

City of Portland
Development Review Application
Planning Division Transmittal form

Application Number: 2012-559 Application Date: 8/13/2012 12:00:00 AM

CBL: 045-A-003-001

Project Name: 638 Congress St.; Add 4 units to existing Bldg.

Address:

Project Description: conversion of former utility space to 4 additional apartments units in existing 97 unit building

Zoning:

Other Reviews

Required:

Review Type:

Distribution List:

<input type="checkbox"/> Planner Shukria	<i>Shukria</i>	<input type="checkbox"/> Parking	John Peverada
<input type="checkbox"/> Zoning	Marge Schmuckal	<input type="checkbox"/> Design Review	Alex Jaegerman
<input checked="" type="checkbox"/> Traffic Engineer	Tom Errico	<input type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input type="checkbox"/> Civil Engineer	David Senus	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input type="checkbox"/> Fire Department	Chris Pirone	<input type="checkbox"/> Inspections	Tammy Munson
<input type="checkbox"/> City Arborist	Jeff Tarling	<input type="checkbox"/> Historic Preservation	Deb Andrews
<input type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> DRC Coordinator	Phil DiPierro
		<input type="checkbox"/> Outside Agency	

Comments needed by (7 days later): Wednesday, August 22, 2012

Archetype, P.A.
48 Union Wharf
Portland, ME 04101
(207) 772-6022
(207) 772-4056 (Fax)

Distribute
Level III

TRANSMITTAL

DATE: August 10, 2012

FROM: David Lloyd

TO: Barbara Barhydt
Division of Planning
Portland City Hall
389 Congress Street
Portland, Maine 04101

RE: 638 Congress Street

Attached:

Barbara,
Attached is our final Site Plan application for 638 Congress Street.
Please call if anything else is needed.
Thank you

RECEIVED
AUG 10 2012
City of Portland
Planning Division

PROJECT NAME: Lafayette

PROPOSED DEVELOPMENT ADDRESS:

638 Congress Street

PROJECT DESCRIPTION:

Conversion of former utility space to 4 additional apartment units in existing 97 unit building.

CHART/BLOCK/LOT: 45-A-3 **PRELIMINARY PLAN** _____ (date)
FINAL PLAN 8/10/12 (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: 638 Congress Street Partners LLC Business Name, if applicable: Address: 104 Grant Street City/State: Portland, ME Zip Code: 04101	Applicant Contact Information Work # (207) 771-2883 Home# Cell # (207) 252-0358 Fax# (207) 761-8048 e-mail: tom@portpropmgt.com
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Archetype, PA Address: 48 Union Wharf City/State: Portland, ME Zip Code: 04101	Agent/Representative Contact information Work # (207) 772-6022 Cell # (207) 831-8627 e-mail: lloyd@archetypepa.com
Billing Information Name: 638 Congress Street Partners LLC Address: 104 Grant Street City/State: Portland, ME Zip Code: 04101	Billing Information Work # (207) 771-2883 Cell # (207) 252-0358 Fax# (207) 761-8048 e-mail: tom@portpropmgt.com

<p>Engineer</p> <p>Name: Mechanical Systems</p> <p>Address: 10 Forest Falls Drive</p> <p>City/State: Yarmouth, ME Zip Code: 04096</p>	<p>Engineer Contact Information</p> <p>Work # (207) 846-1441</p> <p>Cell # (207) 615-9375 Fax# (207) 846-1443</p> <p>e-mail: kurt@mechanicalsystemseng.com</p>
<p>Surveyor</p> <p>Name: Owen Haskell, Inc</p> <p>Address: 390 U.S. Route 1 - Unit 10</p> <p>City/State: Falmouth, ME Zip Code: 04105</p>	<p>Surveyor Contact Information</p> <p>Work # (207) 774-0424</p> <p>Cell # Fax# (207) 774-0511</p> <p>e-mail: jswan@owenhaskell.com</p>
<p>Architect</p> <p>Name: Archetype, David Lloyd</p> <p>Address: 48 Union Wharf</p> <p>City/State: Portland, ME Zip Code: 04101</p>	<p>Architect Contact Information</p> <p>Work # (207) 772-6022</p> <p>Cell # (207) 831-8627 Fax#(207)772-4056</p> <p>e-mail: lloyd@archetypepa.com</p>
<p>Attorney</p> <p>Name:</p> <p>Address:</p> <p>City/State : Zip Code:</p>	<p>Attorney Contact Information</p> <p>Work #</p> <p>Cell # Fax#</p> <p>e-mail:</p>

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

<p>Level III Development (check applicable reviews)</p> <p><input checked="" type="checkbox"/> Less than 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000) <input type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000) <input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000) <input type="checkbox"/> over 300,000 sq. ft. (\$5,000) <input type="checkbox"/> Parking lots over 100 spaces (\$1,000) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> <p>----- The City invoices separately for the following: - Notices (\$.75 each) - Legal Ad (% of total Ad) - Planning Review (\$40.00 hour) - Legal Review (\$75.00 hour)</p> <p>Third party review is assessed separately.</p>	<p>Fees Paid (office use)</p> <p>_____ _____ _____ _____ _____ _____ _____</p>	<p>Other Reviews (check applicable reviews)</p> <p>____ Traffic Movement (\$1,000) ____ Stormwater Quality (\$250) <input checked="" type="checkbox"/> Subdivisions (\$500 + \$25/lot) # of Lots <u>4</u> x \$25/lot = <u>100</u> ____ Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots ____ x \$200/lot = _____</p> <p>____ Other _____ ____ Change of Use ____ Flood Plain ____ Shoreland ____ Design Review ____ Housing Replacement ____ Historic Preservation</p>	<p>Fees Paid (office use)</p> <p>_____ _____ _____ _____</p>
<p>Plan Amendments (check applicable reviews)</p> <p>____ Planning Staff Review (\$250) ____ Planning Board Review (\$500)</p>	<p>Fees Paid (office use)</p> <p>_____ _____</p>		

APPLICATION SUBMISSION

As of December 1, 2010, all site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

Until December 1, 2010, Submissions shall include seven (7) packets with folded plans containing the following materials:


1. **Seven (7) full size site plans** that must be **folded**.
2. Seven (7) copies of all written materials as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

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 Planning Authority and Code Enforcement'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 a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 8-10-12
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PROJECT DATA

(The following information is required where applicable, in order complete the application)

Total Site Area	55,993
Proposed Total Disturbed Area of the Site 0	0 sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)	
IMPERVIOUS SURFACE AREA	
• Proposed Total Paved Area	N/A sq. ft.
• Existing Total Impervious Area	54,794 sq. ft.
• Proposed Total Impervious Area	0 sq. ft.
• Proposed Total Impervious Area	0 sq. ft.
• Proposed Impervious Net Change	0 sq. ft.
BUILDING AREA	
• Proposed Building Footprint	no change sq. ft.
• Proposed Building Footprint Net change	0 sq. ft.
• Existing Total Building Floor Area	163,366 sq. ft.
• Proposed Total Building Floor Area	no change sq. ft.
• Proposed Building Floor Area Net Change	0 sq. ft.
• New Building	(yes or <u>no</u>)
ZONING	
	B3
• Existing	
• Proposed, if applicable	
LAND USE	
• Existing	Residential
• Proposed	Residential
RESIDENTIAL, IF APPLICABLE	
• Proposed Number of Affordable Housing Units	0
• Proposed Number of Residential Units to be Demolished	0
• Existing Number of Residential Units	97
• Proposed Number of Residential Units	4
• Subdivision, Proposed Number of Lots	4
PARKING SPACES	
• Existing Number of Parking Spaces	89
• Proposed Number of Parking Spaces	0
• Number of Handicapped Parking Spaces	5
• Proposed Total Parking Spaces	0
BICYCLE PARKING SPACES	
• Existing Number of Bicycle Parking Spaces	0
• Existing Number of Bicycle Parking Spaces	0
• Proposed Number of Bicycle Parking Spaces	0
• Total Bicycle Parking Spaces	0
ESTIMATED COST OF PROJECT	\$160,000

General Submittal Requirements – Preliminary Plan (Optional)

Level III Site Plan

Preliminary Plan Phase Check list (if elected by applicant)

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirements
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Completed application form included
<input type="checkbox"/>	<input type="checkbox"/>	1	Application fees attached
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of project See project description on page 2.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Evidence of right, title and interest. attached
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Copies of required State and/or Federal permits. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7(1 paper copy as of Dec. 1)	Written assessment of zoning. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of existing and proposed easements or other burdens. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written requests for waivers from individual site plan and/or technical standards, where applicable. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Traffic analysis (may be preliminary, in nature, during the preliminary plan phase). N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of significant natural features located on the site. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of project's consistency with related city master plans. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1 (1 paper copy as of Dec. 1)	Neighborhood Meeting Material (refer to page 13 of this application.) N/A
Applicant Checklist	Planner Checklist	Number of Copies	Site Plan Submittal Requirements
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual. Attached recording plat
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Preliminary Site Plan Including the following: (*information provided may be preliminary in nature during preliminary plan phase):
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed site access and circulation.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities (preliminary layout).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary stormwater management and erosion control plan.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b) 1. of the Land Use Code).

<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

- Proposed alterations to and protection measures for significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).
- Existing and proposed easements or public or private rights of way.

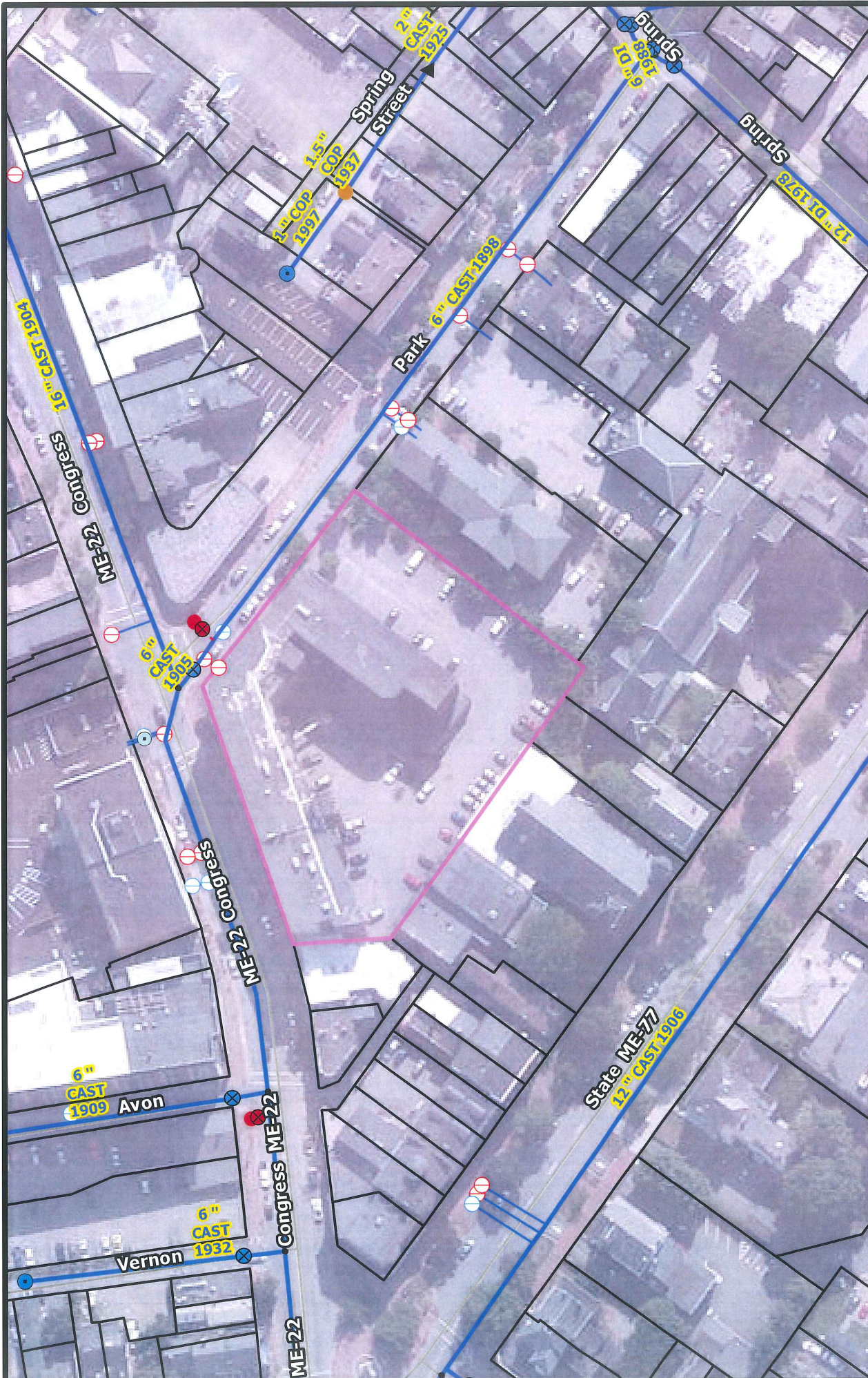
General Submittal Requirements – Final Plan (Required)
Level III Site Plan
Final Plan Phase Check list (including items listed above in General Requirements for Preliminary Plan, if applicant did not elect to submit for a preliminary plan review)

