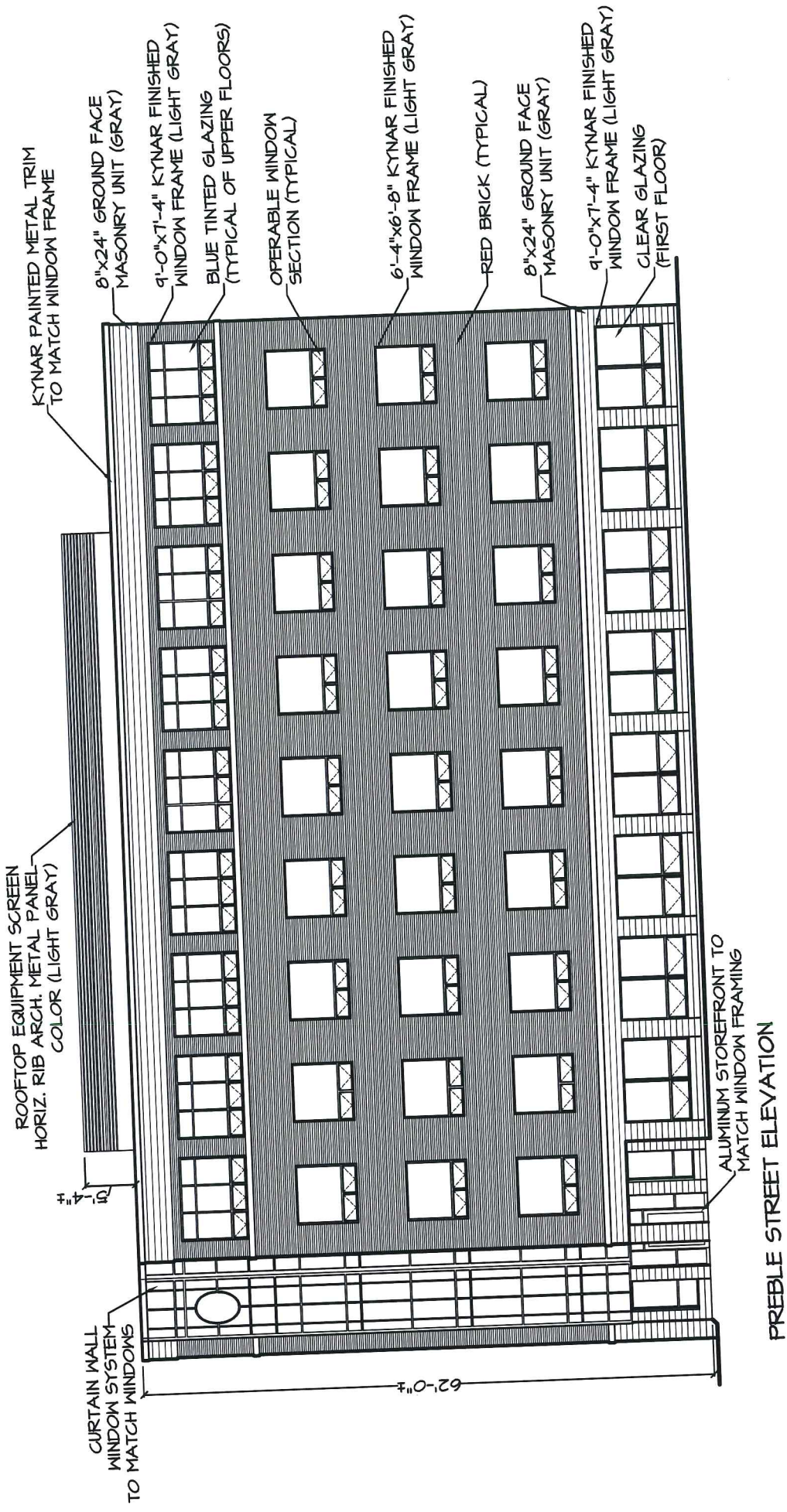
— ALUMINUM STOREFRONT SYSTEM TO MATCH WINDOW FRAMING

1-295 ELEVATION



MARGINAL WAY ELEVATION

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE



ROOFTOP EQUIPMENT SCREEN
HORIZ. RIB ARCH. METAL PANEL-
COLOR (LIGHT GRAY)

KYNAR PAINTED METAL TRIM
TO MATCH WINDOW FRAME

CURTAIN WALL
WINDOW SYSTEM
TO MATCH WINDOWS

8"x24" GROUND FACE
MASONRY UNIT (GRAY)

9'-0"x7'-4" KYNAR FINISHED
WINDOW FRAME (LIGHT GRAY)
BLUE TINTED GLAZING
(TYPICAL OF UPPER FLOORS)

OPERABLE WINDOW
SECTION (TYPICAL)

6'-4"x6'-8" KYNAR FINISHED
WINDOW FRAME (LIGHT GRAY)

RED BRICK (TYPICAL)

8"x24" GROUND FACE
MASONRY UNIT (GRAY)

9'-0"x7'-4" KYNAR FINISHED
WINDOW FRAME (LIGHT GRAY)
CLEAR GLAZING
(FIRST FLOOR)

ALUMINUM STOREFRONT TO
MATCH WINDOW FRAMING

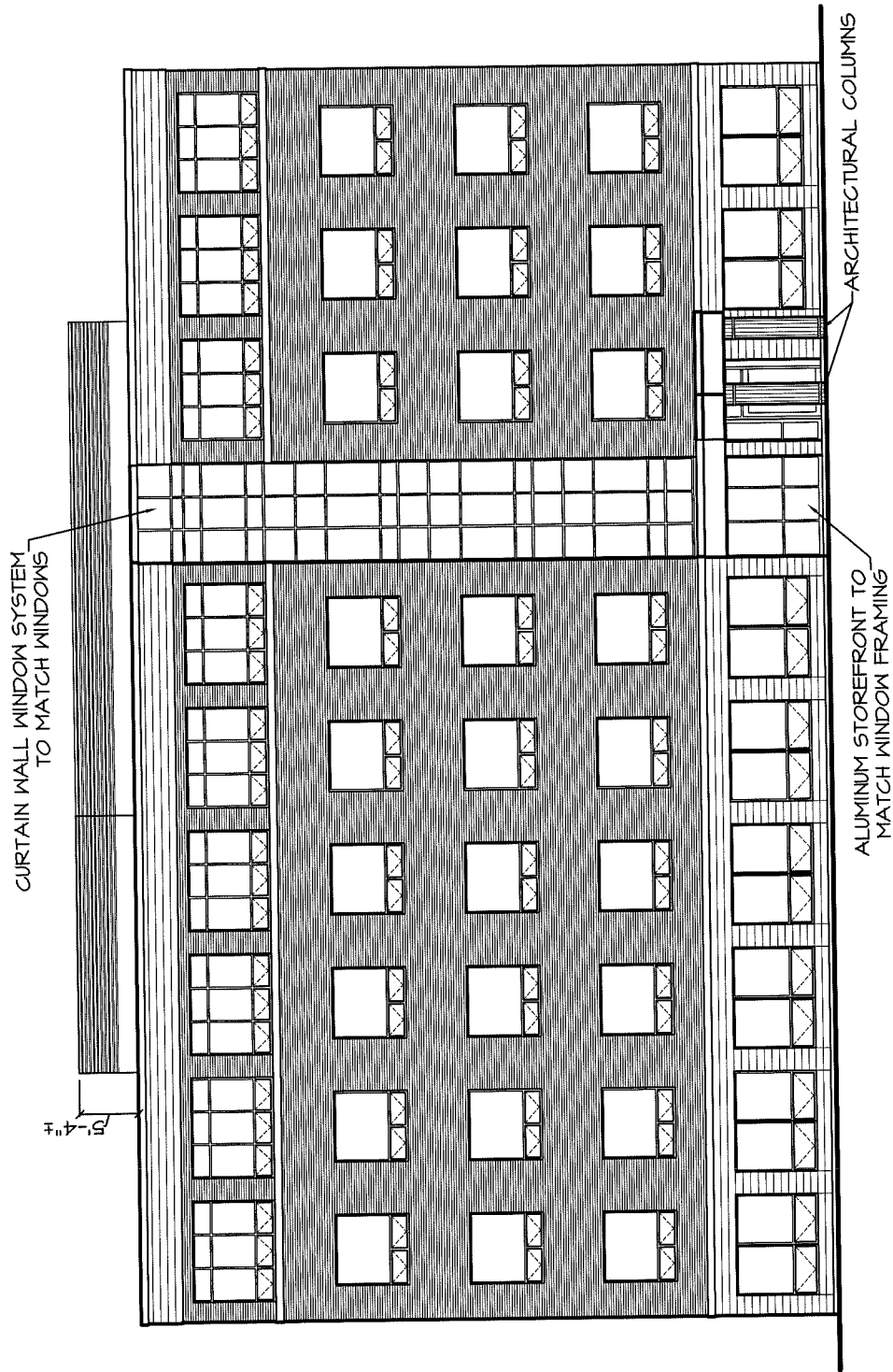
PREBLE STREET ELEVATION

62'-0"±





OPECHEE
CONSTRUCTION CORPORATION


BAYSIDE OFFICE BUILDING
PORTLAND, MAINE





I-295 ELEVATION


- 

ELEV. - 162'-0" ±
ROOF TRIM
- 

ELEV. - 141'-0"
FIFTH FLOOR
- 

ELEV. - 136'-9"
FOURTH FLOOR
- 

ELEV. - 124'-6"
THIRD FLOOR
- 

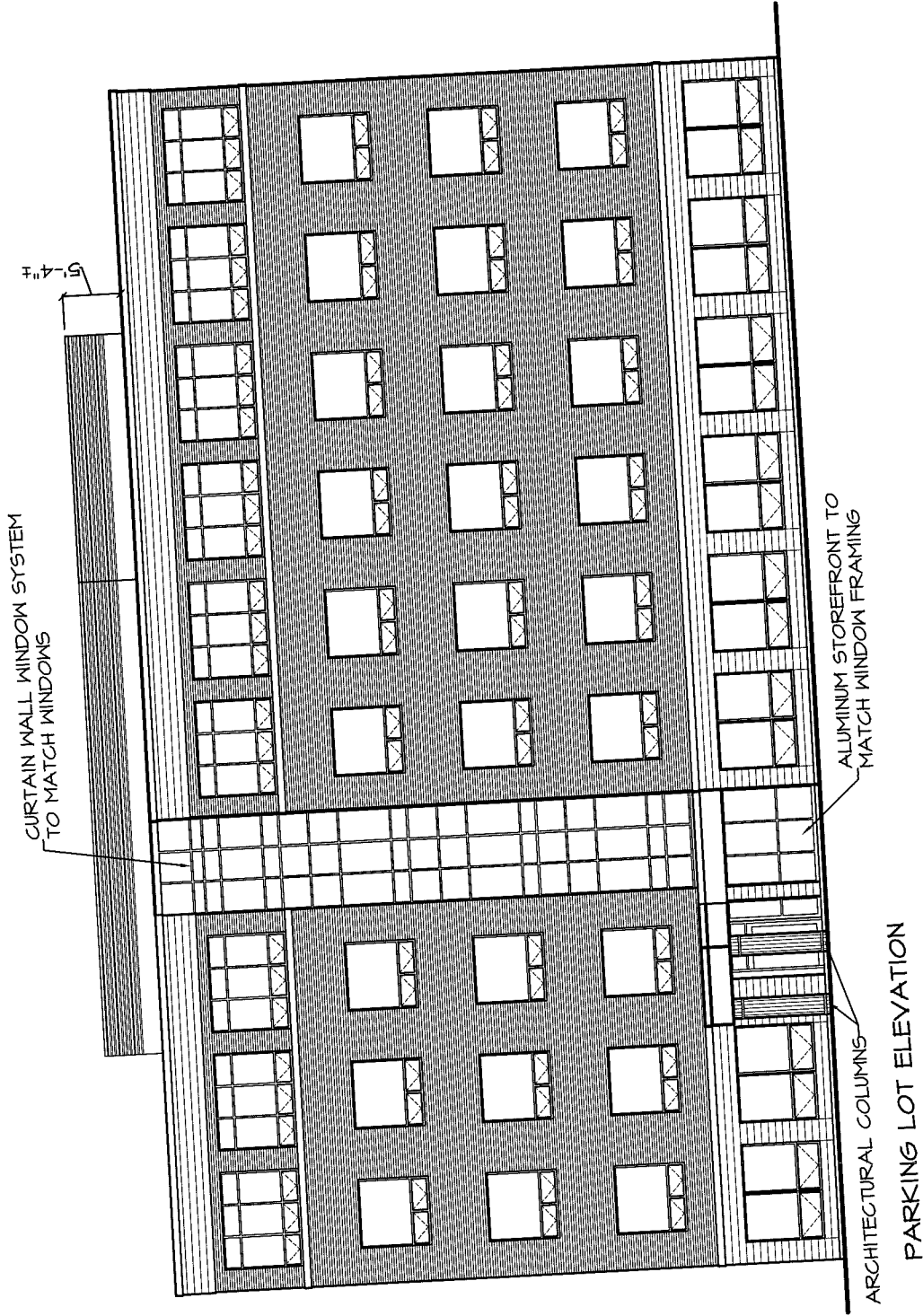
ELEV. - 112'-3"
SECOND FLOOR
- 

ELEV. - 100'-0"
FIRST FLOOR

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE



CONSTRUCTION CORPORATION



ELEV. - 162'-0" ±
ROOF TRIM

ELEV. - 149'-0"
FIFTH FLOOR

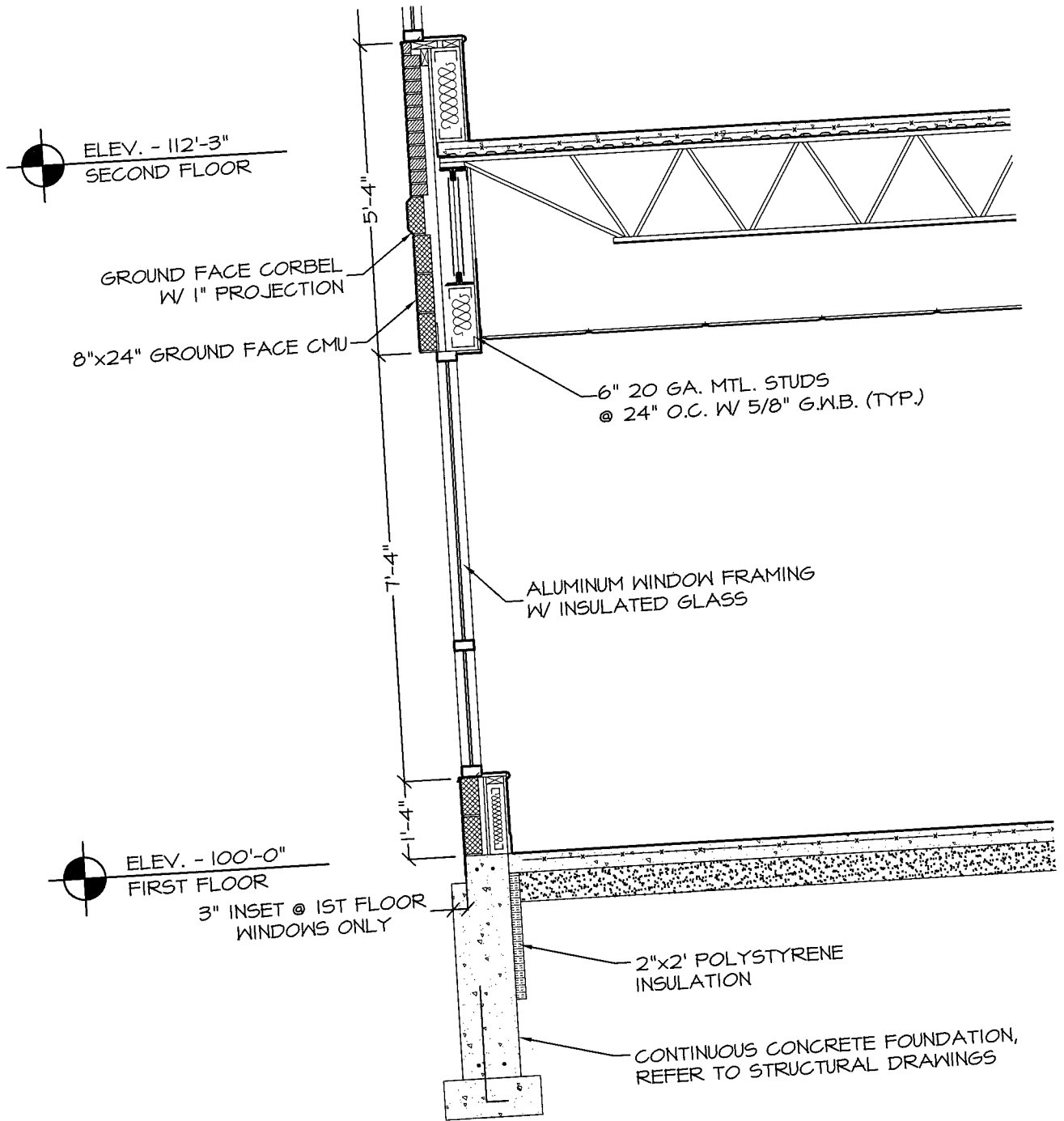
ELEV. - 136'-9"
FOURTH FLOOR

ELEV. - 124'-6"
THIRD FLOOR

ELEV. - 112'-3"
SECOND FLOOR

ELEV. - 100'-0"
FIRST FLOOR

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE



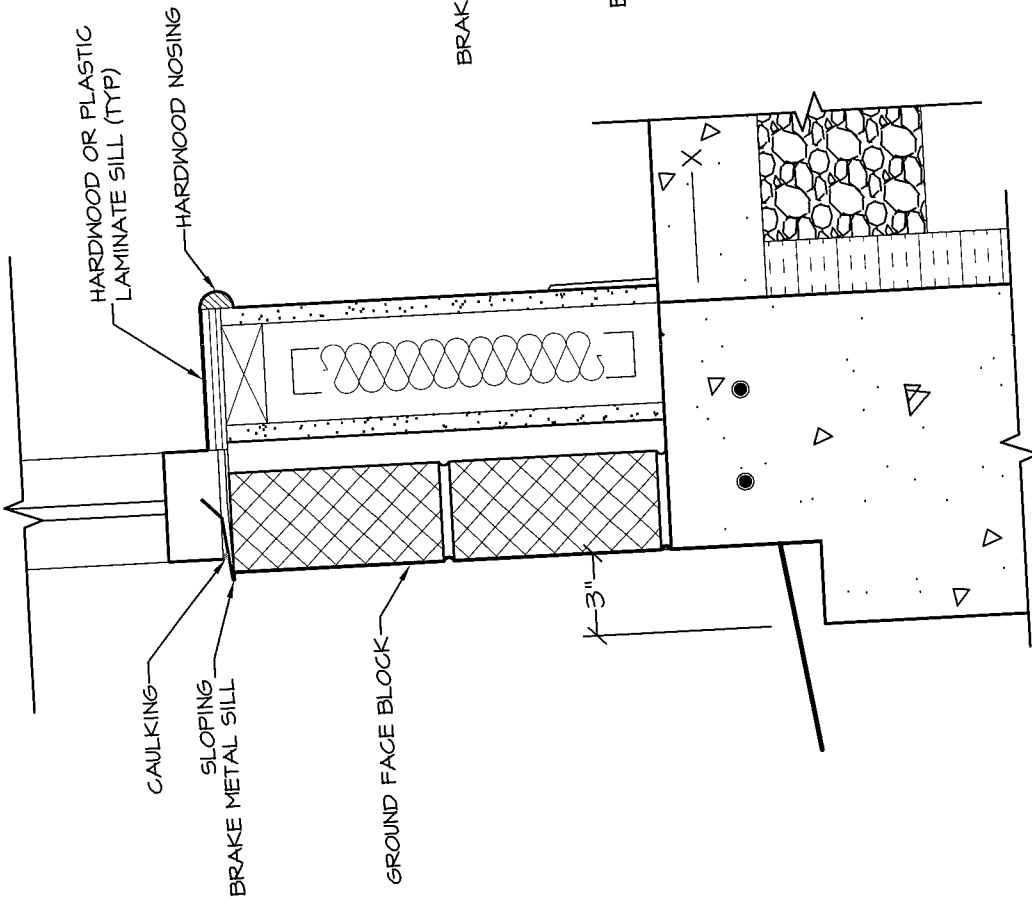
PARTIAL WALL SECTION

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE

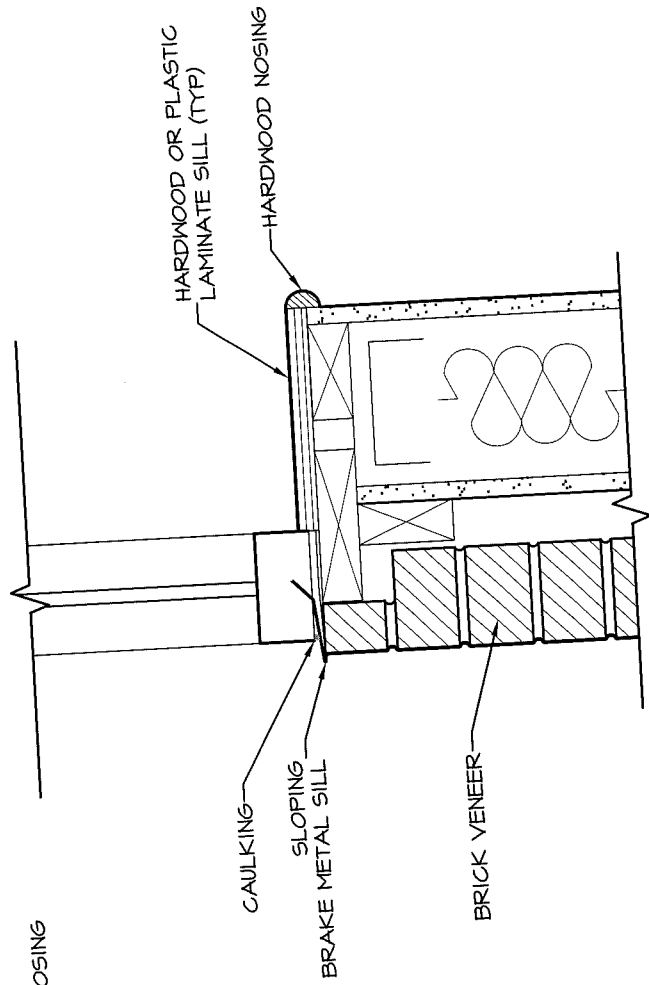
COPECHEE

CONSTRUCTION CORPORATION

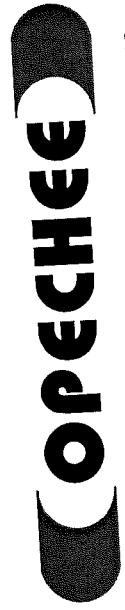
11 CORPORATE DRIVE, BELMONT NH 03220
PHONE (603) 527-9090 FAX (603) 527-9191



FIRST FLOOR CORBEL / SILL DETAIL



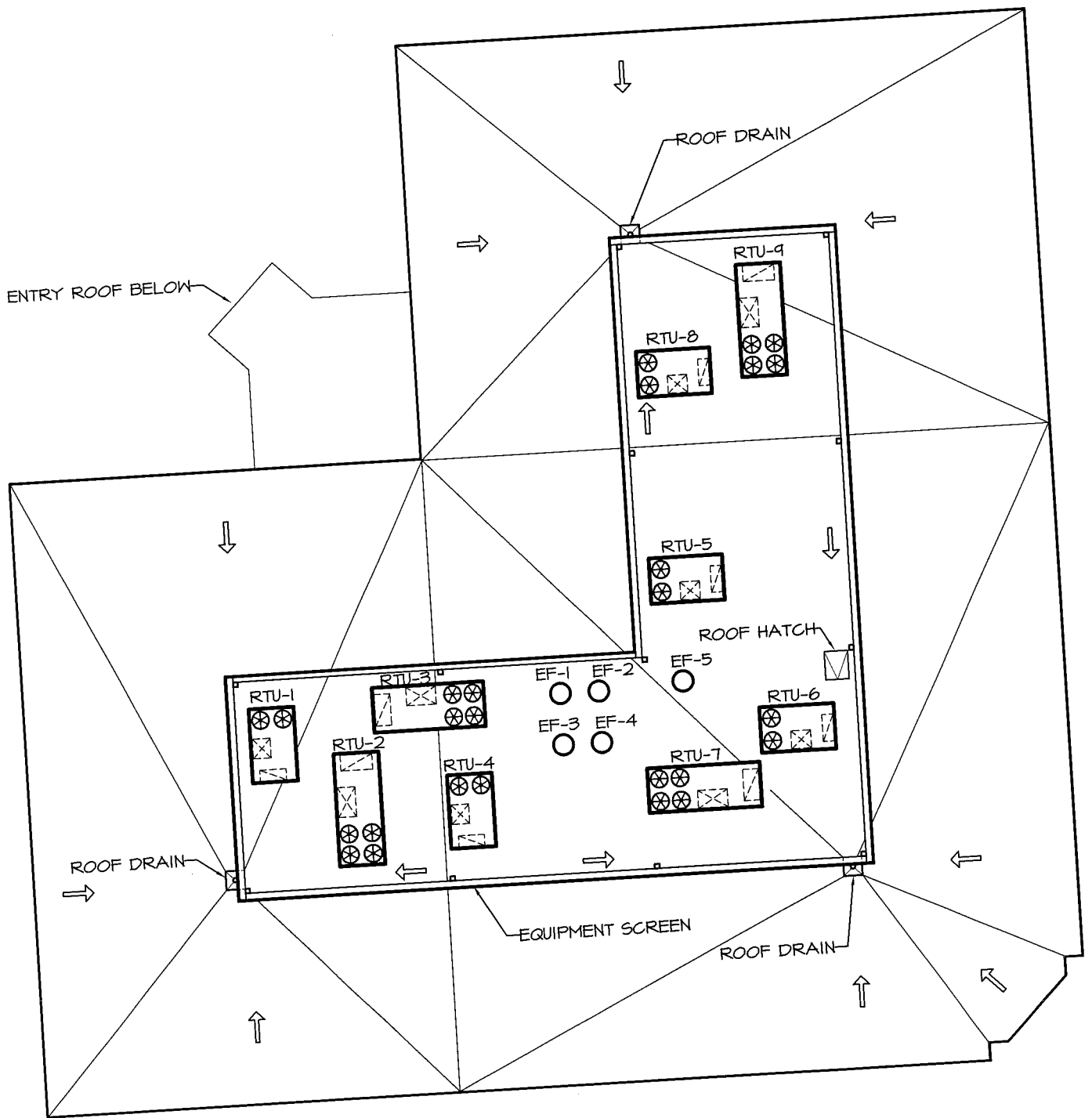
UPPER FLOOR SILL DETAIL



CONSTRUCTION CORPORATION

11 CORPORATE DRIVE, BELMONT NH 03220
 PHONE (603) 527-9090 FAX (603) 527-9191

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE



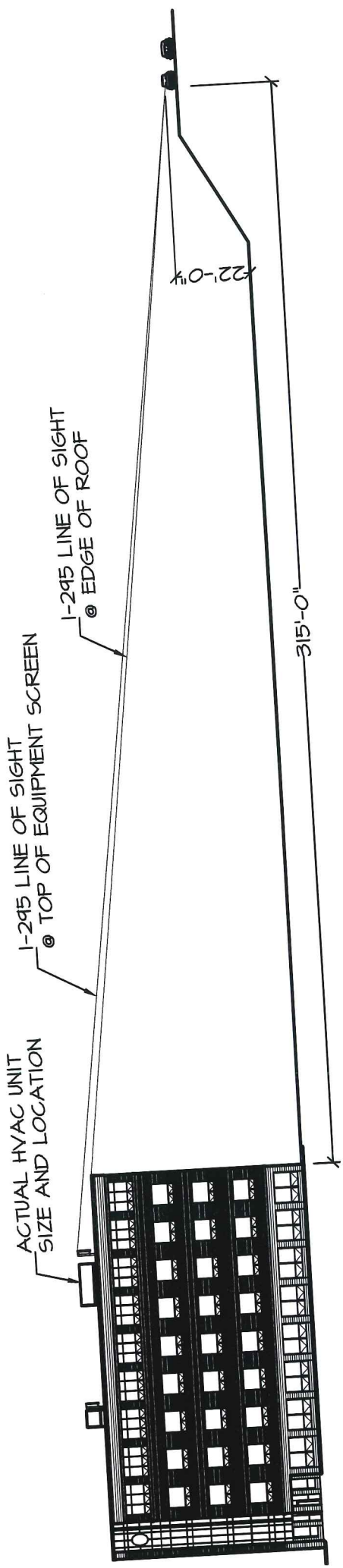
ROOF PLAN

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE

OPECHEE

CONSTRUCTION CORPORATION

11 CORPORATE DRIVE, BELMONT NH 03220
 PHONE (603) 527-9090 FAX (603) 527-9191

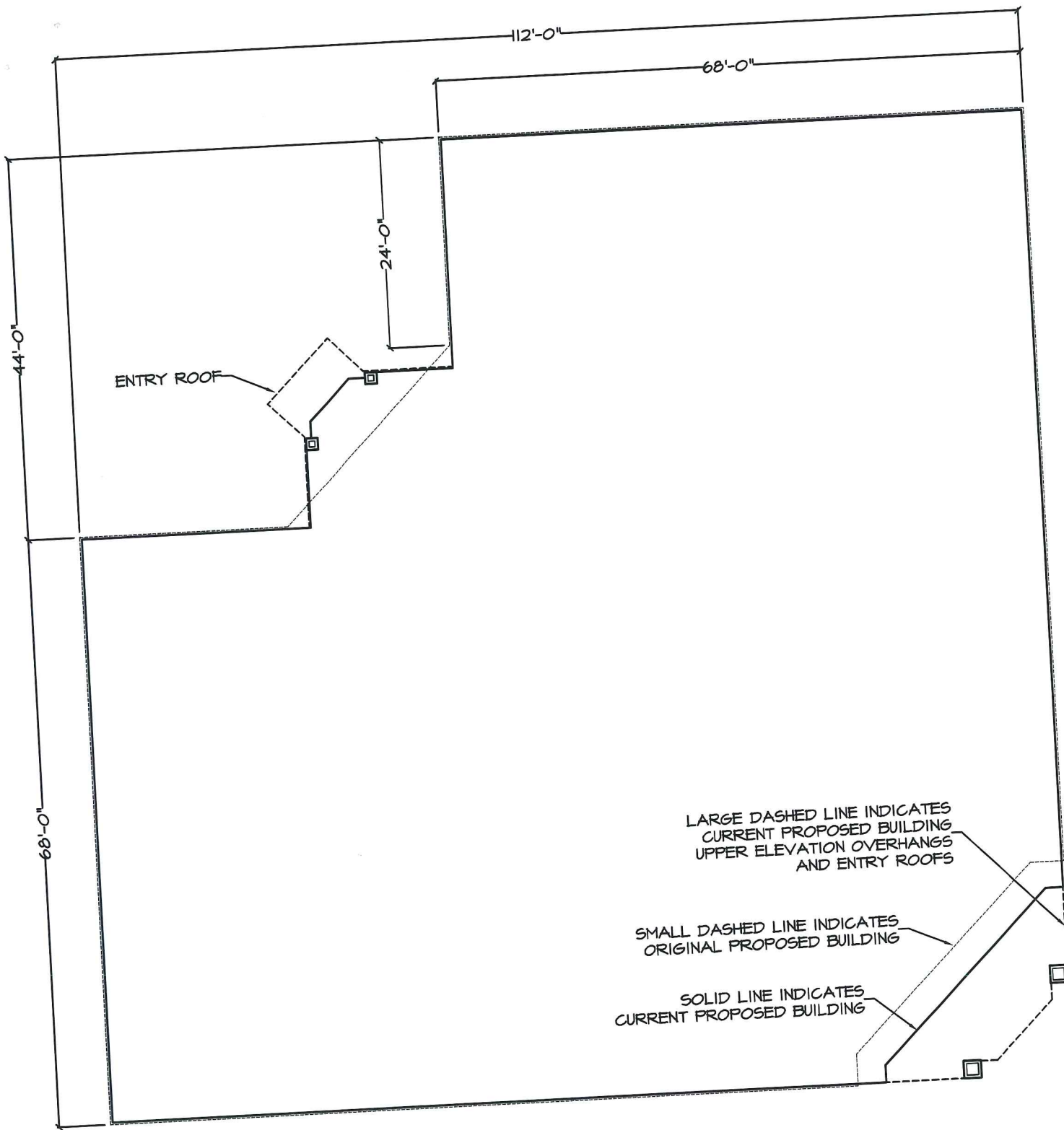


ROOFTOP LINE OF SIGHT

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE



CONSTRUCTION CORPORATION
11 CORPORATE DRIVE, BELMONT NH 03220
PHONE (603) 527-9090 FAX (603) 527-9191



BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE

LARGE DASHED LINE INDICATES
 CURRENT PROPOSED BUILDING
 UPPER ELEVATION OVERHANGS
 AND ENTRY ROOFS

SMALL DASHED LINE INDICATES
 ORIGINAL PROPOSED BUILDING

SOLID LINE INDICATES
 CURRENT PROPOSED BUILDING

OPECHEE
 CONSTRUCTION CORPORATION

11 CORPORATE DRIVE, BELMONT NH 0322
 PHONE (603) 527-9090 FAX (603) 527-9191

GROUND-FACE MASONRY

04200/TRF
BuyLine 1813



Virginia Mutual Insurance
Richmond, VA
Architect: Baskervill & Son
Mason: Capital Masonry



About the Company

Since its founding in 1973, Copper Sales, Inc., has become an industry leader in the manufacturing of architectural metal products. Competitively priced, our complete product line features the highest quality currently available in metal roofing, panels, column covers, and accessories in a variety of applied finishes and materials — all from a single source.

Our 300,000 sq. ft. manufacturing and office facility in Anoka, MN, and our 50,000 sq. ft. manufacturing facility in Jackson, MS are fully

equipped with state-of-the-art technology to ensure unparalleled quality and service from coil to finished product.

From sales and management to engineering and manufacturing, the Copper Sales team of knowledgeable professionals is available to provide vital product information and customer support from initial design development through to successful project completion. Our nationwide network of independent representatives provides additional support and expertise to designers, architects, and contractors throughout the United States.

See Sweets 07610/COP for roofing systems and 07415/COP for wall panels.

UNA-FAB Custom Column Covers

The UNA-FAB systems allow for a variety of options for the architectural designer. Column covers are custom made in **round, square, oblong, and rectangular** shapes. Copper Sales makes it easy to convert an unfinished concrete column, H-beam, corner condition, or bullnose to enhance the appearance of the structure.

UNA-FAB column covers are made with precision. A variety of metals, colors, and shapes are provided to the designer.

Copper Sales offers a wide selection of finishes. Painted finishes are available in an almost unlimited range of colors. Anodized aluminum finishes are available in clear satin, a variety of bronze shades, burgundy, and black. Using state-of-the-art technology, colors can be matched to meet most requirements.

For exterior use, a full strength Hylar 5000™/Kynar 500® 70% resin is recommended for longevity and durability. Powder coating is also available in a limited selection of colors.

UNA-FAB column covers features:

- Custom fabricated metals:
 - Aluminum — .125" thickness recommended
 - Copper — .125" thickness recommended
 - Stainless steel — 16 gauge recommended
 - Muntz metal — 16 gauge recommended
 - Composite panels — 4 mm and 6 mm
- Available in lengths up to 16'
- Copper composite material
- Easy installation
- True to radius
- 8" minimum radius standard
- Versatile systems allow designers to achieve unlimited radius and height by sectioning columns
- Available in a wide range of colors and finishes, including the stone series finish on Series 1000
- Round, oblong, square, rectangular, and custom shapes available
- Custom and standard top and bottom reveals available

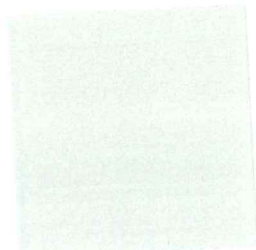


PROJECT: MITC University of New Mexico
 ARCHITECT: DCSW Architects, Inc.
 GENERAL CONTRACTOR: Gerald Martin Limited
 CONTRACTOR: Southwest Glass & Glazing
 MATERIALS: .125 Aluminum, UNA-FAB Series 200 Column Covers

CBS COLDMATIC BUILDING SYSTEMS

High Performance Composite Foam Panel

Standard Colors

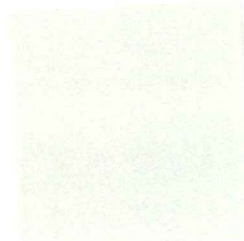


Imperial White
SMP - USDA

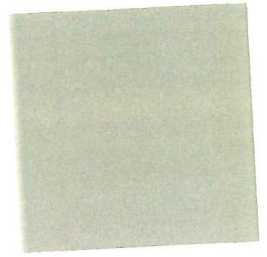
Driftwood



Regal White

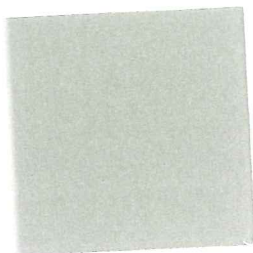


Sandstone

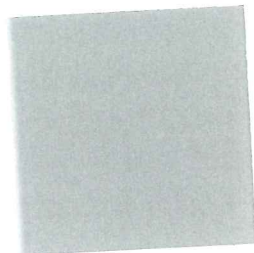


Surrey Beige

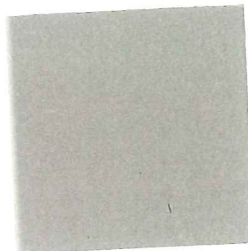
Custom Colors



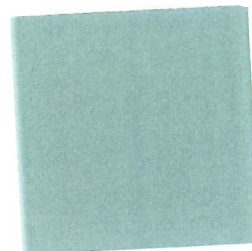
Ash Gray



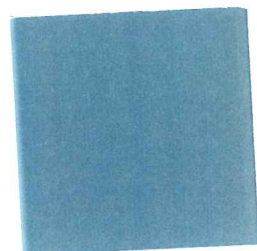
Rockport Gray



Taupestone



Willow Green



Slate Blue

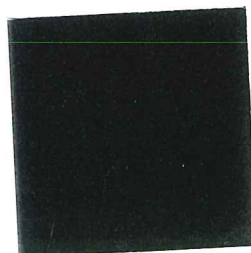
Premium Colors



Bright Silver Metallic



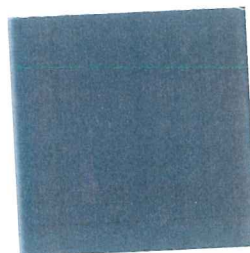
Colonial Red



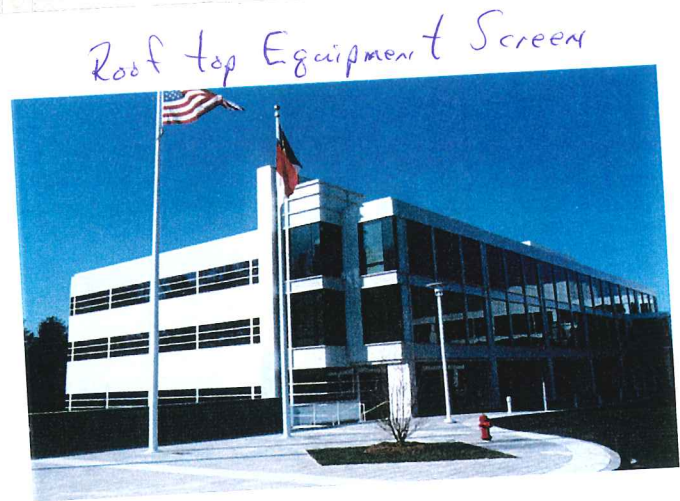
Dark Bronze



Evergreen



Twilight Blue



Colors shown are approximate to actual finish on metal.
All paint is Kynar (70% PVF2) unless noted.
Confirm availability and actual paint color before placing order.

Kynar is a registered trademark of Elf Atochem North America, Inc.

This card issued January 2000

Coldmatic Building System

A member of the Coldmatic Group of Companies
8500 Keele Street, Concord, Ontario Canada L4K 2A7

Tel: 905-738-1212 (from USA 800-668-4166)

Fax: 905-738-9111

www.coldmatic.com E-mail: sales@coldmatic.com



September 7, 2001

Mr. Rick Knowland
Planning Department
City of Portland, Maine
389 Congress Street
Portland, ME 04101

RE: Bayside Square

Dear Rick,

Please find attached the requested architectural information relative to the Bayside Square office building on Marginal Way. The following is a summary of the proposed changes:

1. Tile façade changed to brick:

Early plans of the project depicted a brick siding. At some stage in the project, it was determined that brick siding would add approximately 20% to the weight of the structure. Due to poor soil conditions, this additional weight results in significant additional piling costs. A search for lighter material was initiated and ultimately a tile veneer was selected. Upon further review, the tile presented the following problems:

1. The freezing and thawing cycles of a New England climate raised concerns with the structural methodology for adhering the tiles.
2. The somewhat atypical method of installing a tile facade was resulting in cost that exceeded brick, and therefore negated the efficiency of the lighter material.
3. Many of the prospective tenants who viewed the tiles were concerned with the overall aesthetics. Some simply disliked the tile, and others were concerned that the building might quickly become dated as design trends change.

It was determined that a predominantly brick façade would be structurally proven, durable, and yield the high quality aesthetics that the tenants and owners desired.

2. Ground face masonry accents in lieu of black metal panel:

The initial design implemented a black metal panel as a building accent to the tile façade. Again, this material resulted in building weight savings. Any black material is susceptible to fading over time. Concerns were raised that the ultimate fading of this material would result in a dated and unmaintained appearance. Accordingly, an architectural ground face masonry accent has been added to the building. This product achieves the same long-term durability and aesthetics as the brick.

3. Replacement of tall profile mechanical equipment structure with low profile mechanical equipment and equipment screen.

The original building employed a very tall mechanical equipment housing located on the most prominent building corner. Efforts were made in the initial design to incorporate this structure into the corner facade of the building. However there may have been insufficient consideration given to the appearance of this structure from alternative views. The view from an elevated I-295 would be significantly more intrusive than that depicted on the rendering. Accordingly, we have incorporated the following changes:

1. We have elected to use a grouping of low profile mechanical equipment set back from the roofline, rather than one large, tall piece of mechanical equipment.
2. To further enhance the appearance, we have proposed a low profile mechanical equipment screen to minimize the visual impact of mechanical equipment.

4. Removal of the 5th story metal canopy at the southerly and easterly elevations, and replacement with pedestrian scale element along the Marginal Way and Preble Street elevations.

The original renderings depicted a metal canopy above the 5th floor windows along the southerly and easterly elevations. Many of the prospective tenants felt that this canopy, combined with the black panels, gave the building an ominous appearance. Concerns were also raised that snow and ice accumulating on the metal canopy could fall to the street level, with the potential for serious injury to pedestrians. In lieu of the 5th floor canopy, we have elected to work with the planning staff and create a pedestrian scale glass and metal suspended entry element on the corner of Preble Street and Marginal Way, along with building mounted light fixtures along these sidewalk elevations.

5. Ground floor metal accent materials have been changed to masonry accent materials.

The original plans specified metal panel column covers along the 1st floor Marginal Way and Preble Street elevations. As can be seen on the site plans, the elevations are in close proximity to the public sidewalks. The metal panel elements would likely be subject to damage from snow removal equipment. The current design utilizes masonry at these areas. The masonry will be much less susceptible to potential damage.

6. Minor revisions to the building footprint.

The original site engineering plans closely depicted the building shape, but did not accurately depict such architectural building features as cantilevered building areas and architectural columns. The attached sheet shows an accurate depiction of the building footprint and overhead cantilevers which will be constructed on site.

I trust that this information will be helpful in your review of our project.

Sincerely,



Tom Daigneault
Vice President

TD/pc

Attachments

**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Chair Caron and Members of the Portland Planning Board
FROM: Richard Knowland, Senior Planner
DATE: September 11, 2001
SUBJECT: Bayside Office Building, 76 Marginal Way

On May 22, 2001, the Planning Board approved a site plan for a 50,000 sq. ft. office building at 76 Marginal Way (the "Salt Shed" site.) The applicant, Atlantic National Trust, is now proposing a different façade treatment to the building than what the Board approved. The applicant requests approval for the new building façade.

The basic building shell is similar to the original concept - 5 stories high, built to the street line and almost identical building footprints. Although both buildings have a base, body and top, they have different materials and architectural details.

Original Façade

As the Board will recall, the primary façade was a terra cotta masonry tile. See Attachment A. The first floor had large windows giving the impression of a retail storefront, reinforced by a series of columns along the façade. The upper story of the building was capped by windows, metal trim, and metal shades. The metal trim was described as tern (zinc/nickel compound) coated steel panels. The sunshades were supported by aluminum rods and connected to a series of ornamental elements.

The Preble Street/Marginal Way corner of the building was slotted providing a very visible entrance. The corner treatment includes columns two stories high, tern metal panels and gray glass windows to the roofline. The corner treatment was further accentuated by a gray colored structure (housing mechanical equipment) integrated into the building design that rose above the roofline.

Proposed Façade

The proposed façade design is simpler and more conservative than the original façade design. Attachment B includes a description of the changes, building elevations and some material information. The primary exterior material is red brick (standard size). The base of the building will have a ground face masonry unit (gray in color) punctuated by large windows. This masonry material is continued along the roofline and as an accent strip below the fifth floor. The first floor windows will be clear glass while the upper story glazing has a tint of blue.

There is a 5 ft. 4 inch rooftop equipment screen to hide the mechanical equipment. A submitted overhead plan shows the equipment and screen location on the roof. It is set back from the roofline edge.

The Marginal Way and Preble Street building corner is defined by glazing from the second floor to the top floor as a way to highlight the buildings presence at the corner.

Staff Comments:

Staff has reviewed the submitted plans and has offered the following comments. We have discussed these comments with the applicant and they are agreeable to make these changes. They are in the process of developing concept plans to address these items.

1. The corner entryway should be more prominent. The previous plan was more successful in this regard. This site is an important gateway to the City. We have suggested that a pedestrian scale glass and metal suspended entry element be designed into the Marginal Way and Preble Street building entrance. This element needs to be integrated into the overall design of the building.

2. Appropriate pedestrian scale light fixtures mounted along the first floor of the building (along Marginal Way and Preble Street sides) would give the first floor a more retail flavor and enliven the façade at the pedestrian level.

MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in this memo, the Planning Board finds:

- A. That the revised building façade plan is in conformance with the Site Plan Ordinance of the Land Use Code.

Potential Conditions of Approval:

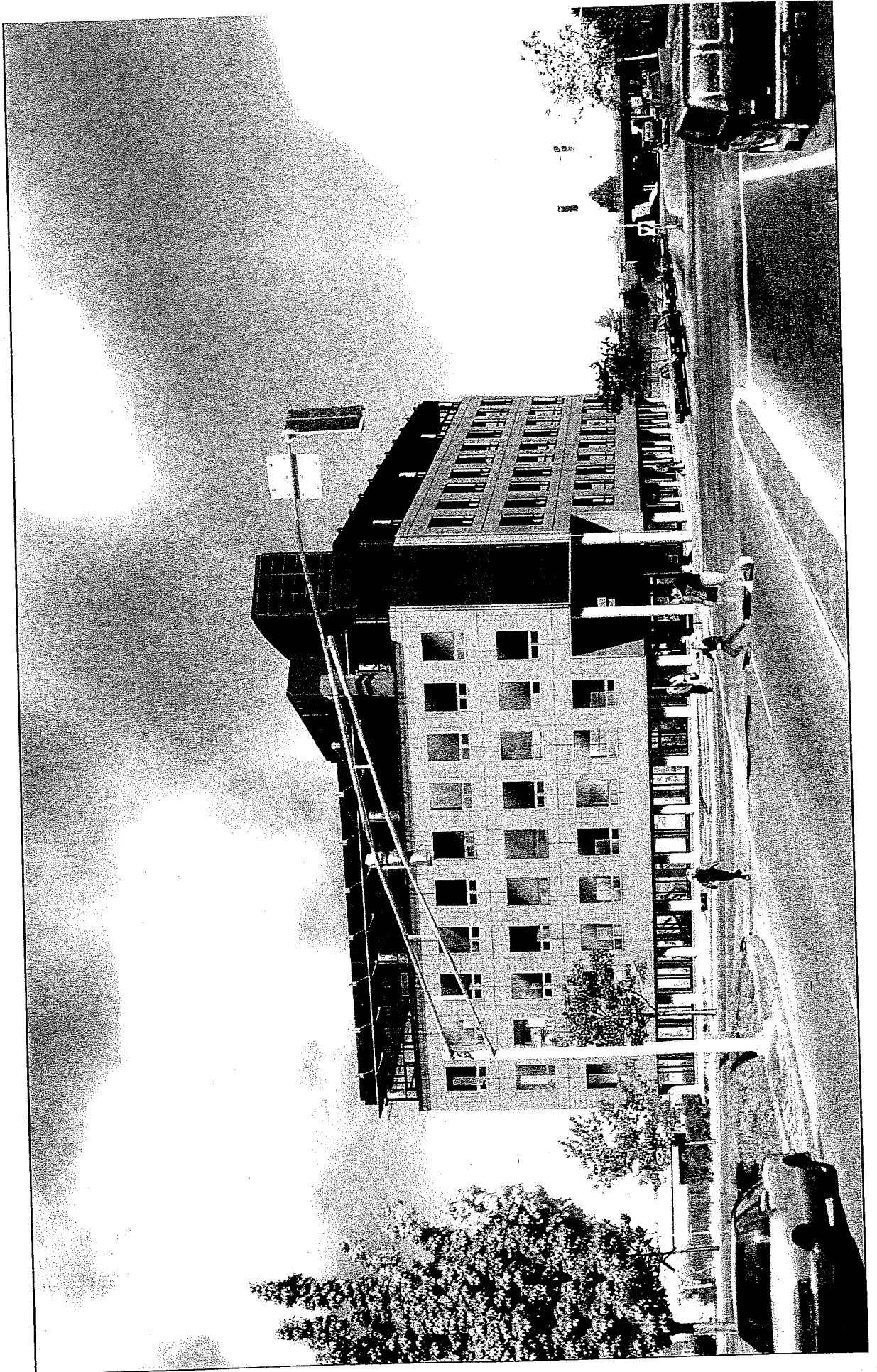
- i. That the building façade plans shall be revised for planning staff review and approval incorporating a new entryway treatment at the Marginal Way and Preble Street building corner and appropriate pedestrian scale lighting fixtures along the first floor of building along Marginal Way and Preble Street.

