

44-F-1

2007-0086

66-68-High Street
Parking Lot

USM

add to Spreadsheet

Att. 2

MEMORANDUM

To: FILE

From:

Dept: Zoning

Subject: Application ID: 2007-0086

Date: 6/21/2007

This accessory parking for USM is located in an R-6 Zone. This new parking is allowed and considered to be a conditional use (institution expansion) appeal to the planning board. I would want confirmation that no new lighting will be installed (none shown on submittal) or it will have to show compliance with section 14-340. I would like to see details of the curbing. Section 14-338 requires continuous curb guard at least six inches in height.

All other zoning requirements are being met.

Marge Schmuckal
Zoning Administrator

June 18, 2007

Molly Casto, Planner
Department of Planning and Development
Portland City Hall, 389 Congress Street
Portland, Maine 04101

RE: 66-68 High Street Proposed Parking

Dear Molly,

We have reviewed the comments drafted on June 7th regarding our submission and are following up with responses and additional material. Concurrently, Gorrill-Palmer is working to address stormwater comments, and their material should arrive in a follow-up submittal tomorrow.

The following responses are numbered according to the City's comments.

1-2 *"The Department of Public Works would prefer to see access for the proposed parking lot located on High Street rather than on Danforth Street."*

Our plans currently show the same layout and access location as our previous submission. There was a site meeting last year between traffic engineer Peter Hedrich of Gorrill-Palmer and Jim Carmody to discuss access, and our plans reflect what was considered optimal at that time. Hedrich is trying to reach public works on this topic. Our top priority will be safety as we work towards the best driveway location. We will inform you of any further resolution on this topic as it evolves.

3. *"Be Aware that this project is located within a designated Historic District and, therefore, must undergo a separate review by Historic Preservation Board to obtain a Certificate of Appropriateness."*

We are aware of this requirement, and are planning to pursue the Certificate. We have discussed the project with Deb Andrews and in fact several of the design decisions have been guided by her, including restoration of the fence, selection of materials, and inclusion of shrub buffers.

4. *"You will need to submit a separate grading plan. The submitted plans appear to drain directly to Danforth Street, which is unacceptable."*

As stated in the introduction, Gorrill-Palmer Consulting Engineers is working on this and should be submitting a follow-up submittal on Tuesday.

5. *"You will need to submit a separate landscaping plan including a description of measures to be taken to preserve existing mature trees and other vegetation on the project site."*

An updated landscape plan (sheet L-1) is enclosed which illustrates existing and proposed vegetation and indicates which trees are being preserved. There is a plant list of proposed plants, planting details and a tree protection detail which must be followed during construction to ensure protection of the preserved trees.

a. *"An 8-foot wide landscaping strip is encouraged to screen parking from surrounding properties."*

A row of shrubs is proposed along High Street which will attain an 8 foot width in maturity. A row of dense evergreens has been proposed along the neighboring property to the south that can achieve an 18 foot mature height. No buffer except the existing mature pine trees to remain is being proposed along Danforth Street to further protect their root systems.

b. *"The total landscaped area within the parking area should comprise no less than 10% of the area designated for parking and vehicle circulation."*

The proposed landscaping meets and exceeds this requirement based on the following calculations. There is approximately 10,357 s.f. of area where the new parking is proposed. 4,616 s.f. of it landscaping and 5,841 s.f. of it paved surface. This makes the landscape area 45% of the total project area and equivalent to 80% of the proposed paved area.

c. *"If you submit revisions to the plan, maintain that no more than eight parking spaces occur in a row without a landscaped divider island, as is the case on the current plans."*

We have not reconfigured the parking and have no more than 8 consecutive parking spaces.

Additionally, meeting the criteria for the conditional use permit was requested during correspondence with staff. The language and responses relevant to obtaining a conditional use permit at 66-68 High Street is as follows:

DIVISION 7. R-6 RESIDENTIAL ZONE*

Sec. 14-137. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(c) *Institutional*: Any of the following conditional uses provided that, notwithstanding section 14-474 (a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

8. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

a. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and

Response: The proposed area of parking expansion is on the principal lot and will not cause significant physical encroachment into established residential areas.

b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter;

and

Response: The proposed parking area is owned and maintained by USM and will not constitute a displacement or conversion of residential uses.

c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative.

Response: N/A)

We look forward to discussing the plans with you at the June 26th Planning Board meeting. Thank you for your consideration.

Sincerely,



Sarah Coffin Marshall, ASLA
Sr. Associate, TJD&A

Cc: David Early, USM
Will Haskell, Gorrill-Palmer

Previously Submitted 5/18/07:

Application Form and Conditional Use form
Owen Haskell Survey, approx. 1"=40'
City Tax Map
Aerial/survey overlay, 1"=20'
Illustrative Site Plan, 1"=20'
Historic Photo
Site Photos, 5.5x8.5
PB Application Fee
(7 sets submitted)

Submitted 6/18/07:

L-2: Landscape/Layout Plan

Att. 4

From: Katherine Earley
To: Barbara Barhydt; James Carmody; Molly Casto; terrico@wilbursmith.com
Date: 6/21/2007 1:53:30 PM
Subject: Re: USM's High St. parking lot - DPW comments

Molly:

Jim Carmody is not here today; since he agreed to provide our comments in writing by June 13 and apparently did not do so, I will take a shot at providing them for you. Tried to get you by phone as you seem to know what the comments are but can't reach you, so here's all I can do from my own notes:

"The Department of Public Works has reviewed the application material received May 30, 2007 and notes three items:

1. A vehicular entry as depicted will need relocation to the satisfaction of the City's Transportation Engineer.
2. The existing brick sidewalk on High St. will require rehabilitation.
3. The driveway aprons shall be constructed of brick per the Sidewalk Material Policy as it applies to the Historic District zone."

I hope that is helpful somehow to you.
Kathi Earley

>>> Molly Casto 06/21 10:01 AM >>>

Reminder- I urgently need written comments for 66-68 High Street (USM Parking lot from zoning, public works, parks and recreations and traffic. I understand the traffic issues because of our meeting yesterday but I need it in writing. They are scheduled for the 6/26 workshop.

I have to submit my attachments (with your comments) by the end of the day today. As of now, I have nothing except fire.

Molly Casto

Molly Casto
Planner
City of Portland
207-874-8901
MPC@portlandmaine.gov

CC: Michael Farmer

**HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE**

**WORKSHOP
66-68 HIGH STREET**

TO: Chair Turk and Members of the Historic Preservation Board

FROM: Deborah Andrews, Historic Preservation Program Manager

DATE: July 18, 2007

RE: July 25, 2007 Workshop

Application For: Preliminary Review of Proposed Site Alterations

Address: 66-68 High Street
(northwest corner of High and Danforth Streets)

Applicant: University of Southern Maine
represented by Dave Early, Exec. Dir. of Facilities Mgmt.

Landscape Architect: Sarah Marshall
Terrence J. DeWan & Associates Landscape Architects and Planners

Introduction

Landscape architect Sarah Marshall, on behalf of the University of Southern Maine, has requested a preliminary workshop to introduce plans for a 14-car parking lot at the northwest corner of Danforth and High Streets. The subject parcel is owned by the University and immediately abuts USM's 66-68 High Street academic building. The parcel is currently an open green space surrounded by iron fencing.

The project is prompted by the impending loss of 22 parking spaces which USM currently leases from the parking lot directly across High Street. The surface parking lot was, until recently, owned by City of Portland. The City sold the parcel through a competitive bidding process and it will soon be redeveloped for affordable housing. The developer's plan includes limited provisions for on-site parking; in fact, the developer will be requesting a reduction in the parking requirement.

The proposed parking lot requires site plan approval from the Planning Board as well as approval from the Historic Preservation Board. The Planning Board has held one preliminary workshop on the project and will be concluding its review on August 14.

Enclosed, along with the applicant's submission, are historic photos and maps that document the evolution of this site. Also enclosed are several letters and a signed petition from area residents concerning the proposal.

Subject Property--Evolution and Current Condition

The open space abutting USM's facility at 66-68 High Street was originally occupied by an imposing Federal period residence known as the Mussey House—see enclosed 1924 photos and maps. A handsome 3-story brick structure, the Mussey House was oriented toward Danforth Street and was set well back from the street atop a knoll. A long ell extended from the rear of the building. From early views, it appears that the Mussey House shared many architectural characteristics with the McLellan House (1800) and the Cumberland Club building (1800) and was clearly a building of considerable stature.

In 1909, a large building addition was introduced at the rear of the Mussey House ell. Another addition was introduced off the northwest corner of the house. The assembled complex became a children's hospital. The 1909 Colonial Revival additions were designed by Frederick Tompson, who took care to make the sizeable additions compatible with the Federal period residence they adjoined—see photos.

Building records indicate that the complex changed use from a hospital to the Salvation Army headquarters in 1949. No building changes were made at that time.