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of financial and technical capacity. Attached
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of utilities' capacity to serve the development. Attached
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual). See enclosed floor plans.
<input type="checkbox"/>	<input type="checkbox"/>	1	Construction management plan. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Traffic Plan (if development will (1) generate 100 or more PCE or (2) generate 25 or more PCE and is located on an arterial, within 1/2 mile of a high crash location, and/or within ¼ mile of an intersection identified in a previous traffic study as a failing intersection). N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Stormwater management plan. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of solid waste generation and proposed management of solid waste. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of conformity with applicable design standards. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Manufacturer's verification that HVAC and manufacturing equipment meets applicable state and federal emissions requirements. N/A

Final Plan Phase			
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Final Site Plan Including the following
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures on the site with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed site access and circulation.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways. Proposed curb lines must be shown.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed loading and servicing areas, including applicable turning templates for delivery vehicles
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed snow storage areas or snow removal plan.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed trash and recycling facilities.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and details of proposed infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, public transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed septic system, if not connecting to municipal sewer. (Portland Waste Water Application included in this application)

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<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Proposed finish floor elevation (FFE).</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Exterior building elevation(s) (showing all 4 sides).</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Proposed stormwater management and erosion controls.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Exterior lighting plan, including street lighting improvements..</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Proposed signage.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Identification of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code). Wetlands must be delineated.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Proposed alterations to and protection measures for of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Total area and limits of proposed land disturbance.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Soil type and location of test pits and borings.</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Details of proposed pier rehabilitation (Shoreland areas only).</i>
<input type="checkbox"/>	<input type="checkbox"/>	<ul style="list-style-type: none"> ▪ <i>Existing and proposed easements or public or private rights of way.</i>



Disclaimer: This map is suitable for preliminary study and analysis and is based on PWD record information. PWD is not liable for any damages whatsoever resulting from inaccurate data or from errors made in the location and marking of its infrastructure.



Prepared For: Archetype, P.A.

Date: June 14, 2012

Drawn By: GJH

Scale: As Noted



Legend					
	Air Valve		Connection		Manhole
	Blow Off		Attribute Change		CSO
	By Pass		Reducer		Combined Service
	Distribution		Hydrant		Domestic Service
	Transmission		Hydrant Control		Fire Service
			Meter Pits		Gravity
					Force

638 Congress Street

Portland

PORTLAND WATER DISTRICT
 225 Douglass Street
 Portland, ME 04104





Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

July 25, 2012

Archetype, P.A.
48 Union Wharf
Portland, ME 04101

Attn: Susan Geffers
Re: 638 Congress Street, Portland
Ability to Serve with PWD Water

Dear: Ms. Geffers

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on June 13, 2012. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter.

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

Existing Site Service

According to District records, the project site does currently have existing water service. A 6-inch diameter cast iron fire service line and a 6-inch diameter cast iron, cement lined domestic service line, located as shown on the attached water service cards, provide water service to this site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of these services.

Water System Characteristics

According to District records, there is a 6-inch diameter cast iron water main on the west side of Park Street and a 16-inch diameter cast iron water main on the north side of Congress Street as well as a public fire hydrant located across the street from the site.

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

Hydrant Location: Park Street at Congress Street
Hydrant Number: POD-HYD00325
Last Tested: 4/29/1992
Static Pressure: 57 psi
Residual Pressure: Not Measured
Flow: 671 GPM



Public Fire Protection

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

Domestic Water Needs

The ability to serve request indicated that the Lafayette Building has 97 apartment units and they plan to add 4 new efficiency units to the first floor. The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of the additional 4 efficiency units.

Private Fire Protection Water Needs

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

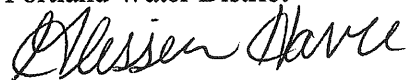
Conditions of Service

The existing fire and domestic water services at this property may be used by the additional 4 efficiency units provided that the development team concludes that the existing services will provide adequate flow and pressure for the new units and existing units. Should any new services be needed, please contact the MEANS group to set up an appointment to fill out a new service application.

The existing domestic service has two 2-inch displacement meters in parallel which. Each meter is capable of handling a maximum flow rate of 160 gallons per minute. If a larger water meter will be necessary, please contact the MEANS group to coordinate a meter upgrade.

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

Sincerely,
Portland Water District



Glissen Havu, E.I.
Design Engineer



PORTLAND MAINE

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

Public Services Department
Michael J. Bobinsky, Director

21 June 2012

Mrs. Susan Geffers,
Office Manager,
Archetype, P.A.,
48 Union Wharf,
Portland, Maine 04101

RE: The Capacity to Handle an Anticipated Increase in Wastewater Flows, from the Lafayette Apartment Building, at 638 Congress Street, Portland, Maine.

Dear Mrs. Geffers:

The existing fifteen-inch diameter brick sanitary sewer pipe, located in Park Street has adequate capacity to **transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the anticipated wastewater flows of **360 gpd**, from your proposed residential efficiency units.

<u>Anticipated Wastewater Flows from the Proposed Residential Units :</u>	
4 Proposed Efficiency Apartments, @ 90 gpd/Apartment	= 360 GPD
Total Proposed Net Increase in Wastewater Flows from this Project	= 360 GPD

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

Sincerely,
CITY OF PORTLAND

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

FJB

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



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July 26, 2012

Susan Geffers
Archetype PA
48 Union Street Wharf
Portland, ME 04101

Dear Susan:

Please accept this letter from TD Bank as our opinion that Tom Watson has sufficient financial and technical capacity to fund the Lafayette renovations. Mr. Watson has been a highly valued customer of TD's for over 15 years and we look forward to providing a financing proposal to Mr. Watson to assist with this project.

If you require any additional information from me, please do not hesitate to call directly at 761-8612.

Sincerely,

William R. Schad
Vice President

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Filing Fee \$175.00

File No. 20120385DC Pages 2

Fee Paid \$ 175

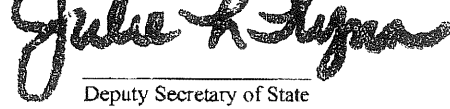
DCN 2112271600007 DLLC

-----FILED-----

08/12/2011


Deputy Secretary of State

A True Copy When Attested By Signature


Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:

638 Congress Street Partners, LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "LLC," "LLC," "L C" or "LC" or, in the case of a low-profit limited liability company, "L3C" or "l3c" - see 31 MRSA 1508.)

SECOND: Filing Date: (select one)

- Date of this filing, or
 Later effective date (specified here): _____

THIRD: Designation as a low profit LLC (Check only if applicable).

- This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here
- A. The company intends to qualify as a low-profit limited liability company;
- B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
- C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
- D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor

FOURTH: Designation as a professional LLC (Check only if applicable):

- This is a professional limited liability company* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services.

(Type of professional services)

FIFTH: The Registered Agent is a (select **either** a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number _____

(Name of commercial registered agent)

Noncommercial Registered Agent

William H. Leete, Jr., Esq.

(Name of noncommercial registered agent)

Leete & Lemieux, P.A., 95 Exchange Street, Portland, ME 04101

(physical location, not P.O. Box – street, city, state and zip code)

Leete & Lemieux, P.A., P.O. Box 7740, Portland, ME 04112

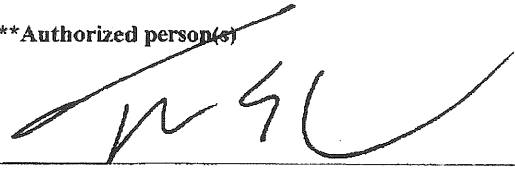
(mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §105 2, the registered agent listed above has consented to serve as the registered agent for this limited liability company

SEVENTH: Other matters the members determine to include are set forth in the attached Exhibit _____, and made a part hereof

****Authorized person(s)**

Dated 8/11/2011



(Signature)

Thomas E. Watson, Member

(Type or print name and capacity)

(Signature)

(Type or print name and capacity)

***Examples** of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians (This is not an inclusive list – see 13 MRSA §723 7)

****Pursuant to 31 MRSA §1676 1.A, Certificate of Formation MUST be signed by at least one authorized person**

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453

Please remit your payment made payable to the Maine Secretary of State

Submit completed form to: **Secretary of State**
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101
Telephone Inquiries: (207) 624-7752 Email Inquiries: CEC Corporations@Maine.gov

SHORT FORM QUITCLAIM DEED

MAINE REAL ESTATE TAX PAID

Lafayette Square Limited Partnership, a Maine limited partnership, with a place of business in Portland, Maine, hereby grants to 638 Congress Street Partners, LLC, a Maine limited liability company, with a place of business in Portland, Maine, having a mailing address of 104 Grant Street, Portland, Maine 04101, WITH QUITCLAIM COVENANTS, certain real property located in the City of Portland, County of Cumberland and State of Maine, and more particularly described on Exhibit "A" attached hereto.

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantor herein by deed of Stratford Management Associates dated December 21, 1994 and recorded in the Cumberland County Registry of Deeds in Book 11765, Page 232. Reference is also made to a deed from the City of Portland, dated June 15, 1995 and recorded in said Registry of Deeds in Book 11974, Page 151.

This conveyance is made subject to taxes not yet due and payable and to the Permitted Exceptions set forth on Exhibit "B" attached hereto.

IN WITNESS WHEREOF, Lafayette Square Limited Partnership, acting through Peninsula Housing, LLC, its general partner, has caused this instrument to be executed by Lyndel J. Wishcamper, its member, thereunto duly authorized, this 10 day of February, 2012.

WITNESS:

LAFAYETTE SQUARE LIMITED PARTNERSHIP

Lenita A. Richard
Print Name: Lenita A. Richard

By: Peninsula Housing, LLC, a Maine limited liability company, its general partner

By: Lyndel J. Wishcamper
Lyndel J. Wishcamper, its Member

STATE OF Maine

COUNTY OF Camden

IN WITNESS WHEREOF, Lafayette Square Limited Partnership, acting through Peninsula Housing, LLC, its general partner, has caused this instrument to be executed by Lyndel J. Wishcamper, its Member, thereunto duly authorized, who acknowledged such execution to be his free act and deed and the free act and deed of Peninsula Housing, LLC and Lafayette Square Limited Partnership, this 10 day of February, 2012.

