

ELEVATION DATUM
ALL ELEVATIONS SHOWN HEREON ARE BASED ON THE CITY OF PORTLAND VERTICAL DATUM.

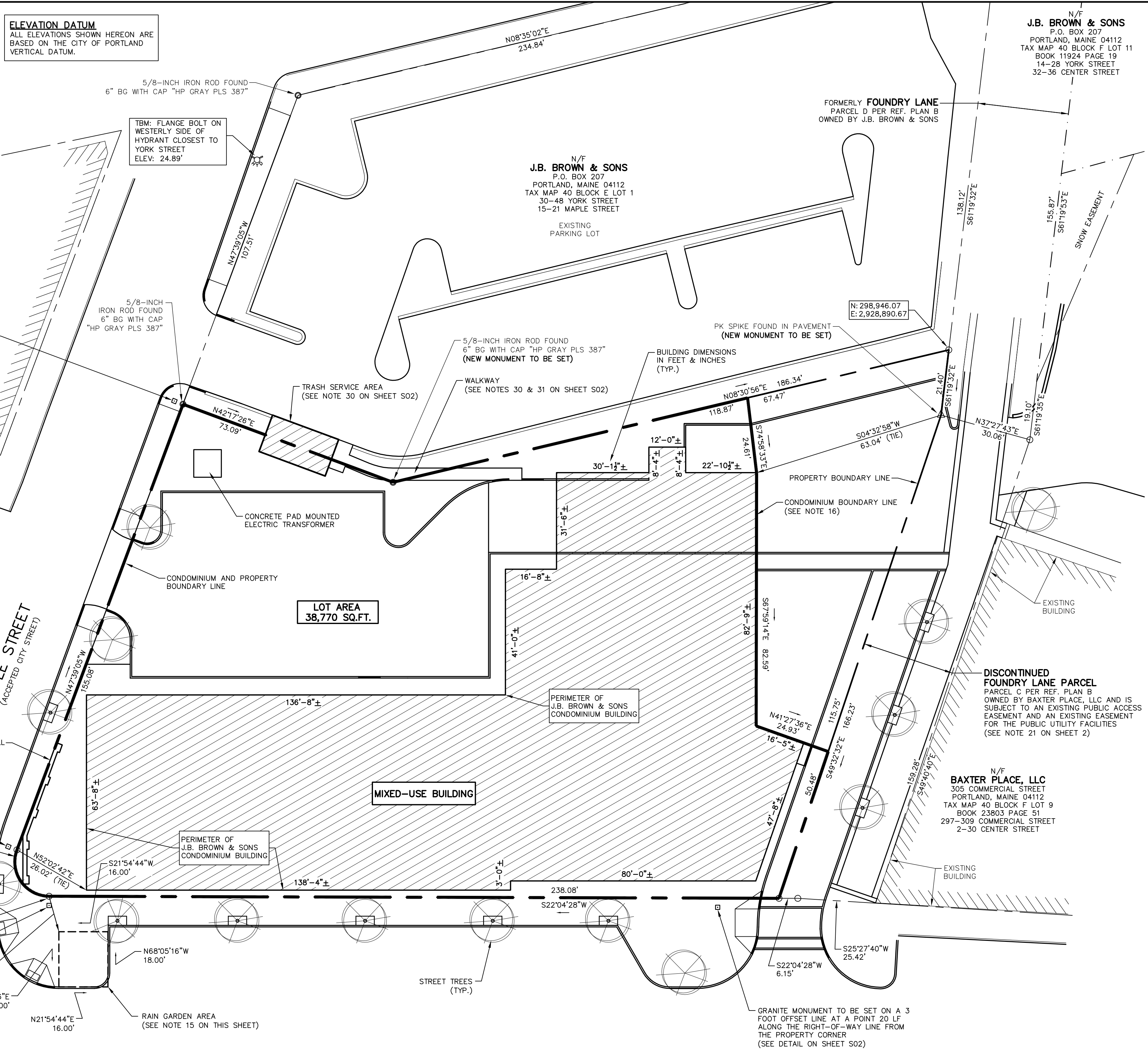
LOCATION MAP
N.T.S.

