Attachment H.1

3. Significant Natural Features

This site was reviewed by state and federal wildlife agencies and the Maine Natural Areas Program.

The Maine Department of Inland Fisheries and Wildlife was contacted to determine whether there are any significant wildlife/fisheries habitats identified within the vicinity of the project. Attached is a copy of a letter from the Department which indicates that there are no known threatened or endangered fish species or habitats in the vicinity of the project.

The U.S. Fish and Wildlife Service was contacted to determine whether there are any significant wildlife/fisheries species identified within the vicinity of the project. The Maine Field office has updated their website to allow users to review their development for possible species within the project area. Attached is a copy of the species summary table.

The Maine Natural Areas Program was contacted to determine if any known rare or unique botanical features exist on the property or in the immediate vicinity. Attached is a copy of a letter from the Natural Areas Program which indicates that there are no known rare botanical features documented specifically within the project area.

The subject parcel is within the Old Port Historic District. An application for a Certificate of Appropriateness will be submitted to the Historic Preservation Board for review and approval.

H.2

Maine Department of Inland
Fisheries and Wildlife
358 Shaker Road
Gray, Maine 04039

Telephone: 207-657-2345 ext.113
Fax: 207-657-2980
Email: brian.lewis @maine.gov

Paul R.. LePage, Governor

Chandler E. Woodcock,
Commissioner

September 17, 2012

Steve Long
Opechee Construction Corporation
11 Corporate Drive
Belmont, NH 03220

RE: Marriott Courtyard, Portland

Dear Steve Long,

I have reviewed your request for fishery resource information, and there are no known threatened/endangered fish species or habitat in the vicinity of the proposed project. There are also no known inland fisheries resources within the proposed project area. However, the proposed project area is adjacent to Portland harbor which is tidal in nature. The Maine Department of Marine Resources should be contacted for concerns regarding projects near tidal waters. Our regional riparian buffer policy is outlined below.

Stream systems are vulnerable to environmental impacts associated with increased development and encroachment. If present, this project should be sensitive to these resource issues by including provisions for riparian buffers and minimizing any other potential stream impacts. Our regional buffer policy requests 100 foot undisturbed buffers along both sides of any stream or stream-associated wetlands. Buffers should be measured from the upland wetland edge of stream-associated wetlands, and if the natural vegetation has been previously altered then restoration may be warranted. This buffer requirement improves erosion/sedimentation problems; reduces thermal impacts; maintains water quality; supplies leaf litter and woody debris for the system; and provides valuable wildlife habitat. Protection of these important riparian functions insures that the overall health of the stream habitat is maintained.

Stream crossings must include provisions for adequate fish passage, and any in-stream work needs to be done between the first of July and the first of October. Project design should minimize the number of stream crossings. If you have any additional questions or concerns then feel free to contact us.

Sincerely,

Brian Lewis
Fishery Specialist
MDIFW

Species Summary Table

Your name: **Steve Long**

Project name **used in IPaC: Mixed Use Development 321 Commercial Street, Portland, ME**

Date: 10-09-12

Step 2 Listed or candidate species that are likely present according to the Official Species List from IPaC? "No Species" or IPaC species list Bald eagle nests from Step 4.	Step 2 Is your action area in critical habitat (only for Canada lynx or Atlantic salmon)? Yes or No	Step 3A Is suitable habitat for listed or candidate species present in your action area? "suitable habitat present" "suitable habitat not present" "Don't know"	Step 3B Does the species occur in your action area? "Species present" "Species not present" ""	Step 4 Is your project likely to take or disturb eagles and require an Eagle Act permit? "Will not disturb" "May disturb" "Don't know"	Step 5 Determinations for the Endangered Species Act – **only Federal agencies complete this column** "No effect" "May effect"	Notes and Documentation (provide additional information if needed)
Cottontail Rabbit		suitable habitat not present	Don't know		No effect	Project action area is a gravel parking lot in an urban area
Bald Eagle				Will not disturb	No effect	

Notes:

I.3

H.4

STATE OF MAINE
DEPARTMENT OF CONSERVATION
93 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0093

PAUL R. LEPAGE
GOVERNOR

WILLIAM H. BEARDSLEY
COMMISSIONER

September 26, 2012

Steve Long
Opechee Construction Corporation
11 Corporate Drive
Belmont, NH 03220

Re: Rare and exemplary botanical features in proximity to: Marriott Courtyard, Commercial Street, Portland, Maine

Dear Mr. Long:

I have searched the Natural Areas Program's Biological and Conservation Data System files in response to your request received September 12, 2012 for information on the presence of rare or unique botanical features documented from the vicinity of the project site in Portland, Maine. Rare and unique botanical features include the habitat of rare, threatened, or endangered plant species and unique or exemplary natural communities. Our review involves examining maps, manual and computerized records, other sources of information such as scientific articles or published references, and the personal knowledge of staff or cooperating experts.

Our official response covers only botanical features. For authoritative information and official response for zoological features you must make a similar request to the Maine Department of Inland Fisheries and Wildlife, 284 State Street, Augusta, Maine 04333.

According to the information currently in our Biological and Conservation Data System files, there are no rare botanical features documented specifically within the project area. Based on the information in our files and the landscape context of this project, there is a low probability that rare or significant botanical features occur at this project location.

This finding is available and appropriate for preparation and review of environmental assessments, but it is not a substitute for on-site surveys. Comprehensive field surveys do not exist for all natural areas in Maine, and in the absence of a specific field investigation, the Maine Natural Areas Program cannot provide a definitive statement on the presence or absence of unusual natural features at this site.

The Natural Areas Program is continuously working to achieve a more comprehensive database of exemplary natural features in Maine. We would appreciate the contribution of any information obtained should you decide to do field work. The Natural Areas Program welcomes coordination with individuals or organizations proposing environmental alteration, or conducting environmental assessments. If, however, data provided by the Natural Areas Program are to be published in any form, the Program should be informed at the outset and credited as the source.

MAINE NATURAL AREAS PROGRAM
MOLLY DOCHERTY, DIRECTOR

PHONE: (207) 287-8044
FAX: (207) 287-8040

H.5

The Natural Areas Program has instituted a fee structure of $75.00 an hour to recover the actual cost of processing your request for information. You will receive an invoice for $150.00 for our services.

Thank you for using the Natural Areas Program in the environmental review process. Please do not hesitate to contact me if you have further questions about the Natural Areas Program or about rare or unique botanical features on this site.

Sincerely,

Don Cameron
Ecologist
Maine Natural Areas Program
207-287-8041
don.s.cameron@maine.gov

H. 6

4. Narrative describing the site.

J.B. Brown & Sons is proposing a mixed-use development at the corner of Maple Street and Commercial Street. The site is shown on the site plan which is attached to this application. The proposal includes a 131 room hotel, 7,000 sf of restaurant use, and 14 residences. The proposed development is located on the west side of Commercial Street on the site of an existing gravel surface parking lot (#311-331 Commercial Street). The site is bordered by Commercial Street to the east, Maple Street to the south, a commercial building and parking lot to the north and a parking lot to the west. The project site is identified on City of Portland tax maps as Map 40, Block E, Lot 3. The site is surrounded by a mix of business, commercial, and residential uses including; hotels, parking lots, restaurants, office space, apartments, condominiums and other commercial uses.

The following summarizes the proposed building floor space:

- The Restaurant will occupy:
  7,460 sq.ft. on the first floor.

- The 131 room Hotel will occupy
  10,920 sq.ft. on the first floor
  18,365 sq.ft. on the second floor
  18,365 sq.ft. on the third floor
  18,365 sq.ft. on the fourth floor
  18,365 sq.ft. on the fifth

- 14 Residential Units
  944 sq.ft. on the first floor
  18,396 sq.ft. on the sixth floor

- Total gross building area = 111,180 sq.ft.

The project is located on the corner of Maple and Commercial Street in a fully developed area of the City. There is significant utility infrastructure, including water, sewer, natural gas, electrical power, and telecommunications within close proximity to the project.

The project's on-site drainage system will discharge runoff into the City's municipal system located in Commercial Street. The drainage flows enter a manhole at the intersection of Maple and Commercial Street and are directed to Casco Bay.

During large storm events overflow from the combined sewer system enters the drainage system via a sewer manhole located in front of the lumberyard entrance on Maple Street. Flows that go above the overflow are diverted to the drain manhole located at the intersection of Commercial Street via two 15" RCP pipes. This manhole directs flows to Casco Bay.

H.7

A comparison of the original impervious area on site to the full redevelopment is as follows:

Original Site Impervious

Gravel Parking Lot	= 34,708 sf
Total impervious	= 34,708 / 38,770 = **90%**

Mixed Use Development

Hotel, Restaurant and Residences	= 34,980 sf
Total impervious	= 34,980 / 38,770 = **90%**

Improved pedestrian amenities will include the addition of a brick sidewalk to be added along Maple Street, an outdoor patio associated with the proposed restaurant at the corner of Commercial and Maple Street, granite benches and seating walls and a new wider brick walkway along the Commercial Street frontage. These improvements will enhance the pedestrian activity and flow around the site.

The full development combines restaurant, hospitality and residential uses and will convert an urban gravel parking lot into a hub of varied activities for residents, workers, and visitors.

Attachment I

5. Stormwater Runoff Calculations

A Stormwater Management Plan has been prepared, and is attached.

Attachment I.1, 1

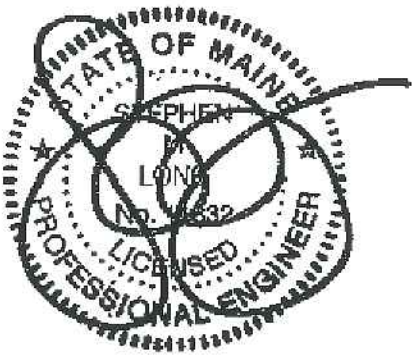
OPECHEE
CONSTRUCTION CORPORATION

STORMWATER MANAGEMENT PLAN

Commercial & Maple Street
Mixed Use Development
Portland, ME

Applicant:
J B Brown & Sons
36 Danforth Street
Portland, ME 04101

October 22, 2012
Revised: January 2, 2013



Prepared By

Opechee Construction Corporation
11 Corporate Drive
Belmont, NH 03220
(603) 527-9090

I.1.2

Stormwater Drainage Analysis

Mixed Use Development
321 Commercial Street

TABLE OF CONTENTS

I.1.3

SECTION I: Narrative

I. 1.4

Mixed Use Development

Stormwater Drainage Analysis
October 22, 2012

INTRODUCTION

J.B. Brown & Sons is proposing a mixed-use development at the corner of Maple Street and Commercial Street. The proposal includes a 131 room hotel, 7,000 sf of restaurant use, and 14 residences. The proposed development is located on the west side of Commercial Street on the site of an existing gravel surface parking lot (#311-331 Commercial Street). The site is bordered by Commercial Street to the east, Maple Street to the south, a commercial building and parking lot to the north and a parking lot to the west. The project site is identified on City of Portland tax maps as Map 40, Block E, Lot 3. The site is surrounded by a mix of business, commercial, and residential uses including; hotels, parking lots, restaurants, office space, apartments, condominiums and other commercial uses.

Currently runoff from the existing gravel parking lot and the paved parking lot at the corner of Maple and York Street drain to a closed drainage system. The existing catch basins are connected in series. The runoff is directed to an 8" PVC pipe connecting to the municipal overflow located in Maple Street. Stormwater is eventually discharged to Casco Bay.

The proposed closed drainage system will intercept the stormwater from the existing paved parking lot and direct it through the site. The project's on-site drainage system will discharge runoff into the City's municipal system located in Commercial Street. The drainage flows enter a manhole at the intersection of Maple and Commercial Street and are directed to Casco Bay. The roof drain will be connected to the existing 8" PVC pipe at the southeast corner of the property.

During large storm events overflow from the combined sewer system enters the drainage system via a sewer manhole located in front of the lumberyard entrance on Maple Street. Flows that go above the overflow weir are diverted to the drain manhole located at the intersection of Commercial Street via two 15" RCP pipes. This manhole directs flows to Casco Bay.

The USDA Natural Resources Conservation Service Web Soil Survey 2.3 was utilized to determine the hydrologic soil groups for the pre-development and post-development drainage analysis. The assumed Hydrologic Soil Group (HSG) for the proposed watershed areas on-site are as follows:

Cu – Cut and Fill land - HSG C
HlB – Hinckley gravelly sandy loam, 3 to 8 percent slopes – HSG A

The drainage design analyzes for the new project utilizes HydroCAD 10.0. HydroCAD is a Computer Aided Design system for modeling the hydrology and hydraulics of stormwater runoff. For a given rainfall event, techniques are used to generate hydrographs throughout a watershed. This allows us to verify that a given drainage system is adequate for the area under consideration, or to predict where flooding or erosion is likely to occur. A feature of this software is the use of a watershed routing diagram to visually display watershed flows and the relationships between each area. We have superimposed the flow diagrams onto the watershed area plans to correlate the model to the plan.

I. 1.5

PRE-DEVELOPMENT CONDITION

The predevelopment condition was analyzed for the 2, 10 and 25-year frequency storm events. For Bar Harbor, the 24-hour rain intensity is 3.00, 4.70 and 5.50 inches respectively. The site was analyzed using two separate study points. The following table lists the runoff from each area for the predevelopment condition:

Existing Design Point	2-Year Storm	10-Year Storm	25-Year Storm
1	4.8 cfs	8.2 cfs	9.9 cfs
2	0.8 cfs	1.4 cfs	1.6 cfs

POST-DEVELOPMENT CONDITION

Post development runoff will be directed to the same design points as the pre-development model. Runoff from the project area will be collected by catch basins. The proposed system will discharge runoff into the City's municipal system located in Commercial Street. Roof water will be collected and directed to an existing 8" PVC pipe. The following table lists the total runoff from each area for the post-development condition:

Proposed Design Point	2-Year Storm	10-Year Storm	25-Year Storm
1	5.2 cfs	8.8 cfs	10.5 cfs
2	1.0 cfs	1.6 cfs	1.9 cfs

CONCLUSION

In conclusion, all components of the post-development drainage system have been sized appropriately. See the runoff rate summary table below:

Overall	2-year Storm		10-year Storm		25-year Storm	
Design Point	Pre	Post	Pre	Post	Pre	Post
1	4.8cfs	5.2 cfs	8.2cfs	8.8 cfs	9.9 cfs	10.5 cfs
2	0.8 cfs	1.0 cfs	1.4cfs	1.6 cfs	1.6 cfs	1.9 cfs

The increases in flows from the site are insignificant. The site will have no adverse affects on abutting properties or the existing drainage systems.

1.14.13 I.1.6
Response
from applicant.

Woodard & Curran Comments dated 12/12/12

Comment

1. The Applicant has identified a "green area stormwater treatment" system Within a bump-out on Commercial Street to provide water quality treatment for approximately 6,810 sq; ft of sidewalk,, roadway, and on-street parking area. This system would provide treatment for an area in excess of the proposed new impervious area resulting from the project (2,513 sq ft). Pending review of the design details associated with this system, the proposal provides an acceptable means of meeting the City of Portland's water quality treatment requirements. We understand that additional information and plan revisions are forthcoming, and we anticipate reviewing engineering calculations for the treatment system, specifically the ability to provide water quality treatment for the 1", 24-hour storm event. In addition, we will review design details and modifications to the Inspection and Maintenance Plan. The system is proposed within the municipal Right-of-Way, so the Applicant will need to execute an agreement with the City of Portland specific to inspection and maintenance responsibilities.

A green area stormwater treatment area is now being proposed within the bump out at the Commercial Street and Maple Street intersection. Please see the attached Post-Development Drainage Plan showing the impervious area (Subcatchment 21) to be treated. There will be a total of 3,950 sq.ft. of impervious area directed to the stormwater planter. The planter cross-section will be revised as per the attached plan view and details. The revised planter will have 18 inches of soil media and a 6 inch perforated PVC underdrain, within 24 inches of crushed stone. This will allow the volume of runoff created by the 1", 24-hour storm event to be treated. Please see the attached HydroCAD printout that demonstrates the planter's capacity.

Inspection and maintenance of the stormwater quality treatment feature has been added to the Inspection and Maintenance portion of the Stormwater Pollution Prevention Plan

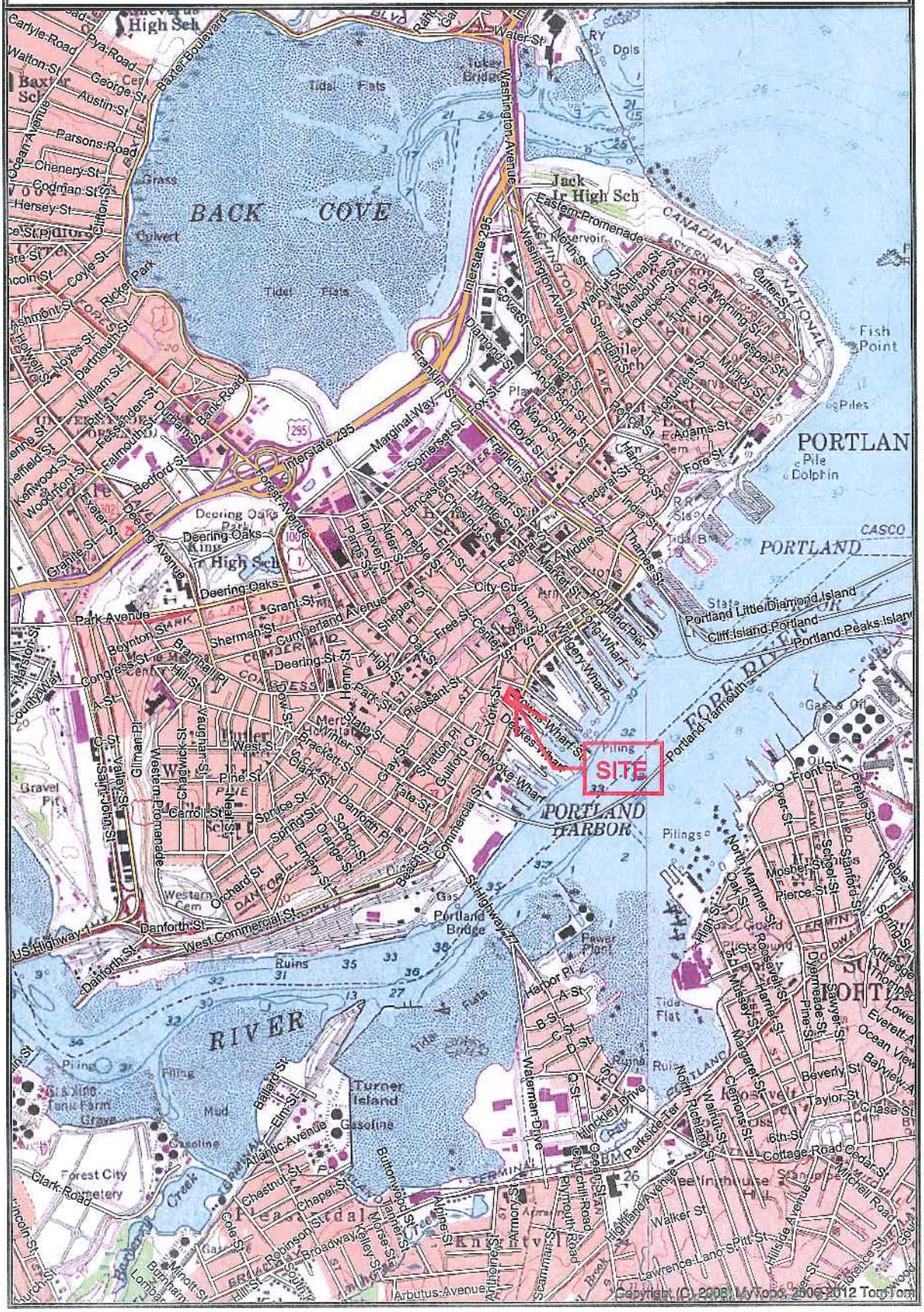
SECTION II: Site Location Maps & Plans

I. 1. 8

Map Name: PORTLAND WEST
Print Date: 09/12/12

Scale: 1 inch = 2,000 ft.
Map Center: 043° 39' 20.98" N 0

Horizontal Datum: NAD83



Soil Map—Cumberland County and Part of Oxford County, Maine

70° 15' 27"

70° 15' 21"

43° 39' 14"

43° 39' 7"

Map Scale: 1:901 if printed on A size (8.5" x 11") sheet.

N

Meters
0 5 10 20 30

Feet
0 30 60 120 180

I. 1. 10

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Units

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other

Special Line Features
- Gully
- Short Steep Slope
- Other

Political Features
- Cities

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

MAP INFORMATION

Map Scale: 1:901 if printed on A size (8.5" × 11") sheet.

The soil surveys that comprise your AOI were mapped at 1:24

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of so placement. The maps do not show the small areas of contrast soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for accurate measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: UTM Zone 19N NAD83

This product is generated from the USDA-NRCS certified data the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford Co Maine
Survey Area Data: Version 7, Jan 8, 2009

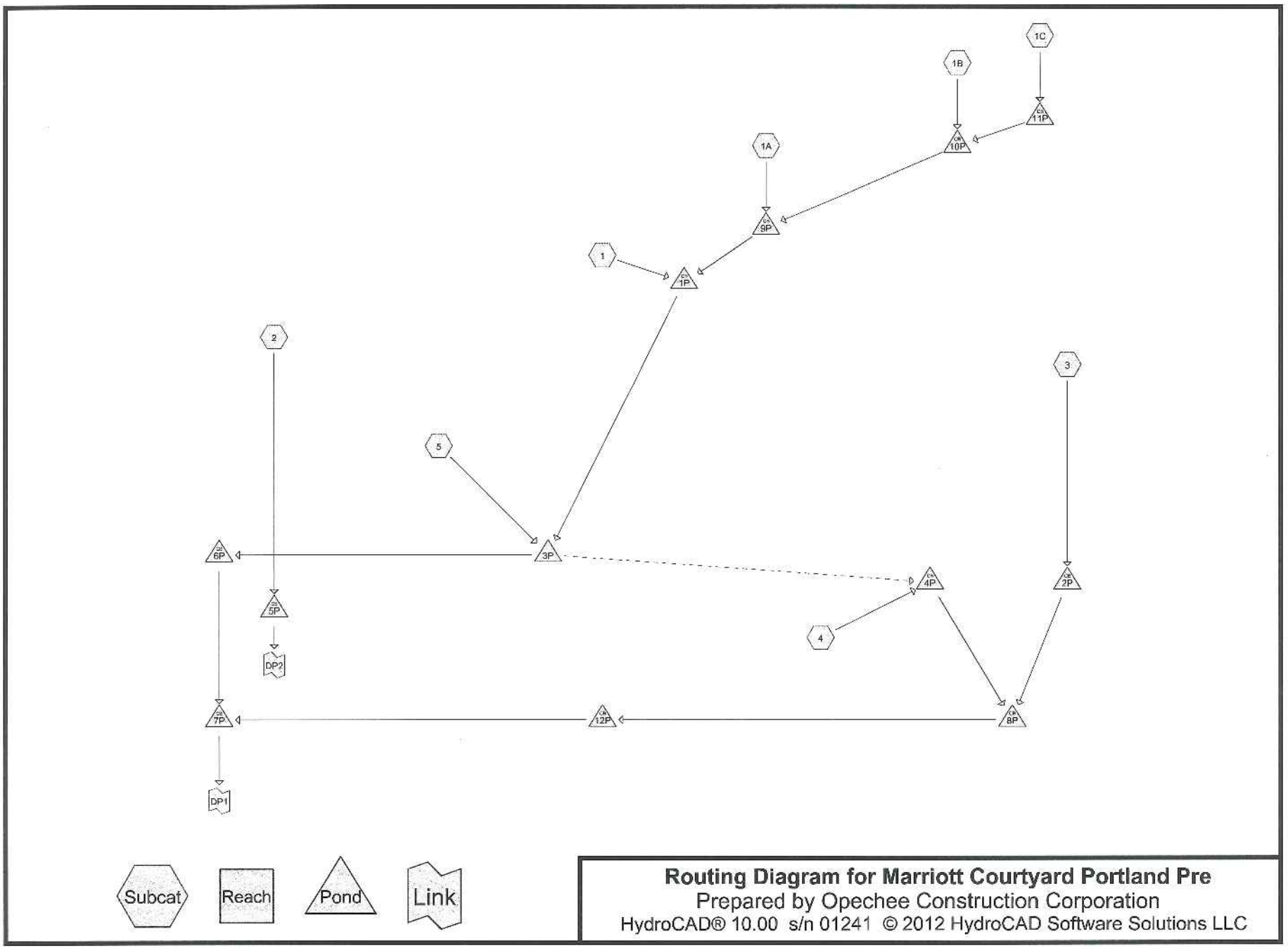
Date(s) aerial images were photographed: Data not availab

The orthophoto or other base map on which the soil lines wer compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor sh of map unit boundaries may be evident.

I. 1. 11

Map Unit Legend

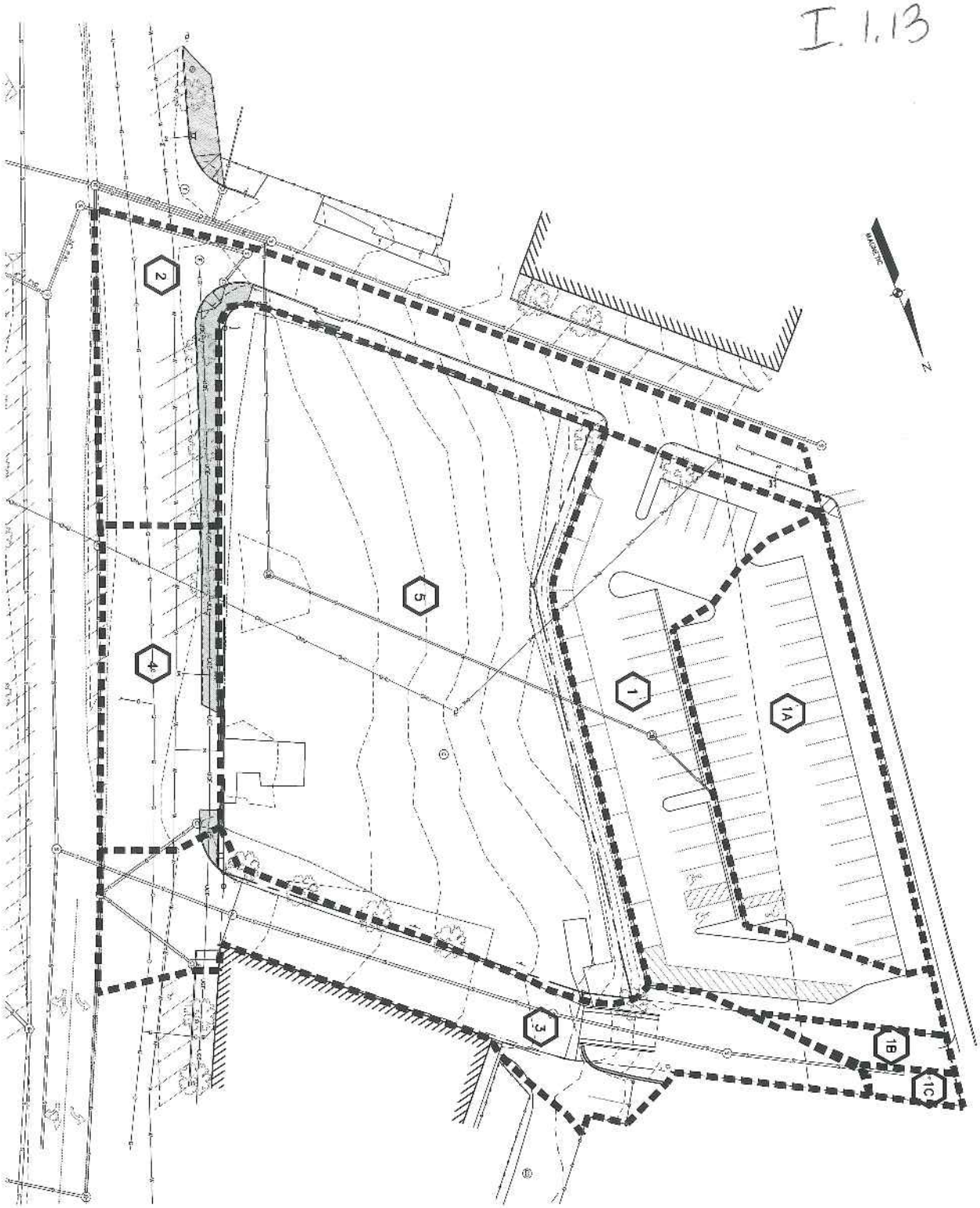
Cumberland County and Part of Oxford County, Maine (ME005)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Cu	Cut and fill land	2.0	79.2%
HIB	Hinckley gravelly sandy loam, 3 to 8 percent slopes	0.5	20.8%
Totals for Area of Interest		**2.5**	**100.0%**



Routing Diagram for Marriott Courtyard Portland Pre
Prepared by Opechee Construction Corporation
HydroCAD® 10.00 s/n 01241 © 2012 HydroCAD Software Solutions LLC