Before me,

Maureen C. Valentine
Notary Public

Print Name: _____

MAUREEN C. VALENTINE
Notary Public, Maine
My Commission Expires July 18, 2013

SEAL

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

A certain lot or parcel of land with buildings thereon situated on the southerly side of Congress Street in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the intersection of the southerly side of Congress Street and the westerly side of Park Street;

THENCE by the westerly side of said Park Street South 33 degrees 15 minutes 42 seconds East a distance of 187.54 feet to the most northerly corner of land now or formerly of the City of Portland as recorded by Deed in Book 187, Page 131;

THENCE by said City of Portland land South 55 degrees 39 minutes 48 seconds West a distance of 212.29 feet to a rod marking the northerly line of land conveyed to St. Luke's Church as recorded in Book 543, Page 480; Book 745, Page 316, Book 822, Page 240, Book 544, Page 127 and Book 351, Page 332;

THENCE by the said northerly line of St. Luke's Church North 55 degrees 31 minutes 24 seconds East a distance of 4.99 feet to a corner;

THENCE by the northeasterly line of St. Luke's Church North 34 degrees 51 minutes 42 seconds West a distance of 70.55 to a rod at the northeasterly corner of land conveyed to the State Street Congregational Church in Book 902, Page 200;

THENCE by the northerly line of said State Street Congregational Church on the following courses:

North 34 degrees 36 minutes 42 seconds West a distance of 90.73 feet to an angle in said line;

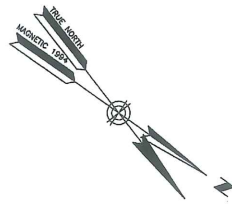
North 35 degrees 06 minutes 42 seconds West a distance of 88.41 feet to the northwesterly corner of said church and the easterly line of land conveyed to Sandra & Geoffrey Rice Trust by Deed in Book 3073, Page 871.

THENCE by said trust land, and being partially along a common wall between said trust land and the lot herein conveyed, North 11 degrees 59 minutes 18 seconds East a distance of 72.17 feet to the southerly side of said Congress Street;

THENCE by the southerly side of said Congress Street North 88 degrees 54 minutes 18 seconds East a distance of 204.31 feet to the Point of Beginning.

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Rights or claims of parties other than Insured in actual possession of any or all of the property under leases or rental agreements not identified in the rent rolls furnished by Seller or listed on the Seller's Affidavit as of the closing date.
2. The following matters as disclosed on an ALTA Survey plan entitled "ALTA/ACSM Land Title Survey, 130 Park Street, Portland, Cumberland County, Maine made for Lafayette Square Limited Partnership" prepared by Owen Haskell, Inc. dated September 27, 2011, revised through December 8, 2011 (herein the "Survey"):
 - Encroachment into Congress Street of first story wood front facing.
 - Canopy overhang encroachment at Congress Street & Park Street entrance.
 - Rights of others in an overhead electrical line crossing the most southerly corner of the insured premises.
3. Liens for taxes and assessments which become due and payable subsequent to the date of the policy to be issued.
4. Financial Assistance Agreement Declaration of Covenants, Conditions and Restrictions by and between Lafayette Square Limited Partnership and Maine State Housing Authority dated June 28, 1995, recorded in the Registry in Book 12774, Page 69.
5. Amendment to Financial Assistance Agreement Declaration of Covenants, Conditions and Restrictions by and between from Lafayette Square Limited Partnership and Maine State Housing Authority dated June 5, 1997, recorded in the Registry in Book 13122, Page 10.
6. Maine State Housing Authority Low-Income Housing Tax Credit Program Extended Low-Income Housing Commitment Agreement by and between Lafayette Square Limited Partnership and Maine State Housing Authority dated December 28, 1994, recorded in the Registry in Book 14625, Page 34.
7. Amendment to Extended Low-Income Housing Commitment Agreement by and between Lafayette Square Limited Partnership and Maine State Housing Authority dated January 11, 2002, recorded in the Registry in Book 17305, Page 254.
8. Common law rights of abutting property owners, Sandra & Geoffrey Rice Trust, with respect to a common or shared wall as referenced in the insured description as "along a common wall between said trust land and the lot herein conveyed."



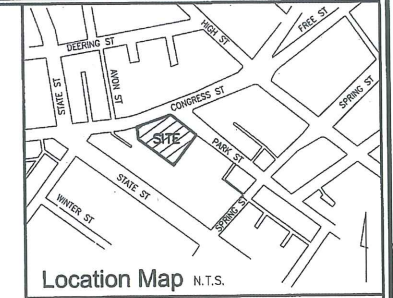
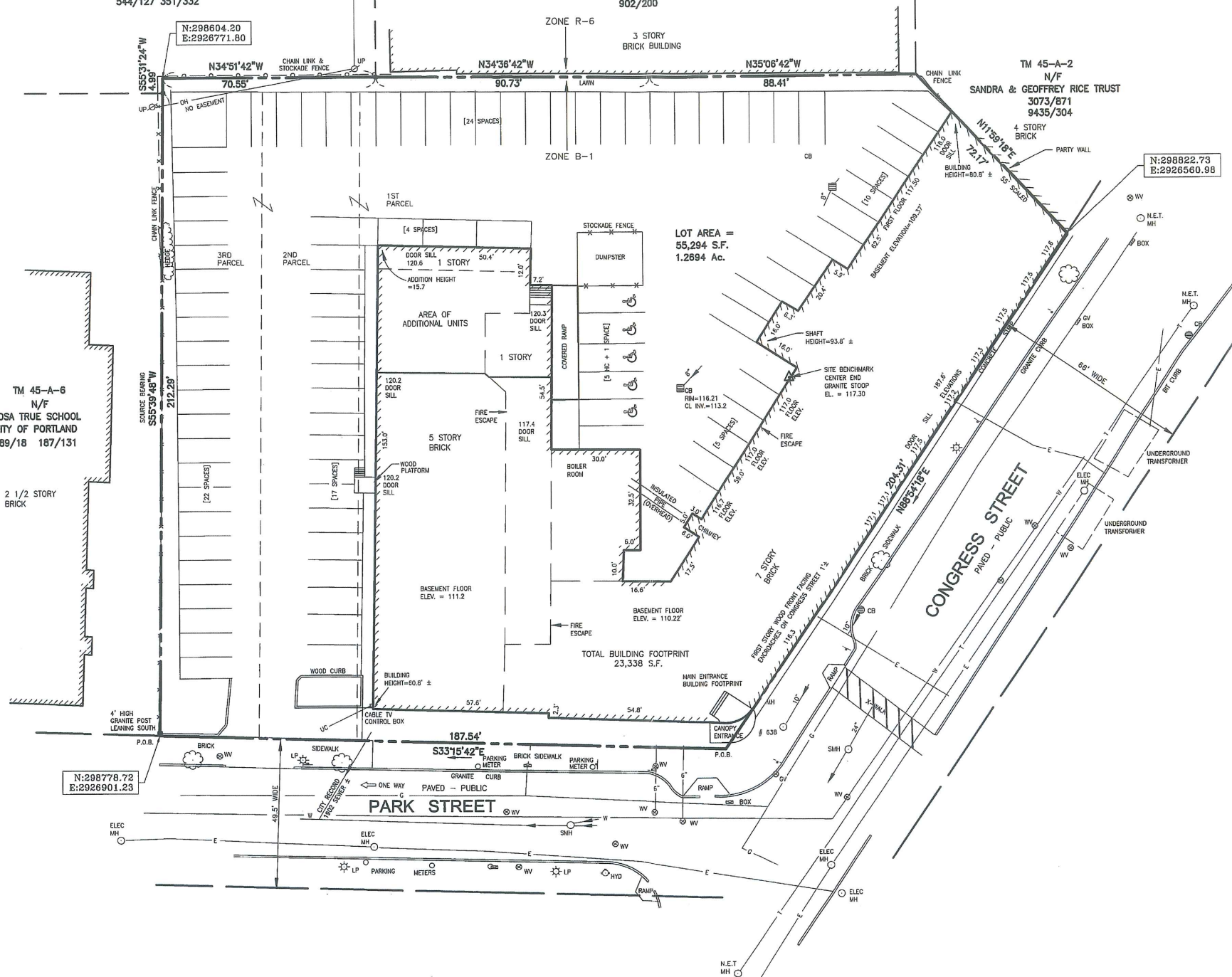
N/F
TM 45-A-23
ST. LUKES PARISH
543/480 745/316 822/240
544/127 351/332

TM 45-A-26
N/F
STATE ST. CONGREGATIONAL CHURCH
902/200

TM 45-A-2
N/F
SANDRA & GEOFFREY RICE TRUST
3073/871
9435/304

TM 45-A-6
N/F
ROSA TRUE SCHOOL
CITY OF PORTLAND
189/18 187/131

2 1/2 STORY
BRICK



RECEIVED
AUG 10 2012
City of Portland
Planning Division

Flood Zone Note:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0013B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

Utility Note:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.

Legend:

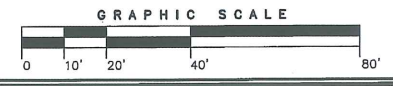
- ☐ BOX UTILITY BOX
- ⊗ WV WATER VALVE
- ⊙ HYD FIRE HYDRANT
- ⊙ LP LIGHT POLE
- ⊙ MH MANHOLE
- ⊙ CB CATCH BASIN
- ⊙ UP UTILITY POLE
- ⊙ 5/8" ROD FOUND
- ⊙ DECIDUOUS TREE
- CURB
- FENCE
- UNDERGROUND TELEPHONE
- UNDERGROUND WATER LINE
- UNDERGROUND CABLE
- UNDERGROUND GAS LINE
- UNDERGROUND ELECTRIC
- OVERHEAD WIRES
- N/F NOW OR FORMERLY

Plan References:

- PLAN MADE FOR LAFAYETTE TOWN HOUSE BY E.C. JORDAN DATED APRIL 18, 1966.
- ALTA/ACSM LAND TITLE SURVEY ON PARK AND CONGRESS STREET, PORTLAND, MAINE MADE FOR LAFAYETTE SQUARE LIMITED PARTNERSHIP, 130 PARK STREET, PORTLAND, MAINE DATED APRIL 11, 1995 BY OWEN HASKELL, INC.
- ALTA/ACSM LAND TITLE SURVEY, 130 PARK STREET, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR LAFAYETTE SQUARE LIMITED PARTNERSHIP DATED SEPTEMBER 27, 2011 REVISED FEBRUARY 9, 2012 BY OWEN HASKELL, INC.

Notes:

- OWNER OF RECORD: 638 CONGRESS STREET PARTNERS, LLC, 104 GRANT STREET, PORTLAND, MAINE 04101 C.C.R.D. BOOK 29354 PAGE 304.
- PARCEL IS SHOWN AS LOT 3 BLOCK A ON CITY OF PORTLAND'S ASSESSORS MAP 45.
- BEARINGS ARE BASED ON MAGNETIC 1994. COORDINATES LISTED ARE BASED ON CITY CONTROL MONUMENTS T124-25-1214 AND T124-25-1230.
- FOUR ADDITIONAL UNITS TO BE ADDED TO BRING THE TOTAL NUMBER OF 101 RESIDENTIAL UNITS AND 9 STOREFRONTS.
- PARCEL IS LOCATED IN THE DOWNTOWN ENTERTAINMENT OVERLAY ZONE (DEOZ).