USM (then called Portland University) purchased the complex in 1960 and in 1962 received approval to demolish the main block of the Mussey House. The ell and later additions still stand. Today, the USM facility exhibits a rather curious arrangement of building elements which reflects this sequence of events.

It is not clear from the documentation when the iron fencing and granite posts were introduced. They do not appear in the 1924 tax photos and may have been added when either the Salvation Army or Portland University acquired the property.

Proposed Alterations

Please refer to the applicant's written narrative and accompanying drawings.

Note that given the change in grade, retaining walls will be introduced around the perimeter of the lot. According to the project description, the height of the walls ranges from 24"-54". No section drawing has been provided with the current submission to indicate the proposed height at specific locations. Staff is enclosing several conceptual perspective views that were provided during early discussions with the project designer—see Attachment 7. While the site plan has changed somewhat since these early perspectives were developed and are no longer entirely accurate, they have been included to give a general sense of how the space will appear.

Staff Comments

The threshold question to be considered in evaluating this proposal is whether the property's current condition, which is the result of the demolition of the original Federal period house on the site, has acquired significance in its own right. Standard # 4 of the historic preservation

ordinance reads as follows:

Changes which may have taken place in the course of time are evidence of the history and development of a structure, object or site and its environment. Changes that have acquired significance in their own right, shall not be destroyed.

As Standard # 4 implies, not all changes acquire significance; the Board will need to make that determination. In this case, the landscape in question is not a historic “designed” landscape in the traditional sense. And, while the early maps and photos confirm that there has always been a substantial lawn at that corner, the original relationship of that lawn to the structure it framed was lost when the Mussey House was demolished in 1962. That being said, the site has functioned as an open green space for the past 45 years and is valued today as a visual amenity in an otherwise densely developed area.

Following consideration of Standard # 4 and the relative significance of the site’s current condition, the Board will then need to assess whether the proposed alteration is generally compatible with the character of the property. If the Board concludes that the open space can accommodate some level of alteration, is the plan as proposed acceptable or would modifications be necessary to reduce the visual impact of the parking lot and regain more of the landscape character?

On a related matter, the Board will note there is a paved area immediately in front of the USM building that accommodates a single handicap parking space. The proposed project does not include any changes to this area. If the Board determines that the proposed parking lot, as shown or as amended, meets the ordinance standards, perhaps consideration should be given to incorporating this area into the project scope. The current treatment undermines the historic character of the building and the High Street streetscape.

Review Standards

The following ordinance standards are applicable in the review of this project:

- (2) *The distinguishing original qualities or character of a structure, object or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.*
- (4) *Changes which may have taken place in the course of time are evidence of the history and development of a structure, object or site and its environment. Changes that have acquired significance in their own right, shall not be destroyed.*
- (9) *Contemporary design for alterations and 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, color, material and character of the property, neighborhood or environment.*

- (10) *Wherever possible, new additions or alterations to structures and objects shall be undertaken in such a manner that, if such additions or alterations were to be removed in the future, the essential form and integrity of the historic property would be unimpaired.*

Attachments

1. Aerial view of site
2. Photos of current conditions
3. 1924 photos of Mussey House (91 Danforth) and Children's Hospital (66-68 High)
4. Historic maps
5. Application and written project description
6. Proposed site plan
7. Perspective views
8. Detail of retaining wall
9. Light fixture detail
10. Public comment

CITY OF PORTLAND, MAINE

Planning and Development Department

Planning Division

389 Congress Street, Portland, Maine 04101

(207) 874-8719 Fax (207) 756-8258

~~PRO~~
1616-1618 High Street -

Molly presentation

HP - review

a) leasing 22 spaces across street -

b) 14 spaces

c) • meets conditional use review
• additional info to be submitted to be met

• M.S. - no new lighting - \$ on submital

- details of
- Right of title

- Capacity

- storm drainage to st - not acceptable
unacceptable -

- Landscaping - review -

- appears to ~~be~~ exceed
- 40-45 % of prop
area -

- P.W. access -

- separation w/ driveway -

- distance from intersection

searching
Nearby → parking - in application

- large lot on Denyath St

- Holiday Inn Berkeley Garage

worth
exploring

- public comment - separate area

- next steps -

- neigh mtg

- HP review

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- question of merged lots -
- Benny check us merger
- ck on thing -

B. Hall -
driveway

David Silk -
- selling bldg in 2 yrs -
- Dick Campbell - CFO -
- no plans in selling - USM bldg
- Portland Hall on Congress St -
- may offer for sale

can people walk through green space?

S.M. no - only opening - use by entrances
- enclosed by fence

Shalem no questions -
M.P.

Keep handicapped spaces - 1
by handicapped space - circle
neg. (how many typically
Park - 2)

Bill Hall -
consideration of alternatives -
Chris Kittredge - USM -
- occupation study of
staff & personnel - more

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then 1/2 people at all time -
as many as 50 for a class
80 for Bd mtg -

Don't know what we have done to
look

~~22~~ spaces - met a third to a
quarter of demand -
trying to recapture some of
loss -

DS.

snow removal - remove from site -

Sm - Have looked at other optat.

S.O - would like to see what
other options -

not in support - one of
few green spaces -
preserve more green spaces
took into options

Public Comment

Julia Kirby Victoria mansion -
- appreciate effort to meet
standards - we feel
it is a historic dist - not
in support
- worked 10 yrs - problem in

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area - we manage - still ben
able - I guess vs

Park St - completely blocked off
- 10 to 12 spaces yet
- depth

All day parking - gone -

Still a way to manage -

up to 80 people at events
w/ no parking -
- parking garage + parking

manor - sensitive - prevent

- other options - should be
explored.

Kathleen Seales -

- Stetson Ct -

- city owned site - still pending
- maybe it isn't going
forward

Robert Haines - Holme Ave -
is it your duty to decide
on merits -

- alternatives - staff -

- application before you - tangents
3 letters in packet - 3 handed out

today -
Privately owned property - sidewalk
not a park -

you use that term
4th letter - given space

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is it proper under the code
- does it meet code
- ^{does it} please your approval

- Victoria -

- oppose but give us parking

B Hall -

- concerned about alternative

- nice place - nice space to
preserve -
- search on alternatives -

- impressed w design work +
efforts to minimize

DS

Snow removal plan - time
+ schedule - complicated -
incorporate as a condition
(Site plan - (?))

HQ review -

- if problem there - they
will deal w it

Good neighbor - green space
- green space precious item.
- traffic issues -
- agreed to meet site plan
standards.

CITY OF PORTLAND, MAINE

Planning and Development Department

Planning Division

389 Congress Street, Portland, Maine 04101

(207) 874-8719 Fax (207) 756-8258

3.0.

- Standards are met
- permit can choose to proceed
 - if you want to preserve green -
I have you looked @ Matt

• snow removal

• landscaping good

• love to see green space preserved
- personal preference

MP

• Snow Removal

• Traffic

• Landscaping

• HP - Stayed on this

• Univ - look at other options

- urban enviro -

not conf moving to P/B until
HP Review -

— motion to adjour —

MODE = MEMORY TRANSMISSION

START=JUL-12 14:16

END=JUL-12 14:18

FILE NO.=376

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-CITY OF PORTLAND -

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

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

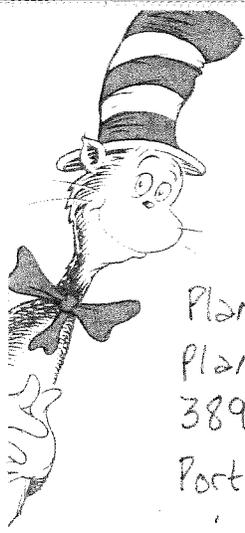
To: DAVID EARLY
 Company: UNIV. OF MAINE
 Fax #: (207) 780-4538
 Date: 7/12/07
 From: MOLLY CASTO - PLANNER

You should receive _____ page(s) including this cover sheet.

Comments:

Here are the paper letters that have come in so far.

Molly



Charlotte V. Strugar
92 Danforth St. #1
Portland, ME 04101

PLANNING Commission
PLANNING and Development Department
389 Congress Street
Portland, Maine 04101

To Whom It May Concern:

I am writing in regard to the green space or little park at the corner of High and Danforth, directly across from where I live, that USM and you are planning to destroy to make more parking spaces.

This park is one of the only bastions of nature left in Portland's West End. It is beautiful, green and pure, so of course, you have to ruin it. Every city needs patches of nature; even New York City has Central Park. By systematically tearing away nature, you are contributing to the vulgification of Portland. I, for one, will not look forward to having to look out on pavement and more hideous vehicles every morning when I go to collect my mail.

Dogs love that park. I often see people with their pets throwing sticks or running through the grass with their animals. In the winter, the dogs go crazy in the snow that falls in that patch of land.

