59-A-1 #2016-085

74 West Commercial Street

IMT (Portland International Marine Terminal) Expansion – Unitil Gas Facility

MDOT (Maine Department of Transportation)

City of Portland

Development Review Application

Planning Division Transmittal Form

Application Number: 2016-085 **Application Date:** 04/13/2016

CBL: 059 A001001 **Application Type:** Level III Site Plan Under 50,000 sq f

Applicant: Maine Department of Transportation /Joel Kittredge

Project Name: IMT Expansion - Unitil Gas Facility Relocation

Address: 74 WEST COMMERCIAL ST

Project Description: Relocation of gas facility.

Zoning: WPDZ

Other Required Reviews:

- ☐ Traffic Movement
- ☐ Storm Water
- ☐ Subdivision
  - # Lots _____
- ☐ Site Location
  - # Unit _____
- ☐ 14-403 Streets
  - # Units _____
- ☐ Flood Plain
- ☐ Shoreland
- ☐ Design Review
- ☐ Housing Replacement
- ☐ Historic Preservation
- ☐ Other:

Distribution List:

	Planner	Barbara Barhydt		**Parking**	John Peverada
	Zoning	Ann Machado		**Design Review**	Caitlin Cameron
	Traffic Engineer	Tom Errico		**Corporation Counsel**	Jennifer Thompson
	Civil Engineer	David Senus		**Sanitary Sewer**	John Emerson
	Fire Department	Keith Gautreau		**Inspections**	Tammy Munson
	City Arborist	Jeff Tarling		**Historic Preservation**	Deb Andrews
	Engineering	David Margolis-Pineo		**DRC Coordinator**	Phil DiPierro
				Outside Agency	

Comments needed by 4/27/2016

International Marine Terminal Expansion

Unitil Gas Facility Relocation

Level III Amended Site Plan Application

April 8, 2016

Submitted to:

City of Portland
Planning Department

Co-Applicants:

Maine Department of Transportation
16 State House Station
Augusta, Maine 04333

Unitil
ME GAS OPERATIONS

Unitil
376 Riverside Industrial Parkway
Portland, Maine 04103

Prepared by:

Amec Foster Wheeler
511 Congress Street, Suite 200
Portland, Maine 04101

Portland Maine | Yes: Google's good here.

Rick Knowland <rwk@portlandmaine.gov>

RE: Re description of the Site as "intermodal trans. project" and not "IMT site"

1 message

pmcgehee@perkinsthompson.com <pmcgehee@perkinsthompson.com> Tue, May 10, 2016 at 10:37 AM
To: rwk@portlandmaine.gov, sgo@portlandmaine.gov
Cc: Toni.Kemmerle@maine.gov, Theresa.Pulver@maine.gov, doughty@unitil.com, schummrickr@unitil.com, bab@portlandmaine.gov

Thank you, Rick!

From: Rick Knowland [mailto:rwk@portlandmaine.gov]
Sent: Tuesday, May 10, 2016 10:35 AM
To: Peggy L. McGehee; Stuart O Brien
Cc: Toni Kemmerle; Theresa.Pulver@maine.gov; doughty@unitil.com; schummrickr@unitil.com; Barbara Barhydt
Subject: Re: Re description of the Site as "intermodal trans. project" and not "IMT site"

Peggy, So noted.

In terms of condition #1, I talked to Bob Green this morning and apparently you may fall under a site location exemption and a general permit category.

I'm going to modify the condition of approval so its more flexible in terms of what permit you may or may not need from the DEP. This is basically an issue between you folks and the DEP.

On Tue, May 10, 2016 at 9:42 AM, <pmcgehee@perkinsthompson.com> wrote:

Hi Rick: We have a request from MDOT to refer, in our presentations tonight, and in the written materials, to refer to the Site as MDOT's intermodal transportation project and not as the IMT site, or as an expansion of the IMT. (I note that the Planning Staff report to the Board refers to the site as the IMT site). As MDOT has explained to us, the Site is land that abuts and supports the IMT, but is not part of it. Thanks so much for this correction. Regards, Peggy (MDOT explanation is below)

The 2014 Maine DOT Project was not an expansion of the IMT. Rather, it involved the acquisition and development of accessory land to support operations at the IMT by providing an expanded laydown area, a rail connection, and space for the development of a cold storage facility. Maine DOT does not own the IMT. The Maine Port Authority leases the IMT facility from the City of Portland. The Unitil relocation project is not a relocation of gas facilities at the IMT—the gas facilities were and will be located on the accessory land. Bottom line, Maine DOT's project was not an expansion of the port facility. It is more accurate to characterize it as a "transportation project to expand the intermodal operations adjacent to

existing marine terminal facilities serving the State of Maine." If you could make appropriate revisions to your description of the project, we would appreciate it. We are glad to assist.

Portland Maine | Yes. Google's good here.

Rick Knowland <rwk@portlandmaine.gov>

FW: Unitil Pipeline Relocation -- West Commercial Street, Portland, ME

1 message

pmcgehee@perkinsthompson.com <pmcgehee@perkinsthompson.com> Mon, May 9, 2016 at 9:59 AM
To: rwk@portlandmaine.gov
Cc: doughty@unitil.com, schummrickr@unitil.com, Toni.Kemmerle@maine.gov, jsiviski@perkinsthompson.com

Hi Rick: Please find attached the accepted PBR, which, per Bob Green's e-mail below "completes the DEP permitting needs of this project". Regards, Peggy

From: Green, Robert [mailto:Robert.Green@maine.gov]
Sent: Monday, May 09, 2016 9:08 AM
To: Joseph C. Siviski
Subject: RE: Unitil Pipeline Relocation -- West Commercial Street, Portland, ME

Good morning,

Attached is a scan of the accepted PBR. This completes the DEP permitting needs of this project.

Bob.

Robert L. Green, Jr., Project Manager
Bureau of Land Resources
tel: 207-615-2214
fax: 207-822-6303

From: jsiviski@perkinsthompson.com [mailto:jsiviski@perkinsthompson.com]
Sent: Thursday, May 05, 2016 10:38 AM
To: Green, Robert
Cc: pmcgehee@perkinsthompson.com
Subject: RE: Unitil Pipeline Relocation -- West Commercial Street, Portland, ME

Bob –

Attached is the complete PBR application. In addition to adding the photographs, you will notice I have added DOT as co-applicant. I have also added a brief description of the buried electrical line that will run from the 10' by 12' DAC building to a CMP transformer depicted as a box labeled "M" on the plans. Other than that the attached application is identical to the draft I sent to you yesterday.

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Rick Knowland <rwk@portlandmaine.gov>

Re: Unitil Pipeline Relocation -- West Commercial Street, Portland, ME

1 message

Rick Knowland <rwk@portlandmaine.gov> Tue, May 10, 2016 at 3:34 PM
To: Rick Knowland <rwk@portlandmaine.gov>

On Tue, May 10, 2016 at 3:09 PM, Green, Robert <Robert.Green@maine.gov> wrote:

> Good afternoon,
>
> After reviewing the proposed scope of work for the Unitil pipeline relocation project, the Department has determined that the proposed project is eligible for the exemption from Site Law permitting found in Title 38, §488(29). Because a Permit-By-Rule notification for activities adjacent to a protected natural resource has been filed and accepted, Unitil has met the permitting needs (Site Law and NRPA) required for the proposed project.
>
> If you have any other questions or comments, please feel free to contact me.
>
> Bob.
>
> Robert L. Green, Jr., Project Manager
> Bureau of Land Resources
> tel: 207-615-2214
> fax: 207-822-6303
>
> **From:** jsiviski@perkinsthompson.com [mailto:jsiviski@perkinsthompson.com]
> **Sent:** Tuesday, May 10, 2016 1:04 PM
> **To:** Green, Robert
> **Subject:** RE: Unitil Pipeline Relocation -- West Commercial Street, Portland, ME
>
> Bob –
>
> Nice talking with you this morning. I have attached two plans. The first is the Site Plan I received from DOT depicting the original project. On it I have highlighted the "Approximate Limit of Gravel Surface Improvements." I have also traced the approximately location of the relocated buildings and surrounding paved parking area. I used the second plan, an Erosion & Sediment Control Plan prepared by AMEC, to trace the approximate location (as luck would have it, the two plans are drawn to the same scale). You will note that Unitil's proposed work falls within the existing disturbed area. The pipeline relocation work is not depicted, as

Portland Maine | Yes. Google's good here

Rick Knowland <rwk@portlandmaine.gov>

Update on Unitil Gas Facilities Relocation and Portland IMT Project Work

1 message

pmcgehee@perkinsthompson.com <pmcgehee@perkinsthompson.com> Mon, May 9, 2016 at 12:02 PM
To: rwk@portlandmaine.gov
Cc: peter.thompson@amecfw.com, doughty@unitil.com, schummrickr@unitil.com, Toni.Kemmerle@maine.gov

Hi Rick: Please find below an e-mail from Nick Hodgkins, of the DEP Bureau of Remediation and Waste Management, who advises that the proposed gas facilities relocation project appears to be appropriate as to the environmental remediation aspects of the Site. Regards, Peggy

From: Hodgkins, Nick [mailto:Nick.Hodgkins@maine.gov]
Sent: Monday, May 09, 2016 10:09 AM
To: Thompson, Peter H. <Peter.Thompson@amec.com>
Subject: RE: Update on Unitil Gas Facilities Relocation and Portland IMT Project Work

Hi Peter,

Thanks for sending this information my way. From my review of the plans and our brief discussion this morning, I have no concerns with the new location for Unitil's regulator building. Since it is not within the footprint of the remaining area of concern (the Inland Tar Scab Area), and it will be checked periodically during the construction (specifically excavation for the foundation and pipe corridors), I'm pretty confident that the plan moving forward is a good one and that the approach is appropriate.

I would not expect that any significant environmental issues are encountered during this relocation. However, if issues are observed during excavation, please don't hesitate to call me.

Thanks,

Nick

Nicholas J. Hodgkins
Oil & Hazardous Materials Specialist in the Bureau of Remediation & Waste Management
Maine Department of Environmental Protection
(207) 287-4854 (desk) (207) 592-0882 (cell)
nick.hodgkins@maine.gov

From: Thompson, Peter H. [mailto:peter.thompson@amecfw.com]
Sent: Friday, May 06, 2016 8:44 AM
To: Hodgkins, Nick
Subject: Update on Unitil Gas Facilities Relocation and Portland IMT Project Work

Hi Nick

From: Thompson, Peter H. [mailto:peter.thompson@amecfw.com]
Sent: Friday, May 06, 2016 8:44 AM
To: Hodgkins, Nick
Subject: Update on Unitil Gas Facilities Relocation and Portland IMT Project Work

Hi Nick

As I recall we talked a while back on Unitil's plans to relocate their regulator building on the Site at a location that will out of the way of the Maine DOT Cold Storage Building project footprint. I wanted to make sure you had information available in your files depicting the location of the Unitil gas facilitie relocation project relative to the former Unitil VRAP remediation sites. Therefore I am sending our erosion control and sedimentation plans which depi the location of the new regulator station and pipeline relocation. Unitil's contractor Process Pipeline completed the Site plan and detailed constructior drawings and I can provide those once they are finalized and sealed if you would like. If there is any additional information you would like for your files, just let me know.

The area where the new regulator building will be constructed overlaps the former New Yard Parcel (purchased from PanAM Railways) and northeaster end of the former Unitil Shoreline parcel and is located north and east of the footprint of the completed Purifier Box Waste remediation area. When actual construction takes place Jean Firth, John Rand or I will do periodic inspections of the soil material removed and exposed in the new pipe corridors and the foundation footprint. Ancillary soil excavation work for the pipelines will be conducted in accordance with the DOT soil management plan.

This project will not be in the vicinity of the Inland Tar Scab Area which will be addressed by Maine DOT.

Unitil is in the process of final hearings and review of an amended site plan application with the City of Portland and the hearing will be Tuesday evening and we expect things to go very smoothly. I am out of the office today and will follow up with a call on Monday to see if you have any questions.

Best regards

(3) Proposed site layout and dimensions for all proposed structures, paved areas, and pedestrian and vehicle access ways;

(4) Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual;

(5) Preliminary infrastructure improvements;

(6) Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;

(7) Location of significant natural features located on the site as defined in Section 14-526 (b)(1);

(8) Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526(b)(1);

(9) Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.

(d) *Level II and III Final Site Plans*. A final site plan for a Level II or III site plan application shall be based upon a standard stamped boundary survey meeting City of Portland standards, be stamped by a professional engineer licensed to practice in the State of Maine, shall be submitted with all required written submittals and shall include the following information:

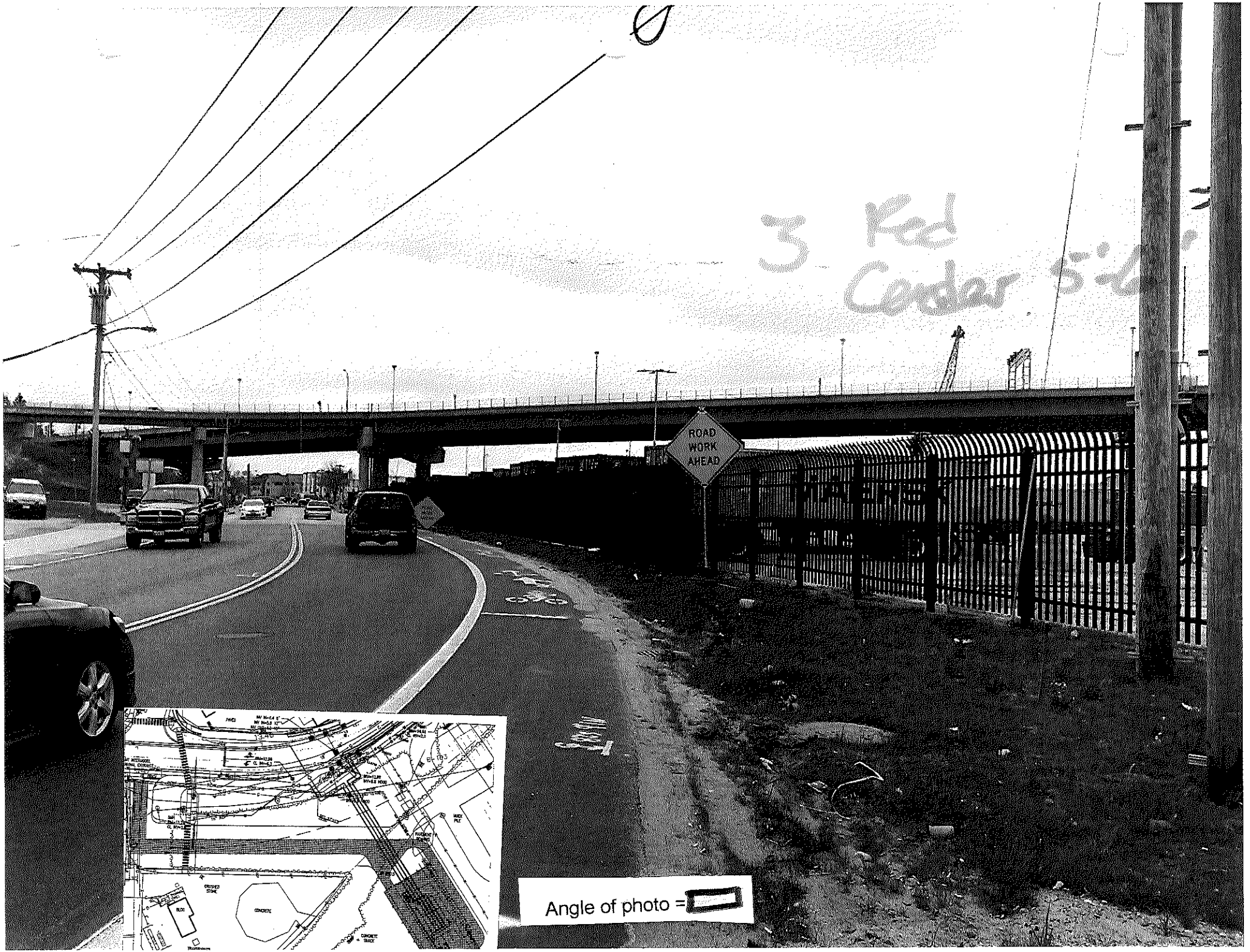
(1) Existing and proposed structures, as applicable, and distance from property lines;