Attachments

- A. Approved Original Façade Plan
- B. Proposed Façade Plan

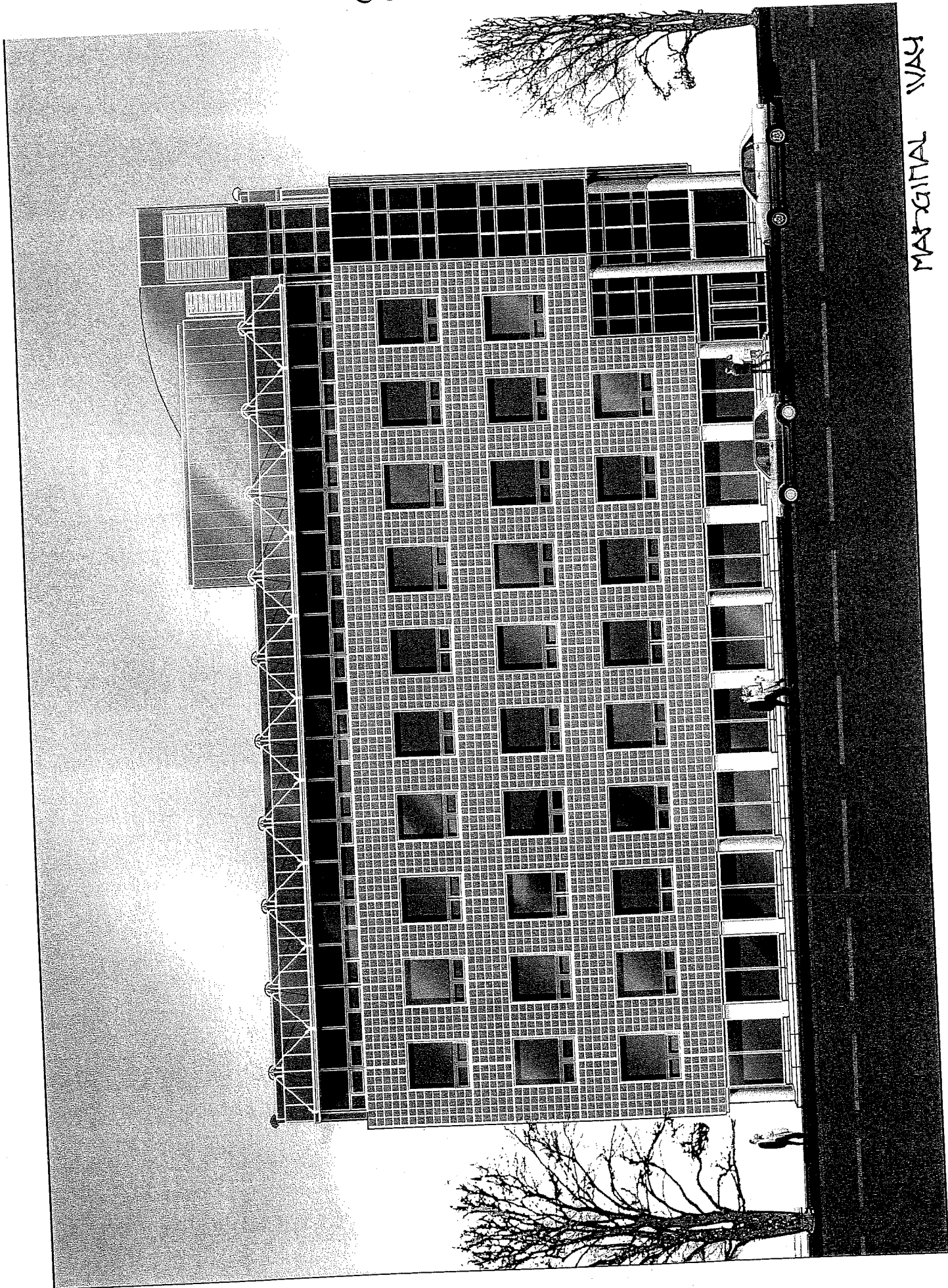
ORIGINAL DESIGN

ATTACHMENT A



ORIGINAL DESIGN

A-3



MARGINAL WAY

ORIGINAL DESIGN

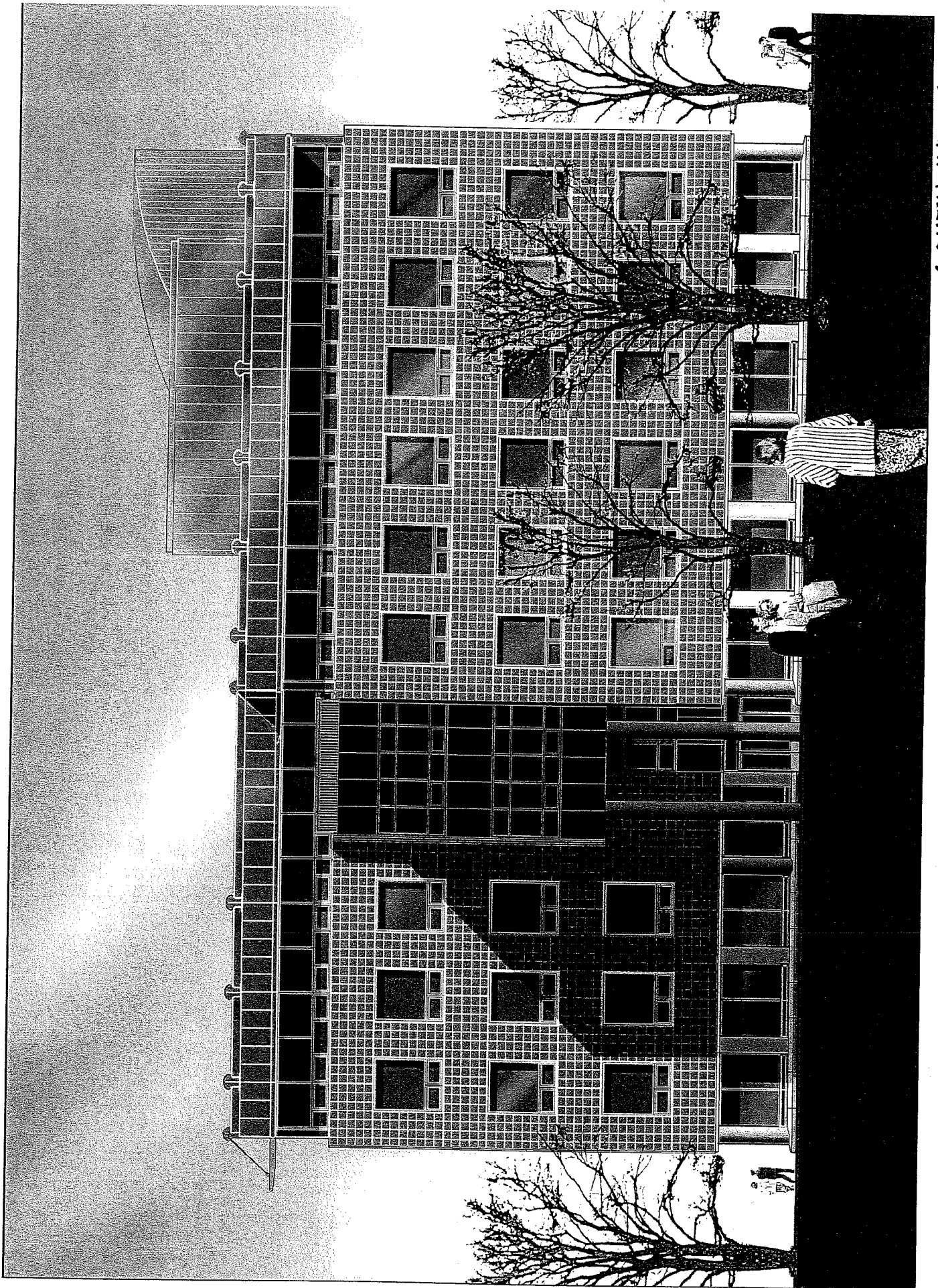
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PREBLE STREET

ORIGINAL DESIGN

A-5



SOUTH WEST

PAUL,

YOU MAY KEEP THEM

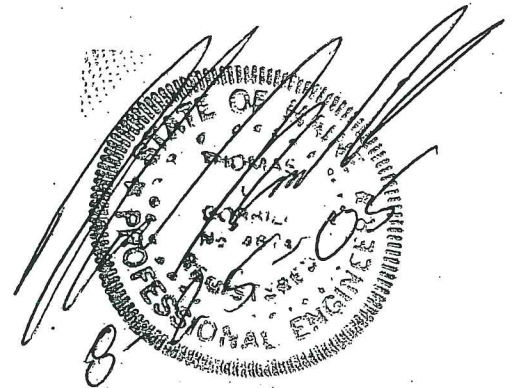
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**Traffic Impact Study
Multi-Tenant Office Building
Portland, Maine**

Prepared for:

**Mitchell & Associates
70 Center Street
Portland, Maine 04101**

August 2005



Prepared by:



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

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Traffic Impact Study
Multi-Tenant Office Building
Portland, Maine
August 2005

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Appendix A

Site Location Diagram
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Appendix B

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Trip Generation Calculations
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Executive Summary

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Gorrill-Palmer Consulting Engineers, Inc. was retained by Mitchell & Associates to examine the traffic impacts associated with a proposed 16,600 s.f. office building and a 2,800 s.f. credit union with one drive-thru lane. Access is planned via a proposed entrance-only driveway off Marginal Way and a proposed full access driveway off Hanover Street. The study location is shown in Figure 1 of Appendix A.

Based on the results of the study, our office finds the following:

1. The proposed development is forecast to generate a total of 53 and 115 trip ends for the weekday AM and PM peak hour, respectively. Trip generation credits were calculated based on the former Miss Portland Diner, which exists on-site. As a result, the proposed development is forecast to generate 24 and 76 trip ends that are new to the local street system for the weekday AM and PM peak hour, respectively. Based on this information, it is our opinion that the project does not require a traffic movement permit. Although the MaineDOT normally addresses this issue, the City of Portland has been delegated full review authority for traffic permitting.
2. The level of service analyses show that the site driveways will operate at an acceptable level of service. No significant changes in the level of service are forecast at the intersection of Marginal Way and Preble Street.
3. Gorrill-Palmer Consulting Engineers, Inc. obtained crash data from the MaineDOT to determine if any locations within the study area are considered High Crash Locations (HCL's). Based on this information, there are no High Crash Locations within the study area.
4. The sight lines for the proposed driveway off Hanover Street exceed MaineDOT and the City of Portland requirements. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed three feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.
5. Based on the site plan the proposed drive-thru lane provides adequate stacking for approximately five vehicles. Additional room for two vehicles entering the drive-thru is provided in the parking area. These vehicles may interfere with egress from adjacent parking spaces however it is anticipated that vehicles queuing into the parking area will be relatively infrequent and short in duration.

6. Gorrill-Palmer Consulting Engineers, Inc recommends the installation of a crosswalk on Hanover Street to accommodate pedestrians utilizing the proposed sidewalk fronting the site on Marginal Way.
7. Our office recommends the turning radius on the corner of Marginal Way and Hanover Street be examined to provide adequate accommodations for right turning vehicles from Marginal Way onto Hanover Street.
8. The project is forecast to increase the number of left turns from Hanover Street onto Marginal Way from 61 to 86 vehicles during the PM peak hour. Our office anticipates that this increase can be accommodated given the past safety record of the intersection and its urban location. However, Gorrill-Palmer Consulting Engineers, Inc. recommends monitoring the intersection to determine if traffic generated from the proposed development has an impact on vehicle collisions.

Based on these findings and recommended improvements, it is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the existing street system as well as the proposed driveways can accommodate the traffic generated by the site.

I. *Proposed Site*

Proposed for the site would be a 16,600 s.f. office building and a 2,800 s.f. credit union with one drive-thru lane. Access to the site would consist of an entrance-only driveway off Marginal Way and a full access driveway off Hanover Street.

II. *Background Traffic Conditions*

Gorrill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan provided by Mitchell & Associates dated June 30, 2005.
- Crash information for 2002-2004 provided by the Maine Department of Transportation.
- Turning movement counts collected by Gorrill-Palmer Consulting Engineers, Inc. at Marginal Way and Hanover Street on August 1, 2005 from 4:00PM to 6:00PM and on August 2, 2005 from 7:00AM to 9:00 AM.
- Turning movement counts collected by Gorrill-Palmer Consulting Engineers, Inc. at Marginal Way and Preble Street on August 1, 2005 from 4:00PM to 6:00PM and on August 2, 2005 from 7:00AM to 9:00 AM.

Predevelopment Traffic Volumes

Seasonal Adjustment

MaineDOT utilizes highway classifications of I, II, or III for state and local roadways. Type I roadways are defined as urban roadways, or those roads that typically see commuter traffic and experience little fluctuation from week to week throughout the year. Type II roadways, or arterial roadways are those that see a combination of commuter and recreational traffic and therefore experience moderate fluctuations during the year. Type III roadways, or recreational roadways are typically used for recreational purposes and experience significant seasonal fluctuation.

As volumes were collected in the summer, an increase in the volumes was not required.

Annual Growth

The proposed development is anticipated to be completed by 2007. The raw volumes were increased by one percent per year in the study area to reflect estimated yearly traffic increases in the area. This rate was based on the Portland Peninsula study.

Other Development

Approved projects that are not yet opened as well as projects for which applications have been filed are required to be included in the predevelopment volumes for this project. Gorrill-Palmer Consulting Engineers Inc. has contacted the City of Portland and reviewed our project files to determine whether there are any other projects whose traffic should be included as background traffic in the study for this project. Based on this information the following projects were identified to be included as background development:

- Ocean Gateway
- Waterview Apartments
- Medical Office Building
- Chestnut Street Extension
- Somerset Market Place
- Pearl Place
- Renovation of the former Jordan's Meats

The raw traffic count volumes as shown in Figure 2 were annually adjusted and combined with the other development volumes shown in Figure 4 to result in the 2007 predevelopment volumes shown in Figure 5 for the AM and PM peak hour.

III. Trip Generation

For the purposes of trip generation, Gorrill-Palmer Consulting Engineers, Inc. utilized the Institute of Transportation Engineers (ITE) publication *Trip Generation*, 7th Edition. The ITE publication references Land Use Code 710, General Office Building and Land Use Code 912, Drive-In Bank as appropriate land use codes for this type of development. Gorrill-Palmer Consulting Engineers, Inc. also utilized Land Use Code 932, High Turnover (Sit Down) Restaurant for the purpose of calculating trip generation credits based on the former Miss Portland Diner (48 seats) which exists on-site.

Based on information provided to us, it is our understanding that the site will be comprised of a 16,600 s.f. office building and a 2,800 s.f. credit union with one drive-thru lane.

The proposed development is forecast to generate a total of 53 and 115 trip ends for the weekday AM and PM peak hour, respectively. Trip generation credits were calculated based on the former Miss Portland Diner, which exists on-site. As a result, the proposed development is forecast to generate 24 and 76 trip ends that are new to the local street system for the weekday AM and PM peak hour, respectively. Based on this information, it is our opinion that the project does not require a traffic movement permit. Although the MaineDOT normally addresses this issue, the City of Portland has been delegated full review authority for traffic permitting.

VI. *Trip Assignment*

The trip assignment has been based on turning movement counts completed by our office, previous traffic impact studies completed for other projects in the Bayside area, and our understanding of the study area. The primary trip distribution and trip assignment are shown on Figures 6 and 7. The secondary trip assignment (pass-by and diverted) is shown on Figure 8. The total trip assignment for the proposed development is shown on Figure 9.

VII. *2007 Postdevelopment Traffic*

The anticipated year 2007 predevelopment traffic shown on Figure 5 of Appendix A has been combined with the traffic forecast for the development shown on Figure 9 of Appendix A to yield the 2007 postdevelopment traffic shown on Figure 10 of Appendix A.

VIII. *Study Area*

The study area for the project includes the following:

- Proposed site driveway and Marginal Way
- Proposed site driveway and Hanover Street
- Marginal Way and Hanover Street
- Marginal Way and Preble Street

IX. *Capacity Analyses*

The following capacity analyses were performed using Synchro 6 Traffic Software with results reported according to the Highway Capacity Manual (HCM) specifications. Levels of service rankings are similar to the academic ranking system where an 'A' represents little control delay and an 'F' represents significant delay. A level of service 'D' or above is desired at a signalized intersection. At an unsignalized intersection, if the level of service falls below a 'D', an evaluation should be made to determine if a traffic signal is warranted.

The following tables summarize the relationship between control delay and level of service:

Level of Service Criteria for Signalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

Level of Service Criteria for Unsignalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

Gorrill-Palmer Consulting Engineers, Inc. completed capacity analyses for the intersections listed in Section VIII. The analyses were based on Figure 5 for the predevelopment scenarios and Figure 10 for the post development scenarios. The results of the capacity analyses are summarized as follows. The detailed analyses are included in Appendix B.

Level of Service for Proposed Site Driveway and Marginal Way

Approach/Movement	2007 AM Peak Hour				2007 PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Marginal EB – TR	<1	A	<1	A	<1	A	<1	A
Marginal WB – LT	<1	A	1	A	<1	A	1	A
Site Drive NB (Entrance Only)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Level of Service for Proposed Site Driveway and Hanover Street

Approach/Movement	2007 AM Peak Hour				2007 PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Hanover NB – LT	<1	A	1	A	<1	A	<1	A
Hanover SB – TR	<1	A	<1	A	<1	A	<1	A
Site Drive EB	N/A	N/A	9	A	N/A	N/A	10	A

Level of Service for Hanover Street and Marginal Way

Approach/Movement	2007 AM Peak Hour				2007 PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Hanover NB	11	B	12	B	14	B	17	C
Marginal EB – TR	<1	A	<1	A	<1	A	<1	A
Marginal WB – LT	3	A	4	A	1	A	2	A

Level of Service for Marginal Way and Preble Street

Approach/Movement	2007 AM Peak Hour				2007 PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Preble NB - L	48	D	48	D	46	D	48	D
Preble NB - TR	24	C	24	C	28	C	31	C
Preble SB - L	45	D	45	D	43	D	45	D
Preble SB - TR	21	C	21	C	22	C	24	C
Marginal EB - L	50	D	50	D	52	D	48	D
Marginal EB - TR	38	D	38	D	36	D	35	D
Marginal WB - L	48	D	48	D	46	D	48	D
Marginal WB - T	28	C	28	C	39	D	39	D
Marginal WB - R	27	C	27	C	37	D	38	D
Overall Performance	32	C	32	C	35	D	36	D

Based on the above tables, the proposed site driveways are anticipated to operate at an acceptable level of service. No changes in the level of service are forecast at the intersection of Marginal Way and Preble Street. The Hanover Street northbound approach at Marginal Way is anticipated to show an increase in delay from 14 seconds (LOS 'B') to 17 seconds (LOS 'C') during the PM peak hour. No additional changes in level of service are anticipated at the intersection of Hanover Street and Marginal Way.

X. Queue Analyses

Gorrill-Palmer Consulting Engineers, Inc. has evaluated the queue lengths at the proposed site driveways, Marginal Way at Hanover Street, and Marginal Way at Preble Street. Evaluations were based on HCM analyses for the unsignalized locations and Synchro 6 analyses for the signalized location. The queue analyses are summarized in Appendix B of this report.

The results show that the queuing on Hanover Street at Marginal Way will not interfere with access to and from the Hanover Street site drive. In addition the queuing on Marginal way at Preble Street is not anticipated to interfere with access to and from the Marginal Way site drive. The results were verified during a site visit on August 1, 2005 and during the collection of both AM and PM traffic counts. It should be noted that the painted stop bar located on the eastbound approach of Marginal Way at the entrance to Hanover Street was observed by the majority of drivers during a red light event on Marginal Way at Preble Street. The painted stop bar on Marginal Way at the entrance to Hanover Street provides an acceptable gap for vehicles to enter and exit to and from Hanover Street.

Although the right turning traffic from Marginal Way onto Forest Ave did extend past the existing site driveway once during our observations, the thru lane, which would receive left turning traffic from Hanover Street was always open. Therefore, it is the opinion of our office that from a queuing standpoint, operations will be acceptable.

XI. *Onsite Circulation*

An entrance-only driveway off Marginal Way and a full-access driveway off Hanover Street will provide access to the site. Based on the site plan, traffic entering the site from Marginal Way will be directed through the site via a one-way travel lane located on the westerly side of the parking lot and via a single drive-thru lane adjacent to the building. Based on this design, all traffic entering the site from Marginal Way and Hanover Street will be required to exit onto Hanover Street.

Based on the site plan the proposed drive-thru lane provides adequate stacking for approximately five vehicles. Additional room for two vehicles entering the drive-thru is provided in the parking area. These vehicles may interfere with egress from adjacent parking spaces however it is anticipated that vehicles queuing into the parking area will be relatively infrequent and short in duration.

XII. *Pedestrian and Offsite Circulation*

Gorrill-Palmer Consulting Engineers, Inc recommends the installation of a crosswalk on Hanover Street to accommodate pedestrians utilizing the proposed sidewalk fronting the site on Marginal Way.

Our office recommends the turning radius on the corner of Marginal Way and Hanover Street be examined to provide adequate accommodations for right turning vehicles from Marginal Way onto Hanover Street.

XIII. *Transportation Demand Management*

In effort to reduce peak hour demands to the site and minimize the use of single-occupant vehicles, our office recommends consideration be given to implementing a transportation demand management (TDM) program. This program could include but not be limited to the following:

Promotion of Public Transportation

The cost or a portion of the cost of monthly bus passes be subsidized by the facility as an incentive for employees to utilize the local public transportation network. It should be noted that one of the METRO bus routes passes by the site on Marginal Way.

Ridesharing Program

Ridesharing programs encourage commuters to ride in vehicles with other commuters rather than drive alone. The facility could provide ride-matching services through postings in public areas. Reserved parking spaces for vehicles that are used for van or carpooling could be provided.

Provision of Bicycle Amenities

Enclosed and secure bicycle facilities should be provided for employees interested in bicycling to work.

XIV. Crash Data

In order to evaluate whether a location has a crash problem, MaineDOT uses two criteria to define High Crash Locations (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual accident rate to the rate for similar intersections in the State. A CRF of less than 1.00 indicates a rate less than average) and:
2. A minimum of 8 crashes over a three-year period.

Our office reviewed the MaineDOT crash records for the last three years in the study area (2002-2004). The following table summarizes the crash data provided by MaineDOT for the locations that satisfy either Criteria 1, 2 or both:

MaineDOT Crash Data for 2002-2004: Intersections

Node	Intersection	# of Collisions	CRF	HCL?
7254	Marginal Way at Forest Ave and State Street	25	0.55	No
PO8943	Marginal Way at Elm Street and Preble Street	26	0.63	No

MaineDOT Crash Data for 2002-2004: Road Segments

Nodes	Street	From	To	# of Collisions	CRF	HCL?
07254-09419	Marginal Way	Forest Ave	Hanover Street	6	1.12	No
08943-09419	Marginal Way	Preble Street	Hanover Street	1	1.60	No

Based on the published history, there are no High Crash Locations within the study area.

The project is forecast to increase the number of left turns from Hanover Street onto Marginal Way from 61 to 86 vehicles during the PM peak hour. Our office anticipates that this increase can be accommodated given the past safety record of the intersection at its urban location. However, Gorrill-Palmer Consulting Engineers, Inc. recommends monitoring the intersection to determine if traffic generated from the proposed development has an impact on vehicle collisions. The crash history has been provided in Appendix C of this report.

XV. Sight Line Analysis

The Maine Department of Transportation (MaineDOT) and the City of Portland have guidelines for sight distances at roadways. The sight line standards for MaineDOT and the City of Portland are as follows:

Sight Distance Requirements

Speed (mph)	MaineDOT	City of Portland
25	200	367
30	250	440
35	305	513
40	360	587
45	425	660
50	495	773

Gorrill-Palmer Consulting Engineers, Inc. has evaluated the available sight lines at the proposed site driveway on Marginal Way and Hanover Street in accordance with MaineDOT standards.

The MaineDOT standards are as follows:

- Roadway observation point: 10 feet off major street travelway
- Height of eye at roadway: 3 ½ feet above ground
- Height of approaching vehicle: 4 ¼ feet above road surface

The posted speed limit on Marginal way is 35 mph. The assumed speed limit on Hanover Street is 25 mph. Based on the site review, the sight distance looking to the left from the Marginal Way driveway is approximately 525 feet to the intersection with Forest Ave. The sight distance to the right is approximately 350 feet to the intersection with Preble Street. The sight distance looking to the left from the Hanover Street driveway is approximately 150 feet to the intersection with Marginal Way. The sight distance looking to the right is approximately 375 feet to the intersection with Kennebec Street.

Vehicles on Marginal Way observing a red light at the intersection with Preble Street routinely obstruct the sight distance from Hanover Street onto Marginal Way. This obstructed sight distance does provide a safety concern, however as indicated in the Crash Data section of this report, there is not currently a collision problem at this location. As indicated previously our office recommends monitoring the intersection to determine if traffic generated from the proposed development has an impact on vehicle collisions. No improvements are recommended at this time.

Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed three feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

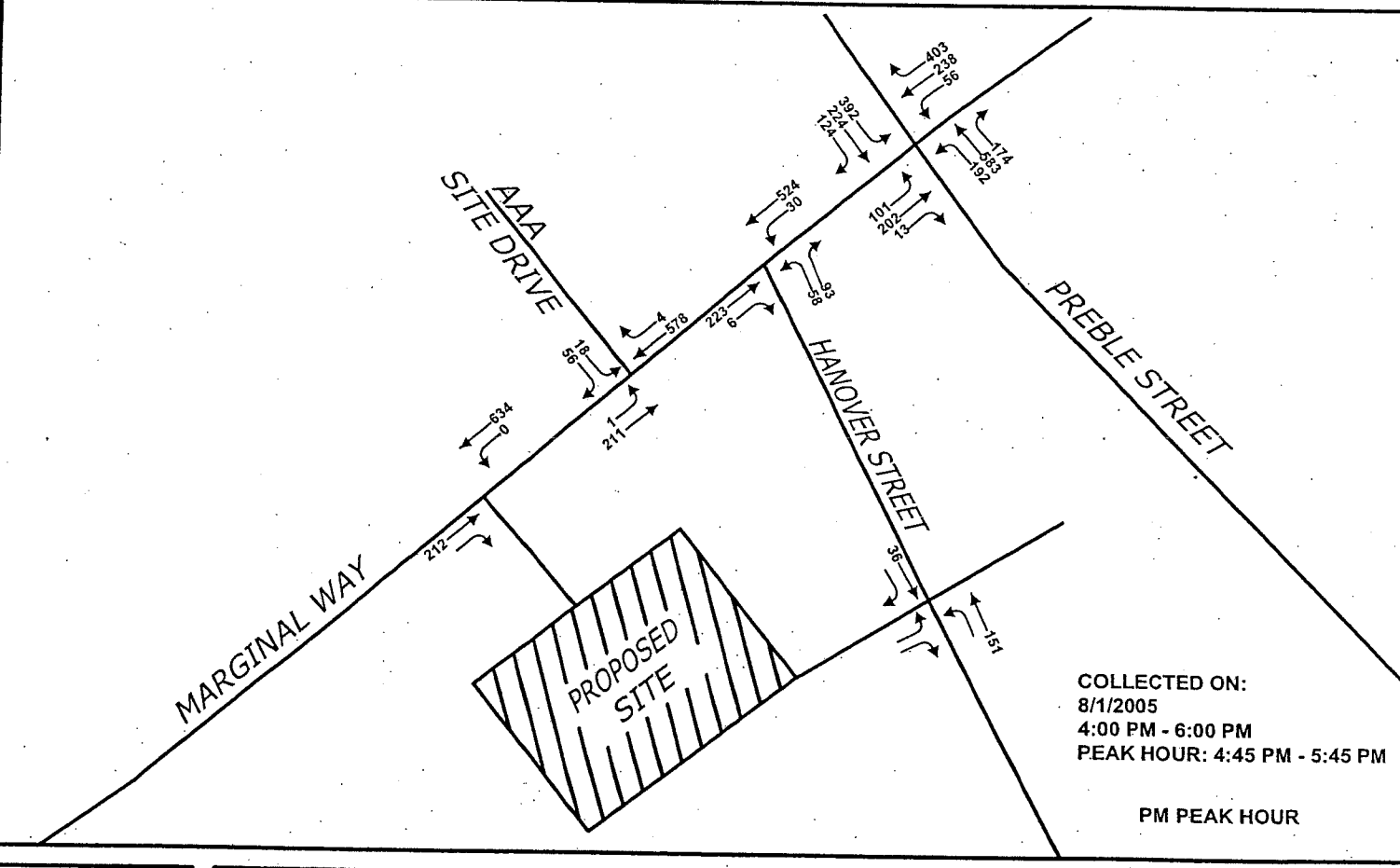
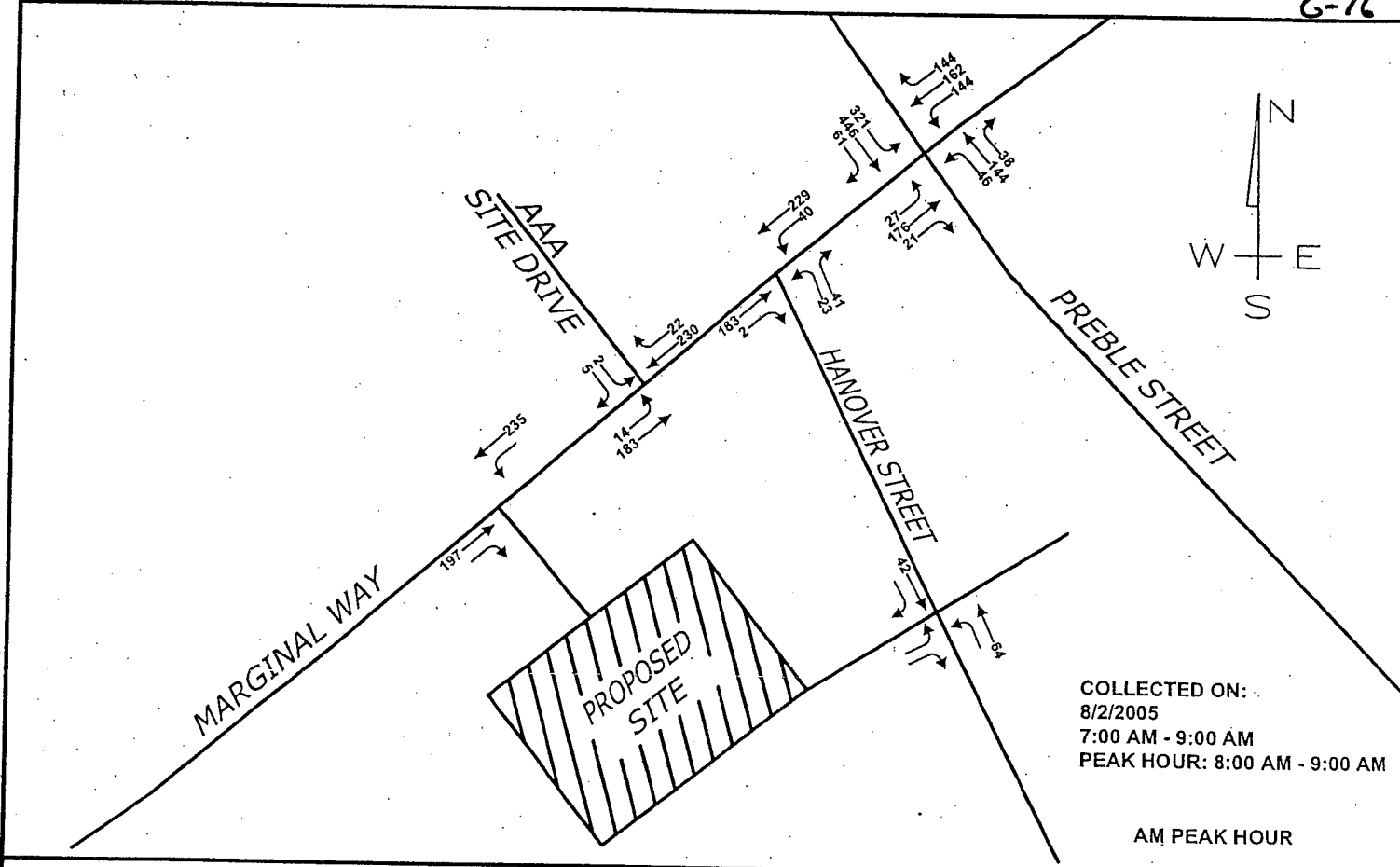
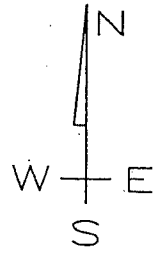
XVI. Conclusions

Gorrill-Palmer Consulting Engineers, Inc. has examined the impact of the traffic associated with the proposed Multi-Tenant Office Building and reached the following conclusions:

1. The proposed development is forecast to generate a total of 53 and 115 trip ends for the weekday AM and PM peak hour, respectively. Trip generation credits were calculated based on the former Miss Portland Diner, which exists on-site. As a result, the proposed development is forecast to generate 24 and 76 trip ends that are new to the local street system for the weekday AM and PM peak hour, respectively. Based on this information, it is our opinion that the project does not require a traffic movement permit. Although the MaineDOT normally addresses this issue, the City of Portland has been delegated full review authority for traffic permitting.
2. The level of service analyses show that the site driveways will operate at an acceptable level of service. No significant changes in the level of service are forecast at the intersection of Marginal Way and Preble Street.
3. Gorrill-Palmer Consulting Engineers, Inc. obtained crash data from the MaineDOT to determine if any locations within the study area are considered High Crash Locations (HCL's). Based on this information, there are no High Crash Locations within the study area.
4. The sight lines for the proposed driveway off Hanover Street exceed MaineDOT and the City of Portland requirements. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed three feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.
5. Based on the site plan the proposed drive-thru lane provides adequate stacking for approximately five vehicles. Additional room for two vehicles entering the drive-thru is provided in the parking area. These vehicles may interfere with egress from adjacent parking spaces however it is anticipated that vehicles queuing into the parking area will be relatively infrequent and short in duration.
6. Gorrill-Palmer Consulting Engineers, Inc recommends the installation of a crosswalk on Hanover Street to accommodate pedestrians utilizing the proposed sidewalk fronting the site on Marginal Way.
7. Our office recommends the turning radius on the corner of Marginal Way and Hanover Street be examined to provide adequate accommodations for right turning vehicles from Marginal Way onto Hanover Street.

8. The project is forecast to increase the number of left turns from Hanover Street onto Marginal Way from 61 to 86 vehicles during the PM peak hour. Our office anticipates that this increase can be accommodated given the past safety record of the intersection and its urban location. However, Gorrill-Palmer Consulting Engineers, Inc. recommends monitoring the intersection to determine if traffic generated from the proposed development has an impact on vehicle collisions.

Based on these findings and recommended improvements, it is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the existing street system as well as the proposed driveways can accommodate the traffic generated by the site.



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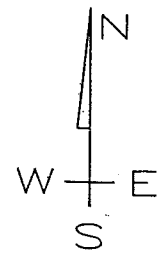
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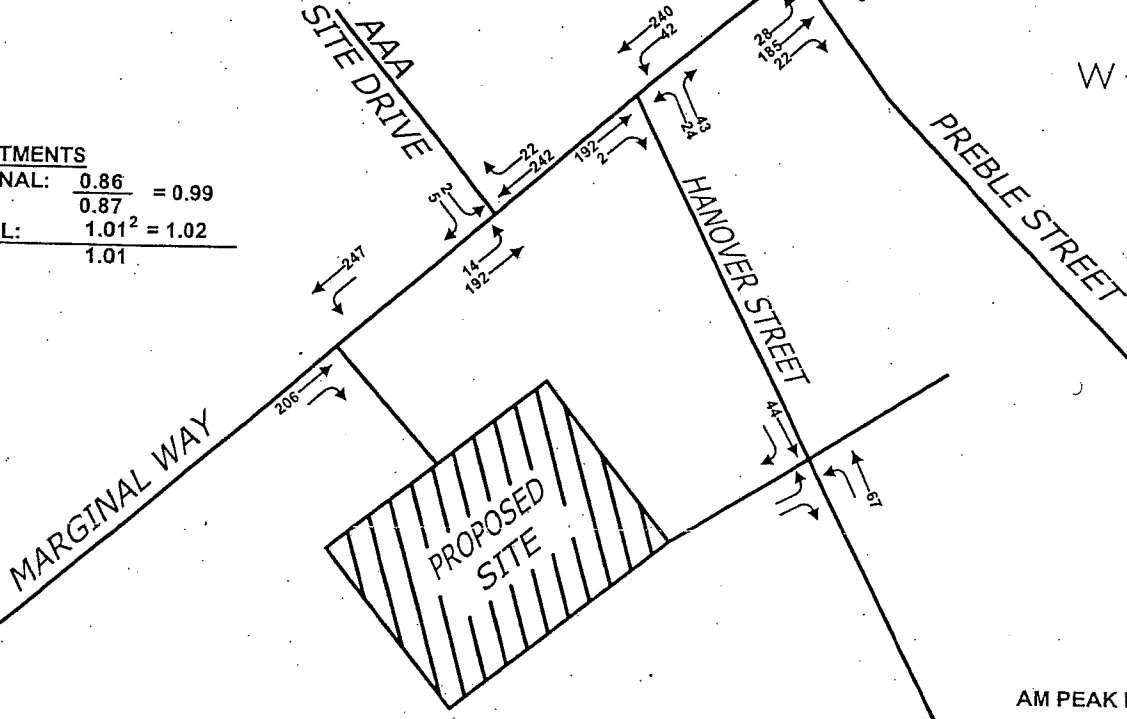
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PORTLAND, MAINE**

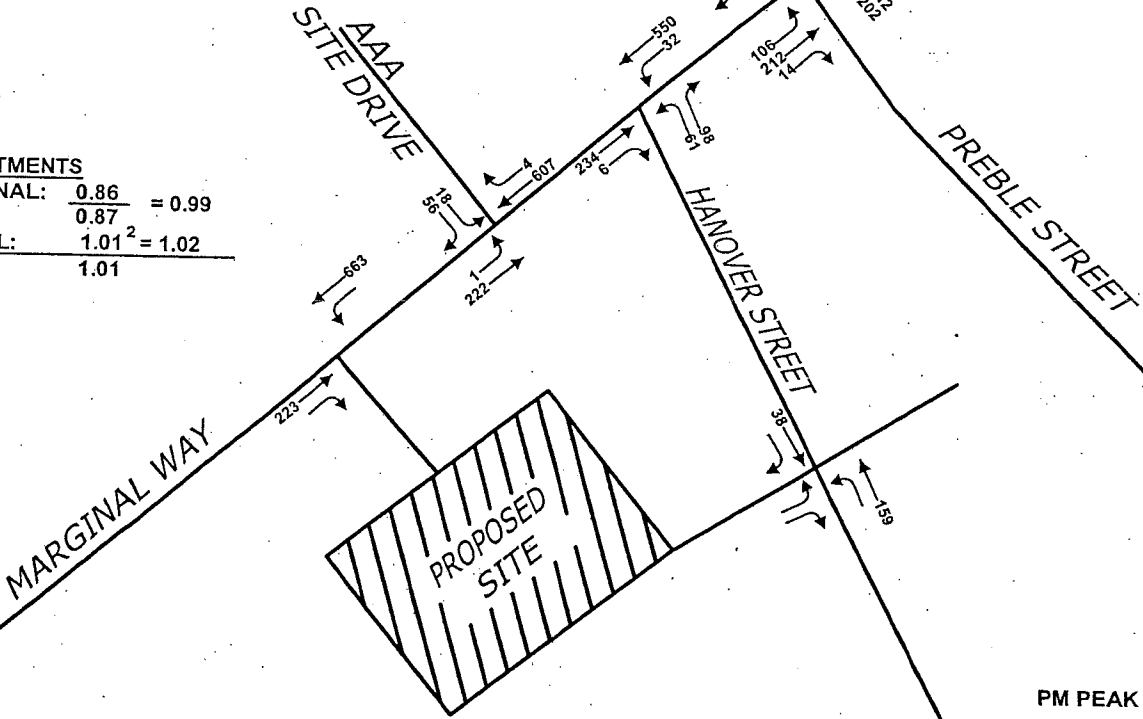
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 ANNUAL: $1.01^2 = 1.02$
 TOTAL: 1.01



ADJUSTMENTS
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 TOTAL: 1.01



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GP Gorrill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services

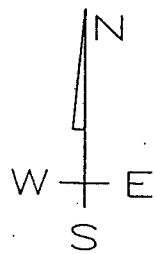
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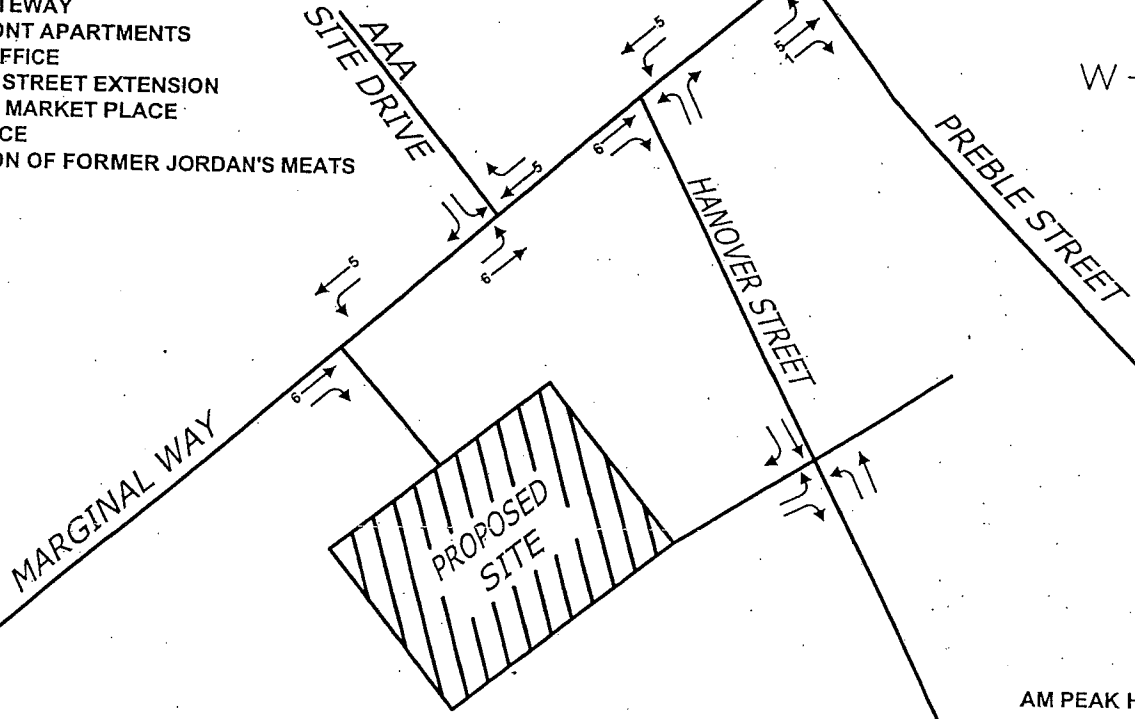
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Project: **MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE**

Figure No.
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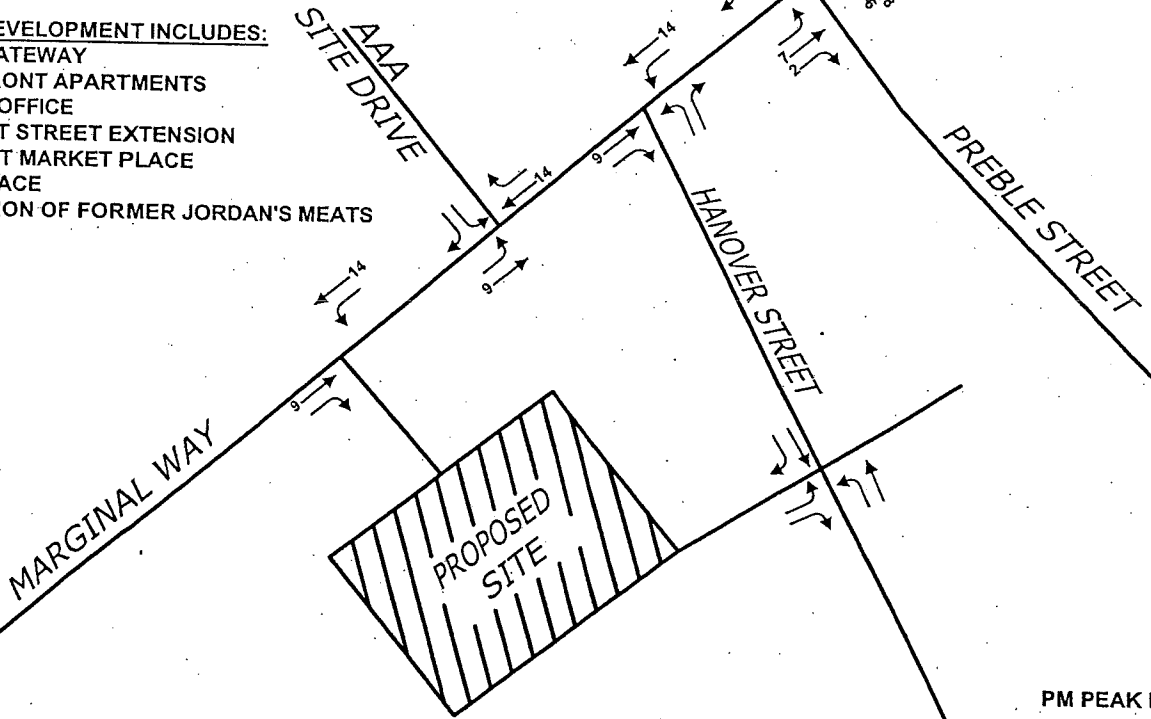


OTHER DEVELOPMENT INCLUDES:
 OCEAN GATEWAY
 WATERFRONT APARTMENTS
 MEDICAL OFFICE
 CHESTNUT STREET EXTENSION
 SOMERSET MARKET PLACE
 PEARL PLACE
 RENOVATION OF FORMER JORDAN'S MEATS



AM PEAK HOUR

OTHER DEVELOPMENT INCLUDES:
 OCEAN GATEWAY
 WATERFRONT APARTMENTS
 MEDICAL OFFICE
 CHESTNUT STREET EXTENSION
 SOMERSET MARKET PLACE
 PEARL PLACE
 RENOVATION OF FORMER JORDAN'S MEATS



PM PEAK HOUR

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GP Gorrill-Palmer Consulting Engineers, Inc.
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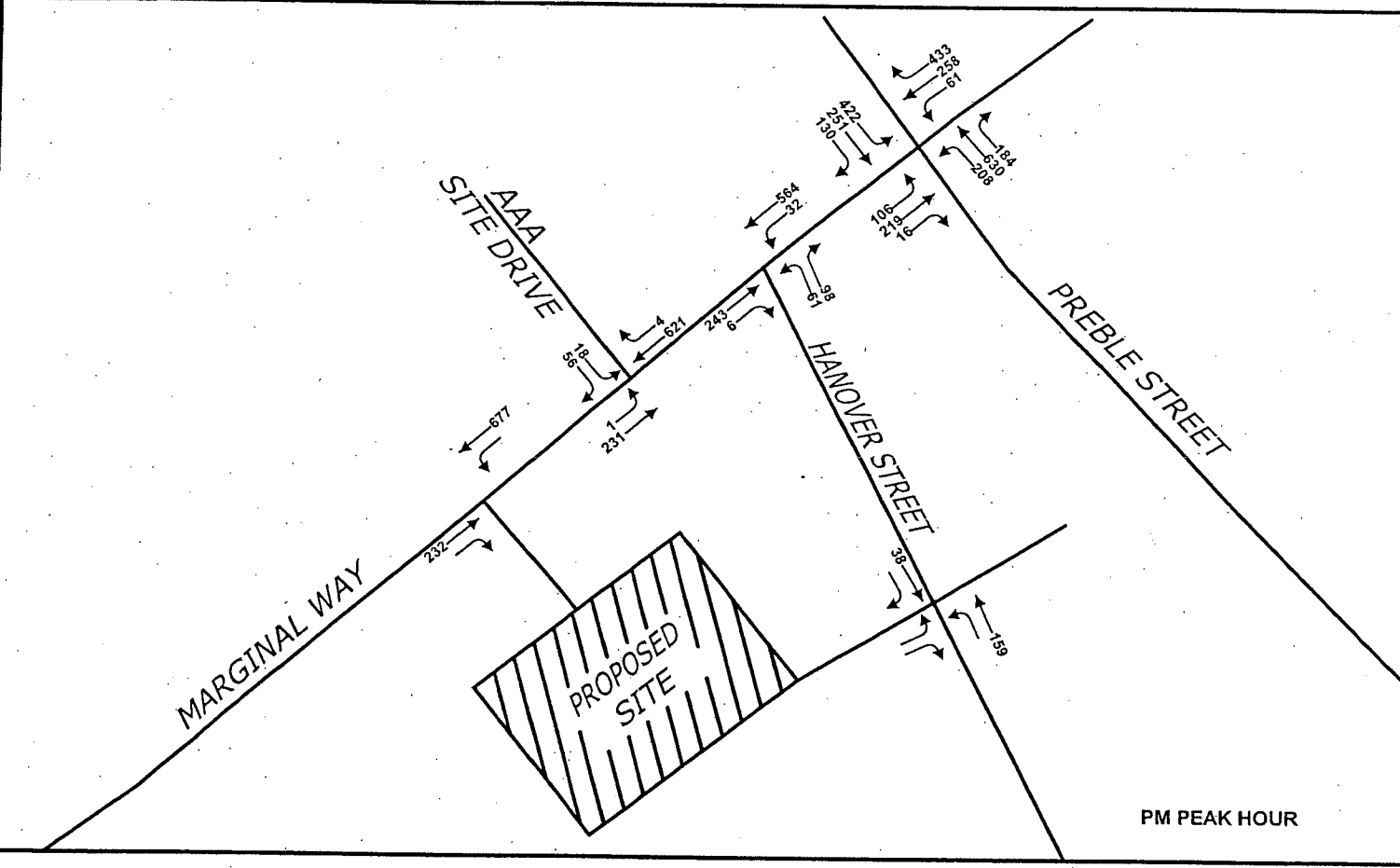
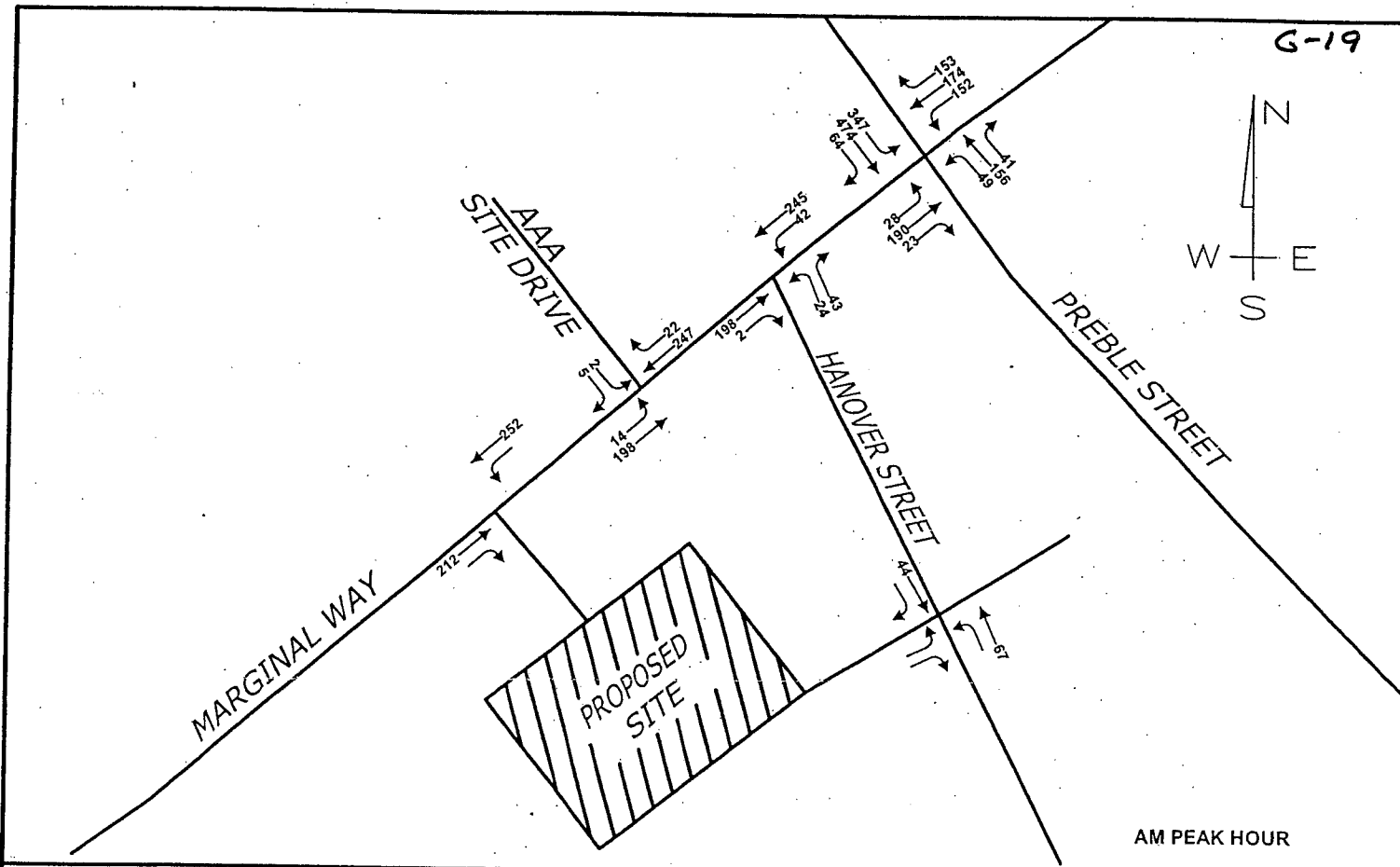
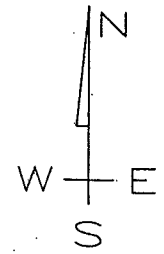
PO Box 1237
 15 Shaker Road
 Gray, ME 04039

Phone: 207-657-6910
 Fax: 207-657-6912
 Email: mallbox@gorrillpalmer.com

Drawing Name: **OTHER DEVELOPMENT**

Project: **MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE**

Figure No.
4



Design: ASN	Date: Aug 05
Draft: ZRJ	Job No.: 1360
Checked: RLB	Scale: NONE
File Name: 1360-TRAF.dwg	

GP Gorrill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services

PO Box 1237 Phone: 207-657-6910
 15 Shaker Road Fax: 207-657-6912
 Gray, ME 04039 Email: mailbox@gorrillpalmer.com

Drawing Name:
2007 PREDEVELOPMENT

Project: **MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE**

Figure No.
5



September 7, 2001

Mr. Rick Knowland
Planning Department
City of Portland, Maine
389 Congress Street
Portland, ME 04101

RE: Bayside Square

Dear Rick,

Please find attached the requested architectural information relative to the Bayside Square office building on Marginal Way. The following is a summary of the proposed changes:

1. Tile façade changed to brick:

Early plans of the project depicted a brick siding. At some stage in the project, it was determined that brick siding would add approximately 20% to the weight of the structure. Due to poor soil conditions, this additional weight results in significant additional piling costs. A search for lighter material was initiated and ultimately a tile veneer was selected. Upon further review, the tile presented the following problems:

1. The freezing and thawing cycles of a New England climate raised concerns with the structural methodology for adhering the tiles.
2. The somewhat atypical method of installing a tile facade was resulting in cost that exceeded brick, and therefore negated the efficiency of the lighter material.
3. Many of the prospective tenants who viewed the tiles were concerned with the overall aesthetics. Some simply disliked the tile, and others were concerned that the building might quickly become dated as design trends change.

It was determined that a predominantly brick façade would be structurally proven, durable, and yield the high quality aesthetics that the tenants and owners desired.

2. Ground face masonry accents in lieu of black metal panel:

The initial design implemented a black metal panel as a building accent to the tile façade. Again, this material resulted in building weight savings. Any black material is susceptible to fading over time. Concerns were raised that the ultimate fading of this material would result in a dated and unmaintained appearance. Accordingly, an architectural ground face masonry accent has been added to the building. This product achieves the same long-term durability and aesthetics as the brick.

3. Replacement of tall profile mechanical equipment structure with low profile mechanical equipment and equipment screen.