Why you can't use the land directly adjacent the park (diagonally) which is already more or less designated to parking, I don't know. I am referring to the gravelly patch near Patricio Woodworks that faces the ocean. →

But I guess that would entail the VSM students tearing themselves away from their computers long enough to get off their asses and

walk across the street like the rest of us. That corner is horrible as far as pollution and exhaust fumes go. In the winter, you can actually see the

filth from the cars in the snow. It is disgusting to breathe, and it is amazing that anything in that park is able to survive it all year. But nature endures, even though

our peace will be shattered by this damned air pollution and grass that pumps out oxygen that cleanses the air naturally. My partner has severe allergies and asthma due to the pollution that already exists at that corner, not to mention all the car

accidents that already occur there frequently. We almost get hit crossing that road all the time. The last thing that corner needs is more traffic, cars, bustle.

I am deciding the noise that construction of this id-

[FYI - Read the white stripes down & then the dark stripes up (!)]

Att. 5

June 18, 2007

Annie Wadleigh
110 High Street #3
Portland, ME 04101
207-879-9129
awadleigh@meca.edu

City of Portland Planning Board:
Michael J. Patterson, Chair
Janice Tevanian, Vice Chair
Kevin Beal,
Lee Lowry III
Shalom Odokara
David Silk
Bill Hall

389 Congress Street
Portland, ME 04101

Dear Members of the Planning Board,

I am writing to you because I believe that the proposal by the University of Southern Maine to pave over the open green space at the corner of Danforth and High Streets should be denied and alternative solutions should be sought.

In the increasingly dense neighborhoods of Portland, a green space such as this one is priceless. Referred to by *Portland Forecaster* writer Kate Bucklin as an "intown oasis," and described by the City's own Historic Preservation Manager, Deb Andrews, as a "visual amenity," to pave over this historic green area in the middle of Portland to accommodate fourteen parking spaces would be a grave, short-sighted lapse of judgment.

Although I was relieved to hear that USM plans to preserve the large pine trees and allow for deep buffering, if this area is paved over it will nonetheless be extremely ugly and will certainly lessen the charm of this picturesque neighborhood. Development in this case will not enhance the neighborhood, but will detract from it. There must be another solution to accommodating fourteen parking spaces!

I urge you to consider other options while keeping in mind the aesthetic and ecological value of this area at the June 26th Planning Workshop with USM. Obliterating this rare piece of greenery within the urban landscape would be a bad decision. Once taken away, such a jewel will be gone forever.

Sincerely,



Annie Wadleigh

cc: Deb Andrews, Historic Preservation Manager

From: "Tom McGinniss" <tmcginniss@maine.rr.com>
To: <mpc@portlandmaine.gov>
Date: 6/21/2007 3:20:10 PM
Subject: planning board meeting scheduled june 26 ie parking lot

To whom it may concern,

I purchased my building on High St. last fall and was promptly directed to check in with the Historical Preservation Board before any changes were scheduled for the exterior of the building. Having done so I was informed, in no uncertain words, that very particular guidelines would have to be strictly adhered to at any additional expense in order to receive their approval. Now living in this neighborhood for nine months, I have had an eyebrow raising look around at most of the other buildings.

I say, if you're gonna play hard ball then you better start keeping score. What's good for the goose...

T. McGinniss
27 High St. #1
Portland
890 9895

Memorandum
Department of Planning and Development
Planning Division



To: Jim Seymour, Sebago Technics
From: Molly Casto, Planner
Date: June 4, 2007
Re: **66-68 High Street- U Maine**

Please review the attached plans for the proposed 14-space parking lot at 66 High Street.

The applicant has submitted preliminary plans at this stage and is looking for feedback via the development review process concerning traffic and grading. They will be submitting revised, separate grading and landscape plans pending our comments.

The applicant is scheduled for a Planning Board Workshop on June 26th. Please get comments to me before June 13th, if possible. If you have any questions, feel free to get in touch at 874-8901 or at mpc@portlandmaine.gov.

Thanks!

Molly Casto
Planner

~~Amended to Sarah Mitchell 6/14/06~~
DIVISION 7. R-6 RESIDENTIAL ZONE*

Sec. 14-135. Purpose.

- Institutional Standards -

The purpose of the R-6 residential zone is:

(a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses.

(b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.

(Ord. No. 538-84, 5-7-84; Ord. No. 78-03/04, 10-20-03)

Sec. 14-137. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(c) *Institutional*: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

8. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

a. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and

b. The proposed use will not cause significant displacement or conversion of residential uses

existing as of June 1, 1983, or thereafter;
and

c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative.



Strengthening a Remarkable City. Building a Community for Life

www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

July 3, 2007

Sarah Coffin Marshall, ASLA
Terrence J. DeWan and Associates
121 West Main Street
Yarmouth, Maine 04096

David Early
Department of Facilities Management
University of Southern Maine
96 Falmouth, Street
Portland, Maine 04103

RE: 66-68 High Street
(ID# 2007-0086, CBL#044 F001001)

Dear Sarah:

I am writing to follow up on the June 26th Planning Board Workshop for the parking lot proposed at 66-68 High Street. The following items must be submitted prior to the Public Hearing. These are also outlined in the workshop memorandum that was submitted to the Planning Board.

1. No proposed lighting is shown on the current plans. If new lighting is proposed, you will need to submit a lighting plan that shows compliance with section 14-340 of the City Code of Ordinances. 14-340 requires that artificial lighting be shaded or screened so that no light source is visible from outside the area and its access driveways.
2. Details of the proposed curbing need to be submitted. Section 14-338 requires continuous curb guard at least six inches in height.
3. Please submit evidence of title, right or interest in the property, including without limitation deeds, leases, purchase options or any other documentation that verifies University of Maine's right to modify the property as outlined on the plans.
4. Please submit evidence of financial and technical capacity to undertake and complete the proposed project including, but not limited to, a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved, if requested to do so.

5. A full scale recording plat meeting the requirements of the Site Plan Ordinance and stamped by a Maine licensed surveyor must be drafted for review.
6. The applicant has indicated they soon will submit a separate, revised stormwater and grading plan pending comments from the City on the location of the proposed access to the parking lot.
7. Revised plans should address the following, pertaining to traffic:
 - a. A vehicular entry as depicted will need relocation to the satisfaction of the City's Transportation Engineer.
 - b. The existing brick sidewalk on High St. will require rehabilitation.
 - c. The driveway aprons shall be constructed of brick per the Sidewalk Material Policy as it applies to the Historic District zone. I suggest that you contact Deb Andrews for clarification on exactly what is required in the Historic District.
 - d. The driveway adjacent to the proposed driveway on Danforth should be identified on the plans.

Jim Carmody, Traffic Engineer, has reviewed the plans and recognizes that there are a number of site constraints, which may call for waivers from certain City technical standards. I encourage you to continue working closely with Jim to develop a solution that satisfies both the City and the applicant. Perhaps we could meet on site together to discuss various options.

8. A construction management plan must be submitted for review that outlines how the site will be managed during construction, identifies any impacts along the public right-of-way during construction and provides the construction schedule for an agreed-upon estimated time period.
9. You will need to host a neighborhood meeting at least 7 days prior to Public Hearing. Please get in touch if you have any questions about hosting this meeting. You should have received an informational handout when you submitted your application.

The Planning Board encouraged you to begin the Historic Preservation (HP) review process as soon as possible at the workshop. Please let me know once you have submitted your materials to HP so I can notify the Planning Board. Also, the Board will expect details

regarding nearby existing parking opportunities that may satisfy USM's need for adequate and convenient parking without having to construct their own lot. Prior to the Public Hearing, please submit a letter outlining what measures the applicant has taken to explore other parking opportunities and an argument as to whether or not there is available parking for USM in the vicinity and whether it would provide a viable alternative.

The project will be scheduled for public hearing pending receipt and review of these items. Public Works and the City Arborist are currently reviewing the plans. Any additional comments generated from those reviews will be forwarded to you promptly. If you have any questions, please do not hesitate to contact me at 874-8901.

Sincerely,

A handwritten signature in black ink, appearing to read "Molly Casto". The signature is fluid and cursive, with the first name "Molly" and last name "Casto" clearly distinguishable.

Molly Casto
Planner

CC: Barbara Barhydt, Development Review Services Manager



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

July 9, 2007

Sarah Coffin Marshall, ASLA
Terrence J. DeWan and Associates
121 West Main Street
Yarmouth, Maine 04096

David Early
Department of Facilities Management
University of Southern Maine
96 Falmouth, Street
Portland, Maine 04103

RE: 66-68 High Street
(ID# 2007-0086, CBL#044 F001001)

Dear Sarah:

I am writing in reference to the parking lot proposed at 66-68 High Street. Jeff Tarling, City Arborist, reviewed the submitted landscape plans and has provided the following comments. These comments, along with the other items listed in my letter dated July 3, 2007 must be addressed prior to public hearing.