(2) Approximate location of structures on parcels abutting the site;

(3) All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;

(4) Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;

(5) Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved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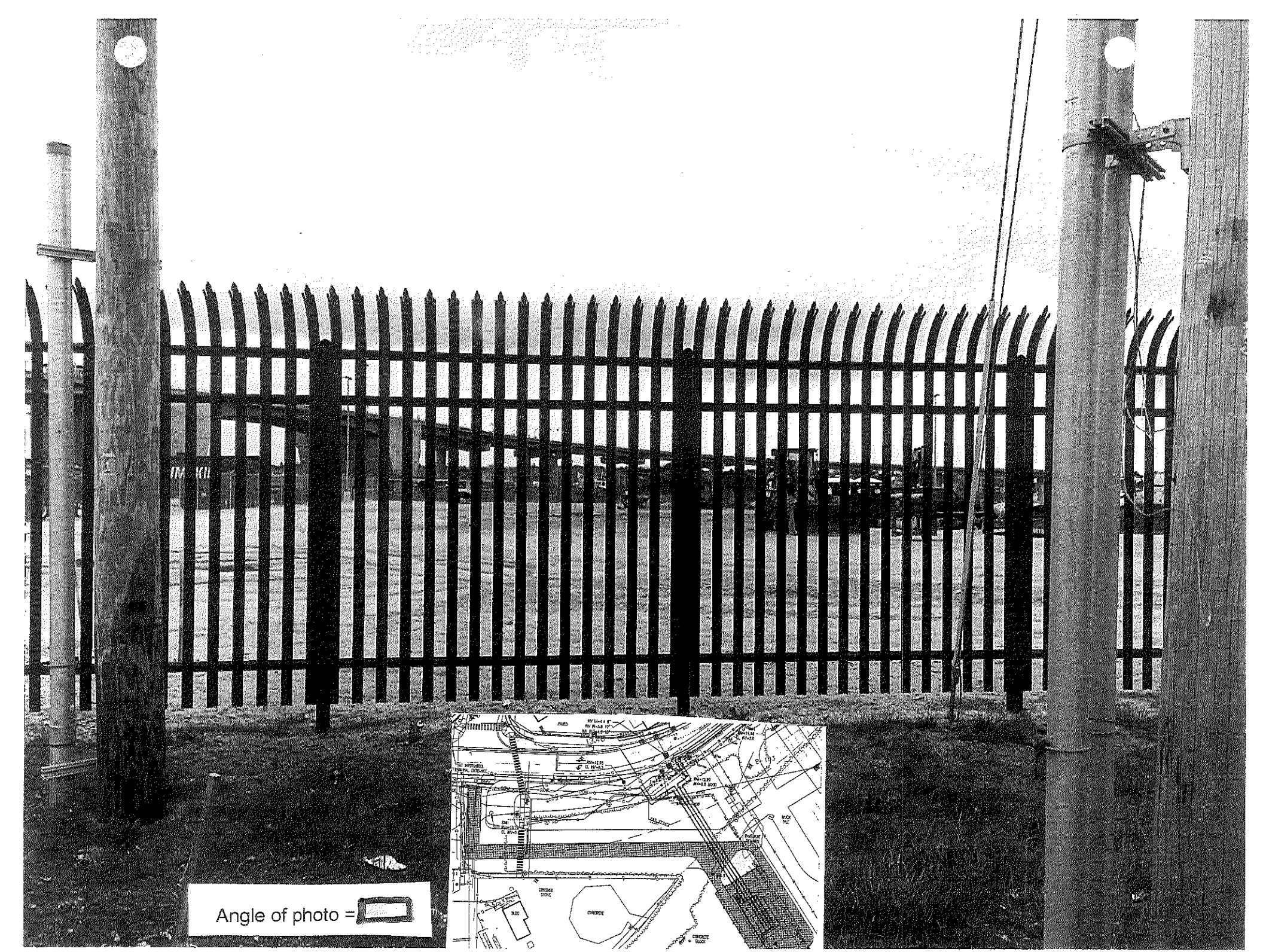
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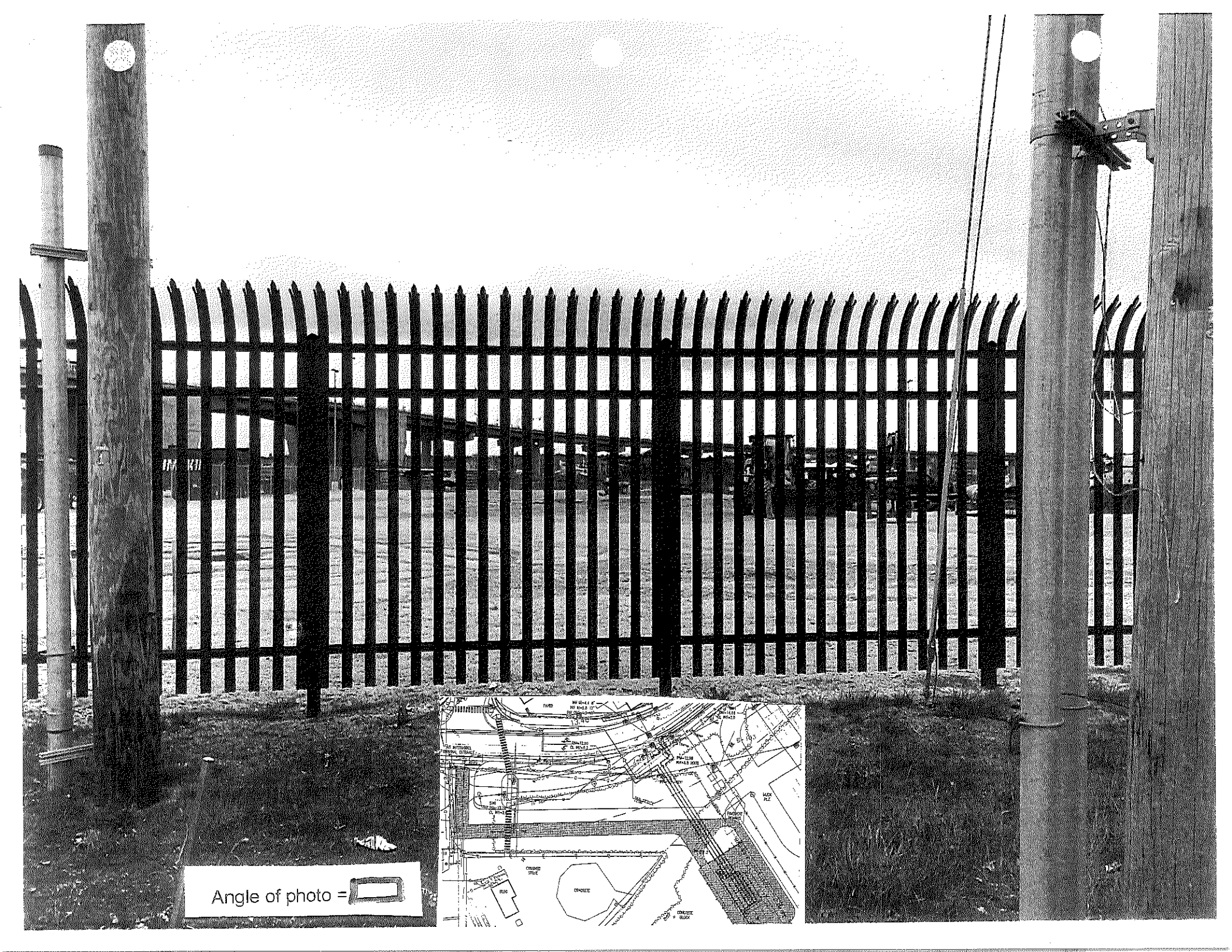
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Jeff Levine, AICP
Director, Planning & Urban Development Department

April 25, 2016

Joel Kittredge, PM
Maine Department of Transportation
16 State House Station
Augusta, ME 04333-0016

Matt Doughty, PM
Unitil, Northern Utilities, Inc.
376 Riverside Industrial Parkway
Portland, ME 04103

Project Name:	International Marine Terminal Expansion: Unitil Gas Facility Relocation
Project ID:	2016-085
Address:	74 West Commercial Street CBLs: 59-A-1, 2, 3, 4, 5, 7, 8, 9, 10,11
Applicant:	Maine Dept of Transportation and Unitil, Northern Utilities, Inc
Planner:	Richard Knowland

Dear Mr. Kittredge and Mr. Doughty:

On Friday, April 22, a stop work order was issued for work that was being performed to install gas lines for the pending application the "relocation of existing regulator and control buildings, as well as the associated gas lines." The gas facility is considered a utility substation under the WPDZ zone, which requires conditional use by the Portland Planning Board. The application was submitted on April 13th and the fee for the conditional use review was paid on April 19th, thus this is a pending conditional use application and an amended site plan application for the proposal.

On Friday, April 22nd, an e-mail from Peggy McGehee was submitted with two requests for permission to proceed:

1. First, Unitil is requesting permission to proceed "…to lay down the four 90 ft. pipes prior to back-filling the open trench-which will need to be back-filled in any case as a matter of public safety, with the understanding that it assumes the risk that the Planning Board may not approve this pipeline relocation it assumes the risk that the Planning board may not approve this pipeline relocation in reviewing the pending permit applications." **As provided in *Section 14-532*, this letter serves as written permission from the Planning Authority to proceed with the laying of the four 90 foot pipes and back filling.**

2. According to Peggy McGehee's correspondence, Unitil is also seeking "… to complete the full underground pipeline installation at this time, if at all possible, with the same risk of ultimate non-approval." **This request is not approved.**

The applications have been distributed for review by all the relevant departments. We are seeking to expedite the review, as the City is aware of the State and Unitil's time frame. We have not scheduled this item with the Board, but are seeking to schedule the public hearing in May. The Board's regular meeting dates are May 10 and May 24th and the scheduling is subject to the final hearings for pending projects submitted ahead of this proposal

The approval to proceed with limited site work for safety reasons is based on the request submitted by Peggy McGehee on April 22, 2016 (Attachment 1).

If you have any further questions, please contact Barbara Barhydt, 874-8699.

Sincerely,

Stuart O'Brien
Director of Planning Division

Attachments:
1. Request from Peggy McGehee

Electronic cc:
Jeff Levine, AICP, Director of Planning and Urban Development
Barbara Barhydt, Development Review Services Manager
Rick Knowland, Planner
Philip DiPierro, Development Review Coordinator, Planning
Ann Machado, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Keith Gautreau, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

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Barbara Barhydt <bab@portlandmaine.gov>

FW: Unitil pipe construction on the MDOT site

1 message

pmcgehee@perkinsthompson.com <pmcgehee@perkinsthompson.com> Fri, Apr 22, 2016 at 5:00 PM
To: bab@portlandmaine.gov

From: Peggy L. McGehee
Sent: Friday, April 22, 2016 4:56 PM
To: bab@portland.maine.gov
Cc: rwk@portlandmaine.gov
Subject: Unitil pipe construction on the MDOT site

Dear Barbara:

Thank you for taking my call regarding Unitil's pipe installation work today on West Commercial Street and the abutting MDOT IMT expansion Site.

Unitil's construction team thought, in good faith, that it could install underground pipeline on the Site in conjunction with its West Commercial Street public-right-of way work, and thus was surprised when the City issued a stop work order for the on-Site work for lack of City permits. The construction team immediately complied, although it thought that the location permit it had obtained from the Public Works Department (and its on-site explanation to the PWD of its further pipe installation work extending into the Site) and MDOT's agreement for Unitil to commence the on-Site underground installation work, was all that was required.

This e-mail is not to dispute the stop work order, but to explain the good faith intent to comply with all City requirements in undertaking this work. This e-mail is also to request the City's forbearance for Unitil to complete at least so much of the work as is already half-done, given that there is an open trench already dug, with four 90 ft. pipes alongside ready to be lowered in before back-filling—understanding and accepting its risk that the pipeline installation is still subject to the Planning Board's review and approval, per Unitil/MDOT's pending permit applications.

By way of explanation, this pipeline installation work is quite unique from a permitting perspective. Typically the only City permits Unitil needs to obtain when installing underground pipe are public ROW location permits. It typically is not required to obtain a City permit to install underground pipeline on private property, such as MDOT's "private" IMT expansion Site, but only needs to obtain the private property owner's permission/easement (which it did).

Unitil fully recognizes that it must first obtain Planning Board approval before constructing any *above-ground*

structure, such as the proposed gas regulator building, SCADA building, fencing, and meters. It did not understand, and its consultants, of which I am one, failed to advise it, that the Planning Board's permit jurisdiction also extends to the underground installations.

Unitil therefore requests that it be given leave to lay down the four 90 ft. pipes prior to back-filling the open trench—which will need to be back-filled in any case as a matter of public safety, with the understanding that it assumes the risk that the Planning Board may not approve this pipeline relocation in reviewing the pending permit applications.

Unitil further requests leave to complete the full underground pipeline installation at this time, if at all possible, with the same risk of ultimate non-approval. In order to meet MDOT's goal to have this gas facility relocation work done this year, so MDOT can complete its IMT expansion project, and commence construction of a cold storage facility. Unitil must complete its work before the seasonal heating season officially begins on October 1, or else it will have to wait till the following spring. Unless Unitil can very soon undertake this work, it may not be able to complete it before the MDOT's October 1 deadline.

For all these reasons, Unitll and MDOT respectfully request the City lift the stop work order as to Unitil's underground installations.

Thank you for your consideration. Unitil has its construction contractors on stand-by on Monday in the hope that this matter can be quickly resolved, so if there is any information we can provide to assist the City's timely review of this matter, we will immediately respond.

Regards, Peggy

PEGGY L. MCGEHEE
ATTORNEY

PERKINS|THOMPSON
ONE CANAL PLAZA, PO BOX 426
PORTLAND, ME 04112-0426
207.774.2635 MAIN

207.871.8026 FAX

www.perkinsthompson.com
pmcgehee@perkinsthompson.com

structure, such as the proposed gas regulator building, SCADA building, fencing, and meters. It did not understand, and its consultants, of which I am one, failed to advise it, that the Planning Board's permit jurisdiction also extends to the underground installations.

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Thank you for your consideration. Unitil has its construction contractors on stand-by on Monday in the hope that this matter can be quickly resolved, so if there is any information we can provide to assist the City's timely review of this matter, we will immediately respond.