The original building employed a very tall mechanical equipment housing located on the most prominent building corner. Efforts were made in the initial design to incorporate this structure into the corner facade of the building. However there may have been insufficient consideration given to the appearance of this structure from alternative views. The view from an elevated I-295 would be significantly more intrusive than that depicted on the rendering. Accordingly, we have incorporated the following changes:

1. We have elected to use a grouping of low profile mechanical equipment set back from the roofline, rather than one large, tall piece of mechanical equipment.
2. To further enhance the appearance, we have proposed a low profile mechanical equipment screen to minimize the visual impact of mechanical equipment.

4. Removal of the 5th story metal canopy at the southerly and easterly elevations, and replacement with pedestrian scale element along the Marginal Way and Preble Street elevations.

The original renderings depicted a metal canopy above the 5th floor windows along the southerly and easterly elevations. Many of the prospective tenants felt that this canopy, combined with the black panels, gave the building an ominous appearance. Concerns were also raised that snow and ice accumulating on the metal canopy could fall to the street level, with the potential for serious injury to pedestrians. In lieu of the 5th floor canopy, we have elected to work with the planning staff and create a pedestrian scale glass and metal suspended entry element on the corner of Preble Street and Marginal Way, along with building mounted light fixtures along these sidewalk elevations.

5. Ground floor metal accent materials have been changed to masonry accent materials.

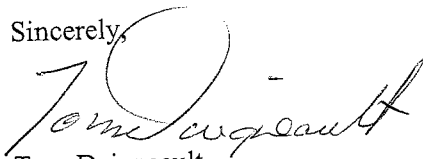
The original plans specified metal panel column covers along the 1st floor Marginal Way and Preble Street elevations. As can be seen on the site plans, the elevations are in close proximity to the public sidewalks. The metal panel elements would likely be subject to damage from snow removal equipment. The current design utilizes masonry at these areas. The masonry will be much less susceptible to potential damage.

6. Minor revisions to the building footprint.

The original site engineering plans closely depicted the building shape, but did not accurately depict such architectural building features as cantilevered building areas and architectural columns. The attached sheet shows an accurate depiction of the building footprint and overhead cantilevers which will be constructed on site.

I trust that this information will be helpful in your review of our project.

Sincerely,



Tom Daigneault
Vice President

TD/pc

Attachments

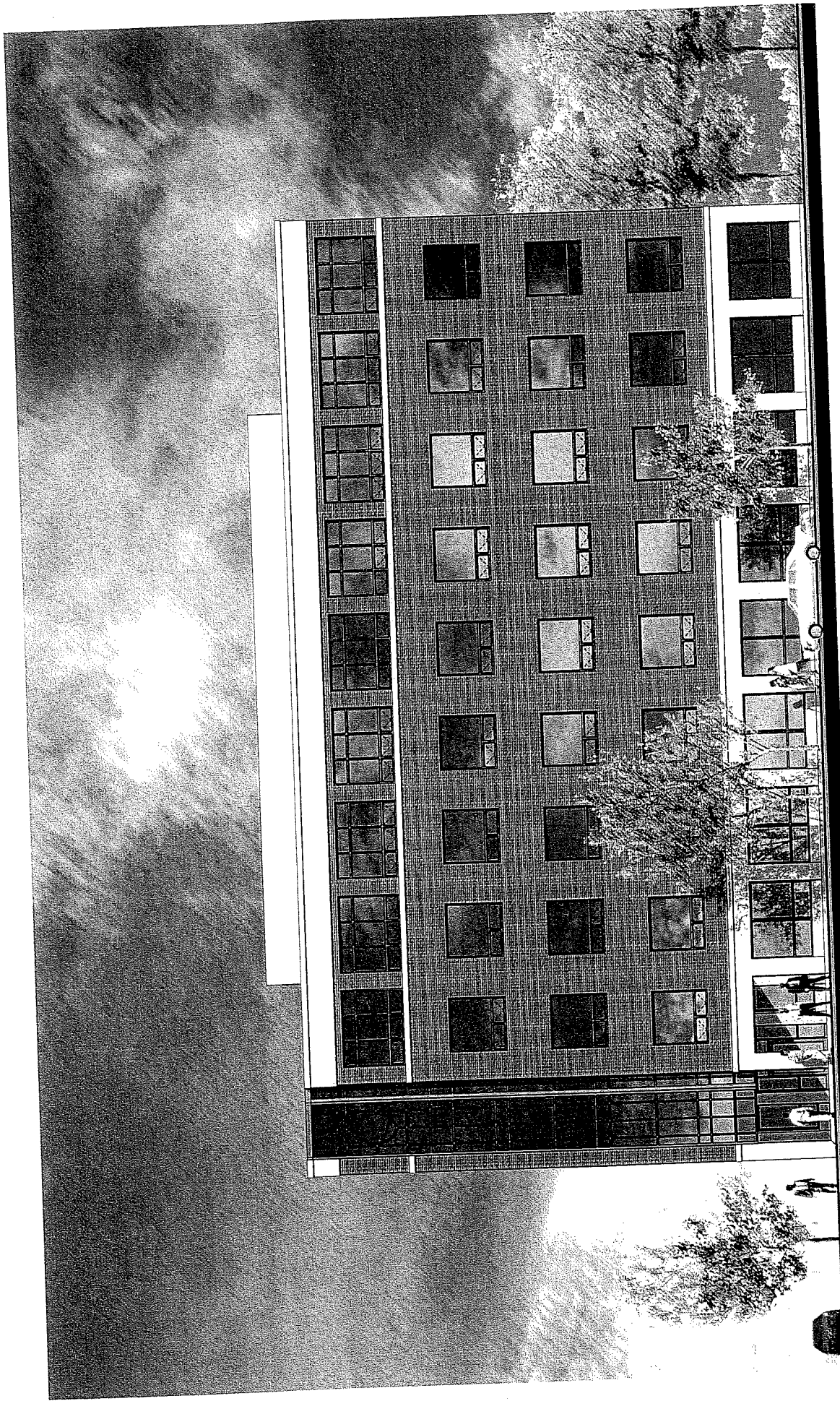


BOYSIDE OFFICE COMPLEX



MARGINAL WAY ELEVATION

BAYSIDE OFFICE COMPLEX

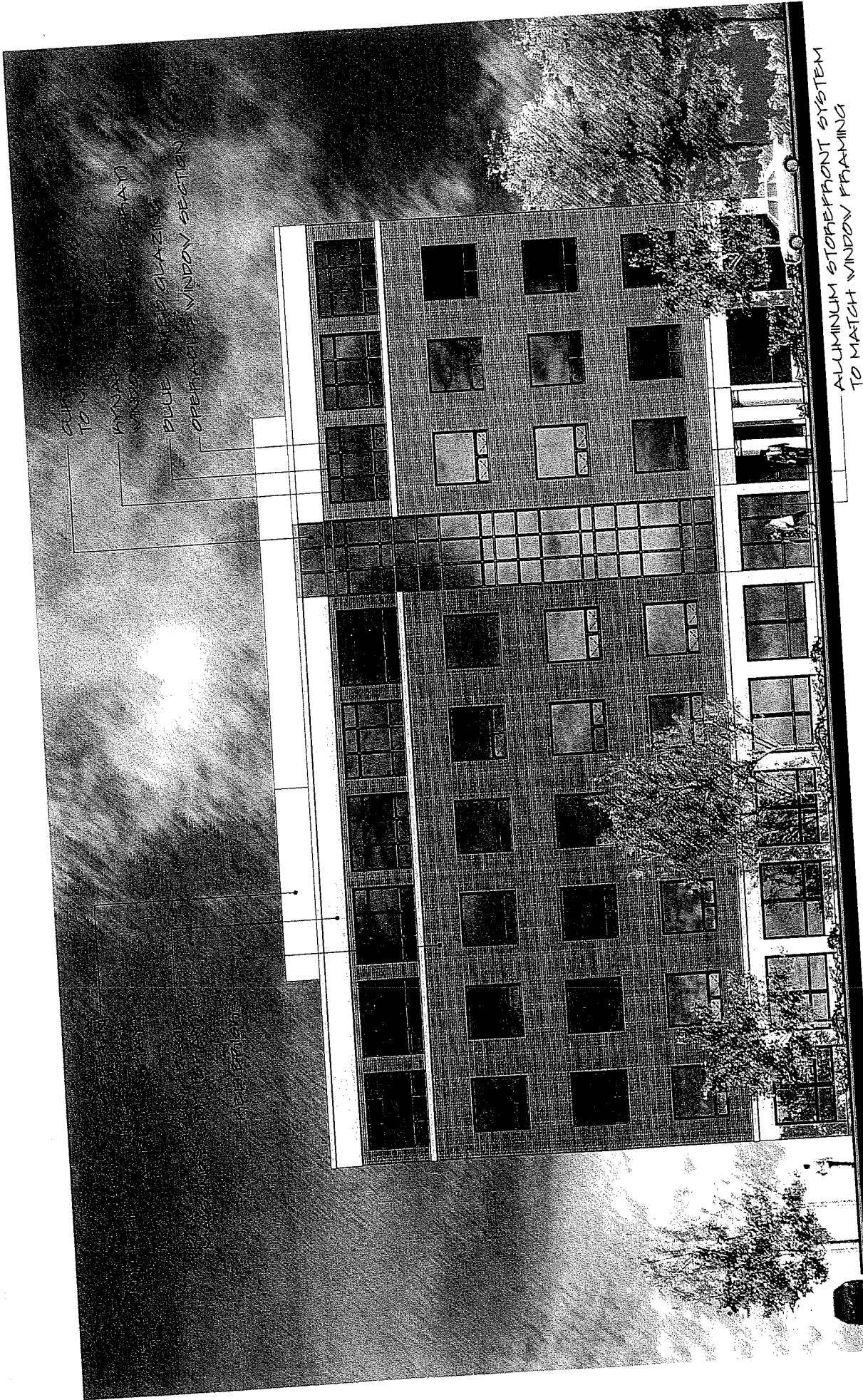


PREBLE STREET ELEVATION

BAYSIDE OFFICE COMPLEX

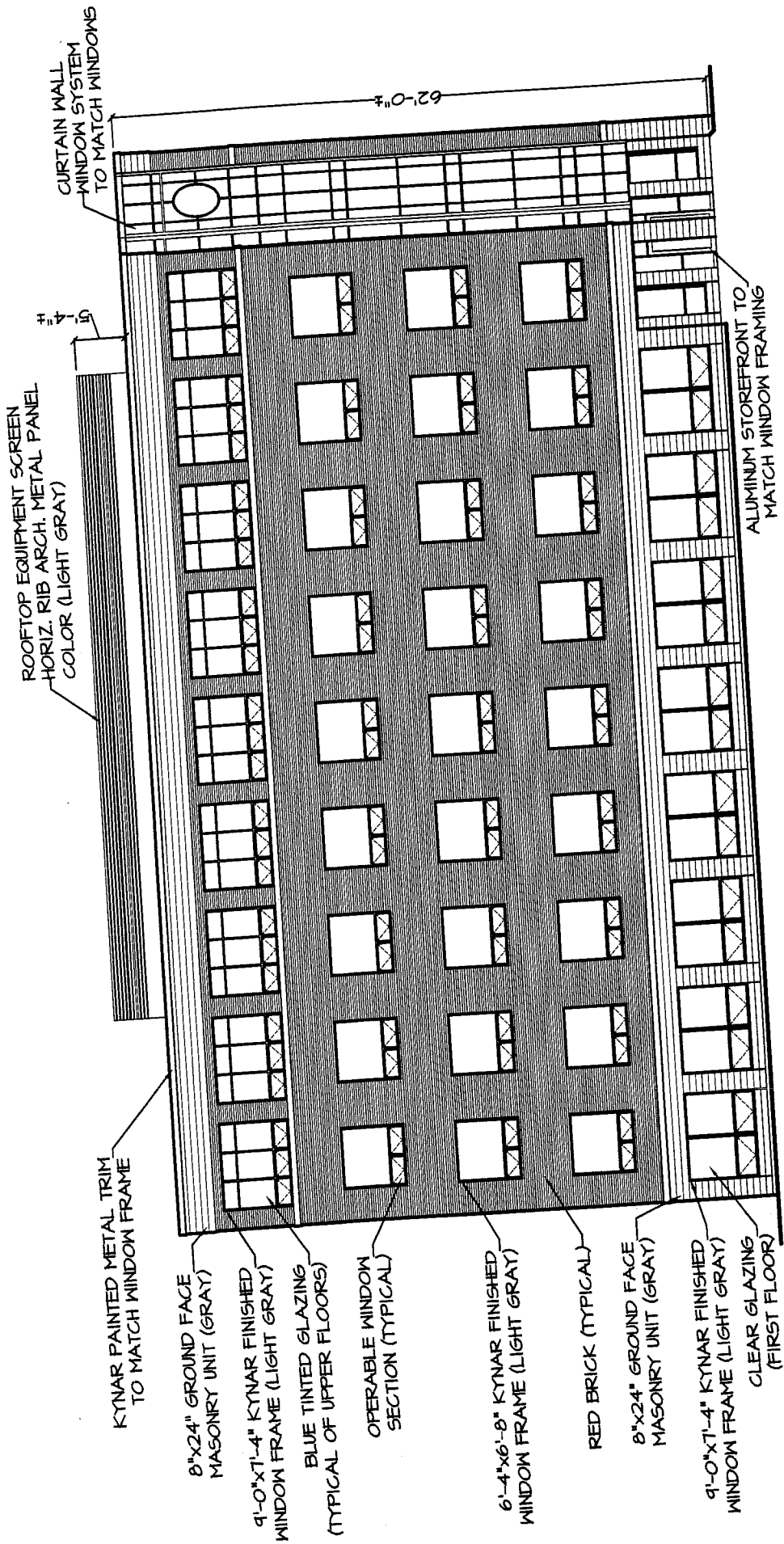


PARKING LOT ELEVATION



ALUMINUM STOREFRONT SYSTEM
TO MATCH WINDOW FRAMING

1-295 ELEVATION



MARGINAL WAY ELEVATION

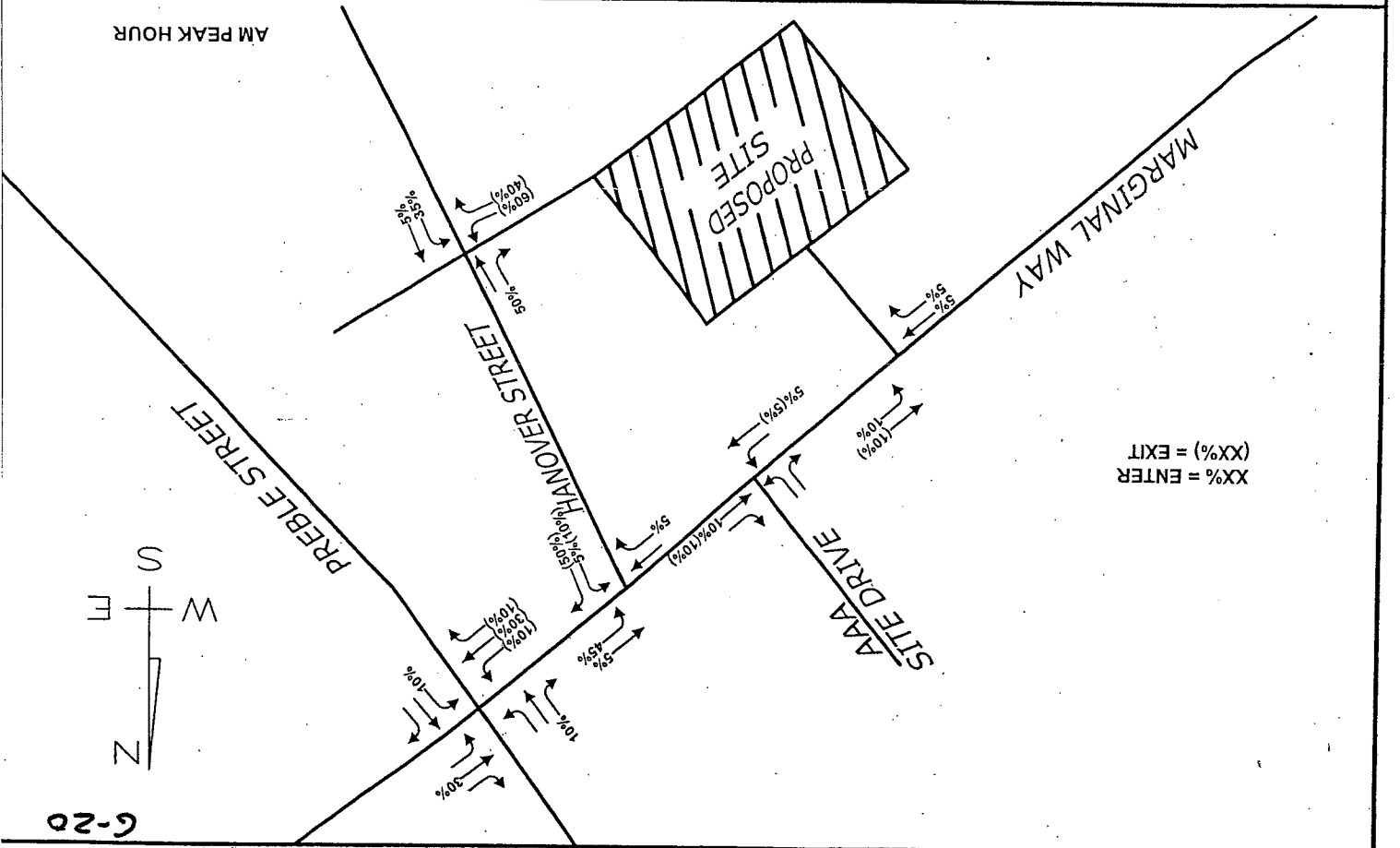
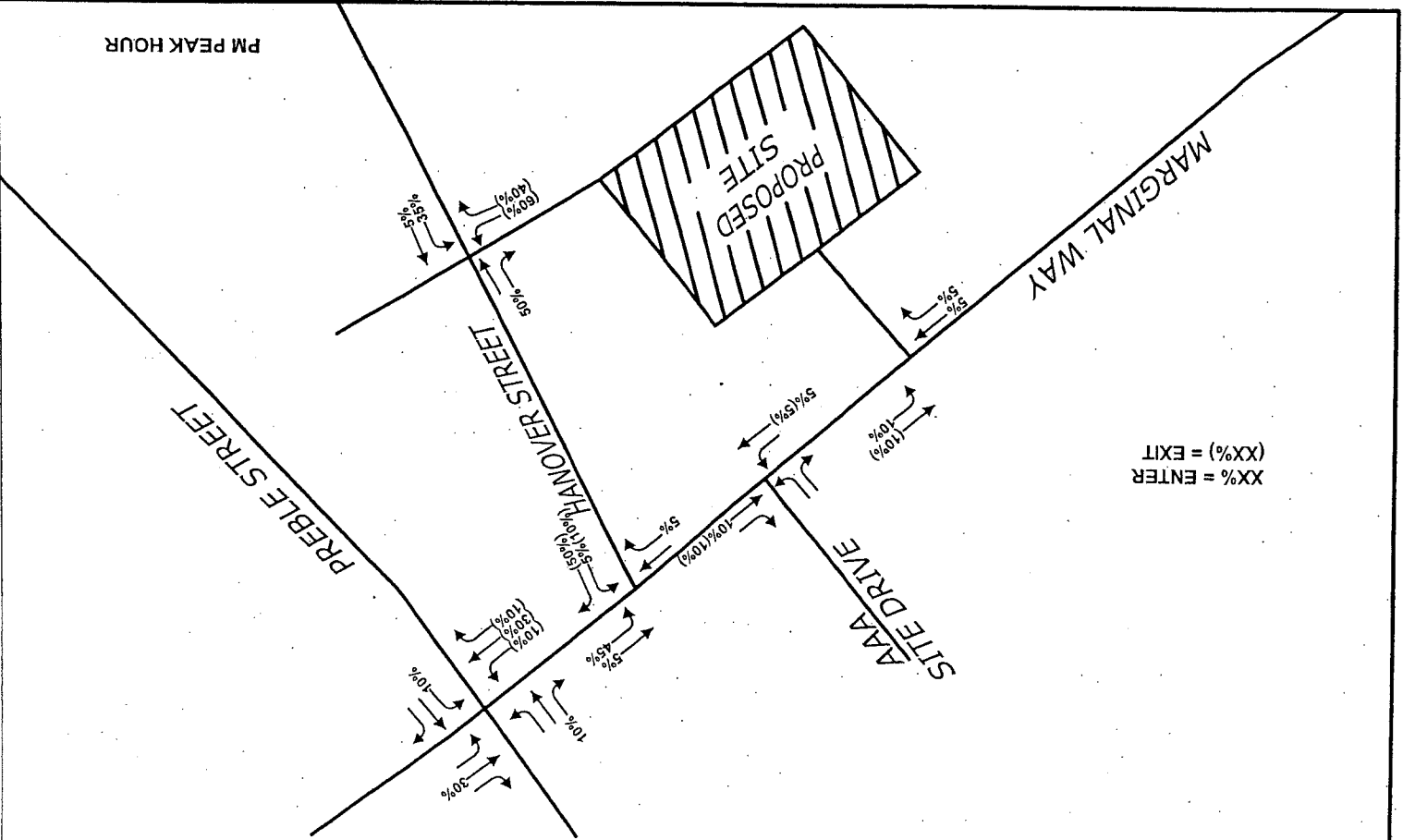
BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE

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Draft: ZRJ Job No.: 1360
Design: ASN Date: Aug 05

GP
 Gorill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 P.O. Box 1237
 15 Shaker Road
 Gray, ME 04039
 Phone: 207-657-6910
 Fax: 207-657-6912
 Email: mlp@gorillpalmer.com

Project: MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE
 Drawing Name: PRIMARY TRIP DISTRIBUTION

Figure No. 6



G-20

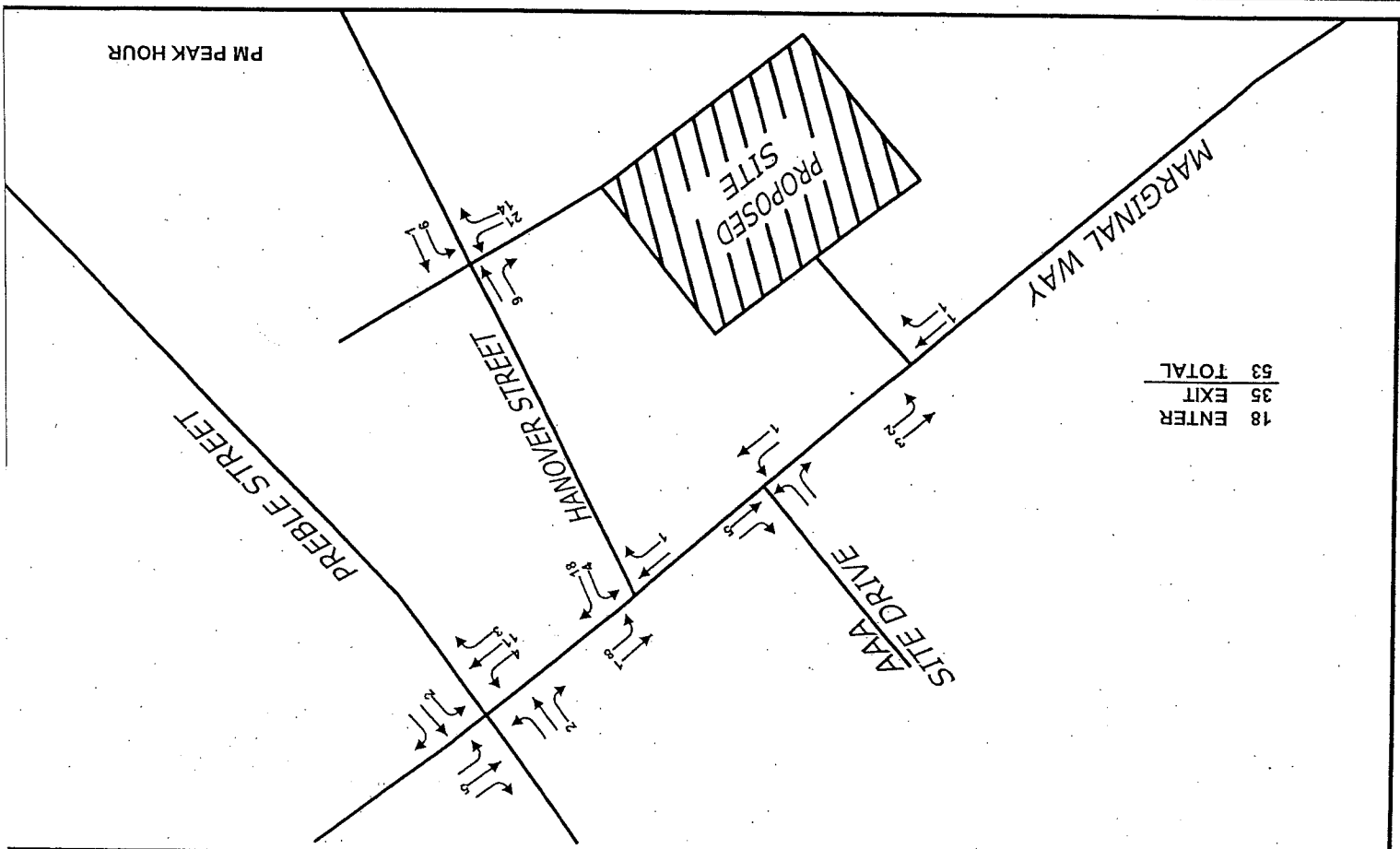
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Design: ASN Date: Aug 05

GP
 Gorill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 P.O. Box 1237
 15 Shaker Road
 Gray, ME 04039
 Phone: 207-657-6910
 Fax: 207-657-6912
 Email: malibogorillpalmer.com

Drawing Name: PRIMARY TRIP ASSIGNMENT
 Project: MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE

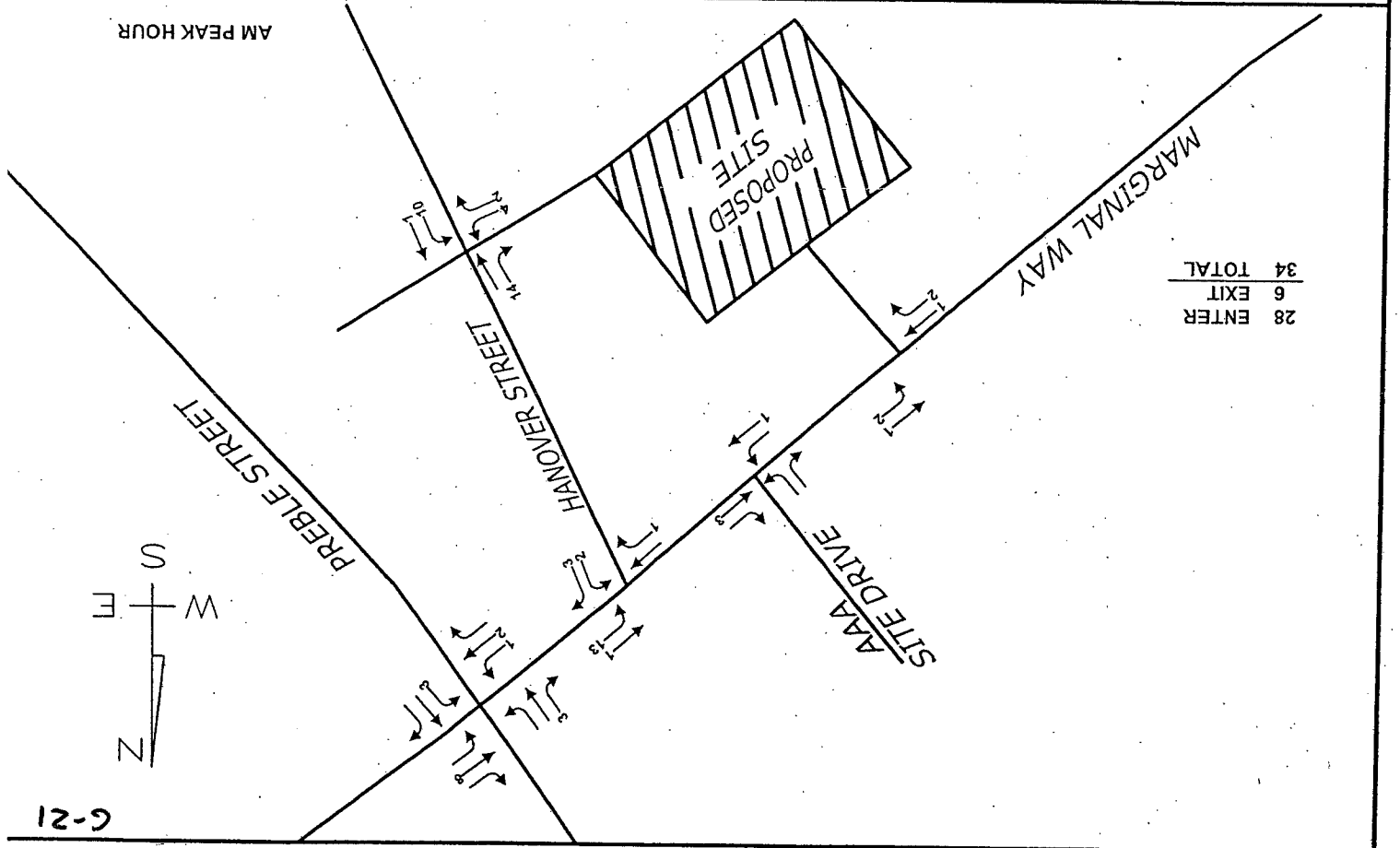
Figure No. 2

18	ENTER
35	EXIT
53	TOTAL

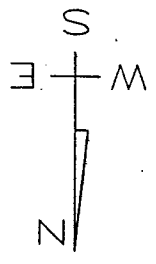


PM PEAK HOUR

28	ENTER
6	EXIT
34	TOTAL



AM PEAK HOUR



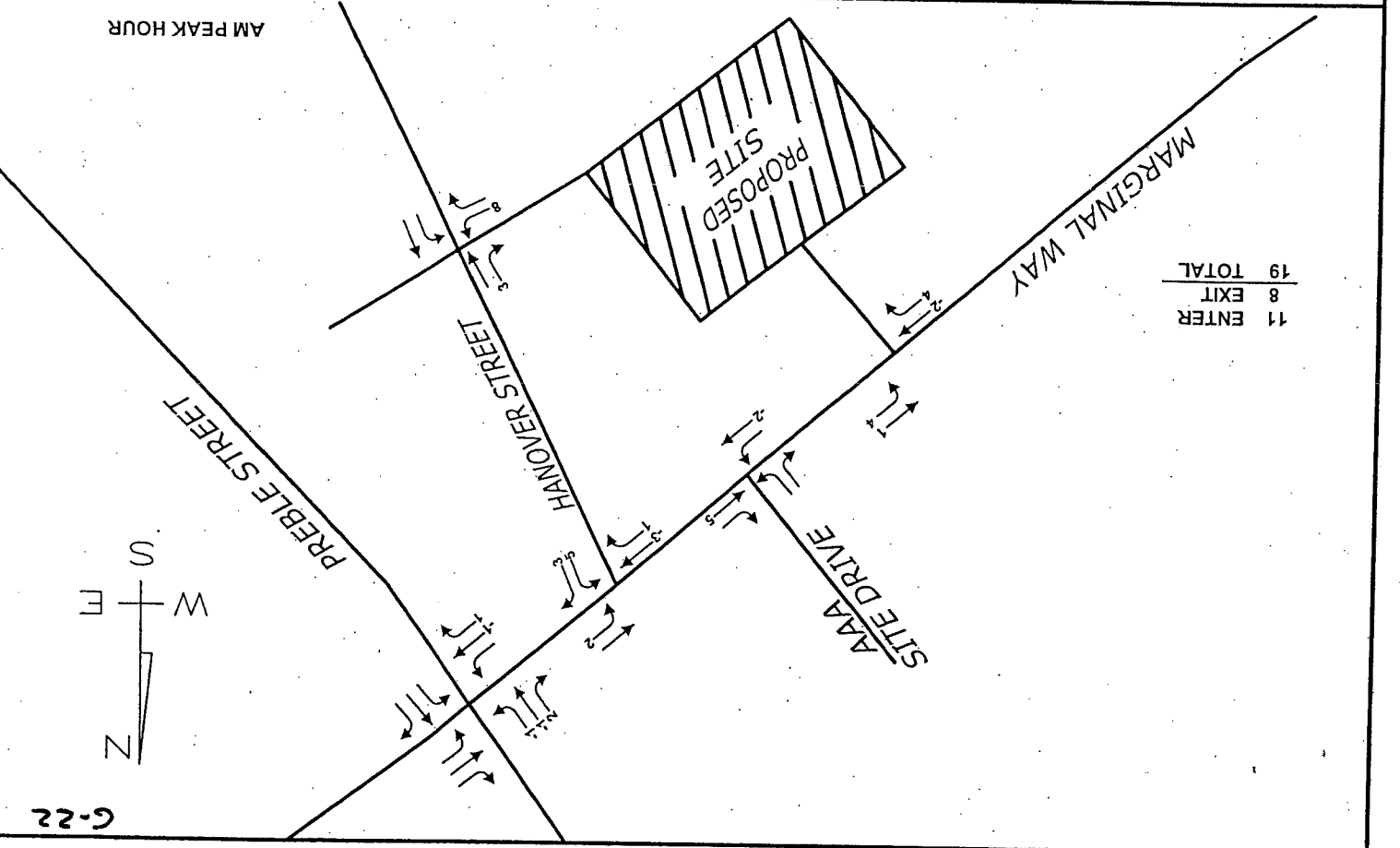
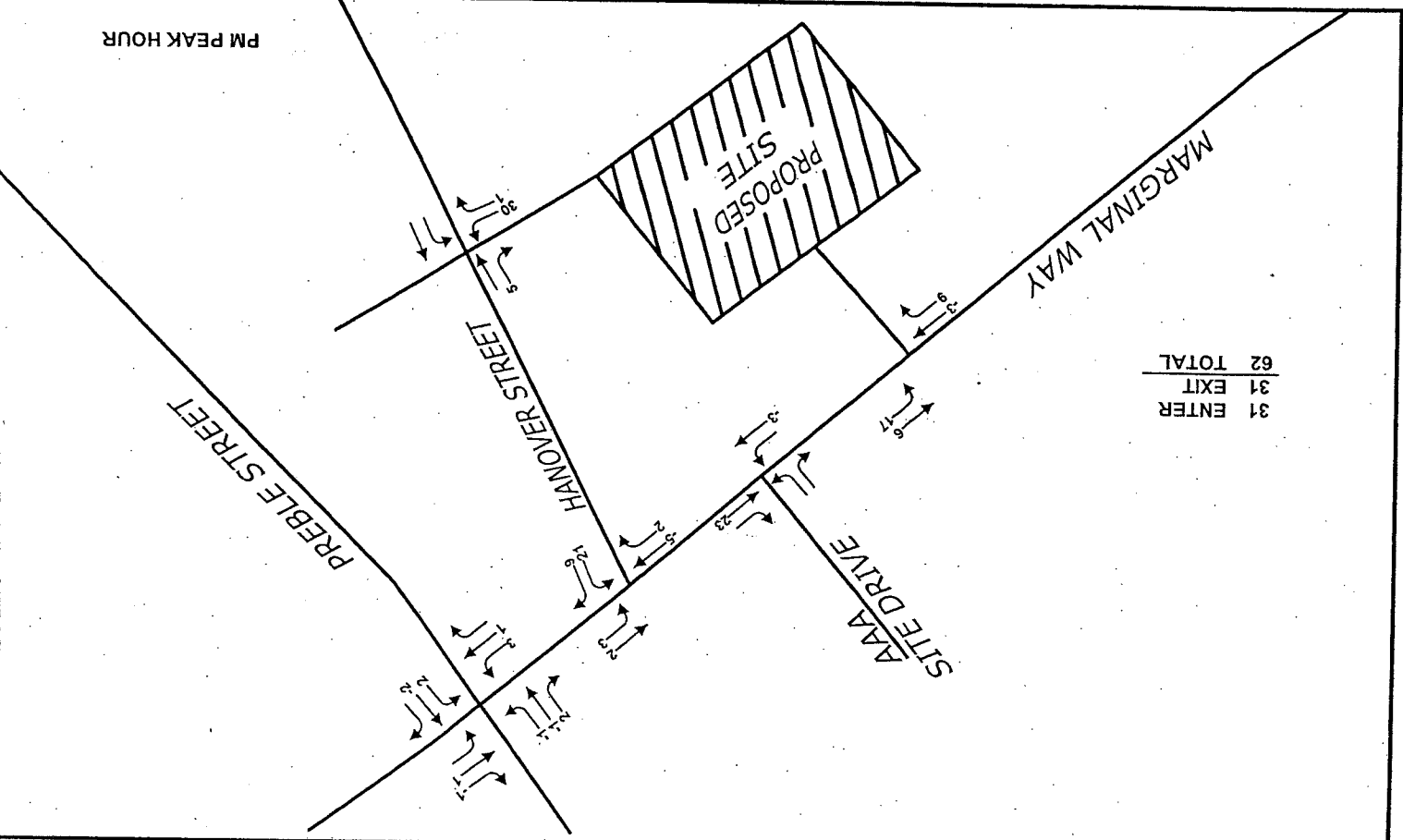
G-21

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Date: Aug 05		

GP
 Gorill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 PO Box 1237
 Gray, ME 04039
 Phone: 207-657-6910
 Fax: 207-657-6912
 Email: mail@gorillpalmer.com

Drawing Name: SECONDARY TRIP ASSIGNMENT
 Project: MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE

Figure No. 8



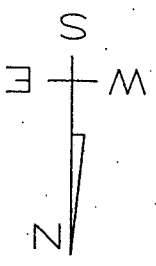
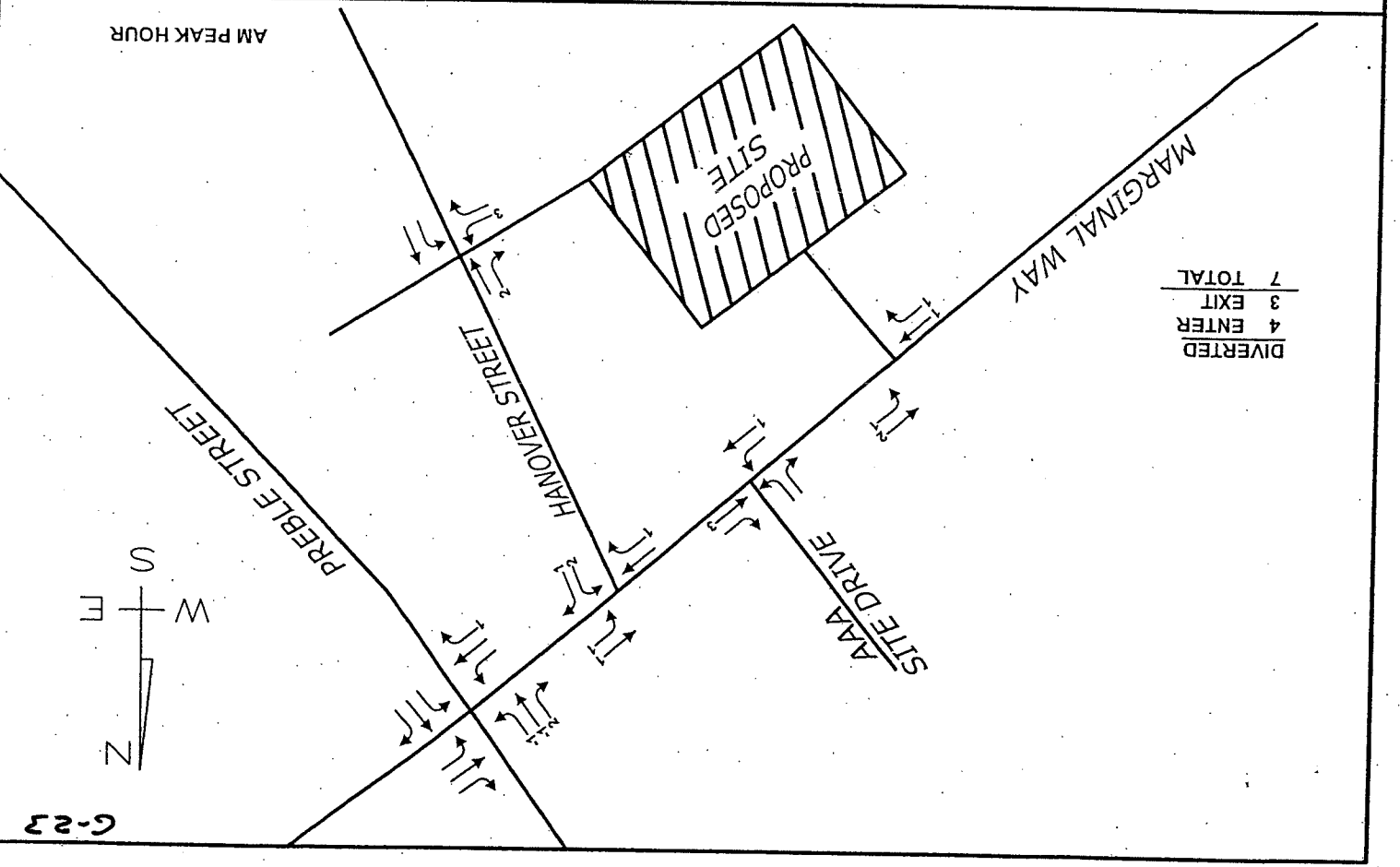
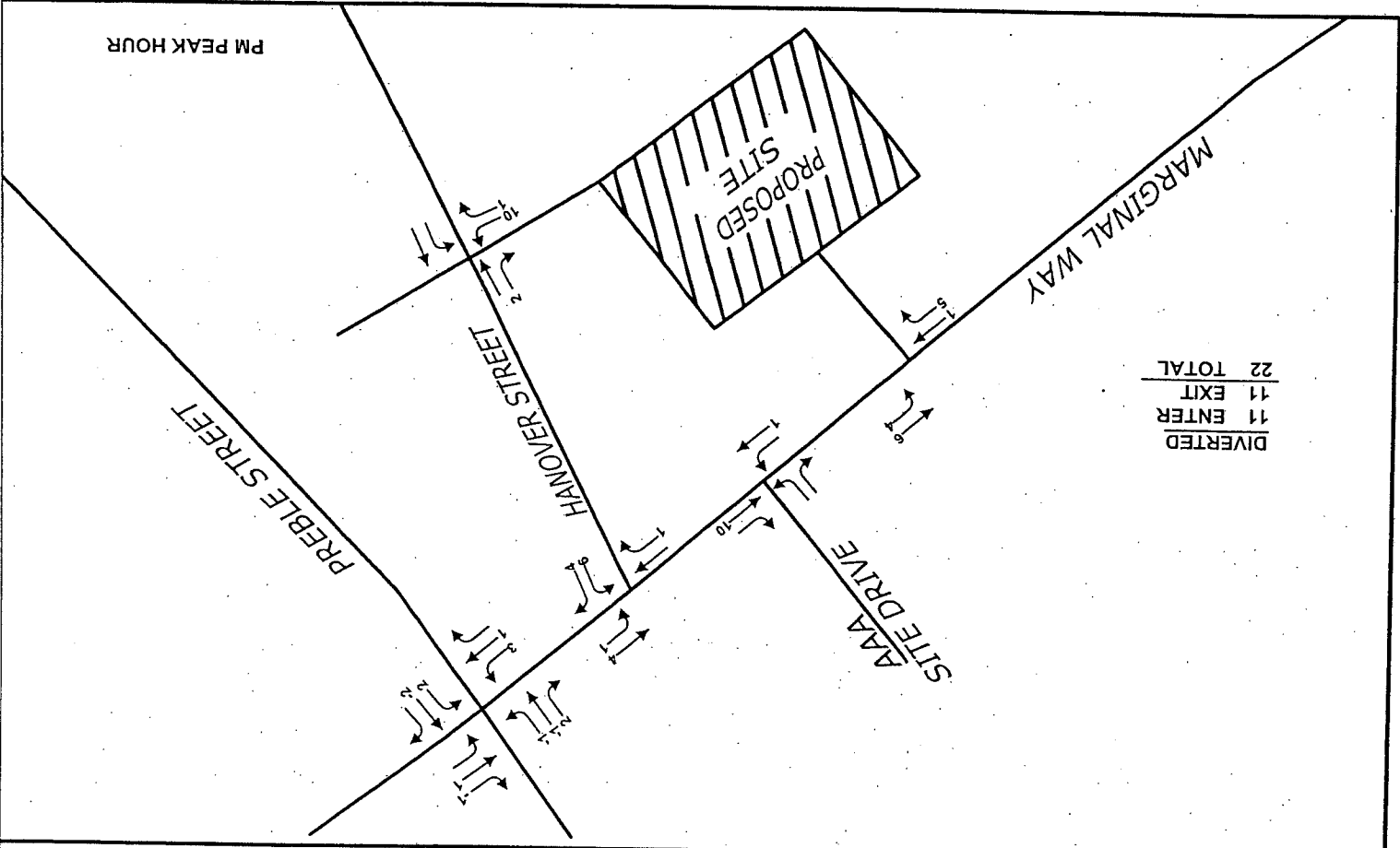
G-22

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 Design: ASN Date: Aug 05

GP
 Gorill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 PO Box 1237
 15 Shaker Road
 Gray, ME 04039
 Email: malbox@gorillpalmer.com
 Phone: 207-657-6910
 Fax: 207-657-6912

Drawing Name: **DIVERTED TRIP ASSIGNMENT**
 Project: **MULTI-TENANT OFFICE BUILDING**
PORTLAND, MAINE

Figure No. **8A**



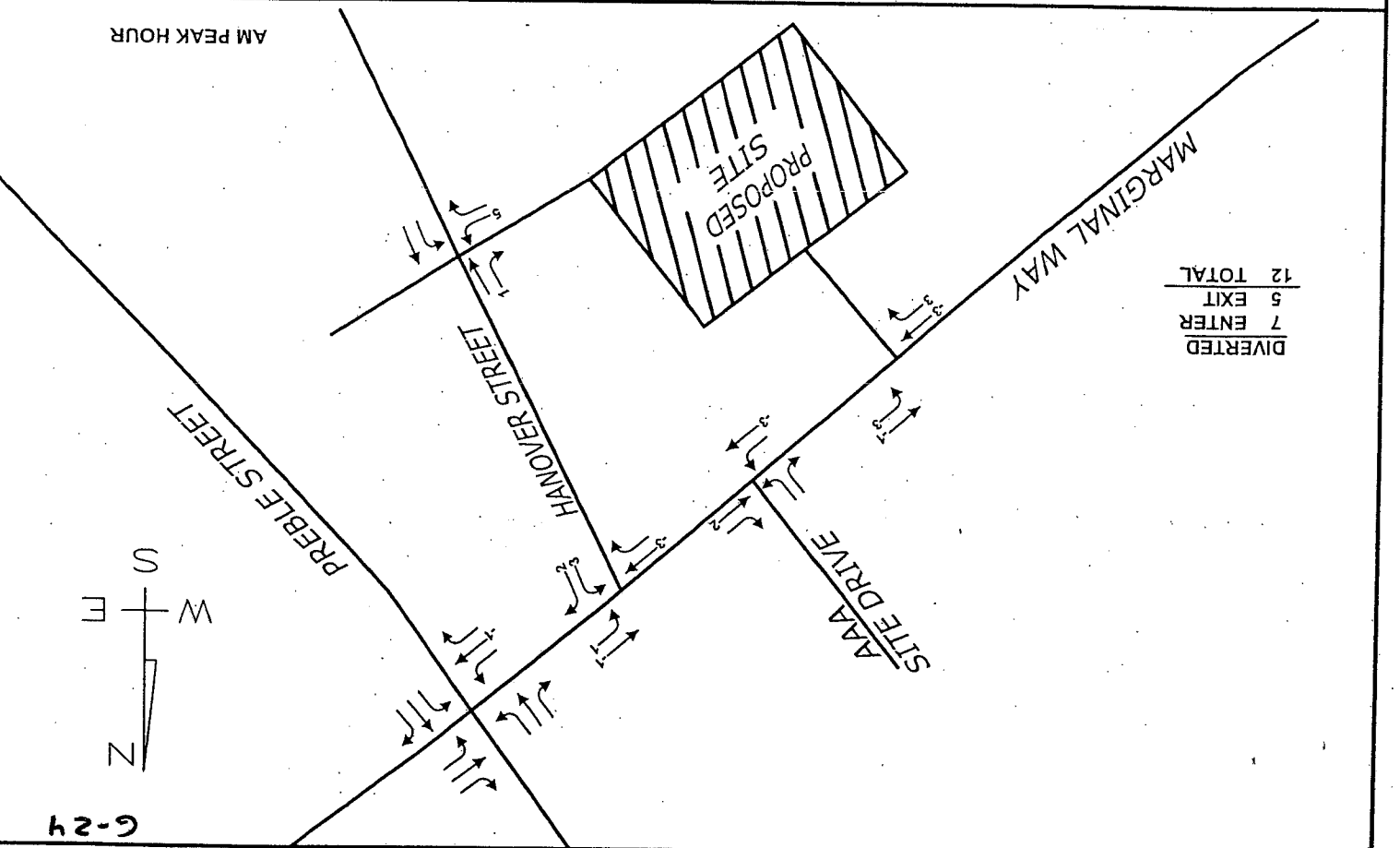
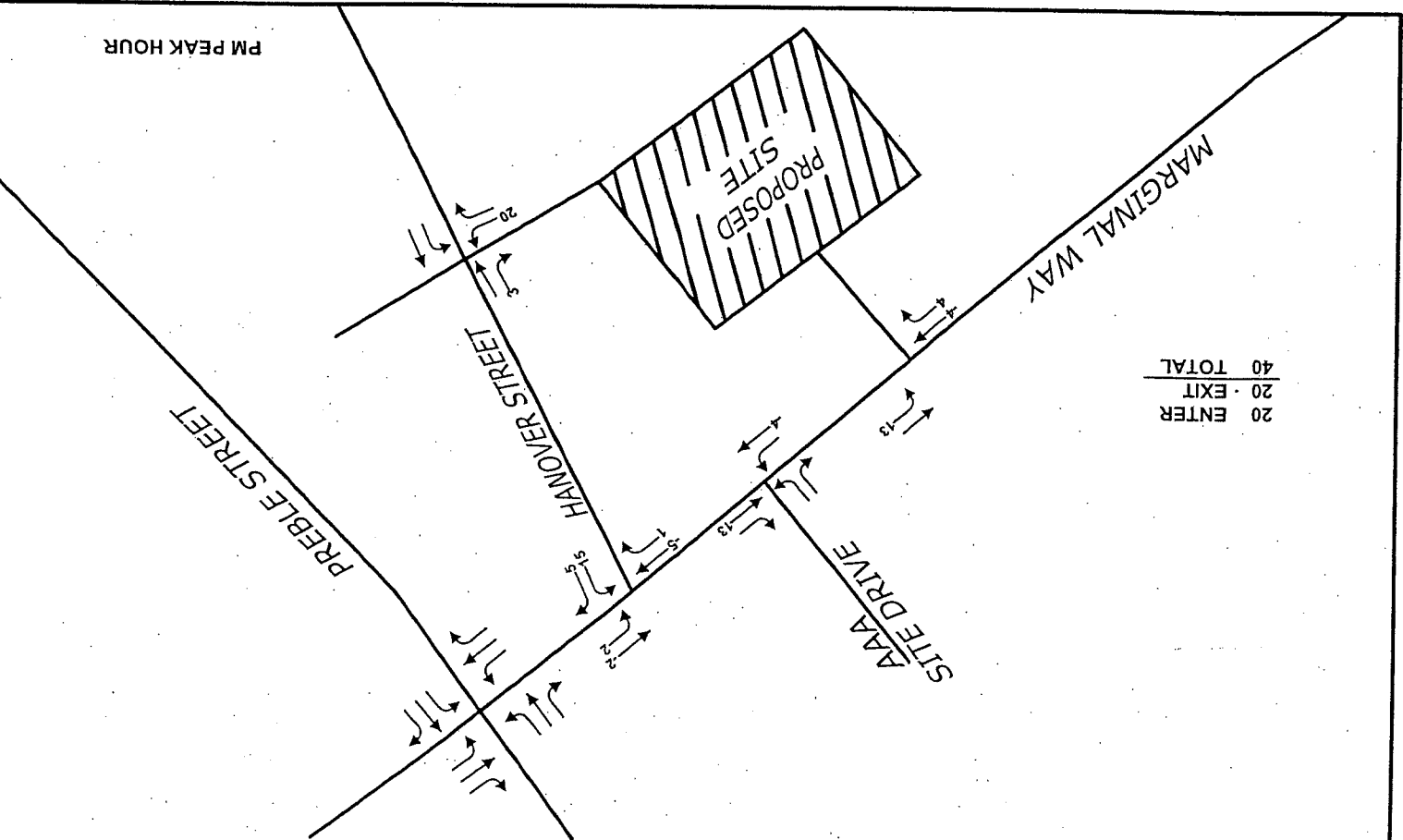
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 Job No.: 1360
 Design: ASN
 Date: Aug 05

GP
 Gorill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 Phone: 207-657-6910
 Fax: 207-657-6912
 Email: mail@gorillpalmer.com
 15 Shaker Road
 PO Box 1237
 Gray, ME 04039