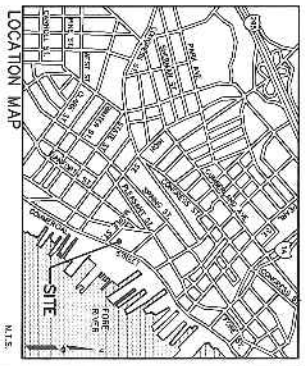
E.1.12

I. 1.13

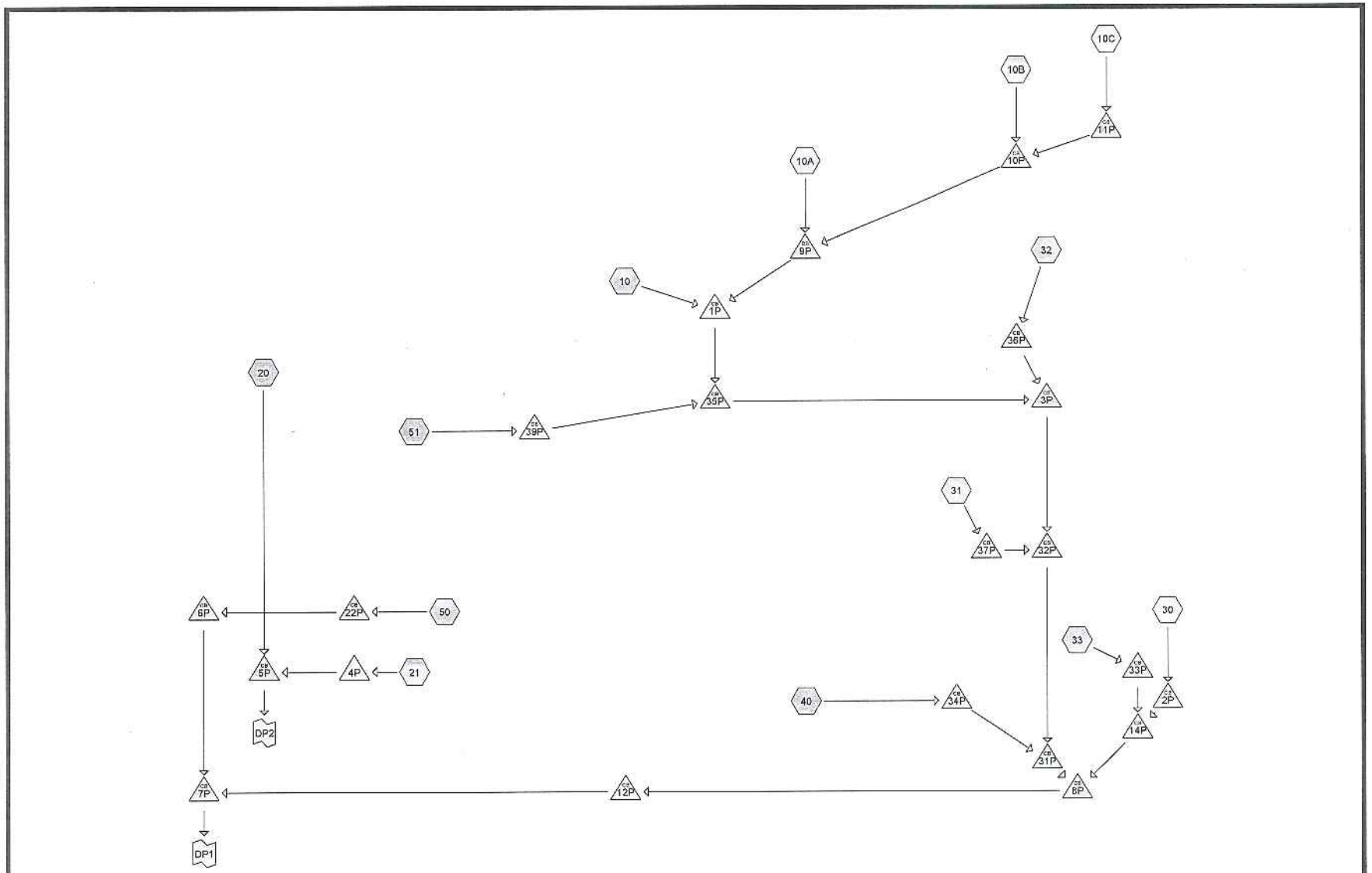


GRAPHIC SCALE

LOCATION MAP

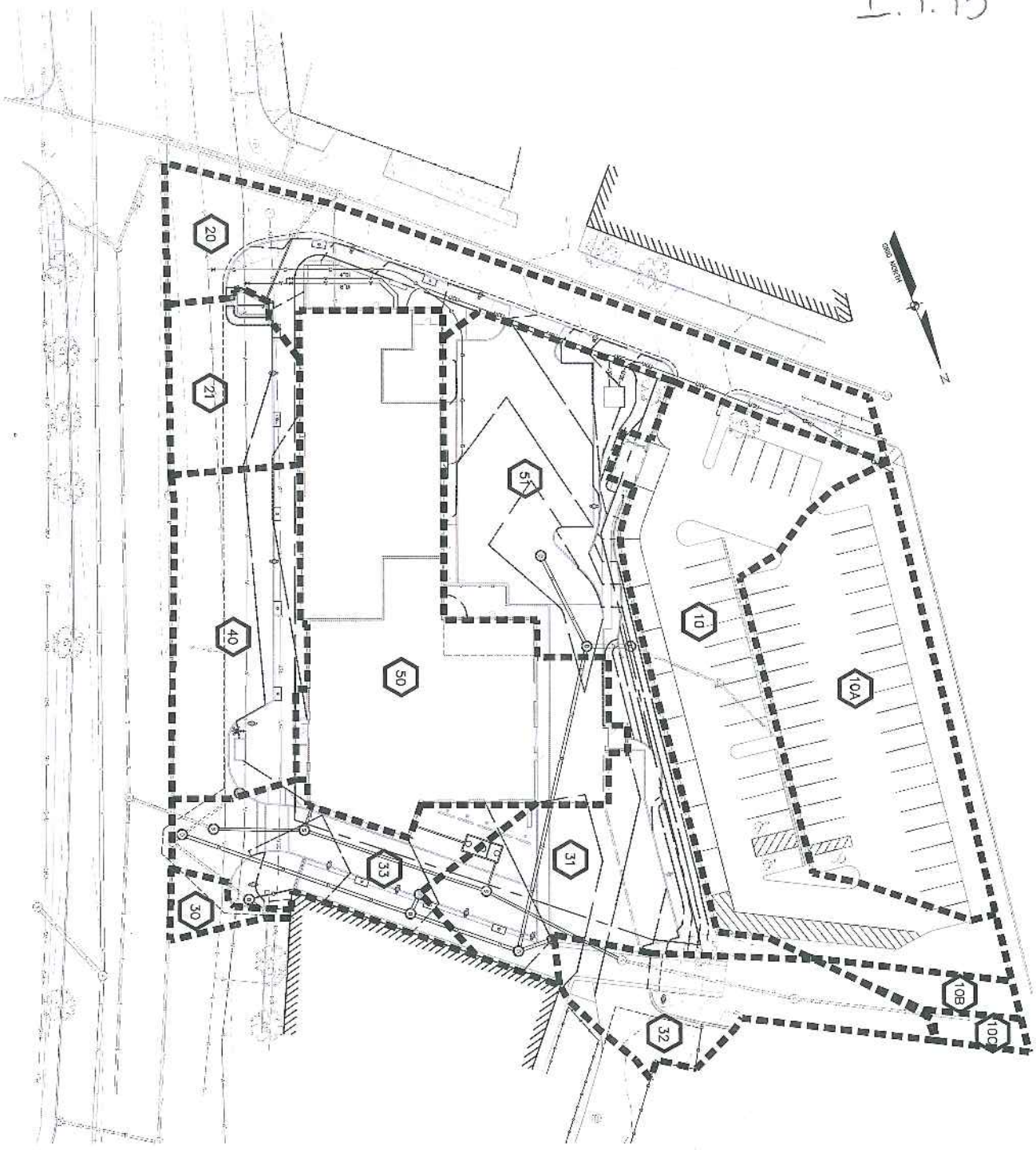


D01 SHEET 1 OF 2	DATE 10-22-12 SCALE 1"=30' DRAWN BY DJS	PROJECT MIXED-USE REDEVELOPMENT PORTLAND, ME	PRE-DEVELOPMENT DRAINAGE PLAN	COPECHEE CONSTRUCTION CORPORATION 11 CORPORATE DRIVE, BELMONT NH 03220 PHONE (603) 527-0300 FAX (603) 527-3181	REVISION SCHEDULE DATE / REVISION DESCRIPTION / BY



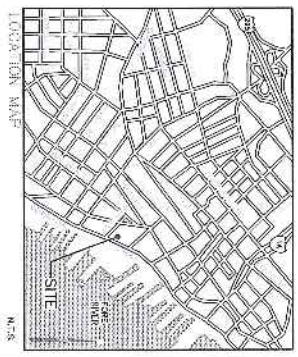
Routing Diagram for Marriott Courtyard Portland Post 01-14-13
Prepared by Opechee Construction Corporation

I.1.15



GRAPHIC SCALE

1 inch = 20 ft.



SHEET D02 OF 7	PROJECT: MIXED–USE REDEVELOPMENT, PORTLAND, ME	POST–DEVELOPMENT DRAINAGE PLAN	OPECHEE CONSTRUCTION CORPORATION	REVISION SCHEDULE: DATE / REVISION DESCRIPTION / BY

I.1.16

SECTION III: Site Photos

I.1.17

Photo 1

Photo 2

I.1.18

Photo 3

Photo 4

I.1.19

Photo 5

Photo 6

I. 1. 20

Photo 7

Photo 8

I. 1. 21

SECTION IV: Drainage Computations

(not included in PB attachments - available on request)

Attachment I. 2. 1

Stormwater Pollution Prevention Plan

For:

Commercial Street & Maple Street
Mixed Use Development
321 Commercial Street
Portland, ME

Operator:
Opechee Construction Corporation (OCC)
11 Corporate Drive
Belmont, NH 03220
Office Phone: (603) 527-9090
Office Fax: (603) 527-9191

SWPPP Contact:
Opechee Construction Corporation (OCC)
Steve Long
11 Corporate Drive
Belmont, NH 03220
Office Phone: (603) 527-9090
Office Fax: (603) 527-9191

SWPPP Preparation Date:
10-22-12

updated + submitted 1.7.13.

Estimated Project Dates:

Start of Construction: February 2013
Completion of Construction: May 2014

OPECHEE

Contents

SECTION 1 Project/Site Information

1.1 - Project Name and Location: (Latitude, Longitude, or Address)

Commercial & Maple Street
Mixed Use Development
321 Commercial Street
Portland, Cumberland County, ME
Lat: 43° 39' 34.51" N
Long: -070° 15' 04.29" W

1.2 - Owner Name and Address:

J B Brown & Sons
36 Danforth Street
Portland, ME 04101

1.3 - Operators Name, Address, Phone Number:

Opechee Construction Corporation
Steve Long
11 Corporate Drive
Belmont, NH 03220
Office Phone: (603) 527-9090
Office Fax: (603) 527-9191
Email: stevel@opechee.com

Description of Operator's Control:
Opechee Construction Corporation (OCC) has been hired by the applicant to design and permit the project and oversee all aspects of the construction phase of the project, including preparation and implementation of the SWPPP to meet Maine's Construction General Permit. OCC will be responsible for general oversight of the project and will retain operational control over construction plans and specifications, including review of the SWPPP and any amendments, inspection reports, corrective actions and changes to stormwater conveyance or control designs. OCC will implement and maintain the best management practices (BMPs) specified in Sections 2 and 3, conduct inspections (Section 5) and address stormwater over the entire site including all areas disturbed by construction activities, areas used for materials storage, discharge points, and construction exits.

1.4 - Nature of Construction Activity:

J.B. Brown & Sons is proposing a mixed-use development at the corner of Maple Street and Commercial Street. The site is shown on the site plan which is attached to this application. The proposal includes a 131 room hotel, 7,000 sf of restaurant use, and 14 residences. The proposed development is located on the west side of Commercial Street on the site of an existing gravel surface parking lot (#311-331 Commercial Street). The site is bordered by Commercial Street to the east, Maple Street to the south, a commercial building and parking lot to the north and a parking lot to the west. The project site is identified on City of Portland tax maps as Map 40, Block E, Lot 3. The site is surrounded by a mix of business, commercial, and residential uses including; hotels, parking lots, restaurants, office space, apartments, condominiums and other commercial uses.

The project's on-site drainage system will discharge runoff into the City's municipal system located in Commercial Street. The drainage flows enter a manhole at the intersection of Maple and Commercial Street and are directed to Casco Bay. During large storm events overflow from the combined sewer system enters the drainage system via a sewer manhole with a weir. This manhole is located in front of the lumberyard entrance on Maple Street. Flows that go above the weir are diverted to the drain manhole located at the intersection of Commercial Street via two 15" RCP pipes. This manhole directs flows to Casco Bay.

Soil disturbing activities will include following: Demolition, minimal clearing & grubbing, excavation for sewer, storm drainage, underground utilities, building foundations, cuts and fills, grading, and preparation for final seeding and plantings.

1.5 - Project Area:

The site is approximately 0.89 acres size and is currently a surface parking lot. This project proposes a six-story mixed-use building containing 7,460 sf of restaurant space, 84,280 sf of hotel space, and 14 residential units. The project will disturb approximately 1.3 acres.

1.6 - Construction Site Estimates:

Total Project Area (area of parcel):	0.89 Acres
Construction Site Area to be disturbed (including right-of-way):	1.3 Acres
Impervious area before construction:	48,736 sq.ft.
Runoff coefficient before construction (SCS Method):	95
Impervious area after construction:	51,249 sq.ft.
Runoff coefficient after construction (SCS Method):	96

1.7 - Receiving Waters:

The impervious surfaces of the site drain into the municipal system surrounding the site and then discharge into the Fore River near the entrance to Casco Bay (Atlantic Ocean).

1.8 - Sequence and Timing of Major Activities:

1. Clear & grub, and demolish as necessary to install a stabilized construction exit, and the sediment barriers as indicated in the construction details in the site plans.
2. Install stabilized construction exit, sediment barriers, and sediment traps as specified in the construction details.
3. Continue to clear & grub, and perform demolition as required.
4. Construct temporary drainage and/or erosion control facilities as necessary (i.e. sediment traps, and/or dandy sacks).
5. Strip and remove any loam, unsuitable materials, and unsuitable soils from the site. Then where necessary, replace with a clean backfill as specified by a Geotechnical Engineer.
6. Perform cuts and fills as required.
7. Temporary stabilize any exposed soils that will not be worked for more than 7 days with seed, mulch or other non-erodable cover. See Section 2.2 below for direction on temporary stabilization practices.
8. Construct any additional temporary sediment and erosion control facilities as required. (i.e. stone check dams and/or dandy sacks).
9. Begin constructing municipal sewer and drainage systems
10. Begin constructing building foundation.
11. Finishing constructing stormwater conveyance systems as required.
12. Finish constructing wastewater conveyance systems as required.
13. Install all other utilities as required.
14. Place bank run gravel course in areas to be paved.
15. Loam, and permanently seed (or sod) all areas that are not to be worked for more than one year or that has been brought to final grade. See Section 2.2 below for direction on permanent stabilization practices.
16. Place crush gravel and construct pads for exterior concrete flatwork and pavement areas.
17. Finish grade, construct, and place all areas of concrete and base course pavement.
18. Install catch basin inlet sediment traps (i.e. silt sacks).
19. Complete loaming, permanent seeding (or sod), and mulching. Reseed any areas that have not been established from prior seeding.
20. Complete final paving (wearing course).
23. When all construction activity is complete and the site is stabilized, remove temporary erosion control measures and reseed (or sod) any areas disturbed by their removal.

1.9 - Potential Sources of Pollution

Potential sources of sediment to stormwater runoff:

- Demolition
- Clearing and grubbing operations
- Topsoil stripping and stockpiling
- Grading and site excavation operations
- Vehicle tracking
- Landscaping operations

Potential pollutants and sources, other than sediment, to stormwater runoff:

- Combined Staging Area – small fueling activities, minor equipment maintenance, sanitary facilities, and hazardous waste storage.
- Materials Storage Area – general building materials, solvents, adhesives, paving materials, paints, aggregates, trash, and so on.
- Construction Activity – paving, curb installation, concrete pouring,/mortar
- Concrete Washout Area

Inventory of Potential construction site pollutants:

- Concrete
- Detergents
- Paints
- Metal Studs
- Steel Beams
- Asphalt
- Fertilizers
- Pesticides
- Cleaning solvents
- Wood Preservatives
- Masonry block
- Roofing Material
- Glue, adhesives
- Brick
- Insulation
- Curing compounds
- Hydraulic oil/fluids
- Sheetrock
- Plaster
- Gasoline
- Diesel fuel
- Kerosene
- Antifreeze/coolant
- Sanitary toilets

1.10 - Non-Stormwater Discharges:

It is expected that the following non-stormwater discharges will occur from the site during the construction period:

- Fire hydrant flushing;
- Potable water including uncontaminated water line flushing;
- Sprinkler testing;
- Pavement & concrete wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used;
- Uncontaminated groundwater or spring water;
- Waters used to wash vehicles where detergents are not used;
- Water used to control dust;
- Uncontaminated air conditioning or compressor condensate;
- Uncontaminated excavation dewatering;
- Landscape irrigation;
- Foundation or footing drains where flows are not contaminated with process materials such as solvents.

All non-storm water discharges will be directed through sediment control measures before discharge.

1.11 – Endangered Species Certification

The Maine Department of Inland Fisheries and Wildlife, US Fish and Wildlife Service, Maine Natural Areas Program databases were checked for records of rare species and exemplary natural communities near the project area. The species considered include those listed as threatened or endangered by either the State of Maine or the federal government. Currently there are no recorded occurrences for sensitive species near this project area. Please see Appendix C for supporting documentation.

1.12 - Applicable State, Tribal, or Local Programs

- Local City of Portland Planning Board Approval is required.
- A Certificate of Appropriateness is required from the Portland Historic Preservation Commission is required.
- The city of Portland is the designated authority for approval of Stormwater Management.

1.12 - Maps

Please see Appendix K – For the Demolition, Site, Grading and Erosion Control Plans

SECTION 2 Erosion and Sediment Control BMPS

2.1 - Overview of the Stormwater Management System:

Stormwater runoff from the newly constructed impervious areas will be controlled and conveyed by the use of curbing, catch basins with sumps, and drainage manholes. This on-site drainage system will discharge the runoff into the City's municipal system located in Commercial Street. The drainage flows enter a manhole at the intersection of Maple and Commercial Street and are directed to Casco Bay. During large storm events overflow from the combined sewer system enters the drainage system via a sewer manhole with a weir. This manhole is located in front of the lumberyard entrance on Maple Street. Flows that go above the weir are diverted to the drain manhole located at the intersection of Commercial Street via two 15" RCP pipes. This manhole directs flows to Casco Bay.

The proposed project only slightly increase the on-site impervious cover. Thus detention of stormwater runoff for purposes of mitigating peak flow rates is not required.

Open space areas will be graded as per the site plan and will have permanent seeding or plantings. When construction is completed and the site is stabilized, all accumulated sediment and temporary erosion control devices will be removed from the site and be properly disposed of.

2.2 - Stabilization Practices:

•Temporary Stabilization measures shall be performed with mulch or other non-erodable cover any exposed soils that will not be worked for more than 7 days. Stabilize areas within 75 feet of a wetland or water body within 48 hours of the initial disturbance of the soil or prior to any storm event, whichever comes first.

If temporary seeding is being utilized, the mixture will vary based on time of seeding:

4/01 – 5/15	oats	2.0 lbs/1,000 sq.ft.
5/16 - 8/14	sudangrass	1.0 lbs/1,000 sq.ft.
5/16 - 8/14	annual ryegrass	2.0 lbs/1,000 sq.ft.
8/15 - 9/15	winter rye	2.5 lbs/1,000 sq.ft.
9/16 - 3/31	winter rye (protect w/ mulch cover)	2.5 lbs/1,000 sq.ft.

Prior to seeding, all stones and trash that will interfere with the seeding should be removed, the soil should be tilled to a depth of 3 inches (where feasible), and the area should be fertilized with a minimum 7 pounds per 1,000 sq.ft. of a 10-10-10 fertilizer. After seeding, the area is to be mulched with straw.

•Winter Stabilization is necessary when construction activity is performed during the period from November 1st through April 15th. If disturbed areas are not stabilized with permanent measures by November 1st or new soil disturbance occurs after November 1st, but before April 15th, then these areas must be protected and runoff from them must be controlled by additional measures and restrictions.

•Permanent Stabilization measures shall be performed if an area will not be worked for more than one year or has been brought to final grade, then permanently stabilize the area within 7 days by planting vegetation, seeding, sod, or through the use of permanent mulch, or riprap, or road sub-base. If using vegetation for stabilization, select the proper vegetation for the light, soil, and moisture conditions; amend areas of disturbed subsoils with topsoil, compost, or fertilizers; protect seeded areas with mulch or, if necessary, erosion control blankets; and schedule sodding, planting, and seeding to avoid die-off from summer drought and fall frosts. Newly seeded or sodded areas must be protected from vehicle traffic, excessive pedestrian traffic, and concentrated runoff until the vegetation is well-established. If necessary, areas must be seeded and mulched again if germination is sparse, plant coverage is spotty, or topsoil erosion is evident. One or more of the following may apply to a particular.

An area shall be considered permanently stable if:

(a) *Seeded Areas* shall have a 90% cover of healthy plants with no evidence of washing or rilling of the topsoil.
(b) *Sodded Areas* shall have a complete binding of the sod roots into the underlying soil with no slumping of the sod or die-off.
(c) *Permanent Mulched* areas shall have a total coverage of the exposed area with an approved mulch material. Erosion control mix may be used as mulch for permanent stabilization according to the approved application rates and limitations.
(d) *Riprap* used to stabilize slopes shall have an appropriate backing of well-graded gravel or approved geotextile to prevent soil movement from behind the stone. The stone must be sized appropriately. It is recommended that angular stone be used.
(e) *Paved areas* shall have competed installing the compacted gravel subbase.
(f) *Ditches, Channels, and Swales* shall have 90% cover of healthy vegetation, with a well-graded riprap lining, or with another non-erosive lining such as concrete or asphalt pavement. There must be no evidence of slumping of the channel lining, undercutting of the channel banks, or down-cutting of the channel.

Use permanent seed mixes and rates between 5/15 and 9/30. Permanent lawn mixtures shall be as follows:

Sun areas:	7 to 9 pounds per 1,000 sq.ft.	50% fine fescue 20% perennial ryegrass 20% Kentucky bluegrass 10% Dutch white clover
Shade areas:	4 to 5 pounds per 1,000 sq.ft.	70% fine fescue 20% perennial ryegrass 10% Kentucky bluegrass * *(shade tolerant variety)

Prior to seeding, apply 100 lbs/1,000 sq.ft. of lime and till into the upper 3 inches of soil. Then rake a starter-type fertilizer into the upper inch of soil that delivers 1 lb. of actual Nitrogen per 1000 sq.ft. After seeding, areas shall be mulched with straw.

2.3 - Temporary Erosion Control Devices:

•Compost Filled Silt Socks are a type of contained compost filter berm. It is a mesh tube filled with composted material that is placed perpendicular to sheet-flow runoff to control erosion and retain sediment in disturbed areas. The filter sock can be used in place of a traditional sediment and erosion control tool such as a silt fence or straw bale barrier.

•Dandy Sacks are sediment trap devices to be used with catch basin grates to filter out all the sediment-laden stormwater. The suspended solids are allowed to settle out of the slowed flow and are captured by the sack after entering the catch basin inlet.

•Stabilized Construction Exit are a stone stabilized pad located where vehicles leave a construction site. They provide an area where mud can be dislodged from tires before the vehicle leaves the construction site to reduce the amount of mud transported onto paved roads.

•Dandy Curbs are sediment by-pass devices to be placed at an inlet to prevent sediment-laden stormwater from entering a stormwater device. The suspended solids will by-pass the stormwater planter.

2.4 - Schedule of Controls/Measures:

- Prior to construction, properly install the Stabilized Construction Exit
- Prior to construction, properly install sediment barriers at the edge of any down gradient disturbed area and adjacent to any drainage channels within the disturbed area.
- Prior to construction, properly install dandy sacks in inlets of any down gradient catch basins from the disturbed area.
- Maintain the sediment controls until the disturbed area is permanently stabilized.
- Once construction activity ceases permanently in an area, that area will be stabilized with permanent seed or mulch. After the entire site is stabilized, all accumulated sediment will be removed from any grassed swales, catch basins, riprap, and silt fences.
- Remove any temporary sediment control measures within 30 days after permanent stabilization is attained
- A log shall be kept to document the timing and description of grading and stabilization activities. Please see Appendix I for the Grading and Stabilization Activities Log.

SECTION 3 Good Housekeeping BMPS

3.1 - Waste Management:

- Construction waste materials

All waste materials will be collected and stored securely in a metal dumpster rented from a local solid waste management company. The dumpster will meet all local and state solid waste management regulations. The dumpster will be emptied as necessary, and the trash will be hauled to the local dump or transfer center. No waste materials generated by construction will be buried onsite. All personnel will be instructed regarding the correct procedure for waste disposal. Notices stating these practices will be posted in the office trailer and the site superintendent managing the day-to-day site operations; will be responsible for seeing that these procedures are followed.

- Hazardous waste

All hazardous waste materials will be disposed of in the manner specified by local or state regulation or by the manufacturer. Site personnel will be instructed in these practices and the site superintendent will be responsible for seeing that these practices are followed.

- Sanitary Waste

A local licensed sanitary waste management contractor will collect all sanitary waste from the portable units.

3.2 - Offsite Vehicle Tracking:

A stabilized construction entrance will be provided to help reduce vehicle tracking of sediments. The paved street into to the site entrance will be swept as necessary (could be as frequent as daily during heavy earth hauling operations) to remove any excess mud, dirt or rock tracked from the site. Dump trucks hauling material from the construction site will be covered with a tarpaulin.

3.3 - Concrete Washout Area:

Concrete trucks shall only discharge washed out surplus concrete or drum wash water into an above grade concrete washout area. The temporary concrete washout area will be constructed with sufficient quantity and volume to contain all liquid and concrete waste generated by washout operations. The washout area shall be lined with plastic sheeting at least 10 mils thick and free of any holes or tears. Concrete mixer trucks and chutes will be washed in the designated area or concrete wastes will be properly disposed of off-site. The washout area will be cleaned out once the area is filled to 75 percent of the holding capacity or when the temporary washout area is no longer needed for the construction project. The concrete wastes will be allowed to harden; the concrete wastes will be broken up, removed and taken to a landfill for disposal. If the washout area is needed, the plastic sheeting will be replaced if tears occur during the removal of concrete wastes.

The wash water is alkaline and contains high levels of chromium, which can leach into the ground and contaminate groundwater. It can also migrate to a storm drain, which can increase the pH of area waters and harm aquatic life. Solids that are improperly disposed of can clog storm drain pipes and cause flooding. Installing concrete washout facilities not only prevents pollution but also is a matter of good housekeeping at your construction site.

3.4 – Spill Prevention:

- The following are material management practices that will be followed onsite during the construction project to reduce the risk of spills or other accidental exposures of material and substances to stormwater runoff.
  - An effort will be made to store only enough product required to do the job
  - All materials stored onsite will be stored in a neat, orderly manner in their appropriate containers and, if possible, under a roof or other enclosure
  - Products will be kept in their original containers with the original manufacturer's label
  - Substances will not be mixed with one another unless recommended by the manufacturer
  - Whenever possible, all of a product will be used up before disposing of the container
  - Manufacturer's recommendations for proper use and disposal will be followed
  - The site superintendent will inspect daily to ensure proper use and disposal of materials
  - Products will be kept in original containers unless they are not re-sealable
  - Original labels and material safety data will be retained; they contain important product information
  - If surplus product must be disposed of, manufacturers' or local and State recommended methods for proper disposal will be followed.

- The following product specific practices will be followed onsite:
  - Petroleum Products:
    All onsite vehicles will be monitored for leaks and receive regular preventive maintenance to reduce the chance of leakage. Petroleum products will be stored in tightly sealed containers which are clearly labeled. Any asphalt substances used onsite will be applied according to the manufacturer's recommendations.

  - Fertilizers:
    Fertilizers used will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked into the soil to limit exposure to stormwater. Storage will be in a covered shed or trailer. The contents of any partially used bags of fertilizer will be transferred to a sealable plastic bin to avoid spills.

  - Paints:
    All containers will be tightly sealed and stored when not required for use. Excess paint will not be discharged to the storm sewer system but will be properly disposed of according to manufacturers' instructions or State and local regulations.

- In addition to the good housekeeping and material management practices discussed in the previous sections of this plan, the following practices will be followed for spill prevention and cleanup:
  - Manufacturers' recommended methods for spill cleanup will be clearly posted and site personnel will be made aware of the procedures and the location of the information and cleanup supplies.
  - Materials and equipment necessary for spill cleanup will be kept in the material storage area onsite. Equipment and materials will include but not be limited to brooms, dustpans, mops, rags, gloves, goggles, absorbent (i.e. clay kitty litter), sand, sawdust, and plastic and metal trash containers specifically for this purpose.
  - All spills will be cleaned up immediately after discovery.
  - The spill area will be kept well ventilated and personnel will wear appropriate protective clothing to prevent injury from contact with a hazardous substance.
  - Spills of toxic or hazardous material shall be reported to the appropriated state or local government agency, regardless of the size of the area involved or the quantity of material spilled.

- The spill prevention plan shall be adjusted to include measures to prevent this type of spill from reoccurring and how to cleanup the spill if it recurs.
- The site superintendent responsible for the day-to-day site operations will be the spill prevention and cleanup coordinator. All site sub-contractors are responsible for providing at least one site personnel apiece who will receive spill prevention and cleanup training. These individuals will each become responsible for a particular phase of prevention and cleanup. The names of responsible spill personnel will be posted in the material storage area and in the office trailer onsite.

SECTION 4 Inspections

4.1 – Inspection Personnel

- Opechee Construction Corporation's on-site project manager is the compliance officer for OCC and is responsible for site compliance with the SWPPP and EPA's Construction General Permit. Opechee Construction Corporation's on-site project manager will conduct inspections for all areas of the site disturbed by construction activities, areas used for storage of materials that are exposed to precipitation, discharge points, and construction exits.

  In absence of an Opechee Construction Corporation's on-site project manager, the SWPPP contact for the operator (OCC) will conduct inspections

4.2 – Inspection Schedule and Procedures:

Schedule:

- Inspections of the site will be performed once every 14 days and within 24-hours of the end of a storm event of one-half inch or greater. The inspections will verify that all BMPs required in this SWPPP are implemented, maintained, and effectively minimizing erosion and preventing stormwater contamination from construction materials. For a copy of the inspection report, see Appendix J.

Procedures:

- The contractor shall remove all accumulated sediment and debris from the Dandy Pop panels and surface and vicinity of unit after each rain event or as directed by engineer/inspector. Dispose of unit no longer in use at an appropriate recycling or solid waste facility.
- Accumulated sediment shall be removed from the dandy sacks when the containment sack is one-third full. Remove the sacks with lifting straps and empty using dumping straps.
- The catch basin sumps will be inspected for sediment build-up and cleaned when sediment has accumulated within 12" of the outlet.
- Temporary and permanent seeding and planting will be inspected for bare spots, washouts and healthy growth
- A maintenance inspection report will be made after each inspection
- All necessary repairs to erosion control measures must be made as soon as possible.

Corrective Actions:

- If corrective actions are identified by OCC's on-site project manager during the inspection, they will notify and submit a copy of the inspection report to the OCC's project manager. For corrective actions identified, OCC's on-site project manager will be responsible for initiating the corrective action within 24-hours of the report and completing maintenance as soon as possible or before the next storm event. For any corrective actions requiring a SWPPP amendment or change to a stormwater conveyance or control design, OCC's on-site project manager will notify the project manager as soon as possible before initiating the corrective action.

- When corrective actions are completed, a log will be kept to describe the repair, replacement, and maintenance of BMPs undertaken as a result of the inspections and maintenance procedures described above. The log entry should reference the specific inspection report related to finding the deficiencies. Please see Appendix H for the Corrective Action Log.

- If changes and updates of the SWPPP are necessary, a log will be kept to describe any additions of new BMPs, replacement of failed BMPs, significant changes in the activities or their timing on the project, changes in personnel, changes in inspection and maintenance procedures, updates to site maps, and so on. Please see Appendix G for the Corrective Action Log.

4.3 – Post Construction Inspection Schedule and Procedures:

Per Chapter 32 of the City of Portland Code of Ordinances:

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

(a) *Inspections.* The owner or operator of a BMP shall hire a qualified post-construction stormwater inspector to at least annually, inspect the BMPs, including but not limited to any parking areas, catch basins, drainage manholes, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.

(b) *Maintenance and repair.* If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the department of public services ("DPS") in the annual report.

(c) *Annual report.* The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, on or by June 30 of each year, provide a completed and signed certification to DPS in a form provided by DPS, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they require maintenance or repair, including the record of the deficiency and corrective action(s) taken.

(d) *Filing fee.* Any persons required to file and annual certification under this section shall include with the annual certification a filing fee established by DPS to pay the administrative and technical costs of review of the annual certification.

(e) *Right of entry.* In order to determine compliance with this article and with the post-construction stormwater management plan, DPS may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the BMPs.

Maintenance Schedule:

- The dumpster area shall be inspected routinely for spillage and should be cleaned as necessary. All outside waste receptacles provided for public use should be routinely emptied.

- The catch basins and drain manholes shall be inspected at least twice annually and after major storm events to ensure they are functioning properly. At a minimum the catch basins on site shall be cleaned biannually. Sediment shall be removed when it approaches half of the sump depth. If floating hydrocarbons are observed during an inspection, the materials shall be removed immediately by skimming, absorbent materials, or other method and disposed in conformance with applicable state and federal regulations.