APPROVED BY THE
CITY OF PORTLAND PLANNING BOARD

DATE

STATE OF MAINE, CUMBERLAND, ss
REGISTRY OF DEEDS
RECEIVED _____
AT ____ hr. ____ min. ____ m AND RECORDED
IN PLAN BOOK _____, PAGE _____
ATTEST: _____ REGISTER

Certificate:

OWEN HASKELL, INC. CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

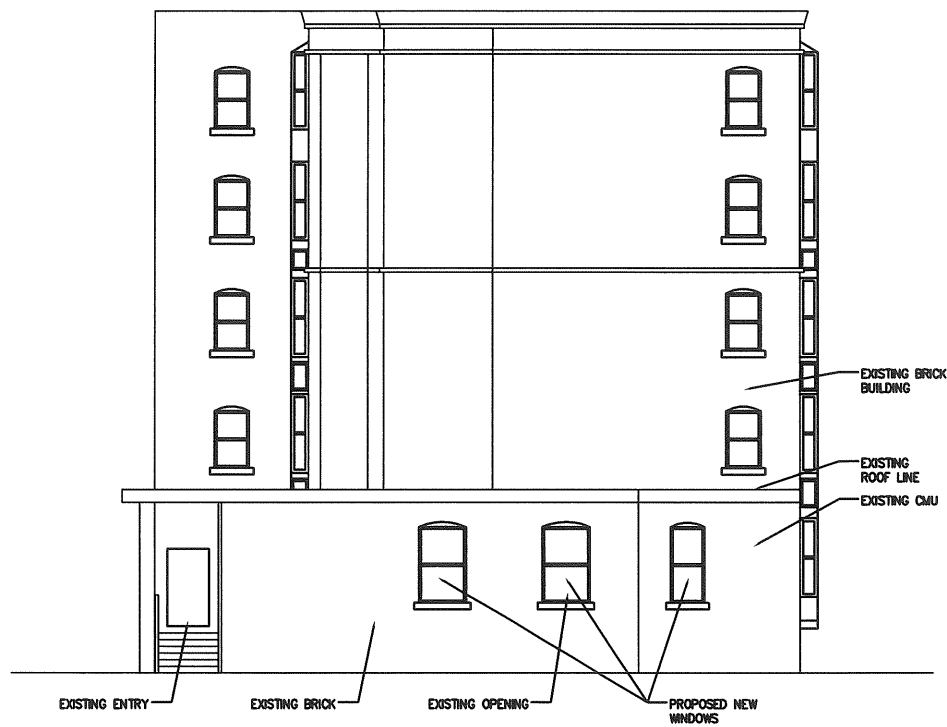
8/9/12
DATE
JOHN W. SWAN, PLS NO. 1038



RECORDING PLAT
"LAFAYETTE SQUARE APARTMENTS"
638 CONGRESS STREET, PORTLAND, MAINE
MADE FOR OWNER OF RECORD
638 CONGRESS STREET PARTNERS, LLC
104 GRANT STREET, PORTLAND, MAINE 04101

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424

Drawn By	OH	Date	Job No.
Trace By	OH	AUGUST 9, 2012	94210/11-137P
Check By	JWS	Scale	Drwg. No.
Book No.	712	1" = 20'	1RP



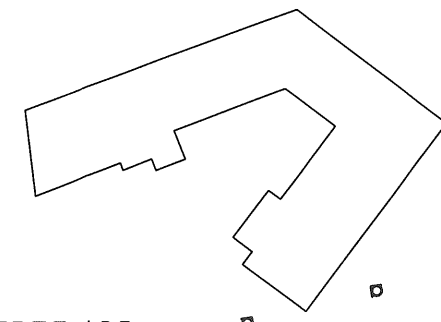
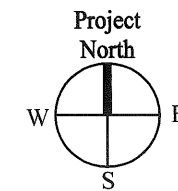
SOUTH ELEVATION

SCALE: 1/16"=1'-0"



EAST ELEVATION

SCALE: 1/16"=1'-0"



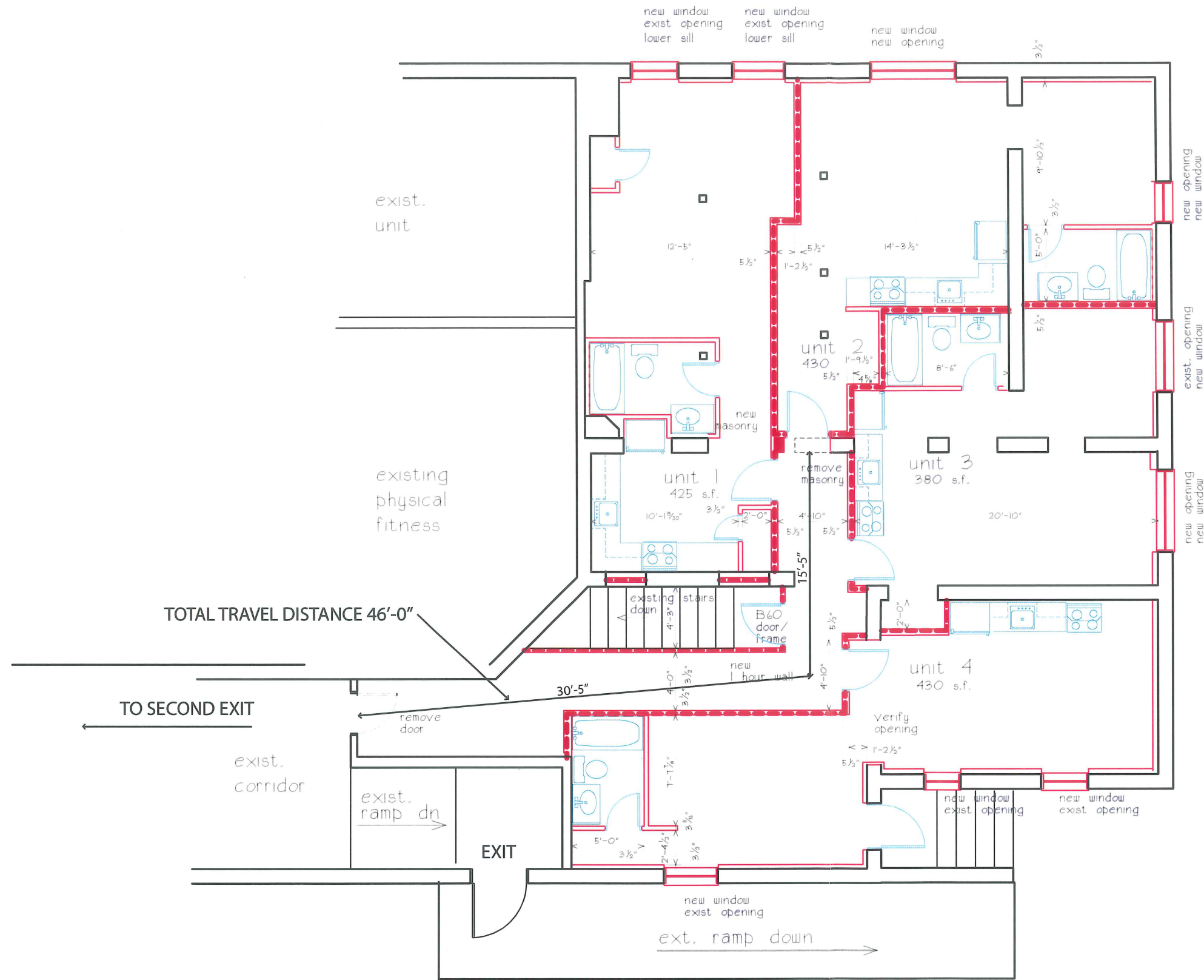
KEY PLAN
NOT TO SCALE

ARCHETYPE
Architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Project:
638 CONGRESS ST
LAFAYETTE BUILDING
PORTLAND, MAINE

Date: 20 July 2012
Scale: 1/16" = 1'-0"
PROPOSED ELEVATIONS

A3.00



lafayette
 additional
 units
 schematic plan



PORTLAND MAINE

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

Receipts Details:

Tender Information: Check , BusinessName: Port Property Mgmt, Check Number: 31765

Tender Amount: 1100.00

Receipt Header:

Cashier Id: Idobson

Receipt Date: 8/13/2012

Receipt Number: 47006

Receipt Details:

Referance ID:	1724	Fee Type:	PEZ-SUB
Receipt Number:	0	Payment Date:	
Transaction Amount:	600.00	Charge Amount:	600.00
Job ID: Project ID: 2012-559 - 638 Congress St.; Add 4 units to existing Bldg.			
Additional Comments: 638 Congress St			

Referance ID:	1727	Fee Type:	PEZIII
Receipt Number:	0	Payment Date:	
Transaction Amount:	500.00	Charge Amount:	500.00
Job ID: Project ID: 2012-559 - 638 Congress St.; Add 4 units to existing Bldg.			

- The owners of Lafayette Building requested a public hearing for approval of a Level III Site Plan and Subdivision application at 638 Congress Street (corner of Congress and Park Streets).
- The parcel is located in the B-3 Downtown Business Zone and the Congress Street Historic District.
- The applicant is proposing to convert utility space in the building into four (4) residential apartments.
- The proposed reconfiguration of the units will occur within the existing historic structure.
- There are no proposed changes to the building exterior.
- The proposed residential units range in size from 330 to 430 square feet in area. The apartments will all be studio units.
- Waivers Requested:

The Planning Board (waives/does not waive) Section 14-526 (b) (2) (b) (iii) Street Trees, where the applicant shall contribute \$800 to the City of Portland Tree Fund for the cost of required street trees.
- Conditions of Approvals:
 1. A revised subdivision plat shall be submitted for review by the Planning Authority and signing by the Planning Board.
 2. A bicycle rack meeting the city's specifications in the technical manual shall be installed prior to the issuance of a certificate of occupancy.



PLANNING BOARD REPORT PORTLAND, MAINE

CONVERSION OF UTILITY SPACE INTO FOUR APARTMENTS

638 Congress Street

Subdivision Plan and Level III Site Plan

Project ID #2012-559

638 Congress Street Partners, LLC, Applicant

Submitted to: Portland Planning Board Public Hearing Date: September 11, 2012 Planning Board Report: # 44-12	Prepared by: Shukria Wiar, Planner Date: September 7, 2012
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I. INTRODUCTION

David Lloyd of Archetype on behalf of 638 Congress Street Partners, LLC is requesting a public hearing for approval of a Level III Site Plan and Subdivision application at 638 Congress Street (corner of Congress and Park Streets). The applicant is proposing to convert utility space in the building into four (4) residential apartments. The proposed reconfiguration of the units will occur within the existing historic structure. There are no proposed changes to the building exterior. The parcel is located in the B-3 Downtown Business Zone and the Congress Street Historic District.

One Hundred and ninety-three (193) notices were sent to area residents and interested citizens. A notice also appeared in the September 4th and September 5th editions of the *Portland Press Herald*.

II. PROJECT SUMMARY

Existing Zoning:	B-3 Downtown Business Zone and Overlay of Congress Street Historic District
Proposed Use:	Residential Apartments
Parcel Size:	55,993 sq ft
Total Disturbed Area:	None- all interior improvements
Building Area:	There are no plans to change the total building area
Total Building Area:	163,366 sq ft
Project Total:	±1,800 sq ft
Residential Data:	
Existing Residential Units:	Ninety-seven (97) Apartments
Proposed Residential Units:	Four (4) Apartments
Bedroom Mix:	Four Efficiencies
Parking Spaces:	
Existing:	Eighty-nine (89) parking spaces
Proposed:	No additional parking required
Bicycle Parking Spaces:	
Existing:	None
Proposed:	None
Estimated Cost of Project:	\$160, 000
Uses in Vicinity:	The site will provide compact in-city living for renters, which is near services, such as businesses, institutions, employers and public transportation

III. PROJECT DESCRIPTION

The 163,366 square foot, six-(6) level building at 638 Congress Street is currently occupied by retail stores at the street level, and residential apartments in the upper levels. The applicant is proposing to convert the utility space in the back of

the building into four (4) residential apartments.