Drawing Name: **PASS-BY TRIP ASSIGNMENT**
 Project: **MULTI-TENANT OFFICE BUILDING**
 PORTLAND, MAINE

Figure No. **8B**



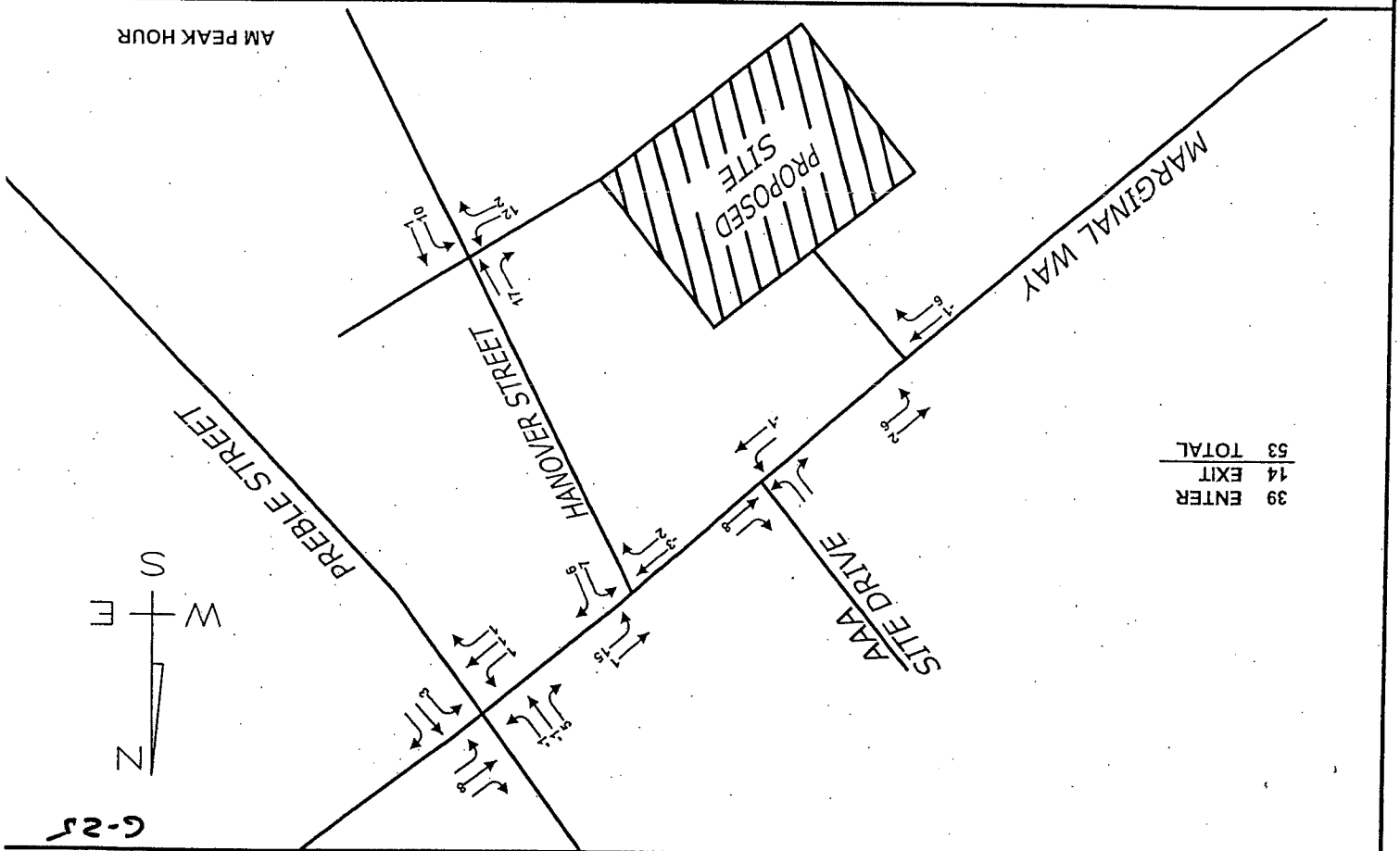
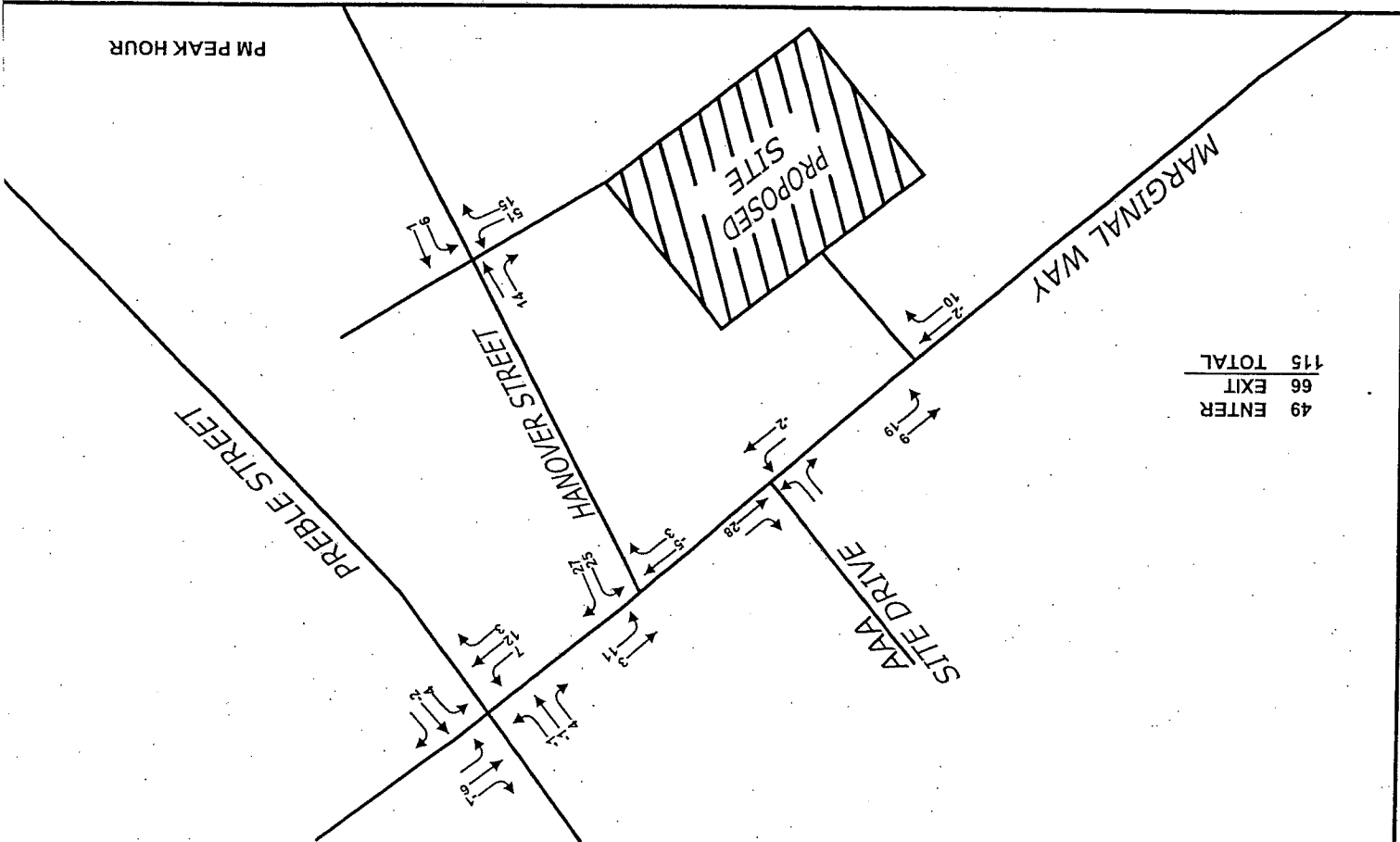
G-24

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Design: ASN	Draft: ZRJ	Job No.: 1360
Date: Aug 05		


GP
 Gorrell-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 Phone: 207-657-6910
 Fax: 207-657-6912
 Email: mail@gorrellpalmer.com
 15 Shaker Road
 Gray, ME 04039
 PO Box 1237

Drawing Name: TOTAL TRIP ASSIGNMENT
 Project: MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE

Figure No. 9

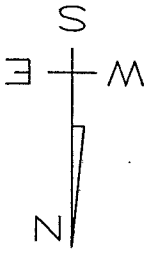
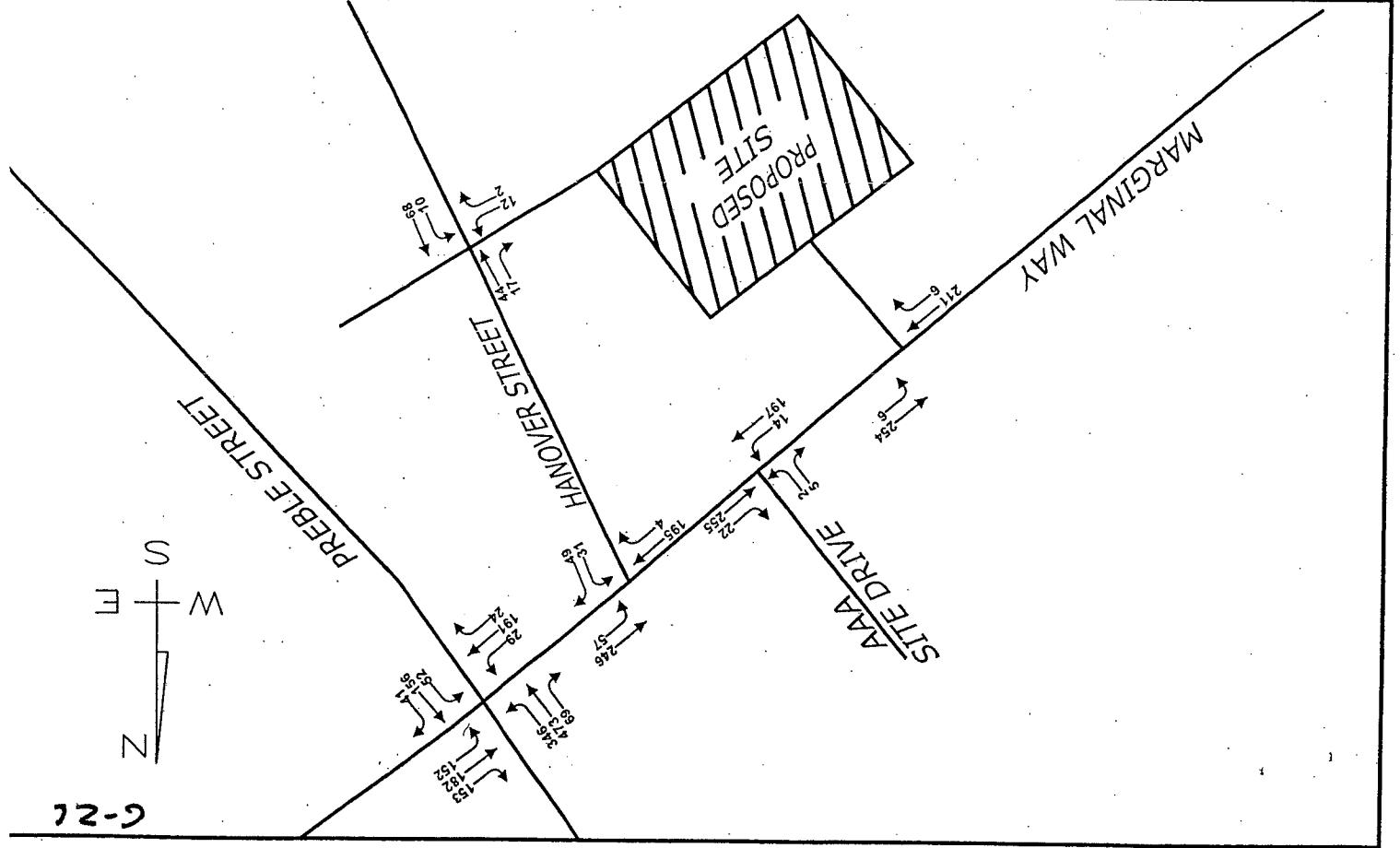
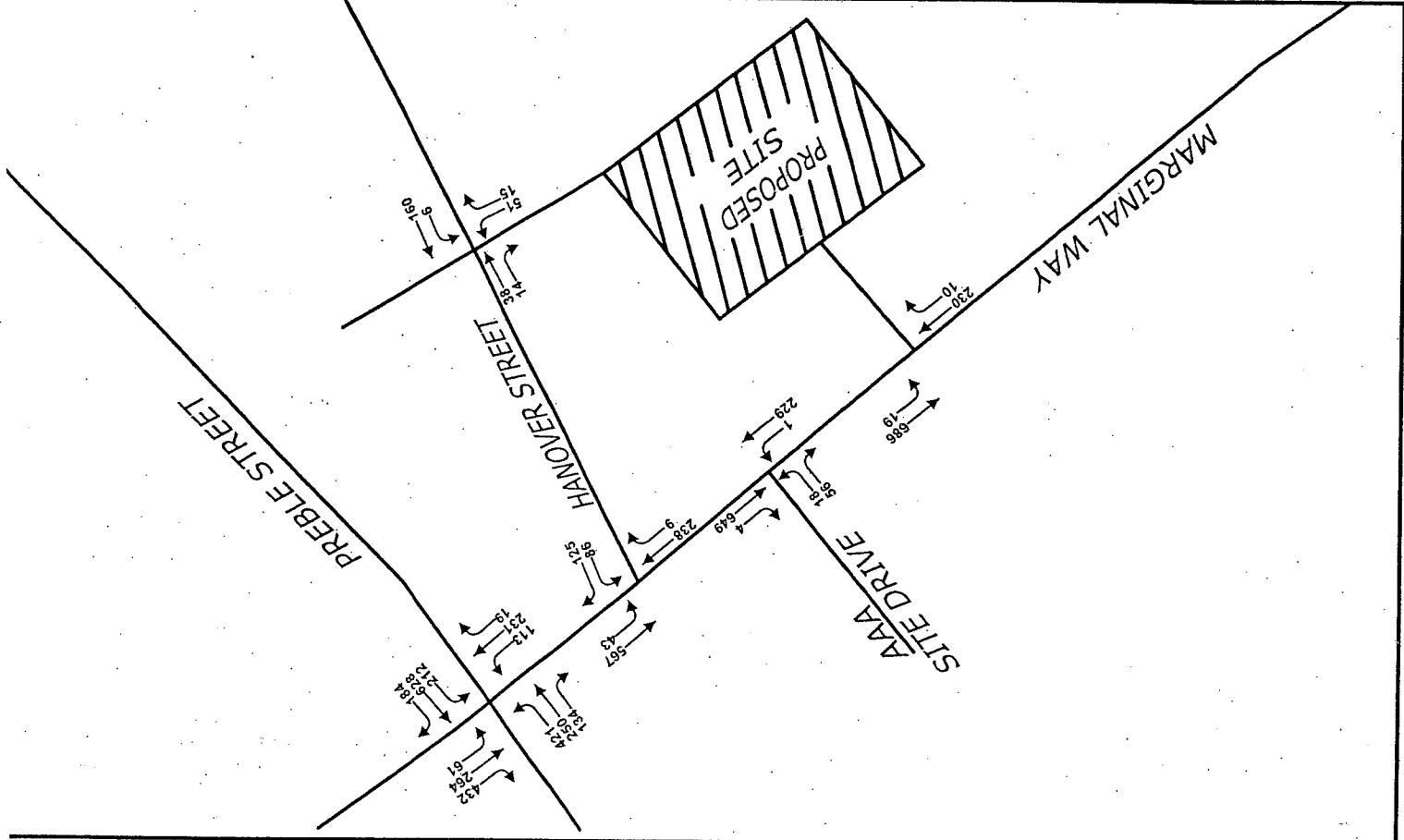


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Design: ASN	Date: Aug 05	
Draft: ZRJ	Job No.: 1360	


 Gortell-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 Phone: 207-657-6910
 Fax: 207-657-6912
 Email: mail@gortellpalmer.com
 P.O. Box 1237
 15 Shaker Road
 Gray, ME 04039

Drawing Name: 2007 POST DEVELOPMENT
 Project: MULTI-TENANT OFFICE BUILDING
 PORTLAND, MAINE

Figure No. 10



C-21

Rick Knowland - 63 Marginal Way

From: "Tom Errico" <terrico@wilbursmith.com>
To: "Rick Knowland" <rk@portlandmaine.gov>
Date: 10/05/2005 3:42 PM
Subject: 63 Marginal Way
CC: "Katherine Farley" <KAS@portlandmaine.gov>

Rich—

I have reviewed the September 28, 2005 plan set and offer the following comments.

- The revised plan addresses my comments about location of driveway, driveway configuration to prevent illegal exit movements, and elimination of the diagonal spaces.
- The lone parallel parking space should be dedicated to long-term employee parking to minimize turnover.
- The crosswalk on Marginal Way west of the site was reviewed by the Crosswalk Committee with the following suggestions:
 - The crosswalk location is acceptable.
 - The crosswalk should be enhanced with a raised refuge median.
 - The applicant shall contact the US Post Office about the proposed changes.
 - The on-site pedestrian sidewalk to Marginal Way shall be modified to direct pedestrians toward the proposed crosswalk. Additionally, landscaping and/or streetscape shall be used to physically discourage the direct crossing of Marginal Way toward the "AAA" Building.

I have not received updated plans that reflect these changes.

- I have not received any plans on overall pedestrian circulation in the area and therefore do not have any comments.
- I have not received any correspondence from the applicant on the ability or inability to rearrange parking contracts to limit pedestrian circulation needs in the area.
- The City is currently undertaking a study that will identify a Transportation Master Plan for Marginal Way between Forest Avenue and Franklin Arterial. Because that plan is incomplete, I would suggest that applicant implement temporary measures that allow safe and efficient access to their site for both motorists and pedestrians. Additionally, I would ask that applicant make a monetary contribution to the implementation of the Master Plan improvements on Marginal Way adjacent to their site.

Please contact me if you have any questions.

Best Regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
(207) 871-1785 Phone

AGREEMENT

BETWEEN THE

STATE OF MAINE

DEPARTMENT OF TRANSPORTATION

AND THE

CITY OF PORTLAND

REGARDING

DELEGATED REVIEW AUTHORITY

FOR THE ISSUANCE OF TRAFFIC MOVEMENT PERMITS

IN ACCORDANCE WITH CHAPTER 305 RULES PURSUANT TO

THE PROVISIONS OF TITLE 23 M.R.S.A., SECTION 704-A

This AGREEMENT is entered into on this 18th day of October, 2000 by

and between the STATE OF MAINE DEPARTMENT OF TRANSPORTATION (hereafter DEPARTMENT) and the CITY OF PORTLAND, a body corporate and politic located in the County of Cumberland (hereafter CITY) regarding delegated review authority to issue traffic movement permits for projects wholly located within the CITY's corporate limits generating 100 or 200 passenger car equivalents at peak hours in accordance with the DEPARTMENT'S

Chapter 305 Rules and Regulations Pertaining To Traffic Movement Permits (hereafter Chapter 305 Rules) pursuant to the provisions of Title 23 M.R.S.A., Section 704-A, subsection 4, as

follows:

A. The DEPARTMENT hereby registers and delegates to the CITY the authority to review and issue traffic movement permits in accordance with its Chapter 305 Rules pursuant to the provisions of 23 M.R.S.A. §704-A, subsection 4, for all projects defined therein under subsection 1-C wholly located within the CITY's corporate limits generating 100 or 200 passenger car equivalents at peak hours, to the extent that the CITY complies with all of the conditions set forth therein. The DEPARTMENT agrees to provide technical assistance and reserves the right to review such projects as provided therein.

B. The CITY agrees to review projects and issue traffic movement permits as delegated under the terms of this Agreement in accordance with the DEPARTMENT'S Chapter 305 Rules pursuant to the provisions of Title 23 M.R.S.A. §704-A as hereinbefore provided, and further agrees to make all necessary notifications to the DEPARTMENT as hereinafter provided:

1. The CITY agrees to notify the DEPARTMENT upon receipt of any project application submitted for review which requires the issuance of a traffic movement permit as authorized under the terms of this Agreement. Such notification shall include a complete description of the project.

Witness
Thomas Boon

By: *Robert B. Ganley*
Robert B. Ganley
City Manager

CITY OF PORTLAND

Witness
John G. Melrose

By: *John G. Melrose*
John G. Melrose
Commissioner

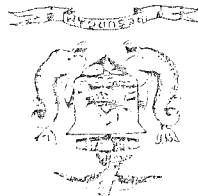
STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

IN WITNESS WHEREOF, the parties hereto have executed this Agreement in duplicate effective on the day and date first above written.

3. The CITY agrees to submit to the DEPARTMENT within fourteen (14) days of adoption, copies of any change or amendment to any ordinance or regulation used for the review of projects subject to the issuance of traffic movement permits as hereinbefore provided. All such ordinances and regulations shall be consistent with the DEPARTMENT's Chapter 305 Rules. If any change or amendment to such ordinances and regulations causes the CITY to be in noncompliance with any of the provisions set forth herein, the DEPARTMENT shall immediately revoke all authorization to issue such permits and promptly resume all responsibility for the administration thereof upon written notice to the CITY.
2. The CITY agrees to submit to the DEPARTMENT within fourteen (14) days of final action, a copy of the application, a copy of the record of review and action taken and a copy of any traffic movement permit issued pursuant to such review.

ATTACHMENT G

William J. Bray
Director



CITY OF PORTLAND

20 March 2001

Mr. Stephen J. Bradstreet, P.E.,
Environmental Engineering & Remediation,
222 St. John Street, Suite 314,
Portland, Maine 04102

**RE: The Capacity to handle The Proposed Professional Building
Wastewater Flows, at 68-76 Marginal Way.**

Dear Mr. Bradstreet:

The existing ninety-six inch diameter reinforced concrete sanitary sewer pipe located in Marginal Way has adequate capacity to transport the anticipated wastewater flows of 3,750 GPD, from your proposed building. The Portland Water District sewage treatment facilities located off Marginal Way have adequate capacity to treat the anticipated wastewater flows of 3,750 GPD, from your proposed building.

Recent Wastewater flows from 52 Marginal Way (Formerly Advanced Paper Co.)	=	48 GPD
250 Proposed Employees @ 15 GPD/Employee	=	3,750 GPD
Total Anticipated Increase in Wastewater Flows for this Project	=	3,702 GPD

If I can be of further assistance, please call me at 874-8832.

Sincerely,

CITY OF PORTLAND

Frank J. Brancely
Frank J. Brancely, BA, MA
Senior Engineering Technician

FJB

cc:

Joseph E. Gray, Director, Department of Planning, & Urban Development, City of Portland
Richard Knowland, Senior Planner, Dept. of Planning & Urban Development, City of Portland
Katherine A. Staples, PE, Engineering Manager, City of Portland
Bradley Roland, PE, Environmental Projects Engineer, City of Portland
Anthony W. Lombardo, PE, Project Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Desk File



225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

ATTACHMENT H

(207) 774-5961
FAX (207) 761-8307
www.pwd.org

March 20, 2001

Stephen J. Bradstreet, P.E.
Environmental Engineering & Remediation, Inc.
222 St. John St. Suite 314
Portland, Me. 04102

Re: 68 Marginal Way-Portland

Dear Mr. Bradstreet

This letter is to confirm there should be an adequate supply of clean and healthful water to serve the needs of the proposed office building near the intersection of Marginal Way and Preble Street. Checking District records, I find there are 8" water mains in both street.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the needs of your proposed project. A map is included indicating water mains and hydrants in the area.

Hydrant Location: Marginal Way @ Hanover St.
Hydrant # 241

Static pressure = 92 PSI
Flow = 1404 GPM
Last Tested = 6/28/91

If the district can be of further assistance in this matter, please let us know.

Sincerely,

Portland Water District

Jim Pandiscio

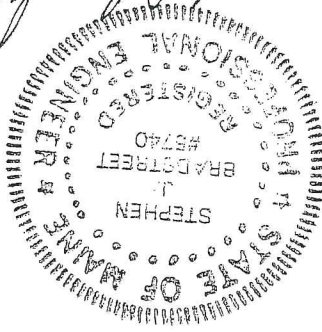
Means Coordinator

March 27, 2001

Environmental Engineering & Remediation, Inc.
222 St. John Street
Suite 314
Portland, Maine 04102

Submitted by:

Stylin G. Brackley
3/27/01



Atlantic National Trust
50 Portland Pier, Suite 400
Portland, Maine 04101

Prepared for:

STORMWATER MANAGEMENT REPORT
FOR
ATLANTIC NATIONAL TRUST
BAYSIDE SITE DEVELOPMENT
PORTLAND, MAINE

Stormwater Management Report
for
Bayside Site Development
Portland, Maine

PROJECT'S HYDROLOGICAL LOCATION

The Bayside Site Development is located on the northwest corner of the intersection of Preble Street Extension and Marginal Way in Portland, directly east of Interstate 295. Figure 1 presents the approximate location of the property. The site is relatively flat and is located approximately 700 feet south of Back Cove, an inlet from the Atlantic Ocean. The site and most of the area around it is constructed on fill placed during the 19th and 20th centuries. Prior to filling, the area was submerged.

PRE-DEVELOPMENT CONDITIONS

The site proposed for development comprises two properties. The City of Portland currently utilizes the northeast property for sand and salt storage. It is primarily developed with a 50 foot by 80 foot salt shed and some construction equipment is also stored on the property. The second property is improved with a warehouse and storage shed. Ground cover on both properties is almost exclusively pavement and gravel. There is very little vegetation on the site. The majority of the combined site drains to a catch basin to the north. A smaller portion of the site drains toward Marginal Way, and a relatively insignificant portion drains toward Preble Street.

POST-DEVELOPMENT CONDITIONS

The site will be redeveloped with an office building located in the eastern corner of the property (closest to the intersection). The building will have a footprint of approximately 10,000 square feet. A parking lot with 167 spaces and 7 grassed islands will be constructed appurtenant to the building. Nine catch basins will collect runoff in the parking lot and deliver it to a Downstream Defender™ for suspended solids treatment. The stormwater will then be discharged to the City/MDOT's stormwater collection system located north of the site. Green space will be created on the islands and adjacent to the office building, and erosion from the site should be significantly reduced due to the elimination of bare soil surfaces.

STORMWATER RUNOFF CALCULATIONS

Stormwater runoff calculations for this project were made using the Hydro CAD computer program, which is based on the Soil Conservation Service's TR-20 methodology. Runoff hydrographs are generated based on a standard type III storm. Three storm frequencies were modeled; the two-year storm (3.0 inches in 24 hours); the ten-year storm (4.7 inches in 24 hours); and the 25-year storm (5.5 inches in 24 hours).

will be achieved. Recognizing the current, unvegetated condition of the site, runoff water quality should be greatly improved.

MAINTENANCE OF STORMWATER COLLECTION FACILITIES

The Owner shall maintain the facilities in a clean, operating condition by removing debris and sediment from ditches, catch basins, and storm drain piping as necessary to maintain flow and water quality. Appendix B contains operation and maintenance instructions for the Downstream Defender™ along with a maintenance log. The maintenance log shall be maintained by the Owner and shall be provided to the City, upon request, for review.

QUALIFICATIONS STATEMENT

The engineer conducting this stormwater analysis is a registered professional engineer in the State of Maine with over 18 years of experience in stormwater management and design.

SUMMARY AND CONCLUSIONS

Two pre-development subcatchments were analyzed in order to determine peak pre-development runoff flows. Construction of a storm drain collection and treatment system will combine the two subcatchment areas into one. According to the methodology used for stormwater analysis, 2-year, 10-year, and 25-year peak flows from the site are reduced due to the addition of grassed areas. Stormwater quality is improved using a Downstream Defender™ to remove suspended solids.

H.I.L. TECHNOLOGY, INC.
94 Hutchins Drive
Portland, ME 04102

PHONE (207) 756-6200
FAX (207) 756-6212
TOLL FREE 1-800-848-2706
E-MAIL: hiltech @ hil-tech.com

I-5
H.I.L.
TECHNOLOGY
INC.

OPERATION AND MAINTENANCE OF THE DOWNSTREAM DEFENDER

OPERATION

The Downstream Defender operates on simple fluid hydraulics. It is self-activating, has no moving parts and no external power requirement. Therefore, no procedures are required to operate the unit.

As stormwater flows through the Downstream Defender, sediment is directed towards the center and base where it is stored in the collection facility, beneath the vortex chamber. Sediment is contained outside of the treatment flow path and protected by the center cone. Floatables are trapped in the outer annular space between the cylindrical dip plate and the concrete manhole wall at the top water level. Treated effluent is released from the inner annular space, between the dip plate and center shaft, through the outlet pipe, near the top of the vessel. The floatables lid isolates separated and stored oil and floatables from the treated effluent.

The Downstream Defender is unique in that the sediment and oil storage areas are outside the treatment flow path. Previously collected solids, oils and floatables are thereby protected from re-entrainment into the effluent during major storms or surcharge conditions. Furthermore, as sediment, floatables and oil are collected and stored over a period of several months, treatment capacities are not reduced as pollutants accumulate between clean-outs.

After a storm event, the water level in the Downstream Defender drains down to the invert of the outlet pipe, keeping the unit wet. Maintaining a wet unit has two major advantages:

1. It keeps the oil and floatables stored on the water surface separate from sediment stored below the vortex chamber, providing the option for separate oil disposal, such as passive skimmers, if desired.
2. It prevents stored sediment from solidifying in the base of the unit. The clean-out procedure becomes much more difficult and labor intensive if the system

allows fine sediment to dry-out and consolidate. When this occurs, clean-out crews must enter the chamber and manually remove the sediment; a labor intensive operation in a hazardous environment.

The Downstream Defender has large clear openings and no internal restrictions or weirs, minimizing the risk of blockage and hydraulic losses. Orifices and internal weirs can create two serious hydraulic problems:

1. Increased risk of blockage - Small orifices tend to collect debris and trash such as soda cans, sticks and Styrofoam cups which further reduce opening size and may even block openings completely. This alters the hydraulics in a flow-through treatment device, adversely affecting operation and performance and can eventually lead to system back-ups and maintenance issues. Removing debris from a submerged orifice may require pumping down the chamber.
2. Increased headlosses - Internal restrictions and weirs significantly increase hydraulic losses in a flow-through treatment device. The higher the flow through the system, the higher the headloss. This problem is exacerbated during the more intense storm events, backing up the storm sewer and increasing the risk for upstream flooding.

MAINTENANCE PROCEDURE

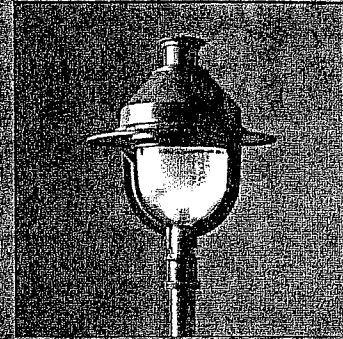
A commercially or municipally owned sump-vac is used to remove captured sediment and floatables. Access ports are located in the top of the manhole. The floatables access port is above the area between the concrete manhole wall and the dip plate. The sediment removal access port is located directly over the hollow center shaft. Floatables and oil should be removed prior to the removal of the sediment.

The frequency of the sump vac procedure is determined in the field after installation. During the first year of operation, the unit should be inspected every six months to determine the rate of sediment and floatables accumulation. A probe can be used to determine the level of solids in the sediment storage facility. When approximately 1.5 / 2 / 2.5 / 3.0 ft. of sediment depth has accumulated, the contents should be removed by sump vac. It is recommended that the units be cleaned annually.

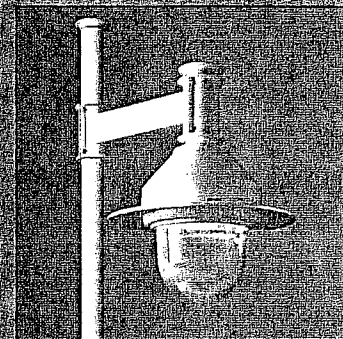
Although a small portion of water is removed along with the pollutants during the clean-out process, the units are typically not completely dewatered- minimizing disposal costs. The sump vac procedure for a typical 6-ft diameter Downstream Defender with one foot of sediment depth and two inches of oil and debris takes about 25 minutes and removes about 150 gallons of water in the process.

Transit Series

TR10/20

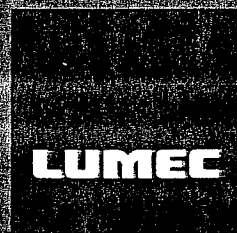


TR10™ - SHA



TR20™ - SHA - SN44

TR20™ - SHA - SN44 - SAM8



TR10/20

Transit series TR10™ and TR20™ luminaires incorporate a Sealsafe™ sealed optical chamber.

As it is hermetically sealed, the Sealsafe™ optical chamber protects the optical system, producing a lower Light Loss Factor (LLF) than conventional optical systems while maintaining the luminaire's photometric performance.

The lower LLF also translates into a lower initial lamp wattage, reducing the luminaire's electrical consumption.

Sealsafe SHA and SSA optical chambers offer exceptional photometric performance thanks to a state-of-the-art reflector/refractor combination which minimizes glare.

Sealsafe SCB and SHB optical chambers also offer outstanding photometric performance by combining of the same reflector and a sagged tempered-glass lens.

The absence of external prisms makes the surface of the reflector and lens self-cleaning, minimizing the deterioration of the optical system.

Toolfree access to the lamp via a sleeve and shutter, and a ballast tray dropped inside a ballast box make Transit luminaires easy to maintain.

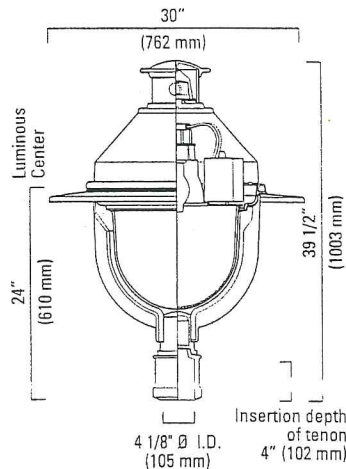
All these high-performance features are built into stylish and well-designed luminaires, making Transit series luminaires perfect for contemporary landscapes and buildings.

Luminaire

The TR10 luminaire consists of a sealed optical chamber made of a hydroformed reflector permanently sealed on an injected refractor with internal prisms only. A toolfree lamp access shutter and sleeve, with self-adjusting injection-molded silicone gasket, keep the optical chamber hermetically sealed. The optical system is surrounded by a one-piece, two-arm, cast-aluminum cradle welded to the bottom piece of a cast-aluminum technical ring. A large aluminum hood and a deflector are mechanically assembled on the top part of the technical ring.

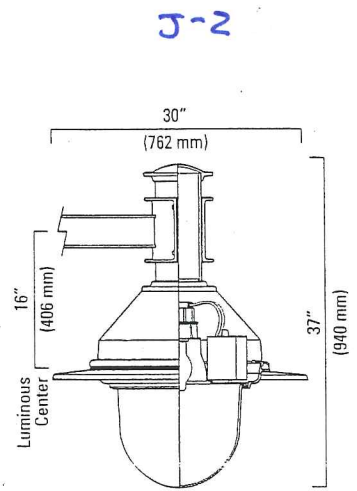
The TR20 luminaire is similar to the TR10 but is suspended from a mounting instead of being supported by a cradle.

TR10 and TR20 luminaires are UL and CSA approved.



EPA: 1.52 sq. ft.
Weight: 40 lbs. (18.1 kg)

TR10 - SHA4L - PH



TR20 - SSA3M

Lamp Guide

Wattage	TR10/TR20	
	SHA/SSA	SCB/SHB
70 MH	—	—
100 MH	—	—
175 MH	—	—
250 MH	—	—
400 MH	N/A	●
70 HPS	—	—
100 HPS	—	—
150 HPS	—	—
250 HPS	—	—
400 HPS	N/A	●

● Remote ballast in mounting or pole base.

TR10™ and TR20™ Transit series luminaires accommodate H.I.D. or incandescent lamps as shown in the above table.

The UL or CSA-recognized CWA-type ballast features a -30F° (-34C°) lamp-starting capacity, a power factor of 90% or better and a regulation of lamp within ±10% of rated input voltage. HPS ballasts operate within ANSI trapezoidal limits.

The ballast is integrated in the hood of the luminaire, on a unitized ballast tray dropped inside a ballast box.

Optical Systems



SHA optics

Hyper-extensive sealed optical chamber consisting of a reflector permanently assembled on top of a prismatic refractor.

- SHA3M: Asymmetrical (III)
- SHA4L: Asymmetrical (IV)



SSA optics

Semi cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a prismatic refractor.

- SSA3M: Asymmetrical (III)

In the above optics, the sleeve and shutter permit exact positioning of the lamp.

Refractor available in:

- AC: Acrylic
- PC: Polycarbonate

Add suffix to optical system code.



SCB optics

Cut-off sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens.

- SCB3M: Asymmetrical (III)



SHB optics

Hyper-extensive sealed optical chamber consisting of a reflector permanently assembled on top of a tempered glass lens.

- SHB3M: Asymmetrical (III)

In the above optics, the sleeve and shutter permit exact positioning of the lamp.

(Lamps not included)

For further information, refer to the Photometric Guide.

Mountings

TR10 luminaire mountings:

CR



The arm is made of a 2" by 4" (51 by 102 mm) aluminum extrusion. The luminaire base is a 4" (102 mm) round aluminum extrusion.

JR



Consists of two rectangular 2" by 3" (51 by 76 mm) extruded-aluminum arms welded to a 4" (102 mm) round extruded-aluminum luminaire base.

TR20 luminaire mountings:

TN12



Arm is made of a 2 1/4" by 3 3/4" rectangular (57 by 95 mm) aluminum extrusion welded to two cast-aluminum pole or luminaire adaptors.

SN12



The cast-aluminum arm is welded to two cast-aluminum pole or luminaire adaptors.

UN12



Arm is made of a 2 1/4" by 3 3/4" rectangular (57 by 95 mm) aluminum extrusion and an aluminum decorative wedge, both welded to two cast-aluminum pole or luminaire adaptors.

For the SN, TN and UN mountings the arm is mechanically assembled around a pole and a TR20 luminaire top.

The pole-top section of the SN, TN and UN mountings varies from 12" (305 mm) minimum on up. Specify height required after mounting code.

Ordering Sample

Lamp	Luminaire	Optical System	Voltage	Mounting & Configuration	Pole	Finish	Options
100 HPS	TR10	SHA4L - AC	240V	CR-1A	SM6-15	GN6-TX	FS

Lumec reserves the right to substitute materials or change the manufacturing process of its products without prior notification.

CITY OF PORTLAND, MAINE

PLANNING BOARD

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June 18, 2001

Mr. William Nemmers
TFH Architects
100 Commercial Street
Portland, ME 04101

RE: Bayside Office Building, Vicinity of 68-76 Marginal Way

Dear Mr. Nemmers.

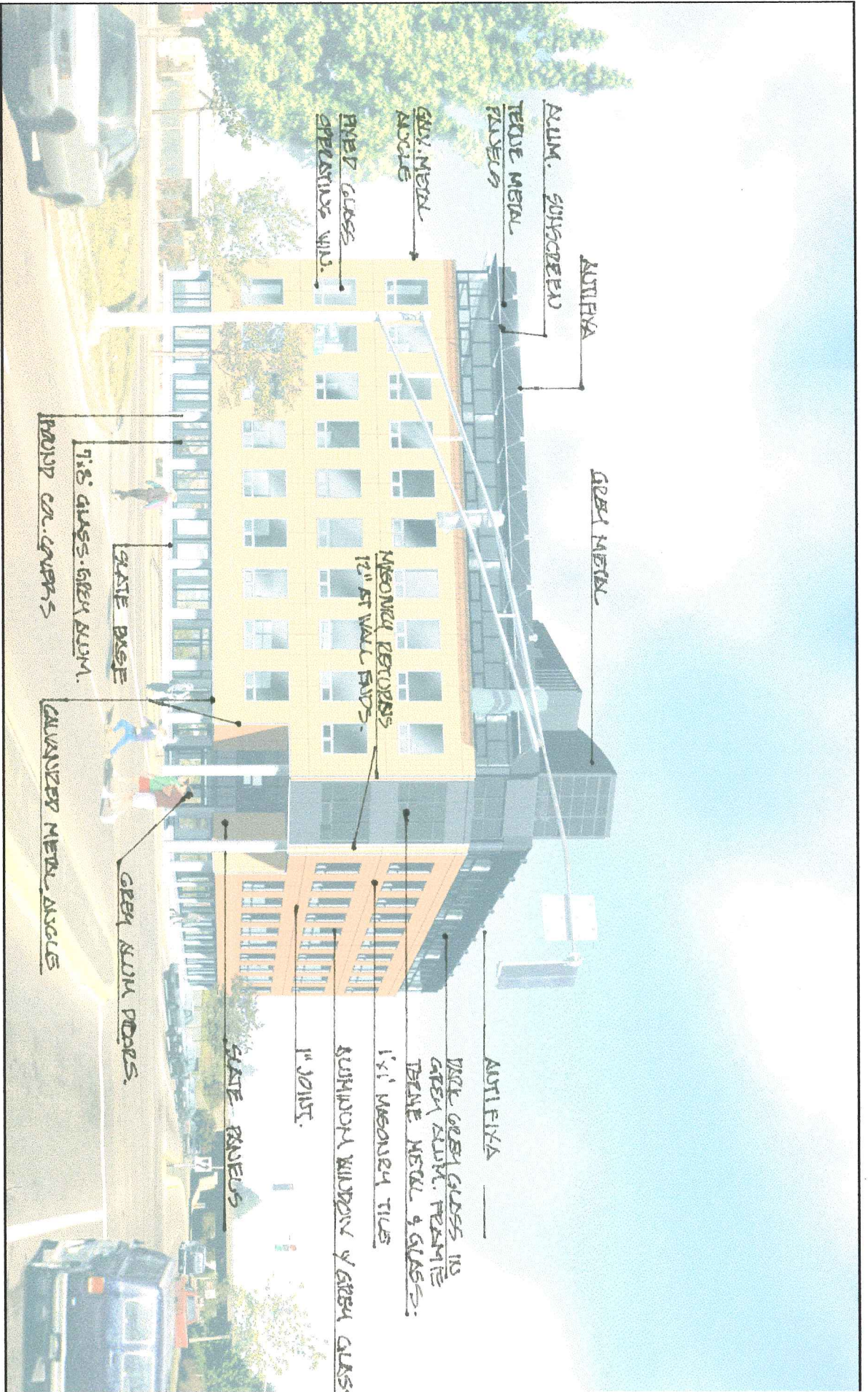
On June 12, 2001 the Portland Planning Board voted on the following motions for a proposal by Atlantic National Trust for a proposed 50,000 sq. ft. office building in the vicinity of 68-76 Marginal Way.

1. The Planning Board voted 7-0 that the plan was in conformance with the site plan ordinance of the land use code with the following conditions of approval:
 - i. That a revised lighting plan shall be submitted for Planning Staff review and approval.
 - ii. That the site plan shall be revised reflecting granite curb along that portion of the Marginal Way property frontage that has existing concrete curb.
 - iii. That the applicant receives an easement from MDOT to use the existing storm drain system (along the northerly property line) within the I-295 right-of-way.
 - iv. That the applicant receives City approval for a license to install plantings and to construct a sidewalk within the public right-of-way.
 - v. That dimensioned drawings of the final building elevations for all 4 sides of the building shall be submitted for Planning Staff review and approval.

2. The Planning Board voted 7-0 that the plan was in conformance with 23 MRSA 704-A and chapter 305 rules and regulations pertaining to traffic movement permits with the following conditions of approval:
 - i. That plan shall be revised reflecting the comments of Larry Ash, City Traffic Engineer, in a memo dated 6-14-01 (attached).
 - ii. Should off-site parking be used for this development, the applicant shall submit a revised traffic analysis for review and approval by the City Traffic Engineer.
 - iii. Should it be determined that the Preble Street driveway needs to be eliminated, the site plan shall be revised according

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 work's 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.



ALUMINA

GREEN METAL

ALUM. SUSPENDED
TUBE METAL
RAILS

GREEN METAL
ANGLES

GREEN GLASS
OPERABLE WIND.

MASONRY PERIMETER
12" FT WALL SANDS

ALUMINA

DARK GREEN GLASS IN
GREEN ALUM. FRAME
TUBING METAL & GLASS:

1 1/2" MASONRY TILES

RUNDOWN RIBBON & GREEN GLASS

1" JOINT.

STATE RAILS

GREEN ALUM DOORS.

ADVANCED METAL ANGLES

STATE BASE

7 1/8 GLASS-GREEN ALUM.

ROUND CR. CURBS

From: Penny Littell
To: RICK KNOWLAND
Date: Fri, Jun 8, 2001 3:37 PM
Subject: Salt Shed

Rick: I wanted to remind you of the state statute which requires buildings along state or state aid highways to be set back at least twenty (20) feet from the outside edge of certain highways. 23 MRSA sec 1401 reads:

Installations restricted

No person shall install, erect or construct, or cause to be installed, erected or constructed any such installations as buildings, gasoline pumps or other fixtures, excepting only the installations or other property devoted to the public use of any public utility or district and underground pipe lines, in, upon or near any state or state aid highway, located as follows:

1. Within right of way. Within the full width of the right of way of any state or state aid highway as laid out by the State, the county or the town; or

2. Within 33 feet of center line. Within 33 feet of the center line of any such highway. This provision shall not apply to installations or other property in existence on August 6, 1949; or

3. Within 20 feet from outside edge of certain highways. Within 20 feet from the outside edge of any of the paved portion of any such highway having more than 2 travel lanes and having a total paved portion in excess of 24 feet in width. This provision shall not apply to installations or other property in existence on September 1, 1955.

4. Provision waived. The commissioner, in his discretion, may, if he determines that highway safety and the public welfare will not be adversely affected by the reconstruction of a building in the general location of the previously existing building, waive the provision of subsection 2.

Any person found guilty of violating this section shall be punished by a fine of not less than \$5 nor more than \$500, and whoever after conviction of such violation unlawfully maintains any such installations as buildings, gasoline pumps or other fixtures for 30 days after such conviction may be punished by a further fine of not more than \$50 for each day upon which such installations as buildings, gasoline pumps or other fixtures are maintained.

This may apply to the Salt Shed but Public Works Director Bill Bray is engaged in ongoing discussions with MDOT Commissioner Melrose about this issue.

QUITCLAIM DEED

HL
HARRIET LEVI, with a mailing address of 93 Rackleff Street, Portland, Maine 04103, for consideration paid, GRANT to THEODORE V. WEST, with a mailing address of c/o ATLANTIC NATIONAL TRUST, LLC 50 Portland Pier, Portland, Maine 04101, as ~~JOINT TENANTS and not as tenants in common~~, with QUITCLAIM COVENANT, that certain lot or parcel of land situated in the City of PORTLAND, County of CUMBERLAND and State of MAINE, and more particularly described on EXHIBIT A attached hereto and made a part hereof.

For the source of Grantor's title, reference is hereby made to a deed from Maine Surgical Supply Co. to William L. Levi and Harriet Levi as joint tenants, dated January 4, 1982 and recorded in the Cumberland County Registry of Deeds in Book 4908, Page 135. The said William L. Levi died on September 20, 1966, leaving the Grantor herein as the surviving joint tenant.

IN WITNESS WHEREOF, the said HARRIET LEVI has signed this instrument on the 24th day of July, 2000 .

Harriet Levi

HARRIET LEVI

STATE OF MAINE
COUNTY OF CUMBERLAND

July 24, 2000

Personally appeared the above named HARRIET LEVI and acknowledged the foregoing instrument to be her free act and deed.

Before me,

RS

Notary Public/Attorney-at-Law
Print Name: Robert S. Hark

*uc 7/24/00 @ 1152
15612/26*

Exhibit A

I. A certain lot or parcel of land, with the buildings thereon, situated in Portland, in the County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at a point on the northerly side line of the Marginal Way, distant westerly along said side line one hundred twenty and one tenth (120.1) feet from the intersection of said side line with the westerly side line of Hanover Street produced, said point being at the southwesterly corner of land of the City of Portland; thence running South 67° 45' West and by said northerly side line of the Marginal Way a distance of one hundred forty (140) feet to an iron pipe driven into the ground; thence North 6° 14' West a distance of one hundred four (104) feet to an iron pipe at the Old Harbor Commissioner's Line; thence continuing the same course a distance of about three hundred thirty-eight (338) feet to the Government Channel; thence North 67° 45' East and by said Government Channel a distance of one hundred forty (140) feet to land of the City of Portland; thence South 6° 14' East and by land of the City of Portland a distance of about three hundred thirty-eight (338) feet to a pipe at the old Harbor Commissioner's Line; thence continuing the same course and by land of City of Portland a distance of one hundred four (104) feet to an iron pipe at the point of beginning.

Excepting and reserving, however, (1) that portion of the above-described premises condemned by the State of Maine and described in Notice of Layout and Taking recorded in said Registry of Deeds, Book 3062, Page 837, said portion also being delineated as Parcel No. 1008 on Maine State Highway Commission Right of Way Map with respect to Federal Aid Projects Nos. I-295-3(30) and U-014-1(11) dated December, 1967, (S.H.C. File No. 3-185) and (2) that portion of the above-described premises conveyed to the State of Maine by deed of Maine Surgical Supply Co. recorded in said Registry of Deeds, Book 3123, Page 424, being designated as Parcel 1008-A on said Right of Way Map.

II. Also, a certain lot or parcel of land situated on the northwesterly side of Marginal Way in Portland, bounded and described as follows:

Beginning at a granite monument on the northwesterly side line of Marginal Way, said granite monument being distant southwesterly along said northwesterly side line of Marginal Way one hundred nineteen and eighty hundredths (119.80) feet from a granite monument marking the intersection of said northwesterly side line of Marginal Way and the southwesterly side line of Preble Street Extension; thence northwesterly at right angles to said northwesterly side line of Marginal Way and through land of the City of Portland a distance of two hundred thirty-five and two hundredths (235.02) feet to a point

and the easterly side line of land now or formerly of Maine Surgical Supply Co.; thence southerly at an included angle of fifteen degrees and fifty-seven minutes ($15^{\circ} 57'$) and along said easterly side line of said Maine Surgical Supply Co. land a distance of two hundred forty-four and forty-three hundredths (244.43) feet, more or less, to said northwesterly side line of Marginal Way; thence northeasterly at an included angle of seventy-four degrees and three minutes ($74^{\circ} 3'$) and along said northwesterly side line of Marginal Way a distance of sixty-seven and seventeen hundredths (67.17) feet, more or less, to the granite monument at the point of beginning, containing seven thousand eight hundred ninety-three (7,893) square feet, more or less.

Being a portion of the premises conveyed to the City of Portland by Ezra Russell by deed dated April, 1849, and recorded in said Registry of Deeds, Book 213, Page 449.

Together with right conveyed by the City of Portland to Maine Surgical Supply Co. in deed dated December 28, 1976, and recorded in said Registry of Deeds, Book 3959, Page 165, and more particularly described as follows:

"It is understood and agreed that if and when Grantor secures authorization from the State Department of Transportation to construct and maintain an exit from its adjoining premises to the Preble Street Extension and such authorization will permit Grantor to do so, Grantor will convey to Grantee an easement of access not to exceed twenty-five (25) feet in width across the rear of its property to the property herein conveyed in such location and under such terms and conditions as the State Department of Transportation and/or the Grantor shall then determine, such easement of access to terminate at the Grantor's discretion if the use thereof shall interfere with Grantor's use of its remaining land or if and when Grantor shall convey such remaining land."

This conveyance of parcels I and II above is also subject to any encumbrances that could be discovered by a survey of the premises described above.

ATTACHMENT
N-1

TFH ARCHITECTS 100 COMMERCIAL STREET PORTLAND MAINE 04101 TELEPHONE 207-775-6141 ARCHITECTURE AND PLANNING

FAX TRANSMITTAL

TO:	Rick Knowland	FAX:	756-8258
FROM:	Bill Nemmers TFH Architects	FAX:	773-0194
DATE:	June 6, 2001	TEL:	775-6141
TIME:	10:37 AM		
PAGES:	2 including this page		

Rick,

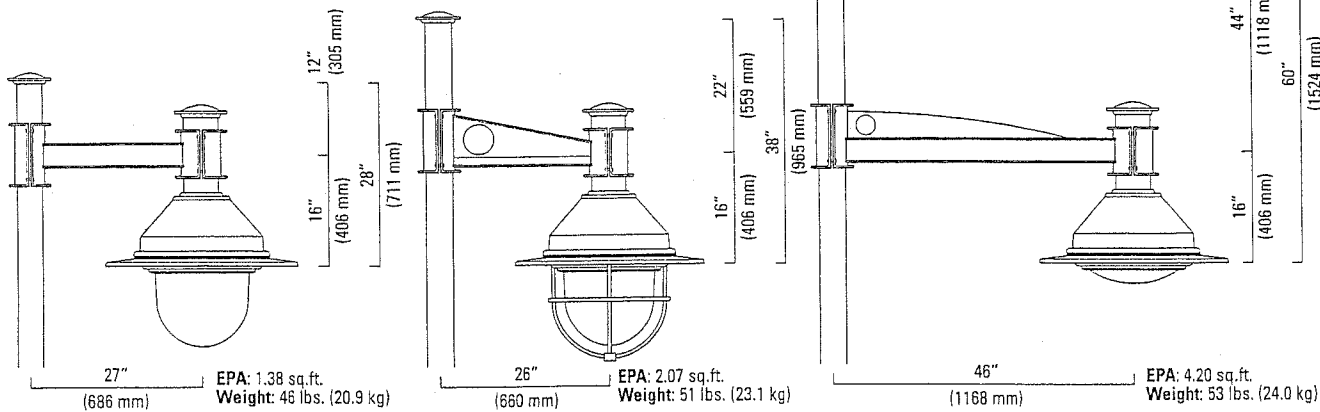
Please find the attached minutes of our Bayside Office Building meeting held on June 5, 2001.

Thanks,

Bill

Note:

The pole-top section of the **SN, TN** and **UN** mountings varies from 12" (305 mm) minimum on up. Specify height required after mounting code.