- The Stormwater Planter shall be inspected at least twice annually and after major storm events to ensure it is functioning properly. If the stormwater planter does not drain within 72-hours following a rainfall event, a qualified professional shall assess the condition of the facility to determine measures required to restore filtration function, including but not limited to removal of accumulated sediments or reconstruction of filter media. The highest maintenance burden occurs during the first two years of operation as the vegetation grows and the system begins to stabilize. Once vegetation is established, maintenance decreases and becomes very predictable, similar to what is required for standard landscaping. Common maintenance tasks include, raking, and pruning of vegetation.

- The preferred method of removing and cleaning the sediments, debris, and hydrocarbons from the drainage structures is by a vacuum truck. Other reasonable methods will be allowed.

Inspection & Maintenance Overview:

- All sediments and hydrocarbons shall be properly handled and disposed, in accordance with local, state and federal guidelines and regulations.

- The dumpster areas shall be inspected routinely for spillage and shall be routinely emptied. All outside waste receptacles provided for public use shall be routinely emptied.

SECTION 5 CERTIFICATION AND NOTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Steve Long Title: Project Manager

Signature: _____ Date: _____

Attachment J. 1

6. Consistency with City Master Plans

The project developers and their architects have carefully considered the City of Portland Comprehensive Plan and believe that the project is very consistent with both the broad goals and specific design guidelines:

The project is located in the B-5b Urban Commercial Mixed Use Zone, and is also in Old Port Historic District.

Highlights of the proposal's consistency with applicable master plans are as follows:

Mixed Use
A theme of the Urban Commercial Mixed Use Zone is to develop mixed use projects that will **create a vital and active mixed use urban area that generates life and use every day of the year and all hours of the day.** The applicant's believe that the project achieves that goal fully: the projects combine restaurant, hospitality and residential uses and will convert an urban gravel parking lot into a hub of varied activities for residents, workers, and visitors.

Pedestrian-Oriented
The redevelopment of this corner lot at the intersection of Commercial and Maple Street will provide broad brick sidewalks, ADA accessible curbs, elegant and functional lighting, fixed street furniture, and street trees. The street-level spaces are pedestrian-oriented uses, consisting of separate entrances for the different uses. The proposed restaurant will have a sidewalk café component. The parking for the residences and hotel valet will be located behind the building. These design elements closely follow the Design Guidelines and will create a walkable and enjoyable pedestrian environment.

Contextual Architecture
The architectural design is evocative of the historic look and scale of buildings in the area, while bringing the best elements of contemporary design. The following aspects of the design are all fully consistent with the Design Guidelines:

- The buildings are placed at the sidewalk with primary entrances oriented to the street.
- The building height is consistent with the recommendations of the Design Guidelines and is consistent with the adjacent Baxter building.
- The building design employs variation in materials, window types and sizes, and architectural details.
- Brick, stone-like cast concrete, glass, and high-quality metals are arranged to create visual interest and variety and to relate to surrounding structures.

J.2

7. Availability of Off-Site Facilities

The project is located on the corner of Maple and Commercial Street in a fully developed area of the City. There is significant utility infrastructure, including water, sewer, natural gas, electrical power, and telecommunications within close proximity to the project.

An Existing Conditions Plan is included in the site plan set of this application which indicates the location of existing utility infrastructure abutting the site.

Water
Existing utilities abutting this project site include a 12 inch cast iron water main water in Commercial Street. Water service will be provided to the site via a connection this main. We have contacted the Portland Water District. The District has provided an "Ability to Serve" letter.

Natural Gas
Natural gas service will be provided by Unitil from an existing main in Commercial Street. Unitil has provided an "Ability to Serve" letter.

Storm Drainage
The site fronts on public right-of-ways in a fully developed urban area. Stormwater flows from the mixed use building roof will connect into the existing storm drain line running to Maple Street. Stormwater from drainage structures, directing flows through the site to the existing drainage structures at the intersection of Maple and Commercial Street, will be diverted around the proposed building to existing drainage structures at the intersection of Commercial and the former Foundry Lane.

The stormwater management report included in this application addresses the design and analysis of the proposed storm drainage system in detail.

Sanitary Sewer
One new sanitary sewer connection is proposed as part of this project. There will be a grease trap connected to the hotel and restaurant kitchen areas. The grease trap will then be connected via a wye connection to the 8" domestic service. The 8" service line will then be connected to the existing sewer main located in the former Foundry Lane. This connection will be accomplished by coring a new 8 inch sewer line into an existing sewer manhole.

A Wastewater Capacity Application has been completed and is included as part of the submission material.

Electrical Power
Existing overhead power is provided by Central Maine Power on pole lines within the public right-of-way. The proposed service will be brought from an existing pole on York Street to an existing pole on Maple Street. From this pole the service will be brought via underground conduit to a pad mounted transformer. From the transformer electric power will be brought to the building in underground conduit. CMP has provided an "Ability to Serve" letter.

J.3

Telecommunications
Fairpoint's telecommunications facilities are located on York Street. The proposed service will be brought from an existing pole on York Street to an existing pole on Maple Street. From this pole the service will be brought to the building via underground conduit. Fairpoint has provided an "Ability to Serve" letter.

Cable television is provided by Time Warner Cable and will be provided to the site via underground conduit located adjacent to the telecommunication lines. Time Warner Cable has provided an "Ability to Serve" letter.

J. 4

Portland Water District

From Sebago Lake To Casco Bay

October 15, 2012

Opechee Construction Corporation
11 Corporate Drive
Belmont , NH 03220

Attn: Steve Long
Re: Marriott Courtyard; 311 Commercial Street, Portland
Ability to Serve with PWD Water

Dear Mr. Long:

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on September 12, 2012. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter.

Please note that this letter does not constitute approval of this project from the District. Please review this letter for any special conditions specified by the District and to determine the appropriate next steps to take to move your project through the submittal and approval process.

Existing Site Service

According to District records, the project site does currently have existing water service. A 1-inch diameter copper water service line, located as shown on the attached water service card, provides water service to this site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of this service.

Water System Characteristics

According to District records, there is a 12-inch diameter cast iron water main on the west side of Commercial Street and a public fire hydrant located adjacent to the site.

The current data from the nearest hydrant with flow test information is as follows:

Hydrant Location:	Commercial Street 200' east of Maple Street
Hydrant Number:	POD-HYD00061
Last Tested:	8/14/1992
Static Pressure:	103 psi
Residual Pressure:	Not Measured
Flow:	1,537 GPM

225 Douglass Street P.O. Box 3553 Portland, Maine 04104-3553
Phone: 207.774.5961 Fax: 207.761.8307 Web: www.pwd.org

Public Fire Protection

It is anticipated that this project will not include the installation of new public hydrants to be accepted into the District water system. The decision to require new hydrants and to determine their locations is solely that of the local fire department. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of the proposed hotel, restaurant and residential units. Based on the high water pressure in this area, we recommend that you consider the installation of pressure reducing devices that comply with state plumbing codes.

Private Fire Protection Water Needs

It is anticipated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Should private fire protection be required, please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact the MEANS Division to request a hydrant flow test and we will work with you to get more complete data.

Conditions of Service

The District can confirm that the existing water system has the capacity to serve the proposed mixed use development. As your project progresses, we advise that you submit any preliminary design plans to the MEANS Division for review of the water service line configuration. We will work with you or your representative to ensure that the design meets our current standards. If the District can be of further assistance in this matter, please let us know.

If the existing 1-inch diameter water service at this site will no longer be used, then it must be retired by shutting the corporation valve and cutting the pipe from the water main.

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

Sincerely,
Portland Water District

Glissen Havu, E.I.
Design Engineer

J. 6

Unitil
Northern Utilities, Inc.

October 3, 2012

Steve Long
Opechee Construction Corporation
11 Corporate Drive
Belmont NH 03220

Re: Marriott Courtyard, Commercial Street, Portland, ME

Thank you for your interest in using natural gas for the above referenced project.

Unitil does have natural gas in the vicinity of this project to provide service. The evaluation, to complete the design, costs and determining if any customer contribution is required, will need to be completed prior to commitment to provide service to this project. Unitil welcomes the opportunity for further discussions regarding this project. Please contact me to identify what information Unitil will require to complete this evaluation.

If you have any further questions or require additional information, please contact me directly at (207) 541-2505 or at fowler@unitil.com .

Sincerely,

Kelly Fowler

Kelly Fowler
Sr. Business Development Representative

1075 Forest Avenue,
Portland, ME 04103-3321

Phone: 866-933-3821

J. 7

Central Maine Power

September 13, 2012

Opechee Construction Company
C/O Mr. Steve Long
11 Corporate Drive
Belmont, NH 03220

RE: Three Phase Electric Service, Marriott Courtyard, Commercial Street, Portland, Maine

Dear Mr. Long,

This letter is to advise you Central Maine Power has sufficient three phase electrical capacity in the area to serve the subject project.

Once the project is accepted by the City of Portland, the owner will need to call our Customer Service Center at 1-800-565-3181 to sign up for a New Account and a Work Request Order so we may provide an actual cost.

I will need to know what size service and voltage the Customer will be requesting.

If you have any questions please feel free to call me at 828-2882.

Sincerely,

Paul DuPerre
Energy Service Specialist

J. 8

Fairpoint Communications
Engineering Dept.
5 Davis Farm Rd
Portland, Me. 04103
June 11, 2010

Steve Long
Opechee Construction Corporation
11 Corporate Drive
Belmont, NH 03220
P (603) 527-9090
F (603) 527-9191
C (603) 387-7099

To whom it may concern:

Fairpoint Communications does have the ability to service the proposed building at 311 Commercial St. Portland, Me. per the Public Utilities Commission Tariff.

Design requirements if underground are 4"conduit with pull string, Backboard & ground source.

Service must be requested through the Fairpoint business office 1-866-984-3001

Sincerely,

John Caprio
Engineer
Fairpoint Communications
207-797-1678
jcaprio@fairpoint.com

J. 9

From: Pelletier, Mark [mark.pelletier@twcable.com]
Sent: Thursday, September 27, 2012 12:49 PM
To: Steve Long
Subject: RE: Marriott Courtyard - Commercial Street

Steve, J.B.Brown & Sons,

Time Warner Cable does have Aerial facilities on existing pole line on York St and Commercial St's. We do not have any facilities on Maple St between York and Commercial. We can provide services to the Hotel, restaurant and residential units.

Please keep me in the to preconstruction meetings and route to bldg as I will like to attend a few to state what is needed, getting plans etc.

Mark

Mark Pelletier
Construction Project Coordinator
Time Warner Cable
118 Johnson Rd
Portland, Maine 04102
207-253-2324
mark.pelletier@twcable.com

From: Steve Long [mailto:stevel@opechee.com]
Sent: Tuesday, September 25, 2012 9:36 AM
To: Pelletier, Mark
Subject: FW: Marriott Courtyard - Commercial Street

Mark

Opechee Construction Corporation (OCC), on behalf of our clients, J B Brown & Sons, is requesting an "ability to serve letter" for the above mentioned project. OCC will be submitting a site plan application to begin the approval process with the city of Portland. The applicant is seeking to construct a new six-story building which will include a 131 room hotel, a 7,000 sq.ft. restaurant and 14 residential units. Currently the property is used as a parking lot.

Attached is a Conceptual Site Plan to assist you with your review.

Please do not hesitate to contact me if you require more information or have any questions.

Thank you

Steve Long

Opechee Construction Corporation
11 Corporate Drive
Belmont, NH 03220

J.10

8. Solid Waste

Solid waste for the hotel, restaurant and residences will be placed in a trash area located on the west side of the building, adjacent to the existing Maple Street parking lot. This area will be screened. Hotel and restaurant waste will be collected by their staff on a daily basis. Residents will bring their trash to the trash area individually. The dumpster and recycling bins will be purchased or leased from a commercial waste removal vendor.

J.11

9. Code summary per NFPA 1 and Fire Dept. Standards

Fire/Building Codes - The building will be designed in accordance with the City Building Code, as well as all applicable local, state, and federal codes/laws. The building will be fully sprinklered in accordance with NFPA 13, and will have fire detection/alarm systems as dictated by NFPA 72 and the underlying codes.

Technical Standard 3.2 - Fire Hydrants: Municipal fire hydrants are readily available on Maple Street and Commercial Street.

Technical Standard 3.3 - One/Two Family Sprinklers - Not applicable

Technical Standard 3.4 - Fire Department Access: Fire department access is provided via City Streets for 2 sides of the building. The building will display the assigned street numbers, and all elevators will accommodate an 80 x 24 stretcher.

Technical Standard 3.5 - Access Lanes and Gates - Not applicable

Technical Standard 3.6 - Subdivision Standards - Not applicable

Technical Standards 3.7 through 3.11- Blasting - Geotechnical investigations show no evidence of ledge in the proposed development area. Accordingly, blasting operations are not anticipated.

J.12

11. Verification HVAC meets state and federal emissions requirements

HVAC equipment has not been specified and selected yet, but Opechee Construction Corporation, as an experienced design/build general contractor with on-staff licensed architects and engineers, will ensure that all systems are specified and installed in full compliance with all codes and regulations, including but not limited to state and federal emissions requirements.

J. 13

(Lighting)

APPENDIX

J. 14

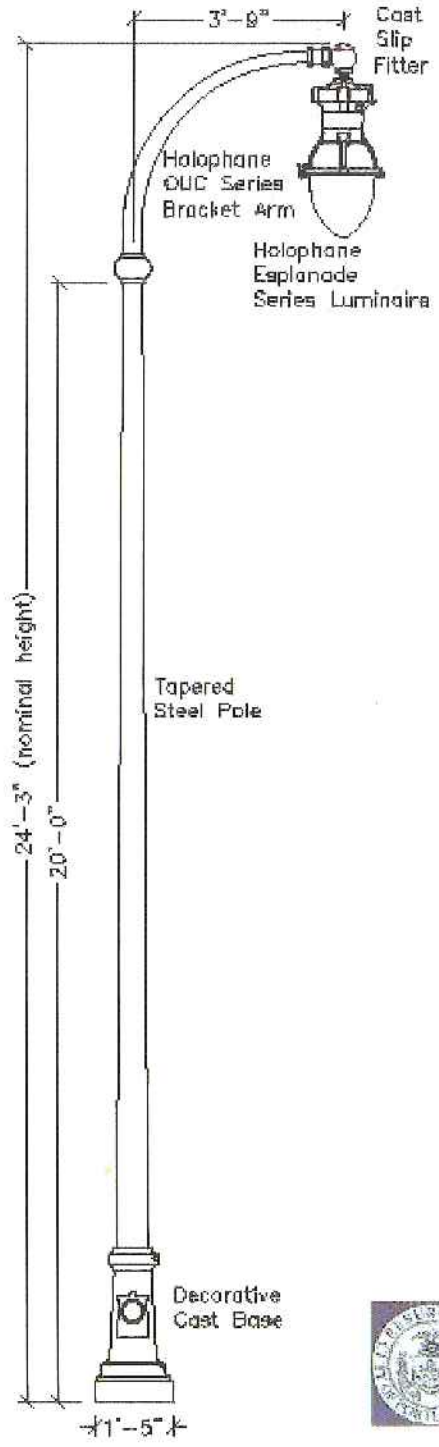
Project: Commercial & Maple Street Mixed Use Development
Location: Portland, Maine
Date: ~~10-22-12~~ Revised 01-02-13

LIGHTING FIXTURE SCHEDULE

Lamp numbers refer to Osram Sylvania designations. Also approved are equal lamps manufactured by General Electric, and Philips. Voltage for exterior luminaires shall be verified with the project electrical engineer.

Type: **S1**
Description: Street light luminaire and pole as identified by the City of Portland Waterfront Commercial District large series. Luminaire shall include dropped refractor to provide Type IV optical distribution. Pole shall be tapered steel, 20'-0" in height with a 4'-4" top bracket arm. Luminaire finish shall be black. Provide integral photocell with luminaire.
Lamps: (1) MS175/PS/BU-ONLY
Manufacturers: *Holophane Lighting* # ESU 175PM MA CMA 45-64319 (luminaire)
Holophane Lighting # OUC 6063-T6 (bracket Arm)
Holophane Lighting # Cambridge series (pole base)

Type: **S2**
Description: Similar to Type S1 except City of Portland Waterfront Commercial District medium series. Pole shall be 15'-0" in height.
Lamps: (1) MS175/PS/BU-ONLY
Manufacturers: *Holophane Lighting* # ESU 175PM MA CMA 45-64319 (luminaire)
Holophane Lighting # OUC 6063-T6 (bracket Arm)
Holophane Lighting # Cambridge series (pole base)



LUMINAIRE
Holophane Lighting model ESU175MH12A4-R
Luminaire shall be furnished and installed by The Central Maine Power Company under the municipal lease agreement for street lighting.
Luminaire shall be manufacturer's standard black color.

LAMP
Holophane Lighting model S-M175/U 64471
Vertical mounted, 175 watt mogul base clear metal halide lamp.

BRACKET ARM
Holophane Lighting model OUC 6063-T5
Aluminum crossarm with a post-top fitting for a 3-1/2" by 8" tenon.
Bracket arm shall be manufacturer's standard black color.

SLIP FITTER
Holophane Lighting model BHLF200-SCA/AS (Boston Harbor Series)
2-3/8" O.D. with swivel cast fitter.
Slip fitter shall be manufacturer's standard black color.

LIGHTING POLE
Tapered steel pole shaft rated for a 80mph wind load with a 1.3 gust factor. Provide four hot-dipped galvanized steel L-type anchor bolts.
Lighting pole shall be manufacturer's standard black color.

DECORATIVE POLE BASE
Holophane Lighting model Cambridge Series
Decorative clamshell cast aluminum base.
Hardware shall be stainless steel.
Decorative pole base shall be manufacturer's standard black color.

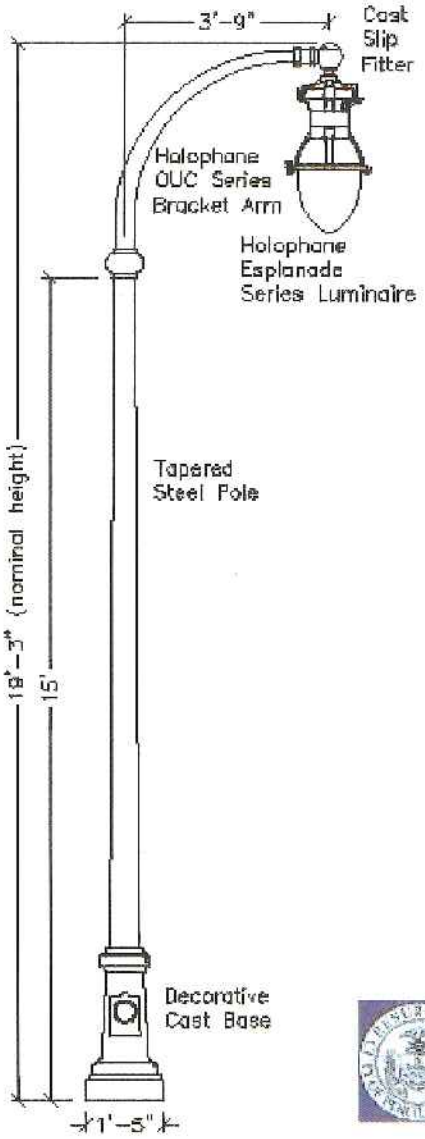
APPLICATION
Street/Sidewalk lighting for two-way streets with parking on both sides.
Suggested layout:
90-100 ft on center (one side only)
175-225 ft on center (staggered pattern both sides)

City of Portland, Maine

Street & Sidewalk Lighting
WATERFRONT COMMERCIAL DISTRICT
Large Scale Lighting Pole

08/05/07

DATE: AUGUST 2009	CITY OF PORTLAND, MAINE TECHNICAL STANDARDS MANUAL	**MUNICIPAL STREET LIGHTING STANDARDS** SECTION X	**FIGURE:**
REVISED:	**EASTERN WATERFRONT DISTRICT LARGE SCALE LIGHTING POLE**		**X-5B**



LUMINAIRE
Holophane Lighting model ESU175MH12A4-R
Luminaire shall be furnished and installed by The Central Maine Power Company under the municipal lease agreement for street lighting.
Luminaire shall be manufacturer's standard black color.

LAMP
Holophane Lighting model S-M175/U 64471
Vertical mounted, 175 watt mogul base clear metal halide lamp.

BRACKET ARM
Holophane Lighting model OUC 6063-T6
Aluminum crossarm with a post-top fitting for a 3-1/2" by 8" tenon.
Bracket arm shall be manufacturer's standard black color.

SLIP FITTER
Holophane Lighting model BHLF200-SCA/AS (Boston Harbor Series)
2-3/8" O.D. with swivel cast fitter.
Slip fitter shall be manufacturer's standard black color.

LIGHTING POLE
Tapered steel pole shaft rated for a 90mph wind load with a 1.3 gust factor. Provide four hot-dipped galvanized steel L-type anchor bolts.
Lighting pole shall be manufacturer's standard black color.

DECORATIVE POLE BASE
Holophane Lighting model Cambridge Series
Decorative clamshell cast aluminum base.
Hardware shall be stainless steel.
Decorative pole base shall be manufacturer's standard black color.

APPLICATION
Street/Sidewalk lighting for two-way streets with parking on one sides, or one-way streets.
Suggested layout:
80-100 ft on center (one side only)
150-200 ft on center (staggered pattern both sides)

City of Portland, Maine
Street & Sidewalk Lighting
WATERFRONT COMMERCIAL DISTRICT
Medium Scale Lighting Pole

08/05/07

DATE: AUGUST 2009	CITY OF PORTLAND, MAINE TECHNICAL STANDARDS MANUAL	**MUNICIPAL STREET LIGHTING STANDARDS** SECTION X	**FIGURE:**
REVISED:	**EASTERN WATERFRONT DISTRICT MEDIUM SCALE LIGHTING POLE**		**X-5C**

Existing light along Foundry Lane

Existing light within upper parking lot

Type S3 & S4 **Wall mount=12 feet; Pole mount=14 feet**

J.18

UCM – Universe Medium Housing Scale

TYPE

RESET

- Part of AAL's Designer SSL Series
- MicroEmitter® reflector technology
- DLC approved (Types 3 and 5, 5000K)
- First decorative, modular system with precise LED aiming capabilities
- Field replaceable LED EmitterDeck® upgrade kits
- LifeShield™ Protection System
- 0 - 10v dimming capabilities
- Surge protection included
- Powder coat finish in 13 standard colors with a polymer primer sealer

UCM

1. LUMINAIRE	2. LUMINOUS HOOD	3. OPTICS	4. LAMP/ BALLAST	5. COLOR	6. HOOD OPTIONS	7. OPTIONS	8. MOUNTING

1. LUMINAIRE

☐ UCM Universe medium

2. LUMINOUS /HOOD

NO LUMINOUS & HOOD

ANGLED	BELL	FLARED	STRAIGHT	SKIRTED
☐ ANG	☐ BEL	☒ FLR	☐ STR	☐ SKB

LUMINOUS & HOOD

4 LUMINOUS WINDOWS	SOLID RINGS	VERTICAL SLOTS	LUMINOUS RINGS
☐ WND-ANG	☐ SR-ANG	☐ VSL-ANG	☐ LUM-ANG
☐ WND-BEL	☐ SR-BEL	☐ VSL-BEL	☐ LUM-BEL
☒ WND-FLR	☐ SR-FLR	☐ VSL-FLR	☐ LUM-FLR
☐ WND-STR	☐ SR-STR	☐ VSL-STR	☐ LUM-STR
☐ WND-SKB	☐ SR-SKB	☐ VSL-SKB	☐ LUM-SKB

3. OPTICS

LED *(60 light emitting diode array. 72 watts. Class 1, 120 thru 277 volt. Warm white (3000K), Neutral white (4000K), Bright white (5000K))*

☐ T2-60LED-WW	☐ T4-60LED-WW
☐ T2-60LED-NW	☐ T4-60LED-NW
☐ T2-60LED-BW	☐ T4-60LED-BW
☐ T3-60LED-WW	☐ T5-60LED-WW
☐ T3-60LED-NW	☐ T5-60LED-NW
☐ T3-60LED-BW*	☐ T5-60LED-BW*

**** DLC Listed***

HORIZONTAL REFLECTOR *(sag lens)*

☐ H2 *(Type 2)* ☐ H3 *(Type 3)* ☐ H4 *(Type 4)* ☐ H5 *(Type 5)*

GLASS REFLECTOR

☐ GR3 *(Type 3)* ☐ GR5 *(Type 5)*

OPAL LENS *(Acrylic. Maximum 100 watts)*

☒ OAL

4. LAMP/BALLAST

COMPACT FLUORESCENT

GE F70QBX lamp, -10°C min start temp

☐ PL57

METAL HALIDE

Medium base, ED-17 lamp

☐ 50MH ☐ 70MH ☒ 100MH

G12 base, T-6 ceramic lamp

☐ 70MHT6

ELECTRONIC METAL HALIDE

Medium base, ED-17 lamp

☐ 70MHEB ☐ 100MHEB ☐ 150MHEB ☐ 150MHT6EB

G12 base, T-6 ceramic lamp

☐ 70MHT6EB

PULSE START METAL HALIDE

Medium/mogul base

☐ 150PSMH ☐ 175PSMH *(GR only)*

G12 base, T-6 ceramic lamp

☐ 150PSMHT6

HIGH PRESSURE SODIUM

Medium/mogul base

☐ 50HPS ☐ 70HPS ☐ 100HPS ☐ 150HPS

INDUCTION LAMP *(OAL only, less luminous elements)*

☐ IL-55 *(55W)* ☐ IL-85 *(85W)*

All ballasts are factory wired for 277 volts, unless specified. Lamps not included, except LED.

5. COLOR

☐ AWT *(Arctic White)*	☐ CRT *(Corten)*
☐ BLK *(Black)*	☐ MAL *(Matte Aluminum)*
☐ MTB *(Matte Black)*	☐ MDG *(Medium Grey)*
☐ DGN *(Dark Green)*	☐ ATG *(Antique Green)*
☐ DBZ *(Dark Bronze)*	☐ LGY *(Light Grey)*
☐ WRZ *(Wheathered Bronze)*	☐ RAL/PREMIUM COLOR *(Provide RAL)*
☐ BRM *(Metallic Bronze)*	☐ CUSTOM COLOR *(Provide color chip for matching)*
☐ VBL *(Verde Blue)*	

6. OPTIONS - HOOD *(The natural copper and stainless steel hoods are unfinished to develop a patina over time. All painted hoods have the underside of the hoods finished in high reflectance white.)*

☐ COP *(Copper)* ☐ STS *(Stainless steel)*

7. OPTIONS

☐ FTG *(Flat glass lens)*

☐ RCK *(Rock guard painted black)*

☐ SLC *(Internal sleeve to block light when luminous element chosen)*

☐ FLD *(Lightly diffused finish on flat glass lens)*

☐ HSS *(House side shield. Not for Type 5)*

☐ 347V *(For HID, except 50MH & 50HPS. Not available with LED.)*

☐ QL *(T-4 socket)* ☐ QRS *(T-4 restrike controller & socket)*

☐ PMR *(Post top mount, slips over a 4"/100mm pole. Reflector model only)*

☐ PM *(Post top mount, GR3/5 &Opal lens only)*

☐ PMS *(Pendant mount, 48"/1220mm stem & canopy with swivel)*

INNER LENS – *(Lum only. Optional inner lens adds color to the ring edges when illuminated)*

☐ BL *(Blue)* ☐ GRN *(Green)* ☐ RD *(Red)*

8. MOUNTING – *Must choose one*

WALL MOUNT

☐ WMA4	☐ WMA5	☐ WMA6	☐ WMA8
☐ WMA9D	☐ WMA10	☐ WMA11	☐ WMA12
☐ WMA16	☐ WMA17	☐ WMA18	☐ WMA20
☐ WMA22D	☐ WMA24	☐ WMA37	☐ WMA38
☐ WMA39			

POLE MOUNT

☐ SLA2	☐ SLA3	☐ SLA4	☐ SLA4-2
☐ SLA7	☐ SLA7-2	☐ SLA7(5)	☐ SLA7(5)-2
☐ SLA8D	☐ SLA9	☐ SLA9-2	☐ SLA10
☐ SLA10-2	☐ SLA16	☐ SLA16-2	☐ SLA17
☐ SLA17-2	☐ SLA17(5)	☐ SLA17(5)-2	☐ SLA18
☐ SLA18-2	☐ SLA20	☐ SLA20-2	☐ SLA20A
☐ SLA20A-2	☐ SLA20B	☐ SLA20B-2	☐ SLA20C
☐ SLA20C-2	☐ SLA20D	☐ SLA20D-2	☐ SLA22D
☐ SLA24	☐ SLA24-2	☐ SLA24(5)	☐ SLA24(5)-2
☐ TRA4	☐ TRA7	☐ TRA7-2	☐ TRA8
☐ TRA8-2	☐ TRA9	☐ TRA9-2	

Visit www.aal.net for Arms, Poles & Accessories Specification Guide

SPECIFICATIONS

HOUSING

The fixture ballast housing shall be one-piece die-cast aluminum. The luminous rings shall be clear acrylic with an internal lens. The lens shall be lightly diffused acrylic, sealed to the housing and shade with molded silicone gaskets. The hood and spacers shall be heavy gauge spun aluminum with hemmed edges for added rigidity.

All internal and external hardware shall be stainless steel.

The fixture shall consist of die cast aluminum door frame and ring assembly. The hood ring assembly shall be fully sealed with a molded silicone gasket. The door frame shall be hinged to the ring and opened with two captive fasteners for relamping. The tempered sag glass lens is held in the door frame with a molded silicone gasket.

GR3/5 – A borosilicate glass refractor lens with a Type 3 or Type 5 distribution shall be attached to an aluminum frame. Three captive fasteners shall be loosened to turn and remove the lens for relamping.

OAL – Molded opal acrylic lens and an aluminum frame. Three captive fasteners shall be loosened to turn and remove the lens for relamping.

FULL CUTOFF *(Horizontal only)*

The reflector models, less luminous element, is classified as full cutoff, meaning there is zero light emitted at 90° horizontal or above.

OPTICAL ASSEMBLY *(Horizontal only)*

The reflector module shall be composed of faceted, semi specular anodized aluminum panels rigidly attached in an aluminum tray. The reflector shall be easily removed by loosening four screws and lifting it out the tray. The reflector tray shall be rotatable on 90° centers for orienting the light distribution. The reflectors shall meet ANSI-IES standards for full cutoff (without luminous element).

See next page

TYPE _____

JOB _____

NOTES _____

ARCHITECTURAL AREA LIGHTING
16555 East Gale Ave. | City of Industry | CA 91745
P 626.968.5666 | F 626.369.2695 | www.aal.net

UCM – Universe Medium Housing Scale | TYPE

J.19

ELECTRICAL

LED MODEL

120 thru 277 volt. All electrical components are mounted directly to the driver tray for maximum heat dissipation. Class 1 electrical classification. 0 - 10v dimming capabilities. LifeShield™ Protection System included for extreme temperature locations (-30°C to 60°C). 120/277 volt Universal with 9mA maximum input current and 1mA maximum drive current. Input power 0.5 watt for 120 volt and 1.25 watt for 277 volt. The onboard surge protector shall be U.L. recognized and have a surge current rating of 10,000 Amps using the industry standard 8/20uSec wave. The surge protector shall have a clamping voltage of 320V and surge rating of 372J. The case shall be a high-temperature, flame resistant plastic enclosure. LED constant current driver operates at 350mA.