Regards, Peggy

PEGGY L. MCGEHEE
ATTORNEY

PERKINS|THOMPSON

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PORTLAND, ME 04112-0426
207.774.2635 MAIN

207.871.8026 FAX

www.perkinsthompson.com
pmcgehee@perkinsthompson.com

Unitil

April 8, 2016

Barbara Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Re: Joint Unitil/MDOT Joint Natural Gas Relocation Application to Amend Site Plan, and Application for Conditional Use Permit, on MDOT's West Commercial Street Property

Dear Ms. Barhydt:

On behalf of Northern Utilities, Inc., d/b/a Unitil, please find enclosed two permit applications to relocate natural gas facilities on West Commercial Street land owned by the State of Maine/Maine Department of Transportation (MDOT) that abuts the International Marine Terminal (Site). Unitil has the right, title and interest to file the applications pursuant to its Gas Facility Relocation Agreement with MDOT, which Agreement specifies easement areas on the Site for Unitil to relocate its existing gas facilities.

Unitil's gas facilities must be relocated to other locations on the Site so MDOT can complete its intermodal transportation Project as previously approved by the City Planning Board. *See* MDOT Site Plan Permit, #2014-038, August 12, 2014, as amended. MDOT therefore joins Unitil in its application to amend MDOT's Site Plan to allow the gas facilities relocation, and joins in its application to obtain a conditional use permit for the same purpose. *See* the enclosed MDOT letter joining in the applications.

The two Unitil/MDOT permit applications are intended to conform to the guidance of the City Planning Department as provided at pre-application meetings held in November 2015 and February 2016. We understand, as to each of the applications, that it is sufficient to cross-reference to MDOT's approved Site Plan application, as amended, for Project features and conditions that will not be changed by the gas facility relocation work, such as the Site's wetland evaluation, boundary survey certification, significant natural features, traffic analysis and utility capacity to serve. With each such cross-reference, the applications represent that there is no material change from the approved Site Plan as to that matter for review.

In preparing and presenting the applications, Unitil is assisted by Rebecca Gabryszewski at the engineering firm of AMEC Foster Wheeler Environment & Infrastructure, with offices on Congress Street, and Peggy McGehee at the law firm of Perkins Thompson, with offices on One Canal Plaza. Both firms are authorized to act on Unitil's and MDOT's behalf for these

application purposes. Bob Schummrick and I, here at Unitil, are also available, as is Rick Paraschak of MDOT.

Please find enclosed with this letter the application fees for the two permit applications in the total amount of $500.00.

Thank you for your timely consideration of these applications. It is critical to MDOT that the gas facilities be relocated by October 1, 2016 to enable it to commence the next phase of the Project as planned. Further, Unitil must relocate the gas facilities by October 1 because it cannot interrupt gas services to complete the relocation after that date, when the winter heating season officially begins. MDOT and Unitil therefore appreciate anything the City can do to expedite review, and we stand ready to respond quickly to any request for additional information you may have.

Sincerely,

Matt Doughty
Project Manager
Unitil
376 Riverside Industrial Parkway
Portland, Maine 04103

cc. Rick Paraschak, MDOT

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION
16 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0016

Paul R. LePage
GOVERNOR

David Bernhardt
COMMISSIONER

April 6, 2016

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Re: Joint Unitil/MDOT Joint Natural Gas Relocation Application to Amend Site Plan, and Application for Conditional Use Permit, on MDOT's West Commercial Street Property

Dear Ms. Barhydt:

The Maine Department of Transportation (MDOT) joins and supports Unitil's application to amend MDOT's intermodal transportation Site Plan for its West Commercial Street property, Permit #2014-038, and its related application for a Conditional Use Permit, to relocate natural gas facilities on the Site.

The gas facilities need to be relocated to designated easement areas on the Site in order for MDOT to complete its intermodal transportation project.

Unitil's consultants are authorized to act on MDOT's behalf as to the two permit applications, absent any direct participation by MDOT. Rick Paraschak and I are available should there be any matter for the Department to address directly.

We appreciate the City's timely review of the applications, to provide Unitil enough time to complete the gas facility relocation work before the October heating season, and when the Department is scheduled to commence the next phase of its construction project.

Sincerely,

Joel Kittredge
Project Manager
Maine Department of Transportation

cc: Matt Doughty, Unitil

International Marine Terminal Expansion

Unitil Gas Facility Relocation

Level III Amended Site Plan Application

April 8, 2016

Submitted to:

City of Portland
Planning Department

Co-Applicants:

Maine Department of Transportation
16 State House Station
Augusta, Maine 04333

Unitil
ME GAS OPERATIONS

Unitil
376 Riverside Industrial Parkway
Portland, Maine 04103

Prepared by:

Amec Foster Wheeler
511 Congress Street, Suite 200
Portland, Maine 04101

Portland, Maine | Yes. Life's good here.

Jeff Levine, AICP, Director
Planning & Urban Development Department

Electronic Signature and Fee Payment Confirmation

Notice: Your electronic signature is considered a legal signature per state law.

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a ***legal signature*** per Maine state law. You are also signifying your intent on paying your fees by the opportunities below.

I, the undersigned, intend and acknowledge that no Site Plan or Historic Preservation Applications can be reviewed until payment of appropriate application fees are ***paid in full*** to the Inspections Office, City of Portland Maine by method noted below:

☐ Within 24-48 hours, once my complete application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.

☐ Within 24-48 hours, once my application and corresponding paperwork has been electronically delivered, I intend to **call the Inspections Office** at 207-874-8703 and speak to an administrative representative and provide a credit/debit card over the phone.

☐ I intend to deliver a payment method through the U.S. Postal Service mail once my application paperwork has been electronically delivered.

☑ Payment made at time of Application submittal

Applicant Signature: _____ Date: 4/8/16

I have provided digital copies and sent them on: _____ Date: 4/8/16

NOTE: All electronic paperwork must be delivered to buildinginspections@portlandmaine.gov or by physical means i.e. a thumb drive or CD to the Inspections Office, City Hall, 3rd Floor, Room 315.

Level III – Preliminary and Final Site Plans
Development Review Application
Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: http://me-portland.civicplus.com/DocumentCenter/Home/View/1080
Design Manual: http://me-portland.civicplus.com/DocumentCenter/View/2355
Technical Manual: http://me-portland.civicplus.com/DocumentCenter/View/2356

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8719

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

Updated: October 6, 2015

PROJECT NAME: International Marine Terminal Expansion: Unitil Gas Facility Relocation

PROPOSED DEVELOPMENT ADDRESS:

40 West Commercial Street

PROJECT DESCRIPTION:

** See attached project description

CHART/BLOCK/LOT: 59-A-1-3-4-7-8-11;
59-A-2-5-6-9-10

PRELIMINARY PLAN _____ (date)
FINAL PLAN 4/8/16 (date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Joel Kittredge, PM/ Matt Doughty, PM Business Name, if applicable: Maine Dept. of Transportation/ Unitil, Northern Utilities, Inc Address: 16 State House Station/376 Riverside Ind Prkwy City/State : Augusta/Portland Zip Code: 04333-0016/04103	**Applicant Contact Information** Work # 207-624-3550/207-541-2579 Home# Cell # Fax# e-mail:joel.c.kittredge@maine.gov /doughty@unitil.com
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	**Owner Contact Information** Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Amec Foster Wheeler/Rebecca Gabryszewski Address: 511 Congress Street, Ste.200 City/State : Portland, ME Zip Code: 04101	**Agent/Representative Contact information** Work # 207-828-3317 Cell # e-mail: Rebecca.Gabryszewski@amecfw.com
Billing Information Name: Same as applicant Address: City/State : Zip Code:	**Billing Information** Work # Cell # Fax# e-mail:

Engineer	Engineer Contact Information
Name: Amec Foster Wheeler Address: 511 Congress Street, Ste.200 City/State : Portland, ME Zip Code: 04101	Work # 207-828-3317 Cell # Fax# e-mail: Rebecca.Gabryszewski@amecfw.com
Surveyor	**Surveyor Contact Information**
Name: Not applicable Address: City/State : Zip Code:	Work # Cell # Fax# e-mail:
Architect	**Architect Contact Information**
Name: Not applicable Address: City/State : Zip Code:	Work # Cell # Fax# e-mail:
Attorney	**Attorney Contact Information**
Name: Perkins-Thompson/Peggy McGehee Address: 1 Canal Plaza City/State : Portland, ME Zip Code: 04112	Work # 207-774-2635 ext.8104 Cell # Fax# e-mail: pmcgehee@perkinsthompson.com

APPLICATION FEES:
Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

Level III Development (check applicable reviews)	Other Reviews (check applicable reviews)
___ Less than 50,000 sq. ft. ($500.00) ___ 50,000 - 100,000 sq. ft. ($1,000) ___ 100,000 – 200,000 sq. ft. ($2,000) ___ 200,000 – 300,000 sq. ft. ($3,000) ___ over 300,00 sq. ft. ($5,000) ___ Parking lots over 11 spaces ($1,000) ___ After-the-fact Review ($1,000.00 plus applicable application fee) **Plan Amendments (check applicable reviews)** ___ Planning Staff Review ($250) _X_ Planning Board Review ($500) The City invoices separately for the following: • Notices ($.75 each) • Legal Ad (% of total Ad) • Planning Review ($40.00 hour) • Legal Review ($75.00 hour) Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.	___ Traffic Movement ($1,000) ___ Stormwater Quality ($250) ___ Subdivisions ($500 + $25/lot) # of Lots ___ x $25/lot = _____ ___ Site Location ($3,000, except for residential projects which shall be $200/lot) # of Lots ___ x $200/lot = _____ ___ Other _____ ___ Change of Use ___ Flood Plain ___ Shoreland ___ Design Review ___ Housing Replacement ___ Historic Preservation

APPLICATION SUBMISSION:

1. All site plans and written application materials must be submitted electronically on a CD or thumb drive with each plan and each document submitted as separate files. Naming conventions for the individual files can be found on the **Electronic Plan and Document Submittal** page of the City's website at http://me-portland.civicplus.com/764/Electronic-Plan-and-Document-Submittal

2. **In addition, one (1) paper set of the plans (full size), one (1) paper set of plans (11 x 17), paper copy of written materials, and the application fee must be submitted to the Building Inspections Office to start the review process.**

The application must be complete, including but not limited to the contact information, project data, application checklists, wastewater capacity, plan for fire department review, and applicant signature. The submissions shall include one (1) paper packet with folded plans containing the following materials:

1. **One (1) full size site plans** that must be **folded.**
2. One (1) copy of all written materials or 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.
3. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 50 feet.
4. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
5. One (1) set of plans reduced to 11 x 17.

Please refer to the application checklist (attached) for a detailed list of submission requirements.

APPLICANT SIGNATURE:

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:** 4/8/16

PROJECT DATA

The following information is required where applicable, in order to complete the application.

Total Area of Site	**479,160**	sq. ft.
Proposed Total Disturbed Area of the Site	16,638	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		
Impervious Area (Total Existing)	**1.38 acres / 60112.8 sf**	
Impervious Area (Total Proposed)	**0.38 acres/ 16552.8 sf**	
Building Ground Floor Area and Total Floor Area		
Building Footprint (Total Existing)	2270	sq. ft.
Building Footprint (Total Proposed)	1500	sq. ft.
Building Floor Area (Total Existing)		sq. ft.
Building Floor Area (Total Proposed)		sq. ft.
Zoning		
Existing	Waterfront Port Development Zone & Shoreland Overlay District	
Proposed, if applicable	Same	
Land Use		
Existing	vacant land	
Proposed	utility infrastructure	
Residential, if applicable	Not Applicable	
# of Residential Units (Total Existing)		
# of Residential Units (Total Proposed)		
# of Lots (Total Proposed)		
# of Affordable Housing Units (Total Proposed)		
Proposed Bedroom Mix	Not Applicable	
# of Efficiency Units (Total Proposed)		
# of One-Bedroom Units (Total Proposed)		
# of Two-Bedroom Units (Total Proposed)		
# of Three-Bedroom Units (Total Proposed)		
Parking Spaces		
# of Parking Spaces (Total Existing)	144 chassis spaces (IMT site)	
# of Parking Spaces (Total Proposed)	6	
# of Handicapped Spaces (Total Proposed)	0	
Bicycle Parking Spaces		
# of Bicycle Spaces (Total Existing)	4 total on two racks (IMT site)	
# of Bicycle Spaces (Total Proposed)	0	
Estimated Cost of Project		

FINAL PLAN - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	**GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)**
X		1	* Completed Application form
X		1	* Application fees
X		1	* Written description of project
X		1	* Evidence of right, title and interest
X		1	* Evidence of state and/or federal permits
X		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
X		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
X		1	* Evidence of financial and technical capacity
X		1	Construction Management Plan
NA		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
NA		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
X		1	Stormwater management plan and stormwater calculations
X		1	Written summary of project's consistency with related city master plans
X		1	Evidence of utility capacity to serve
X		1	Written summary of solid waste generation and proposed management of solid waste
X		1	A code summary referencing NFPA 1 and all Fire Department technical standards
X		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
X		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
X		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
X		1	**Final Site Plans including the following:**
X		Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);	
X		Existing and proposed structures on parcels abutting site;	
X		All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;	
X		Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;	
X		Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;	
NA		Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;	
NA		Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;	
X		Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;	
X		Location of all snow storage areas and/or a snow removal plan;	
NA		A traffic control plan as detailed in Section 1 of the Technical Manual;	
NA		Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);	
NA		Location and proposed alteration to any watercourse;	
NA		A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;	
NA		Proposed buffers and preservation measures for wetlands;	
NA		Existing soil conditions and location of test pits and test borings;	
X		Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;	
X		A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;	
X		Grading plan;	
X		Ground water protection measures;	
X		Existing and proposed sewer mains and connections;	

- Continued on next page -

X		Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
X		Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;
X		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
NA		Location and size of all on site solid waste receptacles, including on site storage containers for recyclable materials for any commercial or industrial property;
X		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
NA		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
NA		A note on the plan identifying the Historic Preservation designation and a copy of the Application for Certificate of Appropriateness, if applicable, as specified in Section Article IX, the Historic Preservation Ordinance;
X		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
X		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
NA		A signage plan showing the location, dimensions, height and setback of all existing and proposed signs;
X		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.

PORTLAND FIRE DEPARTMENT
SITE REVIEW
FIRE DEPARTMENT CHECKLIST

A separate drawing[s] shall be provided as part of the site plan application for the Portland Fire Department's review.

1. Name, address, telephone number of applicant
2.
3. Name address, telephone number of architect

4. Proposed uses of any structures [NFPA and IBC classification]
5.
6. Square footage of all structures [total and per story]

7. Elevation of all structures

8. Proposed fire protection of all structures
   - ***As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)***

9. Hydrant locations

10. Water main[s] size and location

11. Access to all structures [min. 2 sides]

12. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.

Some structures may require Fire flows using annex H of NFPA 1

See Attached Response Sheet

Fire Department Check List

1. **Applicant:**

   Joel Kittredge, Maine Dept Of Transportation
   16 State House Station
   Augusta, ME 04333-0015
   207-624-3550

   Matt Doughty, Unitil
   376 Riverside Industrial Parkway
   Portland, ME 04103
   207-541-2579

2. **Architect:**
   Not Applicable

3. **Proposed Use of Structure:**
   Gas Regulator Building and Data Acquisition Building (no IBC classification as neither will be occupied)

4. **Square footage of structures:**
   Regulator Building: 1400 sf (single story)
   Data Acquisition Building: 120 sf (single story)

5. **Elevation of all structures:**
   All structures will be constructed at an elevation at least 2 feet above the 100 year flood line.