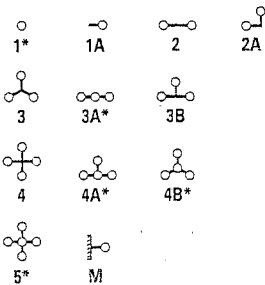


TR20 - SHA4L - SN12

TR20 - SHA3M - TN22 - GRD

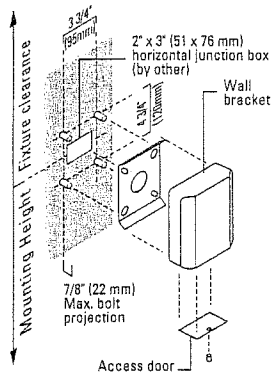
TR20 - SCB3M - UN44

Configurations



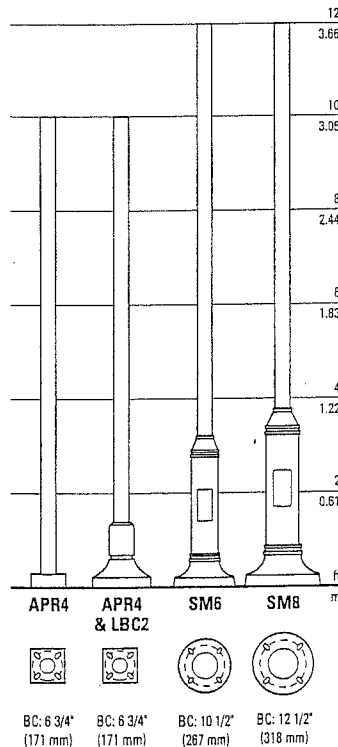
* Applicable to TR10 luminaire only.

Typical wall mounting detail for TR10 luminaire mountings



Consult the Pole Guide for details.

Poles



Consult the Pole Guide for details and the complete line of poles.

Finishes

16 Standard Colors Available

The specially-formulated textured (TX) Lumital powder coat is available in a range of 16 standard colors. This unique coating of thermosetting polyester resins provides a highly-durable UV-resistant exterior finish as per ASTM G7.

Lumital coatings are specially formulated for outstanding salt-spray resistance according to ASTM B117 standards.

All surfaces are chemically treated using a four-step (aluminum) or seven-step (steel) process prior to painting. Consult Lumec for complete specifications.

SCL Special Color (liquid)

SCP Special Color (powder)

Provide a 4" (102 mm) square color chip.

It is possible to order smaller minimal quantities of powder paint at a premium. Your representative will be able to tell you if a powder coat paint can be developed for your project.

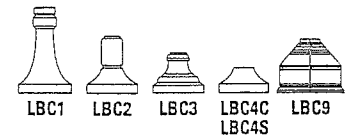
Please note that where quantities do not warrant it, Lumec reserves the right to use an oven-cured liquid polyurethane finish.

Options

- FS** Luminaire integrated fuse
- HS** House shield
- GRD** Decorative guard (TR20 model only. Not applicable with SCB and SHB optics.)
- HB** Hinged base (TR10 only. APR4, APS4, APR5 & APS5 poles only)
- DR*** Duplex receptacle (120 volts only)
- GFI*** Duplex receptacle with ground fault interrupter (120 volts only)
- PH** Photoelectric cell
- LS*** Provision for loudspeaker outlet
- BA*** Banner arm
- IP** Interior paint (pole only, consult factory for applicable poles)
- LBC** Optional base cover

* Consult factory for feasibility with cast-aluminum shafts.

Base covers for APR4 & SPR4 poles only (replace standard base cover).



TR10/20

At Lumec, blueprints have long since given way to functional reality and the performance of our products is proven and documented.

The following drawings illustrate a row of the many variations offered. All of these luminaires, unless noted, accept sources of up to 280 watts. Should you wish to interchange these components please contact our representative regarding feasibility.

VR numbers describe illustrated bracket, pole, base cover and configuration.

When ordering Versalux luminaires use the catalogue number substituting the VR number for the regular bracket and pole number.

The mounting height of the luminaire is indicated by identifying the height in feet of the light source above the ground.

An original concept can also be developed in cooperation with our technical services department.



To achieve a high level of customer satisfaction, Lumec designs and manufactures products according to the most stringent standards.

ISO 9002 Registered

The quality management system of Lumec is ISO 9002-94 registered with QMI.

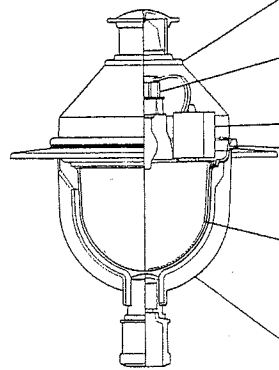
640 Cure-Bovin
Boisbriand, Quebec
Canada J7G 2A7

Tel.: (514) 430-7040
Fax: (514) 430-1453

As of end 1998 the area code will be 450

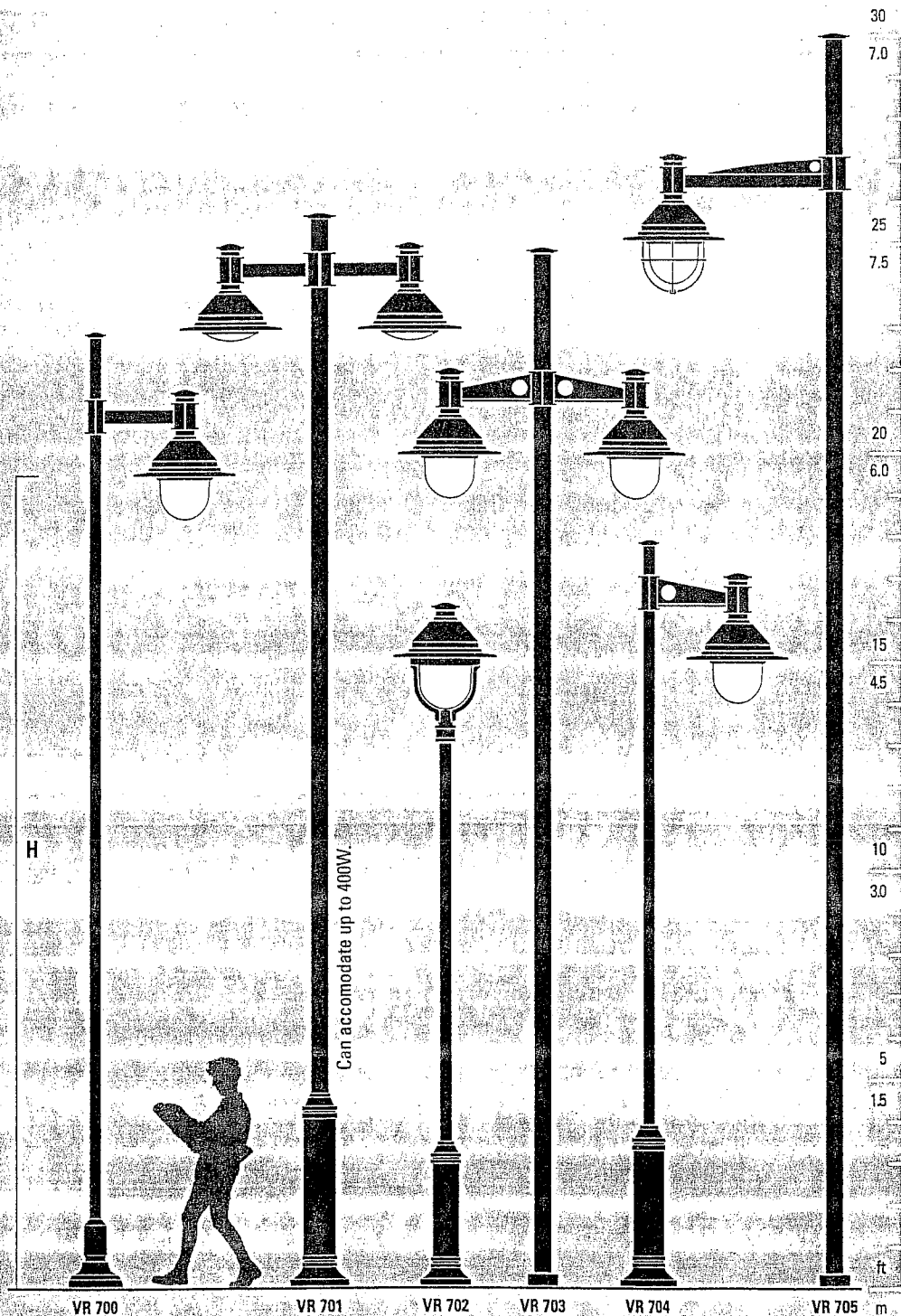


Specifications Features:



- Superior construction with a large aluminum hood and deflector mechanically assembled on the top part of the cast-aluminum technical ring.
- Toolfree lamp access via a shutter and sleeve with self-adjusting injection-molded silicone gasket. This hermetically seals the optical chamber, ensuring a better Light Loss Factor (LLF).
- Dropped-in ballast tray for outstanding maintenance ease.
- Toolfree access to the interior of the luminaire via a spring-loaded latch on the technical ring. The hood then pivots along a hinge built-into the technical ring, providing access to the lamp shutter and ballast tray.
- A Sealsafe™ sealed optical chamber, made of a hydroformed reflector permanently sealed on an injected refractor with internal prisms only (SHA and SSA optics), or on a tempered glass lens (SCB and SHB). The resulting lower LLF ensures superior photometric performance over time.
- Two-arm, cast-aluminum pole-top cradle welded to the bottom of the cast-aluminum technical ring.

TR10 model shown



ATTACHMENT K

Foothill.

May 8, 2000

Benjamin C. Geel, Vice President
Peoples Heritage Bank
One Portland Square
PO Box 9540
Portland, ME 04112-9540

Via Facsimile: (207) 761-8660

RE: Atlantic National Trust

Dear Mr. Geel:

Atlantic National Trust has been a Foothill Capital account since 1996 and currently has a warehouse credit line of \$55 million and pre approved for \$65 million based upon Foothill acquiring a participant.

Atlantic National Trust is a 1 rated account on a scale of 1 -- 8 with 1 being the best. Since funding, the relationship has been and remains satisfactory.

Foothill is a Wells Fargo Bank company.

Please call if I can be of assistance.

Sincerely,



Todd Colpitts, Vice President

Foothill Capital Corporation
617-624-4400 / Fax 617-772-9193
60 State Street, Suite 1150, Boston, MA 02109

A **WELLS FARGO** Company

ATTACHMENT L

From: Marge Schmuckal
To: RICK KNOWLAND
Date: Mon, Mar 26, 2001 10:03 AM
Subject: 76 Marginal Way - Bayside Office Bldg

Rick,

I have reviewed the proposal of the new office building at 76 Marginal Way. The building is located in a B-5 business zone. This zone permits the office building use. There is no required street frontage. There are no required setbacks. There is no minimum lot size requirements. There are no off-street parking requirements. There is a 100% lot coverage allowance. The structure is not located in a shoreland area or a floodplain area.

This zone does have a maximum height requirement of 65 feet. The plans I received are not scalable, so I requested the architect, Bill Nemmers to specifically answer that question. He told me that his measurement was 64 feet from the grade to the top of the parapet. This would be allowable under zoning.

Marge

PURCHASE AND SALE AGREEMENT

THIS AGREEMENT for the purchase and sale of real estate made as of the ~~26th~~ day of July, 2000 by and between the CITY OF PORTLAND, a body politic and corporate located in Cumberland County, Maine (hereinafter referred to as "CITY"), and ATLANTIC NATIONAL TRUST, LLC of 50 Portland Pier, Suite 400, Portland in Cumberland County, Maine (hereinafter referred to as "BUYER").

WITNESSETH:

WHEREAS, CITY did issue a Request for Proposals, RFP #7700, entitled "Sale and Re-Use of the "Salt Shed" Property (hereinafter "Property") and

WHEREAS, BUYER submitted a proposal dated June 15, 2000 in response to said Request for Proposals; and

WHEREAS, CITY has determined that BUYER's Proposal best suits the development of the Property;

NOW, THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the parties intend to be legally bound as follows:

1. SALE.

CITY agrees to sell the Property as shown in Attachment 1 to Attachment A attached hereto and incorporated herein, to the BUYER, and BUYER agrees to purchase the Property in accordance with the provisions hereof.

2. CONSIDERATION.

The purchase price for the Property shall be One Hundred Ninety Five Thousand Dollars (\$195,000.00), which amount shall be paid at the closing set forth in Paragraph 6 hereof but subject to the terms of Paragraph 13 hereof.

3. TITLE.

Title to the Property shall be conveyed by Quitclaim Deed and shall be free of CITY liens.

4. POSSESSION.

Full possession of the Property will be given at the transfer of title.

5. RISK OF LOSS.

The risk of loss or damage to the Property by fire or otherwise, until transfer of title hereunder, is assumed by CITY. The Property is to be delivered in substantially the same condition as of the date of this Agreement, subject to the right of CITY to remove certain property as set forth in said Request for Proposal.

6. CLOSING.

The closing shall be held at City Hall, at a time mutually agreeable to the parties within thirty (30) days of the completion of all conditions to closing described in paragraph 7 of this Agreement, but in any event no later than Three Hundred and Sixty (360) days from the date of this Agreement.

7. CONDITIONS TO CLOSING.

- a. BUYER shall obtain all necessary federal, State and City approvals for the construction of an office and retail building of a minimum square footage amount of 50,000 square feet and accompanying site improvements as described in BUYER's aforesaid Proposal (hereinafter collectively, "Project") which is hereby incorporated and made part of this agreement (see Attachment B). Design of said building must comply with the Bayside Vision, CITY's Request for Proposal, BUYER's Proposal and all CITY and State land use and building/fire code regulations, all as determined by the Planning Board in the course of Site Plan Review;
- b. BUYER shall provide proof of financial commitments and/or financial information acceptable to CITY demonstrating BUYER's ability to construct the Project;
- c. BUYER shall provide proof of application for a building permit;
- d. BUYER shall secure office and retail tenants that shall occupy a minimum of Eighty-five percent (85%) of the Project.

8. CONDITIONS WHICH SURVIVE THE CLOSING.

- a. BUYER shall substantially commence construction of the Project by October 1, 2001 and BUYER shall substantially complete the project by December 31, 2002;
- b. This obligation shall be secured by a junior mortgage on the Property in substantially the same form attached hereto as Attachment C.

- c. BUYER shall provide to CITY a Letter of Credit acceptable to CITY in an amount equal to the amount secured by the senior mortgage on the Property as of the date CITY obtains a non-appealable judgement of foreclosure on its junior mortgage. This Letter of Credit shall only be called by the CITY in the event that CITY obtains such judgment of foreclosure. CITY shall utilize funds from the Letter of Credit to pay off and satisfy the senior mortgage on the Property.

9. BINDING EFFECT.

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, administrators, successors and assigns.

10. ENTIRE AGREEMENT.

This Agreement represents the entire and complete Agreement and understanding between the parties and supersedes any prior Agreement or understanding, written or oral, between the parties with respect to the acquisition or exchange of the Property.

11. HEADINGS AND CAPTIONS.

The headings and captions appearing herein are for the convenience of reference only and shall not in any way affect the substantive provisions hereof.

12. GOVERNING LAW.

This Agreement shall be governed by and construed and enforced in accordance with the laws of the State of Maine.

13. NOTICE.

Any notice required or permitted under this Agreement shall be deemed sufficient if mailed with first class postage affixed or delivered in person to:

FOR THE CITY:	City of Portland ATTN: CITY MANAGER 389 Congress Street Portland, ME 04101
With a copy to:	Lee Urban, Director of Economic Development

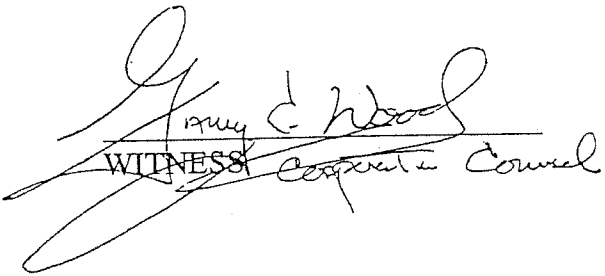
FOR THE BUYER:	Atlantic National Trust, LLC 50 Portland Pier, Suite 400 Portland, ME 04101 Attention: Dean Stilphen
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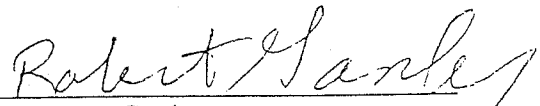
14. DEPOSIT.

BUYER has paid to CITY the sum of Five Thousand Dollars (\$5,000.00) as a deposit on said Property. This amount shall be credited toward the final purchase price. In the event that BUYER does not complete the purchase within thirty (30) days of the completion of the requirements described in Paragraph 7 of this Agreement, the deposit shall be retained by the CITY as liquidated damages.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals on the day and year first above written.

CITY OF PORTLAND


WITNESS *Corporate Counsel*

By: 
Robert B. Ganley
Its City Manager

ATLANTIC NATIONAL TRUST, LLC


WITNESS

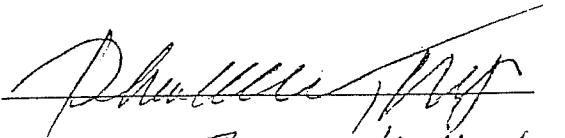
By: 
Printed name: Theodore V. West
Its: Manager

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Who Needs to Apply?

Any project which generates 100 or more passenger car equivalents (PCE) trips during peak hour of traffic generation, must file a Traffic Movement Permit application with the Maine Department of Transportation. Determination of all passenger car equivalent trips for the purpose of establishing application requirements shall be calculated using the edition of the ITE Trip Generation Guide referenced on the MDOT Fact Sheet. Assistance in determining the trip levels can be obtained by contacting a traffic engineer licensed to do engineering work in the State of Maine, the appropriate M.D.O.T. Division Office or the Augusta Headquarters - Division of Traffic Engineering.

Municipalities may register with the Department to seek delegated review authority to issue Traffic Movement Permits. In such cases a Traffic Movement Permit would be required from the municipality that has been given delegated review authority. A municipality can be delegated the authority to issue permits if that municipality adopts ordinances consistent with M.D.O.T. Chapter 305 Rules. Once the ordinance is adopted, the municipality must contact the Department to request delegated authority. If the Department finds the municipality in compliance with Chapter 305, the Department will develop an agreement for Delegated Review Authority. Please contact the Augusta Headquarters at 287- 3775 to determine whether your municipality has been given delegated responsibility or wishes to apply for issuing the Traffic Movement Permit.

EXEMPT PROJECTS: The following types of projects are exempt from MDOT review as they are reviewed by MDEP (Maine Department of Environmental Protection) under M.R.S.A. title 38:

- 1) Any type of Solid Waste Facility. (M.R.S.A. title 38, Section 1310 - N)
- 2) Any type of Hazardous Waste Transfer or Storage Facility. (M.R.S.A. title 38, Section 1319 - R)
- 3) Any Waste Oil Storage Facility and Biomedical Waste Facility. (M.R.S.A. title 38, Section 1319 -X)

Notice to the Applicant: Subsequent to the Department's Traffic Movement Permit approval of a proposed project, the applicant will be required to obtain the following approval from MDOT:

- 1) If the proposed project abuts the State's Highway System and requires improvement to that system, the applicant must then obtain approval of the design plans and coordinate the work through MDOT's Director of the Bureau of Project Development, who can be reached at (207) 287-2055 in Augusta. The applicant must demonstrate through a developer agreement the financial, legal and technical ability to develop such improvements.

**GENERAL INFORMATION ABOUT APPLICATIONS SUBMITTED PURSUANT TO CHAPTER
23 M.R.S.A. § 704 - A**

Key definitions:

- * **Passenger car equivalent (PCE).** The number of passenger cars or, in the case of non-passenger vehicles, the number of passenger cars that would be displaced by non-passenger car vehicles. One tractor-trailer combination is the equivalent of two passenger cars.
- * **Passenger car equivalent vehicles at peak hour.** The number of passenger cars or, in the case of non-passenger vehicles, the number of passenger cars that would be displaced by non-passenger car vehicles, at that hour of the day during which the traffic volume generated by the development is higher than the volume during any other hour of the day.
- * **Peak-hour.** The hour of the day during which the traffic volume at an intersection or on a roadway segment is higher than the volume during any other hour of the day.
- **Developer Agreements.** The Developer Agreement refers to a document which dictates the terms and conditions by which the State of Maine Department of Transportation will allow any developer of real property adjacent to any state or state-aid highway to make improvements to such highways pursuant to the provisions of Title 23 M.R.S.A. § 651. If the proposed project abuts the State's Highway System and requires improvement to that system, the applicant must then obtain approval of the design plans and coordinate the work through MDOT's Director of the Bureau of Project Development, who can be reached at (207) 287-2055 in Augusta. The applicant must demonstrate through a developer agreement the financial, legal and technical ability to develop such improvements
- * **The Department.** Maine Department of Transportation (MDOT).
- * **Project.** Includes any construction, alteration or conversion of a site or a building(s) or a development.
- * **Rules.** MDOT's Rules are located in Chapter 305 of the General Rules of the Department of Transportation.
- * **Scoping Meeting.** A meeting to determine the scope of impact evaluation required for the proposed project and the type of proceedings warranted.
- **Urban Compact.** A built up portion of a town/city as described in M.R.S.A. title 23 § 754.
- * **Title, Right or Interest.** An applicant shall demonstrate in writing sufficient title, right or interest, as follows: 1) When the applicant claims ownership of the property, copies of the

deeds to the property shall be supplied, or 2) When the applicant has an option to buy the property, a copy of the option agreement shall be supplied. Option agreements shall contain terms deemed sufficient by the Department to establish future title, or 3) When a Purchase and Sale agreement has been signed, a copy shall be supplied. Purchase and Sale agreements shall contain terms deemed sufficient by the Department to establish future title, or 4) When the applicant has a lease on the property, a copy of the lease shall be supplied. The lease shall be of sufficient duration, as determined by the Department, to permit construction and reasonable use of the development, or 5) When the applicant has eminent domain power over the property, evidence shall be supplied of the ability and the intent to use the eminent domain power to acquire sufficient title, right or interest as determined by the Department.

- * **Consolidated Review.** A joint permit combining M.D.O.T.'s Traffic Movement Permit and M.D.E.P.'s Site Law Permit. M.D.E.P. shall be the lead agency on combined permits and therefore will issue the permit. The applicant is required to meet the criteria of both Department's applications processes. The appeals process is more complicated under consolidated review and is detailed in M.D.O.T.'s Chapter 305 of the General Rules of the Department of Transportation.

Special provisions for developments generating 100 or more passenger car equivalent (PCE) trips

- * Upon receipt by the Department of a traffic review application (with all information covering sections 1 thru 6 of the Specific Submission Requirements that the Department finds acceptable and complete) to construct or operate a development that meets the threshold of 100 or more PCE trips, the Department will arrange and schedule a **scoping meeting** with the applicant to discuss the scope of potential traffic impacts to be studied and the type of proceeding warranted. The Department will invite representatives of the municipality, abutting municipalities, municipal planning organizations and regional councils where the project is located and the applicant or appropriate representative. The applicant is required to submit a signed copy of the "Notice Of Intent to File" to the Municipality(s) in which the proposed development is located, and to submit such form to all abutting property owners. Such notice must be sent by certified mail, return receipt requested, at least 7 (seven) days prior to the scoping meeting

Special provisions for developments generating over 200 passenger car equivalent (PCE) trips

- * **Scoping meeting.** For an application of this type, a scoping meeting must be held prior to the submittal of the application. The Department will arrange and schedule such a meeting with the applicant to discuss the scope of potential traffic impacts to be studied and the type of proceeding warranted only after the Department has received from the applicant information covering Sections 1 thru 6 of the Specific Submission Requirements and that the Department finds the information to be acceptable and complete. The Department will invite representatives of the municipality, abutting municipalities, municipal planning organizations and regional councils where the project is located and the applicant or appropriate representative. The applicant is required to submit a signed copy of the "Notice Of Intent to File" to the Municipality(s) in which the proposed development is located, and to submit such form to all abutting property owners. Such notice must be sent

by certified mail, return receipt requested at least 7 (seven) days prior to the scoping meeting. The "notice of intent to file" does not need to be resubmitted with a Section 7 Traffic Study when the application is officially submitted. The submittal of the notice prior to the scoping meeting is sufficient. The purpose of this meeting is to help the applicant to understand the application review process, to identify particular areas of concern, to define appropriate trip generation rates, to define trip distribution, to define trip composition, to define the study area, to define appropriate traffic engineering analysis methods to be used to assess whether or not safety and/or capacity deficiencies exist today or will exist after the development is in place and to exchange information before a commitment to a final design.

GENERAL SUBMISSION REQUIREMENTS:

1. **ORGANIZATION.** The applicant is expected to organize the application as follows: Fill in pages 12 through 14 of the application form and attach them to the front of the completed application. Assemble the remainder of the application into sections as specified in the following specific submission requirements. Identify each section with a tab. If a particular section is not applicable, provide a statement explaining why it is not; do not omit the section. Retain a copy of the application for your reference.
2. **NOTICE.** Provide written public notice of the application. The attached "Notice of Intent to File" form, or one containing identical information must be used to notify abutters, municipal officials, and local newspapers. The completed notice form must be placed after the first two pages and before Section 1. Such notice must be sent by certified mail, return receipt requested. For over 200 PCE developments, the notice must accompany items 1 thru 6 of the Specific Submission Requirements.
3. **PLANS.** All site plans shall be stamped or sealed by a Registered Maine Professional Engineer must be at a scale of 1 inch equals no more than 200 feet (1:2000 metric) unless variations are approved by the Department prior to submission of the application. Any intersections of the development with the roadway shall be shown at a scale of 1 inch equals no more than 50 feet (1:500 metric). Survey plans, without exceptions shall be prepared, signed and sealed by a Maine Licensed Professional Land Surveyor. Plans must be folded to fit 8 1/2" X 11" folders and must be submitted in triplicate.
4. **FEES.** The fee for a scoping meeting with no further review (100 - 200 PCE trips) is \$500. If further review is required, short of a full traffic study as determined at the scoping meeting, then an additional \$500 processing fee is required for each further review. The fee for all 200+ PCE trip applications is \$2,000 (\$500 prior to the scoping meeting and \$1500 when the traffic study is submitted). The fee for all MDOT and MDEP permit modifications shall be \$500. All checks to be made payable to "Treasurer State of Maine".

5. FILING LOCATION. File the application "Attention Division Traffic Engineer" in the appropriate M.D.O.T. Division Office:

MDOT Division 1 Office P.O. Box 1178 41 Rice Street Presque Isle, ME 04769 764-2060	MDOT Division 2 Office P.O. Box 539 High Street Ellsworth, ME 04605 667-5556	MDOT Division 3 Office P.O. Box 1208 219 Hogan Road Bangor, ME 04402-1208 941-4500
MDOT Division 4 Office Route 201 10 Mountain Ave. Fairfield, ME 04937 453-7377	MDOT Division 5 Office 143 Rankin St. P.O. Box 566 Rockland, ME 04841 596-2230	MDOT Division 6 Office P.O. Box 1940 Portland, ME 04104 883-5546
MDOT Division 7 Office P.O. Box 817 Dixfield, ME 04224-0683 562-4228		

SPECIFIC SUBMISSION REQUIREMENTS:

- * **Developments generating 100 or more PCE trips.** In the case of a development generating 100 or more PCE trips during its peak hour of traffic generation, evidence supporting the amount of traffic generated by a development shall be included in the application submitted to the Department prior to scheduling the scoping meeting. The application must also include the information requested in **Sections 1 - 6** below.

During the scoping meeting, the Department may determine that a traffic study is required for some developments which generate 100 - 200 PCE trips. This determination may be made if it appears that there are traffic safety or capacity deficiencies in the vicinity of the proposed development, such as the following:

- **Current traffic problems.** Current traffic problems have been identified such as a high-accident location, inadequate intersection, an intersection in need of a traffic signal, or inadequate storage lane capacity for turning vehicles
- **Unsatisfactory level of service.** The current or projected level of service of the roadway system adjacent to the development is unsatisfactory
- **Other problems identified.** Other specific safety or congestion problems or deficiencies have been clearly identified and documented by the MDOT or the municipality and may be affected by the proposed development or affect the ability of the development to be satisfactorily accommodated. This does not preclude the Department from making a reasonable request under its other statutory authority.

If a traffic study is required, then the applicant must submit the information requested in **Section 7**.

- * **Developments generating over 200 PCE trips.** The application for approval of a proposed development that will generate over 200 PCE trips should include the information requested in **Section 7**. (completed sections 1 thru 6 must be submitted to MDOT prior to scheduling a scoping meeting), unless waved by the Engineer of Traffic or his/her designee at the scoping meeting.

 **Section 1. Site and traffic information:**

- A. Site Plan.** Plans and drawings shall be in accordance with General Submission Requirement Number 3. This section should identify the size of the parcel, the developable acreage of the parcel, general terrain features and unique terrain features.
- B. Existing and proposed site uses.** A description of the existing and proposed uses of the development area.
- C. Site and vicinity boundaries.** A regional map showing the development area and each road in the vicinity of the proposed development as defined in MDOT's chapter 305 of the General Rules of the Department of Transportation (Sections 5B or 6B). This map must also show other proposed development sites in the vicinity of the proposed

development, including the location of their existing and proposed driveways to the extent such information is available.

- D. Proposed uses in the vicinity of the proposed development.** A description of traffic increases that are expected from sources other than the proposed development and that are highly likely to occur in the vicinity (as defined in MDOT's chapter 305 of the General Rules of the Department of Transportation Sections 5B or 6B) of the proposed development during the study period. At a minimum, the study must identify development or redevelopment proposals which have been approved, either locally or by the Department, provided such approvals have not lapsed, and development or redevelopment proposals for which complete applications have been filed with and accepted by a local reviewing authority or the Department provided the applicant is actively pursuing the application. If a local reviewing authority or the Department has requested from an applicant additional information or submittals necessary to complete the processing of an application but has not received such information within 90 days of the request, that applicant shall be deemed not to be actively pursuing the application.
- E. Trip generation.** Trip generation is the determining factor in whether or not a development or redevelopment is required to obtain an MDOT Traffic Movement Permit. Trip generation must be calculated using the edition of the Institute of Transportation Engineers' (ITE) Trip Generation Guide referenced on the MDOT Traffic Permit Fact Sheets enclosed with your application. If ITE data is not available for the proposed land use, trip generation must be estimated in accordance with a methodology approved by the MDOT. The trip generation data must be presented in a summary table listing each type of land use, the size involved, the trip generation rate used (total daily traffic and a.m. /p.m. peak), and the resultant total trips generated for the design peak hour of the adjacent street, or the design peak hour of the generator, whichever is the worst case scenario for the network.
- F. Trip distribution.** A description and diagram of the anticipated distribution of traffic entering and exiting the proposed development area.
- G. Trip assignment.** At a minimum: a stick diagram showing the network impacted by the development and including the first major intersection to either side of the development driveway(s). Additional intersections are required if threshold volumes are met. Threshold volumes are met at intersections where, during any one-hour period, traffic attributable to the proposed development equals or exceeds: (a) 25 vehicles in a left-turn-only lane; (b) 35 vehicles in a through lane, right-turn lane, or a combined through and right-turn lane; or (c) 35 vehicles (multiplying the left-turn volume by 1.5) in a combined left-turn and through lane, or a combined left-turn, through and right-turn lane. Include a description and diagram of the anticipated utilization of roads and intersections in the vicinity of the proposed development by traffic attributable to the development. Distribution and assignment of trips must be based on population trends, surrounding land uses, the condition of roadways, market analyses, existing traffic patterns and other relevant data. The technical analysis steps, basic methods, and assumptions used in this work must be clearly stated. The scope of this section must be to and including the first major intersection to either side of the development driveway(s).

Section 2. Traffic accidents. An inventory and analysis of traffic accidents occurring in the vicinity (as defined in MDOT's chapter 305 of the General Rules of the Department of Transportation Sections 5B or 6B) of the proposed development during the most recent 3-year period to identify high accident locations and their associated critical rate factors.

Section 3. Development entrances and exits. A description of the following:

- A. Entrance and exit location (show the exact distance - to the nearest hundredth mile [nearest hundredth kilometer]- to the nearest intersecting road or town line) and design (showing the number of entrance/exit, proposed entrance/exit width and type of surface on the proposed entrance/exit); and
- B. A plan view of each intersection created by the development. The plan view must show the names of the intersecting roads, the posted speed limit on the roads, the left and right sight distances, and the location of all driveways and roads located across from the development site.
- C. Entrance/Exits shall meet the following criteria:
 - I. Entrance/exits shall meet minimum driveway spacing and minimum corner clearance as specified in the edition of MDOT's "Access Management - Improving the Efficiency of Maine Arterials" referenced on the MDOT Fact Sheets.
 - II. All entrances shall be so located, that vehicles entering onto the highway will have adequate intersection sight distance in both directions along the highway. The design and location of the driveway should be such that it allows motorized vehicles, including trucks to maneuver safely and without interference with traffic. The entrance/exit location should provide adequate sight distance so that vehicles traveling on the highway or street adjacent to the driveway will provide sufficient stopping sight distance to stop for vehicles waiting for a gap to turn left into the driveway entrance and a minimum safe sight distance must be provided for vehicles turning left from a major roadway.
 - III. Driveway width and other details shall be in accordance with Standard details found in the MDOT Fact Sheets; these standard details as updated by the Department shall be incorporated into these rules and regulations.
 - IV. The grade of entrances shall be in conformance with the edition of M.D.O.T.'s Highway Design Guide referenced on the M.D.O.T. Fact Sheets. All driveway entrance/exits within 75 feet (23 meters) of a roadway intersection shall not exceed a maximum grade of 3%.
 - V. Driveway entrance/exits shall comply with standards/rules established under 23 M.R.S.A. § 704 The width of drive entrances shall not exceed twenty six (26) feet (8.0 meters) for residential use and forty two (42) feet (12.8 meters) for commercial use.

VI. Separation islands between entrances and exits where culverts are not required or are continuous between entrances shall be raised not less than six (6) inches (0.150 meters) above the surface of the adjacent drives, curbed and seeded. Some form of curbing of the separation is desirable. If an open ditch is used between driveways having separate culverts, the raised section is not necessary and the separation island shall be graded to drain to the ditch.

VII. When sidewalk, curbing or curb and gutter is to be removed, the applicant or permittee shall replace at his expense the necessary sidewalks, curbing or curb and gutter at the break points of the entrance. All curbing at the side of the entrance shall be terminal ends as shown in the curbing standard details attached to the MDOT Fact sheet.

VIII. Drainage in highway side ditches shall not be altered or impeded and the applicant and permittee must provide, at his/her own expense, suitable and approved drainage structures at all entrances. Surface drainage shall be provided so that all surface water on the areas adjacent to the highway shall be carried away from the highway and that there is no significant increase in the peak hour flow (50 year storm event) draining towards the roadway. The drainage opening underneath the entrances or filled areas adjacent to the highway shall be adequate to carry the water in the highway side ditches. Size, type of pipe and adequacy of proposed structures shall be approved by the Department prior to installation. The Applicant or permittee shall use Maine Department of Environmental Protection's method for determining and detaining storm water run-off. Drainage issues do not have to be completed prior to the scoping meeting. The Division Engineer or his designee shall determine whether drainage increases toward the roadway are significant. Drainage issues need to be resolved prior to project construction.

Section 4. Title, right or interest. The Department may consider an application only when an applicant has demonstrated sufficient title, right, or interest in all of the property which is proposed for development or use, including development entrances and exits, and that no inconsistent control of access provision exists with respect to access of the property.

Section 5. Public or private rights-of-way. The location and width of proposed streets, easements, and other public or private rights-of-way. No entrance, approach or other improvement constructed on the Right of Way as an exercise of this permit shall be relocated or have its dimensions altered without the written permission of the Maine Department of Transportation's, Bureau of Project Development. Occupancy of the Highway Right of Way by structures, installation, or paving not connected with entrance uses is specifically prohibited.

Section 6. Schedule. Estimated completion schedule for the development project.

Section 7. TRAFFIC STUDY REQUIREMENTS. A study of roads in the vicinity of the proposed development must be completed. A report including the information outlined below must be submitted:

A. Preparation of traffic study. The traffic study must be prepared under the supervision of a Maine registered professional engineer having experience in traffic engineering.

- B. Study horizon.** The year for which the study results are to be characterized must be the projected year of build-out and full occupancy. If the proposed development is a multi-phase project with a projected build-out date of more than 5 years after the year of the study, the Department may require a study of both the year of the opening of the first major phase and the year of build-out and full occupancy.
- C. Site and traffic information.** Include the information outlined in **Section 1, parts A, B, C, D, E, and F.**
- D. Trip assignment.** Include a description and diagram of the anticipated utilization of roads and intersections in the vicinity of the proposed development by traffic attributable to the development. Distribution and assignment of trips must be based on population trends, surrounding land uses, the condition of roadways, market analyses, existing traffic patterns and other relevant data. The technical analysis steps, basic methods, and assumptions used in this work must be clearly stated. The scope of this section must be to and including the first major intersection to either side of the development driveway(s). Additional intersections are required if threshold volumes are met. Threshold volumes are met at intersections where, during any one-hour period, traffic attributable to the proposed development equals or exceeds: (a) 25 vehicles in a left-turn-only lane; (b) 35 vehicles in a through lane, right-turn lane, or a combined through and right-turn lane; or (c) 35 vehicles (multiplying the left-turn volume by 1.5) in a combined left-turn and through lane, or a combined left-turn, through and right-turn lane.
- E. Existing and projected traffic volumes.** Include a diagram of the traffic volume on roads and intersections in the vicinity of the proposed development for the estimated a.m. and p.m. peak hour traffic (including turns during the peak hour) unless determined by the Department at the scoping meeting that another approach or period of time is more appropriate. Traffic diagrams must show the following:
- (1) Existing traffic volume based on actual counts taken within two years of the study unless otherwise approved by the Department.
 - (2) Traffic attributable to other development projects that are proposed or approved but are not operational at the time the traffic counts are made. An applicant must consider:
 - a. Approved projects, provided the permit has not lapsed and has not been extended more than once;
 - b. Department rulings and municipal planning permits, subject to the specific terms of those rulings or permits; and
 - c. Proposed projects for which complete applications have been filed and accepted, provided the applicant is actively pursuing the application.
 - (3) Traffic attributable to the proposed development assuming build-out and full occupancy

- (4) Traffic attributable to the proposed development during its peak hour of traffic generation.
- (5) Projected traffic volume for the design hour at the time the development will begin operation, assuming build-out and full occupancy of the proposed development.

Documentation, including all new traffic counts and analysis worksheets, as to how the various volumes were derived must accompany the diagrams. Computer techniques and the associated printouts can be used as part of the report.

Build-out projections must include volume projections for background traffic growth. Methods used to determine background traffic volumes include the use of existing projections in comprehensive plans and typical annual growth rates.

All traffic counts must be actual counts whenever possible. Traffic counts from the Department may be used if not more than two years old unless otherwise approved by the Department.

- F. **Capacity analyses.** A capacity analysis must be performed to determine the level of service for each road and intersection in the vicinity of the proposed development. Capacity calculations must be made for the estimated 30th highest hour of traffic during the build-out year, or any other appropriate design hour approved by the Department. Where it is shown that the capacity analysis methodology will not accurately measure operating conditions at a road or intersection, the Department may require an applicant to analyze operating conditions of an intersection or road using another methodology acceptable to the Department. In the case where a particular intersection being evaluated is part of an interconnected signal system the applicant may, at the discretion of the Department, be required to include the analysis of the interconnected system in the evaluation.

The Department recognizes that the level of service of some roads and intersections cannot be accurately determined using only the standard capacity analysis method. In such cases, the appropriate analytical technique will be determined in consultation with the Department. The Department will have final say in deciding which appropriate analytical technique should be applied.

- G. **Traffic signals.** The need for new traffic signals in the vicinity of the proposed development must be checked using the warrants in the edition of the Manual on Uniform Traffic Control Devices (MUTCD), U.S. Department of Transportation, Federal Highway Administration.

The signal warrants in the MUTCD are not the sole criteria used to determine the need for new traffic signals. Although an intersection may meet the MUTCD warrants, the Department may determine that a signal is not appropriate.

- H. **Sight distance analyses.** A determination of the available sight distance in all directions at each intersection in the vicinity of the proposed development. Intersection sight distance is the length of roadway visible to the driver. It must be measured from the intersection (at a point 10 feet [3.0 meters] back from the edge of the travel way) to the

centerline of the opposing lane(s), assuming a height of eye of 3.5 feet (1.1 meter) and a height of object of 4.25 feet (1.3 meters).

- I. **Traffic accidents.** An inventory and analysis of traffic accidents in the vicinity of the proposed development during the most recent 3-year period. The inventory must include:
 - (1) A listing of the critical rate factor for each road and intersection in the vicinity of the proposed development;
 - (2) Identification of high accident locations (see Section 4D of this chapter);
 - (3) Collision diagrams for each high accident location identified; and
 - (4) Identification of feasible countermeasures based on discernible accident pattern at any high accident location.

- J. **Recommendations.** If the study analyses indicate that unsatisfactory levels of services or unsafe conditions exist or will occur at intersections or on roads in the vicinity of the proposed development, include a description of the measures proposed to remedy the deficiencies, including the following:
 - (1) Recommended improvements. A description and diagram of the location, nature, and extent of recommended improvements to roads and intersections in the vicinity of the proposed development. Of the recommended improvements, identify those proposed for implementation.
 - (2) Capacity analysis after improvement. A description of the anticipated results of making these improvements.
 - (3) Section 4(C)(5) exception. If the proposed development is entitled to an exception under Section 4(C)(5) (unsignalized intersections - see M.D.O.T.'s chapter 305), the descriptions provided pursuant to (a) and (b) may be limited to the improvements necessary to provide safe conditions and the level of service required under Section 4(C)(5).

- K. **Conclusion.** A clear, concise description of the study findings.

Provisionally Adopted 1/10/00

Department of Transportation
Traffic Engineering Division
16 State House Station
Augusta, Maine 04333
Telephone: 207-287-3775

FOR MDOT USE 1/2000
ID #
Total Fees:
Date: Received

**PERMIT APPLICATION - TRAFFIC
TRAFFIC MOVEMENT PERMIT, 23 M.R.S.A. § 704 - A**

Please type or print:

This application is for: Traffic 100-200 PCE's _____
Traffic 200+ PCE's _____

Name of Applicant: _____

Address: _____ Telephone: _____

Name of local contact or agent: _____

Address: _____ Telephone: _____

Name and type of development: _____

Location of development including road, street, or nearest route number: _____

City/Town/Plantation: _____, County: _____, Tax Map # _____, Lot # _____

Do you want a consolidated review with DEP pursuant to 23 M.R.S.A. § 704-A (7)?
Yes _____ No _____

Was this development started prior to obtaining a traffic permit? _____

Is the project located in an area designated as a growth area (as defined in M.R.S.A. title 30 - A, chapter 187)?
Yes _____ No _____

Is this project located within a compact area of an urban compact municipality? Yes _____ No _____

Is this development or any portion of the site currently subject to state or municipal enforcement action?

Existing DEP or MDOT permit number (if applicable): _____

Name(s) of DOT staff person(s) contacted concerning this application: _____

Name(s) of DOT staff person(s) present at the scoping meeting for 200+ applications: _____

1/2000

CERTIFICATION

The traffic engineer responsible for preparing this application and/or attaching pertinent site and traffic information hereto, by signing below, certifies that the application for traffic approval is complete and accurate to the best of his/her knowledge.

Signature: _____ Re/Cert/Lic No.: _____

Name (print): _____

Date: _____

If the signature below is not the applicant's signature, attach letter of agent authorization signed by applicant.

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

Signature of applicant

Date

DEPARTMENT OF TRANSPORTATION
TRAFFIC ENGINEERING DIVISION

ID#: _____
Fees Paid: _____
Date Received: _____

APPLICATION FOR TRAFFIC MOVEMENT PERMIT
MODIFICATION

This form shall be used to request approval of minor changes to: (a) project design or operation; or (b) the conditions of a permit as previously approved by the Department of Transportation or the Department of Environmental Protection.

A processing fee of \$500.00 (check payable to Treasurer, State of Maine) is required at the time of application submittal.

If significant changes are proposed, then a complete new or amendment application may be required by the Department.

(Please type or print)

Name of Applicant: _____

Address: _____

Telephone Number: _____

Name of Contact or Agent: _____

Telephone Number: _____

LOCATION OF ACTIVITY

Name of Project: _____

Municipality or Township: _____ County: _____

REQUIRED INFORMATION

1. Existing DOT or DEP Permit Number: _____

2. DOT or DEP Project Manager for previous application (if known): _____

3. Description of Proposed Change: _____

(Attach additional sheet(s), if necessary)

4. Provide all documentation necessary to support the proposed change. This documentation shall include, as appropriate, revised site plans, construction drawings and technical data. (If you are unsure of what information to include, please contact the original DOT or DEP project manager, or the Traffic Engineering Division.

5. Does your proposal involve a significant expansion of the project, change the nature of the project, or modify any Department findings with respect to any licensing criteria? _____ (if you are unsure how to answer this or if your answer is "yes", please contact the original DOT or DEP project manager, or the Division of Land Resource Regulation in either Portland, Augusta, or Bangor for assistance).

If yes, you must provide public notice (see attached form). By signing this application, you certify that the completed notice has been sent by certified mail to abutters and municipal officials; and has been published once in a newspaper circulated in the area where the project is located.

NOTE: All supporting documents summarized above must be attached to this form and sent to the nearest appropriate DOT Office located below: File the modification "Attention Division Traffic Engineer" in the appropriate Division office.

MDOT Division 1
PO Box 1178
41 Rice Street
Presque Isle, ME 04769
Tel: (207) 764-2060

MDOT Division 2
PO Box 539
High Street
Ellsworth, ME 04605
Tel: (207) 667-5556

MDOT Division 3
PO Box 1208
219 Hogan Road
Bangor, ME 04402-1208
Tel: (207) 941-4500

MDOT Division 4
Route 201
10 Mountain Ave.
Fairfield, ME 04937
Tel: (207) 453-7377

MDOT Division 5
143 Rankin Street
PO Box 566
Rockland, ME 04841
Tel: (207) 596-2230

MDOT Division 6
PO Box 1940
Portland, ME 04101
Tel: (207) 883-5546

MDOT Division 7
PO Box 817
Dixfield, ME 04224-0683
Tel: (207) 562-4228

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment".

SIGNATURE OF APPLICANT

DATE: _____

PRINT OR TYPED NAME

TITLE

THE APPLICATION FEE IS DUE AT THE TIME OF APPLICATION SUBMITTAL. THE APPLICATION WILL NOT BE PROCESSED UNTIL THIS FEE IS PAID.

DEPARTMENT OF TRANSPORTATION
Chapter 305 Rules and Regulations Pertaining to Traffic Movement Permits

1. **Introduction.** The Department recognizes the potential effects which many developments can have on existing traffic patterns and the need to assure that intersections and roads in the vicinity of proposed developments have the ability to provide safe and convenient access to and from the developments for traffic of all types.

This chapter contains rules relating to the traffic movement provisions covered in 23 M.R.S.A. § 704-A. It addresses standards, submissions and terms and conditions.

2. **Definitions.** As used in this chapter unless the context indicates otherwise, the following terms have the following meanings.

- A. **Business district.** The portion of a municipality in which the dominant land use is for intense business activity. A municipality may have more than one business district.
- B. **Capacity analysis.** A determination of the level of service of an intersection or roadway segment using the methodology described by the Transportation Research Board (TRB), a service of the National Research Council, in the edition of the "Highway Capacity Manual", Special Report 209 referenced on the MDOT Fact Sheets received with the application.
- C. **Critical Intersection.** An intersection that if impacted by increased traffic could have a negative effect on the traveling public, the municipality and/or the business community.
- D. **Critical rate factor.** The ratio of the actual accident rate at an intersection or road to the statistically calculated critical rate.
- E. **Delay.** The time lost, measured in seconds per vehicle, while traffic is impeded by some element over which the driver has no control.
- F. **Development area.** The site proposed for development, excluding all off-site roadway segments and intersections beyond the entrance or entrances.
- G. **Designated growth area.** An area designated as a growth area in a locally adopted growth management plan that has been found by the State Planning Office to be consistent with M.R.S.A. title 30-A, Chapter 187.
- H. **Entrance(s) and exit(s).** An access way used by traffic movements of all types to or from properties abutting a highway or public way. As used herein, the terms include all driveways including private residential, commercial and other nonresidential driveways. The terms do not include a street within a subdivision. As used herein, the terms include the approaches thereto and the intersections created thereby even if such areas are state or local right of way.
- I. **Estimated annual average daily traffic.** An estimate of the total yearly traffic volume divided by the number of days in the year.

- J. **Horizon year.** The anticipated opening year of the proposed development, assuming build-out and full occupancy.
- K. **Impact Fees.** A fee charged to an applicant for impact on a critical intersection or roadway section.
- L. **Level of service (LOS).** A measure of the quality of the operating conditions within a traffic stream as determined from a capacity analysis, using the methodology described by the Transportation Research Board (TRB), a service of the National Research Council, in the edition of the "Highway Capacity Manual," Special Report 209 referenced on the MDOT Fact Sheets received with the application.
- M. **Major intersection.** An intersection controlled by a traffic signal, or the intersection of a state or state aid highway and the road on which the driveways for the development are located. The driveways are not to be considered a major intersection.
- N. **Passenger car equivalents (PCE's).** The number of passenger cars or, in the case of non-passenger vehicles, the number of passenger cars that would be displaced by non-passenger car vehicles. One tractor-trailer combination is the equivalent of two passenger cars.
- O. **Passenger car equivalents at peak hour.** The number of passenger cars or, in the case of non-passenger vehicles, the number of passenger cars that would be displaced by non-passenger vehicles, at that hour of the day during which the traffic volume generated by the development is higher than the volume during any other hour of the day. See M.R.S.A. title 23 § 704 - A
- P. **Peak-hour.** The hour of the day during which the traffic volume at an intersection or on a roadway segment is higher than the volume during any other hour of the day.
- Q. **Traffic accident.** A motor vehicle accident that results in property damage exceeding \$1000 or physical injury of any type.
- R. **Traffic attributable to a development.** Net new traffic volumes and associated traffic patterns that is generated as a result of a proposed development.
- S. **Traffic movement of all types.** Any mode of travel, including pedestrian, bicycle, bus, light rail, commuter rail, or automobile.
- T. **Traffic signal.** A power-operated control device by which traffic is regulated, warned, or alternately directed to take specific actions.
- U. **Traffic study.** A quantitative determination of the ability of existing roads and intersections in the vicinity of the proposed development to handle traffic attributable to the development.
- V. **Transportation demand management techniques.** Measures taken to reduce or spread peak hour traffic over a longer period of time. Such measures include, but are

not limited to, ridesharing, carpooling, vanpooling, mass transit and modified work schedules.

W. Trip. A single or one direction vehicle movement with either the origin or destination inside the development area.

X. Urban Compact. A built up portion of a town/city as described in M.R.S.A. title 23 § 754.

3. Permit Application Process

100 to 200 PCE Developments: The Department has 14 calendar days from date of submittal to determine if the application (sections 1 through 6) is complete. If the Department does not make a completeness determination within 14 calendar days, the application is deemed complete. However this does not preclude the Department from requesting additional information from the applicant. A scoping meeting shall be held within 30 calendar days of the date sections 1 through 6 are deemed complete. Once the application is deemed complete the Department has 60 calendar days to issue a Traffic Movement Permit provided no further study is deemed necessary. If the application is not deemed complete, the applicant is informed and the 14 calendar days to determine completion restarts upon resubmittal.

Over 200 PCE Developments: The Department has 14 calendar days from date of submittal to determine if sections 1 through 6 are complete. If the Department does not make a completeness determination within 14 calendar days, the application is deemed complete. However this does not preclude the Department from requesting additional information from the applicant. Completeness of Sections 1 through 6 allows the Department to set up a scoping meeting. A scoping meeting shall be held within 30 calendar days of the date sections 1 through 6 are deemed complete. At the scoping meeting the developer or designee and the Engineer of Traffic or his/her designee will determine the area for the Traffic Study, Section 7. The Department has 14 calendar days from submittal of the developer's traffic study to determine completeness. If the traffic study is deemed complete, the Department will have 120 calendar days to issue a Traffic Movement Permit. If the application, and accompanying traffic study are not deemed complete, the applicant is informed and the 14 calendar days to determine completion restarts upon resubmittal.

A development may be eligible for an expedited review if a noticeable difference between peak hour generator and adjacent roadway peak hour exists, or the development has a high amount of pass-by trips. If the development has either of these two conditions, the Engineer of Traffic or his/her designee, has the discretion to wave the requirement for the Traffic Study.

4. General standards. The following standards must be met for any project proposed for approval.

A. Design and operation. In determining whether the developer has made adequate provision for traffic movement of all types into and out of the development area, and in the vicinity of the development area, the Department shall consider all relevant evidence to that effect, to ensure the safe and efficient flow of traffic. On-site design and operations are subject to review, to the extent necessary, to ensure that the development

will not cause any delay, interference or cause safety problems with the operation of adjacent roadways , adjacent driveways or pedestrian walkways. The development must be located and designed so that the roads and intersections in the vicinity of the proposed development will have the ability to safely and efficiently handle the traffic increase attributable to the development at the time the development becomes fully operational.