OTHER MODELS

The ballast shall be mounted on a prewired tray with a quick disconnect plug and removed by loosening two captive screws. HID ballasts are high power factor, rated for -30°C starting. Sockets are medium or G12 base, pulse rated porcelain. Ballasts are wired at the factory for 277 volts.

MICROEMITTER™ REFLECTOR

Precision injection molded, highly specular reflectors are positioned to achieve directional control toward desired task. Secondary reflectors with a concave, specular medium hammertone finish are used to redirect light downward. The entire assembly fastens to the housing as a one-piece module and features wiring quick-connects for easy installation. Standard color temperatures are 3000K, 4000K and 5000K. Rated luminous efficacy is ≥40 lm/W, with rated light output of ≥2864 for 5000K LED, standard mount. MicroEmitters are field replaceable.

MOUNTING

The fixture shall be attached to the arm assembly with three stainless steel bolts. The connection shall be sealed with a silicone compression gasket.

PM - The post top version shall slip over a 4"/100mm O.D. pole or tenon, and secured with six stainless steel set screws.

FINISH

Fixture finish consists of a five stage pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish. The finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

CERTIFICATION

Listed with ETL for outdoor, wet location use. Conforms to UL1598 and Canadian CSA Std. C22.2 no.250 standard.

WARRANTY

Universe LED, including housing, LEDs and electrical components, is warranted for five years, other fixtures are three years. Any unauthorized return, repair, replacement or modification of the Product(s) shall void this warranty. This warranty applies only to the use of the Product(s) as intended by AAL and does not cover poles, arms, mounting, or any misapplication or misuse of said Product(s), or installation in hazardous or corrosive environments. Contact AAL for complete warranty language, exceptions, and limitations.

DIMENSIONS

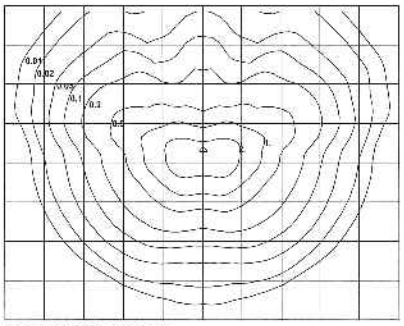
The first dimension is the height of fixtures with LEDs or horizontal reflectors. The second is for the opal lens and the third is the glass refractor fixture.

HOOD	NO LUMINOUS	4 LUMIOUS WINDOW (WIN)	SOLID RINGS (SR)	VERTICAL SLOTS (VSL)	LUMIOUS RINGS (LUM)
ANG DIA: 20"/508mm	14.7"/373mm 16"/457mm 16.7"/424mm	20.5"/520mm 22.2"/563mm 20.8"/528mm	20.7"/526mm 22.5"/572mm 21.1"/536mm	20.5"/521mm 22.2"/564mm 20.8"/528mm	20.6"/523mm 22.4"/569mm 21"/533mm
BEL DIA: 24"/610mm	15.8"/401mm 16"/457mm 16.7"/424mm	21.4"/543mm 22.2"/563mm 20.8"/528mm	21.6"/549mm 22.5"/572mm 21.1"/536mm	21.4"/543mm 22.2"/564mm 20.8"/528mm	21.5"/546mm 22.4"/569mm 21"/533mm
FLR DIA: 22"/559mm	14.5"/368mm 16.1"/435mm 16.8"/427mm	19.8"/503mm 22.3"/566mm 21"/533mm	20.1"/510mm 22.6"/574mm 21.2"/538mm	19.8"/503mm 22.3"/566mm 21"/533mm	20"/508mm 22.5"/574mm 21.1"/536mm
STR DIA: 24"/610mm	14"/355mm 16.1"/435mm 16.7"/424mm	19.8"/503mm 22.3"/566mm 20.9"/531mm	20"/508mm 22.5"/574mm 21.2"/538mm	19.8"/503mm 22.3"/566mm 20.9"/531mm	19.9"/505mm 22.5"/574mm 21.1"/536mm
SKB DIA: 24"/610mm	19.7"/500mm 19.7"/500mm 19.7"/500mm	23.9"/607mm 23.9"/607mm 23.9"/607mm	24.2"/615mm 24.2"/615mm 24.2"/615mm	23.9"/607mm 23.9"/607mm 23.9"/607mm	24.1"/612mm 24.1"/612mm 24.1"/612mm

UCM H3 150MH FTG WATTAGE: 185 LUMEN OUTPUT: 7192 EFFICACY: 67.6

B2 U0 G2

FORWARD LIGHT			LUMEN
FL	30°	4.6%	577
FM	60°	16.2%	2026
FH	80°	14.8%	1850
FVH	90°	0.2%	30
BACK LIGHT			
BL	30°	3.9%	491
BM	60°	11.7%	1469
BH	80°	5.9%	738
BVH	90°	0.1%	11
UPLIGHT			
UL	100°	0%	0
UH	180°	0%	0



20' MOUNTING HEIGHT

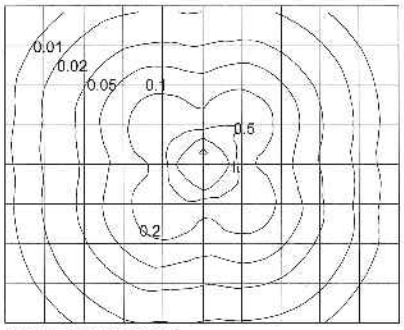
Mounting Height	Multiplier
10	4.000
15	1.778
20	1.000
25	0.640
30	0.444
35	0.327
40	0.250
45	0.198
50	0.160

UPLIGHT 0%
DOWNLIGHT 100%

UCM T5 60LED BW FTG WATTAGE: 64.7 LUMEN OUTPUT: 3726 EFFICACY: 57.6

B2 U0 G1

FORWARD LIGHT			LUMEN
FL	30°	8.0%	298
FM	60°	18.4%	686
FH	80°	22.1%	823
FVH	90°	1.7%	63
BACK LIGHT			
BL	30°	7.9%	295
BM	60°	17.8%	663
BH	80°	22.2%	826
BVH	90°	1.9%	71
UPLIGHT			
UL	100°	0%	0
UH	180°	0%	0



20' MOUNTING HEIGHT

Mounting Height	Multiplier
10	4.000
15	1.778
20	1.000
25	0.640
30	0.444
35	0.327
40	0.250
45	0.198
50	0.160

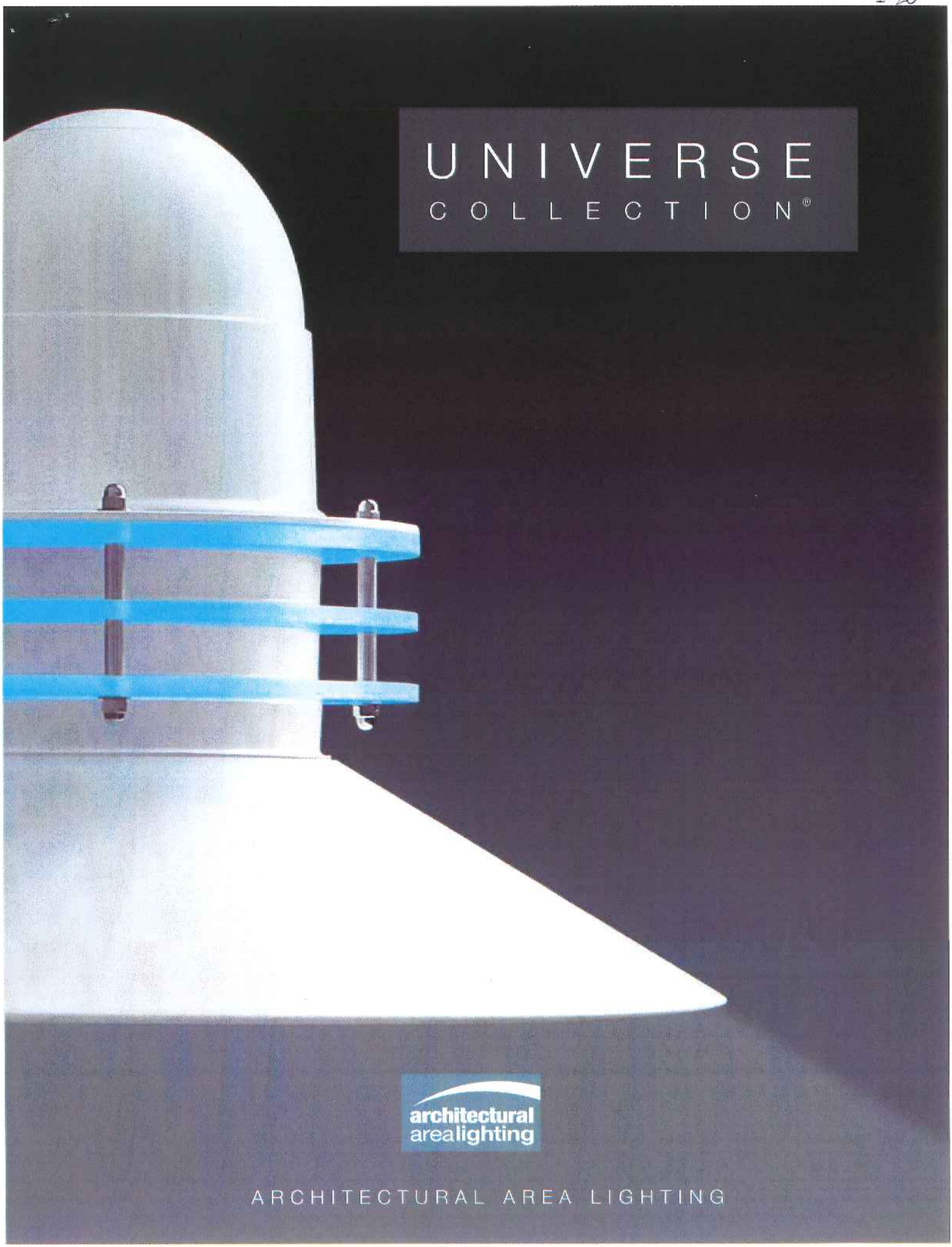
UPLIGHT 0%
DOWNLIGHT 100%

AAL reserves the right to change product specifications without notice.

IES files can be found at www.aal.net

ARCHITECTURAL AREA LIGHTING
16555 East Gale Ave. | City of Industry | CA 91745
P 626.968.5666 | F 626.369.2695 | www.aal.net

3120



UNIVERSE
COLLECTION®

architectural area lighting

ARCHITECTURAL AREA LIGHTING

J.21

Fixtures can be pole, wall or pendant mounted.

HEAD

4 WINDOWS

SOLID RINGS

VERTICAL SLOTS

LUMINOUS ELEMENTS Optional elements to add visibility and interest to fixtures.

ANGLED

FLARED

HOODS Available in painted aluminum, natural copper or stainless steel.

HIGH PERFORMANCE
FULL CUTOFF REFLECTOR SYSTEM

OPAL ACRYLIC LENS

GLASS REFRACTOR

OPTICAL SYSTEMS

J. 22

Illumination Effects

One of four modular, luminous elements can be specified to softly illuminate the shade and add visual interest to the overall design.

The opal lens model (OAL) is well suited for low mounting heights to softly illuminate general pedestrian areas.

WND 4 WINDOWS

VSL VERTICAL SLOTS

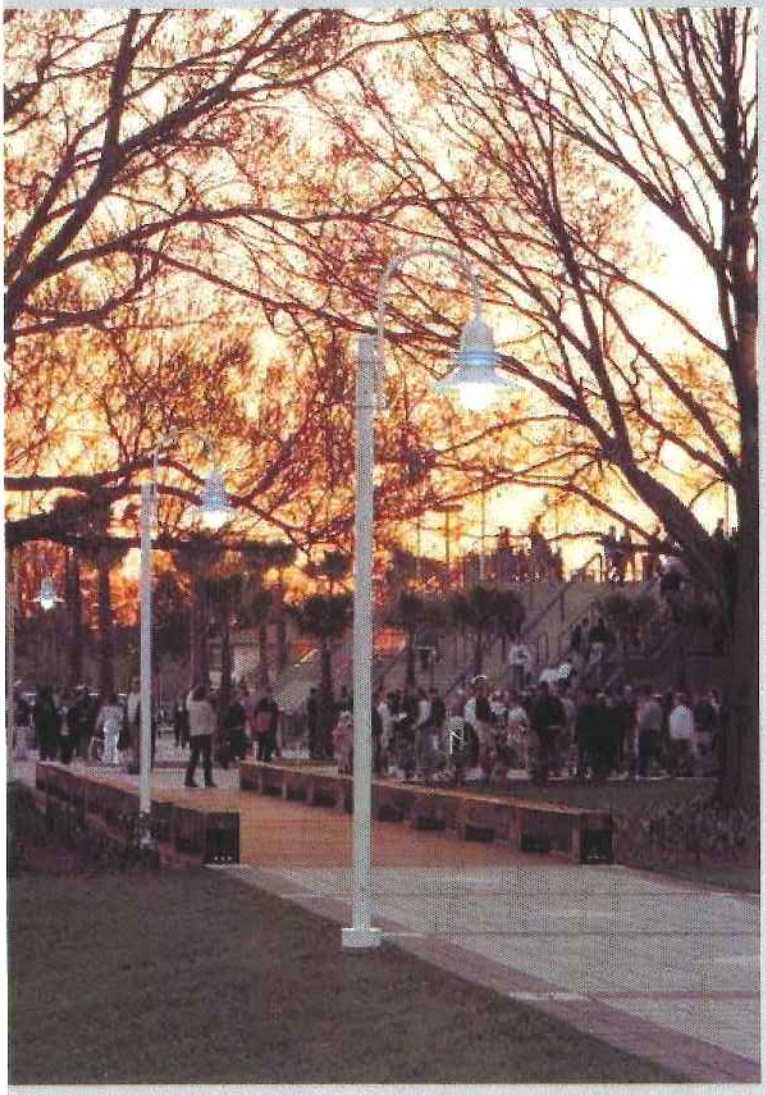
SR SOLID RINGS

LUM LUMINOUS RINGS

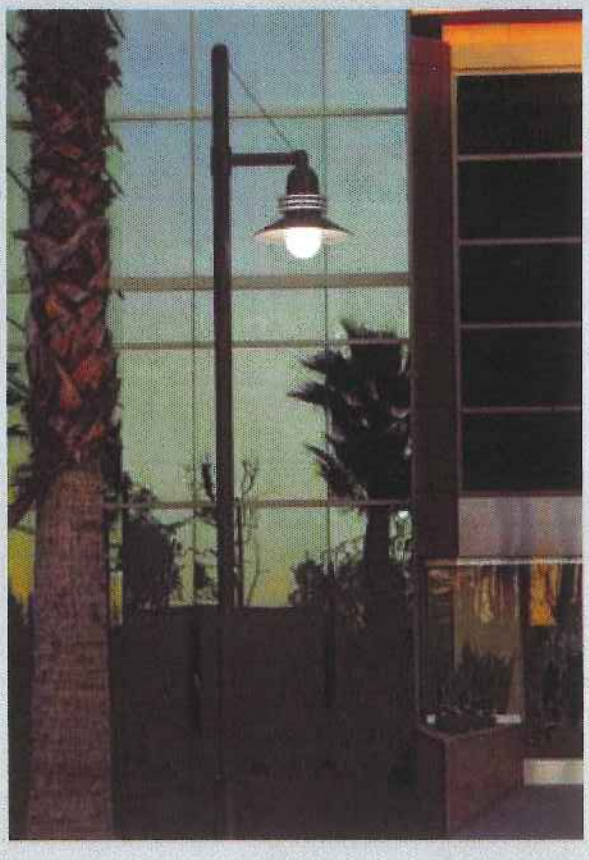
The luminous ring (LUM) comes standard with a diffused inner lens. An optional colored lens adds edge lit color to the rings when illuminated. Not available with UCS.

- **BL** BLUE
- **RD** RED
- **GN** GREEN

UCM LUM (BLUE) STR OAL SLA 4 PR4-4R10



UCM LUM STR OAL SLA 17 PR4-4R8



J. 23

UCM

Medium Scale

The medium scaled model is designed for pedestrian areas, building perimeters, streetscapes, store fronts, or atriums

- Part of AAL's Designer SSL Series, featuring exclusive MicroEmitter technology
- Pole, wall, and pendant mounting
- Full cutoff reflector system in four distributions for specific illumination tasks
- Opal acrylic lens, Type 5 distribution for soft, general lighting, 100 watts max
- Glass refractor lens, Type 3 or 5 distribution for general lighting
- 50, 70,100, or 150 watt metal halide, including pulse start
- 50, 70, 100, or 150 watt high pressure sodium
- IL-55 and IL-85 induction lamp system

DESIGNER SSL SERIES FEATURING MICROEMITTER™ TECHNOLOGY

ARCHITECTURAL AREA LIGHTING

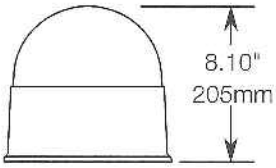
J.24

UCM
MEDIUM SCALE

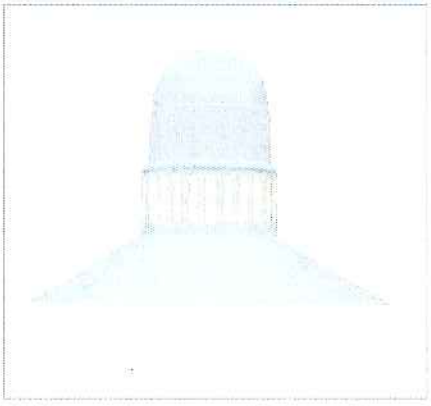
UCM LUM SKB H3

HOW TO ORDER

Start with the Universe Medium head.



1. Select a luminous element if desired
2. Select a hood style
3. Choose the optical assembly for your application
4. Select a lamp/ballast
5. Specify a standard or premium AAL color, RAL color, or custom color (sample color chip required at time of ordering)
6. Choose any desired hood finish
7. Choose any other options
8. Select mounting



UCM VSL STR

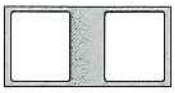
Ordering Examples

LUMINAIRE	LUMINOUS ELEMENT	LAMP HOOD	HOOD OPTICS	BALLAST	COLOR	FINISH	OPTIONS	ARM
UCM	LUM	BEL	T3	60LED-BW	BLK	COP	FLD	SLA20A
UCM	SR	ANG	GR5	50MH	MAL	-	-	WMA8
UCM	VSL	STR	H5	150PSMH	CTR	-	-	PM
UCM	WND	FLR	OAL	IL-85	AWT	STS	-	SLA17

Weight: 34 lbs. **EPA: 1.14** **IP RATING: 65**

1 Luminous Element

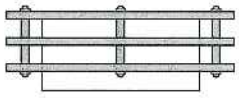
WND 4 WINDOWS



Cast frame with a diffused acrylic lens

8.75"/225mm diameter
4.17"/105mm high

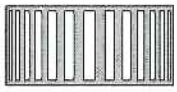
SR SOLID RINGS



Cast rings with a diffused acrylic lens

12"/305mm diameter
4.4"/110mm high

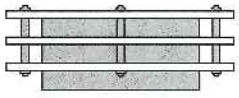
VSL VERTICAL SLOTS



Cast frame with a diffused acrylic lens

8.75"/225mm diameter
4.17"/105mm high

LUM LUMINOUS RINGS



Edge lit acrylic rings with a diffused inner acrylic lens

12"/305mm diameter
4.4"/110mm high

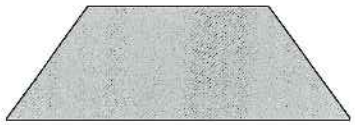
OPTIONAL LUMINOUS RING COLORS

An internal lens can be added for color on the ring edges when illuminated.

BL	BLUE	
RD	RED	
GRN	GREEN	

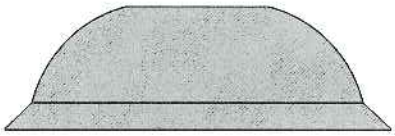
2 Hood

ANG ANGLED HOOD



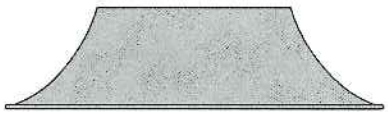
20"/508mm diameter
6.5"/165mm high

BEL BELL HOOD



24"/610mm diameter
8"/205mm high

FLR FLARED HOOD

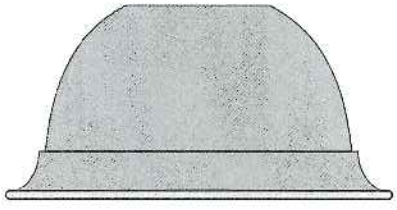


22"/560mm diameter
6"/150mm high

STR STRAIGHT HOOD

24"/610mm diameter
4.5"/115mm high

SKB SKIRTED BELL HOOD

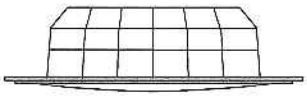


24"/610mm diameter
11.75"/300mm high

3 Optics

Horizontal Reflector

H2	IES Type 2 reflector
H3	IES Type 3 reflector
H4	IES Type 4 reflector
H5	IES Type 5 reflector



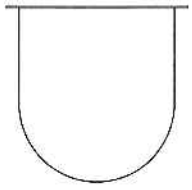
Reflector with cast door and standard sag glass lens

LED

T2	IES Type 2 distribution
T3	IES Type 3 distribution
T4	IES Type 4 distribution
T5	IES Type 5 distribution

Standard sag glass lens

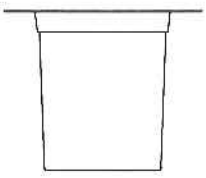
Opal Acrylic Lens - OAL



8"/205mm diameter
9"/230mm high
Maximum 100 watts HID
Not available with LED

Glass Refractor

GR3	Type 3 Glass refractor
GR5	Type 5 Glass refractor



6.5"/165mm diameter
6"/150mm high
Not available with LED

4 Lamp/Ballast

60LED-WW
60 light emitting diode array (70 total luminaire input watts). Warm white (3500K). 120 thru 277 volt.

60LED-BW
60 light emitting diode array (70 total luminaire input watts). Bright white (5100K). 120 thru 277 volt.

PL57
57 watt compact fluorescent 120 thru 277 volt ballast. Use GE F57QBX lamp. -10°C minimum start temp.

50MH
50 watt metal halide 120/208/240/277 volt ballast. Use medium base, ED-17 lamp.

70MH
70 watt metal halide 120/208/240/277 volt ballast. Use medium base, ED-17 lamp.

70MHEB
70 watt electronic metal halide 120 thru 277 volt ballast. Use medium base, ED-17 lamp.

70MHT6
70 watt electronic metal halide 120/277/347 volt ballast. Use G12 base, T-6 ceramic lamp.

70MHT6EB
70 watt metal halide 120 thru 277 volt ballast. Use G12 base, T-6 ceramic lamp.

100MH
100 watt metal halide 120/208/240/277 volt ballast. Use medium base, ED-17 lamp.

100MHEB
100 watt electronic metal halide 120 thru 277 volt ballast. Use medium base, ED-17 lamp.

150MHEB
150 watt electronic metal halide 120 thru 277 volt ballast. Use medium base, ED-17 lamp.

150PSMH
Pulse start 150 watt metal halide 120/208/240/277 volt ballast. Use medium base, ED-17 lamp. **Not for OAL.**

150PSMHT6
Pulse start 150 watt metal halide 120/208/240/277 volt ballast. Use G12 base, T-6 ceramic lamp. **Not for OAL.**

150MHT6EB
150 watt electronic metal halide 120 thru 277 volt ballast. Use G12 base, T-6 ceramic lamp. **Not for OAL.**

175PSMH
Pulse start 175 watt metal halide 120/208/240/277 volt ballast. Use medium base, ED-17 lamp.
For GR3/GR5 only.

50HPS
50 watt high pressure sodium 120/277 volt ballast. Use medium base, ED-17 lamp.

70HPS
70 watt high pressure sodium 120/208/240/277 volt ballast. Use medium base, ED-17 lamp.

100HPS
100 watt high pressure sodium 120/208/240/277 volt ballast. Use medium base, ED-17 lamp.

150HPS
150 watt high pressure sodium 120/208/240/277 volt ballast. Use medium base, ED-17 lamp.
Not for OAL.

IL-55
55 watt induction lamp system with high frequency generator. Specify 120, 208, 240 or 277 volt ballast. -25°C start temp. **OAL only. Less luminous elements.**

IL-85
85 watt induction lamp system with high frequency generator. Specify 120, 208, 240 or 277 volt ballast. -25°C start temp. **OAL only. Less luminous elements.**

All ballasts and LED drivers are factory wired for 277 volts, unless specified. Lamps not included (except IL and LED options). All applicable ballasts are EISA compliant.

5 Color

All standard and premium AAL colors available. For RAL and custom colors, please submit a four-digit RAL number or color chip for custom colors.

6 Hood Finishes

The natural copper and stainless steel hoods are unfinished to develop a patina over time. All hoods have the underside finished in high reflectance white.

STS
Stainless steel

COP
Natural Copper

7 Options

QRS
Restrike controller and T-4 mini-can socket. Not required with electronic ballast. (Lamp wattage not to exceed ballast wattage). Horizontal reflectors only. **Not available with LED.**

QL
Socket for T-4 mini-can lamp, field wired to a separate circuit. (Lamp wattage not to exceed ballast wattage). Horizontal reflectors only. **Not available with LED.**

347
120/240/347 volt ballast for HID lamp/ballast. 347 volt only for 50 watt MH and 50 watt HPS. **Not available with LED.**

SLC
Internal sleeve to block light from the lens when a Luminous Element is chosen.

HSS
House side shield, factory installed.
Not available with Type 5 or LED.

FTG
Flat glass lens instead of standard sag glass. **Reflector and LED models only.**

FLD
Lightly diffused finish on flat glass lens.
Reflector models only. Not available with LED.

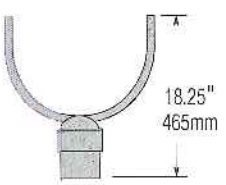
RCK
Rock guard painted black, attached to door frame. **Not for PMR.**

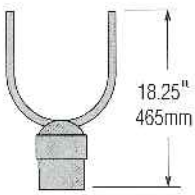
8 Mounting

PM
Post top yoke mount for use with the OAL or GR3/5 optics. Slips over a 4"/100mm pole. Secured with 6 stainless steel set screws.

PMR
Post top yoke mount for use with reflector and LED optics. Slips over a 4"/100mm pole. Secured with 6 stainless steel set screws.

PMS
Pendant mount with 48"/1220 mm and canopy with swivel. Stem and canopy painted to match the fixture.





UCM and UCL

HOUSING

The fixture ballast housing shall be one-piece die-cast aluminum. The luminous elements shall be cast aluminum with an internal lens that is lightly diffused molded acrylic, sealed to the housing and shade with molded silicone gaskets. The hoods shall be heavy gauge spun aluminum with hemmed edges for added rigidity. All internal and external hardware shall be stainless steel

Reflector and UCM LED models–Shall consist of a die-cast aluminum door frame and ring assembly. The hood ring assembly shall be fully sealed with a molded silicone gasket. The door frame shall be hinged to the ring and opened with tool-less, captive fasteners for relamping. The tempered glass lens is held in the door frame with a molded silicone gasket. For UCM standard lens is sag. For UCL standard lens is flat.

Opal acrylic lens (OAL)–The UCM and UCL shall consist of a molded opal acrylic lens and an aluminum frame. Three captive fasteners shall be loosened to turn and remove the lens for relamping. Not available with LED.

Glass Refractor (GR3 and GR5)–*UCM only*. A borosilicate glass refractor lens with a Type 3 or Type 5 distribution shall be attached to an aluminum frame. Three captive fasteners shall be loosened to turn and remove the lens for relamping. Not available with LED.

OPTICAL ASSEMBLY FOR REFLECTORS

The reflector module shall be composed of faceted, semi specular anodized aluminum panels rigidly attached in a die-cast aluminum tray. The reflector shall have tool-less removal and retained by four pressure clips. The reflector tray shall be rotatable on 90° centers for orienting the light distribution. The reflectors shall meet ANSI-IES standards for full cutoff reflector systems.

MICROEMITTER ASSEMBLY FOR UCM LED

Precision injection molded, highly specular reflectors are positioned to achieve directional control toward desired task. Secondary reflectors with a concave, specular medium hammertone finish are used to redirect light downward. No fasteners are placed on the reflective surface. The entire assembly fastens to the housing as a one-piece module and features wiring quick-connects for easy installation. Standard color temperatures are 3500K and 5100K. Other color temperatures available. Please contact factory. MicroEmitters are individually field replaceable.

FULL CUTOFF

The UCM and UCL reflector models, less luminous element, are classified as full cutoff, meaning there is zero light emitted at 90° horizontal or above.

ELECTRICAL

The ballast shall be mounted on a prewired tray with a quick disconnect plug and removed by turning two captive latches. HID ballasts are high power factor, rated for -30°C starting. Electronic ballasts for the UCM (70 or 150 watts) are sound rated A. Sockets are medium base (UCM), G12 for use with T6 lamp (UCM), or mogul base (UCL), pulse rated porcelain. Compact fluorescent sockets for a 26, 32, 42 watt lamp are 4 pin, GX24q-4, with an electronic ballast, -18°C starting. High output fluorescent lamps shall be powered by electronic ballast and shall be rated for a minimum starting temperature of -10 C. Ballasts are wired at the factory for 277 volts, unless specified.

For UCM LED, all electrical components are mounted directly to the driver tray for maximum heat dissipation. 120 thru 277 volt. The LED constant current driver operates at 350mA.

UPGRADE KITS

Field replaceable upgrade kits are available for UCM-H reflector models only. An entire EmitterDeck assembly, including drivers and 20 LED MicroEmitters (60 diodes), is provided. See installation instructions for complete details.

INSTALLATION & MOUNTING

The fixture shall be attached to the arm assembly with three stainless steel bolts. The connection shall be sealed with a silicone compression gasket. The post top (PM) version shall slip over a 4"/100mm pole or tenon, and secured with six stainless steel set screws.

FINISH

Fixture finish consists of a five stage pretreatment regimen with a polymer primer sealer, oven dry off, and top coated with a thermoset super TGIC polyester powder coat finish. The finish shall meet the AAMA 605.2 performance specification which includes passing a 3000 hour salt spray test for corrosion resistance.

CERTIFICATION

The fixture shall be listed with ETL and U.L. for outdoor, wet location use, UL1598 and Canadian CSA Std. C22.2 no. 250. IP=65.

EISA COMPLIANCE

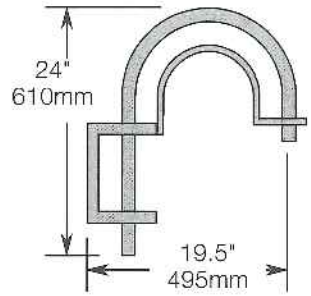
AAL is committed to complying with U.S. EISA requirements. All applicable products manufactured for sale in the United States after January 1, 2009, meet EISA requirements

WARRANTY

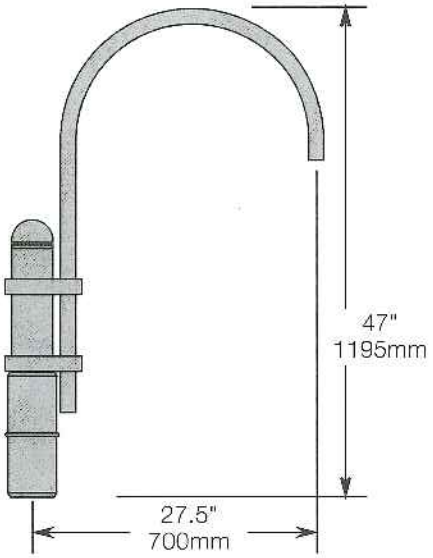
Fixture is warranted for three years, except UCM LED, which carries a 5 year warranty. Ballast components carry the ballast manufacturer's limited warranty. Any unauthorized return, repair, replacement or modification of the Product(s) shall void this warranty. This warranty applies only to the use of the Product(s) as intended by AAL and does not cover any misapplication or misuse of said Product(s), or installation in hazardous or corrosive environments. Contact AAL for complete warranty language, exceptions, and limitations.