The proposed residential units range in size from 330 to 430 square feet in area. The apartments will all be studio units. The units are accessed by the building's existing elevators and stair wells. A common central corridor leads to unit entries. There will be no exterior modifications to the building

The property is located in the B-3 Downtown Business zone and within the Congress Street Historic Overlay district. The B-3 zone allows residential dwelling units with no residential density requirements and the project is exempt from parking requirements under the change of use provisions for an historic structure. Therefore the applicant does not need to provide any additional dedicated parking for the project under the zoning ordinance as a change of use in the B3 Downtown Business Zone or in the Historic District. However, existing eighty-nine (89) parking spaces are being provided in the rear of the building off of Park Street for the existing and proposed residential units.

IV. PUBLIC COMMENT

Since the subdivision is for only four (4) units, the applicant is not to hold a required neighborhood meeting. As of the writing of this report no written public comment has been received.

V. RIGHT, TITLE AND INTEREST AND FINANCIAL/TECHNICAL CAPACITY

a. The owner of the property is 638 Congress Street Partners, LLC. The applicant has provided a copy of quitclaim deed, which demonstrates their right, title and interest in the property.

b. The estimated cost of the development is \$160, 000. The applicant has submitted a letter from TD Bank, dated 07.16.2011 (Attachment A.4) as demonstration of their financial and technical capacity to complete the proposed development.

VI. ZONING ASSESSMENT

A. ZONING REVIEW

Marge Schmuckal, Zoning Administrator, has reviewed the project and all zoning requirements of the B-3 zone are being met at this time. Please see Attachment 2 for the complete review comments

VII. DEVELOPMENT REVIEW

A. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527)

All requirements have been met.

B. SUBDIVISION (Section 14-497)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) I), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)

Staff finds the proposed project in conformance with this standard.

2. Sufficient Water Available (Section 14-497 (a) 2 and 3)

The applicant has presented a capacity letter from the Portland Water District (Attachment A.3) and there is adequate capacity.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)

Please see paragraph VII (B) 1 below.

4. Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)

Please see paragraph VII (B) 3 below.

5. Scenic Beauty, Natural, Historic, Habitat and other Resources (Section 14-497 (a) 8)

The proposed project will not have an adverse effect on the scenic or natural beauty of the area.

6. Comprehensive Plan (Section 14-497 (a) 9)

The following statement is housing policy that is relevant to this proposal. The first policy of Housing: Sustaining Portland's Future is to ensure an adequate and diverse supply of housing for all. Objectives under that policy include the following:

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied. The list of potential housing options under this objective include:
 - ii. Housing units for decreasing household sizes, such as young professionals, empty nesters, single parent households and senior citizens.
 - v. Higher density housing, such as row houses, small lots, reuse of non-residential buildings, and mixed use buildings.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers and public transportation.
- Evaluate and update current zoning, as needed, to encourage higher density multi-family developments and mixed use projects that incorporate housing, particularly along major public transportation routes, near services areas, and in redevelopment or infill areas, where appropriate.
- Encourage housing within and adjacent to the downtown. Evaluate and update current zoning and building codes, as needed, to facilitate new housing and redevelopment opportunities....

7. Financial Capability (Section 14-497 (a) 10)

The estimated cost of the development is \$160, 000. The applicant has submitted a letter from TD Bank, dated 07.16.2011 (Attachment A.4) as demonstration of their financial and technical capacity to complete the proposed development.

8. Subdivision Plat

The subdivision plat has been reviewed by staff. The plat will need to show the zoning information for the zone and mention that historic district the parcel is in. The plat will also need to show the uses of the building, the number of residential units (existing and proposed), and the number of parking spaces on site.

A recommended condition of approval calls for a revised plat be submitted for review by the Planning Authority and signature of the Planning Board.

C. **SITE PLAN STANDARDS** (Section 14-526)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. Transportation Standards
 - a. Impact on Surrounding Street Systems
 - b. Access and Circulation
 - c. Public Transit Access
 - d. Parking
 - e. Transportation Demand Management (TDM)

STAFF COMMENT: The proposed project is not anticipated to have any significant adverse effect on regional traffic. The site offers space for vehicular loading and unloading at the rear of the building. Metered on-street parking is also available near the project's front entry. Residents of the proposed project will access the building from Congress Street and Park Street. Access between the provided on-site parking area and Congress Street is via Park Street. Eighty-nine (89) existing parking spaces are being provided for the proposed project to the rear of the building. The project is not required to provide any dedicated parking for the project under the zoning ordinance as a change of use in the B3 Downtown Business Zone and as an historic structure in the Historic District. Tom Ericco, Consultant Traffic Engineer, has reviewed the proposed project and has no comments.

Planning staff recommends as a condition of approval that one bicycle rack be installed to serve this project.

2. Environmental Quality Standards
 - a. Preservation of Significant Natural Features
 - b. Landscaping and Landscape Preservation
 - c. Water Quality, Storm Water Management and Erosion Control

STAFF COMMENT: Under the standards of the subdivision ordinance, all subdivisions are required to provide one (1) street tree per lot or unit for multi-family projects. The subject application is for four (4) units and there are no street trees being proposed on site. The applicant has requested a waiver of the street trees in order to contribute to the City's tree fund for the four required trees. Where as the subject site is located in a fully developed urban environment, the City Arborist supports the waiver and that the developer shall contribute a fee of \$200 per tree required into a street tree fund for a total of \$800 for use by the City Arborist in the installation and maintenance of urban street trees in the vicinity of the site.

In its present condition, the site is fully impervious. Existing drainage flows and catchments systems appear to be functioning effectively. No improvements to the existing infrastructure are proposed.

3. Public Infrastructure and Community Safety Standards
 - a. Consistency with Master Plans
 - b. Public Safety and Fire Prevention
 - c. Availability and Adequate Capacity of Public Utilities

STAFF COMMENT: Captain Chris Pirone of the Fire Department has reviewed the project and has no issues in the site-plan process as changes to access to the site have not been proposed.

The applicant has submitted a letter from the Engineering Division of Public Works verifying adequate sewer capacity to serve the project. The applicant has also presented a letter of adequate water capacity from the Portland Water District (Attachment A.3). The Department of Public Services did evaluate the

site and found the sidewalks along the property boundaries to be in good condition, so no public improvements within the right-of-ways are required.

4. Site Design Standards
 - a. Massing, Ventilation and Wind Impact
 - b. Shadows
 - c. Snow and Ice Loading
 - d. View Corridors
 - e. Historic Resources
 - f. Exterior Lighting
 - g. Noise and Vibration
 - h. Signage and Wayfinding
 - i. Zoning Related Design Standards

STAFF COMMENT: The building is an existing historic structure and no exterior modifications are proposed.

VIII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed subdivision and site plan for four additional units at 638 Congress Street.

IX. PROPOSED MOTIONS

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations, contained in the Planning Board Report #44-12 for application 2012-559 relevant to Portland's Technical and Design Standards and other regulations, and the testimony presented at the Planning Board hearing:

- 6.0
O'Brien absent*
1. The Planning Board (waives/does not waive) Section 14-526 (b) (2) (b) (iii) Street Trees, where the applicant shall contribute \$800 to the City of Portland Tree Fund for the cost of required street trees.

B. DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report #44-12 for application 2012-559 relevant to the Site Plan, Subdivision and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan (is/is not) in conformance with the site plan and subdivision standards of the land use code subject to the following conditions of approval:

- (b.0)*
1. A revised subdivision plat shall be submitted for review by the Planning Authority and signing by the Planning Board.
 2. A bicycle rack meeting the city's specifications in the technical manual shall be installed prior to the issuance of a certificate of occupancy.

Attachments:

Planning Board Report Attachments

1. Traffic Review 09.05.2012 (e-mail from Tom Errico)
2. Zoning Review 08.31.2012 (e-mail from Marge Schmuckal)
3. DPS Engineer Review 08.28.2012 (e-mail from David Margolis-Pineo)

A - Applicant's Submittal

- A Application
- B Evidence of Right, Title, and Interest
- C Water and Sewer Capacity Letters, dated 07.25.2012 and 06.21.2012
- D Financial Capacity Letters, dated 07.26.2012.2011
- E Certificate of Formation

B - Site Plans

- Plan 1 Subdivision Plat Plan
- Plan 2 Proposed Elevations
- Plan 3 Floor Plan of Proposed Apartments

Shukria Wiar - RE: 638 Congress Street

From: Tom Errico <thomas.errico@tylin.com>
To: Shukria Wiar <SHUKRIAW@portlandmaine.gov>
Date: 9/5/2012 2:57 PM
Subject: RE: 638 Congress Street

Yes – I have no comments.

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
TYLIN INTERNATIONAL
12 Northbrook Drive
Falmouth, ME 04105
207.347.4354 direct
207.400.0719 mobile
207.781.4753 fax
thomas.errico@tylin.com
Visit us online at www.tylin.com

"One Vision, One Company"
Please consider the environment before printing.

From: Shukria Wiar [mailto:SHUKRIAW@portlandmaine.gov]
Sent: Wednesday, September 05, 2012 2:47 PM
To: Tom Errico
Subject: 638 Congress Street

Hello:

I am in the middle of writing the report for the four apartment subdivision in the Lafayette Building on Congress Street. I do not have any comments from you; are you all set with this project?

Thanks.

Shukria

Shukria Wiar - 638 Congress St.

From: David Margolis-Pineo
To: Shukria Wiar
Date: 8/31/2012 11:33 AM
Subject: 638 Congress St.
CC: Barbara Barhydt

I have no comments on this project.

Shukria Wiar - 638 Congress Street -

From: Marge Schmuckal
To: Shukria Wiar
Date: 8/28/2012 2:55 PM
Subject: 638 Congress Street -

One Solution is not allowing me to enter information into the system, so I am responding by e-mail.

638 Congress Street - 045-A-003
#2012-559 - B-3 Zone with a Historic Overlay
8/28/2012

This is a request to add 4 additional dwelling units to an existing building (the Lafayette) which currently has 97 dwelling units along with retail and personal services that are located on the ground floor abutting Congress Street. This property is located in a B-3 Zone with a Historic Overlay and a PAD (Pedestrian Activities District) along Congress Street.

The B-3 Zone does not have any requirements of minimum lot area per dwelling unit. There is no minimum unit size requirement either. And because the change of use from utility are to dwelling units is within the existing building and the building is located in a Historic District, there is no requirement to show any additional parking from what is already on-site.

Because there are three or more dwelling units proposed, a subdivision review is required before the Planning Board. And because there are exterior window changes, Historic needs to weigh in on the changes.

This project meets all the requirements of the B-3 Zone. Separate permits will be required from Inspection Services, including change of use, electrical and plumbing permits.

Marge Schmuckal
Zoning Administrator

Applicant's Submittal

PROJECT NAME: Lafayette

PROPOSED DEVELOPMENT ADDRESS:

638 Congress Street

PROJECT DESCRIPTION:

Conversion of former utility space to 4 additional apartment units
in existing 97 unit building.CHART/BLOCK/LOT: 45-A-3PRELIMINARY PLAN _____ (date)
FINAL PLAN 8/10/12 (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: 638 Congress Street Partners LLC Business Name, if applicable: Address: 104 Grant Street City/State: Portland, ME Zip Code: 04101	Applicant Contact Information Work # (207) 771-2883 Home# Cell # (207) 252-0358 Fax# (207) 761-8048 e-mail: tom@portpropmgt.com
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Archetype, PA Address: 48 Union Wharf City/State: Portland, ME Zip Code: 04101	Agent/Representative Contact information Work # (207) 772-6022 Cell # (207) 831-8627 e-mail: lloyd@archetypepa.com
Billing Information Name: 638 Congress Street Partners LLC Address: 104 Grant Street City/State: Portland, ME Zip Code: 04101	Billing Information Work # (207) 771-2883 Cell # (207) 252-0358 Fax# (207) 761-8048 e-mail: tom@portpropmgt.com

Engineer Name: Mechanical Systems Address: 10 Forest Falls Drive City/State: Yarmouth, ME Zip Code: 04096	Engineer Contact Information Work # (207) 846-1441 Cell # (207) 615-9375 Fax# (207) 846-1443 e-mail: kurt@mechanicalsystemseng.com
Surveyor Name: Owen Haskell, Inc Address: 390 U.S. Route 1 - Unit 10 City/State: Falmouth, ME Zip Code: 04105	Surveyor Contact Information Work # (207) 774-0424 Cell # Fax# (207) 774-0511 e-mail: jswan@owenhaskell.com
Architect Name: Archetype, David Lloyd Address: 48 Union Wharf City/State: Portland, ME Zip Code: 04101	Architect Contact Information Work # (207) 772-6022 Cell # (207) 831-8627 Fax#(207) 772-4056 e-mail: lloyd@archetypepa.com
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Cash or Check payable to the City of Portland.)