- B. Study horizon.** The period for which the traffic impacts of a proposed development are to be assessed must be the projected year of build-out and full occupancy. If the proposed development is a multi-phase project with a projected build-out date of more than five (5) years after the year of the study, Department may require a study of both the year of the opening of the first major phase and the year of build-out and full occupancy.
- C. Unreasonable congestion.** Level of Service D, as determined from a capacity analysis, is considered the minimum level of service needed to provide safe and convenient traffic movement. Where a road, intersection, or any approach lane to the specific intersection or intersections being evaluated in the vicinity of the proposed development is determined to operate at LOS E or LOS F in the horizon year, the proposed development is considered to result in unreasonable congestion, unless: Improvements will be made to raise the level of service of the road or intersection to D or above, except as otherwise provided in one or more of the paragraphs below.
- (1) The level of service of the road or intersection will be raised to D or above through transportation demand management techniques.
 - (2) The Department finds that it is not reasonably possible to raise the level of service of the road or intersection to D or above by road or intersection improvements or by transportation demand management techniques, but improvements will be made or transportation demand management techniques will be used such that the proposed development will not increase delay at a signalized or unsignalized intersection, or otherwise worsen the operational condition of the road or intersection in the horizon year.
 - (3) The Department finds that improvements cannot reasonably be made because the road or intersection is located in a business district or because implementation of the improvements will adversely affect a historic site as defined in 06-096 CMR 375(11) (Preservation of Historic Sites) and transportation demand management techniques will be implemented to the fullest extent practical.
 - (4) The development is located in a designated growth area, or in the compact area of an urban compact municipality in which case the applicant shall be entitled to an exception from the level of service mitigation requirements set forth under the General Standards in this Section. This exception applies even if part or all of the traffic impacts of the proposed development will occur outside the boundaries of the designated growth area. This exception does not exempt the development from meeting safety standards, and greater mitigation measures may be required than otherwise provided in this subsection if needed to address safety issues. The required improvements are limited only to those necessary to mitigate the impacts of

the project (which means the applicant is only responsible for returning all approaches to an intersection or piece of a roadway to the current Level of Service).

- (5) In the case of unsignalized intersections, if traffic with the development in place would not meet the warrant criteria for signalization or auxiliary turning lanes, as set forth in the edition of Federal Highway Administration's "Manual on Uniform Traffic Control Devices" shown on MDOT's Fact Sheets and as set forth in HRR #211 - "Volume Warrants for Left Turn Lanes at Unsignalized Intersections", (Right Turn lanes are covered in the edition of the Highway Design Guide referenced on the MDOT Fact Sheet) then the Department may reduce the mitigation requirement for those measures so long as the resulting traffic conditions provide for safe traffic movement.
- (6) The Development is located in an area designated as a growth area in a local growth management plan that has been found by the State to be consistent with the growth management program in M.R.S.A. title 30 - A, Chapter 187, or if a project is located within the compact area of an urban compact municipality or if a project is on a former military base pursuant to M.R.S.A. title 38, section 488, subsection 15, and when the project consists of conversion of an existing facility and the project does not have an entrance or exit on a federally classified arterial highway, the required improvements are limited only to the entrances and exits of the project.

D. Unsafe conditions. Road segments, intersections, or development entrances and exits may be deemed as unsafe when traffic encounters conditions such as, inadequate turning radii, poor geometrics, limited sight distance or high accident locations. High accident locations are road segments or intersections where eight (8) or more accidents have occurred over the most recent three (3) year period, and the "critical rate factor" is greater than one (1.0). The applicant shall submit a proposal to improve or eliminate the unsafe conditions if they exist or if they are determined to be created or exacerbated by the proposed development.

E. Baseline For Modification of Existing Permits. A development requiring a permit on or after July 1, 1997 is subject to review of all traffic generated by the development in excess of a traffic baseline of July 1, 1997, or a maximum of ten years prior to the date of the permit application, whichever period is shorter. To determine the traffic baseline for a particular use or facility as of July 1, 1997, the Department shall consider trip generation rates set forth by the edition of the Institute of Transportation Engineers (ITE), "Trip Generation," referenced on the MDOT Fact Sheets received with the application; any trip generation study prepared by the applicant to determine conditions as of the baseline date; and any other relevant information. The baseline data will be used to determine the number of PCE's generated by the development for purposes of determining jurisdiction under this chapter. The fee for modification of an existing MDOT or MDEP permit shall be \$500.

5. Special provisions for Developments Generating 100-200 passenger car equivalent Trips. Any person intending to construct or operate a development that is projected to generate between 100 and 200 PCE's during its peak hour of traffic generation shall, before commencing construction or operation, file an original and two copies of an application for a

"traffic movement permit" identifying the size, nature and location of the development, together with such other information as may be required by Section 6(A) of this rule.

- A. **Scoping meeting.** Upon receipt by the Department of a traffic review application (with all information covering sections 1 thru 6 of the Specific Submission Requirements that the Department finds acceptable and complete) to construct or operate a development that meets the threshold of 100 or more PCE trips, the Department will arrange and schedule a **scoping meeting** with the applicant to discuss the scope of potential traffic impacts to be studied and the type of proceeding warranted. The Department will invite representatives of the municipality, abutting municipalities, municipal planning organizations and regional councils where the project is located and the applicant or appropriate representative. The applicant is required to submit a signed copy of the "Notice Of Intent to File" to the Municipality(s) in which the proposed development is located, and to submit such form to all abutting property owners. Such notice must be sent by certified mail, return receipt requested, at least 7 (seven) days prior to the scoping meeting

Within 185 days of the scoping meeting, the Department shall recommend one of the following:

- (1) That the applicant be issued a permit with no further study and no off-site mitigation because the development will not have a significant impact on roads or intersections in the vicinity of the proposed development. As part of the permit issued by the Department in such a case, conditions may be attached for off-site mitigation without the need for any additional traffic study; or
- (2) That the application requires further review and that additional information must be submitted for an analysis of whether the applicant meets the traffic standards.

- B. **Vicinity for 100-200 passenger car equivalents developments.** The vicinity of the proposed development, for projects generating 100-200 PCE's, is limited to the area defined by the development entrance(s) or exit(s). The department has the authority to extend the area to the first major intersection in each direction from the development entrance or entrances including intervening segments if the scoping meeting reveals potential safety, capacity, or other traffic-related issues affecting the type of review warranted.

- 6. **Special provisions for Developments Generating over 200 passenger car equivalent Trips.** Any person intending to construct or operate a development that generates over 200 PCE's during its peak hour of traffic generation shall, before commencing construction or operation, file an original and two copies of an application for a "traffic movement permit", under 23 MSRA § 704 -A, with the Department identifying the size, nature and location of the development, together with such other information as may be required by this chapter.

- A. **Scoping meeting.** For an application of this type, a scoping meeting must be held prior to the submittal of the application. The Department will arrange and schedule such a meeting with the applicant to discuss the scope of potential traffic impacts to be studied and the type of proceeding warranted only after the Department has received from the applicant information covering Sections 1 thru 6 of the Specific Submission Requirements and made

the findings that the information is acceptable and complete. The Department will invite representatives of the municipality, abutting municipalities, municipal planning organizations and regional councils where the project is located and the applicant or appropriate representative. The applicant is required to submit a signed copy of the "Notice Of Intent to File" to the Municipality(s) in which the proposed development is located, and to submit such form to all abutting property owners. Such notice must be sent by certified mail, return receipt requested at least 7 (seven) days prior to the scoping meeting. The "notice of intent to file" does not need to be resubmitted with Section 7 Traffic Study when the application is officially submitted. The submittal of the notice prior to the scoping meeting is sufficient. The purpose of this meeting is to help the applicant to understand the application review process, to identify particular areas of concern, to define appropriate trip generation rates, to define trip distribution, to define trip composition, to define the study area, to define appropriate traffic engineering analysis methods to be used to assess whether or not safety and/or capacity deficiencies exist today or will exist after the development is in place and to exchange information before a commitment to a final design.

B. Vicinity for over 200 passenger car equivalents developments. The vicinity of the proposed development, for projects generating more than 200 PCE's, is the area including and bordered by:

- (1) The development entrance(s) or exit(s);
- (2) The first major intersection in either direction from the development entrance(s) and exit(s) unless waved by the Engineer of Traffic or his/her designee at the scoping meeting; and
- (3) All intersections where, during any one-hour period, traffic attributable to the proposed development equals or exceeds:
 - (a) 25 vehicles in a left-turn-only lane;
 - (b) 35 vehicles in a through lane, right-turn lane, or a combined through and right-turn lane; or
 - (c) 35 vehicles (multiplying the left-turn volume by 1.5) in a combined left-turn and through lane, or a combined left-turn, through and right-turn lane.

Generally, the vicinity as defined by the above criteria would be limited to a radius of 2 miles from the site unless the Department, at the scoping meeting, determines that the proposed development will impair the safe and efficient flow of traffic beyond a two mile radius due to the development's scale, location, or nature.

7. Submissions. The applicant shall provide evidence affirmatively demonstrating that adequate provision for traffic movement of all types into and out of the development site has been made and that traffic attributable to the proposed development will not result in unreasonable congestion or unsafe conditions on roads and intersections in the vicinity of the proposed development.

A. Development generating 100-200 passenger car equivalents. In the case of a development generating between 100 and 200 PCE's during its peak hour of traffic generation, such evidence demonstrating that the project will only generate this amount of traffic must be submitted to the Department prior to scheduling the scoping meeting described in Section 5(A). The evidence submitted must include the following.

- (1) Site and traffic information. All information required under Section 8(D), subsections 1-6, relating to site description, existing and proposed site use, site and vicinity boundaries, proposed uses in the vicinity (as defined in 5 B) of the proposed development, trip generation, and trip distribution.
- (2) Traffic accidents. An inventory and analysis of traffic accidents occurring in the vicinity of the proposed development during the most recent 3-year period to identify high accident locations and their associated critical rate factors (see Section 4(D) of this chapter).
- (3) Development entrances and exits. A description of the following:
 - (a) Entrance and exit location and design; and
 - (b) A plan view of each intersection created by the development. The plan view must show the names of the intersecting roads, the posted speed limit on the roads, the left and right sight distances, and the location of all driveways and roads located across from the development site.
 - (c). Entrance/Exits shall meet the following criteria:
 - I. Entrance/exits shall meet minimum driveway spacing and minimum corner clearance as specified in the edition of MDOT's "Access Management - Improving the Efficiency of Maine Arterials" referenced on the MDOT Fact Sheets.
 - II. All entrances shall be so located, that vehicles entering onto the highway will have adequate intersection sight distance in both directions along the highway. The design and location of the driveway should be such that it allows motorized vehicles, including trucks to maneuver safely and without interference with traffic. The entrance/exit location should provide adequate sight distance so that vehicles traveling on the highway or street adjacent to the driveway will provide sufficient stopping sight distance to stop for vehicles waiting for a gap to turn left into the driveway entrance and a minimum safe sight distance must be provided for vehicles turning left from a major roadway.
 - III. Driveway width and other details shall be in accordance with Standard details found in the MDOT Fact Sheets; these standard details as updated by the Department shall be incorporated into these rules and regulations.
 - IV. The grade of entrances shall be in conformance with the edition of M.D.O.T.'s Highway Design Guide referenced on the M.D.O.T. Fact Sheets. All driveway

entrance/exits within 75 feet (23 meters) of a roadway intersection shall not exceed a maximum grade of 3%.

V. Driveway entrance/exits shall comply with the standards/rules established under 23 M.R.S.A. § 704. The width of drive entrances shall not exceed twenty six (26) feet (8.0 meters) for residential use and forty two (42) feet (12.8 meters) for commercial use.

VI. Separation islands between entrances and exits where culverts are not required or are continuous between entrances shall be raised not less than six (6) inches (0.150 meters) above the surface of the adjacent drives, curbed and seeded. Some form of curbing of the separation is desirable. If an open ditch is used between driveways having separate culverts, the raised section is not necessary and the separation island shall be graded to drain to the ditch.

VII. When sidewalk, curbing or curb and gutter is to be removed, the applicant or permittee shall replace at his expense the necessary sidewalks, curbing or curb and gutter at the break points of the entrance. All curbing at the side of the entrance shall be terminal ends as shown in the curbing standard details attached to the MDOT Fact sheet.

VIII. Drainage in highway side ditches shall not be altered or impeded and the applicant and permittee must provide, at his/her own expense, suitable and approved drainage structures at all entrances. Surface drainage shall be provided so that all surface water on the areas adjacent to the highway shall be carried away from the highway and that there is no significant increase in the peak hour flow (50 year storm event) draining towards the roadway. The drainage opening underneath the entrances or filled areas adjacent to the highway shall be adequate to carry the water in the highway side ditches. Size, type of pipe and adequacy of proposed structures shall be approved by the Department prior to installation. The Applicant or permittee shall use Maine Department of Environmental Protection's method for determining and detaining storm water run-off. Drainage issues do not have to be completed prior to the scoping meeting. The Division Engineer or his designee shall determine whether drainage increases toward the roadway are significant. Drainage issues need to be resolved prior to project construction.

- (4) Title, right or interest. The Department may consider an application only when an applicant has demonstrated sufficient title, right, or interest in all of the property which is proposed for development or use, including development entrances and exits and that no inconsistent control of access provision exists with respect to access of the property. Prior to construction, the applicant must demonstrate through a developer agreement the financial, legal and technical ability to develop such improvements.

B. Development generating over 200 passenger car equivalents. The application for approval of a proposed development that will generate over 200 PCE's, or a development that the Department has determined under Section 5(A)(2) may have significant off-site impacts, must include the following evidence.

From: Rick Knowland
To: William Bray
Date: Tue, Jun 5, 2001 10:20 AM
Subject: salt shed traffic permit scoping meeting

Bill, this memo is intended to summarize the results of the scoping meeting held on wednesday, may 30, 2001 regarding the proposed development on the salt shed property on marginal way. Have I left anything out or misstated anything? I thought this might be helpful since Larry was not at the meeting and someone will need to write a memo to the planning board on this.

Summary

1. The traffic permit should be conditioned such that if off-site parking is used for this building in the future, the applicant shall update the traffic analysis to take into account the location of the off-site parking. This analysis shall be submitted to the city traffic engineer for review and approval.
2. BB would prefer not to have a double left hand turn from preble st to marginal way (heading southerly) unless entirely neccessary.
3. A left turn lane for a protected permissive phase should be considered at the preble st/ marginal way intersection. Tom Ericco will do analysis on this.
4. A right hand turn lane should be considered on marginal way (heading westerly) to preble st.
5. Fix the existing island nose on marginal way at the preble st intersection.
6. Extend the existing curb island in Marginal Way westerly to a point near the proposed project driveway to eliminate conflicts with vehicles turning left from hanover street onto marginal way and vehicles entering and exiting the project site.
7. A 50 foot radius for one part of the marginal way/preble st intersection?

CC: Larry Ash

**CITY OF PORTLAND, MAINE
DEPARTMENT OF PUBLIC WORKS
OPERATIONS/ENGINEERING - INSPECTIONS
M E M O R A N D U M**

TO: Rick Knowland, Planning
FROM: Larry Ash, Traffic Engineer *La*
DATE: June 14, 2001
SUBJECT: Bayside Site Development

As per discussion at the Planning Board Public Hearing, Tuesday, June 12, 2001 I have the following recommendations for this proposed development:

1. That a second left turn lane be added to turn left from Preble Street onto Marginal Way thus creating a dual left turn lane. Plans prepared by Environmental Engineering and Remediation is an acceptable geometric realignment or design; this allows for approximately 6 feet to be added on each side of Marginal Way along with modification to the median. Appropriate pedestrian timings for this added distance will be taken into account and this added pedestrian time will not take time away from vehicular timing movements.
2. The median in Marginal Way on the westerly side of the intersection should be extended to prevent left turns onto Marginal Way from Hanover Street. Additionally, the nose of the median should be modified to improve the turning radius (50 ft) for vehicles turning north to west or left from Elm Street onto Marginal Way.
3. Should the right-in/right-out only driveway on Preble Street be permitted to remain functional then, and only then, should the median in Preble Street be extended to prevent any possibility of left turns out onto Preble Street.
4. That given high right turning volumes from Marginal Way onto Preble Street (northbound), an exclusive right turn lane be added. This right turn lane will also contribute to an improvement in the level of service.
5. My recommendation is that the developer/applicant pay for these traffic improvements.

cc: William J. Bray, P.E., Director of Public Works
Katherine Staples, P.E., Engineering Manager
Alex Jaegerman, Planning
Penny Littel, Corporation Counsel

	Weekday		
	Enter	Exit	Total
AM Peak Hour	94	13	107
PM Peak Hour	23	112	135
Daily	390	390	780

F. Trip Distribution – The distribution of site trips was based upon a review of existing traffic distribution at intersections in the study area. Figure 2 presents the preliminary trip distribution during the AM and PM peak hours.

G. Trip Assignment – Figure 3 summarizes the trip assignment for the AM and PM peak hours.

FIGURE 1 - STUDY AREA AND NEARBY PROPOSED PROJECTS
Bayside Site Development
Portland, Maine

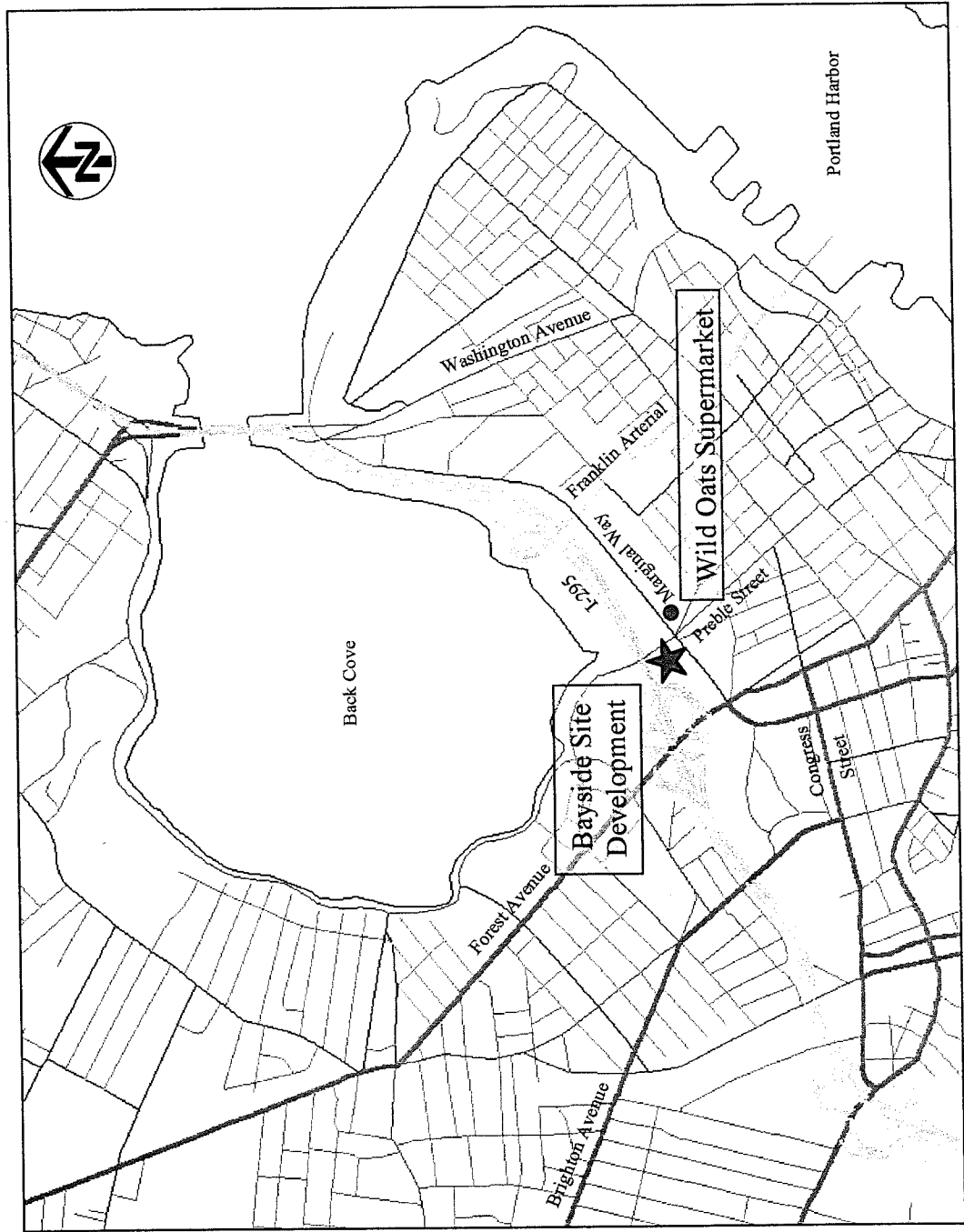


FIGURE 2 - SITE TRAFFIC DISTRIBUTION

Bayside Site Development
Portland, Maine

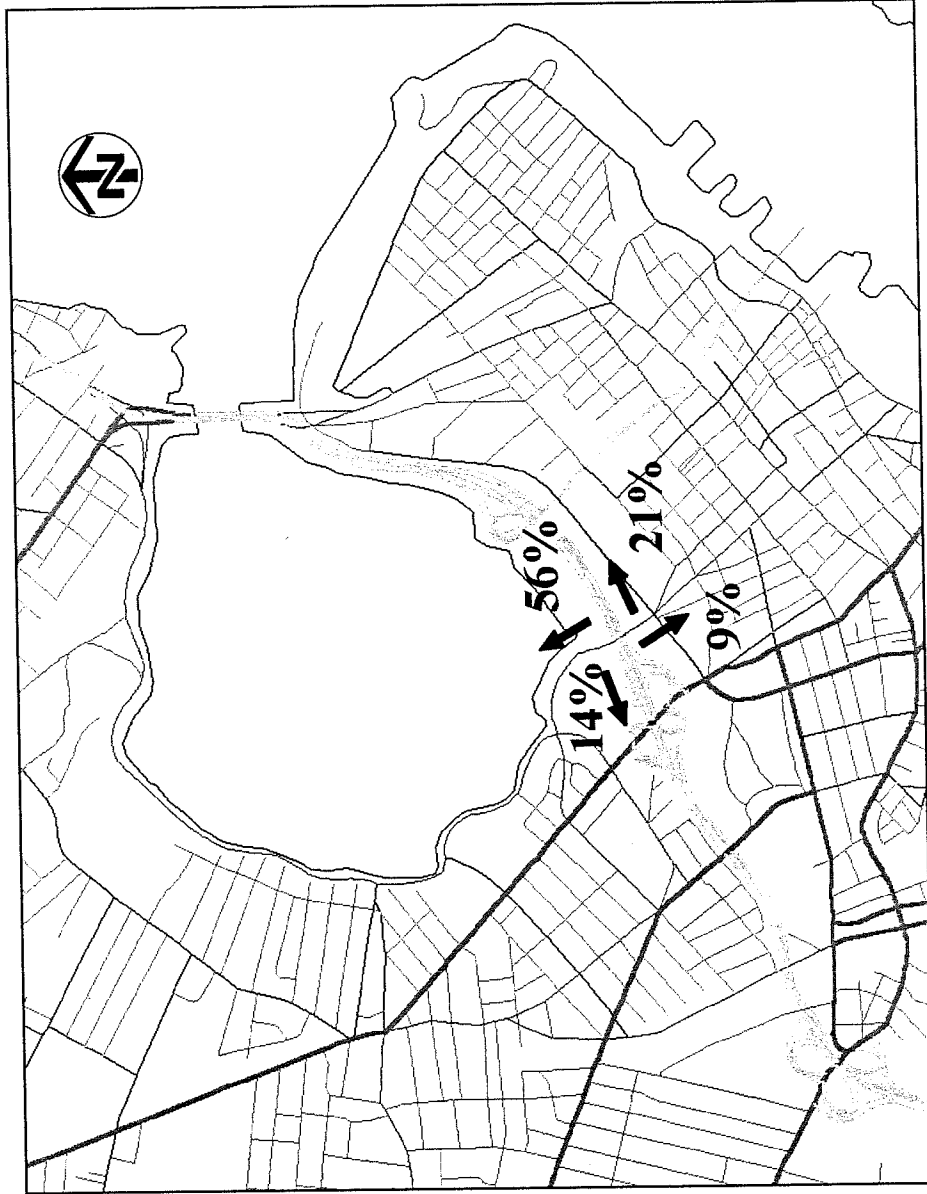
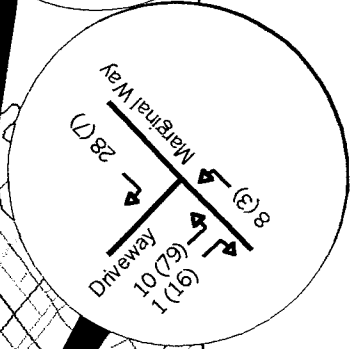
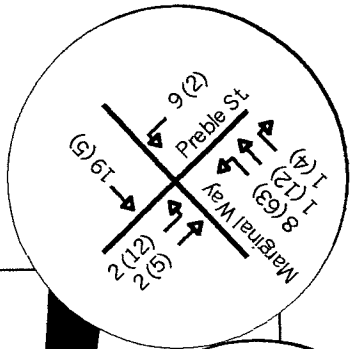
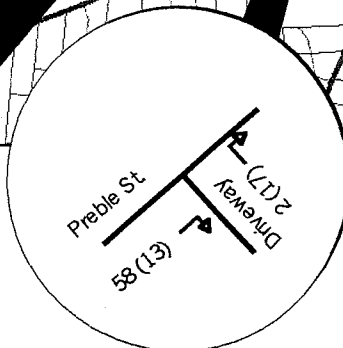
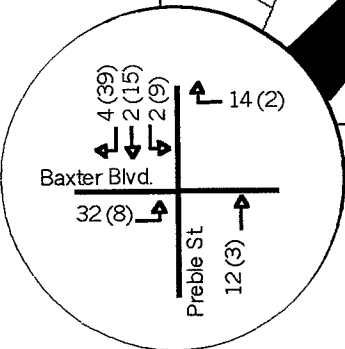
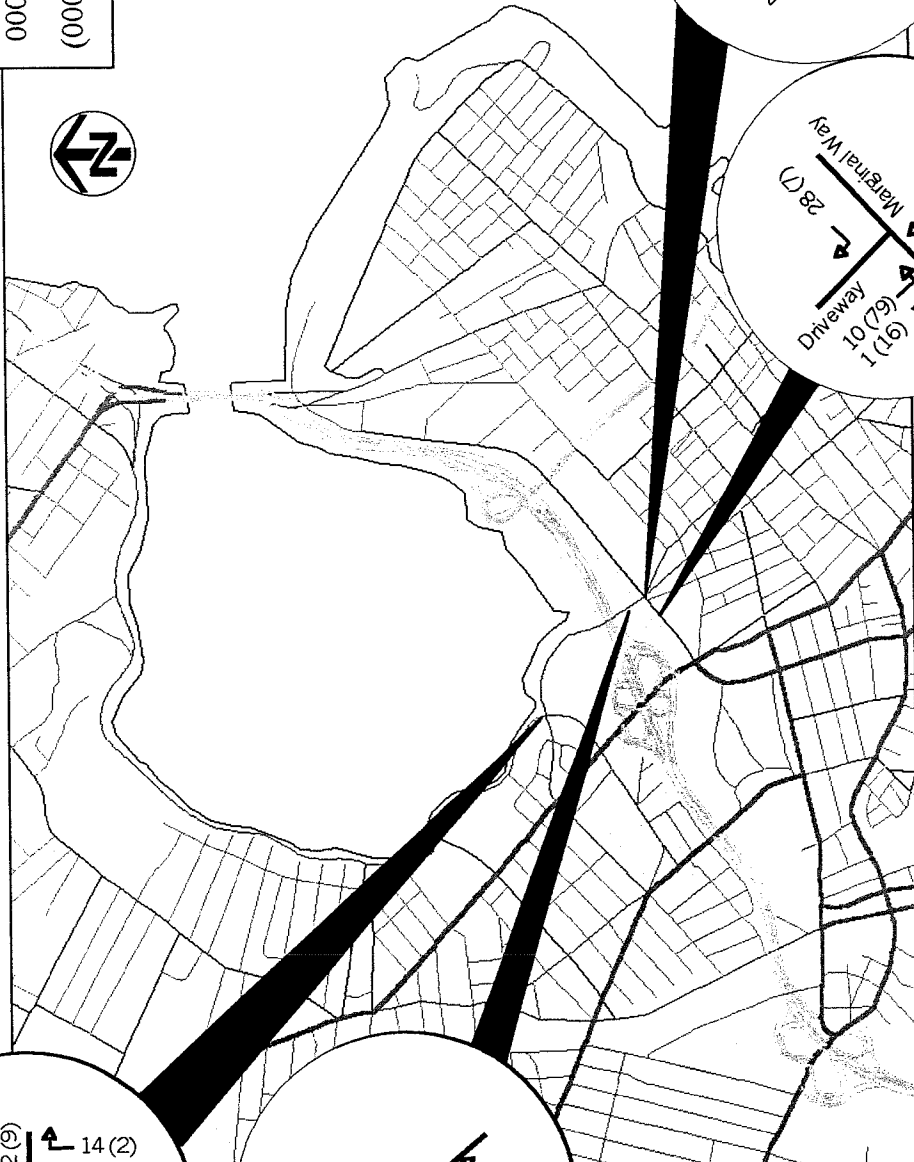


FIGURE 3 - A.M..P.M. PEAK HOUR TRIP DISTRIBUTION

Bayside Site Development
Portland, Maine

Legend
000 - AM Peak Hour
(000) - PM Peak Hour



SECTION 2 – TRAFFIC ACCIDENTS

Accident data from the period 1997 – 1999 was obtained from MDOT for roadways and intersections in the vicinity of the project site. A summary of the data is presented in the following table.

LOCATION	1997-1999 ACCIDENTS	YEARLY AVERAGE	CRITICAL RATE FACTOR
Marginal Way/Preble Street	20	6.67	0.66
Preble Street/Baxter Boulevard	31	10.33	0.93
Preble Street between Marginal Way and Baxter Boulevard	8	2.67	0.27
Marginal Way between Forest and Preble	9	3.00	0.47

MDOT considers a Critical Rate Factor (CRF) of over 1.0 and 8 accidents over a three-year period as a general guideline to identify potential safety deficiencies. As noted in the above table, no study area locations meet this criterion.

SECTION 3 – DEVELOPMENT ENTRANCES AND EXITS

- A. Entrance and Exit Location** – The attached site plan depicts the preliminary driveway locations. Access to the project will be provided via two driveways, one on Marginal Way west of Preble Street and one on Preble Street Extension.
- B. Plan View** – The attached site plan provides information on the intersections created by the development including sight distance and speed limits.

SECTION 4 – TITLE, RIGHT OR INTEREST

Attached please find relevant information.

4

QUITCLAIM DEED

HL

HARRIET LEVI, with a mailing address of 93 Rackleff Street, Portland, Maine 04103, for consideration paid, GRANT to THEODORE V. WEST, with a mailing address of c/o ATLANTIC NATIONAL TRUST, LLC 50 Portland Pier, Portland, Maine 04101, as ~~JOINT TENANTS and not as tenants in common~~, with QUITCLAIM COVENANT, that certain lot or parcel of land situated in the City of PORTLAND, County of CUMBERLAND and State of MAINE, and more particularly described on EXHIBIT A attached hereto and made a part hereof.

For the source of Grantor's title, reference is hereby made to a deed from Maine Surgical Supply Co. to William L. Levi and Harriet Levi as joint tenants, dated January 4, 1982 and recorded in the Cumberland County Registry of Deeds in Book 4908, Page 135. The said William L. Levi died on September 20, 1966, leaving the Grantor herein as the surviving joint tenant.

IN WITNESS WHEREOF, the said HARRIET LEVI has signed this instrument on the 24th day of July, 2000.

Harriet Levi
HARRIET LEVI

STATE OF MAINE
COUNTY OF CUMBERLAND

July 24, 2000

Personally appeared the above named HARRIET LEVI and acknowledged the foregoing instrument to be her free act and deed.

Before me,

Robert S. Hark
Notary Public/Attorney-at-Law
Print Name: Robert S. Hark

rec 7/24/00 @ 11:52
15612/20

Exhibit A

I. A certain lot or parcel of land, with the buildings thereon, situated in Portland, in the County of Cumberland and State of Maine, and bounded and described as follows:

Beginning at a point on the northerly side line of the Marginal Way, distant westerly along said side line one hundred twenty and one tenth (120.1) feet from the intersection of said side line with the westerly side line of Hanover Street produced, said point being at the southwesterly corner of land of the City of Portland; thence running South 67° 45' West and by said northerly side line of the Marginal Way a distance of one hundred forty (140) feet to an iron pipe driven into the ground; thence North 6° 14' West a distance of one hundred four (104) feet to an iron pipe at the Old Harbor Commissioner's Line; thence continuing the same course a distance of about three hundred thirty-eight (338) feet to the Government Channel; thence North 67° 45' East and by said Government Channel a distance of one hundred forty (140) feet to land of the City of Portland; thence South 6° 14' East and by land of the City of Portland a distance of about three hundred thirty-eight (338) feet to a pipe at the old Harbor Commissioner's Line; thence continuing the same course and by land of City of Portland a distance of one hundred four (104) feet to an iron pipe at the point of beginning.

Excepting and reserving, however, (1) that portion of the above-described premises condemned by the State of Maine and described in Notice of Layout and Taking recorded in said Registry of Deeds, Book 3062, Page 837, said portion also being delineated as Parcel No. 1008 on Maine State Highway Commission Right of Way Map with respect to Federal Aid Projects Nos. I-295-3(30) and U-014-1(11) dated December, 1967, (S.H.C. File No. 3-185) and (2) that portion of the above-described premises conveyed to the State of Maine by deed of Maine Surgical Supply Co. recorded in said Registry of Deeds, Book 3123, Page 424, being designated as Parcel 1008-A on said Right of Way Map.

II. Also, a certain lot or parcel of land situated on the northwesterly side of Marginal Way in Portland, bounded and described as follows:

Beginning at a granite monument on the northwesterly side line of Marginal Way, said granite monument being distant southwesterly along said northwesterly side line of Marginal Way one hundred nineteen and eighty hundredths (119.80) feet from a granite monument marking the intersection of said northwesterly side line of Marginal Way and the southwesterly side line of Preble Street Extension; thence northwesterly at right angles to said northwesterly side line of Marginal Way and through land of the City of Portland a distance of two hundred thirty-five and two hundredths (235.02) feet to a point

and the easterly side line of land now or formerly of Maine Surgical Supply Co.; thence southerly at an included angle of fifteen degrees and fifty-seven minutes ($15^{\circ} 57'$) and along said easterly side line of said Maine Surgical Supply Co. land a distance of two hundred forty-four and forty-three hundredths (244.43) feet, more or less, to said northwesterly side line of Marginal Way; thence northeasterly at an included angle of seventy-four degrees and three minutes ($74^{\circ} 3'$) and along said northwesterly side line of Marginal Way a distance of sixty-seven and seventeen hundredths (67.17) feet, more or less, to the granite monument at the point of beginning, containing seven thousand eight hundred ninety-three (7,893) square feet, more or less.

Being a portion of the premises conveyed to the City of Portland by Ezra Russell by deed dated April, 1849, and recorded in said Registry of Deeds, Book 213, Page 449.

Together with right conveyed by the City of Portland to Maine Surgical Supply Co. in deed dated December 28, 1976, and recorded in said Registry of Deeds, Book 3959, Page 165, and more particularly described as follows:

"It is understood and agreed that if and when Grantor secures authorization from the State Department of Transportation to construct and maintain an exit from its adjoining premises to the Preble Street Extension and such authorization will permit Grantor to do so, Grantor will convey to Grantee an easement of access not to exceed twenty-five (25) feet in width across the rear of its property to the property herein conveyed in such location and under such terms and conditions as the State Department of Transportation and/or the Grantor shall then determine, such easement of access to terminate at the Grantor's discretion if the use thereof shall interfere with Grantor's use of its remaining land or if and when Grantor shall convey such remaining land."

This conveyance of parcels I and II above is also subject to any encumbrances that could be discovered by a survey of the premises described above.

SECTION 5 – PUBLIC OR PRIVATE RIGHTS-OF-WAY

According to information provided on the site plan the existing Marginal Way right-of-way is approximately 100 feet. Preble Street has a right-of-way of approximately 120 feet.

SECTION 6 – SCHEDULE

The current schedule is to begin construction in the Summer of 2001 and complete construction by Spring of 2002.

*Traffic Impact Study
Bayside Site Development*

Portland, Maine

March 2001

Prepared For:

Environmental Engineering & Remediation
222 St. John Street
Portland, Maine 04102

Prepared By:

Wilbur Smith Associates
Engineers • Economists • Planners
59 Middle Street
Portland, Maine 04101



Wilbur Smith Associates

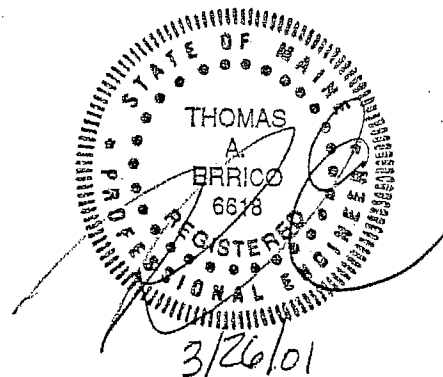


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SECTION 1 – INTRODUCTION

Environmental Engineering & Remediation, Inc. (EER) retained Wilbur Smith Associates (WSA) to prepare a Traffic Impact Study for the proposed Bayside Site Development located on Marginal Way at the intersection of Preble Street (refer to Figure 1). As currently planned the project will consist of a 50,000 square feet office building to be constructed in the existing City of Portland's Department of Public Works Salt storage area. Access to the project will be provide via tow driveway's, one on Marginal Way west of Preble Street and one on Preble Street Extension.

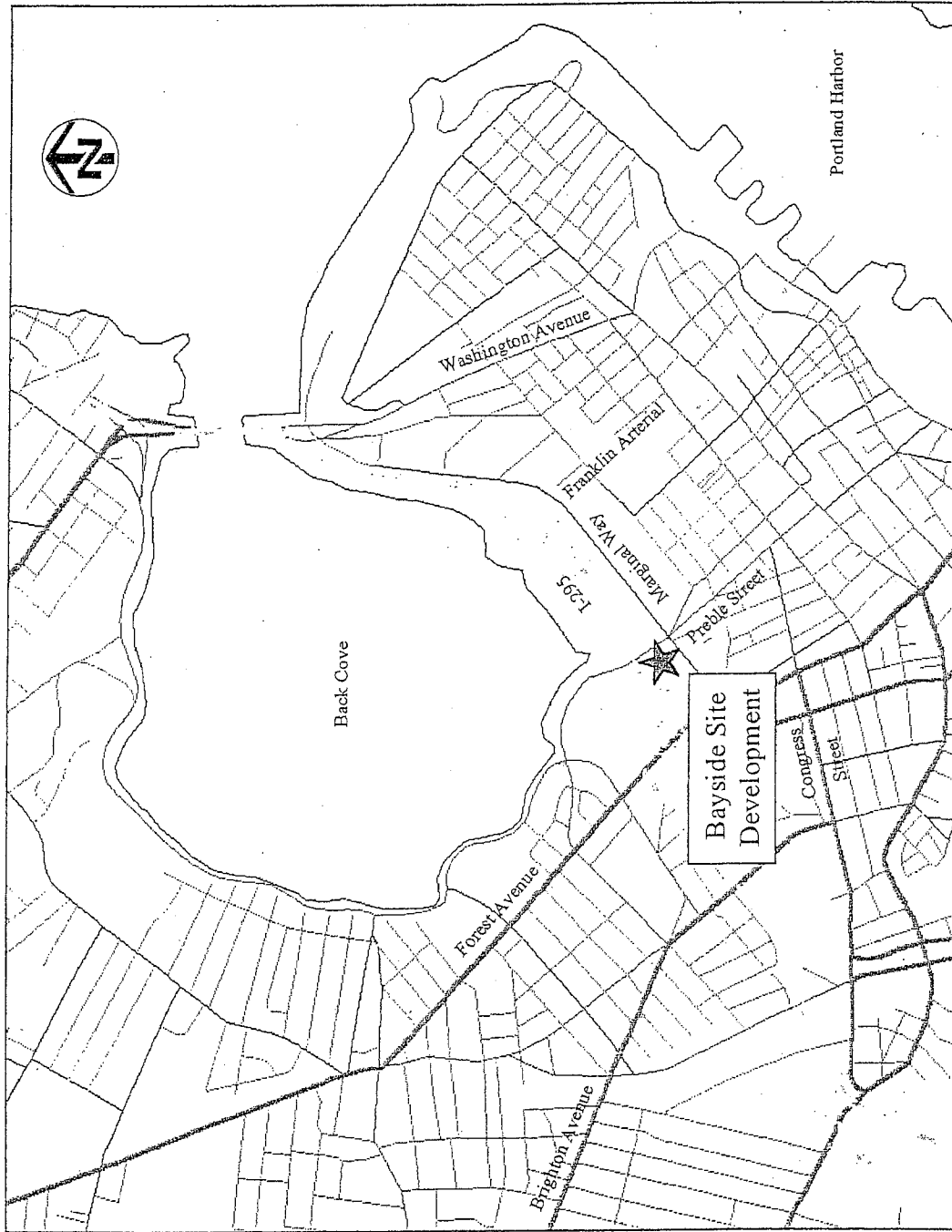
The scope of this traffic study reflects input from the City of Portland Traffic Engineer.

The purpose of this study is to evaluate the impact the proposed project has, on both safety and operations, on the transportation system in the vicinity of the project. Specifically the study will evaluate conditions at the Marginal Way/Preble Street and Preble Street Extension/Baxter Boulevard intersections.

The study includes the following:

- Estimate of traffic volumes in the study area for conditions without the project in 2001.
- Estimate of traffic generated from the site according to national trip generation data.
- Estimate of traffic volumes in the study area for conditions following build-out of the project in 2002.
- Evaluation of intersection operations both with and without the proposed project.
- Evaluation of accident data in the study area.
- Evaluation of access/egress, on-site parking, circulation and truck deliveries.

FIGURE 1 - SITE LOCATION MAP
Bayside Site Development
Portland, Maine



SECTION 2 – DATA COLLECTION

EER provided the following:

- Site Plan

The Maine Department of Transportation (MDOT) provided the following:

- Accident data in the vicinity of the project for the 1997-1999 three-year period.

Jack Murphy provided the following:

- Manual turning movement count at the intersection of Preble Street Extension and Baxter Boulevard.

WSA performed the following:

- Manual turning movement counts at the intersection Marginal Way and Preble Street.
- Field Reconnaissance of the study area.

SECTION 3 – EXISTING/FUTURE TRAFFIC VOLUMES

The primary purpose of this study is to show what effect the proposed project will have on the local transportation system. In general, the critical time period for a given project is directly associated with peaking characteristics of both the project-related traffic and the area transportation system. For this study, traffic conditions during the Weekday AM and PM peak hours were evaluated.

Development of AM and PM peak hour traffic volumes was based upon traffic counts conducted by WSA at the Marginal Way/Preble Street intersection and by Jack Murphy, P.E. at the Preble Street Extension/Baxter Boulevard intersection. A summary of the time and dates of the counts is presented as follows.

-
- Marginal Way/Preble Street – November 14, 2000 (7:00-9:00AM & 3:30-6:00PM)
 - Preble Street Extension/Baxter Boulevard – November 14, 2000 (7:00-9:00AM & 3:30-6:00PM)

Design Hour Volume

The traffic pattern on any highway shows considerable variation in traffic volumes during different hours of the day and in hourly volumes throughout the year. It must be determined which of these hourly traffic volumes should be used for analysis and design. It would be wasteful to predicate the design on the (maximum) peak hour traffic of the year, yet the use of the average hourly traffic would result in an inadequate design. The hourly traffic volume used in design should not be exceeded very often or by very much. On the other hand, it should not be so high that traffic would rarely be great enough to make full use of the facility. Based upon the relationship between highest hourly volumes and daily traffic volumes, it has been concluded that the hourly traffic used in design should be the 30th Highest Hour Volume, or sometimes called Design Hour Volume.

For this study, the Design Hour Volumes were estimated from MDOT Weekly Group Mean Factors. Figure 2 presents the 2000 Design Hour traffic volumes within the study area.

SECTION 4 – NO-BUILD TRAFFIC VOLUMES

No-Build traffic volumes (without the proposed development) were developed for the anticipated opening year of the project (2002). In order to estimate traffic volumes during the No-Build condition, it is important to incorporate traffic generated by other developments in the study area. This is important because conditions associated with nearby developments may generate traffic that impact roadways being studied. Based upon input from the City of Portland, several area projects were included in the No-Build condition. The following presents a list of the projects included.

- ◆ Wild Oats Supermarket

FIGURE 2 - 2000 DESIGN HOUR TRAFFIC VOLUMES

Bayside Site Development
Portland, Maine

Legend

000	- AM Peak Hour
(000)	- PM Peak Hour



Baxter Blvd.

← 166 (736)	→ 210 (58)
← 161 (348)	→ 162 (372)
→ 29 (50)	← 8 (44)

Preble St

← 608 (205)	→ 14 (36)
← 263 (200)	→ 298 (138)
→ 22 (10)	← 30 (56)

Marginal Way

← 152 (287)	→ 11 (5)
← 169 (210)	→ 19 (87)
→ 186 (45)	← 88 (187)
← 157 (176)	→ 22 (176)
← 188 (285)	→ 157 (804)
→ 88 (35)	← 19 (87)

To estimate future No-Build conditions, the 2000 Design Hour volumes were increased by a background growth factor of 2.0 percent per year (based upon historical data). Accordingly, the 2000 Design Hour volumes were increased by 2 percent and traffic expected from other approved developments were added. Figure 3 presents the 2002 No-Build traffic volumes (inclusive of the above developments) during both the Weekday AM and PM peak hours.

SECTION 4 – SITE GENERATION TRAFFIC

Traffic generated from the proposed development was based upon traffic generation rates contained in the publication Trip Generation, Institute of Transportation Engineers. Traffic generation was based upon Land Use Code 710 – General Office Building. The following table summarizes the expected traffic generated from the proposed 50,000 square foot office building during the AM and PM peak hours and on a weekday daily basis.

	Weekday		
	Enter	Exit	Total
AM Peak Hour	94	13	107
PM Peak Hour	23	112	135
Daily	390	390	780

Distribution of the site-generated traffic was based upon traffic volume distribution. Figure 4 presents the site generated traffic volumes during the AM and PM peak hours.

SECTION 5 – BUILD TRAFFIC VOLUMES

The Build Traffic Volumes within the study area were estimated for the year 2002. The Build Volumes were estimated by adding the site-generated traffic depicted on Figures 4 to the 2002 No-Build traffic volumes located on Figure 3. Figures 5 presents the 2002 Build Traffic Volumes during the AM and PM peak hours.

FIGURE 3 - 2002 NO-BUILD TRAFFIC VOLUMES
 Bayside Site Development
 Portland, Maine

Legend
 000 - AM Peak Hour
 (000) - PM Peak Hour

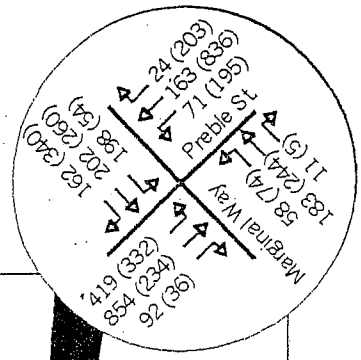
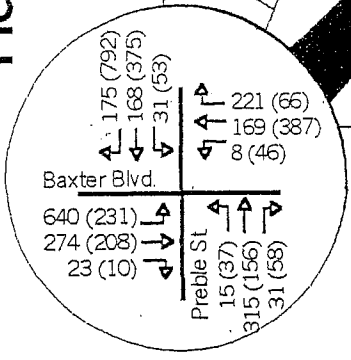


FIGURE 4 - SITE GENERATED TRAFFIC VOLUMES

Bayside Site Development Portland, Maine

Legend

000 - AM Peak Hour
(000) - PM Peak Hour

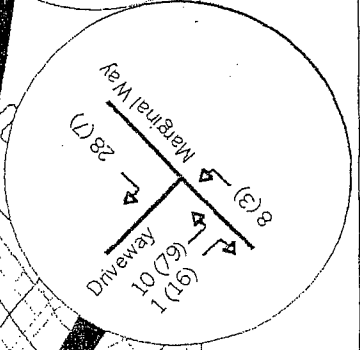
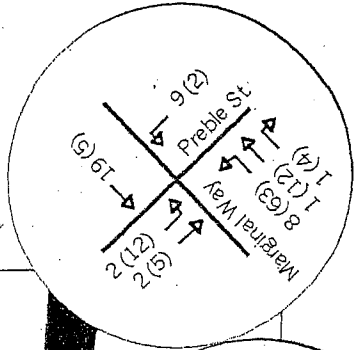
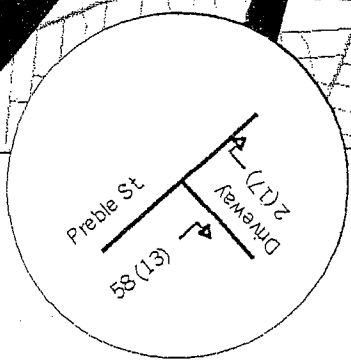
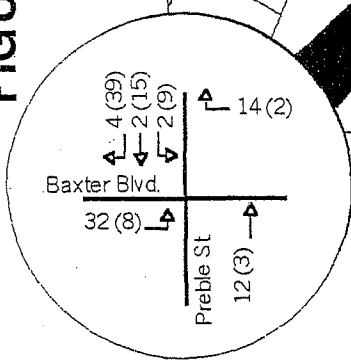
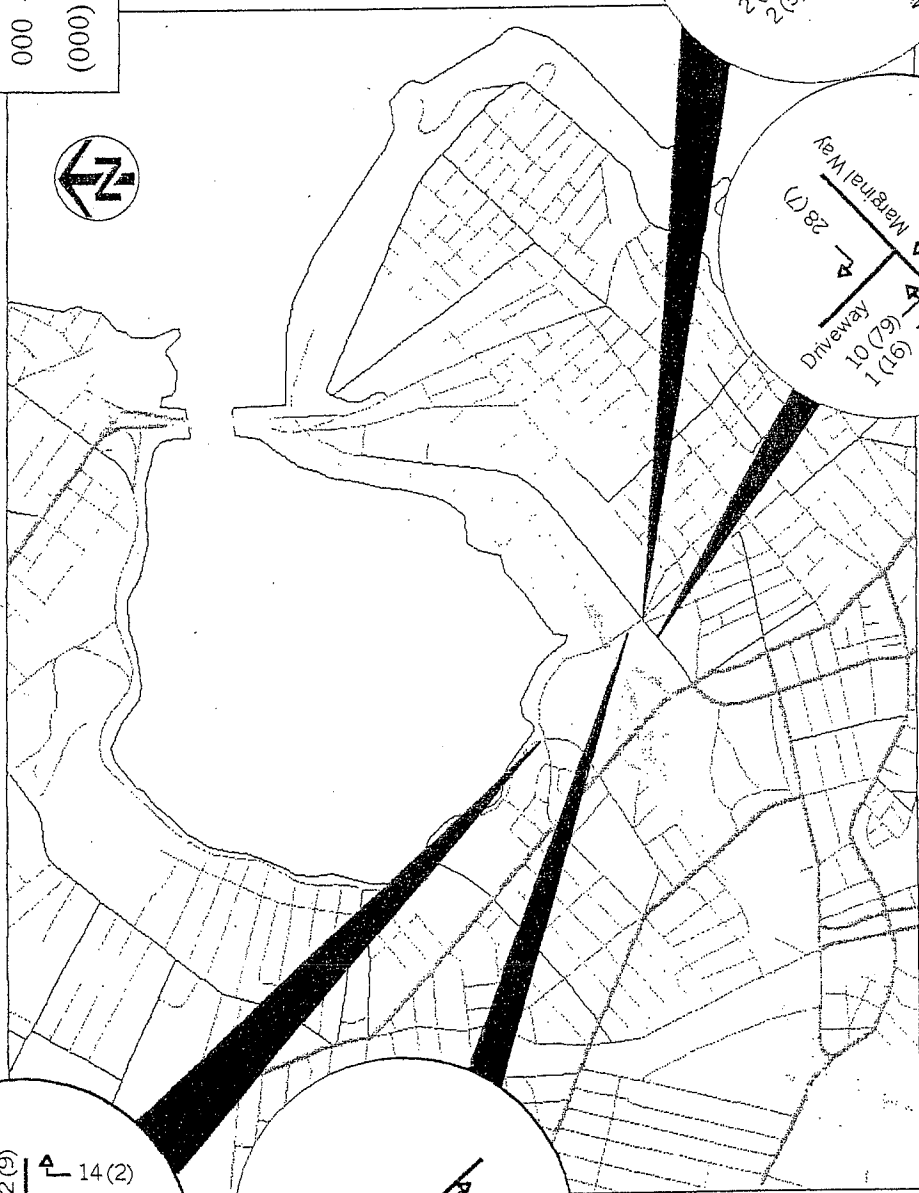
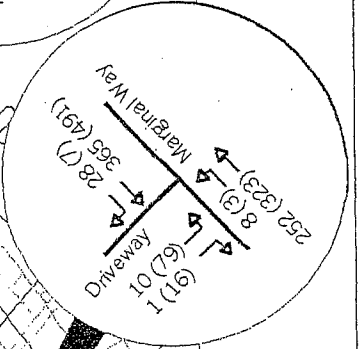
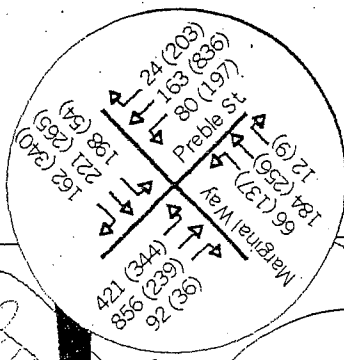
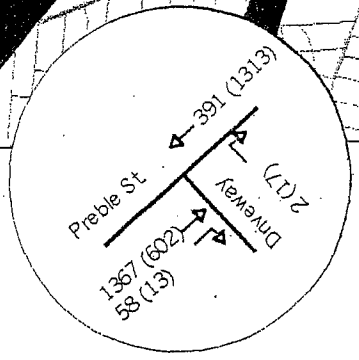
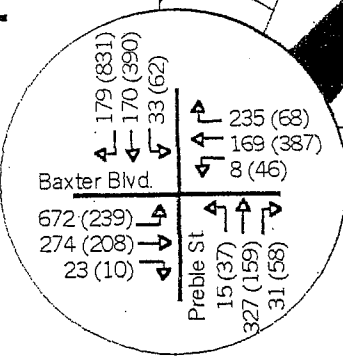
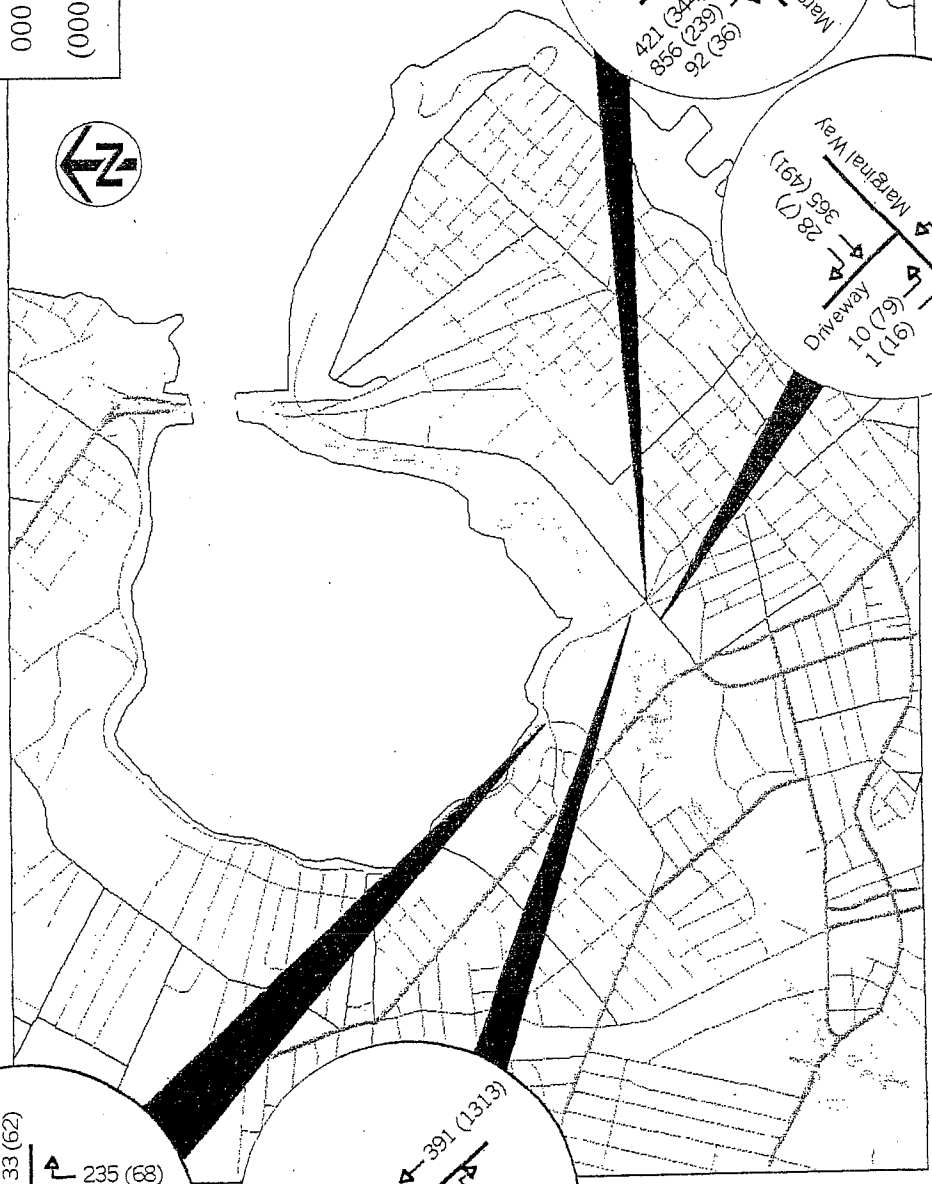


FIGURE 5 - 2002 BUILD TRAFFIC VOLUMES
Bayside Site Development
Portland, Maine

Legend

000 - AM Peak Hour
(000) - PM Peak Hour



SECTION 6 – INTERSECTION ANALYSIS

To evaluate the impact of traffic generated by the proposed development, capacity analysis was performed at the study intersections for the 2002 No-Build and Build conditions.