J.28

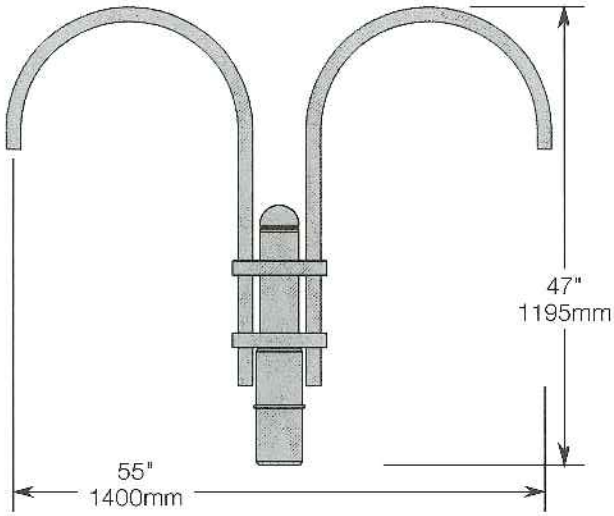
All arms are unitized, one-piece assemblies, prewired at the factory for easy, trouble-free installation.



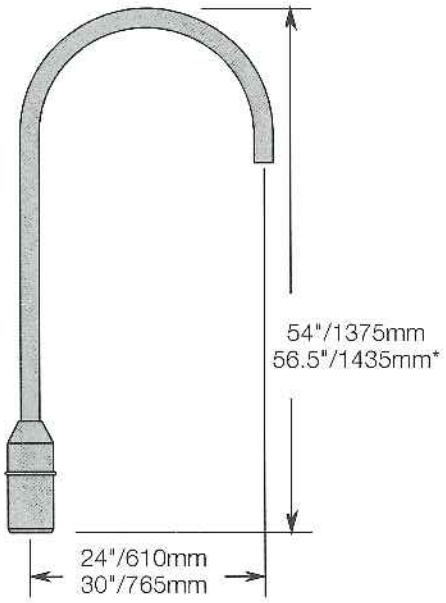
SLA 3 Bolts to 4"/100mm O.D. pole
WT: 8 lbs. EPA: .77



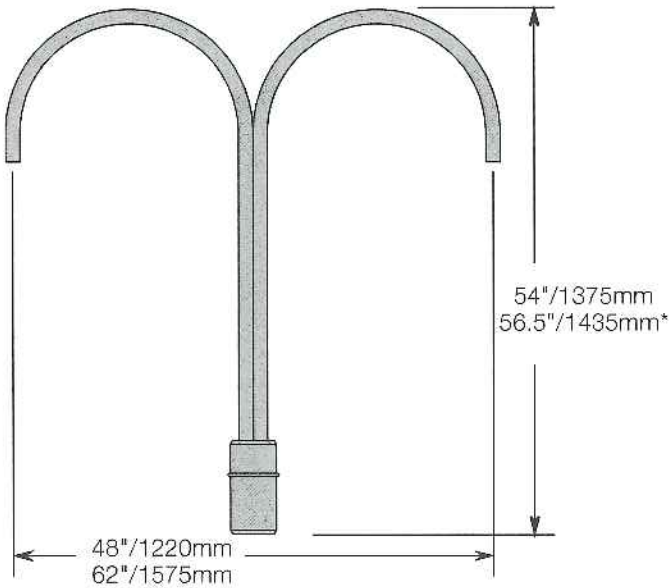
SLA 4 Slips over 4"/100mm O.D. pole.
WT: 14 lbs. EPA: 1.39



SLA 4-2 Twin arms, slips over 4"/100mm O.D. pole.
WT: 26 lbs. EPA: 2.10



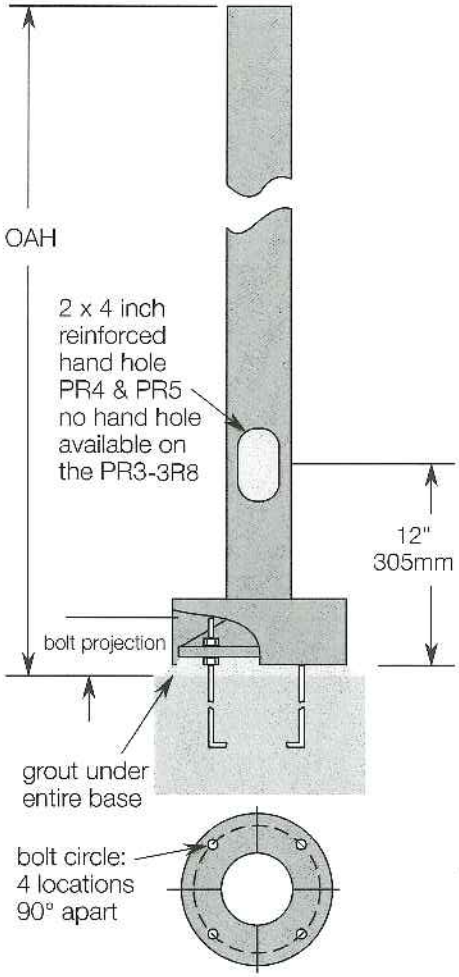
SLA 7 Slips over 4"/100mm O.D. pole.
WT: 9 lbs. EPA: 1.34
*SLA 7(5) Slips over 5"/127mm O.D. pole.
WT: 11 lbs. EPA: 1.73



SLA 7-2 Twin arms, slips over 4"/100mm O.D. pole.
WT: 16 lbs. EPA: 2.34
*SLA 7(5)-2 Twin arms, slips over 5"/127mm O.D. pole.
WT: 18 lbs. EPA: 2.60

J.29

AAL poles feature American made heat strengthened A356 aluminum castings and 6061 T-6 aluminum extrusions. The hand holes on the four and five inch poles are reinforced for maximum strength to withstand loads from luminaires, arms and banners.
The load values are based on the AASHTO wind load standards. The wind speeds are based on 3 second gust speeds (MPH).



WARNING: Fixture must be grounded in accordance with local codes or the National Electric Code. Failure to do so may result in serious personal injury.

CAUTION: Poles should never be erected without the luminaire installed. Warranty is voided if the pole is erected without the luminaire.

Decorative poles are found on page 48-49

NOTE: Adequate drainage must be provided in concrete foundation or in the grout.

3" Round Aluminum Pole for UCS only

CATALOG NO.				WIND SPEED							
BASE	POLE-WALL	WT	OAH	85	90	100	110	120	130	140	150
PR3	3R8-125	15	8'/2.4m	11.9	10.5	8.3	6.7	5.5	4.5	3.7	3.1
PR3	3R10-125	18	10'/3.1m	8.9	7.8	6.1	4.8	3.8	3.1	2.5	2.0

Bolt circle: 7"/180mm
Base diameter: 9"/230mm Bolts .75" X 24 in (19mm X 610mm)
Bolt projection: 3.50"/89mm

4" Round Aluminum Pole

CATALOG NO.				WIND SPEED							
BASE	POLE-WALL	WT	OAH	85	90	100	110	120	130	140	150
PR4	4R10-125	25	10'/3.1m	19.4	17.1	13.5	10.8	8.9	7.4	6.3	5.5
PR4	4R12-125	29	12'/3.7m	15.3	13.4	10.5	8.3	6.7	5.6	4.7	4.0
PR4	4R14-125	33	14'/4.3m	12.3	10.7	8.2	6.3	5.0	4.1	3.4	2.9
PR4	4R16-125	36	16'/4.9m	10.0	8.6	6.4	4.8	3.6	2.9	2.4	2.0
PR4	4R10-226	39	10'/3.1m	23.8	21.0	16.7	13.5	11.1	9.3	8.0	6.9
PR4	4R12-226	47	12'/3.7m	19.2	16.9	13.3	10.6	8.6	7.2	6.1	5.3
PR4	4R14-226	52	14'/4.3m	15.9	13.9	10.8	8.4	6.8	5.6	4.7	4.0
PR4	4R16-226	58	16'/4.9m	12.4	12.3	9.4	7.3	5.7	4.7	4.0	3.3
PR4	4R18-226	64	18'/5.5m	11.7	10.0	7.5	5.6	4.3	3.5	2.9	2.4
PR4	4R20-226	70	20'/6.1m	9.5	8.1	5.9	4.2	3.1	2.4	1.9	1.6

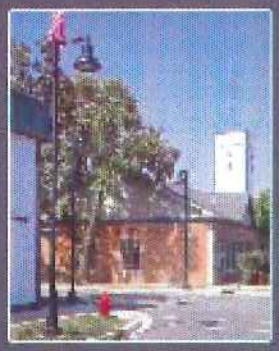
Bolt circle: 7"/180mm
Base diameter: 9"/230mm Bolts .75" X 24 in (19mm X 610mm)
Bolt projection: 3.75"/95mm

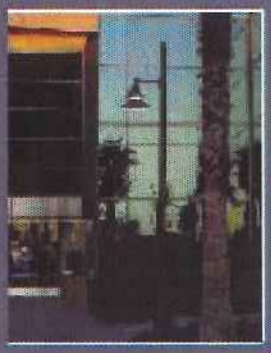
5" Round Aluminum Pole

CATALOG NO.				WIND SPEED							
BASE	POLE-WALL	WT	OAH	85	90	100	110	120	130	140	150
PR5	5R14-188	67	14'/4.3m	32.3	28.5	22.7	18.6	15.5	13.1	11.2	9.6
PR5	5R16-188	74	16'/4.9m	27.3	23.9	19.0	15.5	12.8	10.8	9.2	7.9
PR5	5R18-188	81	18'/5.5m	22.8	19.8	15.6	12.7	10.5	8.8	7.4	6.4
PR5	5R20-188	87	20'/6.1m	18.9	16.4	12.8	10.3	8.5	7.0	5.9	5.0
PR5	5R22-188	93	22'/6.8m	15.8	13.5	10.4	8.3	6.8	5.6	4.7	3.9
PR5	5R24-188	99	24'/7.4m	13.1	11.1	8.4	6.6	5.3	4.3	3.6	3.0
PR5	5R25-188	102	25'/7.7m	11.9	10.0	7.5	5.9	4.7	3.8	3.1	2.5
PR5	5R14-250	82	14'/4.3m	35.7	31.5	25.2	20.6	17.2	14.5	12.4	10.7
PR5	5R16-250	91	16'/4.9m	30.5	26.8	21.3	17.4	14.5	12.2	10.4	9.0
PR5	5R18-250	99	18'/5.5m	25.8	22.5	17.8	14.5	12.0	10.1	8.6	7.3
PR5	5R20-250	108	20'/6.2m	21.8	18.9	14.8	12.0	9.9	8.3	7.0	6.0
PR5	5R22-250	117	22'/6.8m	18.5	15.9	12.4	9.9	8.1	6.7	5.7	4.8
PR5	5R24-250	126	24'/7.4m	15.7	13.4	10.3	8.2	6.6	5.5	4.5	3.8
PR5	5R25-250	131	25'/7.7m	14.5	12.3	9.3	7.4	6.0	4.9	4.0	3.4

Bolt circle: 10"/255mm
Base diameter: 12.5"/320mm
Bolts: .75" X 24" (19mm X 610mm) Bolt projection: 4.75"/120mm

J.30





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Attachment K.1

10. Consistency With Design Standards

As described in other sections of this application, the project is consistent with the general design standards contained in Section 14-526 of the Land Use Ordinance. In addition, there are specific design standards applicable to the B-5b Urban Commercial Zone that are set forth in the City of Portland Design Manual. For convenience and to ensure completeness of this section of the application, the B-5b Zone Design Standards are reproduced below and the applicant's statements regarding consistency follow each section in italics.

Excerpt from City of Portland Design Manual (Adopted May 11, 2010)

(c) B-5b URBAN COMMERCIAL ZONE:

(1) STANDARDS.

a. Shared infrastructure: Shared circulation, parking, and transportation infrastructure shall be provided to the extent practicable, with utilization of joint curb cuts, walkways, service alleys, bus pull-out areas, and related infrastructure shared with abutting lots and roadways. Easements for access for abutting properties and shared internal access points at property lines shall be provided where possible to facilitate present or future sharing of access and infrastructure. ***There will be shared circulation and parking over the former Foundry Lane. There will also be common drainage and sewer infrastructure located within the former roadway.***

b. Buildings and uses shall be located close to the street where practicable. Corner lots shall fill into the corner and shall provide an architectural presence and focus to mark the corner. ***The proposed building will be located within a few feet of the right of way along Commercial Street. New brick sidewalk will be constructed between the building and curb line. This will allow for greater pedestrian access around the site. The lot is at the corner of Commercial and Maple Street. Interest and architectural presence will be given to the corner with the addition of a brick patio with outdoor seating to be used by the proposed restaurant. This patio will be accented with a granite seating wall at the perimeter.***

c. Buildings shall be oriented toward the street and shall include prominent facades with windows and entrances oriented toward the street. Uses that include public access to a building or commercial/office uses in mixed-use developments shall be oriented toward major streets whenever possible. ***The building is oriented toward the street with entrances and facades allowing for pedestrian movement and adding architectural interest. The hotel and restaurant will have entrances on Commercial Street. The restaurant will have and outdoor patio with seating along Maple Street extending to the corner of Commercial Street. The residences will have a separate entrance on Maple Street.***

d. Parking lots shall be located to the maximum extent practicable toward the rear of the property and shall be located along property lines where joint use or combined parking areas with abutting properties are proposed or anticipated. ***The parking lot for the residences and hotel valet will be located behind the building and adjacent to an existing parking lot on Maple Street.***

HISTORIC DISTRICT:

Section 14-651. Standards for review of new construction

(a) Scale and form:

1. Height. In addition to the applicable requirements of articles III, IV and V of this chapter, the proposed height shall be visibly compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines. ***The proposed building is approximately the same height as the Baxter Place building to the immediate North of this site.***

2. Width. The width of a building shall be visually compatible with surrounding structures when viewed from any street or open space and in compliance with any design guidelines. ***The Commercial Street elevation of the proposed building is approximately the same length as the neighboring Baxter Place building.***

3. Proportion of principal facades. The relationship of the width to the height of the principal elevations shall be visually compatible with structures, public ways and open spaces to which it is visually related. ***The proposed building is, as noted above, very similar in scale to the only other building in the immediate vicinity.***

4. Roof shapes. The roof shape of a structure shall be visually compatible with the structures to which it is visually related. ***The proposed building will have a low slope, internally drained roof similar to the Baxter Place building.***

5. Scale of a structure. The size and mass of structures in relation to open spaces, windows, door openings, porches and balconies shall be visually compatible with the structures, public ways and places to which they are visually related. ***The proposed building will be 6 stories in height, the Baxter Place building is 5 ½ stories above street level. The proposed building has large windows and a different wall material at pedestrian level similar to Baxter Place and other commercial structures in downtown Portland. The upper floors have numerous windows spaced according to the use of the interior spaces and a combination of brick and accent materials.***

6. Applicability to Congress Street historic district. In the Congress Street historic district, for new construction within the B3 zone, the historic preservation board shall not impose conditions more restrictive than the dimensional requirements (Sec 14-220) of the B3 zone. ***N/A***

(b) Composition of principal facades:

1. Proportion of openings. The relationship of the width to height of windows and doors shall be visually compatible with structures, public ways and places to which the building is visually related. ***While the windows at the intermediate floors are uniform in size and shape, the windows at the top floor are varied in width to reflect the different spaces at this level.***

2. Rhythm of solids to voids in facades. The relationship of solids to voids in the facade of a structure shall be visually compatible with structures, public ways and places to which it is

visually related. ***The percentage of wall openings as compared to solid wall on the facades is comparable in relationship to the adjacent structures.***

3. Rhythm of entrance porch and other projections. The relationship of entrances and other projections to sidewalks shall be visually compatible with the structures, public ways and places to which they are visually related. ***An entrance "porch" is provided at the main Commercial Street entrance to the hotel with steps and a concealed ramp to street level similar to the entrances at Baxter Place.***

4. Relationship of materials. The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in the structures to which they are visually related. ***As noted above, the predominant façade materials are brick and granite with accent materials as shown on the proposed building elevations.***

5. Signs. Any new sign, and any change in the appearance of an existing sign located on a landmark within an historic district or within an historic landscape district, which is readily visible from any street or open space shall not be incongruous to the historic character of the landmark or district and shall comply with the criteria and guidelines specified in the design manual. ***Signage has yet to be determined but will comply with the applicable regulations***

(c) Relationship to street:

1. Walls of continuity. Facades and site structures, such as masonry walls, fences and landscape masses, shall, when it is a characteristic of the area, form cohesive walls of enclosure along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related. ***The Commercial Street façade of the proposed building aligns closely to the Baxter Place building with regards to relationship to the street.***

2. Rhythm of spacing and structures on streets. The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related. ***The space between the proposed building and Baxter Place is at a minimum to allow traffic flow without a significant separation between the buildings, creating a continuity of the street line of the buildings.***

3. Directional expression of principal elevation. A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or nondirectional character. ***The proposed building continues the overall horizontal character of the adjacent building with vertical accents utilized to provide interest to the façade. Baxter Place uses similar vertical surface treatment to pleasing effect.***

4. Streetscape, pedestrian improvements. Streetscape and pedestrian improvements and any change in the appearance thereof located adjacent to, or on a landmark, within an historic district or within an historic landscape district which is readily visible from any street or open space shall not be incongruous to the historic character of the landmark or district and shall comply with the criteria and guidelines specified in the design manual. ***Street/pedestrian level elements have been designed to provide interest and variety in keeping with neighboring buildings.***

Such elements as planters, benches, trees, and street lighting are planned for the Commercial Street pedestrian ways in front of the building.

(d) Other standards:

1. Compatible uses. Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration to the character-defining features of the structure, object or site and its environment or to use a property for its originally intended purpose. ***The proposed building will add to the character and street life of this section of Commercial Street and reinforce the character of the neighborhood as an important commercial/residential destination.***

2. Distinguishing original character. The distinguishing original qualities or character of a structure, object or site and its environment shall not be destroyed. The alteration of any historic material or distinctive architectural features should be avoided when possible. ***The proposed building will be replacing an existing parking lot.***

3. Archeological resources. Every reasonable effort shall be made to protect and preserve significant archeological resources affected by or adjacent to any project. If resources must be disturbed, mitigation measures shall be undertaken. *N/A*

4. Contemporary design. Contemporary design for additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archeological materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the size, scale, material and character of the property, neighborhood and environment. *N/A*

5. Additions. Wherever possible, new additions to structures and objects shall be undertaken in such a manner that, if such additions were to be removed in the future, the essential form and integrity of the structure would be unimpaired. *N/A*

Attachment L. 1

From: Steve Long <stevel@opechee.com>
To: 'Jean Fraser' <JF@portlandmaine.gov>
Date: 11/2/2012 10:57 AM
Subject: RE: 321 Commercial St- Site Plan Review
Attachments: Parking Lot.pdf

Jean

The attached portion of the tax map, shows the lots intended for use as valet parking. All of the land is owned by J B Brown & Sons.

Let me know if you need additional info.

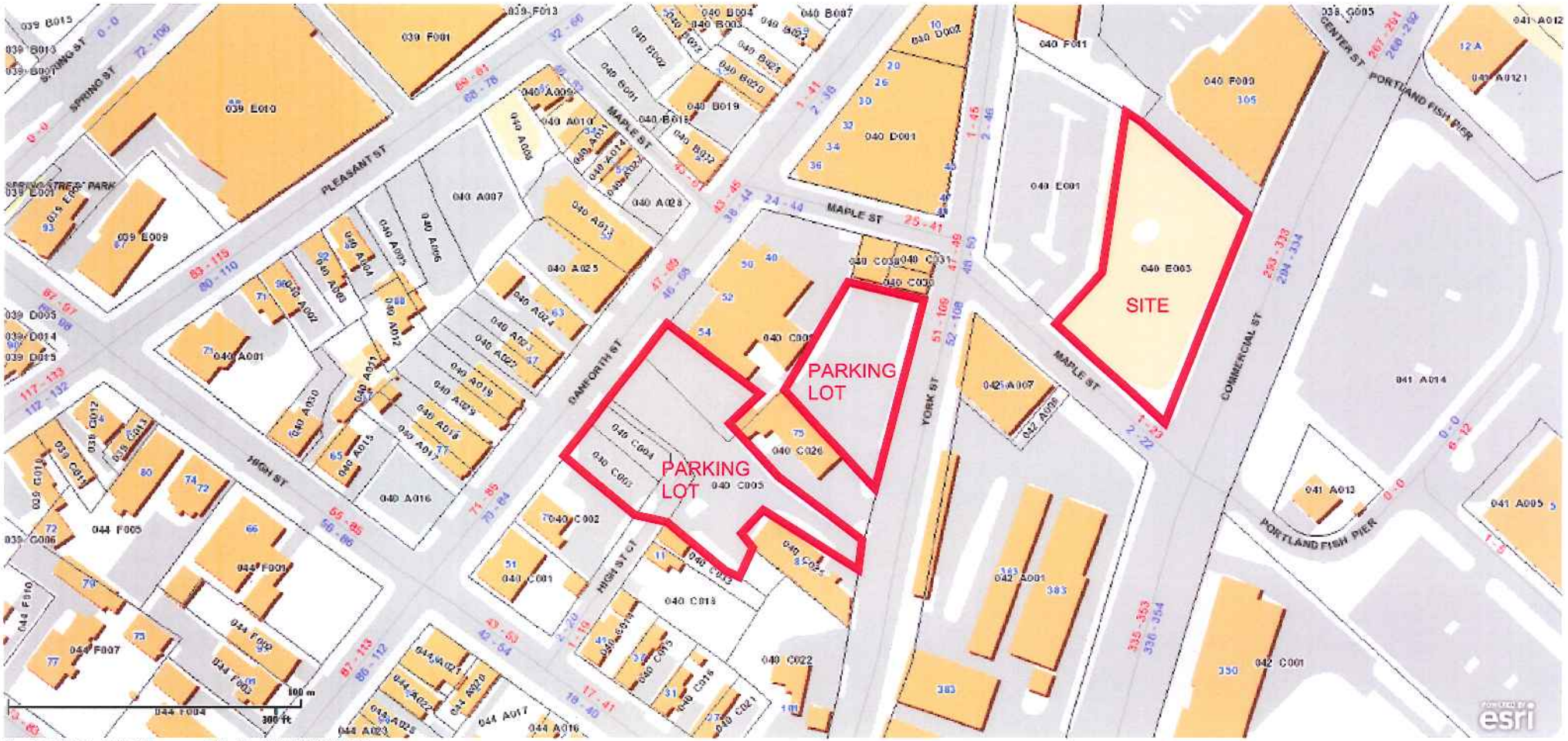
Thanks

Steve Long

[cid:774525214@02112012-1ED6]

Opechee Construction Corporation
11 Corporate Drive
Belmont, NH 03220
P (603) 527-9090
F (603) 527-9191

stevel@opechee.com<mailto:stevel@opechee.com>



with email dated 11.2.2012

L.2

2nd workshop

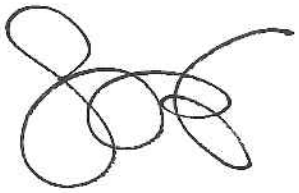
Attachment M.1

Neighborhood Meeting Certification

I, Steve Long of Opechee Construction Corporation, consultant for J B Brown & Sons, hereby certify that a neighborhood meeting was held on November 8, 2012, at 30 Danforth Street, Suite 206, Portland, ME at 5:30 pm.

I also certify that on October 26, 2012, invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed development and the residents on the "interested parties" list.

Signed,



November 14, 2012

Steve Long

Attached to this certification are:

1. Scanned copy of actual invitation sent.
2. Meeting sign-in sheet.
3. Meeting minutes.

M.2

OPECHEE
CONSTRUCTION CORPORATION

October 26, 2012

RE: Neighborhood Meeting Invitation – Discussion of the Commercial & Maple Street Mixed Use Development

Dear Neighbor,

Please join us for a neighborhood meeting to discuss the Commercial & Maple Street Mixed Use Development. This proposal includes a 131 room hotel, 7,000 square feet of restaurant, and 14 residential units. The proposed development is located at the corner of Commercial and Maple Street, on the site of an existing gravel surface parking lot.

Meeting Location:	**Suite 206, 30 Danforth Street, Portland ME 04101**
Meeting Date:	**Thursday, November 8, 2012**
Meeting Time:	**5:30 PM**

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list" be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please call Steve Long at 603-527-9090.

Sincerely,

Steve Long, PE
Project Manager

Note: Under Section 14-32(C) and 14-525 of the City Code of Ordinances, an applicant for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within three weeks of submitting a preliminary application or two weeks of submitting a final site plan application if a preliminary application was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 207-874-8721 or send written comments to the Department of Planning and Development, Planning Division 4th Floor, 389 Congress Street Portland, ME 04101 or by email to: bab@portlandmaine.gov.

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

M.3

Neighborhood Meeting - Commercial & Maple Street Mixed Use Development

Thursday, November 8, 2012 at 5:30 PM - Suite 206, 30 Danforth Street, Portland ME 04101

SIGN-IN SHEET

NAME	STREET ADDRESS	EMAIL
Vin Veroneau	36 Danforth St.	Veroneau@jbromson.com
Emily Ingwersen	350 Commercial St.	Emily@gmri.org
Michael McGuigan	47 West St.	MMcGuigan@Nekton.org
KEITH HEMINGWAY	11 CORPORATE DRIVE, BELMONT, NH	keithh@specker.com
Margaret Brouwer	50 Maple St.	margaret.brouwer@gmail.com
Traky St. Pierre	50 Maple St.	tmstpierre@gmail.com

M.4

Neighborhood Meeting
Commercial & Maple Street Mixed Use Development
November 8, 2012 @ 5:30PM –Suite 206, 30 Danforth Street, Portland

Vin Veroneau of J.B. Brown & Sons provided an overview of the 321 Commercial Street project explaining that the project will consist of a 131-room hotel, 14 residential units, a 7,000+sf retail space, and limited on-site parking. The hotel will valet parkers to lots owned by J.B. Brown in the area. The project will also eliminate a curb cut on Commercial Street by sharing an access to the site with the Baxter Place via land they own at the former Foundry Lane. A curb cut on Maple Street will be relocated further away from the intersection of Commercial Street. Keith Hemingway, an architect with Opechee Construction attended and was available to answer questions on the building design.

- **Is the project approved?** Not yet, we had a Historic Preservation meeting last evening and a Planning Board workshop next week, so we are at the beginning of the municipal approval process. Our goal is to have approvals in January and begin construction in order to meet a May/June 2014 opening date.
- **What is the pedestrian access?** There will be sidewalks reconstructed on Commercial and Maple. A sidewalk will be added in the upper section of Maple Street currently without a sidewalk. Pedestrian access will also be provided on the former Foundry Lane.

- **Will there be a crosswalk across Commercial Street?** Yes, we are not sure at this point whether it will cross from the west side or east side of Maple Street.

- **Will you build parking?** We will have limited on-site parking for the hotel and one space for each residential unit. The balance of the hotel parking will be valeted to lots J.B. Brown owns on York Street.

- **Do hotels usually have parking garages?** In downtown Portland, most new hotels valet park.

- **How will the traffic flow?** We assume guests will enter at Foundry Lane and their cars will be valeted to York Street via Maple Street.

- **Will there be any improvements to the intersection of York & Maple because the alignment of the upper and lower sections of Maple Street is a straight shot?** We have not planned to make changes to that intersection and I do not believe the traffic study will warrant changes, but that is a municipal decision.

M.5

- **Who is the contractor**? Opechee Construction.

- **Is this J.B. Brown's first new building development?** No, historically the company has built many buildings in Portland. Recently, the company constructed a retail/office project in Falmouth, an office building on Washington Ave, and an office building in South Portland.

- **General comments:**
  This looks like a great development and a nice improvement to the area.

  I like the building design.

  I am concerned that the displaced parkers on your lots plus the hotel parking will create a stress on on-street parking in the neighborhood.

  I have concerns that Opechee does not use union labor and feel that as a result they deliver an inferior product. I believe labor union contactors are better trained and receive better benefits. I cannot support the project because sub-contractors are non-union, but would support the project if union sub-contractors are used.

Attachment N.1

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Public Services Department
Michael J. Bobinsky, Director

11 December 2012
REVISED, CORRECTED LETTER

Mr. Steve Long, P.E.,
Civil Engineer,
Opechee Construction Corporation,
11 Corporate Drive,
Belmont, New Hampshire 03220

RE: The Capacity to Handle Additional Wastewater Flows, from the Proposed "Courtyard by Marriott" Hotel, at 311 Commercial Street.

Dear Mr. Long:

This revised and corrected capacity letter supercedes the original capacity letter issued 4 December 2012. The existing seventeen-inch brick sewer pipe, located upstream, of the manhole, in Foundry Lane, before Commercial Street, or the eighteen-inch vitrified clay sewer pipe, located downstream, of the manhole, in Foundry Lane, before Commercial Street, has adequate capacity to **transport,** while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat,** the total anticipated net increase in wastewater flows of **37,850 GPD**, from the proposed hotel.

The City combined sewer overflow (C.S.O.) abatement consent agreement (with the U.S.E.P.A., and with the Maine D.E.P.) requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects. If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank Brancely

Frank J. Brancely, B.A., M.A.
Senior Engineering Technician

FJB

C:\Frank's\Capacity Letters\Commercial Street 311
O:\Engshare\FJB\Capacity Letters\Commercial Street 311

N. 2

Anticipated Wastewater Flows from

The Proposed Restaurant:		
158 Proposed Three-Meal-Restaurant Seats @ 45 GPD/Seat	=	7,110 GPD
78 Proposed Lounge-Bar Seats @ 20 GPD/Seat	=	1,560 GPD
17 Proposed Employees @ 15 GPD/Employee	=	255 GPD
The Proposed Residential Units:		
7 Proposed Two-Bedroom Units @ 180 GPD/Unit	=	1,260 GPD
7 Proposed One-Bedroom Units @ 120 GPD/Unit	=	840 GPD
The Proposed Hotel:		
3 Proposed Single Bed Hotel Rooms @ 100 GPD/Hotel Room	=	300 GPD
50 Proposed Single Bed Hotel Rooms with Pullout Sofa @ 200 GPD/Hotel Room	=	10,000 GPD
71 Proposed Double Bed Hotel Rooms @ 200 GPD/Hotel Room	=	14,200 GPD
7 Proposed Double Bed Hotel Rooms with Pullout Sofa @ 300 GPD/Hotel Room	=	2,100 GPD
15 Proposed Employees @ 15 GPD/Employee	=	225 GPD
Total Design Wastewater Flow, for Proposed Hotel, etc., Project:	=	**37,850 GPD**

CC: Jeffrey Levine, Director, Department of Planning, and Urban Development, City of Portland
Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland
Jean Fraser, Planner, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
John Emerson, Wastewater Coordinator, City of Portland
Rhonda Zazzara, Field Inspection Coordinator, City of Portland
Jane Ward, Administrative Assistant, City of Portland

Attachment O.1

Draft
Received in
Pl. DW. 12.5.2012.