Jeff agrees that it is important to take measures to preserve the existing mature white pines on the site. Therefore, he does not recommend widening or relocating the width of the driveway from the existing Danforth Street location on the submitted plans. I followed up with Jim Carmody, Traffic Engineer on this and he advised that you could submit a written request for a waiver on both the driveway width and the driveway separation to be considered by the Planning Board at the public hearing. You would however, have to present a valid reason such as removing a mature tree in a historic district.

In addition, Jeff noted the following:

1. There are plantings coded 'SV' on the landscape plans but this code is not included on the proposed planting list. Are these lilac? If so, the recommended size is 3-4 ft and they should be included on the planting list.
2. The graphic representation of the spacing for the arborvitae appears to be out of scale. If you choose to use bigger specimens, you may need to increase the spacing.

From: "David Early" <dearly@usm.maine.edu>
To: "Molly Casto" <MPC@portlandmaine.gov>
Date: 8/6/2007 11:32:23 AM
Subject: Re: USM Parking lot- checking in.

Molly,

Based on what we heard from the Historic Preservation Board, namely that they were all in agreement that our application did not satisfy their review standard # 4, "Changes that have acquired significance in their own right, shall not be destroyed." The Board may it clear to us that no number of parking spaces on this site, would meet with their approval.

Yes, you may pull the proposed parking lot for 68 High Street from the September agenda.

Dave E.

>>> "Molly Casto" <MPC@portlandmaine.gov> 8/3/2007 3:10 PM >>>
Hi Dave-

Am I to believe the article in this week's Forecaster that U Maine has officially decided to pull their application for the parking lot at 66-68 High Street?

I've learned not to believe everything I read and thought I'd check in directly with you. Just let me know if you have chosen to pull the project from the September agenda at this point. If U Maine is still deciding how to proceed, that's also fine. There is still some time before I must have plan revisions.

thanks-
Molly

Molly Casto, Planner
Portland Planning Division
389 Congress Street
Portland, Maine 04101-3509
207-874-8901
MPC@portlandmaine.gov

CC: "Barbara Barhydt" <BAB@portlandmaine.gov>, <marshall@tjda.net>, "Dick Campbell" <dcamp@usm.maine.edu>, "Laurie Mooney" <lmooney@usm.maine.edu>, "Bob Caswell" <caswell@usm.maine.edu>, USMGWIA.usm-dom@usm.maine.edu



UNIVERSITY OF
SOUTHERN MAINE
Office of Public Affairs

August 8, 2007

Dear Neighbors:

At its July 25 meeting, the members of the City of Portland's Historic Preservation Board all stated that they did not support a 14-car, or smaller, lot at the corner of 68 High Street and Danforth St. While complimenting the quality of the design, each member indicated that s/he believed converting it from green space was not an allowable change. Consequently, we have decided not to proceed with our proposal.

We cannot justify asking for a vote on a proposal to build a parking lot that does not have the support of the Historic Preservation Board; has been less than favorably reviewed to date by the Planning Board; and has generated a petition signed by more than 100 neighbors.

We still have a responsibility to make 68 High Street as accessible as possible for the staff, students and clients who use the services based there. The University has owned 68 High Street since 1961. It is home to a number of programs, among them the Maine Small Business Development Center, which provides free counseling and related services to the state's small business community; the Center for Real Estate Education, which offers the real estate industry professional development and licensing courses; and studio space for the University's popular Communication & Media Studies program.

It's expected that USM will have use of the 22-space lot across the street until early spring of 2008. In the interim, we'll continue to be proactive in exploring any and all options for leasing parking spaces and making better use of public and/or private transportation.

A number of people have asked if USM is selling 68 High Street, so I also should take this opportunity to address the university's plans for the property. There are no plans to sell 68 High Street at this time. If, however, facilities that are on, or much closer to, the Portland campus were to become available for the programs and services presently housed there, we would consider selling 68 High Street.

If you have any thoughts or concerns, please feel free to contact me at 780-4200, caswell@usm.maine.edu. If I'm unable to respond, I'll share your communication with someone who can.

On behalf of USM Chief Financial Officer Dick Campbell and Executive Director of Facilities Management Dave Early, I want to thank you for your feedback during this process. We all share the goal of ensuring that Portland remains a culturally, economically and socially vibrant city.

Sincerely,

Bob Caswell
USM Public Affairs

RC:irm

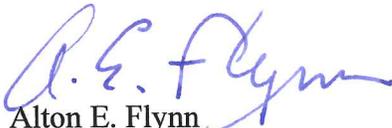
City of Portland
Planning Commission
c/o Molly Castro
389 Congress Street
Portland, ME 04101

With respect to the attached card speaking to the "minor" site plan for the parking lot adjacent to USM's 66-68 High Street building, I have several objections:

- Good neighbor takes on more significance in an historic district.
- USM is not up to an historic district standard.
- In the winter, their current parking lot and the park adjacent to 66-68 High street (the "future parking lot") never have the walkways cleared.
- They have let the dirt run from their current parking lot onto the brick pavers.
- The park now on the corner has several years worth of pine needles on the sidewalk, to such a degree that weeds are sprouting.
- The iron fencing is falling down.
- They have let weeds grow to tree size between their heating plant and the parking lot behind our building, 101 Danforth Street.
- AND turning a park into a parking lot in an historic district is not what I call a "minor site plan"!

We are part-time Portland residents, not landlords and value the neighborhood, value walking, and enjoying where we live. I value USM as an academic institution, but in this case, they are not living up to a decent standard.

I urge you to deny their request.



Alton E. Flynn
Ena M. Flynn
101 Danforth Street #1
Portland, ME 04101

43 Helen Drive
Hanson, MA 02341
781-826-8036
aflynn@rcn.com

*I forgot: The "minor" changes to
The Building at 66-68 High St
are less than-sympathetic.
(I'm not talking about heating
occurs). You can still see
the pattern of the entries they
removed!*

**IMPORTANT NOTICE FROM CITY OF PORTLAND
PLANNING DIVISION**

**TO RESIDENTS AND PROPERTY OWNERS
IN THE VICINITY OF 66-68 HIGH STREET**

WHAT A minor site plan application was submitted to the City of Portland Planning Division by University Of Maine. The applicant is proposing to construct a new parking lot on the lot at the corner of Danforth and High Streets, adjacent to USM's 66-68 High Street academic building.

In accordance with the Portland Land Use Ordinance, notices of receipt of a minor site plan application must be sent to neighbors.

WHEN You will be notified of future Planning Board meetings by receiving notices from the Planning Division prior to any workshops or public hearings.

FOR MORE INFORMATION

Plans are available in the Portland Planning Division, 4th Floor, City Hall. If you have any questions, please call Molly Casto, Planner, at 874-8901.



City of Portland
Planning Division
389 Congress St.
Portland ME 04101

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43 HELEN DR
HANSON, MA 02341

June 18, 2007

Annie Wadleigh
110 High Street #3
Portland, ME 04101
207-879-9129
awadleigh@meca.edu

City of Portland Planning Board:

Michael J. Patterson, Chair
Janice Tevanian, Vice Chair
Kevin Beal,
Lee Lowry III
Shalom Odokara
David Silk
Bill Hall

389 Congress Street
Portland, ME 04101

Dear Members of the Planning Board,

I am writing to you because I believe that the proposal by the University of Southern Maine to pave over the open green space at the corner of Danforth and High Streets should be denied and alternative solutions should be sought.

In the increasingly dense neighborhoods of Portland, a green space such as this one is priceless. Referred to by *Portland Forecaster* writer Kate Bucklin as an "intown oasis," and described by the City's own Historic Preservation Manager, Deb Andrews, as a "visual amenity," to pave over this historic green area in the middle of Portland to accommodate fourteen parking spaces would be a grave, short-sighted lapse of judgment.

Although I was relieved to hear that USM plans to preserve the large pine trees and allow for deep buffering, if this area is paved over it will nonetheless be extremely ugly and will certainly lessen the charm of this picturesque neighborhood. Development in this case will not enhance the neighborhood, but will detract from it. There must be another solution to accommodating fourteen parking spaces!

I urge you to consider other options while keeping in mind the aesthetic and ecological value of this area at the June 26th Planning Workshop with USM. Obliterating this rare piece of greenery within the urban landscape would be a bad decision. Once taken away, such a jewel will be gone forever.

Sincerely,



Annie Wadleigh

cc: Deb Andrews, Historic Preservation Manager

From: "Tom McGinniss" <tmcginniss@maine.rr.com>
To: <mpc@portlandmaine.gov>
Date: 6/21/2007 3:20:10 PM
Subject: planning board meeting scheduled june 26 ie parking lot

To whom it may concern,

I purchased my building on High St. last fall and was promptly directed to check in with the Historical Preservation Board before any changes were scheduled for the exterior of the building. Having done so I was informed, in no uncertain words, that very particular guidelines would have to be strictly adhered to at any additional expense in order to receive their approval. Now living in this neighborhood for nine months, I have had an eyebrow raising look around at most of the other buildings.