6. **Proposed fire protection of all structures:**
   See Section 15

7. **Hydrant locations:**
   See Section 15

8. **Water main size and location:**
   Existing 12" water line in West Commercial/Commercial Street

9. **Access to all structures:**
   The size of the access gates has been increased as requested to 16' wide to accommodate fire equipment.

10. **Code summary:**
    Previously submitted for the site, See Section 15

Table of Contents

Drawing List

Appendix A

Site Plan

Figure 1 – Existing Facilities to be Relocated

Figure 2 – Existing Facilities to Remain

Figure 3 – Proposed Regulator Building Location and Inland Pipeline

Figure 4 – Regulator Building Easement

Figure 5 – Shoreland Pipeline Easement

Figure 6 – IMT Service Corridor

Figure 7 – Access Easement

Figure 8 – Electric Easement

Figure 9 – All Relocated Facilities

Appendix B

Boundary Survey

Appendix C

MeDOT Lighting plan (previously submitted)

MeDOT Landscaping plan (previously submitted)

Appendix D

Erosion & Sediment Control Plan

Project Description

Northern Utilities, Inc., d/b/a Unitil, and the Maine Department of Transportation (MDOT) request permit approval to relocate natural gas facilities on MDOT's West Commercial Street property next to the International Marine Terminal (IMT), to other designated locations on the Site. The Gas Facilities Relocation Work will amend MDOT's previously approved Site Plan to expand IMT's container storage capacity, to create an intermodal transportation system, including rail, and to allow for the construction of a cold storage facility. (See this section for a copy of the City's Site Plan approval letter).

Unitil's natural gas facilities on the Site include a gas regulator station housed in a concrete building; a second concrete data building; an anti-cathodic anode bed; and several gas pipelines, including a regional gas pipeline that crosses the harbor to South Portland. Unitil and MDOT have entered a Facilities Relocation Agreement by which MDOT is to take Unitil's existing gas facility rights, and to replace them with gas facility easements over other locations on the Site where shown on the Gas Utilities Relocation Site Plan. (See the enclosed Easement Agreement and its attached easement plans.)

The proposed Gas Facilities Relocation Work is summarized below:

The two existing concrete gas regulator and data buildings and their enclosed gas regulator facilities will be removed, and replaced with new gas regulator facilities in a pre-fabricated building and data building in a new location set back at least 200 feet from the street, between the approved MDOT container storage area to the east and the proposed future location of the cold storage facility to the west. The two new buildings will have a combined footprint of 1520 sq. ft., which is smaller than the combined 2270 sq. ft. footprint of the two existing buildings.

The fenced area of the regulator building will be accessed by two 16-foot wide gates (as recommended by the City), and two 3-foot wide personnel gates, with an access road extending to the Site's main street entrance. There will be six parking spaces within the fenced area for use by Unitil personnel, who are expected to access the facility about once a week.

There is no separate exterior lighting. Any lights on the buildings will be facing downward and shielded.

Some of the existing gas pipelines are to be abandoned in place and replaced with new pipeline which will connect the proposed new regulator station to the existing infrastructure in West Commercial Street as well as the gas line that crosses the harbor. All pipeline work will be done outside of the high water line. Each pipeline will have isolation valves separated a minimum of 100 ft. from the regulator building which can isolate the natural gas supply to and from the regulator building. The gas pressures for all systems will be continuously monitored by supervisory control and data acquisition (SCADA) in the data building.

The existing anti-cathodic anode bed will be removed and a new anode bed will be installed off-site elsewhere in the City, under a separate City permit.

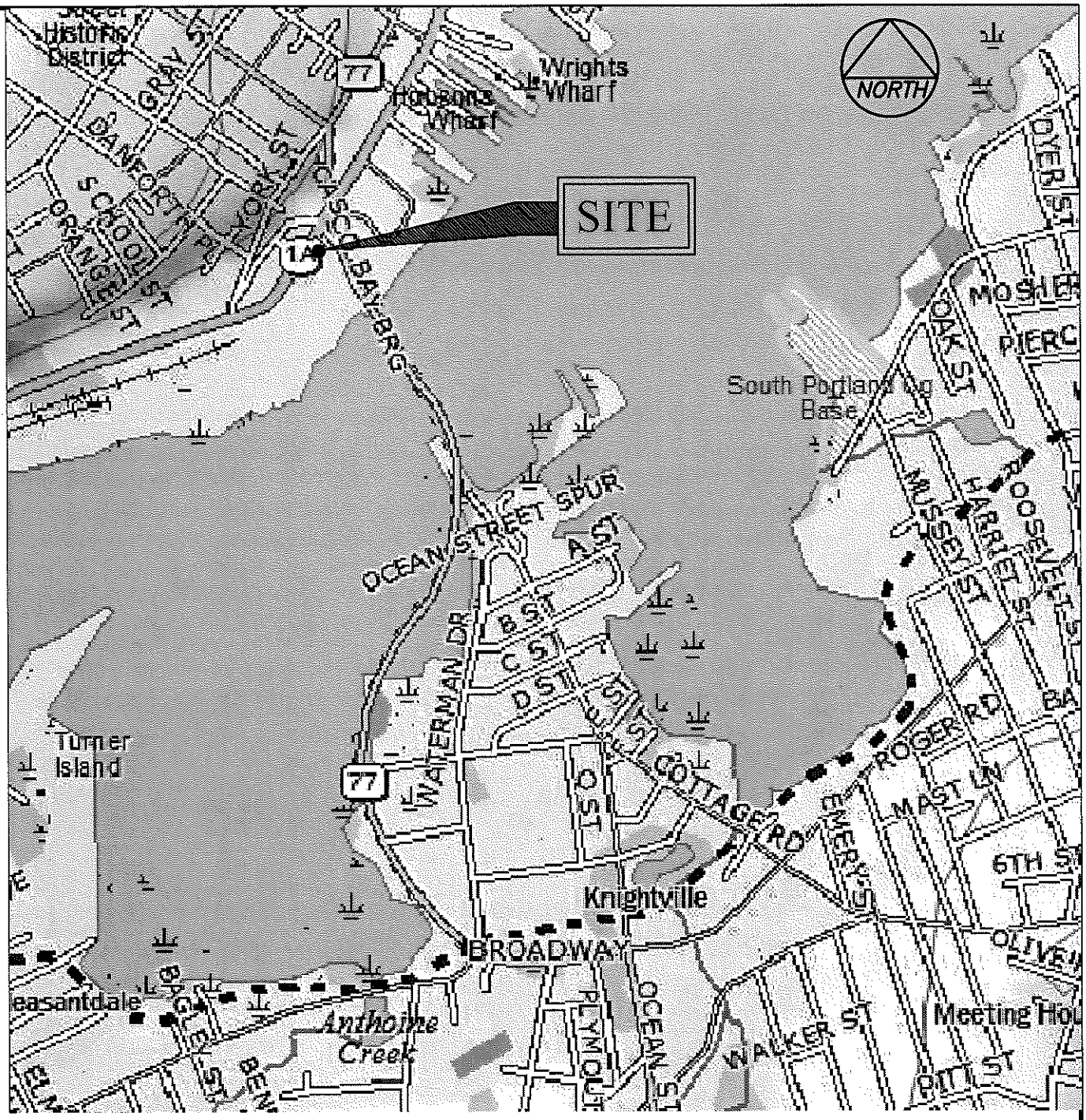
The Gas Facilities Relocation Work will benefit the City in the following ways:

1. The expanded International Marine Terminal and new cold storage facility, which cannot be built until the gas facilities are relocated, will be an economic and employment boon to the City;

2. The Gas Facility Relocation Work and coal storage facility construction will require further grading and environmental remediation of this VRAP remediation site (caused by the operation of a coal gasification plant on the Site from 1850 to 1960) resulting in further improved environmental conditions;

3. The Gas Facility Relocation Work involves the installation of new gas facilities, including a new gas regulator station and new pipelines, which will only improve service for Unitil's natural gas customers; and,

4. The Gas Facility Relocation Work will reduce its building footprint and street visibility by removing the two existing buildings near the street, and replacing them with two buildings with a reduced combined square footage, set back at least 200 feet from the street.



LOCUS MAP

NTS

Unitil

ME GAS OPERATIONS

PROJECT: UNIITIL REGULATOR AND METER STATION RELOCATION PROJECT 40 COMMERCIAL STREET – PORTLAND, MAINE	PROJECT NUMBER: 3612-15-2308 PROJECT MANAGER: PHT A/E OF RECORD: AMECFW CAD FILE: UNITIL PORTLAND G-SK01.dwg
amec foster wheeler 511 Congress St., Suite 200, Portland ME 04101 P: (207) 775-5401 F: (207) 772-4762 www.amec.com	TITLE: LOCUS MAP DRAWN BY: DAB DATE: 4/08/16 SCALE: NTS SKETCH NO: SK-1

CITY OF PORTLAND, MAINE
PLANNING BOARD

August 12, 2014

Mr. Joel Kittredge, Project Manager
Maine Department of Transportation
16 State House Station
Augusta, Maine 04333-0016

Mr. Pat Carroll
Carroll Associates
217 Commercial Street, #200
Portland, Maine 04101

Project Name: Portland International Marine
Address: 460 Commercial Street

Project ID: 2014-038
CBL: 59-A-1-3-4-7-8-11;
59-A-2-5-6-9-10 (leased)

Applicant: Maine Department of Transportation
Planner: Richard Knowland

Dear Mr. Kittredge:

On June 24, 2014 and July 8, 2014, the Planning Board considered the Portland International Marine Terminal facility expansion for the existing laydown and connecting corridor connection project. The Planning Board reviewed the proposal for conformance with the standards of the Site Plan Ordinance and Shoreland Zoning Regulations. The Planning Board voted to approve the application with the following waivers and conditions as presented below.

WAIVERS
The Planning Board voted (5-0; Hall and Soley absent) to waive the following Technical Standards.

1. The Planning Board finds that two or more criteria for sidewalk waiver, specifically criteria 2 and 3, as provided under Sec. 14-506(b), are met and therefore waives the requirement for sidewalks along the southerly sideline of Commercial Street.

2. The Planning Board finds that two or more criteria for granite curbing waiver, specifically criteria 4 and 5, as provided under Sec. 14-506(b), are met and therefore waives the requirement for granite curbing along the southerly sideline of Commercial Street.

3. The Planning Board waives the Technical Standard for Driveway Design: Maximum driveway width, Section 1.7.1.4. for IMT, Nova Seafood and Graybar as specified on the plan due to the existing constrained circulation conditions for large trucks.

4. The Planning Board waives Technical Standard for flooding as provided under Section 5.III.4.E(2) due to the capacity of the receiving water (Fore River).

5. The Planning Board waives Technical Standard for Soil Infiltration Testing, Sec V, Appendix D.4.(a) based on known conditions on the site and controlled materials to be installed with construction.

6. The Planning Board waives Technical Standard for Landscape and Landscape Preservation for the following sections: Sec. 4.2 and 4.3 – Preservation of Significant Site Features and Existing Vegetation; Sec. 4.5 – Site Landscaping: Screening and Buffers, Industrial and Commercial and Sec. 4.6 – Street Trees. Commercial, industrial and industrial developments shall provide street trees 35 to 45 feet on center along City right-of- way.

7. The Planning Board waives Technical Standard for boundary survey under Sec. 13.2 Level I Site Alteration, II and III General Standards regarding incomplete utility information, incomplete topographic information, and scale drawn to no less than 1 inch to 50 feet.

8. The Planning Board waives Technical Standard for light fixture height under Sec. 12.2.7 of 30 feet by providing fixture heights of 34 feet for the concrete pad area and 35 feet for the container storage area.

SITE PLAN REVIEW

The Planning Board voted (6 to 0; Morrissette absent) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following condition(s) of approval:

1. That the applicant shall submit a revised site plan and other related material addressing the review comments of Tom Errico (Traffic Review Consultant) memo dated July 2, 2014.

2. That the applicant shall submit a snow storage plan to allow the City to use the IMT snow storage area for snow plowed by the City adjacent to the Commercial Street concrete wall so long as it does not interfere with IMT operations.

3. That the applicant shall submit a revised plan for Planning Staff review and Planning Board approval of the concrete wall and barrier along Commercial Street.

4. City Staff shall review and approve the submitted agreements (including cross agreements), easements, a revised site plan and other relevant documents confirming appropriate cross agreements and easements for access and utilities to service the New Yard property through the IMT site or evidence of rights of access over the additional land to be acquired from the rail road for City Staff review and approval.

5. That the applicant shall submit a revised site plan with sufficient details and dimensions to clarify design intent for Planning Staff review and approval.

6. That the lighting illumination levels shall not exceed the levels shown on the submitted plan and shall meet IESNA (Lighting for Exterior Environments RP-33-99) for the

proposed use. Lighting levels within the container area (S2 and S3 light poles) and security lights within the pad area (S1A and S1B light poles) shall operate at 50% light output levels unless the yard is actively being used. The remaining type S1A light poles within the concrete pad shall only be turned on when the pad area is actively being used.

SHORELAND REGULATIONS REVIEW
The Planning Board voted (6 to 0; Morrissette absent) that the plan is in conformance with the shoreland standards of the Land Use Code.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report for application #2014-038 which is attached.

STANDARD CONDITIONS OF APPROVAL
Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.

2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.

3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.

4. **Final Sets of Plans** Seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.

5. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting. (If applicable)

6. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

7. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*,dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Richard Knowland at (207) 874-8725.
Sincerely,

Stuart G. O'Brien, Chair
Portland Planning Board

Attachments:
1. Review Memo of Tom Errico (Traffic Review Engineer) dated July 2, 2014
2. Planning Board Report
3. City Code: Chapter 32
4. Sample Stormwater Maintenance Agreement [if applicable]
5. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Senior Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirone, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

XXXXXXX

Rick Knowland - IMT -- Final Updated Comments (July 2, 2014) Att. 1

From: Tom Errico <thomas.errico@tylin.com>
To: Rick Knowland <RWK@portlandmaine.gov>
Date: 7/2/2014 7:56 AM
Subject: IMT -- Final Updated Comments (July 2, 2014)
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@port...

Rick – The following is a status update of previous comments and is reflective of responses provided by the applicant dated June 27, 2014.

1. The traffic signal plan includes special signal phasing for Nova Seafood. I would suggest that a City agreement with Nova Seafood be crafted related to traffic operations and a memorandum of understanding and for traffic control.

June 18th Status: The applicant shall be required to provide a draft agreement that specifies maintenance, traffic signal, pavement marking and signage requirements for review and approval. The City suggests that this be a three-party agreement (City/State/Property Owner).
Current Status: Outstanding

2. The driveway apron material at Nova Seafood does not meet City standards and a waiver will be required.

June 18th Status: The City supports a waiver from their technical standards for driveway apron material given pedestrian and truck movement conflicts. DPS requests that the driveway apron material be concrete with a color tint (to be determined in the future prior to construction) and be designed to accommodated heavy truck loads.
Current Status: This comment is for the driveway apron area, not the roadway area outside the curb line. Use of cobble for the non-driveway area is acceptable.