DECLARATION OF CONDOMINIUM

FOR THE

321 COMMERCIAL STREET CONDOMINIUM

PORTLAND, CUMBERLAND COUNTY, MAINE

DECLARANT:

J.B. BROWN & SONS

0.2

DECLARATION OF CONDOMINIUM
FOR THE
321 COMMERCIAL STREET CONDOMINIUM

THIS DECLARATION OF CONDOMINIUM is made as of the ___ day of _____, 201_, by J.B. BROWN & SONS, a Maine corporation, with a business address of 36 Danforth Street, Portland, Maine 04101 (the "Declarant"), for itself, its successors and assigns.

BACKGROUND

Declarant is the owner of that certain real property consisting of a parcel of land situated at or near 321 Commercial Street in Portland, Cumberland County, Maine, and more particularly described in Exhibit " A" attached hereto and made a part hereof (the "Real Estate"). Declarant intends to develop the Real Estate as shown on the Plats and Plans (as hereinafter defined) as a mixed-use condominium to be known as the "321 Commercial Street Condominium". Declarant is recording this Declaration to create a condominium with respect to the Real Estate and the improvements constructed and to be constructed thereon pursuant to the Maine Condominium Act, 33 M.R.S.A. §§ 1601-101, *et seq.* (the "Act"), subject to all the terms and conditions hereof.

WITNESSETH:

NOW, THEREFORE, the Declarant hereby declares and covenants, for itself and its successors and assigns, that the Real Estate and all buildings and improvements now or hereafter constructed thereon are and shall be held, transferred, sold, conveyed, divided, subdivided, used, occupied, improved, and encumbered under and subject to the covenants, restrictions, charges, liabilities, liens, easements and conditions set forth in this Declaration, all of which shall run with the Real Estate and each of the Units (as hereinafter defined), and all buildings and other improvements now or hereafter constructed thereon, as follows:

ARTICLE I - DEFINITIONS; CONSTRUCTION AND INTERPRETATION

1.01 Act Definitions and Section References. Capitalized terms used herein that are defined in the Act shall have the meanings ascribed to them in the Act. Terms that are defined in the Act and that are also defined herein shall have the general meanings ascribed to them in the Act and, in addition, the specific meanings ascribed to them in this Declaration.

1.02 Defined Terms. Supplementing the terms defined in the Act and elsewhere in this Declaration, the following terms, when used herein, shall have the meanings ascribed to them in this Section 1.02:

"Act" - the Maine Condominium Act, 33 M.R.S.A. §§ 1601-101, *et seq.*, as amended from time to time, or any successor statute governing condominiums in the State of Maine.

"Assessments" - amounts levied or assessed by the Association against the Units from time to time, pursuant to this Declaration and the Act, including (without limitation) Assessments for General Common Expenses, Limited Common Expenses (to the extent provided herein), Special Assessments and amounts assessed as a special allocation of Common Expenses pursuant to the Act. The term "Assessments" also includes amounts levied and assessed as fines, late charges, collection costs and attorneys' fees pursuant to any of the Condominium Documents.

"Association" - the "321 Commercial Street Condominium Owners Association", which shall be a Maine non-profit corporation and shall be organized on or before the date the first Unit is transferred to a Unit Owner other than Declarant.

"Board" or "Executive Board" - the Executive Board of the Association to be appointed by the Unit Owners pursuant to Article 3 of the Act, this Declaration and the Bylaws.

"Building" - the building to be built on the Real Estate that will contain the Units, as well as certain Common Elements.

"Bylaws" - the Bylaws of the Association as amended from time to time. The Bylaws shall bind the Association and all Unit Owners whether or not they are recorded.

"Common Elements" - the Common Elements of the Condominium, as defined in the Act, this Declaration and on the Plats and Plans.

"Common Expense Liability" - the liability appurtenant to each Unit to pay the share of the Common Expenses and Assessments that is allocated to such Unit under this Declaration and the Act.

"Common Expenses" - either General Common Expenses or Limited Common Expenses, as applicable under the circumstances.

"Condominium" - the condominium created hereby, known as the "321 Commercial Street Condominium".

"Condominium Documents" - this Declaration, the Plats and Plans, the Bylaws, and the Regulations (each as the same may be amended from time to time) or whichever of them apply to a particular circumstance, as the context requires.

"Declarant" - the Declarant originally named herein and any successor to Special Declarant Rights (as hereinafter defined).

0.4

"Declaration" - this Declaration together with the Plats and Plans, as amended from time to time. The Plats and Plans are a part of this Declaration, and any reference to this Declaration shall be deemed to include reference to any applicable part of the Plats and Plans, as they may be amended from time to time. Words such as "herein", "hereof" and "hereto" refer to this Declaration in its entirety unless the context otherwise clearly requires.

"Director" - a member of the Executive Board.

"Executive Board" or "Board" - the Executive Board of the Association to be appointed by the Unit Owners pursuant to Article 3 of the Act, this Declaration and the Bylaws.

"General Common Expenses" - the actual and estimated expenses incurred from time to time for the general benefit of the Association and all Unit Owners, including but not limited to (i) general overhead, administrative and operating expenses of the Association including common utility expenses, if any, (ii) taxes or other governmental charges levied or assessed against the Association or its property under any federal, state, local or municipal tax law, regulation or ordinance, (iii) premiums for insurance and bonds carried by the Association, (iv) the costs of maintaining, managing, insuring and repairing the Common Elements, including the Limited Common Elements, and making any necessary replacements thereto or thereof (except to the extent this Declaration specifies that such costs are the responsibility of one or more of the Unit Owners), (v) amounts set aside or budgeted to be set aside as operating and capital reserves, (vi) expenses of prosecuting or defending any litigation or other proceedings by, against or affecting the Association, the Unit Owners, the Real Estate or any of the Units which the Association may bring, defend or otherwise participate in pursuant to this Declaration, including (without limitation) the expenses of enforcing or attempting to enforce the Condominium Documents, (vii) the fees or other compensation payable to any manager or management company that may be engaged by the Association to assist the Association in managing, operating or administering the Association or the Common Elements, (viii) the compensation, benefits and other expense of employees of the Association, and (ix) all other expenses and liabilities incurred or that may be incurred by the Association in carrying out or performing its rights, duties and functions, other than those expenses (if any) associated with the maintenance, repair or replacement of Limited Common Elements that are required to be separately accounted for and charged as Limited Common Expenses pursuant to this Declaration.

"Limited Common Element" - a part of the Common Elements that is allocated for the exclusive use or benefit of one or more, but fewer than all, of the Units, pursuant to the Act or this Declaration.

"Limited Common Expenses" - the expenses of maintaining, repairing, insuring and/or replacing any Limited Common Element, to the extent this

0.5

Declaration specifies that such expenses will be segregated from General Common Expenses and charged as Limited Common Expenses.

"Member"- a Unit Owner in his, her or its capacity as a member of the Association.

"Owner" - the owner(s) of a Unit (including the Declarant with respect to Units that it owns) other than a Person holding such title solely as security for an obligation.

"Percentage Interest" - the undivided percentage interest in Common Elements appurtenant to each Unit, as shown on Exhibit "D" attached hereto and made a part hereof. A Unit's Percentage Interest is the same as the percentage of Common Expense Liability allocated to that Unit. The Percentage Interest for each Unit is calculated based on the following formula: a ratio of the percentage of the approximate gross floor area square footage of one Unit compared to the approximate gross floor area square footage of all Units (i.e., a 1,000 square foot Unit out of a total of 100,000 square feet of units equals a 1% Percentage Interest allocated to that Unit). If any Unit should be added to or withdrawn from the Condominium, then the Percentage Interest of each Unit shall be recalculated based on the foregoing formula. Additionally, the Percentage Interests shown on Exhibit "D" may be revised by the Declarant subsequent to construction based upon as-built measurements, provided that in the absence of manifest error in such revisions and/or measurements, no Unit Owner shall have the right to compel or require as-built measurements and all such determinations of Percentage Interest by the Declarant shall be conclusive upon all Unit Owners.

"Person" - a natural person, corporation, limited liability company, partnership, trust or any other legal entity, existing by statute, contract or common law.

"Plats and Plans" - the site plans depicting the Condominium and the development of the Real Estate, and the buildings and improvements constructed or proposed to be constructed thereon pursuant to Section 1602-109 of the Act, attached hereto as, or identified on, Exhibit "C" attached hereto and made a part hereof, as they may be amended from time to time.

"Real Estate" - the land described on Exhibit "A" attached hereto and made a part hereof and on the Plats, together with all improvements now or hereafter constructed thereon, and all easements, rights and privileges appurtenant thereto, except for any such easements, rights and privileges appurtenant thereto as may be specifically excluded therefrom in said Exhibit A.

"Regulations" - the rules, regulations and policies adopted by the Executive Board from time to time regulating the Unit Owners' use and enjoyment of the Common Elements and the Units.

"Special Assessment" - an Assessment levied by the Executive Board, in excess of the regular Common Expense Assessment, against some or all of the Units for any purpose permitted by this Declaration, including without limitation (i) an Assessment to pay the costs of unanticipated repairs to or replacement of any Common Elements, and (ii) an assessment levied against one or more (but less than all) Units to recover the costs of repairing damages to the Common Elements caused by the resident(s) or occupants of such Units.

"Special Declarant Rights" - has the meaning given to such term in the Act and includes, without limitation, any rights reserved by Declarant hereunder to (i) complete the improvements shown on the Plats and Plans, (ii) maintain offices, signs and models, (iii) use easements through the Common Elements for the purpose of making improvements within the Real Estate, (iv) convert a Unit into Common Elements, or into two (2) or more Units and Common Elements, or change the boundary lines between Units and/or between Units and Common Elements, and (v) exercise any other rights of the Declarant constituting "Special Declarant Rights" under the Act, whether or not expressly designated as such in this Declaration.

"Sub-Association" - the unit owners' association of a Sub-Condominium. A Sub-Association shall be considered to be the agent of the Sub-Unit Owners within any Sub-Condominium with respect to matters under this Declaration and the Association and the other Unit Owners are authorized to deal with such Sub-Association as if it were the Unit Owner of the Unit in which the Sub-Condominium is created.

"Sub-Association Board" - the Executive Board of a Sub-Association.

"Sub-Condominium" - any Unit of this Condominium that is itself declared a condominium. It is anticipated that the Declarant or a subsequent Owner of the Residence Unit may, in its sole discretion, declare a Sub-Condominium of the Residence Unit.

"Sub-Unit" – a Unit in a Sub-Condominium.

"Sub-Unit Owner" – the owner of a Sub-Unit.

"Supplemental Declaration" - a supplement or amendment to this Declaration recorded pursuant to the Act and Article X of this Declaration by the Declarant for the purpose of exercising the Declarant's right to subdivide Units owned by the Declarant, or for any other purpose in order for the Declarant to exercise any of the rights described in Section 1601-103(25), Section 1602-105(a)(7) and (8), Section 1602-109(f), Section 1602-110, Section 1602-108 and Section 1602-113 of the Act, to the extent such rights have been reserved hereby.

"Unit" - a physical portion of the Condominium designated for separate ownership or occupancy, as described on the Plats and Plans, together with

the Unit's appurtenant Percentage Interest in Common Elements, Limited Common Elements, voting rights and Common Expense Liability.

"Unit Owner" - the owner(s) of a Unit (including the Declarant with respect to Units that it owns) other than a Person holding such title solely as security for an obligation. If a Sub-Condominium is created within a Unit as permitted under this Declaration, the Sub-Association for that Sub-Condominium may be treated as the Unit Owner of the Unit for all purposes under this Declaration and the Bylaws.

1.03 Number and Gender. Wherever any provision of this Declaration refers to the singular, it shall be deemed to include the plural whenever necessary or appropriate to give effect to such provision; and the use of any gender includes any other gender.

1.04 Construction. If there is a conflict or inconsistency between this Declaration and the Bylaws, this Declaration shall control (unless contrary to the Act). If there is a conflict or inconsistency between the Declaration or the Bylaws, on the one hand, and the Regulations, on the other hand, the Declaration or the Bylaws, as applicable, shall control (unless contrary to the Act). If there is any conflict between the Condominium Documents and the Act, the Condominium Documents shall control to the maximum extent allowed by law.

ARTICLE II - SUBMISSION OF REAL ESTATE TO ACT; UNIT BOUNDARIES; APPLICABILITY OF DECLARATION

2.01 Name and Location of Condominium. The Condominium shall be known as the "321 Commercial Street Condominium". The Condominium is located in Portland, Cumberland County, Maine. The Condominium consists of the Real Estate, together with the improvements constructed and to be constructed thereon, subject to the Act and the terms and conditions of this Declaration.

2.02 Submission to Act; Applicability of Condominium Documents. The Declarant hereby creates a condominium with respect to the Real Estate pursuant to the Act, subject to this Declaration. All present and future Unit Owners, and their respective tenants, subtenants, family members, invitees, agents, servants, employees and any other Persons occupying or using any Unit or the Common Elements, shall be bound by the Condominium Documents. Any mortgage or other lien encumbering a Unit that is recorded after the recording of this Declaration shall be under and subject to this Declaration.

All present and future Unit Owners, Sub-Unit Owners, tenants and occupants of Units shall be subject to and shall comply with the provisions of the Act, this Declaration, the Bylaws, and the Regulations, as these instruments and statutes may be amended and/or restated from time to time. The acceptance of a deed or conveyance, or the entering into of a lease, or the entering into occupancy of any Unit shall constitute an acceptance by such owner, tenant or occupant of the provisions of such instruments

as they may from time to time be amended and/or restated. The provisions contained in such instruments shall be covenants running with the land and shall bind any person having at any time any interest or estate in such Unit, as though such provisions were recited and fully stipulated in each deed, conveyance or lease thereof.

2.03 Easements, Etc. The Condominium is on the date hereof subject to and benefitted by those recorded easements and other matters of record identified on Exhibits "A" and/or "B" attached hereto and made a part hereof, and to those other easements, notes, conditions and restrictions as are set forth herein, on the Plats and Plans, and on the approved and recorded subdivision plan of the Real Estate.

ARTICLE III - THE UNITS

3.01 Number of Units. The Condominium consists of three (3) Units comprising: (i) the Hotel Unit; (ii) the Retail Unit, and (iii) the Residence Unit, which Units are hereby created by the Declarant by the recordation of this Declaration.

3.02 Unit Boundaries. The boundaries of each Unit are shown on the Plats and Plans and generally consist of the space(s) within the following boundaries:

(a) Upper and Lower Horizontal Boundaries. The upper and lower boundaries of each Unit shall be the following, extended to an intersection with the lateral boundaries of such Unit:

(i) The upper boundary shall be the ceiling of the Unit (as further set forth in Section 1602-102(1) of the Act); and

(ii) The lower boundary shall be the floor of the Unit (as further set forth in Section 1602-102(1) of the Act).

(b) Lateral Boundaries. The lateral or vertical boundaries shall be (i) the perimeter walls of the Unit (as further set forth in Section 1602-102(1) of the Act), extended to intersections with each other, and with the upper and lower boundaries as described in Section 3.02(a) above, which do not separate the Unit from any other Unit, and (ii) the center line of party walls which separate the Unit from any other Unit(s), and (iii) the exterior surface of windows and doors that enclose such space and separate the interior space of the Unit from any adjoining Unit or Common Elements or any space outside of the Building, including such windows and doors, window and door frames and window and door hardware.

(c) Included Spaces. Each Unit shall include the items within the boundaries as described in Sections 1602-102(1) and (3) of the Act and shall have the benefit of the use of all Limited Common Elements described in Section 1602-102 of the Act, or designated on the Plats and Plans or herein as being allocated to such Unit.

3.03 Contents of Unit; Noncontiguous Parts of a Unit.

(a) Each Unit shall include all spaces and improvements lying within its boundaries described in Section 3.02 hereof and on the Plats and Plans, including (i) all walls, partitions and dividers wholly within such boundary lines (but excluding any wires, ducts, cables, conduits or other facilities contained within such walls or partitions that do not serve that Unit exclusively), (ii) all wall board, plaster board, paneling, wallpaper, paint, tile, carpeting, wood flooring and other materials constituting the finished surfaces of walls, floors or ceilings, (iii) all plumbing and plumbing fixtures, kitchen equipment, exhaust fans, and all lighting fixtures, electrical outlets and receptacles and wiring systems that are located wholly within the Unit boundaries to the extent they serve only that Unit, as well as the heating and cooling systems that serve that Unit exclusively, and the grilles and registers covering air ducts, (iv) all doors and passages located wholly within the Unit boundaries or that form such boundaries, and all windows and window glass, frames, assemblies, handles, locks and hardware associated therewith. In addition, each Unit includes the following, even though located partly or entirely outside the boundaries of the Unit as described in Section 3.02 hereof: (1) any heat pump, heating/ventilation/air-conditioning ("HVAC") unit, hot water tank or similar appliance or equipment, and its accessory components, wiring, plumbing, ductwork and piping, that serve only that Unit, and (2) the spaces (and improvements and facilities within the spaces) containing electrical switches, wiring, pipes, ducts, conduits, smoke detector or security systems and communications, telephone, television, computer and electrical receptacles and boxes serving that Unit exclusively, the surface of the foregoing being the boundaries of such Unit whether or not such spaces are contiguous.

(b) Unless specifically included by other provisions hereof, the following are excluded from each Unit: (i) the spaces and improvements lying outside the Unit boundaries described in Section 3.02 hereof, (ii) all chutes, pipes, flues, ducts, wires, conduits, plumbing, electrical and other facilities running through, along or within any interior wall or partition, or otherwise within the space(s) defined by the boundaries described in Section 3.02, that serve other Units and/or the Common Elements, and (iii) any foundations, structural supports, structural columns or any other parts of systems, services or utilities serving multiple Units or other parts of the Real Estate.

3.04 Maintenance of Units. Each Unit Owner is solely responsible for the maintenance, repair or replacement of his, her or its Unit, the improvements within and components and equipment that are part of the Unit, and all contents thereof, whether real property, personal property or mixed including, but not limited to, all appliances, doors, windows, interior partitions and walls, HVAC equipment, hot water heater, heat pump, ducts, lighting fixtures, floor coverings, wall coverings, wall board and plumbing, kitchen and bathroom fixtures and appliances.

3.05 Identifying Names. The identifying names of the Units are as shown on the Plats and Plans and on Exhibit "D" attached hereto and made a part hereof.

0.10

3.06 Ownership Interest in Common Elements; Conveyance of Unit. In addition to owning his, her or its Unit, each Unit Owner shall also own that Unit's undivided Percentage Interest in Common Elements and the interest in Limited Common Elements allocated to such Unit. Except as otherwise provided by the Act, each Unit, together with its undivided interest in Common Elements and allocated Limited Common Elements, constitutes a separate parcel of real estate for all purposes. Conveyance of a Unit automatically includes the Percentage Interest in Common Elements, voting rights, Common Expense Liability and the right to any Limited Common Elements allocated to that Unit hereunder. Neither membership in the Association nor the Percentage Interest in Common Elements and the Limited Common Elements allocated to a Unit may be conveyed, encumbered, assigned or otherwise transferred in any manner except by conveyance of the Unit to which such rights are appurtenant. Any other transfer or attempted transfer thereof by a Unit Owner is void.

3.07 Subdivision of the Units.

(a) The Hotel Unit Owner shall have the right, without the consent or approval of the Executive Board or the other Unit Owners, to subdivide the Hotel Unit into two or more Units and associated Common Elements or Limited Common Elements. In the event of such subdivision, the Hotel Unit Owner shall, at its expense, execute and record an amendment to this Declaration, including an amendment to the Plats and Plans, as necessary. In connection therewith, the Hotel Unit Owner shall allocate the Percentage Interest, Common Expense Liability, Limited Common Elements, voting rights (as set forth in Section 5.03(a) hereof) and right to designate a Director (as set forth in Section 5.04(b) hereof) allocable to the Hotel Unit (provided that the aggregate Percentage Interest in Common Elements and Common Expense Liability appurtenant to the Units resulting from the subdivision is not less than the Percentage Interest and Common Expense Liability appurtenant to the Hotel Unit before such subdivision; and provided that the voting rights and right to designate a Director appurtenant to the Units resulting from the subdivision is not more than the voting rights and right to designate a Director appurtenant to the Hotel Unit before such subdivision). Such reallocation shall be made by the amendment to the Declaration recorded by the Hotel Unit Owner pursuant to this Section.

(b) The Retail Unit Owner shall have the right, without the consent or approval of the Executive Board or the other Unit Owners, to subdivide the Retail Unit into two or more Units and associated Common Elements or Limited Common Elements. In the event of such subdivision, the Retail Unit Owner shall, at its expense, execute and record an amendment to this Declaration, including an amendment to the Plats and Plans, as necessary. In connection therewith, the Retail Unit Owner shall allocate the Percentage Interest, Common Expense Liability, Limited Common Elements, voting rights (as set forth in Section 5.03(a) hereof) and right to designate a Director (as set forth in Section 5.04(b) hereof) allocable to the Retail Unit (provided that the aggregate Percentage Interest in Common Elements and Common Expense Liability appurtenant to the Units resulting from the subdivision is not less than

the Percentage Interest and Common Expense Liability appurtenant to the Retail Unit before such subdivision; and provided that the voting rights and right to designate a Director appurtenant to the Units resulting from the subdivision is not more than the voting rights and right to designate a Director appurtenant to the Retail Unit before such subdivision). Such reallocation shall be made by the amendment to the Declaration recorded by the Retail Unit Owner pursuant to this Section.

(c) A Unit Owner other than the Hotel Unit Owner or the Retail Unit Owner may not subdivide Units without the approval of the Executive Board, which may be granted or withheld in its sole and unfettered discretion. Provided, however, that this limitation shall not be deemed to prohibit or limit the right of the Residence Unit Owner to declare the Residence Unit a Sub-Condominium comprised of not more than twelve (12) Sub-Units as permitted under this Declaration.

3.08 Relocation of Boundaries Between Adjoining Units. Any Unit Owner shall have the right, without the consent of the Executive Board or the other Unit Owners, to relocate boundaries between adjoining Units that it owns. If a Unit Owner does so, the Unit Owner shall execute and record, at its expense, an amendment to this Declaration and an amendment to the Plats and Plans. In connection therewith, the Unit Owner shall reallocate the Percentage Interest, Common Expense Liability and Limited Common Elements allocable to those Units (provided that the aggregate Percentage Interest in Common Elements and Common Expense Liability after such relocation is not less than the sum of the Percentage Interests and Common Expense Liability appurtenant to the affected Units before such relocation). Such reallocation shall be made by the amendment to the Declaration recorded by the Unit Owner pursuant to this Section.

3.09 Sub-Condominiums. No Unit Owner other than the Owner of the Residence Unit and the Owner of the Hotel Unit may declare such Unit Owner's Unit to be a Sub-Condominium. It is anticipated that the Declarant, or a successor to the Declarant, will initially create a Sub-Condominium of the Residence Unit to comprise not more than twelve (12) Sub-Units (hereinafter referred to as the "Residence Unit Sub-Condominium") provided, however, that the Declarant, or any successor to the Declarant, shall not be obligated to do so.

ARTICLE IV - DESCRIPTION OF COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

4.01 Common Elements. The Common Elements consist of all parts of the Real Estate and improvements thereon other than the Units and those improvements or facilities (if any) conveyed to or owned by any public or private utilities or other entities furnishing utility service to the Condominium. Without limiting the generality of the preceding, unless otherwise provided in this Declaration or designated on the Plat and Plans, Common Elements include, without limitation, any and all exterior portions of the Building, including the roof, structural components and common utility systems of or serving the Building and not included within the boundaries of Units, any and all portions of the Real Estate that are dedicated to or made available for public

access, and otherwise all portions of the Real Estate not included within the boundaries of the Units themselves.

4.02 Limited Common Elements-Generally. In addition to Limited Common Elements elsewhere described in this Declaration, including on the Plats and Plans, and/or those designated as Limited Common Elements pursuant to the Act, the following are Limited Common Elements, assigned and allocated to the Units as provided below:

(a) Pipes, ducts, wires, cables, conduits or other installations for services and utilities located outside the boundaries of, but serving only a particular Unit, are Limited Common Elements allocated only to that Unit (except for such that are part of the Unit as defined in Section 3.03(a)).

(b) Individual utility meters located outside the boundaries of a Unit but serving only a single Unit are Limited Common Elements allocated only to such Unit, unless owned by the applicable utility service provider.

(a) Limited Common Elements of the type described in this Section 4.02 shall automatically be allocated as Limited Common Elements for the exclusive use and benefits of the Unit(s) they are designed and constructed to serve, or to which they are allocated as provided herein, without any further action or document required, whether or not such Limited Common Elements are expressly so designated on the Plats and Plans.

4.03 Other Limited Common Elements.

(a) Retail Patio Area. The area designated "Patio Retail Unit LCE" on the Plats and Plans shall be allocated as a Limited Common Element appurtenant to the Retail Unit. The owner of the Retail Unit shall be responsible for obtaining any and all City of Portland and State of Maine permits and approvals that may be necessary for its use of said Retail Patio Area.

(b) Sign Areas. The areas located on the exterior façade of the Building designated "Hotel Unit Signage" and "Retail Unit Signage" as shown on the Plats and Plans shall be allocated as Limited Common Elements appurtenant to the Hotel Unit and the Retail Unit, respectively, for the limited purpose of installing signage in compliance with applicable ordinances and regulations relating to the hotel, restaurant, and retail businesses occupying said Units. All signage installed in the Retail Unit Signage area shall be subject to prior review by and written approval of the Owner of the Hotel Unit, which shall not be unreasonably withheld, conditioned or delayed.

(c) Porte-Cochere Area. The open, covered area on the westerly side of the Hotel Unit that is designated "Porte-Cochere Hotel Unit LCE" on the Plat and Plans shall be allocated as a Limited Common Element appurtenant to the

Hotel Unit, provided, however, that the Retail Unit and the Residence Unit shall have the right to cross and re-cross through the Porte-Cochere Area for purposes of pedestrian and vehicular access from Commercial Street to the rear of the Building and to any parking area located on land adjacent to the Condominium on which there may be located any parking facility utilized by any Unit Owner or Sub-Unit Owner, as the case may be, in accordance with reasonable rules and regulations that may be established by the Hotel Unit Owner.

4.04 On-Site Parking. The paved areas of the Real Estate shall be leased to J.B. Brown & Sons, a Maine corporation and owner or lessee of nearby or adjacent parking lots (the "Parking Space Landlord") pursuant to a long term lease with the Association at a nominal annual fee (the "Surface Area Lease"). The Parking Space Landlord shall lease at market rates to the Hotel Unit Owner not fewer than twenty-four (24) valet parking spaces located on the Real Estate. The Parking Space Landlord may also, based on availability, lease at market rates, parking spaces to the other Unit Owners. Pursuant to the terms of the Surface Area Lease, the Parking Space Landlord may relocate said parking spaces and driveways on the Real Estate from time to time in its sole discretion so long as it maintains the ingress and egress access right and number of parking spaces leased on site.

4.05 Off-Site Parking. Pursuant to on or more parking leases or subleases with the Parking Space Landlord, Memoranda of which shall be recorded in the Cumberland County Registry of Deeds subsequent to the recording of this Declaration (collectively herein called the "Parking Agreement") the Declarant has the right, as appurtenant to and for the benefit of the Unit Owners to perpetually use _____ (____) surface parking spaces on adjacent or nearby parking lots owned or leased by the Parking Space Landlord, and which further provides that the Parking Space Landlord may relocate said parking spaces from time to time so long as the distance from the Building remains substantially the same.

4.06 Use and Enjoyment of Common Elements. Subject to Regulations in effect from time to time, the Common Elements (except the Limited Common Elements) shall be for the exclusive use, enjoyment and benefit of the Unit Owners, their tenants and members of their households and invitees (including without limitation the registered guests of the Hotel Unit Owner); provided, however, that the Association may suspend the right of any Unit Owner to use Common Elements that are not necessary for the use of the Unit as contemplated by this Declaration if such Unit Owner is delinquent in the payment of Assessments or in material violation of the Condominium Documents after notice and opportunity to cure or contest as provided herein or in the Bylaws. The Limited Common Elements shall be for the exclusive use, enjoyment and benefit of the Unit Owners owning the Unit(s) to which such Limited Common Elements are allocated hereunder and their respective tenants and members of their households and invitees (including without limitation the registered guests of the Hotel Unit Owner). In addition to the use of common facilities for waste disposal and recycling, the Retail Unit Owner shall have the right to place in the Service Area (as defined in Section 4.09(b)(iii) below) equipment and containers for recycling and reuse

of bottles and containers for beverages and one or more grease and/or food waste containers in accordance with such reasonable rules and regulations that may be established by the Hotel Unit Owner consistent with usual and customary practice in the industry and in properties of this type.

4.07 Alteration of Common Elements. Except as otherwise set forth herein, no Unit Owner (other than the Declarant) may alter the appearance or character of any Common Elements, or perform any construction or work on any Common Elements. The foregoing does not limit the power of the Association to alter the appearance or character of the Common Elements, in accordance with the terms of the Act, this Declaration, and the Bylaws. Until the Declarant has completed all Units and Common Elements, the Declarant reserves the right to modify the appearance and structural character of the Common Elements, other than Limited Common Elements allocated to specific Units, from time to time, without the permission of the Executive Board.

4.08 Declarant's Rights and Obligations With Respect to Common Elements.

(a) Declarant reserves the right to construct all improvements planned or contemplated for construction within the Condominium, including, without limitation, any interior streets or drives, parking areas, sidewalks, curbing, street lighting, utilities, storm water management facilities, paths and all other improvements shown on the Plats and Plans, the Building and all improvements and Common Elements therein, and Units planned for construction as depicted either generally or specifically on the Plats and Plans or herein.

(b) No provision hereof shall require the Declarant to construct or provide to the Association any facilities or improvements not shown on the Plats and Plans.

4.09 Maintenance, Repair and Replacement of Common Elements.

(a) Except as otherwise set forth herein, the Association shall be responsible for the maintenance, repair and replacement of the Common Elements, including the Limited Common Elements and any and all portions of the Real Estate that are dedicated to or made available for public access, and shall include in its budget (and, if necessary, amend the then-current budget and increase the then-current Common Expense Assessment) such amounts as necessary to pay the estimated costs of maintaining, repairing and insuring the same. In addition, the Association shall be responsible for trash removal from the Real Estate, the lighting fixtures located on any Common Elements, including the Limited Common Elements, snow removal on the public sidewalks abutting the Real Estate, and the maintenance of any on-site stormwater management facilities. It is specifically noted that the City of Portland will not provide trash removal services to the Condominium or to any Unit Owner, as set forth in the terms of the Site Plan and Subdivision approvals of the Condominium.