I say, if you're gonna play hard ball then you better start keeping score. What's good for the goose...

T. McGinniss
27 High St. #1
Portland
890 9895

From: "maryellen rollins" <matope@zwi.net>
To: <mpc@portlandmaine.gov>
Date: 6/25/2007 2:55:52 PM
Subject: Fw: Danforth and High Street corner

----- Original Message -----

From: maryellen rollins
Sent: Sunday, June 24, 2007 10:21 AM
Subject: Danforth and High Street corner

Planning Board:

We are writing to express our opposition to USM's plan to pave the existing green space at the corner of High and Danforth Streets. Green space is a precious commodity in this part of the city and paving over what exists only lessens the quality of urban life.

Sacrificing green space for a parking lot certainly does not support USM's proclaimed commitment to being an environmentally friendly institution.

It is our understanding that USM will be selling their building on High Street within the next 2 years. Are they attempting to enhance the value of the property at the expense of their neighbors?

A shuttle bus from USM's many parking garages and lots makes much more sense.

Under city definitions in Division 7 R-6 section 14 - 137 conditional uses:

- a.. to claim that the park is on the same lot as the principle use is only true in current terms since there were individual houses on the lot now occupied by the 3 story building and another on the green space.
- b.. it is also clearly statedwill not cause significant physical encroachment into established residential areas.

Since we live in the neighborhood and frequently walk our dog by the proposed parking area we can assure you there is almost always ample parking especially on Danforth, High and lower Park Streets.

The idea that green space must be sacrificed so that a faculty member or student will not have to walk over 100 ft is unfortunately in keeping with what has turned too many cities into true asphalt jungles.

We have spoken to many of our neighbors and all are opposed to this plan.

Brian and Mary Ellen Rollins
90 Park Street
Portland, ME 04101

VICTORIA MANSION
The Morse-Libby House

Memo

To: Molly Casto, Planner, Planning Divivision
From: Julia Kirby, Deputy Director
Date: June 28, 2007
Re: **14 Car Parking Lot, corner of High and Danforth Streets.**

Dear Portland Planning Board,

Victoria Mansion is concerned about the potential change of the lot at the corner of High and Danforth Street from a park space to a parking lot. Although the lack of parking is an issue for staff and volunteers at the Mansion, historic preservation is at the core of our mission. We are not in favor of this change. If it does move forward, we would like to set out guidelines that would help preserve the historic character of this city block:

- 1) Keeping the historic fence as part of the streetscape
- 2) Putting in some sort of shrub screen on the inside of the fence similar to the landscaping for the lots at 75 State Street at the corner of Park and Gray Streets and the one facing Danforth Street to effectively conceal the lot. This greenery helps to preserve the historic character of the neighborhood.
- 3) We would prefer that the entrance be on High Street where there is already a driveway so it would not break the fence on Danforth Street. We realize there is a gate there, but there is no curb cut.

Given this intrusion on the neighborhood, it would be better if the lot could benefit more than just one organization. We propose the following usage of the lot:

- 4) Use of the lot for our evening events when their staff and students have left
- 5) Possible use/lease of 2-4 spaces for our elderly docents.

Thank you for your consideration.

From: Ann Worster <aworste1@maine.rr.com>
To: Molly Casto <mpc@portlandmaine.gov>
Date: 7/17/2007 4:12:29 PM
Subject: USM parking lot at High and Danforth

Please add my name to the list of those opposed to USM's plan to build a 14 space parking lot at the corner of Danforth and High Streets.

The building has been used by USM for years and staff and students have managed without a designated parking lot. The city's Spring Street Garage is only a few blocks away. With rumors flying that the University plans to tear the building down, the neighbors are asking, "Why a parking lot now?" Thriving cities encourage downtown residential areas. Some one in Portland City Hall must recognize the asset it has in this neighborhood as tour buses frequent our streets in the summer time. Residents here work hard to maintain and beautify our buildings. We treasure the small green spaces where we walk and live.

I suspect that most tax paying residents of this unique and historic neighborhood do not want to lose any green space to the automobile for the convenience of a non-taxpaying entity.

Ann Worster
92 Park Street
Portland, ME 04101

CC: Scott Hanson <sh@portlandmaine.gov>

From: "Jennifer Lunden" <jenniferlunden@hotmail.com>
To: <sh@portlandmaine.gov>, <mpc@portlandmaine.gov>
Date: 7/21/2007 7:31:47 AM
Subject: USM High Street park

I'm writing to register my opposition to USM's plan to make a parking lot out of that lovely little green space on the corner of Danforth and High Street. I live two blocks away, on Park Street. Our neighborhood has few green spaces, and I do not believe a parking lot is absolutely necessary. There is a parking garage about 2 blocks away. USM could look into arranging discounted parking.

That is a beautiful little historic park. Please don't let it get paved over.

Sincerely,
Jenniifer Lunden
131 Park St., #1
Portland, ME 04101
780-0998

<http://newlivehotmail.com>

Memorandum
Department of Planning and Development
Planning Division



To: Chair Patterson and Members of the Portland Planning Board

From: Molly Casto, Planner

Date: Prepared on June 21, 2007 for June 26, 2007 Workshop

Re: 66-68 High Street Parking Lot- Conditional Use and Site Plan Review

Application# 2007-0086 CBL: 044 F001001

I. INTRODUCTION

The University of Maine requests a workshop to discuss a proposed 14-car parking lot on the site of University of Southern Maine's existing 66-68 High Street Academic Building. The property is at the corner of High Street and Danforth Street. The site is located in the R-6 Residential Zone. The applicant has submitted general concept plans to the City and, at this time, is seeking preliminary feedback from the Planning Board regarding their proposal.

The proposed parking lot is considered an expansion of an institutional use (University), which is a conditional use in the in the R-6 zone. Thus the proposed parking lot requires Planning Board review under the R-6 Conditional Use standards and under the Site Plan Ordinance of the Land Use Code. The applicants will also have to undergo review by the Historic Preservation Board for compliance with the standards of the Historic Preservation Ordinance. Representatives of the applicant have spoken with Deb Andrews, Historic Preservation Program Manager and are preparing to submit materials for the Historic Preservation review process as soon as they are prepared.

The applicant's materials are included in the packet as separate attachments with the following information:

- a) Site Plan Application
- b) Conditional Use Appeal Application
- c) Project description
- d) Assessor's Plan
- e) Boundary and topographic Survey
- f) Proposed Parking Lot Plan
- g) Historic Photograph of building formerly on site of proposed parking lot
- h) Preliminary responses from the applicant to Planning Staff comments on the submitted plans.
- i) Revised Landscape/Layout Plan

Representatives for the applicant include Terrence J. DeWan & Associates, Landscape Architects and Planners of Yarmouth, ME; Owen Haskell, Inc, Professional Land Surveyors of Portland, ME; and Gorrill Palmer, Consulting Engineers Inc of Gray, ME.

II. PROJECT SUMMARY

The applicant proposed to construct a 14 car surface parking lot on the lot at the corner of Danforth and High Streets, adjacent to University of Southern Maine's (USM) existing 66-68 High Street academic building. Currently, USM leases 22 parking across the street. A pending residential development on that site, however, is causing USM to lose access to those spaces and they must now find alternative parking for users of their High Street location. The proposed parking would be accessed via a two-way entrance from Danforth Street.



Location of proposed parking area

The existing green space where the parking lot would be sited was formerly occupied by a medical facilities building (see [Attachment 1](#)). The wrought iron and granite fence surrounding the green space was installed later, however it is clearly part of that same medical development, as the gates of the fence along the Danforth Street-side line up with the former location of the front steps and entrance on that side.



USM academic building on the site. Existing handicapped parking and loading area in foreground

III. PROJECT FINDINGS:

Zoning: R6, Residential
Land Area: 23,797 sq. ft.
Parking Spaces: 14 spaces
Parking Lot Footprint: Approx. 10,357 sq. ft (4,616 sq. ft. of landscaping and 5, 841 sq. ft. of paved surface).

IV. PRELIMINARY STAFF REVIEW

The proposed development is subject to review under the Conditional Use Standards of the R6 zone as set forth in section 14-474 of the Land Use Ordinance and the City's Site Plan Ordinance.

Conditional Use Review:

a. Criteria for the R6 Residential Zone (Sec. 14-137):

The proposed parking lot is an expansion of an institutional use under the R-6 provisions and requires a conditional use permit. Section 14-137 states:

DIVISION 7. R-6 RESIDENTIAL ZONE*

Sec. 14-137. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(c) *Institutional:* Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

8. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

- a.** In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and
- b.** The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter; ...