<p>Level III Development (check applicable reviews)</p> <p><input checked="" type="checkbox"/> Less than 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000) <input type="checkbox"/> 100,000 – 200,000 sq. ft. (\$2,000) <input type="checkbox"/> 200,000 – 300,000 sq. ft. (\$3,000) <input type="checkbox"/> over 300,000 sq. ft. (\$5,000) <input type="checkbox"/> Parking lots over 100 spaces (\$1,000) <input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p> <hr/> <p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> - Notices (\$.75 each) - Legal Ad (% of total Ad) - Planning Review (\$40.00 hour) - Legal Review (\$75.00 hour) <p>Third party review is assessed separately.</p>	<p>Fees Paid (office use)</p> <p>_____ _____ _____ _____ _____ _____ _____</p>	<p>Other Reviews (check applicable reviews)</p> <p>____ Traffic Movement (\$1,000) ____ Stormwater Quality (\$250) <input checked="" type="checkbox"/> Subdivisions (\$500 + \$25/lot) # of Lots <u>4</u> x \$25/lot = <u>100</u> ____ Site Location (\$3,000, except for residential projects which shall be \$200/lot) # of Lots ____ x \$200/lot = _____</p> <p>____ Other _____ ____ Change of Use ____ Flood Plain ____ Shoreland ____ Design Review ____ Housing Replacement ____ Historic Preservation</p>	<p>Fees Paid (office use)</p> <p>_____ _____ _____ _____</p>
<p>Plan Amendments (check applicable reviews)</p> <p>____ Planning Staff Review (\$250) ____ Planning Board Review (\$500)</p>	<p>Fees Paid (office use)</p> <p>_____ _____</p>		

APPLICATION SUBMISSION

As of December 1, 2010, all site plans and written application materials must be uploaded to a website for review. At the time of application, instructions for uploading the plans will be provided to the applicant. One paper set of the plans, written materials and application fee must be submitted to the Planning Division Office to start the review process.

Until December 1, 2010, Submissions shall include seven (7) packets with folded plans containing the following materials:


1. **Seven (7) full size site plans** that must be **folded**.
2. Seven (7) copies of all written materials as follows, unless otherwise noted:
 - a. Application form that is completed and signed.
 - b. Cover letter stating the nature of the project.
 - c. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

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 Planning Authority and Code Enforcement'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 a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 8-10-12
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PROJECT DATA

(The following information is required where applicable, in order complete the application)

Total Site Area	55,993
Proposed Total Disturbed Area of the Site	0 sq. ft.
(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)	
IMPERVIOUS SURFACE AREA	
• Proposed Total Paved Area	N/A sq. ft.
• Existing Total Impervious Area	54,794 sq. ft.
• Proposed Total Impervious Area	0 sq. ft.
• Proposed Total Impervious Area	0 sq. ft.
• Proposed Impervious Net Change	0 sq. ft.
BUILDING AREA	
• Proposed Building Footprint	no change sq. ft.
• Proposed Building Footprint Net change	0 sq. ft.
• Existing Total Building Floor Area	163,366 sq. ft.
• Proposed Total Building Floor Area	no change sq. ft.
• Proposed Building Floor Area Net Change	0 sq. ft.
• New Building	(yes or <u>no</u>)
ZONING	
• Existing	B3
• Proposed, if applicable	
LAND USE	
• Existing	Residential
• Proposed	Residential
RESIDENTIAL, IF APPLICABLE	
• Proposed Number of Affordable Housing Units	0
• Proposed Number of Residential Units to be Demolished	0
• Existing Number of Residential Units	97
• Proposed Number of Residential Units	4
• Subdivision, Proposed Number of Lots	4
PARKING SPACES	
• Existing Number of Parking Spaces	89
• Proposed Number of Parking Spaces	0
• Number of Handicapped Parking Spaces	5
• Proposed Total Parking Spaces	0
BICYCLE PARKING SPACES	
• Existing Number of Bicycle Parking Spaces	0
• Existing Number of Bicycle Parking Spaces	0
• Proposed Number of Bicycle Parking Spaces	0
• Total Bicycle Parking Spaces	0
ESTIMATED COST OF PROJECT	\$160,000

**General Submittal Requirements – Preliminary Plan (Optional)
Level III Site Plan
Preliminary Plan Phase Check list (if elected by applicant)**

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirements
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Completed application form included
<input type="checkbox"/>	<input type="checkbox"/>	1	Application fees attached
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of project See project description on page 2.
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Evidence of right, title and interest. attached
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Copies of required State and/or Federal permits. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written assessment of zoning. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written description of existing and proposed easements or other burdens. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written requests for waivers from individual site plan and/or technical standards, where applicable. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Traffic analysis (may be preliminary, in nature, during the preliminary plan phase). N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of significant natural features located on the site. N/A
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Written summary of project's consistency with related city master plans. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1 (1 paper copy as of Dec. 1)	Neighborhood Meeting Material (refer to page 13 of this application.) N/A
Applicant Checklist	Planner Checklist	Number of Copies	Site Plan Submittal Requirements
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Boundary Survey meeting the requirements of Section 13 of the City of Portland Technical Manual. Attached recording plat
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)	Preliminary Site Plan Including the following: (*information provided may be preliminary in nature during preliminary plan phase):
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed structures with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed site access and circulation.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing and proposed utilities (preliminary layout).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>		▪ Preliminary stormwater management and erosion control plan.
<input type="checkbox"/>	<input type="checkbox"/>		▪ Existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b) 1. of the Land Use Code).

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- Proposed alterations to and protection measures for significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).
- Existing and proposed easements or public or private rights of way.

**General Submittal Requirements – Final Plan (Required)
Level III Site Plan
Final Plan Phase Check list (including items listed above in General Requirements for Preliminary Plan, if applicant did not elect to submit for a preliminary plan review)**

Applicant Checklist	Planner Checklist	Number of Copies	Written Submittal Requirement
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of financial and technical capacity. Attached
<input type="checkbox"/>	<input type="checkbox"/>	1	Evidence of utilities' capacity to serve the development. Attached
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual). See enclosed floor plans.
<input type="checkbox"/>	<input type="checkbox"/>	1	Construction management plan. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Traffic Plan (if development will (1) generate 100 or more PCE or (2) generate 25 or more PCE and is located on an arterial, within 1/2 mile of a high crash location, and/or within ¼ mile of an intersection identified in a previous traffic study as a failing intersection). N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Stormwater management plan. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Written summary of solid waste generation and proposed management of solid waste. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Written assessment of conformity with applicable design standards. N/A
<input type="checkbox"/>	<input type="checkbox"/>	1	Manufacturer's verification that HVAC and manufacturing equipment meets applicable state and federal emissions requirements. N/A

Final Plan Phase		
<input type="checkbox"/>	<input type="checkbox"/>	7 (1 paper copy as of Dec. 1)
Final Site Plan Including the following		
<input type="checkbox"/>	<input type="checkbox"/>	▪ Existing and proposed structures on the site with distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone).
<input type="checkbox"/>	<input type="checkbox"/>	▪ Location of adjacent streets and intersections and approximate location of structures on abutting properties.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Proposed site access and circulation.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Proposed grading and contours.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Location and dimension of existing and proposed paved areas including all parking areas and vehicle, bicycle and pedestrian access ways. Proposed curb lines must be shown.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Proposed loading and servicing areas, including applicable turning templates for delivery vehicles
<input type="checkbox"/>	<input type="checkbox"/>	▪ Proposed snow storage areas or snow removal plan.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Proposed trash and recycling facilities.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Landscape plan including existing vegetation to be preserved, proposed site landscaping and street trees.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Existing and proposed utilities.
<input type="checkbox"/>	<input type="checkbox"/>	▪ Location and details of proposed infrastructure improvements (e.g. - curb and sidewalk improvements, roadway intersection modifications, utility connections, public transit infrastructure, roadway improvements).
<input type="checkbox"/>	<input type="checkbox"/>	▪ Proposed septic system, if not connecting to municipal sewer. (Portland Waste Water Application included in this application)

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<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Proposed finish floor elevation (FFE).</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Exterior building elevation(s) (showing all 4 sides).</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Proposed stormwater management and erosion controls.</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Exterior lighting plan, including street lighting improvements..</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Proposed signage.</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Identification of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code). Wetlands must be delineated.</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Proposed alterations to and protection measures for of existing significant natural features located on the site (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features listed in Section 14-526 (b)1. of the Land Use Code).</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Total area and limits of proposed land disturbance.</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Soil type and location of test pits and borings.</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Details of proposed pier rehabilitation (Shoreland areas only).</i>
<input type="checkbox"/>	<input type="checkbox"/>	▪ <i>Existing and proposed easements or public or private rights of way.</i>

SHORT FORM QUITCLAIM DEED

Lafayette Square Limited Partnership, a Maine limited partnership, with a place of business in Portland, Maine, hereby grants to 638 Congress Street Partners, LLC, a Maine limited liability company, with a place of business in Portland, Maine, having a mailing address of 104 Grant Street, Portland, Maine 04101, WITH QUITCLAIM COVENANTS, certain real property located in the City of Portland, County of Cumberland and State of Maine, and more particularly described on Exhibit "A" attached hereto.

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantor herein by deed of Stratford Management Associates dated December 21, 1994 and recorded in the Cumberland County Registry of Deeds in Book 11765, Page 232. Reference is also made to a deed from the City of Portland, dated June 15, 1995 and recorded in said Registry of Deeds in Book 11974, Page 151.

This conveyance is made subject to taxes not yet due and payable and to the Permitted Exceptions set forth on Exhibit "B" attached hereto.

IN WITNESS WHEREOF, Lafayette Square Limited Partnership, acting through Peninsula Housing, LLC, its general partner, has caused this instrument to be executed by Lyndel J. Wishcamper, its member, thereunto duly authorized, this 10 day of February, 2012.

WITNESS:

LAFAYETTE SQUARE LIMITED PARTNERSHIP

Lenita A. Richard
Print Name: Lenita A. Richard

By: Peninsula Housing, LLC, a Maine limited liability company, its general partner

By: Lyndel J. Wishcamper
Lyndel J. Wishcamper, its Member

MAINE REAL ESTATE TAX PAID

STATE OF Maine

COUNTY OF Cumberland

IN WITNESS WHEREOF, Lafayette Square Limited Partnership, acting through Peninsula Housing, LLC, its general partner, has caused this instrument to be executed by Lyndel J. Wishcamper, its Member, thereunto duly authorized, who acknowledged such execution to be his free act and deed and the free act and deed of Peninsula Housing, LLC and Lafayette Square Limited Partnership, this 10 day of February, 2012.