RUFUS DEERING COMPANY
383 COMMERCIAL STREET
PORTLAND, MAINE 04101
TAX MAP 40 BLOCK F LOT 7 & 8
BOOK 14155 PAGE 13
54-62 YORK STREET
12-20 MAPLE STREET

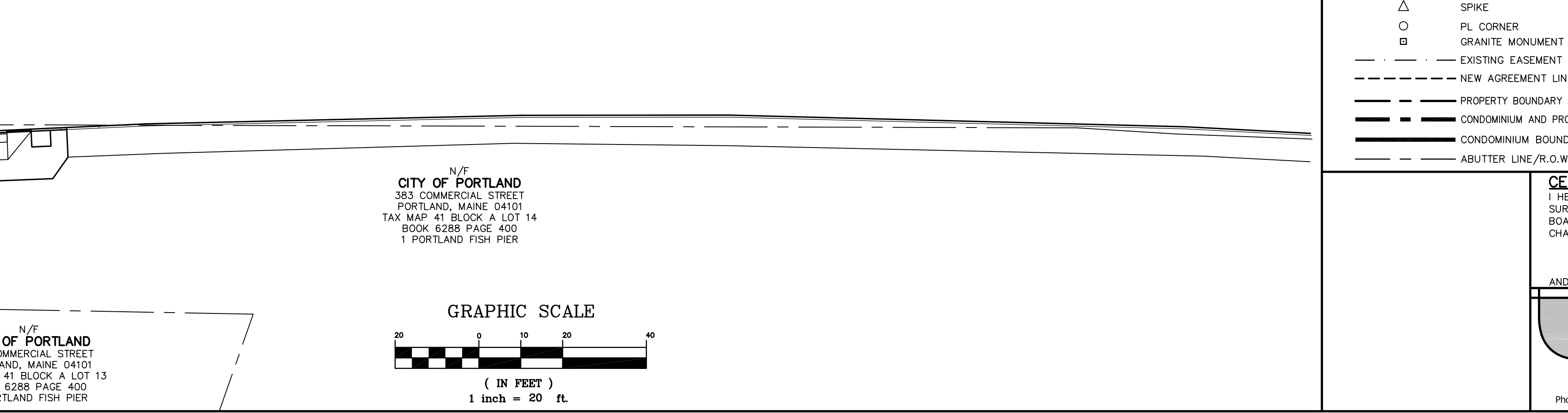
MILLIKEN WITH BLOCK LLC
383 COMMERCIAL STREET
PORTLAND, MAINE 04101
TAX MAP 42 BLOCK A LOT 1
BOOK 22475 PAGE 307
339-383 COMMERCIAL STREET
5-15 HIGH STREET

GULF OF MAINE PROPERTIES INC
P.O. BOX 7549
PORTLAND, MAINE 04112
TAX MAP 42 BLOCK C LOT 1

CITY OF PORTLAND
383 COMMERCIAL STREET
PORTLAND, MAINE 04101
TAX MAP 41 BLOCK A LOT 13
BOOK 6288 PAGE 400
1 PORTLAND FISH PIER



COMMERCIAL STREET
(ACCEPTED CITY STREET)



GENERAL NOTES:

- THIS IS SHEET ONE (S01) OF TWO SHEETS OF THE SUBDIVISION PLAT FOR THE CREATION OF UP TO 14 DWELLING UNITS IN A NEW MIXED-USE CONDOMINIUM BUILDING TO BE CONSTRUCTED ON THE SUBJECT PROPERTY. THE APPROVAL OF THIS PLAT DOES NOT CREATE ANY SUBDIVISION OF THE LAND ON THE SUBJECT PROPERTY.
- APPLICANT INTENDS TO DEVELOP A SUBSTANTIAL PORTION OF THE SUBJECT PROPERTY AS A CONDOMINIUM NAMED "321 COMMERCIAL STREET CONDOMINIUM" CONSISTING OF THREE COMMERCIAL UNITS (THE HOTEL UNIT, THE RETAIL UNIT AND THE RESIDENCE UNIT). THE RESIDENCE UNIT SHALL BE SUBDIVIDED AS A SUB-CONDOMINIUM INTO FOURTEEN (14) RESIDENTIAL UNITS. THE FOREGOING UNITS (BOTH THE COMMERCIAL MASTER CONDOMINIUM AND THE RESIDENTIAL SUB-CONDOMINIUM) ARE SUBJECT TO SUBDIVISION REGULATION. THIS SHEET S01 SHOWS THE DIMENSIONS AND LOCATION ON THE GROUND OF THE CONDOMINIUM BUILDING AND THAT PORTION OF THE SUBJECT PROPERTY SUBJECT TO THE MAINE CONDOMINIUM ACT (33 M.R.S.A. §§1601-101, ET SEQ.). SHEET S02 PROVIDES THE CONTINUED GENERAL NOTES, RELATED CONSTRUCTION AND A METES AND BOUNDS DESCRIPTION OF THE PORTION OF THE SUBJECT PROPERTY THAT WILL BE DECLARED SUBJECT TO THE SAID MAINE CONDOMINIUM ACT TOGETHER WITH THE EASEMENTS ASSOCIATED WITH THE SUBJECT PROPERTY AND THE CONDOMINIUM.
- THE SIGNATURES OF THE CITY OF PORTLAND PLANNING BOARD ON THIS SUBDIVISION PLAT CONSTITUTE SUBDIVISION APPROVAL FOR THE CREATION OF 14 RESIDENTIAL UNITS. THE NON-RESIDENTIAL UNITS ARE NOT SUBJECT TO SUBDIVISION REGULATION.
- THE RECORD OWNER OF THE SUBJECT PROPERTY IS THE APPLICANT, J.B. BROWN & SONS, DEEDS GRANTING THE SUBJECT PROPERTY TO THE APPLICANT ARE THE FOLLOWING: A DEED FROM JOSEPH A. SYMONDS, JOHN MARSHALL BROWN AND PHILIP G. BROWN, DATED MAY 16, 1904 AND RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 749, PAGE 43; A DEED FROM POULTRY PROCESSING, INC., DATED MAY 2, 1978 AND RECORDED IN SAID REGISTRY IN BOOK 4208, PAGE 56, AND A DEED FROM POULTRY PROCESSING, INC., DATED AUGUST 29, 1979 AND RECORDED IN SAID REGISTRY IN BOOK 4486, PAGE 50.
- SUBJECT PROPERTY IS LOT 3 OF BLOCK E ON THE CITY OF PORTLAND TAX MAP 40.
- TOTAL LAND AREA OF SUBJECT PROPERTY IS APPROXIMATELY 38,770 SQ. FT.
- LAND BOUNDARY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED UPON AN ON-THE-GROUND SURVEY TITLED "STANDARD BOUNDARY SURVEY OF LAND OF J. B. BROWN & SONS" BY HORIZONS ENGINEERING, INC. DATED OCTOBER 22, 2012.
- ZONING DISTRICT: SUBJECT PROPERTY IS LOCATED IN THE B-56 URBAN COMMERCIAL MIXED USE DISTRICT. SPACE AND BULK criteria FOR THE B-56 URBAN COMMERCIAL MIXED USE DISTRICT ARE AS FOLLOWS:
(a) MIN. LOT SIZE: NONE
(b) MIN. STREET FRONTAGE: NONE
(c) MAX FRONT YARD SETBACK: 10'
(d) MIN. YARD DIMENSIONS: NONE
(e) MIN. LOT WIDTH: NONE
(f) MAX. LOT COVERAGE: 100%
(g) MAX. HEIGHT OF BUILDING: 65'
- THE FOLLOWING IS THE FLOOR SPACE AREA FOR EACH PROPOSED USE:
RETAIL: 7,185 SQ.FT.
HOTEL: 86,608 SQ.FT.
RESIDENTIAL: 18,324 SQ.FT. (PLUS 764 SQ.FT. LOBBY)
TOTAL: 112,117 SQ.FT.
- THE TOTAL NUMBER OF PARKING SPACES REQUIRED FOR THE 321 COMMERCIAL STREET CONDOMINIUM IS 110 SPACES. PARKING SPACES WILL BE PROVIDED ON-SITE AND OFF-SITE WITH TWO NEARBY PARKING LOTS LOCATED AT 50 THROUGH 70 DANFORTH STREET.
(a) REFERENCE SHOULD BE MADE TO THE DECLARATION OF CONDOMINIUM OF THE 321 COMMERCIAL STREET CONDOMINIUM TO BE RECORDED IN CORD FOR A DESCRIPTION OF LIMITED COMMON ELEMENTS OF THE PARKING.
(b) SEE THAT CERTAIN ACCESS EASEMENT AGREEMENT DATED AS OF JANUARY 23, 2013 BY AND BETWEEN BAXTER PLACE, LLC AND J.B. BROWN & SONS RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 30639, PAGE 61, AS AMENDED BY A FIRST AMENDMENT TO ACCESS EASEMENT AGREEMENT DATED MAY 9, 2014 AND RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 31510, PAGE 65 (THE "ACCESS EASEMENT"), WHICH ACCESS EASEMENT PROVIDES FOR TWELVE (12) SHARED PARKING SPACES BETWEEN BAXTER PLACE, LLC AND J.B. BROWN & SONS UNDER THE DECLARATION OF CONDOMINIUM FOR 321 COMMERCIAL STREET CONDOMINIUM, J.B. BROWN & SONS, AS DECLARANT OF THE CONDOMINIUM, SHALL TRANSFER TO CONDOMINIUM, CERTAIN OF THE SHARED RIGHTS AND OBLIGATIONS UNDER THE ACCESS EASEMENT APPLICABLE TO THE SUBJECT PROPERTY, INCLUDING INGRESS AND EGRESS RIGHTS, THE SAID PARKING SPACES, AND THE MAINTENANCE AND REPAIR OF THE EASEMENT AREA, WHILE RESERVING TO J.B. BROWN & SONS THE EXCLUSIVE RIGHT TO RE-LOCATE THE PARKING SPACES IN ACCORDANCE WITH THE TERMS OF THE ACCESS EASEMENT AND A COMMON RIGHT OF INGRESS AND EGRESS (VEHICULAR AND PEDESTRIAN) FOR ITS ADJUTING PROPERTY.