Staff has reviewed the proposed parking lot in terms of the Conditional Use Standards and finds that the proposed development does not appear to be in conflict with requirements set forth in the zoning ordinance. The proposed parking area would be on the principal lot, already owned and maintained by USM. It, therefore, does not appear to constitute a displacement or conversion of residential uses or cause encroachment into established residential areas.

As previously states, the project is located in a designated historic district. It will have to undergo separate review by the Historic Preservation Board.

Site Plan Review:

1. Zoning

Marge Schmuckal, Zoning Administrator has reviewed the preliminary plans and determined that all zoning requirements appear to have been met pending review of the following items (See Attachment 2):

- Confirmation that no new lighting will be installed (none is currently shown on submittals) or it will have to show compliance with section 14-340.
- Details of the curbing need to be submitted. Section 14-338 requires continuous curb guard at least six inches in height.

2. Right, Title and Interest

The applicant must submit evidence of title, right or interest in the property, including without limitation deeds, leases, purchase options or any other documentation in order to verify their right to modify the property as outlined on the plans.

3. Financial Capacity and Technical Capacity

The applicant must submit evidence of financial and technical capacity to undertake and complete the proposed project including, but not limited to, a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved, if requested to do so.

4. Final Site Plan

A full scale recording plat meeting the requirements of the Site Plan Ordinance and stamped by a Maine licensed surveyor must be drafted for review.

5. Stormwater Management

The current plans propose to drain surface runoff to the street on Danforth. Dan Goyette, Consulting Engineer has viewed the preliminary proposal and notes that this would be unacceptable. The applicant has been made aware of this and should remedy it on revised plans. The applicant has indicated they soon will submit a separate, revised stormwater and grading plan pending comments from the City on the location of the proposed access to the parking lot.

6. Landscaping

The applicant has submitted a preliminary plan including landscaping and grading and, on June 18th, submitted an individual detailed landscaping plan (sheet L-2) (see Attachments 1 and 3). A row of shrubs is proposed along High Street, which will attain approximately an 8-foot width when mature. A row of evergreen trees has been proposed along the neighboring property to the south that can achieve up to an 18-foot mature height. The existing mature pine trees along Danforth Street are to be preserved in order to serve as a buffer along Danforth Street.

The proposed landscaping exceeds the City requirement that landscaped areas comprise no less than 10% of an area designated for parking and vehicle circulation. The proposed landscaping comprises approximately 40-45% of the total project area.

Parks and Recreation have not yet reviewed the individual landscaping plans submitted on June 18, 2007.

7. Fire Protection

Captain Cass has reviewed the preliminary plans and has determined that the project is not applicable for review under fire protection standards.

8. Traffic and Parking Analysis

The applicant has been working with Public Works and Planning staff to devise a layout and access location that will conform to city standards and offer the most appropriate design for the site. Public Works has submitted the following comments (see Attachment 4):

1. A vehicular entry as depicted will need relocation to the satisfaction of the City's Transportation Engineer.
2. The existing brick sidewalk on High St. will require rehabilitation.
3. The driveway aprons shall be constructed of brick per the Sidewalk Material Policy as it applies to the Historic District zone.

Public Works explored the feasibility of either using the existing curb cut along High Street or creating a new curb cut along High Street as alternative access points to the proposed Danforth Street curb cut. If the entrance were to be moved to a new curb cut along High Street it would force the removal of one or both of the mature pine trees at that location. Access along Danforth appears to be the most appropriate location, however the applicant will have to submit revisions that meet the following traffic design standards and guidelines as outlined in the City Technical and Design Standards and Guidelines:

- a. The proposed access must be 24 ft wide.
- b. Jim Carmody, Traffic Engineer conducted a preliminary review of the site and plans and determined that the proposed access is too close to the adjacent driveway to the neighboring lot. This adjacent driveway should be identified on revised plans. In addition, the separation between the proposed access and the intersection of High and Danforth Streets (designated arterial and collector streets, respectively) is inadequate. The applicant should continue working with Public Works to develop a solution for the most appropriate location of the proposed access, with consideration for the constraints of the site.

The applicant has indicated that they will continue to search for nearby existing parking opportunities to satisfy their need for adequate and convenient parking (see letter dated May 18, 2007- Attachment 1). Planning staff has identified two existing parking facilities in the immediate area, which may warrant further exploration as alternatives to the construction of a new lot. The first is a surface lot across the street from the parking currently used by 66-68 High Street. The second is a multi-story parking structure on Pleasant Street, approx. 1½ blocks from the site. The City has not determined the ownership, purpose or availability of space in these lots but encourages the applicant to do so.

9. Construction Management Plan

A construction management plan should be submitted for review that outlines how the site will be managed during construction, identifies any impacts on the public right-of-way and provides the construction schedule for an agreed-upon estimated construction period.

V. NEXT STEPS

- Address any additional information requested by the Planning Board and Planning staff
- Address the information requests and technical submissions of the conditional use and site plan review contained in this memo
- Hold a Neighborhood Meeting
- Begin Historic Preservation Review Process

VI. ATTACHMENTS

1. Application for Site Plan Review and Conditional Use Permit for 66-68 High Street
 - 1a. Written Statement, prepared by Sarah Marshall of TJD&A, dated May 18, 2007
 - 1b. Application for Site Plan Review
 - 1c. Conditional Use Appeal Application
 - 1d. Historic survey photograph of medical facility that formerly occupied the site.
 - 1f. Preliminary Plan Set
2. Memorandum from Marge Schmuckal, Zoning Administrator
3. Response letter and landscape plans, prepared by Sarah Marshall of TJD&A, dated June 18, 2007
4. Email from Katherine Earley, Department of Public Works
5. Public Comment

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

ATT 1

2007-0086
Application I. D. Number
5/18/2007
Application Date
66-68 High Street
Project Name/Description

University Of Maine
Applicant
107 Maine Ave, Bangor, ME 04401
Applicant's Mailing Address

66 - 68 High St, Portland, Maine
Address of Proposed Site
044 F001001
Assessor's Reference: Chart-Block-Lot

Consultant/Agent
Agent Ph: _____ **Agent Fax:** _____
Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Apt 0 Condo 0 Other (specify) _____

Proposed Building square Feet or # of Units _____ Acreage of Site _____ **R6**
Zoning

Check Review Required:

- Site Plan (major/minor) Zoning Conditional - PB Subdivision # of lots _____
- Amendment to Plan - Board Review Zoning Conditional - ZBA Shoreland Historic Preservation DEP Local Certification
- Amendment to Plan - Staff Review Zoning Variance Flood Hazard Site Location
- After the Fact - Major Stormwater Traffic Movement Other _____
- After the Fact - Minor PAD Review 14-403 Streets Review

Fees Paid: Site Plan \$500.00 Subdivision _____ Engineer Review _____ Date 5/21/2007

Planning Approval Status:

Reviewer _____

- Approved Approved w/Conditions See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

OK to Issue Building Permit _____ signature _____ date _____

Performance Guarantee Required* Not Required

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

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



Terrence J. DeWan & Associates Landscape Architects & Planners

121 West Main Street
Yarmouth, Maine 04096
tel. 207.846.0757 fax. 207.846.0675
e.mail. tdewan@aol.com

May 18, 2007

Barbara Barhydt, Planner
Department of Planning and Development
Portland City Hall, 389 Congress Street
Portland, Maine 04101

RE: 66-68 High Street Proposed Parking

Dear Barbara,

On behalf of the University of Southern Maine, it is our pleasure to submit for Planning Board review this Concept Plan for a new parking lot on the lot at the corner of Danforth and High Streets, adjacent to USM's 66-68 High Street academic building. The background on the need for this parking is that the University is losing up to 22 parking spaces across the street with a pending residential redevelopment project. While the University will continue to search for nearby parking opportunities, there is a need for nearby parking for faculty and staff, especially those who work in the evening.

The existing green space on the lot was formerly occupied by a medical facilities building. (Image, attached.) The fence around the green space was installed later, however it was clearly part of the same development, as the gates on Danforth Street line up with the front entrance and steps on that side.

We are proposing a 14-car parking lot within the green space, well buffered by the fence and additional plantings. The two-way entrance will be on the Danforth frontage, as far as possible from the High Street intersection, on the advice of Tom Gorrill, traffic engineer with Gorrill-Palmer. Existing large trees will be protected and preserved. The granite posts of the fence will be relocated as necessary to create the new entrance to the parking area. Low retaining walls (24-30" height) will allow the parking lot to be situated at a mid-grade level without excessive cut or fill. At this time we are proposing that the walls be built of concrete and capped with natural stone.

We look forward to discussing the plan with you at your June 12th Planning Board meeting, and anticipate scheduling a site visit for Board members at that time. Please let me know if any additional information would be helpful in your review. Thanks for your consideration.