The standard used to evaluate traffic operating conditions of the transportation system is referred to as the Level of Service (LOS). This is a qualitative assessment of the quantitative effect of factors such as speed, volume of traffic, geometric features, traffic interruptions, delays, and freedom to maneuver. LOS analysis was based upon procedures detailed in the 2000 Highway Capacity Manual, Transportation Research Board.

Signalized intersection LOS is based on average stopped delay per vehicle. The following table summarizes LOS categories and their associated delay.

LOS Criteria for Signalized Intersections

Level of Service	Average Delay Per Vehicle (seconds)
A	≤ 10
B	> 10 and ≤ 20
C	> 20 and ≤ 35
D	> 35 and ≤ 55
E	> 55 and ≤ 80
F	> 80

The results of the unsignalized capacity analyses at the Marginal Way/Preble Street and Preble Street Extension/Baxter Boulevard intersections are presented in the following tables. The capacity analysis was based upon traffic signal phasing and timing as used in the approved Wild Oats Traffic Impact Study prepared by John L. Murphy, P.E.

**Marginal Way/Preble Street
Level of Service Summary**

	2002 No-Build LOS (Delay)		2002 Build Condition LOS (Delay)	
	AM	PM	AM	PM
Marginal Way EB LT	D (45.2)	E (64.7)	D (45.8)	F (180.3)
Marginal Way EB TH/RT	D (38.1)	D (40.4)	D (38.1)	D (40.7)
Marginal Way WB LT	D (45.6)	E (57.4)	D (45.6)	E (57.4)
Marginal Way WB TH/RT	C (33.2)	D (53.6)	C (33.4)	D (54.0)
Preble St. NB LT	D (47.5)	E (60.5)	D (50.0)	E (61.1)
Preble St. NB TH/RT	D (41.5)	F (122.8)	D (41.5)	F (122.8)
Preble St. SB LT	D (54.5)	E (69.5)	E (55.5)	E (75.6)
Preble St. SB TH/RT	D (42.2)	C (27.7)	D (42.5)	C (27.8)
Overall	D (43.4)	E (79.7)	D (43.8)	F (85.4)

**Preble Street Extension/Baxter Boulevard
Level of Service Summary**

	2002 No-Build LOS (Delay)		2002 Build Condition LOS (Delay)	
	AM	PM	AM	PM
Preble St. EB LT/TH/RT	D (39.1)	C (24.7)	D (39.5)	C (24.7)
Preble St. WB LT/TH	D (36.6)	C (26.6)	D (36.8)	C (27.1)
Preble St. WB RT	A (7.8)	B (10.8)	A (7.8)	B (11.2)
Baxter Blvd. NB LT/TH/RT	C (34.0)	C (27.7)	C (34.3)	C (27.8)
Baxter Blvd. SB LT	C (26.3)	B (17.4)	C (30.8)	B (17.7)
Baxter Blvd. SB TH/RT	A (7.0)	A (9.7)	A (7.0)	A (9.7)
Overall	C (27.5)	C (21.3)	C (29.2)	C (21.3)

Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the above table indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).

In an effort to mitigate intersection congestion, optimization of the traffic signal phasing was investigated. As noted in the following table, intersection operations are projected to

improve substantially, if the traffic signal timing is revised. As noted in the following table, intersection delay will be less than the pre-development condition.

**Marginal Way/Preble Street
Level of Service Summary
With Traffic Signal Improvements**

	2002 Build Condition LOS (Delay)
	PM
Marginal Way EB LT	F (123.5)
Marginal Way EB TH/RT	D (41.9)
Marginal Way WB LT	D (52.7)
Marginal Way WB TH/RT	E (72.0)
Preble St. NB LT	F (80.7)
Preble St. NB TH/RT	E (78.1)
Preble St. SB LT	F (102.7)
Preble St. SB TH/RT	C (23.6)
Overall	E (73.4)

SECTION 7 – SAFETY ANALYSIS

Accident data from the period 1997 – 1999 was obtained from MDOT for roadways and intersections in the vicinity of the project site. A summary of the data is presented in the following table.

LOCATION	1997-1999 ACCIDENTS	YEARLY AVERAGE	CRITICAL RATE FACTOR
Marginal Way/Preble Street	20	6.67	0.66
Preble Street/Baxter Boulevard	31	10.33	0.93
Preble Street between Marginal Way and Baxter Boulevard	8	2.67	0.27
Marginal Way between Forest and Preble	9	3.00	0.47

MDOT considers a Critical Rate Factor (CRF) of over 1.0 and 8 accidents over a three-year period as a general guideline to identify potential safety deficiencies. As noted in the above table, no study area locations meet this criterion.

SECTION 9 – SITE ACCESS AND CIRCULATION

The following summarizes our comments relative to review of a site plan prepared by EER. Specifically, the assessment included an evaluation of sight distance, on-site circulation and access, and on-site parking supply.

Sight Distance

Driveway and intersecting road placement shall be such that an exiting vehicle has an unobstructed sight distance according to MDOT standards. Accordingly, sight distances from the existing driveways on Marginal Way and Preble Street Extension were reviewed and assessed according to standards contained in the publication Access Management Improving the Efficiency of Maine Arterials, MDOT. For roads with vehicular speeds of 35 MPH (posted speed limit) and driveways with low to medium traffic volumes, the minimum sight distance is 350 feet. The following table summarizes the field measured sight distances at the project driveways.

LOCATION	LEFT SIGHT DISTANCE (FEET)	RIGHT SIGHT DISTANCE (FEET)	MINIMUM STANDARD (FEET)
Site Drive @ Marginal Way	500+	500+	350
Site Drive @ Preble Street Extension	500+	Not Applicable	350

As noted in the above table, all driveways meet MDOT standards for sight distance. It should be noted that two large trees obstruct sight distance when exiting the site drive on Marginal Way and looking westerly. Motorist should be able to pull out and avoid the trees. However, it is recommended that conditions be monitored and the trees be removed if problems develop.

Access and Circulation

In general we find the access to be acceptable with the following comments.

- The two access drives should be aligned such that they intersect Marginal Way and Preble Street Extension at an angle near 90 degrees.
- The City of Portland Traffic Engineer has expressed concern relative to vehicles exiting the Preble Street Extension driveway and performing an illegal left-turn. To help discourage this movement it is suggested that the island be extended approximately fifty feet.

On-Site Parking

A on-site parking demand analysis was conducted for the proposed 50,000 square foot office building to ascertain the adequacy of the proposed parking supply. A summary of the analysis is presented in the following table.

CURRENT PARKING SUPPLY	168 PARKING SPACES
City of Portland Parking Ordinance 1 space per 400 square feet	125 Parking Spaces
ITE Parking Generation 2.79 spaces per 1,000 square feet	140 Parking Spaces
Parking, ENO Foundation 3 spaces per 1,000 square feet	150 Parking Spaces

As noted above an adequate parking supply will be provided.

SECTION 10 – CONCLUSIONS/RECOMMEDATIONS

1. The proposed 50,000 square foot office development is expected to generate 107 vehicles (94 entering/13 exiting) during the AM peak hour. During the PM peak hour 135 vehicles (23 entering/112 exiting) will be generated. On a 24-hour basis 780 vehicles will be generated.

-
2. Results of the capacity analysis indicate that acceptable operating conditions will exist at the Preble Street Extension/Baxter Boulevard intersection following build-out of the proposed project. At the Marginal Way/Preble Street intersection, unacceptable levels of service are estimated during the PM peak hour during both the no-build and build conditions. It should be noted that while the analysis indicates overall intersection level of service will decline from 'E' to 'F', the increase in delay is projected to be minor (5.7 seconds per vehicle).
 3. In an effort to mitigate congestion at the Marginal Way/Preble Street intersection, optimization of the traffic signal phasing is recommended. As noted in Section 6 intersection operations are projected to improve, if the traffic signal timing is revised, and intersection delay will be less than the pre-development condition.
 4. Evaluation of accident data in the vicinity of the project was performed for the most recent 3-year period from the MDOT. Results indicate no roadways or intersections within the study area are High Accident Locations.
 5. Sight distance was evaluated for driveways on both Marginal Way and Preble Street Extension. Results indicate all driveways meet MDOT standards for sight distance.

if off site parking is proposed, the traffic analysis must be updated to take into account the location of the off-site parking lot

left hand turn lane on Preble St to Marginal Way protection permission phase

put a 50 foot radius at Marginal Way and Preble St intersection

modify the timing of the intersection

fix the nose of the island

MDOT TRAFFIC MOVEMENT PERMIT APPLICATION

BAYSIDE SITE DEVELOPMENT

PORTLAND, MAINE

May 21, 2001

Prepared For:

City of Portland
Planning Department
Portland, Maine

Prepared By:

Wilbur Smith Associates
Engineers•Economists•Planners
59 Middle Street
Portland, Maine 04101





Wilbur Smith Associates

59 Middle Street
Portland, ME 04101
(207) 871-1785
(207) 871-5825 fax
www.wilbursmith.com

May 21, 2001

Mr. Richard Knowland
Senior Planner
City of Portland Department of Planning
389 Congress Street
Portland, ME 04101

Subject: Bayside Site Development – Portland, Maine

Dear Mr. Knowland:

Attached please find four (4) copies of the Maine Department of Transportation (MDOT) Traffic Movement Permit Application for the proposed Bayside Site Development project located off Marginal Way in Portland, Maine. The Application includes the following as required by MDOT:

- Application forms on pages 14 and 15 of the Traffic Movement Permit.
- Sections 1 through 6 of the Traffic Movement Permit.

I hope this letter and the attached information is acceptable. Please call me should you have any questions or need additional information.

Sincerely,


WILBUR SMITH ASSOCIATES

Thomas A. Errico, P.E.

Senior Transportation Engineer

Albany NY, Anaheim CA, Atlanta GA, Baltimore MD, Bangkok Thailand, Burlington VT, Charleston SC, Charleston WV, Chicago IL, Cincinnati OH, Cleveland OH, Columbia SC, Columbus OH, Dallas TX, Dubai UAE, Falls Church VA, Greenville SC, Hong Kong, Houston TX, Iselin NJ, Kansas City MO, Knoxville TN, Lansing MI, Lexington KY, London UK, Milwaukee WI, Mumbai India, Myrtle Beach SC, New Haven CT, Orlando FL, Philadelphia PA, Pittsburgh PA, Portland ME, Poughkeepsie NY, Raleigh NC, Richmond VA, Salt Lake City UT, San Francisco CA, Tallahassee FL, Tampa FL, Tempe AZ, Trenton NJ, Washington DC

Employee-Owned Company

Department of Transportation
Traffic Engineering Division
16 State House Station
Augusta, Maine 04333
Telephone: 207-287-3775

FOR MDOT USE
ID # _____ 1/2000
Total Fees: _____
Date: Received _____

PERMIT APPLICATION - TRAFFIC
TRAFFIC MOVEMENT PERMIT, 23 M.R.S.A. § 704 - A

Please type or print:

This application is for:

Traffic 100-200 PCE's X
Traffic 200+ PCE's _____

Name of Applicant: MR. TED WEST

Address: ATLANTIC NATIONAL TRUST Telephone: 828-1080
S. PORTLAND PIER, SUITE 400 PORTLAND ME 04101

Name of local contact or agent: WILLIAM NEMMERS AND ASSOCIATES

Address: 100 COMMERCIAL ST. PORTLAND, ME Telephone: 775-6141
04101

Name and type of development: BAYSIDE SITE DEVELOPMENT-OFFICE BUILDING

Location of development including road, street, or nearest route number: _____

68 MARGINAL WAY

City/Town/Plantation: PORTLAND, County: CUMBERLAND Tax Map # 34A-A-4, Lot # 1
34A-A-2, Lot # 2

Do you want a consolidated review with DEP pursuant to 23 M.R.S.A. § 704-A (7)?
Yes _____ No X

Was this development started prior to obtaining a traffic permit? NO

Is the project located in an area designated as a growth area (as defined in M.R.S.A. title 30 - A, chapter 187)?
Yes _____ No X

Is this project located within a compact area of an urban compact municipality? Yes X No _____

Is this development or any portion of the site currently subject to state or municipal enforcement action?
NO

Existing DEP or MDOT permit number (if applicable): _____

Name(s) of DOT staff person(s) contacted concerning this application: _____

Name(s) of DOT staff person(s) present at the scoping meeting for 200+ applications: _____

1/2000

CERTIFICATION

The traffic engineer responsible for preparing this application and/or attaching pertinent site and traffic information hereto, by signing below, certifies that the application for traffic approval is complete and accurate to the best of his/her knowledge.

Signature: 

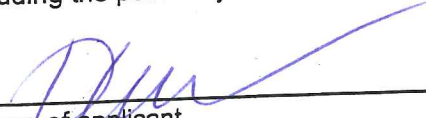
Re/Cert/Lic No.: P.E. # 6618

Name (print): THOMAS A. ERICO

Date: MAY 21, 2001

If the signature below is not the applicant's signature, attach letter of agent authorization signed by applicant.

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment."


Signature of applicant

5/21/01
Date

SECTION 1 – SITE AND TRAFFIC INFORMATION

- A. Site Plan** - The proposed Bayside Site Development will be located on Marginal Way at the intersection of Preble Street (refer to Figure 1). As currently planned the project will consist of a 50,000 square foot office building to be constructed in the existing City of Portland's Department of Public Works Salt storage area and the Advanced Paper Company building. Access to the project will be provide via two driveways, one on Marginal Way west of Preble Street and one on Preble Street Extension. A site plan is attached.
- B. Existing and Proposed Site Uses** – The existing site contains the City of Portland's Department of Public Works salt storage area and the Advanced Paper Company building. The project will consist of a 50,000 square foot office building.
- C. Site and Vicinity Boundaries** – Figure 1 depicts a regional map showing the roads and other proposed developments in the vicinity of the site.
- D. Proposed Uses in the Vicinity of the Proposed Development** – The following list of developments were identified by the City of Portland as being approved and not built. Traffic from these developments, and others as required, will be incorporated in the traffic study.
- Wild Oats Supermarket
- E. Trip Generation** – Traffic generated from the proposed development was based upon traffic generation rates contained in the publication Trip Generation, Institute of Transportation Engineers. Traffic generation was based upon Land Use Code 710 – General Office Building. The following table summarizes the expected traffic generated from the proposed 50,000 square foot office building during the AM and PM peak hours and on a weekday daily basis.

NOTICE OF INTENT TO FILE

Please take notice that Atlantic National Trust having an address at 50 Portland Pier, Portland, Maine 04101, 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 May 21, 2001.

The application is for the construction of a 50,000 square foot office building and related parking. The new trip generation from the development is ~~117~~ ¹³⁵ trips per hour at peak hour.

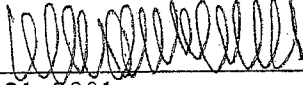
The project is at the following location: corner of Marginal Way and Preble Street, Portland, Maine.

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 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 and 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.

Atlantic National Trust

By: 
May 21, 2001

A scoping meeting to determine the scope of impact evaluation required for this development will be held on Wednesday, May 30, 2001, at 8:00 a.m., in the Planning Department Conference Room, 4th floor of City Hall, 389 Congress Street, Portland, Maine. The scoping meeting is open to the public.

Please note that a public hearing on the Traffic Movement Permit is scheduled for Tuesday, June 12, 2001, Portland City Hall, Room 209, 389 Congress Street, Portland, Maine. A notice on the specific time of that public hearing will be sent to you shortly. The Traffic Movement Permit will be considered as part of the public hearing for the Site Plan Review of the development.

Further information on this application can be obtained by calling 874-8725.

To: Penny Littel

175-7271

From: Steve Landry

Page 1 of 3

Penny attached is a generic copy
of our permit and also a copy
of a filled out permit. If you
have any questions give me a call
at 287-8240.

Thanks



STATE OF MAINE
 DEPARTMENT OF TRANSPORTATION
 16 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0016

ANGUS S. KING, JR.
 GOVERNOR

JOHN G. MELROSE
 COMMISSIONER

Developer: [Developer Name]
Location: [Street name, route #]
Project: [Project Name]
Identification Number: [Call Dean Lesser in Scarborough 883 5546 to get an ID#]

General Overview

Based on findings of fact, the Department approves the Traffic Movement Permit application of the , subject to the following conditions:

Proj Name + Loc Traffic Impacts and Mitigation Required of the Developer

General Mitigation Requirements

If the proposed project abuts the State's Highway System and requires improvement to that system, the applicant must then obtain approval of the design plans and coordinate work through M.D.O.T.'s Director of the Bureau of Project Development, who can be reached at (207)-287-2055 in Augusta.

By: _____
 Bruce Ibarquen
 State Traffic Engineer

Date: _____



PRINTED ON RECYCLED PAPER



STATE OF MAINE
 DEPARTMENT OF TRANSPORTATION
 16 STATE HOUSE STATION
 AUGUSTA, MAINE
 04333-0016

Example

ANGUS S. KING, JR.
 GOVERNOR

JOHN G. MELROSE
 COMMISSIONER

Developer: Chey, Inc..
Location: Sanford, Corner of Main St. (Rte 11/109) and Bridge St. (Rte 224)
Project: Rite Aid
Identification Number: Div. 06-00004-A-N

Chey Inc.. is seeking a Traffic Movement Permit from the Department of Transportation for a proposed 11,180 foot pharmacy building with a double prescription drive thru in Sanford at the intersection of Main St. (Rte 11/109) and Bridge St. (Rte 224). This development is expected to generate 138 trip ends during the Saturday peak hour period.

Based on findings of fact, the Department approves the Traffic Movement Permit application of the Chey Inc. for the proposed Rite Aid Pharmacy with double prescription drive thru, subject to the following conditions:

Traffic Impacts and Mitigation Required of the Developer

On-Site Impacts: The developer agrees to have delivery times to not coincide with the peak hour of the Sanford Institute of Savings drive thru. Truck deliveries should be counterclockwise. Install 2 foot wide by 2 inch high concrete median on the southwest side of parking stall #20. Install "No Parking Along Side of Building" and "One Way" signs. Taper the cross hatched truck loading area back toward Irving St.. Eliminate R-X marking at the intersection with Irving St..

If the proposed project abuts the State's Highway System and requires improvement to that system, the applicant must then obtain approval of the design plans and coordinate work through M.D.O.T.'s Director of the Bureau of Project Development, who can be reached at (207)-287-2055 in Augusta.

By: _____
Bruce Ibarguen
State Traffic Engineer

Date: _____



PRINTED ON RECYCLED PAPER

Planning Department



CITY OF PORTLAND

Richard Knowland
Senior Planner

OCT 12, 2000

TO: DEAN LEJAND

FROM: RICK KNOWLAND

AS REQUESTED ENCLOSED IS THE
SITE PLAN FOR WILDCATS ON
MARGINAL WAY. SHOULD YOU HAVE
ANY QUESTIONS ON THIS MATTER,
PLEASE CALL ME.

RIK

□ BB " ~~protect~~ ~~permissive~~ left hand turn lane should
be consider ^{4 phase} ^{permissive}
would rather it be done in a comprehensive
manner

□ BB ^{exclusive} right hand turn lane on Margate Way ^{headed in}
phase it in ^{westbound}

put a 50 foot radius at Margate Way X Ross
ST intersection
extend the raised island (curb)
pulled back as a block turn

- modify the timing of the intersection
- fix ^{the} nose of the island

BO doesn't want to do the double left unless
entirely necessary

5/29/93

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

June 10, 2002

Mr. Steven Shaw
Atlantic Bayside Square, LLC
50 Portland Pier
Suite 400
Portland ME 04101

RE: Bayside Office Building; 76 Marginal Way
CBL: 34A-A-2

Dear Mr. Shaw:

This letter is to confirm that the Portland Planning Authority has reviewed and approved certain revisions to the Bayside Office Building. The approved revisions include the location of two free standing signs by the driveways, a change in the parking lot lighting fixtures to the Mitre series and the installation of a generator in the parking lot. The approval is subject to the following condition:

1. That the orange exterior casing of the generator shall be painted green in color and that an acceptable number of species of trees shall be planted adjacent to the generator in accordance with the City Arborist requirements. A paint color sample shall be submitted to the Planning Division for review and approval.


Should you have any questions concerning this letter, please contact the Planning Division.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alexander Jaegerman', is written over a horizontal line.

Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Sarah Hopkins, Development Review Program Manager
— Rick Knowland, Senior Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeff Tarling, City Arborist

TO: Inspections
FROM: Jay Reynolds, Development Review Coordinator 
DATE: August 5, 2002
RE: C. of O. for Bayside Office Building 68-76 Marginal Way
Lead CBL (034-A-A002) ID# (2001-0011)

After visiting 68-76 Marginal Way, I have the following comments:

Site work complete.

At this time, I recommend issuing a permanent Certificate of Occupancy.

Please contact me if you have any questions or comments.
Thank You.

Cc: Sarah Hopkins, Development Review Services Manager
Mike Nugent, Inspection Services Manager
file

File: O:\drc\76marginal1.doc

5-30-03

TO: SARAH HOPKINS
PENNY LITTELL

FROM: RICK KNOWLAND

I DON'T KNOW IF WE WRITE SUCH A LETTER BUT WE HAVE A REQUEST FROM THE AAA BUILDING OWNER ABOUT WRITING A LETTER SAYING THAT WE CERTIFY THE BUILDING IS ON A PUBLIC STREET AND IS COMPLIANCE WITH CITY ZONING AND BUILDING CODES.

I'D BE HAPPY TO DRAFT SUCH A LETTER (BUT DO WE TYPICALLY WRITE SUCH A LETTER?) I'M NOT SURE I'D USE THE WORD "CERTIFY" IN SUCH A LETTER.

THE LETTER THEY SAY IS FOR A RE-FINANCING.

I THINK WE SHOULD CHARGE \$\$\$ FOR THE LETTER, SEE ATTACHMENT, SEE, MAY BE THAT'S WHY THEY ASKED FOR IT RATHER THAN MARGE.

Steve. SHAW
865-3354
831-6462 (cell)

WILLIAM H. LEETE, JR.
JAMES R. LEMIEUX†
GREGORY R. SMITH

LEETE & LEMIEUX, P. A.

ATTORNEYS AT LAW
95 EXCHANGE STREET
P.O. BOX 7740
PORTLAND, MAINE 04112

(207) 879-9440
FAX (207) 879-9445

†Also admitted in MA

May 29, 2003

City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

Re: Atlantic Bayside Square, LLC, 68 Marginal Way, Portland, Maine

Dear Planning Department:

Atlantic Bayside Square, LLC has been requested as part of a refinancing transaction to certify to the Lender that the property that the building located at 68 Marginal Way, Portland, Maine (Atlantic Bayside Square) fronts on a street which has been dedicated to and accepted by the City of Portland as a public thoroughfare or has access to a public thoroughfare by a perpetual easement for ingress and egress by pedestrian and vehicular traffic over adjoining property.

In addition we have been requested to confirm that Atlantic Bayside Square complies with applicable zoning and building codes and applicable set back requirements.

We would greatly appreciate it if you would assist in this matter by so certifying. I have attached a separate letter for signature by the appropriate person representing the City to execute such a certification.

Please let me know if you have any questions regarding this matter.

Very Truly Yours,

William H. Leete, Jr.

Enclosure
WHL/cal

City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

May 28, 2003

Farm Bureau Life Insurance Company
c/o William M. Keating
Real Estate Investment Manager
5400 University Avenue
West Des Moines, Iowa 50266-5997

Re: Atlantic Bayside Square, 68 Marginal Way, Portland, Maine

To Farm Bureau Life Insurance Company:

This is to certify to Farm Bureau Life Insurance Company that the Atlantic Bayside Square building located at 68 Marginal Way, Portland, Maine (Atlantic Bayside Square) fronts on a street which has been dedicated to and accepted by the City of Portland as a public thoroughfare or has access to a public thoroughfare by a perpetual easement for ingress and egress by pedestrian and vehicular traffic over adjoining property.

In addition this is also to certify that Atlantic Bayside Square complies with applicable zoning and building codes and applicable set back requirements of the City of Portland.

If you have any further questions regarding this matter, please contact the City of Portland Planning Department.

Very Truly Yours,

City of Portland, Planning Department

By: _____

Print Name: _____

Its:

ZONING DETERMINATIONS

Effective Jan 3, 2002

There shall be a \$150.00 fee for the Request for a Zoning Determination for anything other than a single family residence.

You must provide a cover letter explaining the Request, with the street address of the property as well as the Chart/Block/Lot identification of the property.

You should also include a sample of a formatted letter that you prefer for the response.

It will take a week to 10 days to complete the determination for you.

SORTIE

THE MOLSON PAVILION
FOR MOLECULAR MEDICINE
LE PAVILLON MOLSON
DE MÉDECINE MOLÉCULAIRE

Montreal Neurological Institute
Montreal
Architect: Bobrow Architects

- B. Preparation of traffic study.** The traffic study, when required under subsection A above, must be prepared under the supervision of a Maine registered professional engineer having experience in traffic engineering.
- C. Study horizon.** The year for which the study results are to be characterized must be in accordance with the provisions of Section 4(B).
- D. Elements of traffic study.** At a minimum, the report of the traffic study must contain the following.
- (1) Site Plan. All site plans shall be stamped or sealed by a Registered Maine Professional Engineer and must be at a scale of 1 inch equals no more than 200 feet (1:2000 metric) unless variations are approved by the Department prior to submission of the application. Any intersections of the development with the roadway shall be shown at a scale of 1 inch equals no more than 50 feet (1:500 metric). Survey plans, without exceptions shall be prepared, signed and sealed by a Maine Licensed Professional Land Surveyor. Plans must be folded to fit 8 1/2" X 11" folders and must be submitted in triplicate.
 - (2) Existing and proposed site uses. A description of the existing and proposed uses of the development area.
 - (3) Site and vicinity boundaries. A regional map showing the development area and each road in the vicinity of the proposed development, as defined in Sections 2(F), 5(B) and 6(B) of this chapter. This map must also show other proposed development sites in the vicinity of the proposed development, including the location of their existing and proposed driveways to the extent such information is available.
 - (4) Proposed uses in the vicinity of the proposed development. A description of traffic increases that are expected from sources other than the proposed development and that are highly likely to occur in the vicinity of the proposed development during the study period. At a minimum, the study must identify development or redevelopment proposals which have been approved, either locally or by the Department, provided such approvals have not lapsed, and development or redevelopment proposals for which complete applications have been filed with and accepted by a local reviewing authority or the Department provided the applicant is actively pursuing the application. If a local reviewing authority or the Department has requested from an applicant additional information or submittals necessary to complete the processing of an application but has not received such information within 90 days of the request, that applicant shall be deemed not to be actively pursuing the application.
 - (5) Trip generation must be calculated using the Institute of Transportation Engineers' (ITE) Trip Generation Guide, edition shown on MDOT's Fact Sheets enclosed with the application. If ITE data is not available for the proposed land use, trip generation must be estimated in accordance with a methodology approved by the Department. The trip generation data must be presented in a summary table listing each type of land use, the size involved, the trip generation rate used (total daily traffic and a.m. /p.m. peak), and the resultant total trips generated for the design peak hour of the

adjacent street, or the design peak hour of the generator, whichever is the worst case scenario for the network.

- (6) Trip distribution. A description and diagram of the anticipated distribution of traffic entering and exiting the proposed development area.
- (7) Trip assignment. Include a description and diagram of the anticipated utilization of roads and intersections in the vicinity of the proposed development by traffic attributable to the development. Distribution and assignment of trips must be based on population trends, surrounding land uses, the condition of roadways, market analyses and other relevant data. The technical analysis steps, basic methods, and assumptions used in this work must be clearly stated. The scope of this section must be to and including the first major intersection to either side of the development driveway(s).
- (8) Existing and projected traffic volumes. A diagram of the traffic volume on roads and intersections in the vicinity of the proposed development for the estimated a.m. and p.m. peak hour traffic (including turns during the peak hour) unless determined by the Department at the scoping meeting that another approach or period of time would produce a more accurate result. Traffic diagrams must show the following.
 - (a) Existing traffic volume based on actual counts taken within two years of the study unless otherwise approved by the Department.
 - (b) Traffic attributable to other development projects that are proposed or approved but are not operational at the time the traffic counts are made. An applicant must consider:
 - (i) Approved projects, provided the permit has not lapsed and has not been extended more than once;
 - (ii) Planning permits, subject to the specific terms of those permits; and
 - (iii) Proposed projects for which complete applications have been filed and accepted, provided the applicant is actively pursuing the application as defined in Section 8(D)(4).
 - (c) Traffic attributable to the proposed development assuming build-out and full occupancy.
 - (d) Traffic attributable to the proposed development during its peak hour of traffic generation.
 - (e) Projected traffic volume for the design hour at the time the development will begin operation, assuming build-out and full occupancy of the proposed development.

Documentation, including all new traffic counts and analysis worksheets, as to how the various volumes were derived must accompany the diagrams.

Computer techniques and the associated printouts can be used as part of the report.

Build-out projections must include volume projections for background traffic growth. Methods used to determine background traffic volumes include the use of existing projections in comprehensive plans and typical annual growth rates.

All traffic counts must be actual counts whenever possible. Traffic counts from the Department may be used if not more than two years old unless otherwise approved by the Department.

- (9) Capacity analyses. A capacity analysis must be performed to determine the level of service for each road and intersection in the vicinity of the proposed development. Capacity calculations must be made for the estimated 30th highest hour of traffic during the build-out year, or any other appropriate design hour approved by the Department. Where it is shown that the capacity analysis methodology will not accurately measure operating conditions at a road or intersection, the Department may require an applicant to analyze operating conditions of an intersection or road using another methodology acceptable to the Department. In the case where a particular intersection being evaluated is part of an interconnected signal system the applicant may, at the discretion of the Department, be required to include the analysis of the interconnected system in the evaluation.

The Department recognizes that the level of service of some roads and intersections cannot be accurately determined using only the standard capacity analysis method. In such cases, the appropriate analytical technique will be determined in consultation with the Department.

- (10) Traffic signals. The need for new traffic signals in the vicinity of the proposed development must be checked using the warrants in the "Manual on Uniform Traffic Control Devices", U.S. Department of Transportation, Federal Highway Administration, edition as referenced on MDOT's Fact Sheets enclosed with the application.

Note: The signal warrants in the "Manual on Uniform Traffic Control Devices" (MUTCD) are not the sole criteria used to determine the need for new traffic signals. Although an intersection may meet the MUTCD warrants, the Department may determine that a signal is not appropriate.

- (11) Sight distance analyses. A determination of the available sight distance in all directions at each intersection in the vicinity of the proposed development must be made. Intersection sight distance is the length of roadway visible to the driver. It must be measured from the intersection (at a point 10 feet (3.0 meters) back from the edge of the travel way) to the centerline of the opposing lane(s), assuming a height of eye of 3.5 feet (1.1 meter) and a height of object of 4.25 feet (1.3 meters).

- (12) Traffic accidents. An inventory and analysis of traffic accidents in the vicinity of the proposed development during the most recent 3-year period. The inventory must include:

- (a) A listing of the critical rate factor for each road and intersection in the vicinity of the proposed development;
 - (b) Identification of high accident locations (see Section 4D of this chapter);
 - (c) Collision diagrams for each high accident location identified; and
 - (d) Identification of feasible countermeasures based on discernible accident pattern at any high accident location.
- (13) Recommendations. If the study analyses indicate that unsatisfactory levels of services (see Section 4C of this chapter) or unsafe conditions exist or will occur at intersections or on roads in the vicinity of the proposed development, a description of the measures proposed to remedy the deficiencies, including the following.:
- (a) Recommended improvements. A description and diagram of the location, nature, and extent of recommended improvements to roads and intersections in the vicinity of the proposed development. Of the recommended improvements, identify those proposed for implementation.
 - (b) Capacity analysis after improvement. A description of the anticipated results of making these improvements.
 - (c) Section 4(C)(4) exception. If the proposed development is entitled to an exception under Section 4(C)(4), the descriptions provided pursuant to (a) and (b) may be limited to the improvements necessary to provide safe conditions and the level of service required under Section 4(C)(4).
 - (d) Section 4(C)(5) exception. If the proposed development is entitled to an exception under Section 4(C)(5), the descriptions provided pursuant to (a) and (b) may be limited to the improvements necessary to provide safe conditions and the level of service required under Section 4(C)(5).
 - (e) Section 4(C)(6) exception. If the proposed development is entitled to an exception under Section 4(C)(6), the descriptions provided pursuant to (a) and (b) may be limited to the improvements necessary to provide safe conditions and the level of service required under Section 4(C)(6).
- (14) Conclusion. A clear, concise description of the study findings.

9. Design requirements

A. General. The minimum design criteria of this section must be met or exceeded unless:

- (1) A Conflict with municipal standards exists. Specific provisions of the design criteria of this section conflict with specific provisions of duly enacted municipal standards for roads and entrances and the applicant requests that the specific municipal standard be applied, if the applicant requests this, it must also demonstrate that the alternative

follows generally accepted engineering techniques and will allow safe and efficient traffic movement; or

- (2) Alternative Design Criteria will provide the same result and therefore the applicant requests a variance. The applicant demonstrates that proposals which vary from the criteria of this section will allow safe, adequate and convenient movement of traffic of all types into and out of the development site. Applications for approval of roadway and entrance plans that vary from the requirements of this section must identify the criteria that will not be met, specify the proposed alternative, and set forth such evidence as is necessary to affirmatively demonstrate that the alternative is in accordance with generally accepted engineering design practices and will allow safe and convenient traffic movement.

B. Design criteria for roads. The geometric design standards contained in the department's "Highway Design Guide" edition as referenced on MDOT's Fact Sheets enclosed with the application, must be applied to all new construction, reconstruction and major rehabilitation projects not on the National Highway System. AASHTO guidelines must be used on all new construction, reconstruction and major rehabilitation projects on the National Highway System. Route continuity must be considered when determining widths for any particular project. When using the AASHTO guidelines, the minimum AASHTO design guideline must be considered the desired guideline.

C. Design criteria for entrances and exits

- (1) Identification. Entrances and exits must be clearly identified by the use of signs, curb cuts, raised medians, and landscaping as appropriate.
- (2) Design approval. The entrance and exit design must be reviewed and approved by the Department if the entrance will be located on a state or state-aid highway.
- (3) General design considerations. The design of all entrances and exits associated with a proposed development must include, at a minimum, consideration of the following items as per guidelines set forth in the edition of the MDOT publication "Access Management - Improving Efficiency of Maine Arterials" referenced on MDOT's fact sheet:
 - (a) Safe sight distance;
 - (b) Maximum number of driveways per lot; (see 23 M.R.S.A. § 704)
 - (c) Minimum distance between driveways and side streets (corner clearance);
 - (d) Minimum distance between driveways;
 - (e) Turn radius and driveway width;
 - (f) Approach grades;
 - (g) Auxiliary turning lanes (right-turn lanes, left-turn lanes); and

(h) Driveway throat length.

(4) Miscellaneous requirements

(a) Lighting. Lighting must highlight the driveways of the development. Parking areas must be designed to prevent vehicle lights from shining onto adjacent roadways by using parking orientation, buffers, or other effective measures.

(b) Interference with adjacent roadways.

(i) Sufficient parking facilities must be provided within and adjacent to the development site to meet the parking needs of the development. Parking facilities include on-street parking, access to off-street parking lots, parking lots, loading and unloading space, and circulation aisles and corridors.

(ii) Unless no other practicable alternative is available, parking areas must be designed so that, without resorting to extraordinary movements, vehicles may exit such areas without backing onto a public street. This requirement does not apply to parking areas consisting of driveways that serve single-family detached dwellings provided the driveway entrance is situated on a local road and not on a collector road or arterial road.

(iii) Parking stalls for the development may not be directly accessible from any public way. Ingress and egress to parking areas must be limited to driveway entrances.

(iv) No loading docks may be located on any street frontage.

10. Terms and conditions. The Department may, as a term or condition of approval, establish any reasonable requirement to ensure that the applicant has made adequate provision for traffic movement for all types of traffic, including but not limited to the following:

A. Size, time, manner and number limitations. Limitations on the size, time of operation, manner of operation, number of vehicles operating out of or into the development area, and size or configuration and operation of the development as a whole.

B. Appointment of officer. The appointment of a traffic control officer.

C. Driveway restrictions. Restrictions concerning the grade or location of driveways, and provision for the sharing of a driveway access point by two or more properties.

D. Visibility improvement. Installation of traffic warning, speed limit, and directional signs.

E. Sight Distance. Clearing of signs, brush or other obstructions near entrance-ways to insure visibility for adequate sight distances.

F. Frontage roads or turn lanes. Construction of frontage roads or turning lanes.

G. Road and intersection improvements. Improvements (i.e. changes in road access, geometry or operations) to any intersection or road in the vicinity of the proposed development when:

- (1) The intersection or road has been determined to be unsafe or to operate at level of service E or F;
- (2) The warrants are met for signalization; or
- (3) There is inadequate storage lane capacity for turning traffic.

If the required road and intersection improvements are located on municipally owned roads, the applicant must demonstrate that the municipality has authorized them.

H. Schedule link. The development schedule be tied to transportation system improvements.

I. Time limitation upon approval. Approval restricted to those development phases projected to mature within five years of the date of approval.

NOTE: Where approval is restricted to the initial phase or phases of a multi-phase development, an updated and revised traffic study must be submitted to the Department for review and approval prior to commencement of subsequent phases. In these cases, monitoring of traffic generated by the initial phase or phases could result in adjusted traffic projections for later phases.

11. Implementation of off-site traffic improvements. Required improvements to roads or intersections in the vicinity of the proposed development must be implemented prior to initial occupancy of the development except where the following occurs as provided in (A), (B), (C) or (D) below:

A. A Municipal impact fee is applied. The applicant demonstrates the following:

- (1) Impact fee ordinance. The municipality in which improvements are needed has adopted an impact fee ordinance pursuant to 30-A M.R.S.A. § 4354;
- (2) Impact fee payment. The applicant has paid or will pay an impact fee pursuant to the ordinance;
- (3) Impact fee use. The impact fee will be used to make the improvements required by the Department;

- (4) Department approval. The improvement plan has been reviewed and approved for implementation by the Department; and
- (5) Schedule. The improvements are scheduled for implementation within three years of the initial occupancy of the development; or

B. A Non-municipal funding mechanism is applied. The applicant demonstrates the following:

- (1) Mechanism established. A non-municipal funding mechanism has been established to apportion the cost of the needed improvements;
- (2) Pro-rata share. The applicant has contributed or will contribute a pro-rata share of the cost of the improvements;
- (3) Fund sufficient. The amount of the fee, together with fees reasonably expected from other developers and government agencies, will be sufficient to fully fund the improvements;
- (4) Department approval. The improvement plan has been reviewed and approved for implementation by the Department;
- (5) Local approvals. The improvement plan has received all necessary local approvals, including funding authorizations; and
- (6) Schedule. The improvements are scheduled for implementation within three years of the initial occupancy of the development.; or

C. An M.D.O.T. Imposed Impact Fee is applied.

- (1) The Department may impose impact fees on developers in addition to and/or in lieu of mitigation;
- (2) The Department may impose impact fees on the applicant for their impact at critical intersections; or

D. Where Improvements are to be implemented by Department. The applicant demonstrates that the necessary traffic improvements have been identified by the Maine Department of Transportation (MDOT) as improvements which MDOT will be implementing within three years of the initial occupancy of the development.

12. Reconsideration

Any interested person may request reconsideration by the Department within 30 days after notice of the Department's permit decision. This request must set forth in detail, the findings and conclusions of the Department to which the person objects, the basis of those objections and the nature of the relief requested. Upon receipt of the request, the department may schedule and hold a hearing limited to the matters set forth on the request. The department shall issue

and write an opinion responding to the request whether or not a hearing is held. The response shall set out the Department's reasons for either maintaining or modifying its permit decision.

The running of the time for appeal pursuant to Section 13 of this rule and the Administrative Procedure Act is terminated by a timely request for reconsideration filed under this section. The full time for appeal commences and is computed from the date of the final Department action addressing the request for reconsideration. The filing of a request for reconsideration, however, is not an administrative or judicial prerequisite for the filing of an appeal under Section 13."

13. Appeals

A final permit decision, whether subject to section 11 reconsideration or not, may be appealed as a final agency action.

14. Acceptance of Application in Establishing Application Priority

Priority of applications for 100-200 PCE developments will be established using the date when the Department has found the application complete and has accepted such application. Priority on applications for over 200 PCE Developments will be established using the date when the Department finds the traffic study (Section 7 of the Specific Submission Requirements) complete and has accepted such application. The applicant will be notified in writing when the Department has accepted the application.

15. Variances

Whenever an applicant or licensee seeks to vary from the design requirements of these rules, the applicant or licensee must present clear and convincing evidence that the project's proposed location, design, or construction is distinctive in a way that allows for compliance with the intent of these design requirements, and will not result in unreasonable congestion or unsafe conditions on a road in the vicinity of the proposed project. Variances may be allowed for Sections 7 A(3) and Section 9. The Department maintains the discretion to accept variances for other sections dealing with design standards.

AUTHORITY: 23 M.R.S.A. § 704 A

EFFECTIVE DATE: June 30, 1999

The Maine Center for Enterprise Development reserves the right to waive all formalities and reject any and all proposals or to accept any proposal.

A 5% Bid Bond is required to be submitted with the bid. The successful bidder will be required to furnish a 100% Performance Bond and 100% Payment Bond to cover the execution of the contract which shall be in conformity with the forms of bonds indicated in the Specifications and for the contract amount.

Liquidated damages are set at \$500.00 per day beyond dates established.

Start date is established as January 22, 2001. Date of substantial completion is set as May 1, 2001 for Phase I, September 1, 2001 for Phase II, and December 1, 2001 for Phase III.

The Contract Documents may be examined on or after December 19, 2000 at:
1. F.W. Dodge Corp. (Dodge Reports), 47 Atlantic Place, So. Portland, Maine 04108

2. Associated Constructors of Maine, Whitten Road, Augusta, Maine 04330
3. The Dunlap Construction Service Bureau, 1st Floor, 31 Court Street, Auburn, Maine 04210

4. Works in Progress, c/o FMC-CADD, 75 Bishop Street, Suite 3, Portland, Maine 04103

Contractors can obtain a set of contract documents for a fee of \$100.00 plus \$15.00 shipping and handling is required per set. Make all checks payable to OEST Associates, Inc. This charge is nonrefundable.

Documents will be available on December 19, 2000 from OEST Associates, Inc. A pre-bid walk-through is scheduled for December 27, 2000 at 10:00 a.m. in the conference room at the Maine Center for Enterprise Development.

The contact person for the project is Donald M. Dyer, OEST Associates, Inc., 343 Gortem Road, South Portland, Maine 04106, phone: (207) 761-1770, Fax: (207) 774-1246, E-mail: don@oest.com.

The Maine Center for Enterprise Development in all its activities subscribes and adheres to the provisions of the Civil Rights Act of 1964, so amended to date. General Contractor, subcontractors, and product suppliers bidding on this project must subscribe and adhere to same. There shall be no discrimination in employment because of race, creed, national origin, handicapped status or sex.

Mr. Widgey Thomas
Chairman of the Board
Center for Environmental Enterprise

486592

an under-recovery of approximately \$2,498,046, or 8% of its total winter period gas costs because gas supply prices have increased significantly. Northern's proposed revised 2000-2001 winter CGF will result in an increase for the remainder of the winter period of 4.03% at the 5 therm consumption level and 8.33% at the 200 therm consumption level for the residential class relative to the rates currently in effect. The Company has requested that this case be resolved expeditiously and that the under-collection be recovered before the next winter period to reduce adverse rate impacts on customers. Deliberations have been scheduled in this matter for December 28, 2000, at 9:30 a.m.

To present your views on this proposed increase, you may request a hearing by filing a request in writing with Dennis Keschl, Administrative Director, Public Utilities Commission, 242 State Street, Augusta, Maine 04333, no later than December 22, 2000. Your request must be made in writing and must state the name and docket number of this proceeding, and the manner in which you are affected by the proceeding. You must send a copy of your request to Northern Utilities, Inc., 300 Friberg Parkway, Westborough, MA 01581-5039. If your request is denied, you may still request that your name be placed on the Commission's mailing list for this case as an interested person.

THE COMMISSION WILL NOT PUBLISH ANY FURTHER NEWS-PAPER NOTICES OF THIS PROCEEDING OR ANY HEARINGS.

If you need more information, write to the Administrative Director at the above address or call 287-3831.

Title 35-A of the Maine Revised Statutes and Commission Rules will govern this proceeding.

485916

LEGAL NOTICE TO TIMOTHY HARRINGTON whereabouts unknown:

Pursuant to an Order for Service by Publication dated 12/14/2000, NOTICE IS HEREBY GIVEN THAT: 1. Pursuant to 22 M.R.S.A. §4491, et seq., the State of Maine Department of Human Services has petitioned for Child Protection Order regarding the following minor children: MICKIE MARTIN, born July 24, 2000, in Portland, ME; JAMIE MARTIN, born July 24, 2000, in Portland, ME; b. Pursuant to 22 M.R.S.A. §4034, on November 8, 2000, the Department was awarded custody of the children: 2. a. The legal parents of the child are: TIMOTHY HARRINGTON, whereabouts unknown; ROXANNE MARTIN of Portland, ME

3. A hearing regarding the Petition for Child Protection Order as to TIMOTHY HARRINGTON, will be held at the Portland District Court, address: 205 Newbury Street, Portland, Maine on January 29, 2001 at 1:00 p.m. for parent and custodians to appear and be heard. 4. Parents and custodians are entitled to legal counsel in these proceedings. If you want an attorney but are unable to afford one, you should contact the Court at the telephone number 207-822-4198 as soon as possible to request appointed counsel. 5. Failure to appear at the hearing regarding this matter may be determined to indicate an intent to abandon the children pursuant to 22 M.R.S.A. §4002 (1-A). These proceedings could lead eventually to termination of parental rights under 22 M.R.S.A. §4051-4057.

6. If you have questions regarding this matter you may contact the department of Human Services, Division of Child and Family Services at (207) 286-2508. 7. In these proceedings the State of Maine Department of Human Services is represented by the Office of the Assistant Attorney General, Portland, ME. Dated December 14, 2000, at Portland, Maine. Roland Beaudoin, Judge, Maine District Court. A true copy attested: Perry S. Whitney, Clerk 487037

LEGAL ADVERTISEMENT

NOTICE OF INTENT TO FILE

Please take notice that Marginal Holdings, LLC, having an address c/o Topfield 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 motor liability 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 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 Stret, 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 December 15, 2000

488439

VICE PRESIDENT UNDERWRITING

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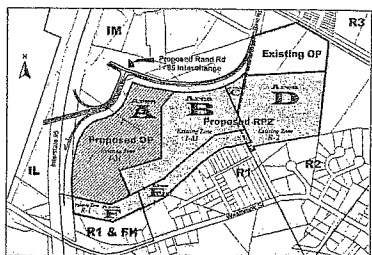
PORTLAND CITY COUNCIL PUBLIC NOTICE

Notice is hereby given that the Portland City Council will hold a public hearing on Wednesday evening, January 3, 2001, at 7:30 p.m. in Council Chambers, City Hall Portland, Maine to consider adopting two planning reports, the Brighton Avenue/Main Street Corridor Traffic and Streetscape Study, and the Outer Brighton Task Force Report, as part of Portland's Comprehensive Plan. The Council will also consider the Planning Board recommendation to convert the portion of Brighton Avenue between Nason's and Rosemont corners from four-to-three lanes, with the condition that the conversion be considered experimental and monitored by the City Traffic Engineer. The City Council will consider rezoning of the land in the vicinity of Rand Road as shown on the map below and as summarized here:

Area	Existing Zoning	Proposed Zoning	Owner	Acres
Area A	Industrial I-M	Office Park OP	City of Portland	25
Area B	Industrial I-M	Resource Protection (RPZ)	City of Portland	1.9
Area C	Industrial I-M	RPZ	Union Water Power	1.2
Area D	Residential R-2	RPZ	Union Water Power	19.1
Area E	Residential R-1	RPZ	CMP & Portland	6.7
Area F	Residential R-1 & Flexible Housing FH	RPZ	CMP	4.1

Further information can be obtained by calling the Planning Office, City Hall, basement office at 874-8699. Zoning Maps and copies of the report are available for public view at the Planning Office and City Clerk's Office. If you are unable to attend the public hearing of the City Council, please submit your written comments to Joseph E. Gray, Jr., Director of Planning and Urban Development, City Hall, 389 Congress Street, Portland, Maine 04101.

Mayor Cheryl Leeman
Portland City Council



★ ★ ★
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Knowl
to
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NOTICE OF INTENT TO FILE

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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.