3. Several of the driveways on Commercial Street (IMT, Nova Seafood, and Gray Bar) do not meet City width standards and thus waivers will be required.

June 18th Status: For the IMT Driveway, which is proposed to be 100 feet wide, the applicant has provided a "auto-turn" graphic for a WB-67 truck. Reviewing the graphic, I believe the driveway can be narrowed, although not substantially. I would also like to understand more about the truck characteristics before rendering a final decision on the driveway width. Additionally, understanding right and left-turning movements for these large trucks will be helpful. If most are turning left and destined to the Fore River Parkway and the Veterans Bridge, there may be an opportunity to narrow the driveway on the easterly edge, which may also have a positive impact on the design of the crosswalk.
Current Status: The requested information is outstanding.

June 18th Status: I have reviewed the "auto-turn" graphics for the Nova Seafood site and I support a waiver for driveway width given site operations and that it is an existing business with unique truck access/egress requirements.
Current Status: I have no further comment.

June 18th Status: The applicant has provided a "auto-turn" analysis for one of the Graybar Driveways. The applicant shall provide a similar analysis for the second driveway and provide specific truck delivery information before approval of the widths can be provided.
Current Status: The requested information is outstanding.

4. Several of the driveways on Commercial Street do not meet City corner clearance and separation standards.

June 18th Status: Both the Nova Seafood and Graybar driveways currently do not meet corner clearance standards and conditions will not worsen with the proposed project. Given site constraints and access and egress needs for large trucks, I support a waiver from the City's Technical standard.

5. The City is requesting that truck parking on in-bound Commercial Street be prohibited for to be specified distance in advance of the Beach Street intersection. The City will provide this restriction length.

June 18th Status: Trucks shall be prohibited from parking along Commercial Street from the new STOP bar at the signalized intersection to a point westerly of 200 feet. The applicant shall provide recommendations on how this prohibition will be regulated via signs or other measures for review and approval.
Current Status: The applicant has agreed to revised the plans to include pavement markings and signage. Final plans shall be reviewed and approved by the City.

6. The applicant should investigate the provision of a bicycle lane on Beach Street departing the intersection.

June 18th Status: The applicant has noted that adequate shoulder spaces is provided on Beach Street and no action is required. I concur with their response.

7. I am concerned about traffic operations and congestion during peak time periods, particularly when the special Nova Seafood traffic signal phase is actuated. The applicant should investigate the ability to limit the traffic signal phase during peak time periods.

June 18th Status: Specific information needs to be provided by the applicant that helps the City understanding specific constraints to implementing time-of-day restrictions.
Current Status: Nova Seafood has provided the requested information and given low traffic volumes entering and exiting the site during the critical PM peak hour, no special restriction is recommended. I would suggest that the signal operations be monitored and adjustments incorporated as necessary.

8. A sidewalk waiver has been requested and a review of the supporting information will be performed.

June 18th Status: The applicant has documented that two sidewalk waiver criteria are met for the project and are based on prior IMT and New Yard applications. Given these prior decisions, specifically that an alternative route on the opposite side of Commercial Street will serve pedestrian activity in this area and that a signalized crossing will be provided at the IMT Site Driveway/Beach Street intersection, I support a waiver from providing a sidewalk along the property frontage.

9. A granite curbing waiver has been requested and a review of the supporting information will be performed.

June 18th Status: DPS is reviewing this waiver request.

10. The applicant should provide information as it relates to use of the proposed traffic signal by existing IMT traffic. I believe there will be overall site traffic and safety benefits if all IMT traffic has the ability to use the traffic signal.

June 18th Status: I understand the security constraints, as noted by the applicant, but I would suggest that the applicant provide an overview of the entire site and whether the layout could be modified to allow for an internal driveway connecting the existing IMT facility and the new signalized entrance that avoids going through the fenced area of the chassis yard.
Current Status: The request site overview illustrating specific constraints has not been provided.

11. A construction management plan has been prepared. Additional information will be required as it relates to specific traffic, pedestrian, and bicycle impacts during construction.

June 18th Status: The applicant has noted that the contractor will be responsible for development of a construction management plan. Site plan standards require applicants to prepare a plan in conjunction with site plan approval. The applicant is required to developed a conceptual management plan that should indicate how construction will occur on Commercial Street. The plan should note how vehicular traffic, pedestrians and bicyclists will be maintained during construction and should note any peak time period restrictions for construction activity (The City has arterial time restrictions). It may be necessary that some construction activities occur at night to avoid impacts to traffic flow.

Current Status: The applicant has provided general construction management guidelines that I generally find to be acceptable. I would note that the City has specific time of day restrictions that must be complied with or requests for waivers submitted for review and approval. Approval of a complete detailed construction management plan will be required before the DPS permits are issued.

12. At the planning board workshop, there was discussion about the provision of a driveway entrance west of the project site for future development access and egress. The applicant should provide information in support of that driveway if that is to be included in the project approval.

June 18th Status: The applicant has indicated that this is not part of the project application and therefore no further action is required.

13. The City does not support the use of pavement markings to delineated pavements areas for use by large trucks.

June 18th Status: The applicant has suggested the use of cobblestones for the truck apron areas and I find this material, in general, to be acceptable. DPS shall review the product information and design details and provide approval.

14. The phasing for the intersection does not appear to be NEMA compliant. Please revise with Commercial Street as the main street, assuming an east-west phasing structure.

June 18th Status: The plans have been revised and I have no further comment.

15. The phasing sequence should begin with Commercial Street and end with Nova Seafood (currently designated as Phase 9).

June 18th Status: The plans have been revised and I have no further comment.

16. The peak hour cycle length seems unusually long for an intersection with this type of geometry, going as long as 150 seconds during the PM peak hour. Discussion should be provided as to why shorter cycle lengths cannot be achieved.

June 18th Status: The applicant has indicated that this cycle length is necessary for providing optimal level of service conditions. The long cycle length is related to the long Nova Seafood signal phase. Given this requirement, I find their response to be acceptable. I would note that the City can monitor traffic conditions and incorporate signal timing adjustments in the future.

17. The pedestrian timing does not appear to provide sufficient crossing time, particularly for Commercial Street. Please confirm use of a standard 3.5 feet per second pedestrian crossing time from curb to curb.

June 18th Status: The plans have been revised and I have no further comment.

18. Given the sight distance issues for this intersection, the all-red clearance times should likely be extended.

June 18th Status: The plans have been revised and I have no further comment.

19. The City's technical standards are in the process to migrating to infra-red video detection as a requirement. The City now requires that either the cameras used with the VIP processors be the FLIR FC series or that the solution be based on the FLIR TrafiSense cameras.

June 18th Status: The plans have been revised and I have no further comment.

20. Please specify four-inch conduit to provide additional future wiring capabilities.

June 18th Status: The plans have been revised and I have no further comment.

21. Please provide one-piece pedestrian poles.

June 18th Status: The plans have been revised and I have no further comment.

22. All pole bases, pull boxes and controller conduits should be sealed to prevent access by rodents and other small animals.

June 18th Status: The plans have been revised and I have no further comment.

23. Please confirm the method of advance notification when the Commercial Street westbound approach is red to account for minimal sight distances passing by Nova Seafood.

June 18th Status: The applicant has added a supplemental signal head and I have no further comment.

24. It is my understanding that the Nova Seafood driveways will be restricted such that the easterly driveway will be an entrance only and the westerly driveway a exit only driveway. The plans do not reflect this.

June 18th Status: The applicant should include signs and pavement markings that support the one-way access/egress conditions for review and approval.

Current Status: The applicant has indicated that the requested information is to be provided by Nova Seafood. DPS will not issue any permits until plans have been submitted for review and approval.

25. There are areas of roadway pavement that appear to be located outside the public right-of-way. An agreement on maintenance may be required.

June 18th Status: The applicant shall provide a draft maintenance agreement for review and comment.

Current Status: This item is outstanding.

26. The applicant should note the material for the Nova Seafood island.

June 18th Status: The applicant has provided the detail and I find the material to be acceptable.

27. The applicant should provide details for the area between the sidewalk and the Nova Seafood island.

June 18th Status: The applicant has indicated that this area will have cobblestone material. I find this material to be acceptable. I have no further comment.

28. The left-turn bay shadowed island is depicted as paint. The applicant should investigate other material treatment for longevity purposes.

June 18th Status: The City supports the use of paint in this area. I have no further comment.

29. During Casco Bay Bridge openings, traffic may be backed up into the new traffic signalized intersection. The applicant should note whether there are any provisions for this scenario from a traffic signal perspective.

June 18th Status: No special provisions have been identified and therefore I have no further comment.

30. The bicycle lane on the outbound side of Commercial Street continues to the limit of work, while the in-bound bicycle lane begins at the point where the left-turn lane is starting. The applicant should note why the in-bound bicycle lane can't start at the project limits.

June 18th Status: Within the project limits along Commercial Street, a formal bicycle lane should be continuously marked and signed as appropriate. The plans should be revised to reflect this.
Current Status: The applicant has agreed to make the noted changes and I have no further comments.

31. The direction sign that note Casco Bay Bridge 500 Feet is being removed. This removal should be confirmed by City staff.

June 18th Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

32. The plans illustrate that the sidewalk at the corner of the Nova Seafood building will not need to be reconstructed. Given that the curb is being relocated, the sidewalk will need to be upgraded.

June 18th Status: The applicant has agreed to make this change and revised plans will be reviewed for approval.

33. The length of curbing at the Nova Seafood driveway is being eliminated. Justification on this change shall be provided.

June 18th Status: I have reviewed the "auto-turn" graphics and given Nova Seafood's site needs, I have no further comment.

34. A fire hydrant is located in the middle of the sidewalk east of the easternmost Nova Seafood driveway. It would be beneficial if this hydrant could be relocated.

June 18th Status: No further action is requested of the applicant on this issue.

35. The plan replaces an existing Casco Bay Bridge 500 Feet sign with a sign that notes Casco Bay Bridge (right) and Fore River Parkway (through). City staff should determine if this replacement is acceptable.

June 18th Status: A condition of approval shall be included that notes signage for the project is subject to change with final recommendations from the City to be provided prior to construction.

36. It was my understanding that the bicycle lanes were going to have dashed line treatment through the intersection. The plans do not depict this.

June 18th Status: Enhanced pavements markings shall be provided in the subject area and final approval of the details shall be provided prior to construction.

37. The applicant should confirm that adequate illumination will be provided at the two crosswalk locations.

June 18th Status: The applicant has noted that the traffic signal mast arm support will include light fixtures and provide adequate illumination. I have no further comment.

Additional Comment

- June 18th Status: DPS requests that the shared use path along Commercial Street within the project limits consist of brick material meeting city standards and the width be reduced to 8-feet. A revised plan that meets this directive shall be reviewed and approved by DPS.
  Current Status: The City of Portland views the proposed shared use path to be a secondary facility for serving pedestrians and bicyclist. The long-term vision is the provision of a landside trail that will be located off the street. The path being constructed for this project will only serve temporary use, until the off-road path is constructed and therefore the City does not believe it to be practical to build a full

width facility under this project. The City continues to request construction of a 8-foot facility.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
TYLIN INTERNATIONAL
12 Northbrook Drive
Falmouth, ME 04105
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207.347.4354 (direct)
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Twitter | Facebook | LinkedIn | YouTube

"One Vision, One Company"

Please consider the environment before printing.

Evidence of Right, Title, or Interest

Please see the attached easement.

EXHIBIT 3
Unitil Easement and Other Rights

Unitil has ownership, easement and other rights under which Unitil has the right to operate and maintain the Existing Facilities on the Acquired Property, as follows:

1. An easement to enter upon the Former New Yard Property for the installation, repair, replacement, and maintenance of gas mains, etc. in the operation of a Gas Regulator Station as set forth in the instrument from New Yard, LLC to Northern Utilities, Inc., d/b/a Unitil, dated August 2, 2013 and recorded in the Cumberland County Registry of Deeds in Book 30895, Page 317.

2. An easement to enter upon the Former New Yard Property for the purpose of environmental remediation and protection, including investigation, implementation, and monitoring, and installation of utilities for such investigation, implementation and monitoring, as described in the Voluntary Response Action Program (the "VRAP") Remediation Plan as approved by the Maine Department of Environmental Protection (the "DEP"), and to manage existing gas facilities as more fully set forth in the instrument from New Yard, LLC to Northern Utilities, Inc., d/b/a Unitil, dated August 2, 2013 and recorded in said Registry of Deeds in Book 30895, Page 321.

3. A twenty foot right of way and the right to lay and maintain gas and water pipes within said right of way as described and reserved in the Warranty/Release Deed from the Portland Gas Light Company to Maine Central Railroad Company dated May 5, 1897 and recorded in said Registry of Deeds in Book 648, Page 488.

4. A twenty foot wide right of way and the right to lay, maintain and repair gas and water pipes and maintain and repair a well and as further described and reserved in the Release Deed from the Portland Gas Light Company to the Portland & Kennebec Railroad Company dated October 6, 1866 and recorded in said Registry of Deeds in Book 346, Page 376.

5. As stated in the Notice of Condemnation filed by the Department on April 30, 2014 and recorded in said Registry of Deeds in Book 31470, Page 191 (the "Notice of Condemnation"), rights to "any existing natural gas and propane facilities, including without limitation, natural gas and propane pipelines, buildings, associated fixtures and related appurtenances, improvements and other personal property that are owned by or are in the custody and control of …Northern Utilities, Inc., d/b/a Unitil…", including "all existing gas mains, laterals, services, equipment, fixtures, containment and other appurtenances thereto currently owned by Unitil ("Gas Facilities")";

6. The right to enforce the Department's representation, as stated in its Notice of Condemnation, that the Department "shall not construct or permit to be constructed any building, house, structure, obstruction or improvement of any kind on or over the existing Gas Facilities without Unitil's prior written consent" and that the Department "agrees that it will not cause to be carried out any excavation, change of grade, or water impoundment affecting the Gas Facilities without Unitil's prior written consent";

7. The rights reserved to Unitil through the Notice of Condemnation to enter upon the Former Unitil Property for the following purposes:

   a. To repair, replace, maintain, operate, inspect, patrol, protect and remove on, in, over, across and under the Former Unitil Property all existing gas mains, laterals, services, equipment, fixtures, containment and other appurtenances thereto currently owned by Unitil (the "Gas Facilities");

   b. To survey, trim or remove within the Former Unitil Property, existing or future occurring vegetation that interferes with the Gas Facilities;

   c. To take such other action as is incident or accessory to the foregoing actions;

   d. To cross the Former Unitil Property to access the Gas Facilities, including by vehicle and machinery in a manner that does not interfere with the ongoing activities of the Department;

   e. To conduct such environmental remediation and protection, including investigation, implementation, and monitoring, as well as installation of utilities for such investigation, implementation and monitoring, as described in Unitil's VRAP Remediation Plan (the "Plan") as approved by the DEP and as the DEP may hereafter amend it, and further as the DEP may hereafter certify it as being complete, inclusive of and extending to the terms in the DEP's certification of the Plan's completion and its regulatory requirements;

   f. To access the Former Unitil Property via the right of way running from West Commercial Street to the portion of the Former Unitil Property identified as Parcel 2 and the right of way connecting Parcel 2 and Parcel 3, as such Parcel 2 and Parcel 3 are identified on the Department Right of Way Map referenced in the Notice of Condemnation, or at such other reasonable location as may be directed by the Department; and

   g. To use the Former Unitil Property as necessary to fulfill the purposes described above.