Sincerely,

Sarah Coffin Marshall, ASLA
Sr. Associate, TJD&A

Cc: David Early, USM
Will Haskell, Gorrill-Palmer

Encl: Application Form and Conditional Use form
Owen Haskell Survey, approx. 1"=40'
City Tax Map
Aerial/survey overlay, 1"=20'
Illustrative Site Plan, 1"=20'
Historic Photo
Site Photos, 5.5x8.5
PB Application Fee
(7 sets submitted)



Site Plan Application

Department of Planning and Development
Portland Planning Board

Address of Proposed Development: 66-68 HIGH STREET PORTLAND ME		Zone: R6
Project Name: 66-68 HIGH STREET		
Existing Building Size: 20,775 sq. ft.	Proposed Building Size: — sq. ft. no change	
Existing Acreage of Site: .539 sq. ft.	Proposed Acreage of Site: — sq. ft.	
Tax Assessor's Chart, Block & Lot: Chart# 44 Block # F Lot# 1	Property Owners Mailing address: University of Maine 107 Maine Ave Bangor, ME 04401	Telephone #: 780.4656 780-4538 (fax) Cell Phone #: dearly@usm.maine.edu
Consultant/Agent Contact Name and mailing address, Telephone # and Cell Phone #: Sarah Marshall, ASLA Terrence J. DeWan & ASSOC. 121 W. Main St. Yarmouth ME 04096 207.846.0757	Applicant's Name/Mailing Address: ↓	Telephone #: Cell Phone #:
Fee For Service Deposit (all applications) <input checked="" type="checkbox"/> (\$200.00)		
Proposed Development (check all that apply)		
<input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Storm water Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____		
Major Development (more than 10,000 sq. ft.)		
<input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		

RECEIVED

MAY 18 2007

City of Portland
Planning Division

~ Please see next page ~

Minor Site Plan Review

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

+ Conditional Use \$100

Who billing will be sent to:

Total Fees: \$700

David Early,
Department of Facilities Mgmt.
University of Southern Maine
96 Falmouth St, Portland, ME 04103

Submittals shall include (7) separate **folded** packets of the following:

- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans checklist
- d. 1 set of 11x17 plans

Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: portlandmaine.gov

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

This application is for site review only; a Building Permit application and associated fees will be required prior to construction.

Signature of Applicant::

Janis Cypris Naubell

Date:

May 18, 2007



**City of Portland, Maine
 Planning and Development Department
 Zoning Board of Appeals
 Conditional Use Appeal Application**

Applicant Information:

UNIVERSITY OF SOUTHERN MAINE
 Name

" " "

Business Name DEPARTMENT OF FAC. MGMT.
96 FALMOUTH ST. PORTLAND 04103
 Address

CONTACT: DAVID EARLY
780-4656
 Telephone Fax

Applicant's Right, Title or Interest in Subject Property:

OWNER
 (e.g. owner, purchaser, etc.):

Current Zoning Designation: R4

Existing Use of Property:
EDUCATIONAL INST.

Subject Property Information:

66-68 HIGH ST, PORTLAND
 Property Address

44-F-1
 Assessor's Reference (Chart-Block-Lot)

Property Owner (if different):

Name
 Address

Telephone Fax

Conditional Use Authorized by Section 14 -

Type of Conditional Use Proposed:
PARKING AUX. TO INST. USE

Standards:

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the board determines that:

- (a) There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- (b) There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and
- (c) Such impact differs substantially from the impact which would normally occur from such a use in that zone.

NOTE: If site plan approval is required, attach preliminary or final site plan.

The undersigned hereby makes application for a conditional use permit as above described, and certified that all information herein supplied by his/her is true and correct to the best of his/her knowledge and belief.

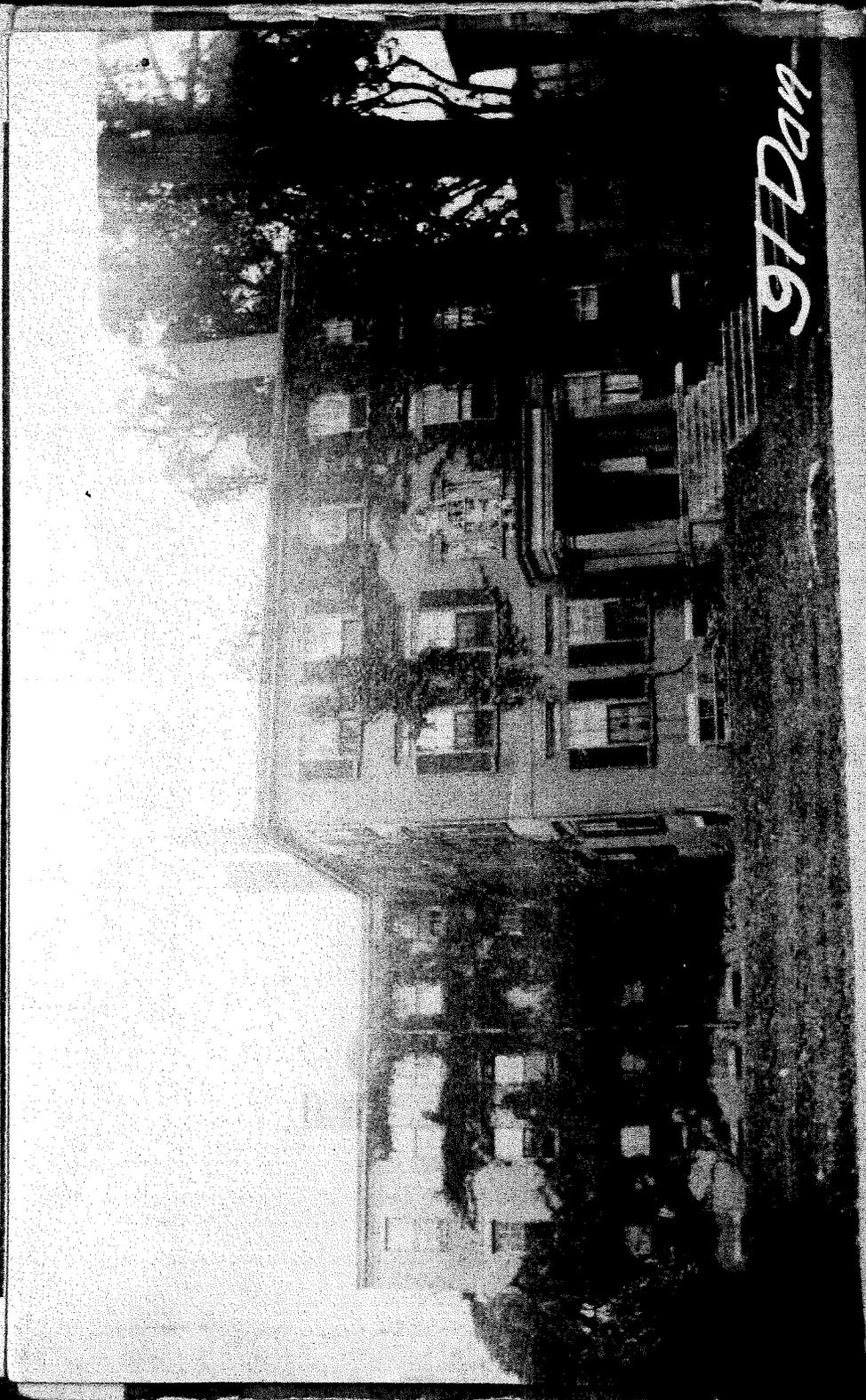
Sarah Marshall

MAY 18, 2007

Signature of Applicant

Date

SARAH MARSHALL, ASLA
TERRENCE J. DEWAN & ASSOC., LANDSCAPE ARCHITECTS
121 W. MAIN ST. YARMOUTH ME 04096
TEL: 207.846.0757



97 Dan

Surveyed by ... P. E. Quincy

(Remarks on other Side)

2 of 6





USM UNIVERSITY OF SOUTHERN MAINE
State Revenue Development Center
State and Local Revenue
and State and Local
Revenue Development Center

USM UNIVERSITY OF SOUTHERN MAINE
68 High Street
SOUTHERN MAINE

USM UNIVERSITY OF SOUTHERN MAINE























July 16, 2007

Ms. Molly Casto, Planner
City of Portland Planning Division
389 Congress Street
Portland, ME 04101

RE: Request for Driveway Waivers
68 High Street in Portland

Dear Molly:

On behalf of the University of Southern Maine, Gorrill-Palmer Consulting Engineers, Inc. is requesting three driveway-associated waivers from the Technical Standards for the proposed parking lot at 68 High Street in Portland.