(c) PROVISION FOR PARKING ARE AS FOLLOWS:
34 ON-SITE SPACES: 14 SPACES FOR THE RESIDENTIAL UNITS, 10 SPACES FOR THE RESTAURANT, 18 SPACES FOR THE HOTEL UNIT (12 SHARED WITH BAXTER), 67 SPACES FOR THE HOTEL, 2 SPACES FOR THE RETAIL UNIT
- A "SUBDIVISION" IS DEFINED AS THE DIVISION OF A LOT, TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE LOTS, INCLUDING LOTS OF FORTY (40) ACRES OR MORE, WITHIN ANY FIVE-YEAR PERIOD WHETHER ACCOMPLISHED BY SALE, LEASE, DEVELOPMENT, BUILDINGS OR OTHERWISE AND AS FURTHER DEFINED IN 30-A M.R.S.A. SECTION 4401. THE TERM SUBDIVISION SHALL ALSO INCLUDE THE DIVISION OF A NEW STRUCTURE OR STRUCTURES ON A TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD AND THE DIVISION OF AN EXISTING STRUCTURE OR STRUCTURES PREVIOUSLY USED FOR COMMERCIAL OR INDUSTRIAL USE INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD. THE AREA INCLUDED IN THE EXPANSION OF AN EXISTING STRUCTURE IS DEEMED TO BE A NEW STRUCTURE FOR THE PURPOSES OF THIS PARAGRAPH. A DWELLING UNIT SHALL INCLUDE ANY PART OF A STRUCTURE WHICH, THROUGH SALE OR LEASE, IS INTENDED FOR HUMAN HABITATION, INCLUDING SINGLE-FAMILY AND MULTI-FAMILY HOUSING CONDOMINIUMS, TIME-SHARE UNITS AND APARTMENTS.
- THIS IS A PRIVATE CONDOMINIUM. MAINTENANCE AND MANAGEMENT OF FOUNDRY LANE, SIDEWALKS, STORMWATER DEVICES, SITE LIGHTING, TRASH REMOVAL AND SNOW REMOVAL SHALL BE THE RESPONSIBILITY OF THE CONDOMINIUM ASSOCIATION. SEE THE DECLARATION OF CONDOMINIUM OF THE 321 COMMERCIAL STREET CONDOMINIUM TO BE RECORDED IN CORD.
- THE PROJECT APPROVED ON THE SUBJECT PROPERTY SHALL BE SUBJECT TO A TRAFFIC DEMAND MANAGEMENT (TDM) PLAN, WHICH MAY BE MODIFIED FROM TIME TO TIME (THE CURRENT TDM PLAN SHALL BE AVAILABLE FROM THE CITY OF PORTLAND PLANNING DEPARTMENT). THE CONDOMINIUM ASSOCIATION SHALL DEVELOP, IMPLEMENT AND MANAGE THE APPROVED TDM PLAN AS SET OUT IN THE OCTOBER 22, 2012 TDM PLAN AND THE RESPONSE TO COMMENTS LETTER PREPARED BY JOHN ADAMS DATED JANUARY 9, 2013, WHICH INCLUDE A POST-DEVELOPMENT MONITORING PHASE. SEE THE DECLARATION OF CONDOMINIUM OF THE 321 COMMERCIAL STREET CONDOMINIUM TO BE RECORDED IN CORD.
- THE CONDOMINIUM ASSOCIATION SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF CHAPTER 32 STORMWATER INCLUDING ARTICLE III, POST-CONSTRUCTION STORM WATER MANAGEMENT, WHICH SPECIFIES ANNUAL INSPECTIONS AND REPORTING REQUIREMENTS AT A MINIMUM. IN ADDITION, THE CONDOMINIUM ASSOCIATION SHALL BE RESPONSIBLE FOR COMPLYING WITH THE CONDITIONS OF THE SUBMITTED STORMWATER MANAGEMENT AND STORMWATER POLLUTION PREVENTION PLANS (DATED OCTOBER 22, 2012 AND UPDATED JANUARY 2, 2013) AND THE APPROVED PLANS, AND MEET CITY STANDARDS AND STATE GUIDELINES. SEE THE DECLARATION OF CONDOMINIUM OF THE 321 COMMERCIAL STREET CONDOMINIUM TO BE RECORDED IN CORD. SEE STORMWATER DRAINAGE SYSTEM MAINTENANCE AGREEMENT FROM J.B. BROWN & SONS TO BE RECORDED IN CORD.
- THE SITE PLAN PROVIDES A RAIN GARDEN/STORMWATER PLANTER (RAIN GARDEN) LOCATED IN THE SIDEWALK BUMP OUT WITHIN THE CITY RIGHT-OF-WAY AT THE INTERSECTION OF COMMERCIAL STREET AND MAPLE STREET. A LICENSE FROM THE CITY OF PORTLAND HAS BEEN GRANTED FOR THE SAID RAIN GARDEN AREA AND THE MAINTENANCE OF THE RAIN GARDEN SHALL BE THE RESPONSIBILITY OF THE CONDOMINIUM ASSOCIATION. SAID MANAGEMENT AGREEMENT OVER SAID RAIN GARDEN TO BE RECORDED AT THE CORD. SAID AGREEMENT CLARIFIES THE STORMWATER MANAGEMENT OBLIGATIONS AND RESPONSIBILITIES OF THE CONDOMINIUM ASSOCIATION. SAID AGREEMENT MAY BE REDUCED OR TERMINATED TO THE EXTENT THAT THE CITY OF PORTLAND PLANNING AUTHORITY APPROVES THE REDUCTION OR ELIMINATION OF SUCH RAIN GARDEN IN THE CITY RIGHT-OF-WAY. ALSO, SEE THE DECLARATION OF CONDOMINIUM OF THE 321 COMMERCIAL STREET CONDOMINIUM TO BE RECORDED IN CORD.
- THE SEGMENTS OF THE CONDOMINIUM BOUNDARY LINE THAT RUN ALONG CONDOMINIUM BUILDING ARE INTENDED TO FOLLOW THE "AS-BUILT" FOUNDATION WALLS AT GROUND LEVEL (THE "WALL LINE"). NOTWITHSTANDING THE FOREGOING, ALL SUCH AS-BUILT CONDOMINIUM BOUNDARY LINE SHALL NOT DEVIATE MORE THAN ONE FOOT FROM THE LINES SHOWN ON THIS PLAN.