In itemizing the above rights, Unitil does not waive any rights it may have under federal, state or local regulation or statute.

EXHIBIT 4

to Utility Relocation Settlement Agreement:

Easement Agreement

EXHIBIT 4
EASEMENT AGREEMENT

This Easement Agreement (this "Easement Agreement") is made as of the ____ day of _____, 2016 (the "Effective Date"), by and between the State of Maine, acting by and through the Maine Department of Transportation, a state agency, its successors and assigns (the "Department"), and Northern Utilities, Inc. d/b/a Unitil, a New Hampshire corporation with a mailing address of 6 Liberty Lane West, Hampton, New Hampshire 03842, its successors and assigns ("Unitil").

RECITALS

A. On April 30, 2014, the Department recorded a Notice of Condemnation (the "Notice of Condemnation") in the Cumberland County Registry of Deeds in Book 31470, Page 191, and acquired, by condemnation, certain land located southerly of West Commercial Street in Portland, Maine, including (i) two parcels of land formerly owned by Unitil (the "Former Unitil Property"), and (ii) an abutting parcel of land formerly owned by New Yard, LLC (the "Former New Yard Property").

B. A copy of the Right of Way Map referenced in the Notice of Condemnation is attached hereto as Schedule 1, on which (i) the Former Unitil Property is depicted as "Parcel 2" (which Parcel 2 includes the acreage depicted as "Parcel 4") and "Parcel 3," and (ii) the Former New Yard Property is depicted as "Parcel 1."

C. The Former Unitil Property and the Former New Yard Property are referred to collectively in this Easement Agreement as the "Acquired Property."

D. The Department excepted from its Notice of Condemnation certain easement rights to be retained by Unitil, and all existing natural gas facilities, including, without limitation, natural gas pipelines, buildings, associated fixtures and related appurtenances, improvements and other personal property owned by or in the custody and control of Unitil. Through the Notice of Condemnation, the Department further reserved to Unitil the right to enter upon the Acquired Property for all purposes necessary to continue Unitil's natural gas facilities operations.

E. Through a subsequent Notice of Taking recorded on _____, 2016, the Department acquired portions of these retained or reserved easement rights from Unitil while leaving other rights undisturbed, and reserving a license to Unitil to continue operating its utility facilities on the Acquired Property until such time as permanent facility relocations have been completed and replacement easements have been conveyed. This Easement Agreement fulfills the Department's easement conveyance obligations in accordance with the terms of a Utility Relocation Settlement Agreement between the parties dated _____, 2016 (the "Relocation Agreement"), duplicate originals of which are on file with the Department and Unitil.

1. **Definitions.**

As used in this Easement Agreement, the following terms have the following meanings:

A. "Gas Pipeline Facilities" means pipelines, gas mains, laterals, services, equipment (including for CP measures and AC mitigation), containments, associated fixtures, and related appurtenances, improvements, and other personal property, including related power and communications lines and appurtenances.

B. "Gas Regulator Station Facilities" means gas mains, laterals, regulator and data buildings, gas heater, filter, pig launcher, and satellite dish, equipment, fixtures, containment and other structures and appurtenances thereto, including, without limitation, an aboveground natural gas regulator station as shown in Schedule 2 attached hereto or as otherwise installed, and related power and communications lines and appurtenances.

2. **Exclusive Gas Regulator Station Easement.**

The Department hereby grants to Unitil an exclusive, perpetual, and assignable easement in gross (the "Gas Regulator Station Easement") over, on, and under the approximately 160-foot by 65-foot area of land depicted and described in Schedule 3 attached hereto (the "Gas Regulator Station Easement Area").

The terms and conditions of the Gas Regulator Station Easement are:

i. **Unitil Rights in Gas Regulator Station Easement Area**: Unitil has the right to access, install, construct, inspect, operate, protect, maintain, repair, and replace the Gas Regulator Station Facilities, and the right to survey, trim, and/or remove within the Gas Regulator Station Easement Area any now-existing or future-occurring vegetation, snow, ice, structures, roads or other matter of any kind which may interfere with the Gas Regulator Station Facilities, and to take such other action as is incident or accessory to the foregoing rights.

ii. **Scope of Department's Use in Gas Regulator Station Easement Area**: The Department will not construct or permit to be constructed any building, house, structure, obstruction, or improvement, including without limitation concrete or matter of any kind, or cause to be carried out any excavation, change of grade, or water impoundment, within, on, over, or under the Gas Regulator Station Easement Area.

iii. **Allocation of Environmental Liability in the Gas Regulator Station Easement Area**: The Gas Regulator Station Easement Area is located principally on the Former New Yard Property. The Relocation Agreement includes an allocation of Environmental Liability for Environmental Conditions (as those terms are defined in the Relocation Agreement) on those portions of the Former New Yard Property that are within the easement areas described in this Easement Agreement.

iv. The terms and conditions associated with any other easement rights conveyed by this Easement Agreement shall be subordinate to the terms and conditions associated with the Gas Regulator Station Easement in any areas where the boundaries of such easements are determined to overlap or encroach upon the Gas Regulator Station Easement Area.

3. **Non-exclusive Pipeline Corridor Easements.**

A. **Inland Pipeline Corridor Easement.** The Department hereby grants to Unitil a non-exclusive, perpetual, and assignable easement in gross (the "Inland Pipeline Corridor Easement"), on the terms and conditions set forth in subsection E of this Section 3, over, on, and under the area of land depicted and described in Schedule 3 (the "Inland Pipeline Corridor Easement Area").

B. **Shoreland Pipeline Corridor Easement.** The Department hereby grants to Unitil a non-exclusive, perpetual, and assignable easement in gross (the "Shoreland Pipeline Corridor Easement"), on the terms and conditions set forth in subsection E of this Section 3, over, on, and under the area of land depicted in Schedule 3 (the "Shoreland Pipeline Corridor Easement Area").

C. **IMT Service Line Corridor Easement.** The Department hereby grants to Unitil a non-exclusive, perpetual, and assignable easement in gross (the "IMT Service Line Corridor Easement"), on the terms and conditions set forth below in subsection E of this Section 3, over, on, and under the area of land depicted in Schedule 3 (the "IMT Service Line Corridor Easement Area").

D. **Corridor Easement Areas.** The Inland Pipeline Corridor Easement Area, the Shoreland Pipeline Corridor Easement Area, and the IMT Service Line Corridor Easement Area are referred to collectively as the "Corridor Easement Areas."

E. **Terms and Conditions of the Inland Pipeline Corridor Easement, the Shoreland Pipeline Corridor Easement, and the IMT Service Line Corridor Easement.**

The terms and conditions of the Inland Pipeline Corridor Easement, the Shoreland Pipeline Corridor Easement, and the IMT Service Line Corridor Easement are:

i. **Unitil Rights in the Corridor Easement Areas**: Unitil has the right to access, install, construct, inspect, operate, protect, maintain, repair, and replace Gas Pipeline Facilities in the Corridor Easement Areas, and the right to survey, trim, and/or remove within the Corridor Easement Areas any now-existing or future-occurring vegetation, snow, ice, buildings, or foundations which may interfere with the Gas Pipeline Facilities, and to take such other action as is incident or accessory to the foregoing rights. After the completion of the Facility Relocation Work (as that term is defined in the Relocation Agreement), Unitil will confer with the Department prior to undertaking any installation, relocation, or other activity within the Corridor Easement Areas in order to minimize any conflict with other uses in the Corridor Easement Areas.

ii. **Scope of Department's Use in the Corridor Easement Areas**: The Department will not construct or permit to be constructed any building or foundation within the Corridor Easement Areas. In addition, (a) the Department will not construct or permit to be constructed any structure, obstruction, or improvement within the Corridor Easement Areas that interferes with the safety and integrity of, or with Unitil's access to, the Gas Pipeline Facilities, and (b) the Department will not cause to be carried out any excavation, change of grade, or water impoundment within, on, over, or under the Corridor Easement Areas that interferes with the safety and integrity of, or with Unitil's access to, the Gas Pipeline Facilities. Prior to undertaking any activity within the Corridor Easement Areas that is not prohibited by the preceding two sentences, the Department will confer with Unitil in order to minimize any conflict with Unitil's installations. The Department retains the right to grant utility easements within the Corridor Easement Areas to other entities, so long as such easements do not interfere with the safe operation of Unitil's installations.

iii. **Allocation of Environmental Liability in the Corridor Easement Areas**: The Inland Pipeline Corridor Easement Area, the IMT Service Line Corridor Easement Area, and a portion of the Shoreland Pipeline Corridor Easement Area are located on the Former New Yard Property. The Relocation Agreement includes an allocation of Environmental Liability for Environmental Conditions (as those terms are defined in the Relocation Agreement) on those portions of the Former New Yard Property that are within the easement areas described in this Easement Agreement. The allocation of Environmental Liability for Environmental Conditions on the portion of the Shoreland Pipeline Corridor Easement Area that is located on the Former Unitil Property is governed by a separate Environmental Agreement that applies to the Former Unitil Property that is referenced in the Relocation Agreement.

4. **Non-exclusive Remediation Easement.**

The Department hereby grants to Unitil a non-exclusive and assignable easement in gross (the "Remediation Easement") to enter upon the Acquired Property for the purpose of such environmental remediation and protection, including investigation, implementation, and monitoring, and installation of utilities, equipment, or any natural or manufactured materials for such investigation, implementation, and monitoring, as described in Unitil's Voluntary Response Action Program ("VRAP") Remediation Plan as approved by the Maine Department of Environmental Protection ("DEP") by letter dated June 1, 2012, a copy of which is on file with the DEP, incorporated herein by reference and as the DEP may hereafter amend it. This Remediation Easement shall continue for so long as Unitil has continuing obligations either under the VRAP or under any certificate of completion issued by the DEP. The Department's grant of this Remediation Easement does not create or imply environmental liability on the part of Unitil.

5. **Non-Exclusive Access Easement.**

The Department hereby grants to Unitil a non-exclusive, perpetual, and assignable easement in gross (the "Access Easement") to cross and use the area of land depicted and described in Schedule 3 (the "Access Easement Area") to access the Gas Regulator Station Easement Area, the Corridor Easement Areas, and any other area on the Acquired Property where Unitil is deemed by any regulatory entity to have environmental liability (collectively the "Areas to be Accessed").

The terms and conditions of the Access Easement are:

i. Unitil has the right to use the Access Easement Area to access the Areas to be Accessed, by foot, vehicle, machinery, equipment, or other means, (a) to install, construct, inspect, operate, protect, maintain, repair, and replace its Gas Pipeline Facilities and Gas Regulator Station Facilities, (b) to survey, trim, and/or remove any now-existing or future-occurring vegetation, snow, or ice which may interfere with the Gas Pipeline Facilities or Gas Regulator Station Facilities, (c) to investigate, remediate, and/or monitor any other area on the Acquired Property where Unitil is deemed by any regulatory entity to have environmental liability, and (d) to take such other action as is incident or accessory to the foregoing rights ("Right of Access"). Clause (c) of the preceding sentence does not create or imply environmental liability on the part of Unitil.

ii. Unitil's Right of Access includes the right, but not the obligation, to maintain and improve the Access Easement Area as Unitil deems necessary to use the Access Easement Area, so long as Unitil obtains approval of the Department in advance, which shall not be unreasonably withheld.

iii. The Department may relocate the Access Easement Area so long as such relocation is at no cost to Unitil and Unitil's Right of Access is not materially impaired.

6. **Gas Facilities are Unitil's Property.**

The Gas Pipeline Facilities and the Gas Regulator Station Facilities, whether fixed to the realty or not, shall be and remain Unitil's property.

7. **Binding on Successors and Assigns.**

This Easement Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns. It may be executed in multiple counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

8. **Choice of Law.**

This Easement Agreement is governed by, and will be construed and enforced in accordance with, the laws of the State of Maine (without regard to conflicts-of-law principles that would require the application of any other law).

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties hereto have set their hands and seals as of the date first set forth above.

MAINE DEPARTMENT OF TRANSPORTATION

_____
Witness

By: _____
David Bernhardt, Commissioner

NORTHERN UTILITIES, INC., d/b/a UNITIL

_____
Witness

By: _____
Printed name: _____
Its: _____

STATE OF MAINE
COUNTY OF KENNEBEC, SS _____, 2016

Then personally appeared the above-named David Bernhardt, in his capacity as Commissioner of the Maine Department of Transportation, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act of deed of said Maine Department of Transportation.

Before me,

_____
Notary Public/Maine Attorney at Law
Printed Name: _____
Commission Expires: _____

STATE OF _____
COUNTY OF _____, SS _____, 2016

Then personally appeared the above-named _____, in his capacity as Senior Vice President of Northern Utilities, Inc., d/b/a Unitil, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act of deed of said Northern Utilities, Inc., d/b/a Unitil.

Before me,

_____
Notary Public/Maine Attorney at Law
Printed Name: _____
Commission Expires: _____

Evidence of State and/or Federal Permits

Natural Resource Protection Act – Permit-by-Rule

A Permit-by-Rule will be obtained for the portion of the gas line relocation that is located within 75 feet of the high water line. A copy of final approval will be provided to the City of Portl and upon receipt.

Stormwater

Please see Section 11 of this application for a revised Stormwater Report.

Site Location of Development

To be reviewed by DEP as an amendment to its May 27, 2014 General SLODA permit to the MDOT for its Project site, approval #L-26347-TP-A-N.

Summary of Compliance with Zoning Requirements

Division 18.5 Waterfront Port Development Zone

Section 14-318.5. No Adverse Impact on Marine Uses.

(a) The proposed nonwater-dependent use will displace an existing water-dependent use;

No change from previous submittal. The proposed project involves the relocation of existing, on site utilities and will not result in the displacement of a water dependent use.

(b) The proposed use will reduce existing commercial vessel berthing space;

No change from previous submittal. The proposed project involves the relocation of exiting, on site utilities and will not reduce existing commercial vessel berthing space. The current waterfront is not used for vessel berthing.

(c) The proposed nonwater-dependent use, structure or activities, including but not limited to access, circulation, parking, dumpsters, exterior storage or loading facilities, and other structures, will unreasonably interfere with the activities and operation of existing water-dependent uses or significantly impede access to vessel berthing or other access to the water by water-dependent uses;

No change from previous submittal. The proposed utility relocation is a non-water-dependent use and will not reduce or inhibit public access to the water. The project site is currently private property with no public access to the water.

Section 14-320. Conditional Uses.

(a) 4. Public.
Utility substation, including sewage collection and pumping stations, water pumping stations, transformer station, telephone electronic equipment enclosures and other similar structures, provided that such structures are located more than one hundred (100) feet from the water.

This project qualifies as a Conditional Use under (a) 4 as defined above. A Conditional Use application has been submitted under separate cover.

Section 14-320.2 Dimensional Requirements.