(b) Notwithstanding the foregoing or anything to the contrary otherwise set forth herein, in the Bylaws or in the Act:

(i) the Retail Unit Owner shall be responsible for, and shall pay all costs and expenses relating to, the maintenance, repair and replacement of the Patio Retail Unit LCE (including any fence or other improvements, furniture or fixtures located within or upon the boundary thereof);

(ii) the Hotel Unit Owner shall have the exclusive right but not the obligation, at its election to be made by notice in writing given to the Association (as it may be amended by a supplemental notice by the Hotel Unit Owner to the Association), to undertake all such maintenance and repair of such Common Elements and Limited Common Elements, including the Building exterior, the exterior landscaped areas and any parking areas that are Common Elements available for use by all Unit Owners, as shall be provided by the Hotel Unit Owner in such notice, at the Hotel Unit Owner's sole cost and expense and not as an Association or Unit Owners' expense (however, notwithstanding the foregoing, the Hotel Unit Owner may allocate and charge to the Retail Unit Owner and to the Residence Unit Sub-Association -that percentage of the actual cost of snow removal and salting/sanding and sweeping of the sidewalks and paved areas including any such parking areas that are Common Elements available for use by all Unit Owners), that is equal to their percentage of Common Expense Liability. Such right shall include the right to alter the appearance of such Common Elements so long as such alteration is consistent in quality and style with the appearance being altered and is not in violation of any permits and approvals or any other applicable local, State or federal ordinances and regulations applicable to the Condominium; such arrangement to continue until such time as the Hotel Unit Owner provides the Association with not less than three (3) months' notice of the Hotel Unit Owner's decision to terminate such election at which time such matters shall thereafter be undertaken by the Association in accordance with the terms and provisions hereof, provided, however, that this election shall not be deemed to require the Hotel Unit Owner to assume responsibility for undertaking any capital repairs and improvements to the Condominium such as, for example, repaving of exterior areas or the replacement of the roof of the Building or to pay any costs and expenses relating thereto beyond its Percentage Interest provided herein, which capital repairs and improvements shall remain the responsibility of the Association in accordance with the terms and provisions hereof; and

(iii) the Hotel Unit Owner shall have the exclusive right but not the obligation, at its election to be made by notice in writing given to the Association (as it may be amended by an supplemental notice by the Hotel Unit Owner to the Association) in accordance with reasonable business practices and at a reasonable cost to purchase and replace such dumpsters, containers, compactors and the like as are usual and customary for buildings used for the purposes for which the Units are to be used as contemplated by this Declaration (collectively, the "Waste Facilities") for the handling, disposal, and/or recycling of trash, grease, and other waste

produced from the Units ("Waste"), which Waste Facilities shall be located in the Refuse Enclosure as shown on the Plats and Plans (the "Service Area"). Such right shall include the right to enter reasonable contracts with one or more trash handlers and to pay the reasonable costs for the removal and disposal or recycling of Waste, and to bill the Retail and Residence Unit for their share of the actual costs thereof in accordance with such allocation as shall be reasonably determined by the Hotel Unit Owner in good faith on a monthly basis based upon the amount and type of Waste produced by said Units, which shares shall be paid by the Retail Unit and Residence Unit Owners within thirty (30) days of receipt of the bills therefor, such arrangement to continue until such time as the Hotel Unit Owner provides the Association with not less than one (1) year's notice of the Hotel Unit Owner's decision to terminate such election at which time such matters shall thereafter be undertaken by the Association in accordance with the terms and provisions hereof. The Retail Unit Owner and the Residence Unit Owner (or the Sub-Association of Residence Sub-Unit Owners) shall have the right to challenge such allocation, and if the dispute cannot be resolved, to demand dispute resolution for Covered Claims under Article XI of this Declaration.

4.10 Conveyance and Encumbrance by the Association. Except as hereinafter expressly provided, the Association shall not convey, mortgage, pledge or encumber the Common Elements without the approval of (i) Members entitled to cast one hundred percent (100%) of the votes that all Members are entitled to cast, including one hundred percent (100%) of the votes allocated to Units not owned by the Declarant, and (ii) the Declarant, during the Declarant Control Period. Proceeds of any such conveyance, mortgage, pledge or encumbrance shall be assets of the Association.

4.11 Demolition. If any Common Element (other than the Common Elements that are integral to the structural or mechanical integrity of the Building as a complete architectural unit) is determined by the Executive Board to be obsolete or in such state of disrepair so that it is not economically feasible or desirable to repair or replace the same, the Executive Board may call a meeting for the purpose of determining whether such Common Element should be demolished, removed and/or replaced. The determination thereof shall be made by the vote of Unit Owners entitled to cast one hundred percent (100%) of the votes that all Unit Owners are entitled to cast, including one hundred percent (100%) of the votes allocated to Units not owned by the Declarant. The costs of such demolition, removal, and/or replacement shall be assessed as a General Common Expense.

4.12 Disposition of Common Elements Upon Termination. Upon any termination of the Condominium, the Common Elements shall be disposed of in the manner described in Section 1602-118 of the Act.

4.13 Warranty. **DECLARANT MAKES NO WARRANTIES, EXPRESS OR IMPLIED, OTHER THAN THOSE PROVIDED BY SECTIONS 1604-112 AND 1604-113 OF THE ACT (AS SUCH WARRANTIES ARE AFFECTED BY THE TERMS OF THE LIMITED WARRANTY CONTAINED IN THE AGREEMENT OF SALE ENTERED INTO BETWEEN DECLARANT AND EACH UNIT OWNER) AND SUCH**

(pages 16-52 available on request — cover standard Condo clauses + incomplete Schedules JF)

Attachment P. 1

OPECHEE
CONSTRUCTION CORPORATION

November 29, 2012

Historical Preservation Board
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Commercial and Middle Street Mixed Use Development
Foundry Lane comments, responses & revisions

Dear Board Members,

Enclosed please find a revised Conceptual Plan of J.B. Brown's proposed improvements to Foundry Lane. The proposal was revised to address a majority of staff's preliminary comments outlined in Jean Fraser's email to me on Monday, November 26th, 2012. I have included the comments below followed by a written response indicating how we will be addressing each comment.

Traffic comments:

- The general concept is acceptable; the 22-foot entry width is acceptable. A few comments:
- The driveway at the location of the compact parking space is very tight. A vehicle parked in that space will extend out into the driveway and will reduce the effective width. A detail of this area illustrating how it will work is suggested.
    - ***The compact parking space is 15 feet in length as required and signage will be utilized to indicate compact cars only. Compact vehicles 15 feet in length or shorter will not extend into the parking aisle. To assist motorist in identifying parking space locations and length, we have added a flush granite stone "header" within the brick pavers. In addition, I have added parking aisle dimensions at this location to indicate a 22 feet at the aisle's most narrow width. This width will accommodate the turning maneuvers of a compact vehicle. A detail utilizing the turning template of a compact vehicle can be provided if the reviewer still deems it necessary.***
- The applicant should provide a turning template for the three parking spaces where the parking aisle is only 18 feet wide. In general I think it is workable, but I'm not sure if the bollard is going to be a problem.
    - ***The fire department has indicated they require 20 ft wide access roads. Thus we have revised this parking aisle width to 20 feet. In addition, the three parking spaces mentioned above are angled slightly provide smoother turning maneuvers in and out of the parking spaces along this one-way parking aisle. Further, two raised curbed islands have been added to the plan. One of the islands is in this location, and as a result, we have reduced the number of granite bollards and their location. The granite bollard specifically mentioned above has been deleted from the plan.***

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

Landscape comments:

- Moving 2 of the trees along Foundry into the adjacent large triangular areas, with large planters to give them maximum room for soil and water; these areas suggested curbed with landscape rather than hard surface (Deb Andrews considers that the one nearest Commercial Street should be soft landscape edged with granite/cobbles for all of the triangular area, including the area of the bike racks, so that the 9 ft walkway section reads as a separate linear feature);
    - ***We have implemented this revision.***
- Two trees in between suggested to have "Neenah Tree Grate R.8801" as indicated in handwritten note (so that they will survive)
    - ***I believe this comment meant the Neenah Tree Grate R-8810 as required by the technical standards. The details in the site plans indicate this tree grate as required.***
- Suggest the street tree in sidewalk just south of Foundry should have a large granite planter so it will survive
    - ***We have implemented this revision.***
- Landscape details needed for some areas (but OK in principle).
    - ***Landscape details will be provided in the final site plan set.***

Cobbles:

- Suggest a row of cobbles or granite stone at the back edge of each of the parking spaces (not continuous; one line of cobbles or linear stone for each space) would help delineate parking spaces and break up the expanse of brick (it is assumed there will be no striping)
    - ***We have implemented this revision.***
- Please specify the width of the cobble band along each side of the new section of pedestrian walkway and also along the existing section
    - ***A picture of the existing cobble bands below depicts 4 rows of cobbles running parallel with the brick walkway and generally a single cobble is 5" in the applicable dimension. With that said, the existing cobble bands are generally 21 or 22 inches in width. It is our intent to provide 4 rows of cobbles as the picture below. The Conceptual Plan depicts a 21 inch width for the proposed cobble bands.***

- Cobbles within Apron: I am waiting for confirmation from DPS that the cobbles are OK in the ROW - will get back to you but leave them in for now. Please specify width.
    - ***The Conceptual Plan depicts a 3 foot width. This will be approximately 7 rows of cobbles.***

Other:

- The original submitted plan for Foundry Lane (CO4, as submitted to Planning Board) showed 2 pole-mounted lights adjacent to the new walkway that gave light coverage to the new section of pedestrian walkway and continued the row of lights (see photo attached) that are along the existing walkway leading to York Street. I'm not sure the lights now proposed near the hotel will adequately light the central section of the new section of walkway and suggest some additional lighting should be incorporated to adequately illuminate the new section of the pedestrian walkway and address CPTED standards.
    - ***We have revised the proposed lighting along Foundry Lane. The intent of the revisions is to use the lighting to further help Foundry Lane read as a separate linear feature to the driveway and walkway along the proposed building. In Foundry Lane, we are now proposing a rhythm of pole mounted lights and trees along walkway. The lighting mounted in a post-top configuration and will have circular distribution to equally illuminate the walkway and the parking spaces. Along the proposed building, we are proposing a rhythm of building mounted lighting with forward light distribution to illuminate the 5' walkway and driveway. Also, we are revising the light fixtures in this area to match the existing lights along the existing Foundry Lane to the northwest. The mounting of the lights will be different to better accommodate light distributions. Please see the below examples. A photometric plan will be provided to Planning pending the Historical Preservation Board's feedback.***

Existing pole & pendant mounted light fixture along Foundry Lane

Example of the proposed pole & post-top mount for circular light distribution (fixture to match existing)

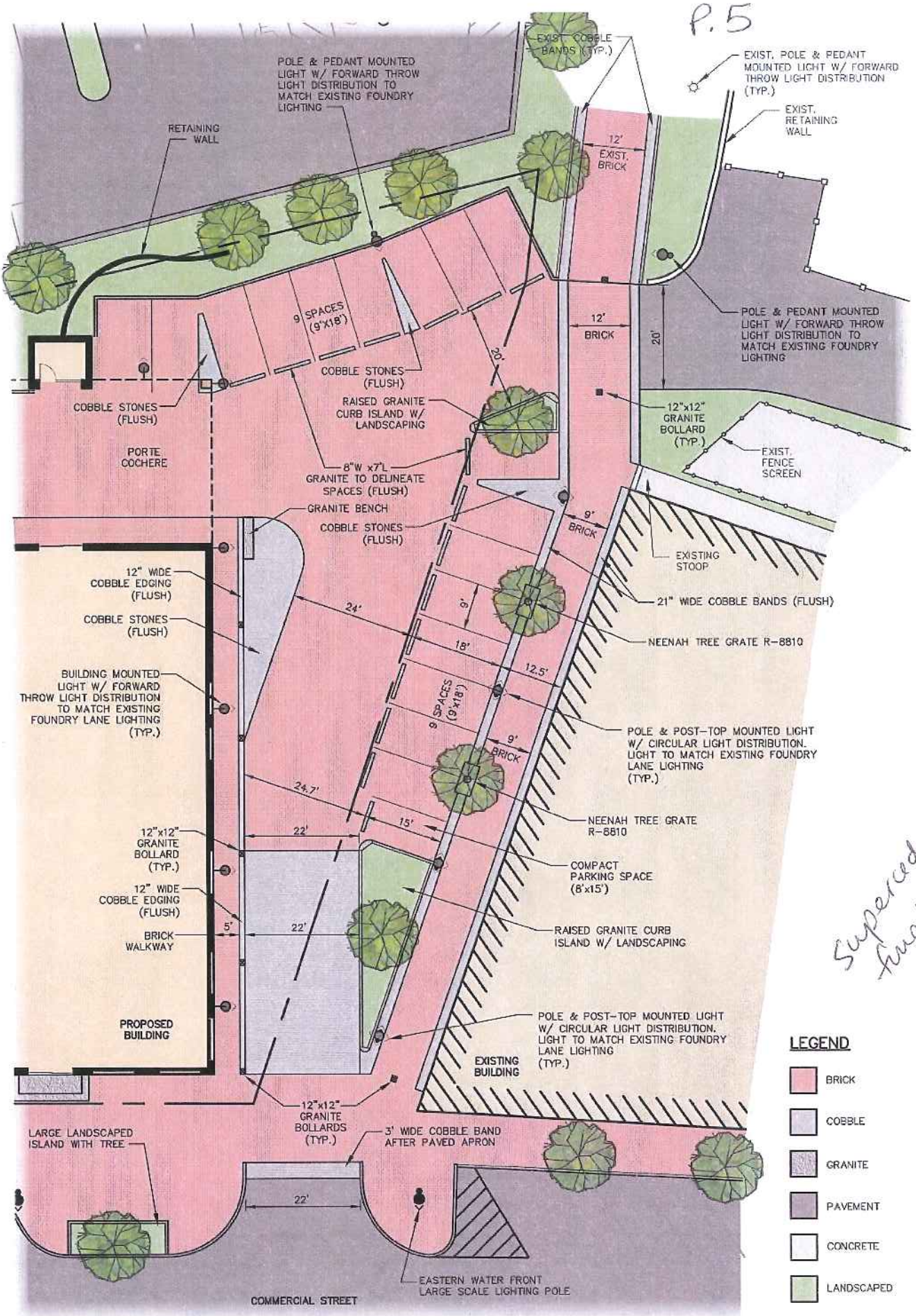
Example of proposed building mount

- A rendering of the view from the Commercial Street entrance of the drive looking towards York (with Baxter Place on right and proposed hotel on left) would be helpful for HP to understand how this layout will "read"
    - ***A rendered site plan has been provided for the HP to review the proposed improvements and provide feedback. Because of time constraints in submitting to staff for the workshop, a rendered perspective view has not been provided at this time. However, we can provide a rendered perspective view at the workshop if the Board desires.***

Respectfully,

Barry Stowe

Barry Stowe
Site/Civil Project Manager
Agent for the Owner/Applicant



Superceded by final design

COPECHEE CONSTRUCTION CORPORATION
11 CORPORATE DRIVE, BELMONT NH 03220
PHONE (603) 527-8040 FAX (603) 527-9141

CONCEPTUAL PLAN OF FOUNDRY LANE IMPROVEMENTS MIXED USE DEVELOPMENT – J.B. BROWN

DATE: NOVEMBER 20, 2012
LAST REVISED: NOVEMBER 29, 2012

SCALE: 1 INCH = 16 FEET

Attachment Q.1

J.B. Brown & Sons
36 Danforth Street
Portland, ME 04101
207-774-5908

November 30, 2012

Historic Preservation Board
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Mixed use development -321 Commercial Street (40-E-3)

Dear Board Members,

As a backdrop for our December 12th meeting, I thought it would be helpful for me to share the original concept (attached) we developed for the hotel as a way to understand how we ended up where we are today. After considering the original concept with its mid-block break and the condition of Foundry Lane, we decided to change direction to a full block development. The result was a much larger/more expensive project than initially envisioned (added 13 hotel rooms, 14 apartments, and 7,400sf of retail), but overall we felt it accomplished far more out of the gate than our first concept; primarily an improved Foundry Lane and a building with significant scale. Based on these considerations, we approached the Baxter Place to negotiate access to accomplish this more ambitious plan.

In addition, I have attached some historic pictures of buildings previously located on the property to give a sense of how the site was used in the past. As you can see, the building closest to the Baxter Building is fairly similar in scale to our original hotel concept in that it did not extend the entire block and there was an open parking area and vehicle access point mid-block. The Sealtest Building was a single story structure at the corner of Maple Street.

Since the November 7th workshop, we have attempted to address the primary concerns raised: the design of Foundry Lane, façade material/design, and massing along Maple Street. Below is a summary of our efforts:

- Foundry Lane: As stated previously, Foundry Lane is not owned by J.B. Brown & Sons. We have negotiated an easement with the Baxter Building owner to use the area for access to our porte-cochere provided we maintain at least 11 parking spaces for their use. They currently park between 16-17 cars in that area.

  The primary design change increased the width of the pedestrian walk from 5' to 12.5', which creates a defined walk from York Street to Commercial Street. It resulted in the loss of 2 of the Baxter parking spaces, but we have agreed to let them use two spaces on our property as replacement parking. Additional refinements include changes to lighting, landscaping, cobble stone usage, ect, which all benefit the pedestrian experience and significantly improve the current condition and use of the area.

Q.2

- Building façade: The materials consist of scored granite, brick, storefront, and a metal cornice. Closest to the Baxter Building the granite extends two floors and then transitions to a typical single store granite base. This treatment creates a strong entrance at the hotel lobby and provides a nice transition from the Baxter Building. The use of granite sills, granite bands, and several reveal points add definition to the building. The storefront and windows will be slate grey. We believe the re-design captures a historical perspective, but with some contemporary elements.

- Maple Street: The massing and property line concerns expressed by the Board have been the most difficult to address. Because of grade issues, simply flipping the building so that the long end is along Maple Street is not possible as it would not allow porte-cochere access from Maple Street.

  Although creating an angled wall at Maple Street is technically feasible, it carries a cost that is difficult to absorb a actual visual benefit which may be negligible. I believe the patio space created with the current design offers a more pleasant pedestrian experience. Given the historic building was single story at the corner; I think the current concept is not as great a deviation than originally perceived. I believe we can design a patio wall following the angle of Maple Street that will act to define the street as the single story structure might have in the past, but with an improved pedestrian and visual experience.

Although we have not been able to addressed 100% of the Board's concerns, I believe the changes made substantially address the comments and provides for a building that will be a great addition to the fabric of Portland.

Thank you for your time and consideration. I look forward to discussing the project in more detail at the December 12th workshop.

Respectfully,

Vincent P. Veroneau
President

Site Plan 1"=40'

June 01, 2012

Courtyard by Marriott

PORTLAND, MAINE

OPECHEE CONSTRUCTION CORPORATION

D.3

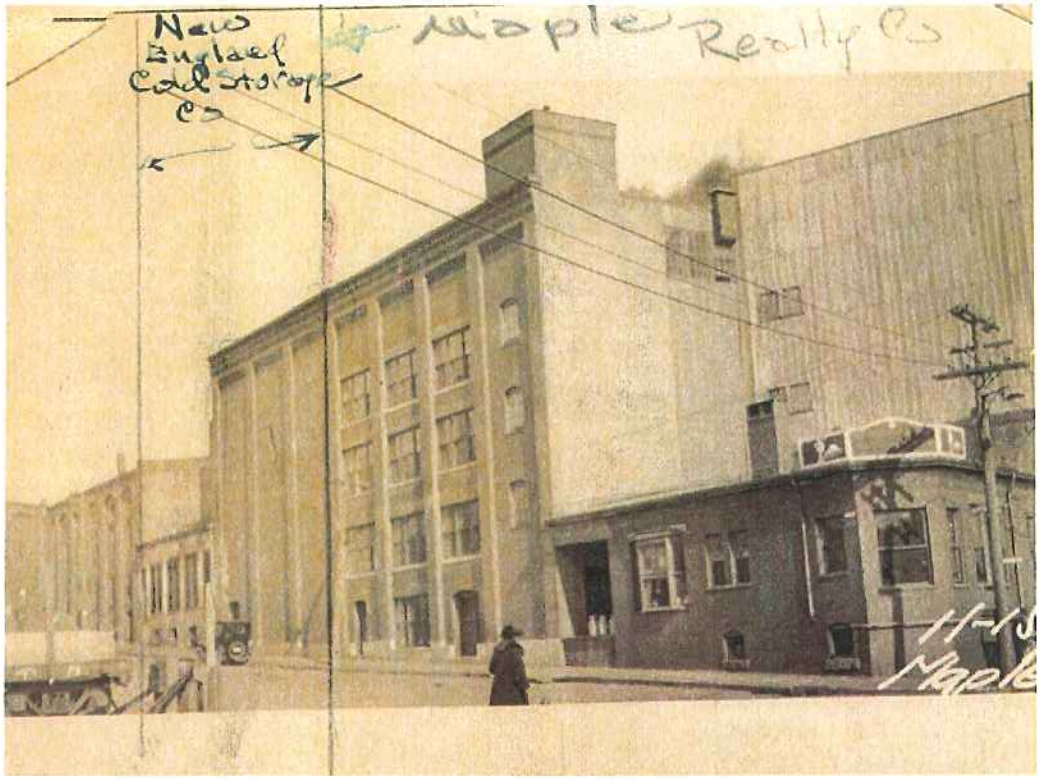
Q.4

1924 Portland Tax Records: 311-321 Commercial Street, Portland, ME

Owner: J.B. Brown & Sons
Address: 311-321 Commercial Street, Waterfront, Portland, Maine
Use: Storage

Q.5

1924 Portland Tax Records: 11-15 Maple Street, Portland, ME



Owner: New England Cold Storage Company
Address: 11-15 Maple Street, Waterfront, Portland, Maine
Use: Storage - Cold

Q.6

Commercial Street Elevation

Maple Street Elevation

November 19, 2012

Courtyard by Marriott

PORTLAND, MAINE

OPECHEE CONSTRUCTION CORPORATION

Attachment R.1

OPECHEE
CONSTRUCTION CORPORATION

MEMORANDUM

From: Steve Long
To: Jean Fraser, Planner
Date: ~~December 4, 2012~~, ***Revised 01-02-13***
Subject: Commercial & Maple Street Mixed Use Development – Responses to Comments

In an attempt to make it as simple as possible for you to review this submission, I have copied and pasted below all of the "next steps" items that you organized for us in your email to me dated November 14, 2012. I have also included comments from staff. Our responses are shown in ***bold italic typeface*** after each item.

Suggested Next Steps:

- Address zoning comments.
  See attached response to zoning comments from Marge Schmuckal.
  01-02-13 Response the same as above.

- Clarify whether residential units are apartments or condos; if condos, submit Draft Condo docs.
  There will be three condominium units: a Hotel unit, a Retail unit and a Residential unit (14 individual apartments). Attached is the draft declaration. We do not expect to create the plats and record the condo docs until the building is basically complete.
  01-02-13 Response the same as above.

- Revise survey and subdivision plan.
  We have contacted the surveyor and will revise the survey and subdivision plans per the Department of Public Services comments.
  01-02-13 Response: With the exception of comment #8 from Public Services, both plans have been revised to address the comments.

- Respond to Traffic Movement Scoping meeting and Transportation Review comments, including re parking requirements.
  A response to the Traffic Movement Scoping meeting has been submitted by John Adams of Milone & MacBroom under separate cover. He has also addressed the parking comments in an attached memo and public comment from Margaret Broucek regarding traffic from the site. Please see attached.
  01-02-13 Response: Further traffic comments have been addressed in a new memo. Please the attached "Response to Traffic Comment" from our traffic engineer, John Adams.

- Address stormwater and landscaping comments, especially regarding the incorporation of stormwater planters.
  Responses to the stormwater comments from the Department of Public Services and Woodard & Curran are attached. The landscaping comments from the City Arborist are dependent on the final layout of Foundry Lane and will be incorporated into the final plan submission.
  01-02-13 Response: Please see our responses to stormwater comments below. The landscaping three comments from Jeff Tarling were addressed as follows:
  Comment a) No response necessary
  Comment b) The Crab-apple trees have be changed to Oxydendrum (Common name "Sourwood") as suggested by the City Arborist
  Comment c) We are now proposing a stormwater planter in the proposed bump out at the intersection of Commercial and Maple Street. In addition, we are proposing a larger 6'x9' flush tree planter in the proposed bump out at the intersection of Foundry Lane and Commercial Street.

- Reconsider the layout and design of Foundry Lane.
  Please see attached submission to the Historic Preservation Board.
  01-02-13 Response: We have revised the layout and design of Foundry Lane. The building was reconfigured at the corner of Foundry Lane and Commercial Street to match the angle of the Baxter Building at Foundry Lane. Also, Foundry Lane was revised to continue the width and consistent detailing of the walkway from York Street to Commercial Street. With that said, revisions resulted in a reduction of proposed parking spaces, a reduction in the driveway width, the bike rack was relocated, and the site lighting is now proposed to strictly match the adjacent existing lighting of the upper parking lot and Foundry Lane.

- Increase bicycle parking provision.
  We are still requesting a waiver of bicycle parking spaces. In determining the required number of bicycle parking spaces, the city's Land Use Ordinance provides only two categories, Residential and Non-Residential. All of the non-residential requirements are based solely on required car parking. If we look at the different uses and a reasonable rate per the use:

Apartments =	***2 bikes per 5 dwelling units***	***=***	***14/5 x 2***	***= 6 spaces (within storage room)***
Hotel =	***1 bike per 20 rooms***	***=***	***131/20***	***= 7 spaces (on site)***
Restaurant =	***1 bike per 1,000 sq.ft.***	***=***	***7,000/,1000***	***= 7 spaces (on site)***

  We feel that the 20 bicycle spaces provided for this project will be adequate.
  01-02-13 Response: We have reconsidered requesting this waiver and all the required bicycle parking is now provided.

- Address comments from the Fire and Public Services Departments.
  The building and site will meet all of the applicable standards specified by Captain Pirone. Responses to the Public Services Department comments are attached.
  01-02-13 Response the same as above.

- Submit signage and way finding plan.
  A signage and way finding plan will be submitted at a later time.
  01-02-13 Response the same as above.

- Submit further information including capacity letters, service vehicles, and snow storage
  Frank Brancely in Public Services is currently reviewing our application for wastewater capacity. All other capacity letters have been submitted. A location for service vehicles and deliveries along with notes addressing snow storage will be added to the final plan set.
  01-02-13 Response: Notes #1 and #6 are provided on the Site Plan, sheet C04 to address deliveries and snow storage.

- Clarify lighting proposals and review re light trespass.
  A lighting concept is being presented to the Historic Preservation Board as part of the Foundry Lane layout. A Photometric Plan will be submitted when the lighting layout has been finalized.
  01-02-13 Response: We proposing to match the existing Foundry Lane walkway located northwest of the site. The lighting type and location are dictated by the existing layout. The objective is to create a consistent look from Commercial Street to York Street.

- Address any Planning Board comments.
  Responses to the Planning Board Concerns are attached.
  01-02-13 Response the same as above.

Zoning comments from Marge Schmuckal dated 11/08/12

This parking lot is part of the entire lot with a principal structure already on it and is considered accessory to the existing building and its uses. If the Applicant wants to use this lot, we would need to see a zoning analysis of the uses in the building and the required number of spaces for the building. Any "left over" parking spaces could be used for the Hotel.
There are three tenants at 50 Danforth Street:

- ***A bakery – 4,650sf (500sf retail, 700sf office, 3,450sf production)***
- ***Personal trainer – 3,200sf***
- ***Warehouse/storage – 3,600sf***

In a B-3 Zone, J B Brown is not required to provide them parking, but with that said there are approximately 25 paved parking spaces on the north and east sides of the building that more than satisfies there current needs. They do not use any of the spaces in the gravel lot proposed for valet parking.
01-02-13 Response the same as above.

Department of Public Services comments dated 11/07/12

The Department of Public Services has the following preliminary comments concerning this proposed project. Final comments may be forthcoming.

1. I disagree with the applicant's assessment that very few hotel occupants will bring bicycles and do not support the request for a waiver for less bike parking. I feel the full 26 required bike parking spaces should be provide since Portland already is and will continue to be more bike friendly. The applicant should try to find spaces for bike parking on Commercial Street side of the property.
   We are still requesting a waiver of bicycle parking spaces. See previous response.
   01-02-13 Response: We have reconsidered requesting this waiver and all the required bicycle parking is now provided.

2. It is noted that the stormwater drainage system will be removed from the site. How will drainage on to the site from the pipe to be plugged be affected? Please refer to the City of Portland Technical Manual Section 2.4.11. for the requirements to abandon sewer pipes in the City right of way. Please indicate on the plans how the contractor will meet this requirement.
   Details and notes will be added to the final plans indicating how the contractor will plug and abandon existing pipes.
   01-02-13 Response: There is no proposal to plug, abandon, or "dead end" any existing stormwater or sewer pipes. All existing pipes indicated to be removed will be done so entirely and the stormwater drainage onto the site will be conveyed through the proposed drainage systems.

3. It would be desirable to use portion(s) of the proposed bump outs for green area stormwater treatment.
   A green area stormwater treatment area is now being proposed within the bump out at the Commercial Street site entrance. Please see attached plan showing the treatment area and the area to be treated.
   01-02-13 Response: A stormwater planter is now being shown in the proposed bump out at the intersection of Commercial Street and Maple Street.

4. The applicant is proposing to install a brick sidewalk the entire length of Maple St. near York St there is a utility pole and fire hydrant. If possible it would be desirable to install an esplanade with this sidewalk.
   We are not proposing an esplanade in this area in order to match the surrounding sidewalk layouts. In the vicinity of the site there are no existing esplanades.
   01-02-13 Response the same as above.

5. A pedestrian easement is shown on the south side of the former Foundry Lane. A sidewalk is now proposed on the north side of the former Foundry Lane. Will a new easement be necessary?
We are working with the Historic Preservation Board to determine the layout of Foundry Lane. When this is finalized a Public Access/Pedestrian Easement will be defined and recorded in the location of the proposed sidewalk.
01-02-13 Response: When the project is approved and the layout finalized, a new Public Access/Pedestrian Easement will be defined and recorded. We request the Board handle this as a condition of approval.

6. Please refer to the City of Portland Technical Manual, Figure II-19 for sizing and design of the proposed an external grease trap.
The external grease trap will be sized appropriately as per the City of Portland Technical Manual. The final plans will indicate the appropriate size and calculations used to determine the size.
01-02-13 Response: The grease trap has been sized as a 4,500 gallon tank. The calculation have been added to the Utility Plan, sheet C05.

7. Foundry Lane was discontinued by the City of Portland on March 20, 1995. The city retained 1.) A Public Access Easement and 2.) An easement for Public Utility Facilities. There is a "Pedestrian Easement" shown in Foundry Lane. The discontinuance does not call for a Pedestrian Easement. Is there a recorded document which defines it as a Pedestrian Easement?
We are working with the Historic Preservation Board to determine the layout of Foundry Lane. When this is finalized a Public Access/Pedestrian Easement will be defined and recorded in the location of the proposed sidewalk.
01-02-13 Response: Yes, there are two recorded plans that references a "Pedestrian Easement." However, there is no supporting easement deed creating an easement. When the project is approved and the layout finalized, a new Public Access/Pedestrian Easements will be defined and recorded. We request the Board handle this as a condition of approval.

8. MDOT took a non-tangent curve at the corner of Commercial Street and Foundry Lane in 1991. This is not shown.
We have discussed this with the surveyor, Andrew Nadeau, and information regarding this issue has been sent to DPS. We are awaiting their response.
01-02-13 Response: We are still awaiting DPS response to our surveyor's findings.

9. Curve at Commercial Street and Maple Street needs a chord bearing and distance for mathematical closure. This was a MDOT 1991 taking.
This information will be added to the final plan.
01-02-13 Response: The chord data as been added to the applicable plans.

10. Note 8. Elevations. The monument referred to is not an Official City of Portland Benchmark Monument. Michelle Sweeney of this office has called the surveyor and brought it to his attention.
A reference to an official City of Portland Benchmark will be added to the plan.
01-02-13 Response: The benchmark note and plan labels have been revised on the applicable plans.