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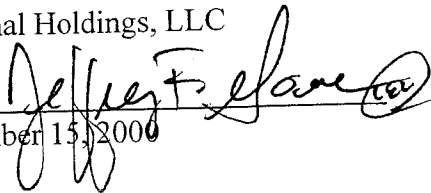
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Marginal Holdings, LLC

By:

December 15, 2000



STUFF - THE WILDOATS
SCOPING MEETING WILL BE
FRIDAY, DEC 22, 10 A.M.
IN PORTLAND CITY HALL, STATE
OF MAINE ROOM (2ND FLOOR)

RICK KNOWLAND
874-8725

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Marginal Holdings, LLC

By: 

December 15, 2000

DEAN - THE WILCOATS
SCOPING MEETING WILL BE
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RICK KNOWLAND
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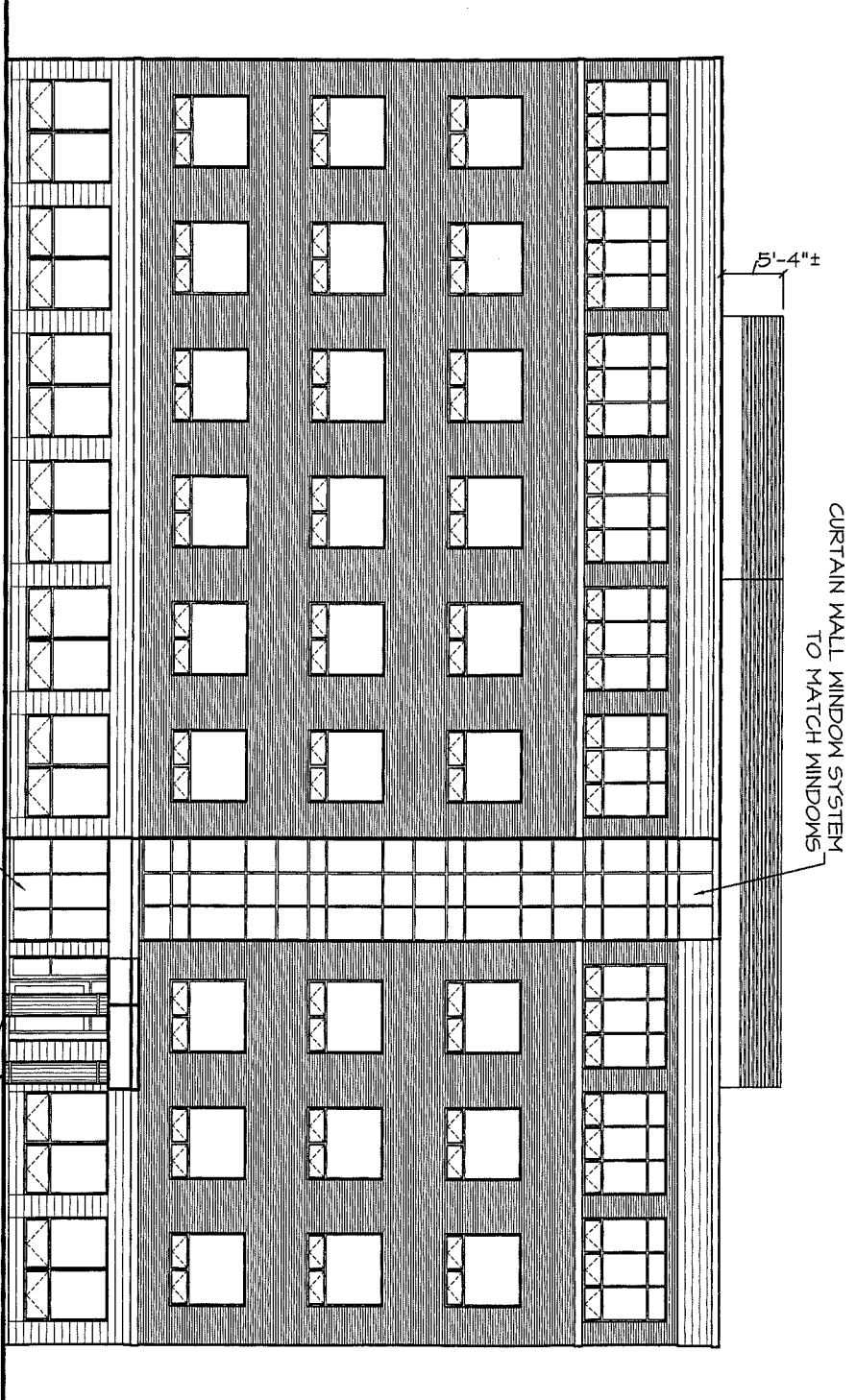
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Marginal Holdings, LLC
December 15, 2000

- ELEV. - 162'-0" ±
ROOF TRIM
- ELEV. - 144'-0"
FIFTH FLOOR
- ELEV. - 136'-9"
FOURTH FLOOR
- ELEV. - 124'-6"
THIRD FLOOR
- ELEV. - 112'-3"
SECOND FLOOR
- ELEV. - 100'-0"
FIRST FLOOR









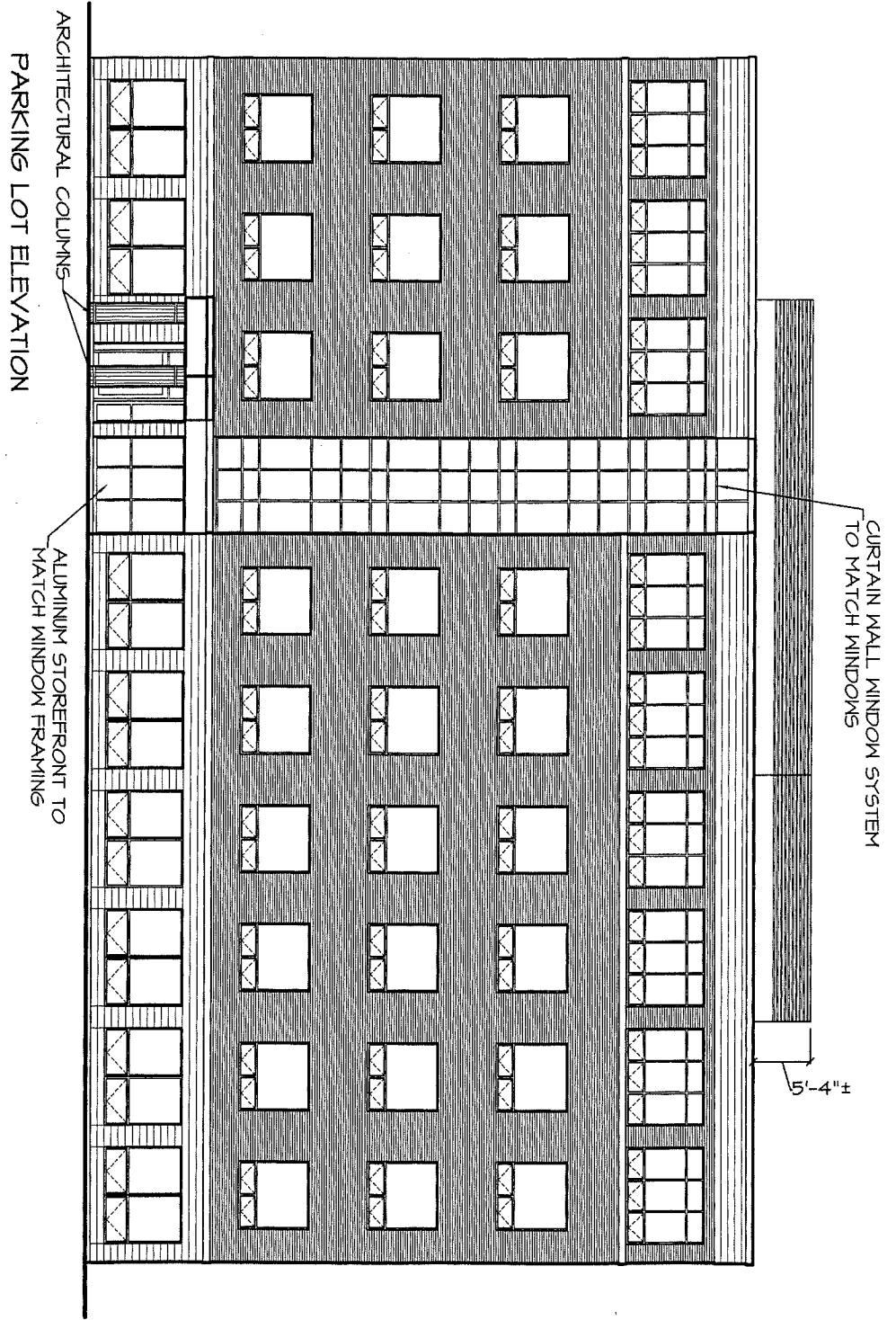
1-245 ELEVATION

BAYSIDE OFFICE BUILDING
PORTLAND, MAINE



CONSTRUCTION CORPORATION

- 
 ELEV. - 162'-0" ±
 ROOF TRIM
- 
 ELEV. - 144'-0"
 FIFTH FLOOR
- 
 ELEV. - 136'-4"
 FOURTH FLOOR
- 
 ELEV. - 124'-6"
 THIRD FLOOR
- 
 ELEV. - 112'-3"
 SECOND FLOOR
- 
 ELEV. - 100'-0"
 FIRST FLOOR



BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE

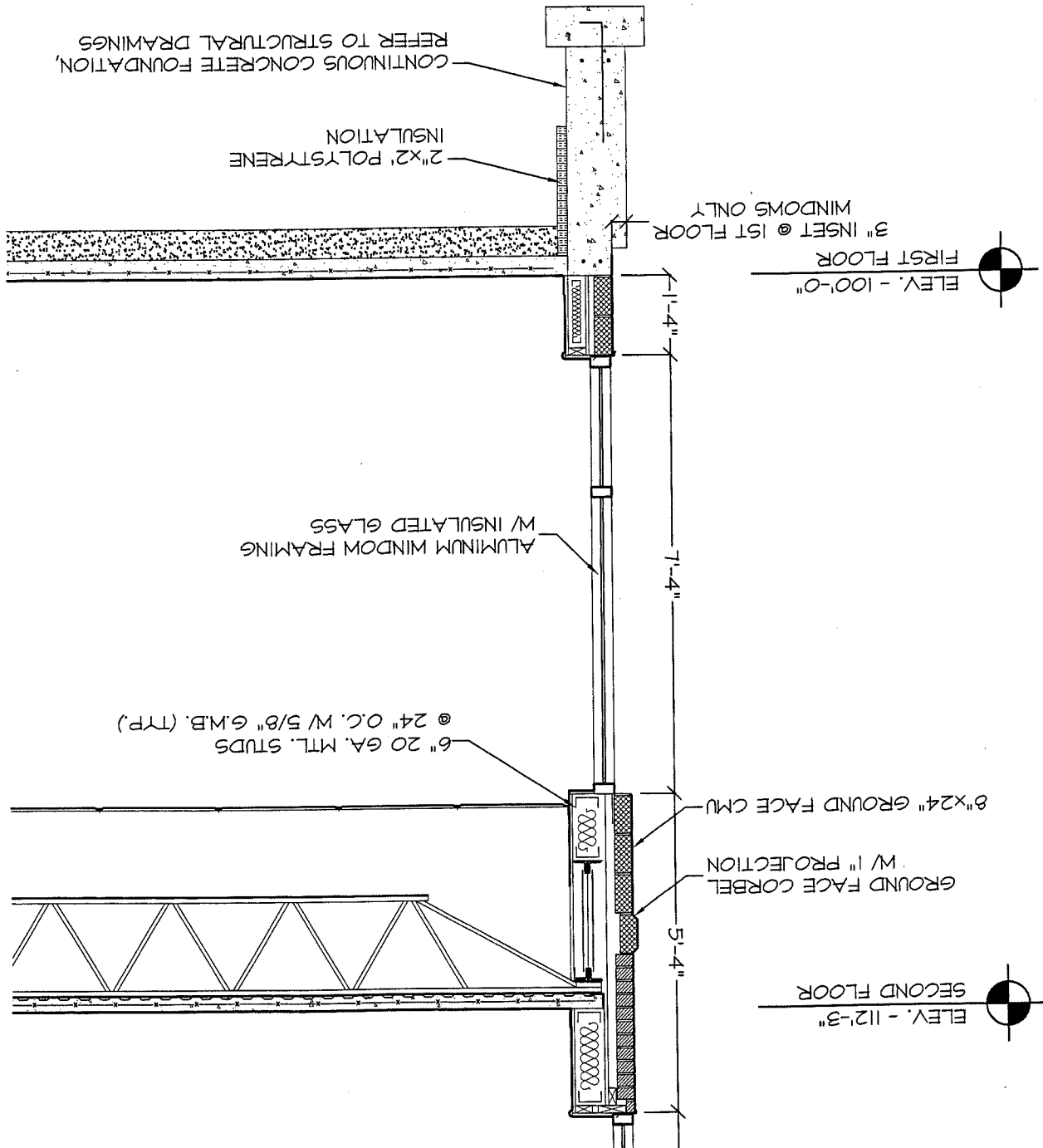


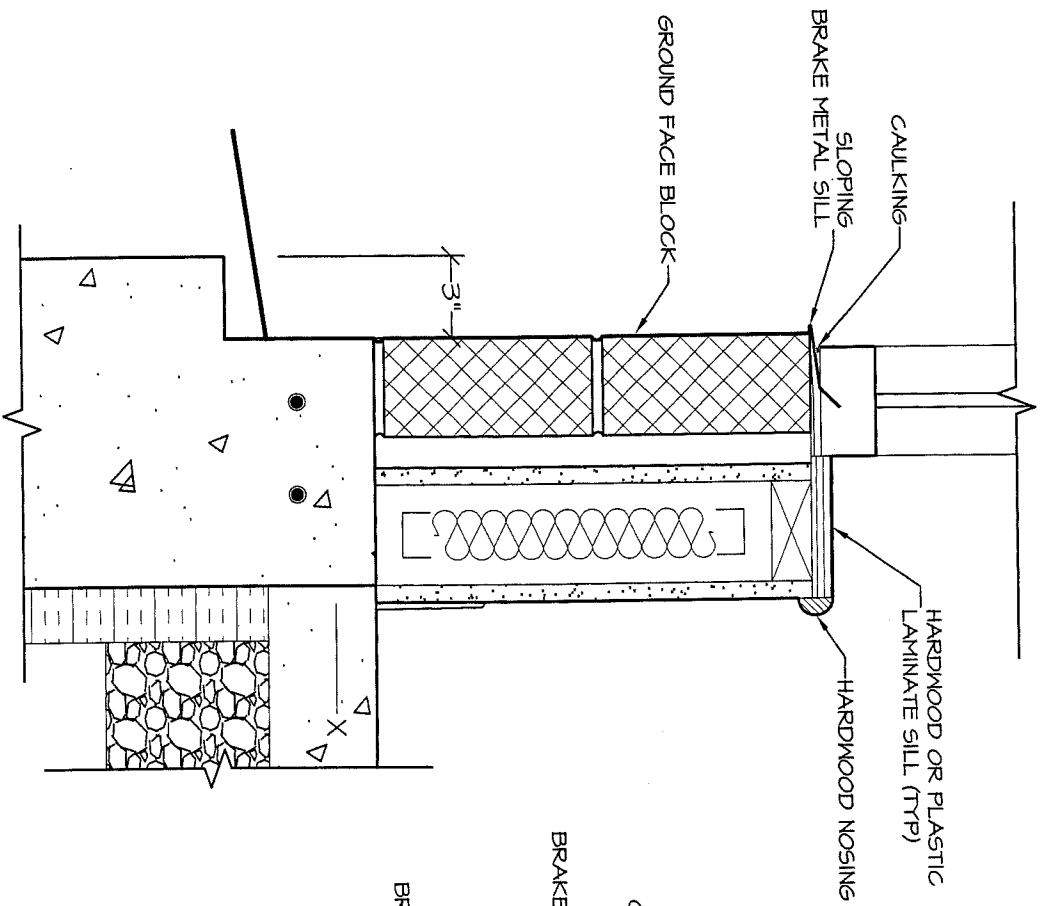
BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE



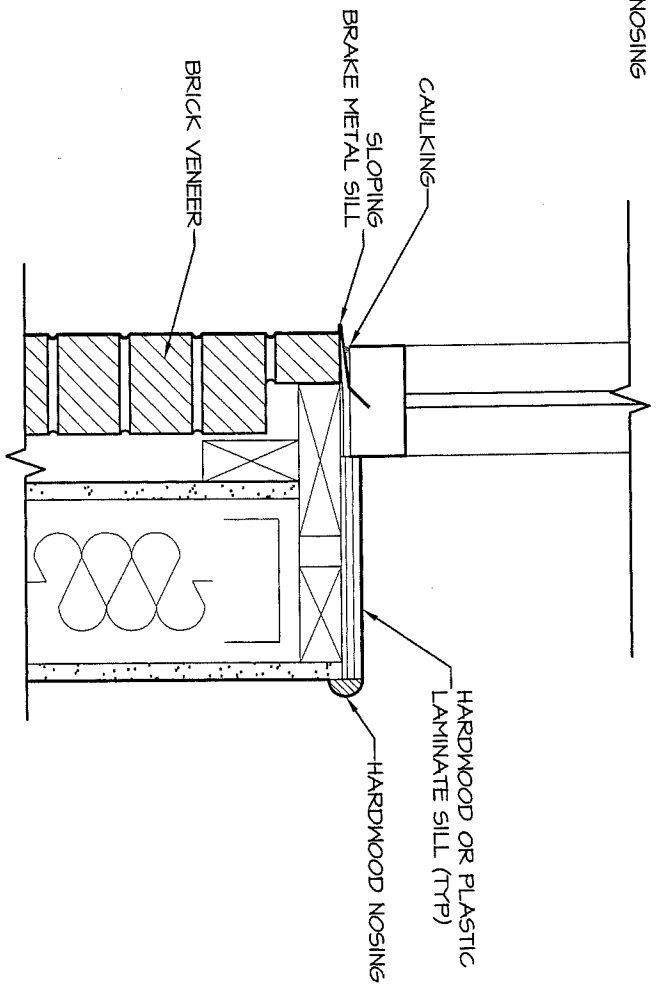
CONSTRUCTION CORPORATION
 11 CORPORATE DRIVE, BELMONT NH 03220
 PHONE (603) 527-9090 FAX (603) 527-9191

PARTIAL WALL SECTION





FIRST FLOOR CORBEL / SILL DETAIL



UPPER FLOOR SILL DETAIL

BAYSIDE OFFICE BUILDING
 PORTLAND, MAINE

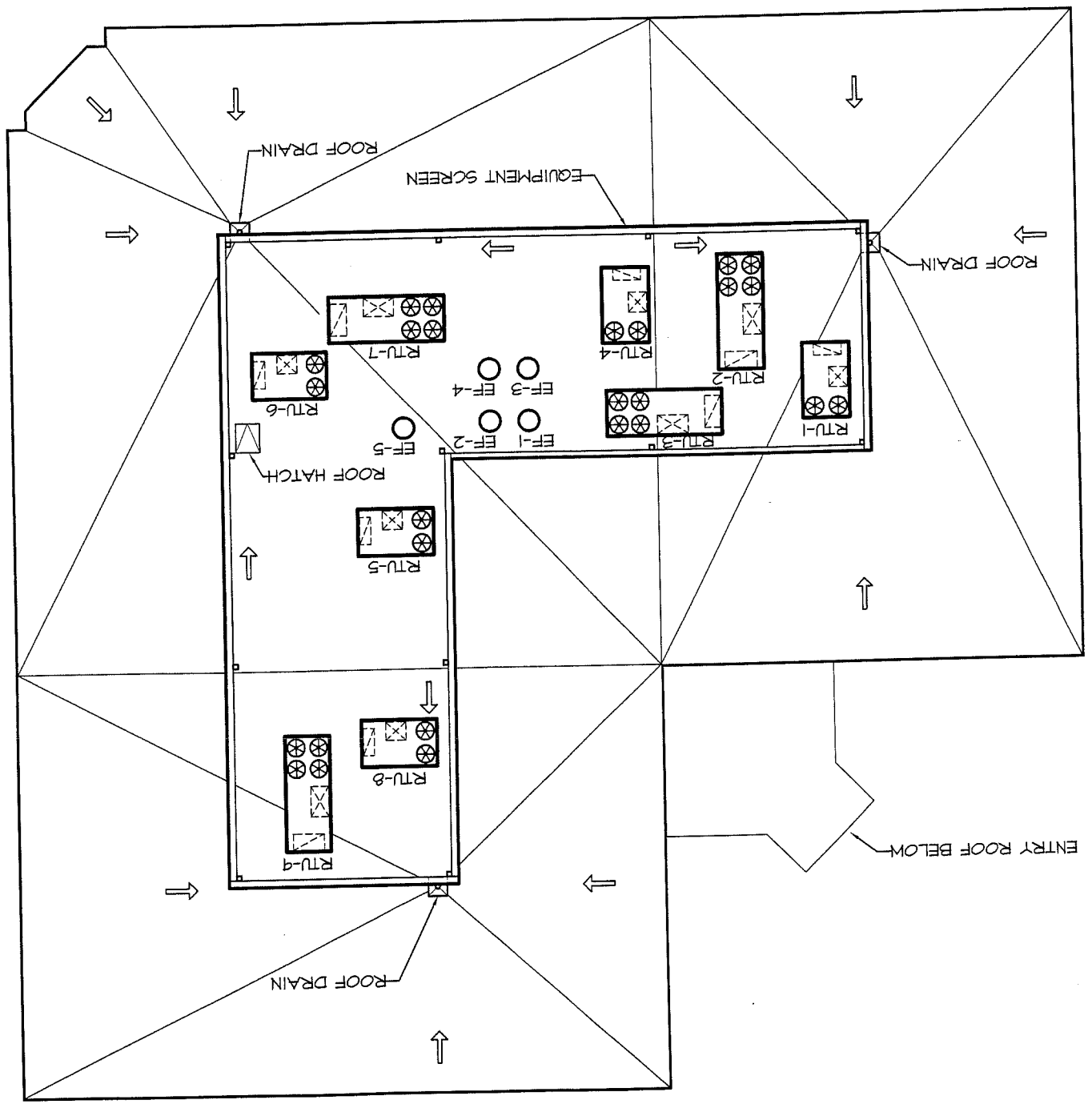


CONSTRUCTION CORPORATION

11 CORPORATE DRIVE, BELMONT NH 03220
 PHONE (603) 527-9090 FAX (603) 527-9191

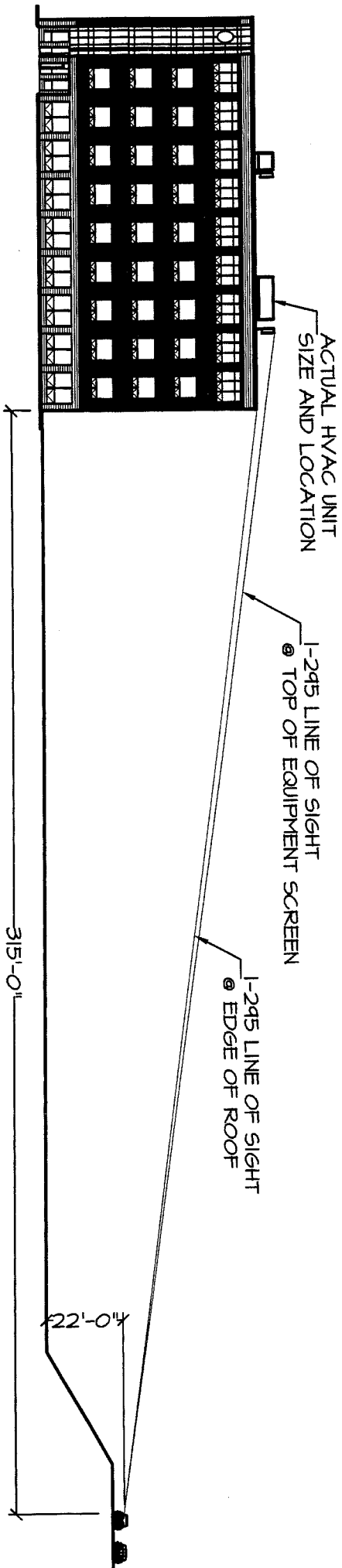
BAYSIDE OFFICE BUILDING
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ROOF PLAN



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ROOFTOP LINE OF SIGHT

BAYSIDE OFFICE BUILDING
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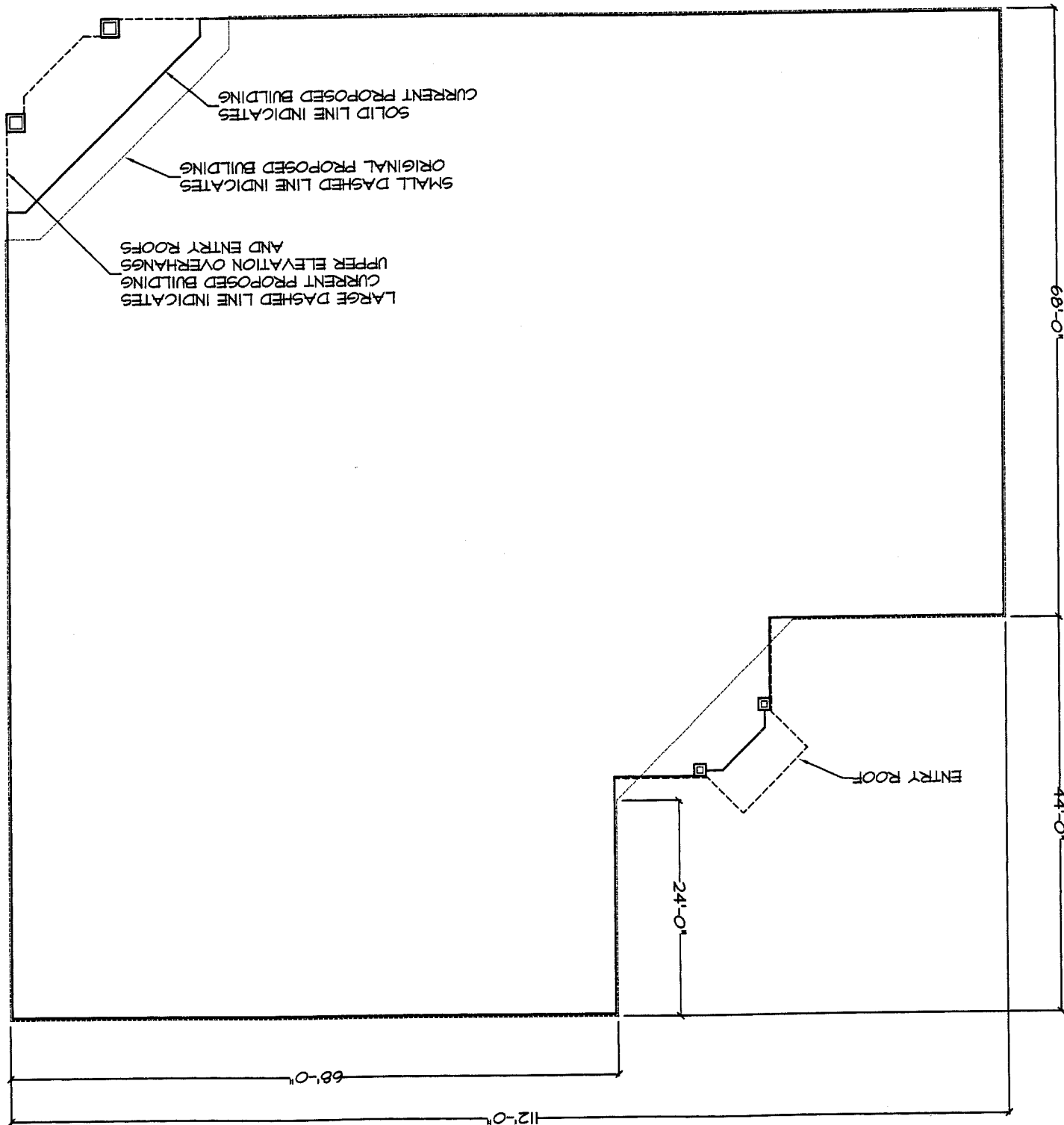


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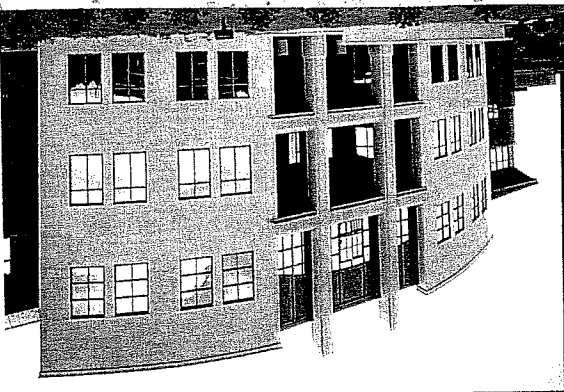
BAYSIDE OFFICE BUILDING
PORTLAND, MAINE



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Virginia Mutual Insurance
Richmond, VA
Architect: Baker & Son
Mason: Capital Masonry



04200/TRF
Buyline 1813

equipped with state-of-the-art technology to ensure unparalleled quality and service from coil to finished product.

From sales and management to engineering and manufacturing, the Copper Sales team of knowledgeable professionals is available to provide vital product information and customer support from initial design development through to successful project completion. Our nationwide network of independent representatives provides additional support and expertise to designers, architects, and contractors throughout the United States.

About the Company

Since its founding in 1973, Copper Sales, Inc., has become an industry leader in the manufacturing of architectural metal products. Competitively priced, our complete product line features the highest quality currently available in metal roofing, panels, column covers, and accessories in a variety of applied finishes and materials — all from a single source.

Our 300,000 sq. ft. manufacturing and office facility in Anoka, MN, and our 50,000 sq. ft. manufacturing facility in Jackson, MS are fully

See Sweets 07610/COP for roofing systems and 07415/COP for wall panels.

UNA-FAB Custom Column Covers

The UNA-FAB systems allow for a variety of options for the architectural designer. Column covers are custom made in round, square, oblong, and rectangular shapes. Copper Sales makes it easy to convert an unfinished concrete column, H-beam, corner condition, or bullnose to enhance the appearance of the structure.

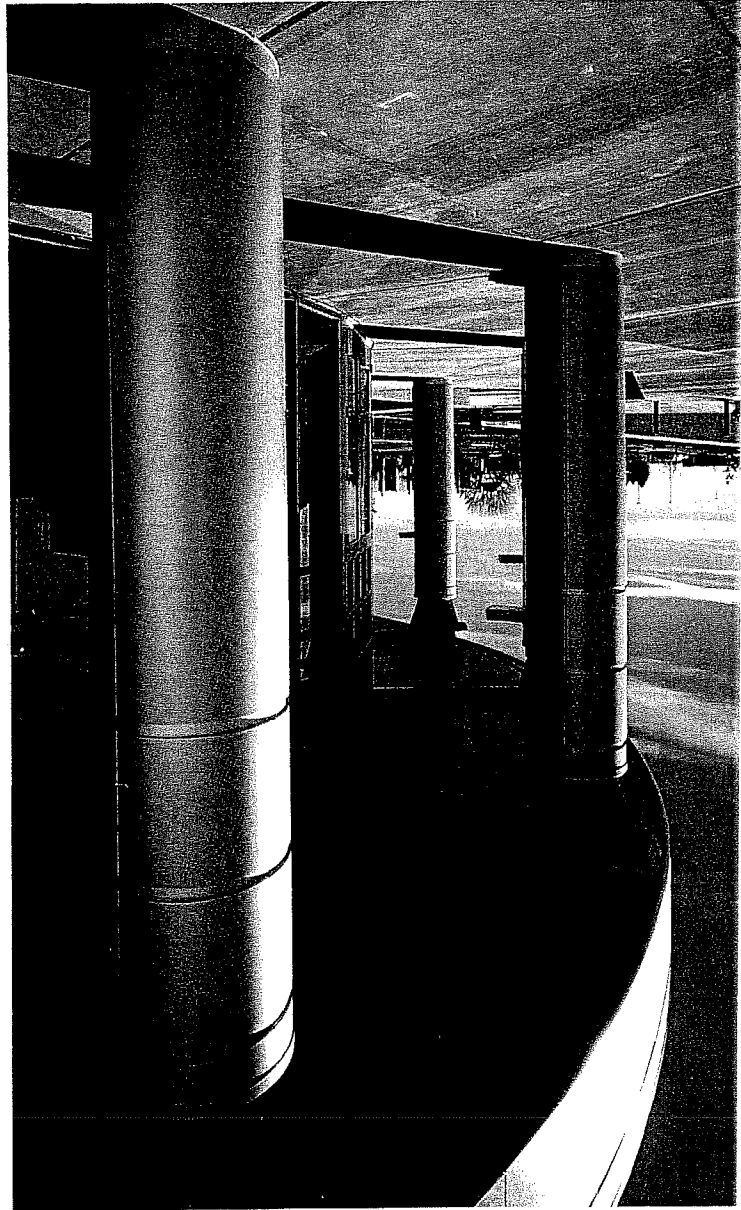
UNA-FAB column covers are made with precision. A variety of metals, colors, and shapes are provided to the designer. Copper Sales offers a wide selection of finishes. Painted finishes are available in an almost unlimited range of colors. Anodized aluminum finishes are available in clear satin, a variety of bronze shades, burgundy, and black. Using state-of-the-art technology, colors can be matched to meet most requirements.

For exterior use, a full strength Hylar 5000™/Kynar 500® 70% resin is recommended for longevity and durability. Powder coating is also available in a limited selection of colors.

UNA-FAB column covers

features:

- Custom fabricated metals:
 - Aluminum — .125" thickness recommended
 - Copper — .125" thickness recommended
 - Stainless steel — 16 gauge recommended
 - Muntz metal — 16 gauge recommended
 - Composite panels — 4 mm and 6 mm
- Available in lengths up to 16'
 - Easy installation
 - True to radius
 - 8" minimum radius standard
- Versatile systems allow designers to achieve unlimited radius and height by sectioning columns
- Available in a wide range of colors and finishes, including the stone series finish on Series 1000
- Round, oblong, square, rectangular, and custom shapes available
- Custom and standard top and bottom reveals available



PROJECT: MITC University of New Mexico
 ARCHITECT: DCSW Architects, Inc.
 GENERAL CONTRACTOR: Gerald Martin Limited
 CONTRACTOR: Southwest Glass & Glazing
 MATERIALS: 125 Aluminum, UNA-FAB Series 200 Column Covers

CBS GOLDMATIC BUILDING SYSTEMS

High Performance Composite Foam Panel

Standard Colors

Imperial White SMP - USDA



Driftwood

Regal White

Sandstone

Surrey Beige

Custom Colors

Ash Gray

Rockport Gray

Taupestone

Willow Green

Slate Blue

Premium Colors

Bright Silver Metallic

Colonial Red

Dark Bronze

Evergreen

Twilight Blue

Colors shown are approximate to actual finish on metal. All paint is Kynar (70% PVF2) unless noted. Confirm availability and actual paint color before placing order.

Kynar is a registered trademark of Elf Atochem North America, Inc.

This card issued January 2000

Coldmatic Building Systems

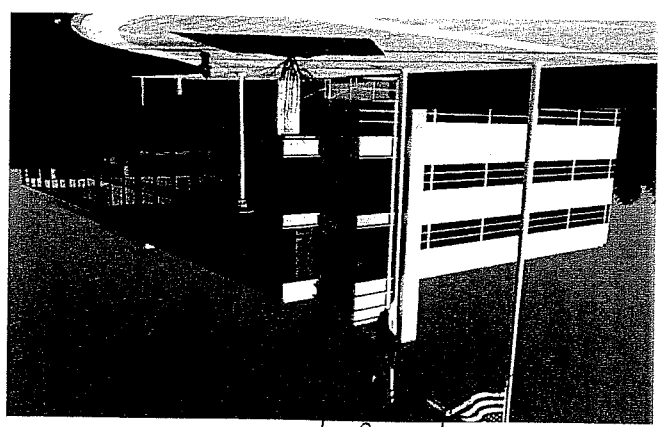
A member of the Coldmatic Group of Companies

8500 Keele Street, Concord, Ontario Canada L4K 2A6

Tel: 905-738-1212 (from USA 800-668-4165)

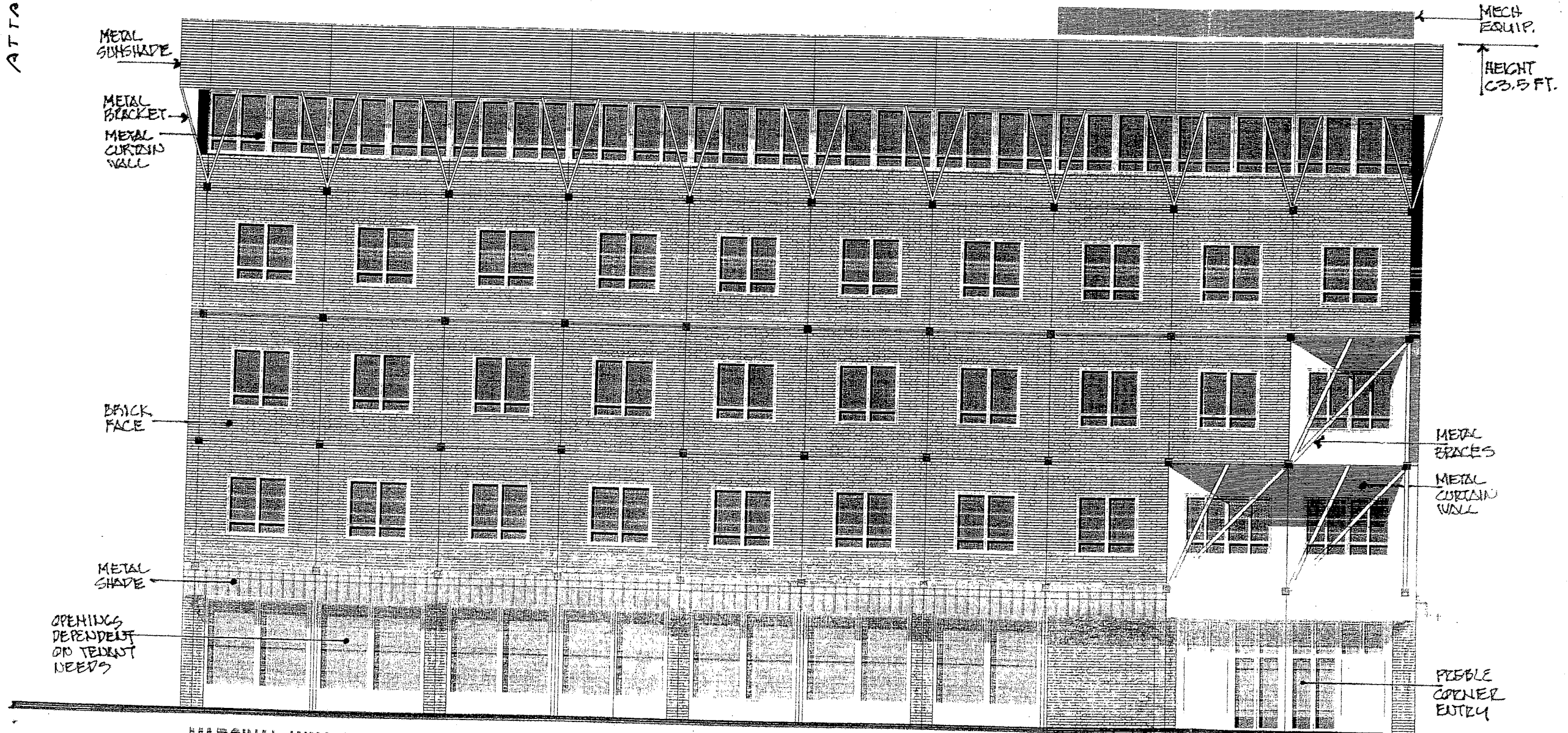
Fax: 905-738-9104

www.coldmatic.com E-mail: sales@coldmatic.com



Roof for Equipment Screen

ATTACHMENT B



MARGINAL WAY ELEVATION

3/32" = 1'-0"
OFFICE BUILDING @ MARGINAL WAY
SITE PLAN WORKSHOP - 03.26.01

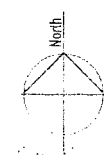
PAGE

THE BAYSIDE OFFICE BUILDING
MARGINAL WAY @ PREBLE STREET
PORTLAND, MAINE

1ST FLOOR LAYOUT for AAA
3/21/2001



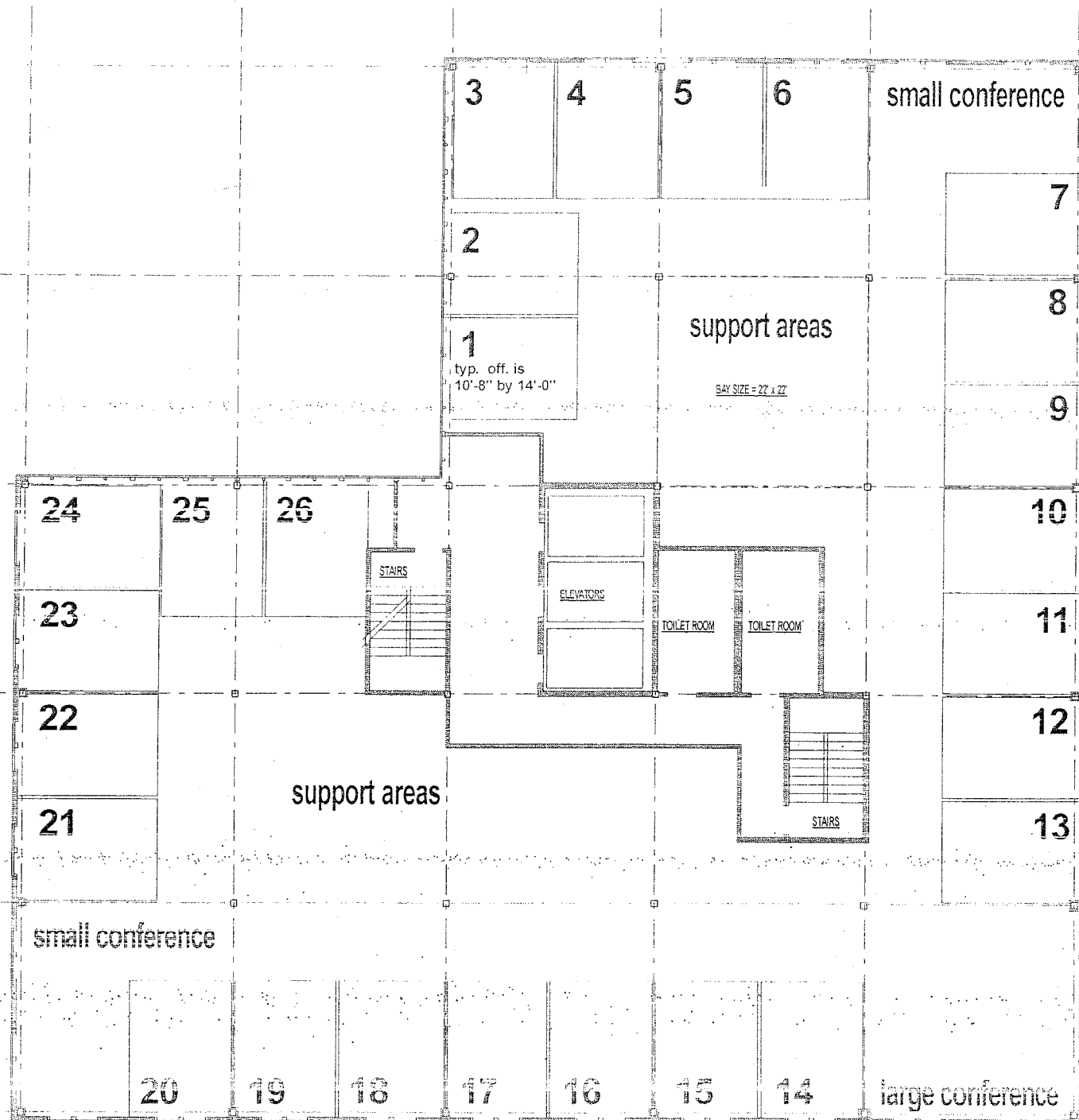
FIRST FLOOR PLAN



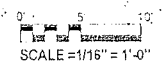
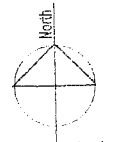
THE BAYSIDE OFFICE BUILDING
MARGINAL WAY @ PREBLE STREET
PORTLAND, MAINE

TYPICAL OFFICE FLOOR

3/21/2001



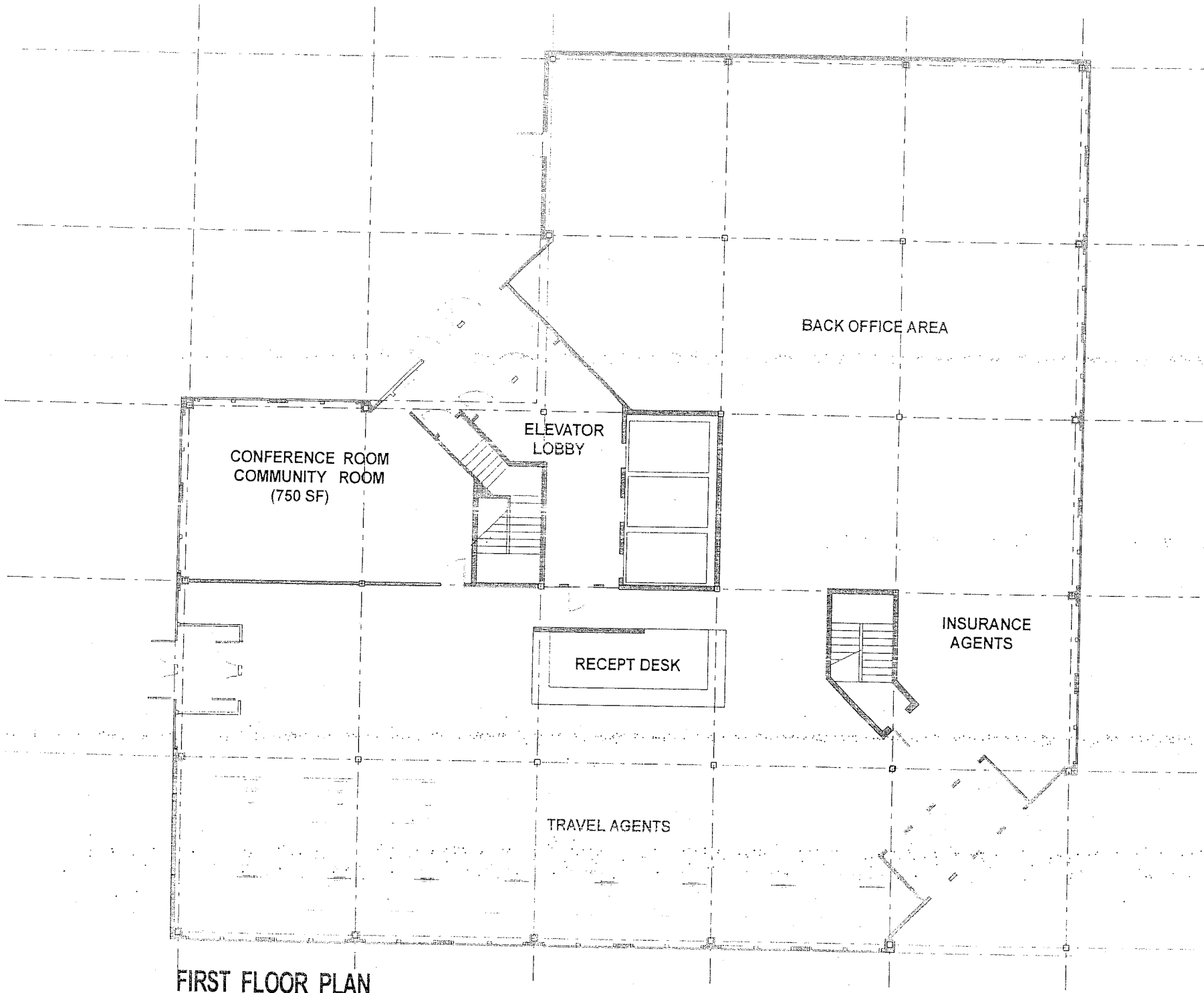
FLOOR PLATE AREA = 10,608 SQUARE FEET



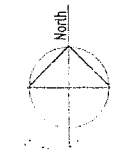
William Nemmers Associates, Architect
424 Fore Street Portland, Me 04101

THE BAYSIDE OFFICE BUILDING
MARGINAL WAY @ PREBLE STREET
PORTLAND, MAINE

1ST FLOOR LAYOUT for AAA
3/21/2001



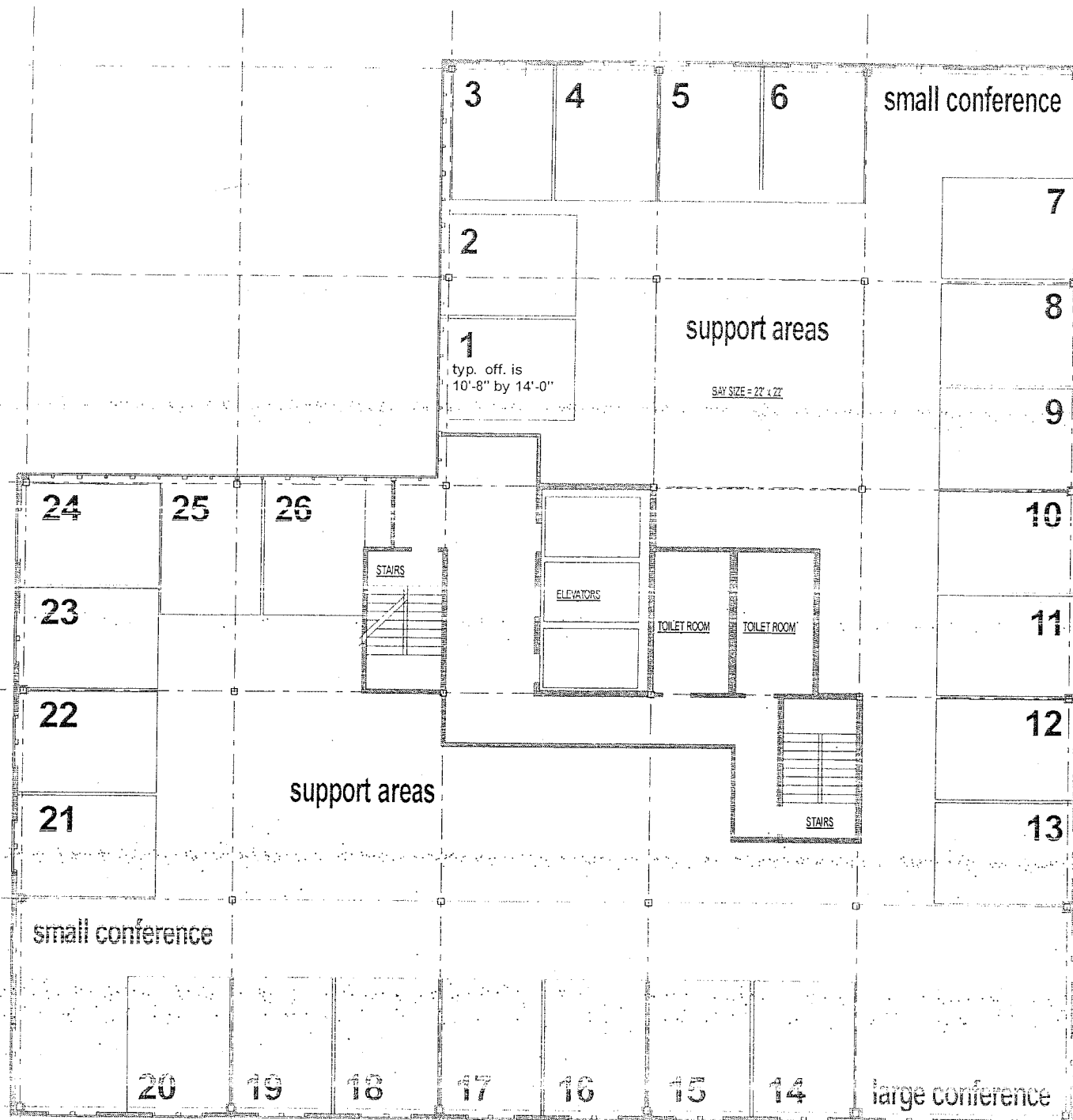
FIRST FLOOR PLAN



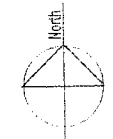
THE BAYSIDE OFFICE BUILDING
MARGINAL WAY @ PREBLE STREET
PORTLAND, MAINE

TYPICAL OFFICE FLOOR

3/21/2001



FLOOR PLATE AREA = 10,608 SQUARE FEET



SCALE = 1/16" = 1'-0"

William Nimmers Associates, Architect
424 Fore Street Portland, Me 04101



MARGINAL WAY ELEVATION

3/32" = 1'-0"
OFFICE BUILDING @ MARGINAL WAY
SITE PLAN WORKSHOP - 03.26.01



MARGINAL WAY ELEVATION

3/32" = 1'-0"
 OFFICE BUILDING @ MARGINAL WAY
 SITE PLAN WORKSHOP - 03.26.01

Development Review Status Log

Project: SAGE SIKE PARCEL ID#: _____

Address: _____

Contact Telephone #: _____

Date	Comments
2/	TONY MEMO OF , FAXCO TO BILL NEMMONS ON 2/6/01
2/7/01	LARRY - TONY NEED A TRAFFIC REPORT STEVE BUNNEY MEMO OF FEB 7 SENT TO BILL NEMMONS ON FEB 13
2/14/01	HEDGE GET GO WITH 50 FOOT SACRMENT , NO IMPROVEMENT WITHIN 20 FT A.I.T. LARRY WIK LOOK AT PROBLE ST DRIVEWAY , MARK A DELTA IN NEEDED SHOULD LOOK AT A TRAFFIC CONTRIBUTION A SLOW SCREENING STATE LANDSCAPING , FENCE NEEDS FIXING T.T. NOW SIDEWALK ? LARRY CONCERN ABOUT CROWN WALK DRAINAGE SHOULDN'T GO INTO THE SEWER LINE ↑ CHECK TONY COMMENTS , MAY NEED TO GO INTO PROBLE ST LARRY NEED A TRAFFIC ANALYSIS