(a) Minimum lot size: None.
(b) Minimum frontage: None.
(c) Minimum yard dimensions:
Front setback: None
Side setback: None
Rear setback: None
Setback from pier line: Minimum setback of 5' from edge of the pier. **Not applicable**
(d) Maximum Lot coverage: One hundred (100) percent
(e) Maximum Building Height: forty-five (45) feet. **Not applicable**

Sec. 14-320.3 Performance Standards

All uses in the waterfront port development zone shall comply with the following standards:

(a) *Outdoor storage of materials: Outdoor storage of commodities and materials accessory to normal conduct of business, except pilings and/or cranes, shall be permitted to a maximum height of forty-five (45) feet, and such materials shall be entirely contained, including runoff contaminants and residual material, within a designated area within the lot boundaries.*

No change from previous submittal. The proposed utility relocation will not result in the outdoor storage of materials.

(b) *Noise:*

No change from previous submittal. The proposed utility relocation will result in no additional noise impact to the site with the exception of short-term sound impacts generated by construction activities.

(c) *Vibration:*

No change from previous submittal. The proposed utility relocation will not result in the generation of vibrations.

(d) *Federal and State environmental regulations:*

No change from previous submittal. The proposed utility relocation will comply with all federal and state environmental statutes and regulations regarding emissions into the air.

(e) *Discharges into harbor areas:*

No change from previous submittal. The proposed utility relocation will not result in any discharges into the harbor areas.

(f) *Storage of vehicles:*

No change from previous submittal. The proposed utility relocation will not result in unregistered vehicles being stored on site.

(g) *Landfill of docking and berthing areas:*

Not Applicable

(h) *Off-street parking:*

The site plan of the proposed utility relocation provides for six (6) off-street parking spaces for use by Unitil personnel when accessing the regulator building.

(i) *Off-street loading:*

Not Applicable

(j) *Shoreland and flood plain management regulations: Any lot or portion of a lot located in a Shoreland Zone or Flood Hazard Zone shall be subject to the requirements of division 26 and/or division 26.5*

A portion of the gas line easement is located within the Shoreland Zone. See the summary of requirements of Division 26 at the end of this section.

(k) *Lighting:*

The proposed Regulator and Control Buildings will utilize the approved lighting plan for the IMT as well as will require some additional lighting. An additional four (4) utility lights to be located above the regulator building access points and one (1) utility light for the control building. There are two (2) Red LED warning lights to be located on the regulator building. These will only illuminate if a certain level of gas accumulates inside the building.

All lights on the buildings will be facing downward and shielded. None of the proposed lights are to be positioned directly facing Commercial Street or the harbor. The regulator building has four (4) access points; two (2) on the west side of the building (facing the cold storage facility) and two (2) on the east side of the building (facing the container storage area). The access point for the control building is towards the east.

A copy of the light bulb specs for the exterior utility lights is provided at the end of this section.

(l) *Signs:*

There will be one steel 24" x 24" sign (with "Unitil" and an emergency number) fastened to the chain link fence around the Regulator and Control Building. A photographed sign example is provided at the end of this section.

(m) *Storage of pollutants and oily wastes:*

Not Applicable. There will be no storage of pollutants or oily wastes on site.

(n) *Compatibility of nonmarine uses with marine uses:*

No change from previous submittal. The proposed utility relocation will not interfere with the existence of marine uses not significantly impede access to vessel berthing or other access to the water by existing or potential marine uses.

Division 26 Shoreland Regulations

Section 14-449 Land Use Standards

(a) *Principal and accessory structures:*

1. *All principal and accessory structures shall be set back at least seventy-five (75) feet horizontal distance, from the normal high water line of water bodies…except that in the following zones the setback shall be as indicated:*

   W-PD Zone: No setback required

   There is no required shoreland setback in the Waterfront Port Development Zone. The Regulator and Control buildings and the associated access drive will not be located within 75 feet of the normal high water line of a water body.

2. *Development activities within the shoreland zone are reviewed by the Zoning Administrator for compliance with required setbacks of this Division. Submission of plans for such development activity shall be prepared by competent professionals, based upon a boundary survey.*

   Not applicable. There is no required setback within the W-PD Zone. The Regulator and Control Buildings and associated drive are not proposed to be located within the 75 feet of the normal high water line of a water body. See Appendix A for the Site Plan.

3. *The lowest floor elevation or openings of all buildings and structures including basements shall be elevated at least one (1) foot above the elevation of the one hundred (100) year flood, the flood of record, or in the absence of these, the flood as defined by soil types identified as recent flood plain soils.*

   The Regulator and Control buildings are to be located at least one foot above the elevation of the one hundred year flood. See Appendix A for the Site Plan

4. *Notwithstanding the requirements of this section, stairways or similar structures may be allowed with a permit from the building authority to provide shoreline access in areas of steep slopes or unstable soils.*

   Not Applicable.

(b) *Piers, docks, wharves, bridges and other structures and uses extending over or below the normal high water line of a water body or within a wetland…*

Not Applicable.

(c) *Clearing or removal of vegetation: The clearing or removal of vegetation standards of this section shall not apply to the following zones: WPD*

Not Applicable.

(d) Erosion and sedimentation control:

See Section 11 for the Erosion and Sedimentation Control Plan.

(e) Soils:

No change from previous submittal.

(f) Water Quality:

The proposed project will not result in the deposit on or into the ground or discharge to a water body any pollutant that would impair the designated use or the water classification of a water body. See Section 11 for the Stormwater report.

(g) Archaeological sites:

No change from previous submittal.

(h) Installation of public utility service:

The proposed project involves the re-location of existing gas lines which will not need utility service. The associated regulator and control buildings will need access to electrical service, however the proposed project site is a pre-developed site with many utilities in place. All applicable utility service companies will be contacted and coordinated with to insure the proper installation of any necessary new services.

(i) Essential services:

No change from previous submittal.

(j) Roads and driveways:

The proposed access drive will connect the regulator building to the previously approved drive on the IMT plan. The proposed relocated regulator building will utilize the existing IMT entrance. See Appendix A for the Site Plan

(k) Parking areas:

There are six (6) parking spaces proposed for this project, none of which are to be located within seventy-five (75) feet from the normal high-water line. There is no minimum setback requirement for parking in the WPD Zone.

(l) Septic waste disposal:

No change from previous submittal. The proposed regulator building will not have any domestic type sewer connection.

(m) Stormwater runoff:

As described in the previous submittal, stormwater from the site will tie into an existing City owned CSO that discharges into the Fore River. The originally submitted stormwater Report has been revised to reflect the addition of the Regulator and Control buildings, the associated drive and parking. See Section 11 for the stormwater report.

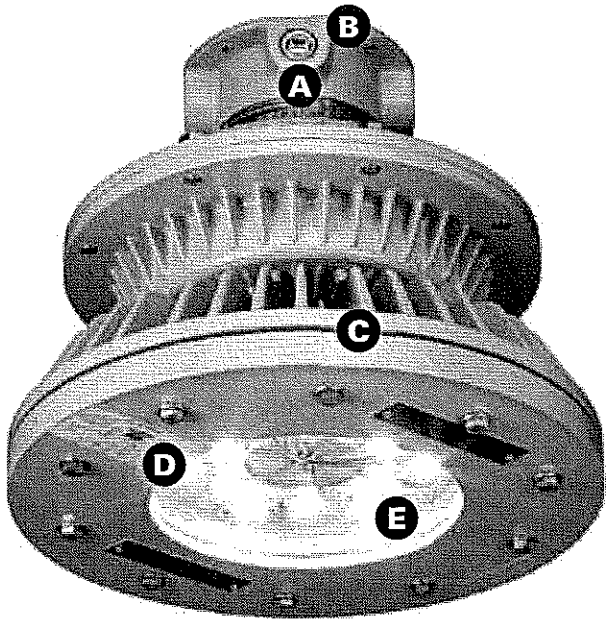
(n) Agriculture:

Not Applicable. No change from previous submittal.

(o) General site plan features:

The applicant feels that the proposed amendments to the project meet the intent of the Shoreland Zone regulations.

Hazard•Gard® EVLL LED Luminaire



Primary applications

Used for general lighting in areas where flammable or explosive vapors or gases are present, such as petroleum refineries, chemical and petrochemical plants, oil terminals, gas plants, drilling platforms and wastewater treatment plants.

Luminaire models

Model Number	Equivalent HID Luminaire	Typical Energy Savings/Lifetime
EVLL5L	100W-150W	Up to 62% reduction in energy costs and 60,000 hours of continuous operation!
EVLL7L	150W-175W	
EVLL9L	175W-250W	
EVLL11L	250W-320W	
EVLL13L	320W-400W	

Energy-efficient and globally certified explosionproof workhorse for general area and high bay lighting applications

Certifications & compliances

- Class I, Division 1, Groups B, C, D
- Class I, Zone 1, Groups IIB + H_2, IIB, IIA
- Class II, Groups E, F, G
- Class III, Simultaneous Presence
- UL844; UL1598; UL1598A
- CSA C22.2 No. 137
- Ex II 2G Ex d IIC (Zone 1, 2) (Pending)
- Ex II 2D Ex tD A21 IP66 (Zone 21, 22) (Pending)
- NEMA 4X, IP66

Electrical ratings

- Voltages: 100-277 VAC, 347/480 VAC, 108-250 VDC

Options & accessories

- Trunnion Mount
- Guard
- Color Temperature: Warm White (3000K)*
  **available on 5L–11L models only*

Design features

A **Retrofittable to install base** - Adapter available for connection to existing Hazard•Gard® EVI, EVLP and EVM modules.

B **Quick-connect design** - Install and wire the mounting module, then simply screw in the luminaire.

C **Factory sealed** - No external sealing fittings required in Groups B, C and D.

D **60,000 hours rated life** - Eliminates the need for frequent lamp replacement.

E **Shock- and vibration-resistant** - Solid-state luminaires have no filaments or glass components that could break, greatly reducing the risk of premature failure.

ATEX NEC CEC


WARNING
Natural Gas Facility
Unitil
IN THE EVENT OF EMERGENCY CALL
866-900-4115
HIGH PRESSURE NATURAL GAS
NO TRESPASSING

Summary of Proposed and Existing Easements

Existing easements, encumbrances, and other burdens were provided in the previously approved submittal.

Proposed Easements for the proposed gas line and regulator building relocation are delineated on the enclosed Site Plan (Appendix A) and described as follows:

The Gas Facility Relocation Project is on Property owned by the State of Maine, acting through the Department of Transportation. Unitil's right, title and interest to locate and operate gas facilities on the Property will be pursuant to easements granted to Unitil by the Department in accordance with Unitil and the Department's executed Gas Facilities Relocation Agreement. A copy of the Easement Agreement (Exhibit 4 to the Relocation Agreement) is attached as Application Attachment [X]. The Easement Agreement describes Unitil's Gas Facilities easements on the Property, including inland, shorefront and IMT pipeline corridor easements, a gas regulator station easement, and an access easement (collectively, "Easements").

Electric Easement: The Access Easement, Inland Pipeline Corridor Easement and the Gas Regulator Station Easement are subject to an electric utility easement, including two poles, that the Department granted to Central Maine Power Company in 2015, by deed recorded in the Cumberland County Registry of Deeds in Book __, Page __, and amended in 2016 by an amendment deed recorded in the Cumberland County Registry of Deeds in Book __, Page__ .

Co-Location and Shared Use Rights Retained by the Department: The Gas Regulator Station Easement is exclusive to Unitil. The remaining Easements are non-exclusive, and are subject to co-located uses so long as such uses do not interfere with, or compromise the integrity of Unitil's gas facilities.

Covenant: As to all the Easement areas, the Department covenants in the Easement Agreement not to "construct or permit to be constructed any building or foundation…[or] any structure, obstruction, or improvement…that interferes with the safety and integrity of, or with Unitil's access to, [Unitil's] Gas Pipeline Facilities [and not to] cause to be carried out any excavation, change of grade, or water impoundment…that interferes with the safety and integrity of, or with Unitil's access to, the Gas Pipeline Facilities."

Environmental Liability Allocation: The Easements are subject to and benefitted by Unitil's agreement with the Department, set forth in the Gas Facilities Relocation Agreement, allocating environmental liability for the Easement areas' existing environmental conditions. This environmental liability agreement is in addition to Unitil's and the Department's 2014 Environmental Liability for Environmental Conditions Agreement that applies to that part of the Shoreland Pipeline Corridor Easement Area subject to Unitil's VRAP remediation plan, which plan was completed in 2015, as certified by the Maine Department of Environmental Protection.

Evidence of Financial Capacity

Northern Utilities, Inc., d/b/a Unitil, is a natural gas public utility regulated by the Maine Public Utilities Commission. It is the successor corporation of the Portland Gas Light Company, founded in Maine in 1849, and is a wholly owned subsidiary of **Unitil Corporation.** It provides natural gas services to approximately 62,200 residential, commercial and industrial customers in 44 communities, from Plaistow, New Hampshire and northerly to South Portland, Portland, and Lewiston-Auburn. Its commercial base includes healthcare, education, government and retail customers, and its industrial base includes manufacturers in the automobile, housing, rubber, printing, textile, pharmaceutical, electronics, wire and food production industries as well as a military installation.

Northern Utilities' parent company, **Unitil Corporation,** is an interstate electricity and natural gas utility holding company that, through its other subsidiaries, also serves areas in southeastern New Hampshire and in the greater Fitchburg area of north central Massachusetts.https://en.wikipedia.org/wiki/Unitil_Corporation - cite_note-report1-2 Its wholly owned subsidiary, **Granite State Gas Transmission, Inc.**, operates 86 miles of underground gas transmission pipeline primarily in Maine and New Hampshire, providing interstate natural gas pipeline access and transportation services to **Northern Utilities** in its New Hampshire and Maine service areas.

Unitil has the financial capacity to complete the Project. It is a financially sound company, with a net income in 2015 of $26.3 million, which is an increase of $1.6 million, compared to 2014. As Unitil's Chairman and Chief Executive Officer, Robert G. Schoenberger, reports on Unitil's website, www.unitil.com:

> "We had another solid year in 2015 as earnings increased by 6%... We continue to experience strong growth in our gas and electric businesses. Reflecting confidence in our business plan, on January 27, 2016 the Company's Board of Directors raised the quarterly dividend to $0.3550 per share, increasing the annual dividend from $1.40 to $1.42 per share."

Further, the Maine Department of Transportation ("Department") is reimbursing Unitil for most of the cost of the Project. Pursuant to a Gas Facilities Relocation Agreement that Unitil and the Department executed on April__, 2016, the Department agrees to "reimburse Unitil for the Facility Relocation Work in accordance with the terms set forth in Section 4 below, and such

reimbursement will satisfy the Department's obligation to pay compensation pursuant to 23 M.R.S. § 154 in connection with the relocation of the Affected Existing Facilities.":

4. Reimbursement.

(a) The Table of Costs and Estimate of Fees, as set forth in Exhibit 7 attached hereto, includes all costs and fees associated with the Full Facility Relocation Project described in Exhibit 5 (the "Full Facility Relocation Project Cost"). ... The Department has reviewed the Total Eligible Estimated Cost and... finds the Total Eligible Estimated Cost ...to be reasonable. Therefore, the Department, recognizing that the actual cost for any line item may be greater or less than the estimate for that line item, agrees not to reduce the amount to be reimbursed to Unitil as to any of Unitil's invoiced items within the scope of the Facility Relocation Work, so long as the total reimbursement does not exceed the Total Eligible Estimated Cost (subject, however, to subsection (e) below regarding Unanticipated Costs).