Before me,

Maureen C. Valentine
Notary Public

Print Name: _____

MAUREEN C. VALENTINE
Notary Public, Maine
My Commission Expires July 18, 2013

SEAL

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY

A certain lot or parcel of land with buildings thereon situated on the southerly side of Congress Street in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at the intersection of the southerly side of Congress Street and the westerly side of Park Street;

THENCE by the westerly side of said Park Street South 33 degrees 15 minutes 42 seconds East a distance of 187.54 feet to the most northerly corner of land now or formerly of the City of Portland as recorded by Deed in Book 187, Page 131;

THENCE by said City of Portland land South 55 degrees 39 minutes 48 seconds West a distance of 212.29 feet to a rod marking the northerly line of land conveyed to St. Luke's Church as recorded in Book 543, Page 480; Book 745, Page 316, Book 822, Page 240, Book 544, Page 127 and Book 351, Page 332;

THENCE by the said northerly line of St. Luke's Church North 55 degrees 31 minutes 24 seconds East a distance of 4.99 feet to a corner;

THENCE by the northeasterly line of St. Luke's Church North 34 degrees 51 minutes 42 seconds West a distance of 70.55 to a rod at the northeasterly corner of land conveyed to the State Street Congregational Church in Book 902, Page 200;

THENCE by the northerly line of said State Street Congregational Church on the following courses:

North 34 degrees 36 minutes 42 seconds West a distance of 90.73 feet to an angle in said line;

North 35 degrees 06 minutes 42 seconds West a distance of 88.41 feet to the northwesterly corner of said church and the easterly line of land conveyed to Sandra & Geoffrey Rice Trust by Deed in Book 3073, Page 871.

THENCE by said trust land, and being partially along a common wall between said trust land and the lot herein conveyed, North 11 degrees 59 minutes 18 seconds East a distance of 72.17 feet to the southerly side of said Congress Street;

THENCE by the southerly side of said Congress Street North 88 degrees 54 minutes 18 seconds East a distance of 204.31 feet to the Point of Beginning.

EXHIBIT "B"
PERMITTED EXCEPTIONS

1. Rights or claims of parties other than Insured in actual possession of any or all of the property under leases or rental agreements not identified in the rent rolls furnished by Seller or listed on the Seller's Affidavit as of the closing date.
2. The following matters as disclosed on an ALTA Survey plan entitled "ALTA/ACSM Land Title Survey, 130 Park Street, Portland, Cumberland County, Maine made for Lafayette Square Limited Partnership" prepared by Owen Haskell, Inc. dated September 27, 2011, revised through December 8, 2011 (herein the "Survey"):
 - Encroachment into Congress Street of first story wood front facing.
 - Canopy overhang encroachment at Congress Street & Park Street entrance.
 - Rights of others in an overhead electrical line crossing the most southerly corner of the insured premises.
3. Liens for taxes and assessments which become due and payable subsequent to the date of the policy to be issued.
4. Financial Assistance Agreement Declaration of Covenants, Conditions and Restrictions by and between Lafayette Square Limited Partnership and Maine State Housing Authority dated June 28, 1995, recorded in the Registry in Book 12774, Page 69.
5. Amendment to Financial Assistance Agreement Declaration of Covenants, Conditions and Restrictions by and between from Lafayette Square Limited Partnership and Maine State Housing Authority dated June 5, 1997, recorded in the Registry in Book 13122, Page 10.
6. Maine State Housing Authority Low-Income Housing Tax Credit Program Extended Low-Income Housing Commitment Agreement by and between Lafayette Square Limited Partnership and Maine State Housing Authority dated December 28, 1994, recorded in the Registry in Book 14625, Page 34.
7. Amendment to Extended Low-Income Housing Commitment Agreement by and between Lafayette Square Limited Partnership and Maine State Housing Authority dated January 11, 2002, recorded in the Registry in Book 17305, Page 254.
8. Common law rights of abutting property owners, Sandra & Geoffrey Rice Trust, with respect to a common or shared wall as referenced in the insured description as "along a common wall between said trust land and the lot herein conveyed."



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

July 25, 2012

Archetype, P.A.
48 Union Wharf
Portland, ME 04101

Attn: Susan Geffers
Re: 638 Congress Street, Portland
Ability to Serve with PWD Water

Dear: Ms. Geffers

The Portland Water District has received your request for an Ability to Serve determination for the noted site submitted on June 13, 2012. Based on the information provided, we can confirm that the District will be able to serve the proposed project as further described in this letter.

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

Existing Site Service

According to District records, the project site does currently have existing water service. A 6-inch diameter cast iron fire service line and a 6-inch diameter cast iron, cement lined domestic service line, located as shown on the attached water service cards, provide water service to this site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of these services.

Water System Characteristics

According to District records, there is a 6-inch diameter cast iron water main on the west side of Park Street and a 16-inch diameter cast iron water main on the north side of Congress Street as well as a public fire hydrant located across the street from the site.

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

Hydrant Location: Park Street at Congress Street
Hydrant Number: POD-HYD00325
Last Tested: 4/29/1992
Static Pressure: 57 psi
Residual Pressure: Not Measured
Flow: 671 GPM



Public Fire Protection

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

Domestic Water Needs

The ability to serve request indicated that the Lafayette Building has 97 apartment units and they plan to add 4 new efficiency units to the first floor. The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of the additional 4 efficiency units.

Private Fire Protection Water Needs


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

Conditions of Service

The existing fire and domestic water services at this property may be used by the additional 4 efficiency units provided that the development team concludes that the existing services will provide adequate flow and pressure for the new units and existing units. Should any new services be needed, please contact the MEANS group to set up an appointment to fill out a new service application.

The existing domestic service has two 2-inch displacement meters in parallel which. Each meter is capable of handling a maximum flow rate of 160 gallons per minute. If a larger water meter will be necessary, please contact the MEANS group to coordinate a meter upgrade.

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

Sincerely,
Portland Water District

Glissen Havu, E.I.
Design Engineer



Disclaimer: This map is suitable for preliminary study and analysis and is based on PWD record information. PWD is not liable for any damages whatsoever resulting from inaccurate data or from errors made in the location and marking of its infrastructure.

Drawn By: GJH
Scale: As Noted

Prepared For: Archetype, P.A.
Date: June 14, 2012




- Legend**
- Air Valve
 - Blow Off
 - By Pass
 - Distribution
 - Transmission
 - Connection
 - Attribute Change
 - Reducer
 - Hydrant
 - Hydrant Control
 - Manhole
 - Combined Service
 - Domestic Service
 - Fire Service
 - Private Hydrants
 - Meter Pits
 - Gravity
 - Force

638 Congress Street

Portland

PORTLAND WATER DISTRICT
225 Douglass Street
Portland, ME 04104





PORTLAND MAINE

Strengthening a Remarkable City. Building a Community for Life

www.portlandmaine.gov

Public Services Department
Michael J. Bobinsky, Director

21 June 2012

Mrs. Susan Geffers,
Office Manager,
Archetype, P.A.,
48 Union Wharf,
Portland, Maine 04101

RE: The Capacity to Handle an Anticipated Increase in Wastewater Flows, from the Lafayette Apartment Building, at 638 Congress Street, Portland, Maine.

Dear Mrs. Geffers:

The existing fifteen-inch diameter brick sanitary sewer pipe, located in Park Street has adequate capacity to **transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the anticipated wastewater flows of **360 gpd**, from your proposed residential efficiency units.

Anticipated Wastewater Flows from the Proposed Residential Units :	
4 Proposed Efficiency Apartments, @ 90 gpd/Apartment	= 360 GPD
Total Proposed Net Increase in Wastewater Flows from this Project	= 360 GPD

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

Sincerely,
CITY OF PORTLAND

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

FJB



Bank

America's Most Convenient Bank[®]

TD Bank, N.A.
One Portland Square
P.O. Box 9540
Portland, ME 04112-9540
T: 207-761-8600 F: 207-761-8660
www.tdbank.com

July 26, 2012

Susan Geffers
Archetype PA
48 Union Street Wharf
Portland, ME 04101

Dear Susan:

Please accept this letter from TD Bank as our opinion that Tom Watson has sufficient financial and technical capacity to fund the Lafayette renovations. Mr. Watson has been a highly valued customer of TD's for over 15 years and we look forward to providing a financing proposal to Mr. Watson to assist with this project.

If you require any additional information from me, please do not hesitate to call directly at 761-8612.

Sincerely,

A handwritten signature in cursive script that reads "Bill".

William R. Schad
Vice President

Filing Fee \$175.00

File No. 20120385DC Pages 2

Fee Paid \$ 175

DCN 2112271600007 DLLC

-----FILED-----

08/12/2011

MAINE
LIMITED LIABILITY COMPANY

STATE OF MAINE

CERTIFICATE OF FORMATION

Julie R. Flynn
Deputy Secretary of State

A True Copy When Attested By Signature
Julie R. Flynn
Deputy Secretary of State

Pursuant to 31 MRSA §1531, the undersigned executes and delivers the following Certificate of Formation:

FIRST: The name of the limited liability company is:

638 Congress Street Partners, LLC

(A limited liability company name must contain the words "limited liability company" or "limited company" or the abbreviation "LLC," "L.L.C.," "LC" or "L.C." or, in the case of a low-profit limited liability company, "L3C" or "L3c" - see 31 MRSA 1508.)

SECOND: Filing Date: (select one)

- Date of this filing, or
- Later effective date (specified here): _____

THIRD: Designation as a low profit LLC (Check only if applicable).

- This is a low-profit limited liability company pursuant to 31 MRSA §1611 meeting all qualifications set forth here:
 - A. The company intends to qualify as a low-profit limited liability company;
 - B. The company must at all times significantly further the accomplishment of one or more of the charitable or educational purposes within the meaning of Section 170(c)(2)(B) of the Internal Revenue Code of 1986, as it may be amended, revised or succeeded, and must list the specific charitable or educational purposes the company will further;
 - C. No significant purpose of the company is the production of income or the appreciation of property. The fact that a person produces significant income or capital appreciation is not, in the absence of other factors, conclusive evidence of a significant purpose involving the production of income or the appreciation of property; and
 - D. No purpose of the company is to accomplish one or more political or legislative purpose within the meaning of Section 170(c)(2)(D) of the Internal Revenue Code of 1986, or its successor

FOURTH: Designation as a professional LLC (Check only if applicable):

- This is a professional limited liability company* formed pursuant to 13 MRSA Chapter 22-A to provide the following professional services.

(Type of professional services)

FIFTH: The Registered Agent is a (select either a Commercial or Noncommercial Registered Agent)

Commercial Registered Agent CRA Public Number _____

(Name of commercial registered agent)

Noncommercial Registered Agent

William H. Leete, Jr., Esq.