USM proposes to construct a driveway to Danforth Street to access the parking lot, and is requesting a waiver of the following technical standards:

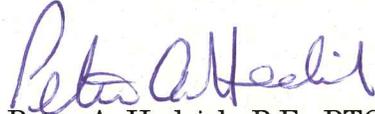
- Section III, Traffic Design Standards and Guidelines, 2. A. (b): This section requires that a two-way driveway be a minimum of twenty-four feet in width. The applicant proposes a width of twenty feet. The purpose of this waiver is to minimize the impact to this historic area and allow preservation of a large pine tree on the lot. From a traffic perspective, this will be a low-volume driveway since the lot has only fourteen spaces. Also, it is likely that directional flow in or out will occur at separate time periods, thereby minimizing the need for the full width on the two-way driveway.
- Section III, Traffic Design Standards and Guidelines, 2. A. (c): This section requires a twenty foot curb radius where the driveway meets the street. The applicant proposes to construct a flared driveway apron at a 45 degree angle rather than the prescribed radius. This is proposed to be consistent with the driveway designs in this historic area of Danforth Street. This will result in a separation of 15 feet from the driveway on the adjacent property, and also allows further buffer area between the driveway and the mature pine tree that is to be saved on the lot. This is in accordance with the recommendation by Jeff Tarling as summarized in your letter dated July 9th to Sarah Marshall.
- Section III, Traffic Design Standards and Guidelines, 2. A. (e) (2): This section requires driveway corner clearance (distance from the driveway to High Street) of 150 feet. Since the site frontage is not sufficient to provide this separation, the driveway has been located as far as practicable (94 feet) from High Street.

Ms. Molly Casto
July 16, 2007
Page 2 of 2

If you have any questions please contact our office.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Peter A. Hedrich, P.E., PTOE
Vice President, Transportation



C: Dave Early, USM
Sarah Marshall, TJD&A
Jim Carmody, Portland Transportation Engineer
Tom Errico, Wilbur Smith & Associates



June 18, 2007

Molly Casto, Planner
Department of Planning and Development
Portland City Hall, 389 Congress Street
Portland, Maine 04101

RE: 66-68 High Street Proposed Parking

Dear Molly,

We have reviewed the comments drafted on June 7th regarding our submission and are following up with responses and additional material. Concurrently, Gorrill-Palmer is working to address stormwater comments, and their material should arrive in a follow-up submittal tomorrow.

The following responses are numbered according to the City's comments.

1-2 *"The Department of Public Works would prefer to see access for the proposed parking lot located on High Street rather than on Danforth Street."*

Our plans currently show the same layout and access location as our previous submission. There was a site meeting last year between traffic engineer Peter Hedrich of Gorrill-Palmer and Jim Carmody to discuss access, and our plans reflect what was considered optimal at that time. Hedrich is trying to reach public works on this topic. Our top priority will be safety as we work towards the best driveway location. We will inform you of any further resolution on this topic as it evolves.

3. *"Be Aware that this project is located within a designated Historic District and, therefore, must undergo a separate review by Historic Preservation Board to obtain a Certificate of Appropriateness."*

We are aware of this requirement, and are planning to pursue the Certificate. We have discussed the project with Deb Andrews and in fact several of the design decisions have been guided by her, including restoration of the fence, selection of materials, and inclusion of shrub buffers.

4. *"You will need to submit a separate grading plan. The submitted plans appear to drain directly to Danforth Street, which is unacceptable."*

As stated in the introduction, Gorrill-Palmer Consulting Engineers is working on this and should be submitting a follow-up submittal on Tuesday.

5. *"You will need to submit a separate landscaping plan including a description of measures to be taken to preserve existing mature trees and other vegetation on the project site."*

An updated landscape plan (sheet L-1) is enclosed which illustrates existing and proposed vegetation and indicates which trees are being preserved. There is a plant list of proposed plants, planting details and a tree protection detail which must be followed during construction to ensure protection of the preserved trees.

a. *"An 8-foot wide landscaping strip is encouraged to screen parking from surrounding properties."*

A row of shrubs is proposed along High Street which will attain an 8 foot width in maturity. A row of dense evergreens has been proposed along the neighboring property to the south that can achieve an 18 foot mature height. No buffer except the existing mature pine trees to remain is being proposed along Danforth Street to further protect their root systems.

b. *"The total landscaped area within the parking area should comprise no less than 10% of the area designated for parking and vehicle circulation."*

The proposed landscaping meets and exceeds this requirement based on the following calculations. There is approximately 10,357 s.f. of area where the new parking is proposed. 4,616 s.f. of it landscaping and 5,841 s.f. of it paved surface. This makes the landscape area 45% of the total project area and equivalent to 80% of the proposed paved area.

c. *"If you submit revisions to the plan, maintain that no more than eight parking spaces occur in a row without a landscaped divider island, as is the case on the current plans."*

We have not reconfigured the parking and have no more than 8 consecutive parking spaces.

Additionally, meeting the criteria for the conditional use permit was requested during correspondence with staff. The language and responses relevant to obtaining a conditional use permit at 66-68 High Street is as follows:

DIVISION 7. R-6 RESIDENTIAL ZONE*

Sec. 14-137. Conditional uses.

The following uses shall be permitted only upon the issuance of a conditional use permit, subject to the provisions of section 14-474 (conditional uses) of this article and any special provisions, standards or requirements specified below:

(c) *Institutional*: Any of the following conditional uses provided that, notwithstanding section 14-474(a) (conditional uses) of this article or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

8. College, university, trade school.

Such uses shall be subject to the following conditions and standards in addition to the provisions of section 14-474:

a. In the case of expansion onto land of existing such uses other than the lot on which the principal use is located, it shall be demonstrated that the proposed use cannot reasonably be accommodated on the existing site through more efficient utilization of land or buildings, and will not cause significant physical encroachment into established residential areas; and

Response: The proposed area of parking expansion is on the principal lot and will not cause significant physical encroachment into established residential areas.

b. The proposed use will not cause significant displacement or conversion of residential uses existing as of June 1, 1983, or thereafter;

and

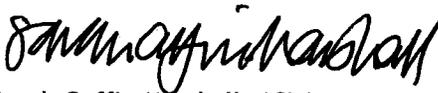
Response: The proposed parking area is owned and maintained by USM and will not constitute a displacement or conversion of residential uses.

c. In the case of a use or use expansion which constitutes a combination of the above-listed uses with capacity for concurrent operations, the applicable minimum lot sizes shall be cumulative.

Response: N/A)

We look forward to discussing the plans with you at the June 26th Planning Board meeting. Thank you for your consideration.

Sincerely,



Sarah Coffin Marshall, ASLA
Sr. Associate, TJD&A

Cc: David Early, USM
Will Haskell, Gorrill-Palmer

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Submitted 6/18/07:
L-2: Landscape/Layout Plan



June 18, 2007

Molly Casto, Planner
Department of Planning and Development
Portland City Hall, 389 Congress Street
Portland, Maine 04101

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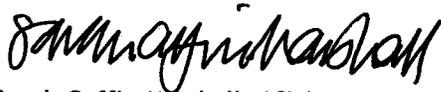
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Sarah Coffin Marshall, ASLA
Sr. Associate, TJD&A

Cc: David Early, USM
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Illustrative Site Plan, 1"=20'
Historic Photo
Site Photos, 5.5x8.5
PB Application Fee
(7 sets submitted)

Submitted 6/18/07:

L-2: Landscape/Layout Plan

This page contains a detailed description of the Parcel ID you selected. Press the **New Search** button at the bottom of the screen to submit a new query.

Current Owner Information

Card Number 1 of 1
Parcel ID 044 F001001
Location 66 HIGH ST
Land Use LITERARY & SCIENTIFIC INS

Owner Address UNIVERSITY OF MAINE
 107 MAINE AVE
 BANGOR ME 04401

Book/Page 9983/183
Legal 44-F-1
 HIGH ST 66-68
 DANFORTH ST 87-93
 23490 SF

Current Assessed Valuation

Land	Building	Total
\$209,900	\$1,190,300	\$1,400,200

Building Information

Bldg #	Year Built	# Units	Bldg Sq. Ft.	Identical Units
1	1910	1	20775	1

Total Acres	Total Buildings Sq. Ft.	Structure Type	Building Name
0.539	20775	COLLETE/UNIVERSITY	CED CENTER-U OF M

Exterior/Interior Information

Section	Levels	Size	Use
1	B1/B1	5755	MULTI-USE OFFICE
1	B2/B2	1170	MULTI-USE STORAGE
1	01/01	6925	SCHOOL
1	02/02	6925	SCHOOL

Height	Walls	Heating	A/C
8		HW/STEAM	NONE
8		HW/STEAM	NONE
12	BRICK/STONE	HW/STEAM	NONE
12	BRICK/STONE	HW/STEAM	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE
		NONE	NONE

Building Other Features

Line	Structure Type	Identical Units
1	SPRINKLER - WET	1

Yard Improvements

Year Built	Structure Type	Length or Sq. Ft.	# Units
1900	UTITILY STONE	1120	1