11. "BM: Bolt in Top Ring of Hydrant" on northerly side of Commercial Street. Is that the top flange of the hydrant? Is it a top of a bolt over the main Fire Department connection spout or one of the side spouts?
A more definitive note will be added to the final plan.
01-02-13 Response: The plan labels have been revised to be more descriptive.

12. Suggest adding another benchmark to allow for checking in to since we have experienced fire hydrants being repaired or altered between the plan preparation and the building construction phases.
An additional benchmark will be referenced on the final plan.
01-02-13 Response: An additional benchmark has been added on the hydrant between Maple Street and the upper parking lot.

13. No City of Portland Right of Way plans have been referenced. Please state which plans were used.
References to the appropriate plans will be added.
01-02-13 Response: The City Right of Way plans are now referenced.

14. No City of Portland Sewer or Utility plans have been referenced. Plan reference will aid in evaluation of the infrastructure as shown. Please state which plans were used. It would be helpful to indicate flow direction on sewers.
References to the appropriate plans will be added.
01-02-13 Response: No plans were reference because the City did not have any reliable sewer and stormwater utility plan for this area. All information shown is a result of a field survey.

15. Shading and hatching of areas obscures text in various locations.
The final plan will be revised to eliminate obscured text.
01-02-13 Response: The shading and hatching has been revised to hopefully improve clarity. However, please note prints from scanned plans will not have the clarity as prints from the PDF files or original's from our office. The shading and hatch are important in indicating the various pavements and textures. So, we would be happy to provide anyone with prints from our office or PDF files.

16. North Arrow refers to Magnetic North and not Grid North.
The North Arrow will be corrected on the final plan.
01-02-13 Response:

17. Proposed three-foot offset survey monuments will be requested at four locations to be determined.
Once the locations have been determined we will add them to the plans.
01-02-13 Response the same as above.

Woodard & Curran Comments dated 11/06/12

1) In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards:

a) Basic Standards: Plans, notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of Maine DEP Chapter 500.
No response necessary.

b) General Standards: The project primarily includes re-development of existing impervious areas. However, the project does include 2,513 square feet of new impervious area. Redevelopment of the existing impervious areas of the site qualifies for an exemption from meeting the General Standards; however, the Applicant must provide stormwater treatment in accordance with the General Standards for an area equivalent to the proposed 2,513 square feet of new impervious area. Inspection and maintenance of any proposed stormwater quality treatment features will need to be included in the Inspection and Maintenance Plan in accordance with and in reference to Maine DEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances
A green area stormwater treatment area is now being proposed within the bump out at the Commercial Street site entrance. Please see attached plan showing the treatment area and the area to be treated. Inspection and maintenance of this stormwater quality treatment feature will be added to the Inspection and Maintenance Plan
01-02-13 Response: A stormwater planter is now shown in the proposed bump out at the intersection of Commercial Street and Maple Street. Please see the Construction Details, sheet C11 for the details plan and sections. The treatment area is approximately 4,000 square feet. Inspection and maintenance of this stormwater planter has been added to the Inspection and Maintenance portion of the Storm Water Pollution Prevention Plan.

c) Flooding Standard: The project will result in approximately 2,513 SF of new impervious surface. The Applicant has submitted a detailed stormwater model indicating a minor increase in post development runoff rates for the project relative to pre-development conditions during certain storm events. Stormwater from the project site will enter the City storm drain system which ultimately discharges to the tidal Fore River, a tributary to Casco Bay (the Atlantic Ocean). Projects that discharge to the Ocean are eligible for a waiver from the Flooding Standard. The project qualifies for a waiver from meeting the flooding standard so long as the City of Portland Department of Public Services confirms capacity to accept the minor increase in flow into the City storm drain system.
We would like to request a waiver of the flooding standard based on the fact that there is a negligible increase in flow to the City storm drain system. The site is located near the base of the watershed and the peak flows from the site would occur prior to the upstream peak.
01-02-13 Response: We are requesting a waiver.

2) The following details should be provided for work within the City Right-of-Way, in accordance with the City of Portland Technical Manual:
a) A brick driveway apron with bituminous base, per Figure I-11
A brick driveway apron with bituminous base, per Figure I-11will be added to the details.
01-02-13 Response: The detail has been added to the Construction Details, Sheet C10.

3) Please clarify the use of the "Catch Basin Inlet" detail versus the "Precast Catch Basin" detail (Sheet C11). Unless unique situations warrant, the City would require the "Precast Catch Basin" detail with 3' sump & outlet trap.
The "Catch Basin Inlet" was specified in error and will be removed from the final plan.
01-02-13 Response: The detail has been deleted.

Tom Errico Traffic Comments dated 11/09/12

- I have reviewed the conceptual Construction Management Plan and generally find the concept to be acceptable (maintaining sidewalk and bicycle facilities on Commercial Street). I would note that specific details will need to be coordinated prior to construction.
  Specific details can be added prior to construction.
  01-02-13 Response is the same as above.

- I have conducted a preliminary review of the parking demand analysis and generally find the methods to be acceptable. The applicant should provide additional supporting data for the use of the 0.65 parking rate for the hotel. Given the availability of good parking generation information at the existing Hampton Inn, I would like to gain an understanding on the rates computed locally, versus those established by Hilton Worldwide. I would note that I do not expect the parking demand numbers to change significantly.
  A memo from John Adams addressing the parking rate is attached.
  01-02-13 Response: The above mentioned memo was submitted previously.

- The driveway on Maple Street will require a waiver from the City's technical standards for driveway separation. Give the volume and speed of traffic on Maple Street I support a waiver from the City's technical standards.
  A waiver request has been submitted.
  01-02-13 Response is the same as above.

- The painted areas at the driveway entry on Maple Street should be removed.
  There is a plan label on the Site Plan indicating that parking spaces along Maple Street are delineated to show quantity and location of spaces. Do not paint.
  01-02-13 Response is the same as above.

- The applicant has illustrated a proposed crosswalk on Commercial Street at the easterly corner of Maple Street. I need to review this proposal. My general sense is additional features are needed for safe pedestrian crossing. I would also note that the alignment of the crosswalk on the site plan will need to be adjusted to meet the City's perpendicular alignment design preference. The crosswalk paint detail would also need to be "Block" style.
  Additional review is necessary.
  01-02-13 Response: The crosswalk has been aligned to meet the City's perpendicular alignment design preference. As a result, two City parking spaces were lost across the street from the site and a new curb ramp (parallel type) is being proposed in the sidewalk. The crosswalk paint detail has been revised to provide the "block" style. Further, this layout across Commercial Street requires waiver relief from parking within 20' of the centerline of a crosswalk. This waiver has been requested.

- It appears that a pedestrian easement will be required for sidewalks areas abutting the project.
  A pedestrian easement will be required for the sidewalk areas abutting the proposed building. This information will be submitted to the city for review.
  01-02-13 Response: When the project is approved and the layout finalized, new easements will be defined and recorded. We request the Board handle review of such easements as a condition of approval.

- The 11 parking spaces on the former Foundry Lane do not appear to meet City dimensional standards. A waiver will be required. I would also note that there is general concern about pedestrian accessibility in this area and modifications to the plan may be necessary.
  The layout of Foundry Lane has been revised please see the submission to the Historic Preservation Board.
  01-02-13 Response: Foundry Lane has been revised from the previous submission. However, a waiver is required for the new proposal as well. The waiver requested is to allow a 20 foot drive aisle behind parking spaces.

- I need to review the design details on the diagonal parking on Commercial Street (e.g. dimensions, painted corner areas, etc.).
  The diagonal parking on Commercial meets the cities dimensional specifications.
  01-02-13 Response is the same as above.

- For on-street parking changes, a city council approval will be required. The applicant will be responsible for providing materials in support of the Parking Schedule change.
  This information will be provided to city council.
  01-02-13 Response is the same as above.

- For development projects in the area, the City has been requesting monetary contributions towards the installation of a traffic signal at the Commercial Street/High Street intersection. I will provide and estimate of the contribution amount in the future.
  A contribution amount has yet to be determined.
  01-02-13 Response is the same as above.

- The applicant should provide details on how truck deliveries will be accommodated.
  Once the final site layout has been determined based on input from the Historic Preservation and Planning Board details on how truck deliveries will be accommodated will be added to the plans.
  01-02-13 Response: Note #6 has been added to the Site Plan, sheet C04.

- I have reviewed the TDM and generally find the program to be acceptable. Some of the details of the program need to be clarified/expanded, but overall the approach is acceptable. I'll provide clarifying comments in the future. I would note that the traffic impact study will assume an evaluation of impacts assuming a 10% reduction in vehicle trips based upon the implementation of TDM strategies. Accordingly, the program should credibly reduce traffic by 10%.
  Additional comments are pending.
  01-02-13 Response: Further traffic comments have been addressed in a new memo. Please the attached "Response to Traffic Comment" from our traffic engineer, John Adams.

The Historic Preservation Board comments dated 11/09/12

The Historic Preservation Board held a preliminary review of the proposed hotel development at 321 Commercial Street on November 7th. Recognizing that the plans, elevations and perspective views were still quite preliminary, Historic Preservation Board members did express a threshold concern about the plan and massing of the proposed building as it relates to the geometry of the subject parcel and the abutting street and alleyway. They also raised a number of questions and concerns about the building design. Regarding Foundry Lane, Board members noted that its treatment at the top of the block, done as part of an earlier project, was very successful in that it preserved the memory of the historic alleyway and created an attractive pedestrian corridor. They felt it was important that this treatment continue on the lower portion of Foundry Lane to the extent possible.
Please see the attached submission to the Historic Preservation Board.
01-02-13 Response: We have revised the layout and design of Foundry Lane. The building was reconfigured at the corner of Foundry Lane and Commercial Street to match the angle of the Baxter Building at Foundry Lane. Also, Foundry Lane was revised to continue the width and consistent detailing of the walkway from York Street to Commercial Street. With that said, revisions resulted in a reduction of proposed parking spaces, a reduction in the driveway width, the bike rack was relocated, and the site lighting is now proposed to strictly match the adjacent existing lighting of the upper parking lot and Foundry Lane.

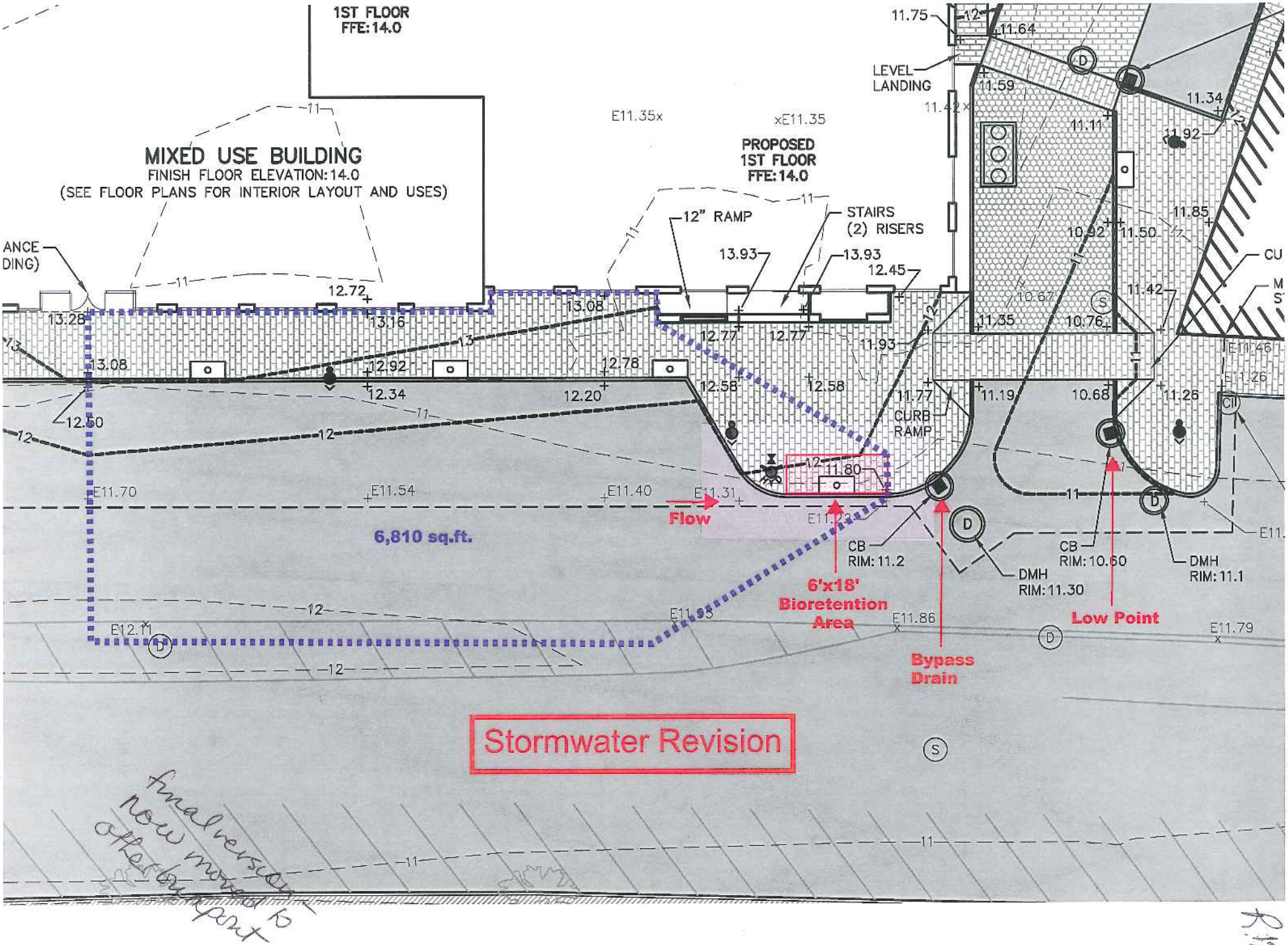
Planning Board comments from the 11/13/12 Planning Board Workshop

1. Board looking for wider walkway through Foundry Lane (connecting existing to Commercial Street sidewalk);
   Please see the attached submission to the Historic Preservation Board.
   01-02-13 Response: The width of Foundry Lane walkway is now being proposed at a consistent width from York Street to Commercial Street.

2. Board requested further info to support waiver request re bicycles (see DPS comments plus I would note that bike parking is also for users of the retail and visitors to the residential; also encouraging bicycle use is part of TDM);
   We are still requesting a waiver of bicycle parking spaces. See previous response.
   01-02-13 Response: We have reconsidered requesting this waiver and all the required bicycle parking is now provided.

3. Board OK for patio to be replaced with building to corner as per HP issue, but some of the Board members liked outdoor space to "interact with city" (my comment: so ideally some outdoor area can be included somewhere eg smaller patio at Maple as Mark mentioned or maybe near Foundry Lane?);
   The building at the corner of Maple and Commercial Street has not changed and the outdoor patio space remains as previously presented.
   01-02-13 Response the same as above

4. Board looking for more street trees: the required number is 14 (one per residential unit) under subdivision - there is an argument that in addition, the four existing ones on Commercial Street should be replaced. We would count those proposed along Foundry Lane as street trees.
   The street tree layout will be changed with the revision of Foundry Lane. There will be a total of 15 trees including those proposed along Foundry Lane.
   01-02-13 Response: There are 14 street trees proposed including those along Foundry Lane


1ST FLOOR
FFE: 14.0
MIXED USE BUILDING
FINISH FLOOR ELEVATION: 14.0
(SEE FLOOR PLANS FOR INTERIOR LAYOUT AND USES)
PROPOSED
1ST FLOOR
FFE: 14.0
12" RAMP
STAIRS
(2) RISERS
LEVEL
LANDING
CURB
RAMP
6,810 sq.ft.
Flow
6'x18'
Bioretention
Area
Bypass
Drain
Low Point
CB
RIM: 11.2
DMH
RIM: 11.30
CB
RIM: 10.60
DMH
RIM: 11.1
Stormwater Revision
final version
now moved to
other document

Jean Fraser - Fwd: RE: recent submission 321 Commercial

From: Jean Fraser
To: Fraser, Jean
Date: 12/11/2012 10:35 AM
Subject: Fwd: RE: recent submission 321 Commercial

>>> Steve Long <stevel@opechee.com> 12/6/2012 4:56 PM >>>
Jean

The 6th floor is one condominium unit that contains 14 apartments, which will be rental units. Essentially, it can be conceptualized as a 14 –unit apartment building, but owned as a condo rather than a free-standing building.

Steve Long

OPECHEE
CONSTRUCTION CORPORATION

Opechee Construction Corporation
11 Corporate Drive
Belmont, NH 03220
P (603) 527-9090
F (603) 527-9191

stevel@opechee.com

Attachment T.1
re Public + staff comments on Site Plan

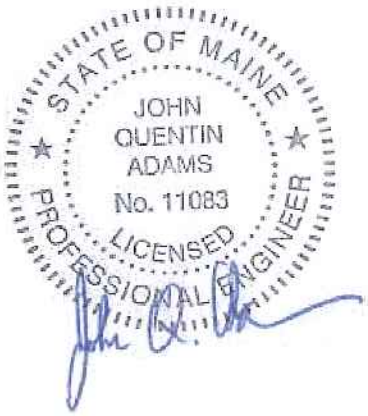
Response to Traffic Comments

TO: Ms. Jean Fraser, Planner
Development Review Program, City of Portland

FROM: John Q. Adams, P.E., PTOE
Senior Transportation Engineer
Milone & MacBroom, Inc.

DATE: December 3, 2012

RE: Response to Traffic Comments
Applicant - J. B. Brown & Sons
Proposed Hotel, Restaurant, and Residences
321 Commercial Street, Portland, Maine
MMI #5002-01-4



Purpose

The purpose of this memo is to address three traffic comments received for the proposed JB Brown & Sons Level III Site Plan/Subdivision application for the Mixed-Use development at 321 Commercial Street.

The following comments were received:

- **Public Comments received from the Planning Board**

1. Comment: *And the plan to valet up Maple and over on York has the hotel valet traffic going around what will be Baxter Academy (science and technology school), so the school traffic will mix in with the hotel cars on that corner and create a stressful situation.*

Response: Only the AM peak hour traffic from the Baxter School and the proposed mixed-use development will occur at the same time. The PM peak hour traffic from the proposed development will generally be later than the School's PM peak hour. It is our opinion that the traffic added by the proposed mixed-use development to the intersection of Maple Street and York Street will not have significant impact to traffic operations and safety.

The intersection of York Street at Maple Street currently handles low to moderate amounts of traffic and operates well. The intersection will continue to operate satisfactory with trips added from the Baxter School. We have verified this by reviewing the traffic operations analysis results from the traffic study recently submitted for the Baxter School. The study indicates that during the weekday AM peak hour the intersection will function at a level-of-service (LOS) "A" with all traffic movements on all four legs of the intersection also functioning at LOS "A" (based on Simtraffic traffic operations results). The LOS "A" indicates vehicles will experience a small amount of delay as they drive through the intersection. The LOS "A" equates to an average delay per vehicle of only 10 seconds or less.

The analysis of queuing (or vehicle back-ups) from the Baxter School study for the AM peak hour indicates that all of the approaches will experience minimal queuing. Based on the LOS "A" and the minimal queuing, the intersection and all of the approaches have capacity available to handle the

additional trips from the development at 321 Commercial Street. The proposed development will add approximately 70 trip-ends to the intersection of Maple Street and York Street during both the weekday AM and PM peak hours.

2. *Comment: We went to a neighborhood meeting last night about the proposed hotel at Commercial and Maple. It looks like a nice building, but they are planning no parking onsite for the guests. The lot they will valet park in will first be cleared of all current parking space enters. These cars, along with the cars that currently park where the hotel will sit, will put a lot of pressure on the street parking in the area. I am wondering if there really are no requirements from the city for onsite parking for new hotels. Seems odd. Brown didn't mention that they were asking for any variances, though.*

Response: The City of Portland does have requirements for developments to provide parking to meet its expected parking demand. In this instance the proposed mixed-use development is over 50,000 sf and therefore consistent with City ordinance, the appropriate parking supply is determined by the Planning Board. Parking demand can be met in a variety of ways including; on-site parking spaces, offsite valet parking, arrangements with other nearby surface parking and parking garages, and the use of available on-street parking. In addition, efforts to reduce vehicles trips (and parking demand) associated with this development will be employed by the applicant. A transportation demand management (TDM) plan has been prepared by the applicant which will be implemented as the development is built and becomes operational.

A parking study has already been completed and submitted by the applicant. In summary of the parking study, the applicant is proposing to provide a total of 110 parking spaces for the proposed hotel, restaurant and residences. A breakdown of the parking spaces provided is shown below:

1. Hotel – 86 spaces (14 on site and 72 off site at the York Street parking facilities)
2. Residences – 14 spaces on site
3. Restaurant – 10 spaces for employees at the York Street parking facility (consistent with city approval of recent similar Jordan's Meats site redevelopment project).

As can be seen from the above parking breakdown, the applicant will be providing a total of 28 spaces on-site at 321 Commercial Street. The remaining 82 spaces will be provided nearby at 2 parking lots currently owned and operated by the applicant on York Street. This type of parking supply arrangement is not atypical of recent and current mixed use developments approved by the City.

3. **Comment received from City Traffic Review Engineer, Tom Errico related to the appropriate parking rate for the proposed 131 hotel use.**

Comment: The applicant should provide additional supporting data for use of the 0.65 parking rate for the hotel.

Response: The applicant is basing the 0.65 parking demand rate on several sources of parking demand data, including:

- Hilton Worldwide parking demand rate of 0.65 spaces per occupied room: Experience from data provided by Hilton Worldwide indicates that urban hotel properties generate approximately two customer vehicles per three occupied rooms (0.65 vehicles per occupied room). This is attributable to the fact that

some guests arrive by taxi, hotel courtesy van, or other means of public transportation. Further, some guests (such as families or business groups) will arrive in a single vehicle but occupy more than one room. During full occupancy, a 0.65 vehicles/room ratio would be expected to generate approximately 86 guest vehicles. This is consistent with the approval of the Jordan's Meats site proposed hotel which utilized the 0.65 rate.

- ITE Parking Generation Manual, 4th Edition: We have reviewed data available for Land Use Code 310, for Hotels, from the Manual. On page 73 of this Manual, Hotels in urban sites are specifically discussed. Parking demand data for 5 urban sites were reviewed and indicated a weekday average peak parking demand of 0.64 vehicles per occupied room. Based on this rate the proposed 131 room hotel would require 84 parking spaces. In our original parking study for the site we referenced the 0.65 rate from Hampton Worldwide data, noted in Item 1 above. Use of the ITE rate of 0.64 would result in 2 less spaces being provided.

The two methodologies result in nearly identical parking requirements (86 spaces, compared to 84 spaces), however both are substantially higher than the City ordinance, 14-332(c), which would require only 33 spaces based on a rate of 0.25 spaces per room.

Based on this updated parking demand analysis, we recommend utilizing the 86 hotel spaces determined in our original parking demand analysis submission.

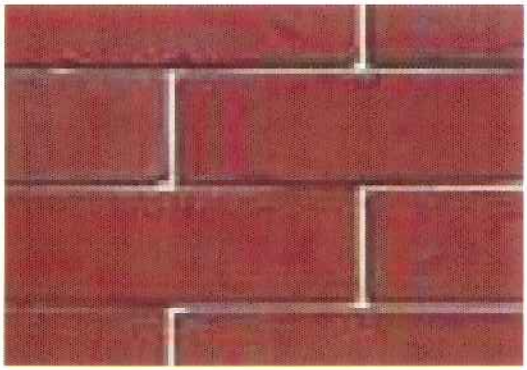
We trust we have addressed your comments and concerns. Please contact me should you have any questions or needs for additional information.

cc: Tom Errico, City Traffic Engineer
J. B. Brown & Sons, Inc.
Opechee Construction Corp., Inc.

Attachment U. 1

MATERIAL SELECTIONS

COMMERCIAL & MAPLE STREET MIXED USE DEVELOPMENT
321 COMMERCIAL STREET, PORTLAND, MAINE 01-09-13



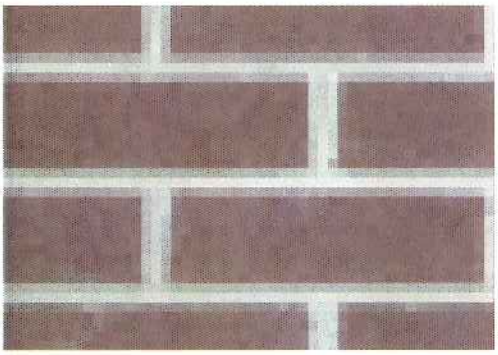
EXTRUDED FACE BRICK

MANUFACTURER: MORIN BRICK

MODULAR 3 5/8 x 2 1/4 x 7 5/8

STANDARDS: ASTM C-216, TYPE FBS

COLOR: OLD PORT SERIES RED RANGE



EXTRUDED FACE BRICK-ACCENT AT CORNICE

MANUFACTURER: REDLAND BRICK

MODULAR 3 5/8 x 2 1/4 x 7 5/8

STANDARDS: ASTM C-216, TYPE FBS

COLOR: HARMAR #73 RUSSET MATT

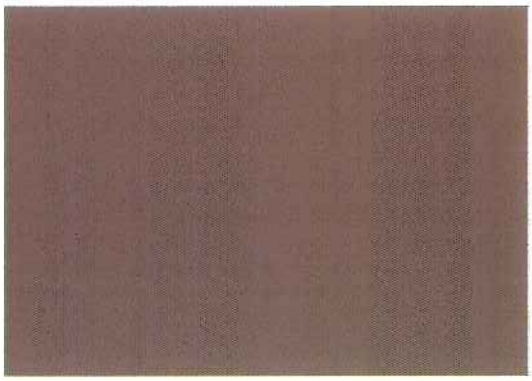
GRANITE FOR EXTERIOR WALLS-SPLIT FACE

MANUFACTURER: NOT YET DETERMINED

SIZE: 7 5/8" H. LENGTH VARIES

COLOR: WOODBURY GREY GRANITE

U.2

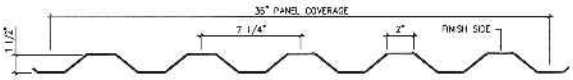


FIBER CEMENT FASCIA &
SOFFIT AT CORNICE

MANUFACTURER: JAMES HARDIE

SIZE: VARIES

COLOR: TIMBER BARK



METAL PANEL SCREEN AT POOL AREA

TYPE: Y-36 MORIN

MATERIAL: GALVALUME

COLOR: MEDIUM BRONZE

ALUMINUM WINDOWS & STOREFRONT

MANUFACTURER: EFCO OR EQUAL

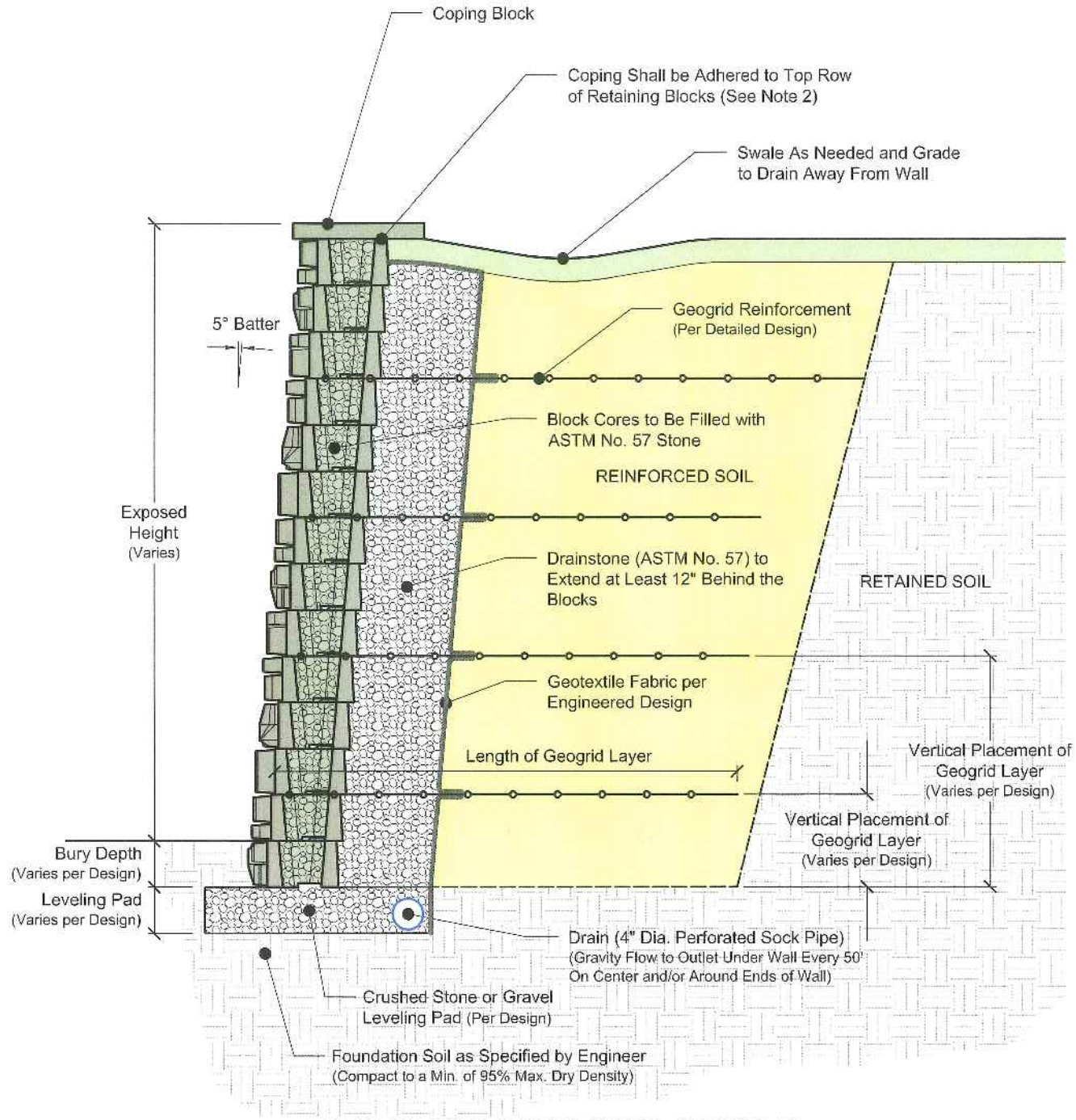
TYPE: SERIES 403

STANDARDS: THERMAL FRAMING SYSTEM

FRAME COLOR: MEDIUM BRONZE

GLASS: CLEAR INSULATED WITH LOW-E COATING

U.3



TYPICAL RETAINING WALL SECTION

(No Scale)

NOTES:

1. Block setback = ½" per course = 5° batter
2. Construction adhesives shall be specifically formulated for segmental block wall construction and shall be installed according to the manufacturer's recommendations.
3. This drawing is for reference only.
4. Final designs for construction must be prepared by a registered Professional Engineer using the actual conditions of the proposed site.
5. Final wall design must address both internal and external drainage and shall be evaluated by the Professional Engineer who is responsible for the wall design.
6. Blocks are produced with different face textures. Exposed block faces will vary throughout the wall depending on installation pattern.

DRAWN BY: J. Johnson	TITLE: TYPICAL WALL SECTION
APPROVED BY:	*115 RETAINING*
DATE: 02-17-10	
SHEET NO.: 1 of 1	DRAWING FILE: RS 115 Typical Wall Section and Installation 021710.dwg

REDI-SCAPES
05481 US 31 SOUTH CHARLEVOIX, MI 49720
866-222-8400 • 231-237-9521 Fax • www.redi-scapes.com

U.4

Examples of the proposed retaining walls

Attachment V