(Name of noncommercial registered agent)

Leete & Lemieux, P.A., 95 Exchange Street, Portland, ME 04101

(physical location, not P.O. Box – street, city, state and zip code)

Leete & Lemieux, P.A., P.O. Box 7740, Portland, ME 04112

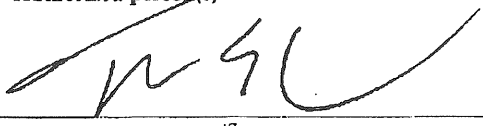
(mailing address if different from above)

SIXTH: Pursuant to 5 MRSA §105 2, the registered agent listed above has consented to serve as the registered agent for this limited liability company

SEVENTH: Other matters the members determine to include are set forth in the attached Exhibit _____, and made a part hereof

**Authorized person(s)

Dated 8/11/2011



(Signature)

Thomas E. Watson, Member

(Type or print name and capacity)

(Signature)

(Type or print name and capacity)

*Examples of professional service limited liability companies are accountants, attorneys, chiropractors, dentists, registered nurses and veterinarians (This is not an inclusive list – see 13 MRSA §723 7)

Pursuant to 31 MRSA §1676 1.A, Certificate of Formation **MUST be signed by at least one authorized person

The execution of this certificate constitutes an oath or affirmation under the penalties of false swearing under 17-A MRSA §453

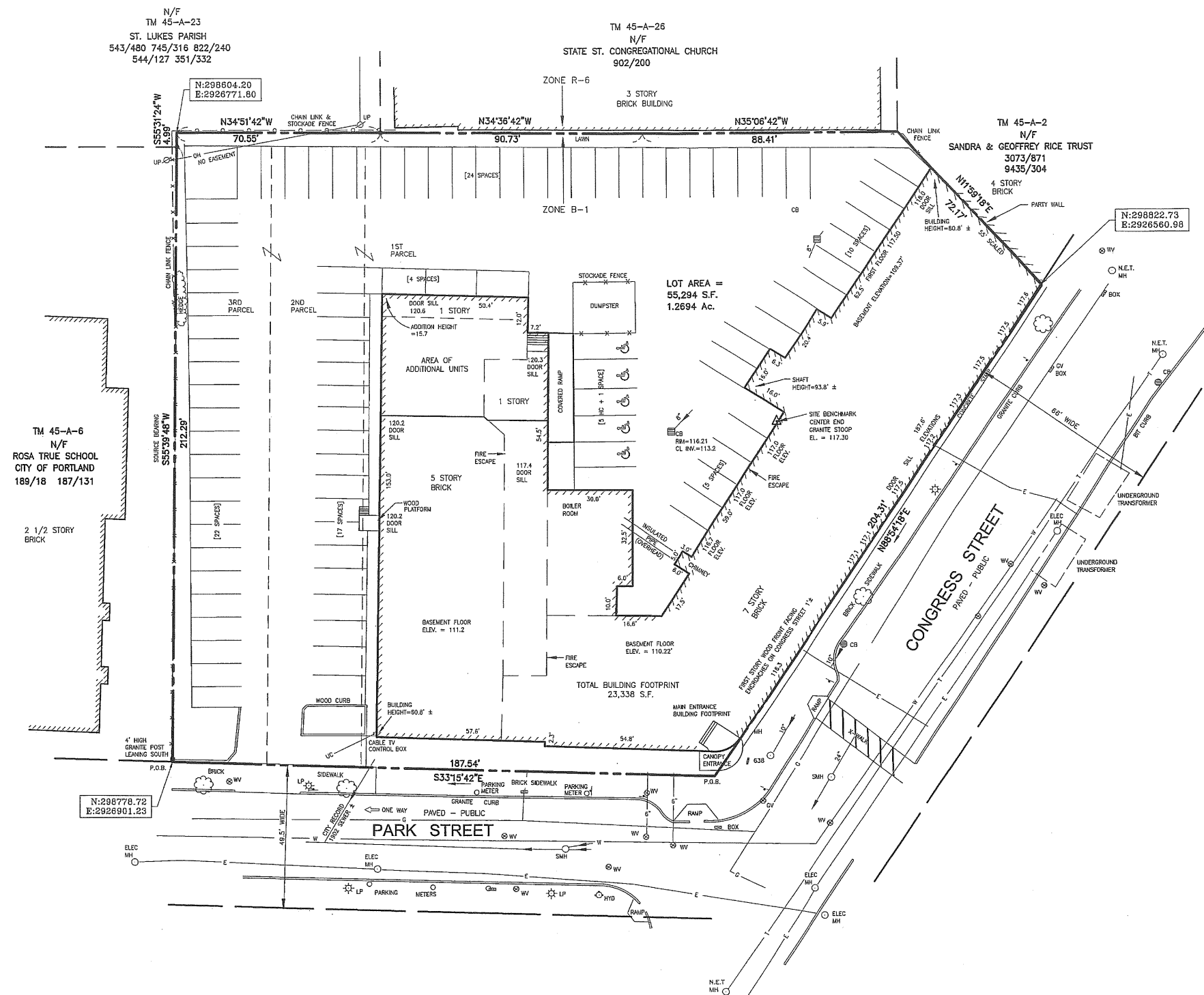
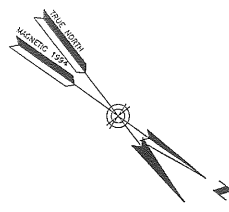
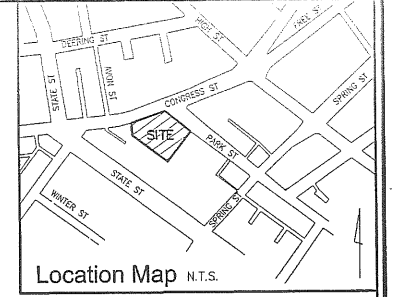
Please remit your payment made payable to the Maine Secretary of State

Submit completed form to.

**Secretary of State
Division of Corporations, UCC and Commissions
101 State House Station
Augusta, ME 04333-0101**

Telephone Inquiries: (207) 624-7752

Email Inquiries: CEC Corporations@Maine.gov



LOT AREA =
55,294 S.F.
1.2694 Ac.

TOTAL BUILDING FOOTPRINT
23,338 S.F.

DATE

Flood Zone Note:

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE C OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 230051 0013B, WHICH BEARS AN EFFECTIVE DATE OF JULY 17, 1986 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

Utility Note:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.

Legend:

- BOX UTILITY BOX
- WV WATER VALVE
- HYD FIRE HYDRANT
- LP LIGHT POLE
- MH MANHOLE
- CB CATCH BASIN
- UP UTILITY POLE
- 5/8" ROD FOUND
- DECIDUOUS TREE
- CURB
- FENCE
- UNDERGROUND TELEPHONE
- UNDERGROUND WATER LINE
- UNDERGROUND CABLE
- UNDERGROUND GAS LINE
- UNDERGROUND ELECTRIC
- OVERHEAD WIRES
- N/F NOW OR FORMERLY

Plan References:

- PLAN MADE FOR LAFAYETTE TOWN HOUSE BY E.C. JORDAN DATED APRIL 18, 1966.
- ALTA/ACSM LAND TITLE SURVEY ON PARK AND CONGRESS STREET, PORTLAND, MAINE MADE FOR LAFAYETTE SQUARE LIMITED PARTNERSHIP, 130 PARK STREET, PORTLAND, MAINE DATED APRIL 11, 1995 BY OWEN HASKELL, INC.
- ALTA/ACSM LAND TITLE SURVEY, 130 PARK STREET, PORTLAND, CUMBERLAND COUNTY, MAINE MADE FOR LAFAYETTE SQUARE LIMITED PARTNERSHIP DATED SEPTEMBER 27, 2011 REVISED FEBRUARY 9, 2012 BY OWEN HASKELL, INC.

Notes:

- OWNER OF RECORD: 638 CONGRESS STREET PARTNERS, LLC, 104 GRANT STREET, PORTLAND, MAINE 04101 C.C.R.D. BOOK 29354 PAGE 304.
- PARCEL IS SHOWN AS LOT 3 BLOCK A ON CITY OF PORTLAND'S ASSESSORS MAP 45.
- BEARINGS ARE BASED ON MAGNETIC 1994. COORDINATES LISTED ARE BASED ON CITY CONTROL MONUMENTS T124-25-1214 AND T124-25-1230.
- FOUR ADDITIONAL UNITS TO BE ADDED TO BRING THE TOTAL NUMBER OF 101 RESIDENTIAL UNITS AND 9 STOREFRONTS.
- PARCEL IS LOCATED IN THE DOWNTOWN ENTERTAINMENT OVERLAY ZONE (DEOZ).

APPROVED BY THE
CITY OF PORTLAND PLANNING BOARD

DATE _____

STATE OF MAINE, CUMBERLAND, ss.
REGISTRY OF DEEDS

RECEIVED _____

AT _____ hr _____ min _____ m AND RECORDED

IN PLAN BOOK _____, PAGE _____

ATTEST: _____ REGISTER



Certificate:

OWEN HASKELL, INC. CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

8/9/12
DATE

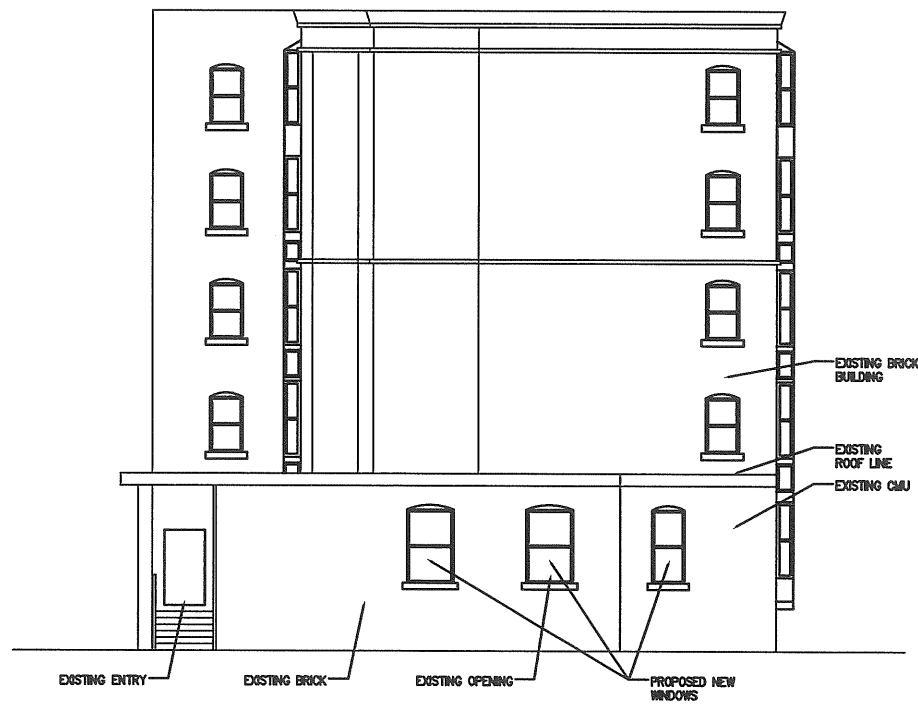
JOHN W. SWAN, PLS NO. 1038



RECORDING PLAT
"LAFAYETTE SQUARE APARTMENTS"
638 CONGRESS STREET, PORTLAND, MAINE
MADE FOR OWNER OF RECORD
638 CONGRESS STREET PARTNERS, LLC
104 GRANT STREET, PORTLAND, MAINE 04101

OWEN HASKELL, INC.
PROFESSIONAL LAND SURVEYORS
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424

Drwn By	OHI	Date	AUGUST 9, 2012	Job No.	94210/11-137P
Trace By	OHI	Scale	1" = 20'	Drwg. No.	1RP
Check By	JWS				
Book No.	712				



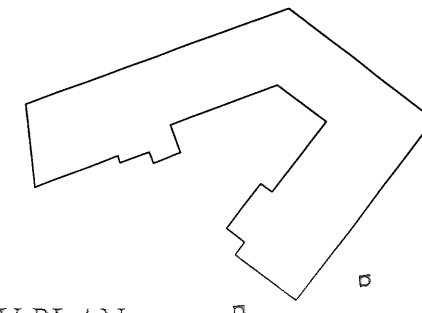
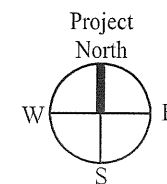
SOUTH ELEVATION

SCALE: 1/16"=1'-0"



EAST ELEVATION

SCALE: 1/16"=1'-0"



KEY PLAN

NOT TO SCALE

ARCHETYPE
architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Project:
638 CONGRESS ST
LAFAYETTE BUILDING
PORTLAND, MAINE

Date: 20 July 2012
Scale: 1/16" = 1'-0"
PROPOSED
ELEVATIONS

A3.00