THIS AMENDMENT TO THE SUBDIVISION PLAT DEFINES THE CONDOMINIUM AND ITS SUPPORTING COMMON AREAS WITHIN THE ORIGINAL SUBJECT PROPERTY. ANY FUTURE SALE, LEASE OR MODIFICATION OF THE COMMON AREAS MAY REQUIRE REVIEW AND APPROVAL BY THE CITY OF PORTLAND PLANNING BOARD.

APPROVAL BY:
CITY OF PORTLAND PLANNING AUTHORITY:

DATE:

CERTIFICATION
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY CONFORMS WITH THE MAINE BOARD OF LAND SURVEYORS RULES, CHAPTER 90: STANDARDS OF PRACTICE.

ANDREW J. NADEAU, PLS 2326

34 School Street
Littleton, NH 03561
Phone 603.444.4111 - Fax 603.444.1343

PREPARED BY:
COPETECH CONSTRUCTION CORPORATION
11 CORPORATE DRIVE, BELMONT, NH 03320
PHONE: (603) 527-9090 FAX: (603) 527-9191

RECORD OWNER:
J.B. BROWN & SONS
P.O. BOX 207
PORTLAND, ME 04112

DATE: 10-22-12
SCALE: 1"=20'
DRAWN BY: BJS

SHEET: 1 OF 2

REVISION SCHEDULE

DATE	REVISION DESCRIPTION
05-12-14	FIRST AMENDMENT TO SUBDIVISION PLAT
01-25-15	REVISED PER THE CONDITIONS OF THE PLANNING BOARD APPROVAL
08-12-15	REVISED PER THE COMMENTS OF DPS, LEGAL, AND PLANNING (APPROVAL CONDITION)

BY: BUS
BY: BUS
BY: BUS
BY: BUS

© COPYRIGHT 2012 BY O.C.C.