(e) The Department will reimburse Unitil in accordance with the submitted invoices in a total amount not to exceed the Total Eligible Estimated Cost as set forth in Exhibit 7; provided, however, that in the event the costs of the Facility Relocation Work exceed the Total Eligible Estimated Cost for reasons beyond Unitil's control or reasonable anticipation ("Unanticipated Costs"), Until shall notify the Department of the Unanticipated Costs within seven working days of such costs becoming apparent to Unitil, and the Department agrees to reimburse Unitil for such Unanticipated Costs to the extent that the Department finds, in its reasonable discretion, that such costs are consistent with costs that would be eligible for reimbursement pursuant to 23 M.R.S. § 154 and are necessary and reasonable to complete the Facility Relocation Work.

Evidence of Technical Capacity

Northern Utilities, Inc., d/b/a Unitil, has the technical capacity to complete the proposed gas facilities relocation Project. It and its corporate predecessors have provided manufactured and natural gas services in Maine since 1849. Today it provides natural gas services to approximately 62,200 residential, commercial and industrial customers in 44 communities, from Plaistow, New Hampshire and northerly to South Portland, Portland, and Lewiston-Auburn.

Unitil's Project Team includes both Unitil personnel, and outside consultants and independent contractors, as summarized below:

UNITIL PERSONNEL:

Unitil's personnel have expertise in gas engineering and operations, gas facility procurement, emergency management and compliance, and environmental compliance. The Project's management team for this Project includes:

1. *Kevin Sprague, P.E., Director of Engineering*, responsible for engineering planning and design of Unitil's natural gas transmission and distribution systems; for substation and line design, protection and control design, and for GIS and Unitil owned land and easements.

2. *Matt Doughty, Project Manager*, oversees such aspects of Unitil's Maine operations as construction estimation, contract execution, company operations, and capital budgets, including for this Project. He is also manager of the Greater Portland cast iron pipeline replacement project to replace and upgrade over 100 miles of gas pipeline.

3. *Tim Bickford, Manager, Gas Engineering Manager,* responsible for the safe design of natural gas distribution systems and pressure regulator stations, and for the design of all pipelines and regulator stations for the Project.

4. *Thomas Murphy, Manager, Environmental Compliance & Business Continuity,* coordinates environmental compliance across Unitil's electric and gas operations, as well as support services. This includes working with environmental consultants and contractors retained to conduct response actions on behalf of Unitil. Mr. Murphy is a Certified Professional Environmental Auditor (CPEA) in Environmental Compliance, as well as Safety and Health.

5. *Bob Schummrick, Sr. Gas Engineer*, responsible for the detailed design of natural gas pressure regulator and meter stations and all regulator station relocation designs for the Project.

6. *Craig Campbell, Construction Supervisor,* responsible for timely and precise estimates for a vast majority of projects, responsible for capital budgets, overseeing multiple crews, ensuring that installations of Unitil facilities meet federal and state regulations and coordinating projects with many different entities.

CONSULTANTS:

Unitil's Project consultants include two engineering companies and a local law firm. They are:

1. **AMEC Foster Wheeler Environment & Infrastructure**:

AMEC Foster Wheeler Environment & Infrastructure, with a regional office in Portland, is a global engineering company that serves the oil and gas, clean energy, environment and infrastructure and mining markets. It provides consultancy, engineering, project management, operations and construction services, project delivery and specialized power equipment services to Unitil and other energy companies, as well as to governmental entities, including the U.S. Department of Homeland Security.

AMEC is assisting Unitil in preparing and presenting the Project permit applications. It will also monitor the environmental condition of the disturbed areas of the Property during the gas facility relocation work and advise as to its remediation as appropriate.

The principal AMEC personnel working on this Project are Peter Thompson and Rebecca Gabryszewski. *Peter Thompson, P.E.* is a principal project manager /team leader, for environmental and infrastructure projects in AMEC's Portland office, and is the principal consultant for the environmental aspects of the Project. *Rebecca Gabryszewski* is a regulatory specialist familiar with state and local permitting standards, and is the principal preparer of the Project's permit applications, having done similar work for a range of projects, including for utilities, businesses and municipalities.

2. Process Pipeline Services, Inc:

Portland Pipeline Services (PPS), with offices in Walpole, Massachusetts, provides advanced pipeline engineering and design services, including design compatibility and cost control. It specializes in natural gas industry projects, providing construction advisory and management services from initial conception through final completion of pipeline projects.

3. **Perkins Thompson:**

Perkins Thompson is a general service law firm in Portland with specialties in corporate, contract, real estate and energy law, and for this Project is assisting Unitil to negotiate and draft contracts, leases, and easements, and address permit and licensing legal standards. The principal Perkins Thompson attorneys working on this Project are Peggy McGehee, Jim Katsiaficas and Julie Ray, each of whom specialize in environmental, land use, municipal, administrative, and real estate law.

CONTRACTORS:

Unitil principal contractor for the Project is New England Utility Constructors (NEUCO). Other specialized contractors for the Project will be retained through a standard bid process.

1. New England Utility Constructors (NEUCO)

With offices throughout New England and a regional office in South Portland, NEUCO provides "turnkey" construction services for underground utility construction industry, specializing in pipeline and distribution of natural gas and electric. Its automated dispatch center supports underground utility construction efforts in natural gas; electric; welding fabrications; water; sewer; cable; and street restorations.

NEUCO's specialty services include horizontal directional drilling (trenchless technologies); cast iron encapsulation expertise including customized encapsulations for LP & IP; saw cutting and trench grinding; and vacuum excavation capabilities.

Its personnel include trained foremen, engineers, laborers, safety personnel, supervisors and support staff.

Construction Management Plan

The existing station is located at 40 West Commercial St. in Portland. The new station will be relocated approximately 400 ft. north of the existing station. This facility will be located between the planned cold storage building and the future IMT container storage area. The facility will be surrounded by a grounded chain-linked fence.

This new facility will consist of two precast concrete buildings. Each building will be set upon engineered concrete foundations. The data acquisition (DAC) building will measure 10 ft. wide x 12 ft. long x 9 ft. high, and will house the supervisory control and data acquisition (SCADA) and communications equipment. The natural gas meter and regulator building will measure 28 ft. wide x 50 ft. long x 11 ft. - 4 in. high, and will house a turbine flow meter, several gas pressure regulators supplying three separate distribution systems, isolation valves, with pressure and temperature instrumentation for communications. These buildings will be delivered to this location and set in place.

Site Preparation

- Perform Land Survey.
- Relocate IMT's buried electric conduits and drains as required.
- Stakeout the regulator and DAC buildings' corners, the fence lines, easement areas, etc.
- Excavate for regulator and DAC buildings' foundations.
- Install regulator and DAC buildings' concrete foundations.
- Install pipeline filter's concrete foundations.

Pipeline Installations

- Excavate and trench to install four buried steel pipelines.
- Install pipelines with isolation valves from Commercial St. to the existing pipeline which crosses the Fore River.
- Install pipeline filter and its isolation valves.
- Perform X-Ray on the welded pipeline joints.
- Coat the welded pipeline joints.
- Jeep the pipe coatings.

Pressure Test Pipelines

- Evacuate the gas from the pipeline from West Commercial St. to the Fore River crossing.
- Make preparations on the other side of the river.
- Perform pressure test with nitrogen on the four pipelines.

Install DAC & Regulator Buildings

- Set DAC building and regulator building sections in place with cranes.
- Install regulator building piping, valves, and equipment.
- Pressure test regulator building piping.
- Blast & Coat regulator building piping.

Install Electric Power

- Install CMP electric meter and disconnect switch on the CMP right-of-way.
- Install Unitil-owned electric stepdown transformer near DAC building.
- Excavate and trench for buried electric conduits from CMP meter to the DAC building.
- Install electric conduits to regulator building.
- Install power to DAC building.
- Install power to regulator building.
- Install power to electric gate operators.
- Run wire and cable to all devices in regulator building.
- Install station grounding.
- Install SCADA communications.
- Terminate wires.

Commission New Regulator Station

- Perform tie-ins.
- Purge air from pipelines and new station and introduce natural gas.
- Commission new station.
- Retire old station piping as required.
- Retire old regulator station.

Restore Site

- Grade site.
- Add geotechnical fabric in areas not to be paved.
- Add crushed rock as required in areas not to be paved.
- Install asphalt paving according to the plan.
- Install chain-linked fence.

Complete Project Documentation

Traffic

The proposed project will not have a significant impact on traffic. Unitil personnel are expected to access the site once a week; which will not result in a significant increase in trip generation for the site.

No change from previous submittal. See Section 15 of the April 4, 2014 Site Plan Application.

Summary of Significant Natural Features

No change from previous submittal. See Section 16 of the April 4, 2014 Site Plan Application.

Stormwater Management Plan

The originally submitted Stormwater Report has been revised to reflect the addition of the Regulator and Control buildings, the associated drive and parking. The revised Stormwater Management Plan and Erosion Control Plan are provided at the end of this section.

amec foster wheeler

Stormwater Report
&
Erosion & Sedimentation Control Plan

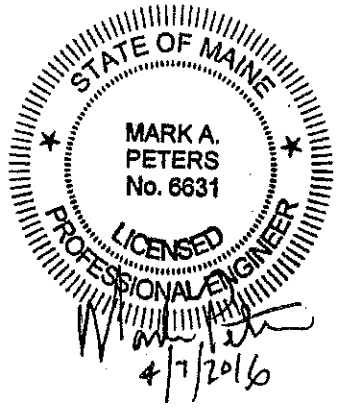
Unitil Regulator & Meter Station Relocation Project
40 West Commercial Street
Portland, Maine

Prepared for:

City of Portland Planning Department
389 Congress Street
Portland, ME 04101

Prepared by:

Amec Foster Wheeler Environment & Infrastructure, Inc.
511 Congress Street
Portland, Maine 04101



April 2016

amec
foster
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STORMWATER REPORT

Amec Foster Wheeler Environment & Infrastructure, Inc. (Amec Foster Wheeler) has prepared a stormwater report in accordance with the City of Portland (City) and Maine Department of Environmental Protection (MeDEP) standards for the new Unitil regulator and meter station project at 40 West Commercial Street in the City. The new station will be relocated approximately 400 feet north of the existing station. This facility will be located between the planned cold storage building and the International Marine Terminal (IMT) container storage area. The facility will be surrounded by a grounded chain-linked fence.

This stormwater report is supplemental to a stormwater report developed by HNTB on behalf of the Maine Department of Transportation and titled "Port of Portland International Marine Terminal Existing Laydown and Connecting Corridor Connection" dated March 26, 2014. The recently completed project consisted of rail improvements, Commercial Street improvements, and chassis storage yard improvements as part of the planned cold storage building and recently completed laydown and connecting corridor connection project.

Project Description

The new Unitil regulator and meter station will be relocated to within the site area associated with the chassis storage yard improvements project. This new facility will consist of two precast concrete buildings. Each building will be set upon engineered concrete foundations. A data acquisition building will measure 10 foot wide x 12 foot long x 9 foot high, and will house the supervisory control and SCADA equipment. A natural gas metering and regulator building will measure 28 foot wide x 50 foot long x 11-4 foot high, and will house a meter, gas regulators and supplying three separate distribution systems.

The site will be provided with a 22 foot wide circular paved access drive with two ingress/egress locations off an existing paved drive providing access to the IMT, six parking spaces, and chain link fencing with three 16 foot electric sliding gates. Geotextile fabric and crushed rock will be installed within the station's fenced-in area. These areas are not to be paved.

The gas pipelines will be relocated westerly on the site to a pipeline easement corridor extending from West Commercial Street to the relocated Gas Regulator and Meter Station. After the new regulator and meter station is constructed and in service, Unitil will isolate the existing pressure regulating facilities from the distribution systems. Removal and disposal of the remaining piping and components and demolition of the existing buildings will be the responsibility of MeDOT. All excavations will be done in accordance with the Soil Management Plan approved by the MeDEP for Unitil's VRAP remediation plan, as amended by joint Unitil/Department petition.

MeDOT Port of Portland IMT Stormwater Management Strategy

The HNTB Portland International Marine Terminal Existing Laydown and Connecting Corridor Connection stormwater report provided information that the existing soils in the 7.4 acre chassis storage yard watershed are manmade cut and fill lands that are moderately well drained with groundwater levels approximately 6-9 feet below existing grade and that the development improvements included removal of an undesirable organic layer and installation of a 4-inch thick

MeDOT 411.12 crushed stone surface over a 20-inch thick MeDOT 304.10 Type D aggregate subbase per Section 7.7 – Manmade Pervious Surfaces Best Management Practices (BMP) from the MeDEP BMP Technical Design Manual.

The HNTB report provided additional information that the MeDEP Manmade Pervious Surface BMP was designed to handle heavy IMT vehicle loads, provide water quality treatment of runoff flows by filtration through the 20-inch aggregate subbase and infiltration through the existing soils and provide water quantity control of runoff flows with storage of the 1-inch water quality rain event within the voids (40%) of the 4-inch crushed stone layer in accordance with MeDEP Chapter 500 General Standard requirements.

The HNTB report provides a summary for the 7.4 acre chassis storage yard watershed that includes the following:

- Existing Impervious = 1.38 acres
- Proposed Impervious = 7.38 acres
- New Impervious = 7.38 acres – 1.38 acres = 6.0 acres
- MeDEP Crushed Stone Surface = 6.90 acres
- 6.90 acres/6.0 acres = 115% Water Quality Treatment to New Impervious Areas
- 6.90 acres (300,564 SF) X (1") X (1'/12") = 25,050 CF of Runoff Volume Provided
- (300,564 SF) X (40% Voids/1") X (1'/12") = 10,020 CF storage/1" = 2.5 Inches Minimum Thickness Crushed Stone Surface Required for Water Quantity Control
- 4-inch Thick MeDOT 411.12 Crushed Stone Surface Provided

Unitil Stormwater Management ty Control Strategy

The stormwater management for the Unitil project will utilize the same MeDEP Manmade Pervious Surface BMP to provide water quality treatment and water quantity control to runoff flows from the Unitil station.

Amec Foster Wheeler has assumed that the entire new 16,638 square foot **(0.38 acre)** Unitil station site consisting of buildings, paved access drives, parking spaces, and all areas within the proposed fenceline and area between the two ingress/egress locations consisting of geotextile fabric and crushed rock will be considered new impervious area within the existing chassis storage yard. See Erosion & Sedimentation Control Report and Unitil Station watershed delineation on Drawing C-1 included as Appendix A.

Amec Foster Wheeler's MeDEP water quality treatment and water quantity control calculations with the relocated Unitil regulator and meter station within the 7.4 acre chassis storage yard watershed include the following:

- Existing Impervious = 1.38 acres
- Proposed Impervious = 7.38 acres + **0.38 acres** = 7.76 acres
- New Impervious = 7.76 acres -1.38 acres = 6.38 acres
- MeDEP Crushed Stone Surface = 6.90 acres – **0.38 acres** = 6.52 acres
- 6.52 acres/6.38 acres = 102% Water Quality Treatment to Impervious Areas

- (previously provided 6.90 acre crushed stone surface area) / (proposed 6.52 acre crushed stone surface area) X (previously required 2.5 Inches Minimum Thickness Crushed Stone Surface for Water Quantity Control) = 2.65 Minimum Thickness Crushed Stone Surface Required for Water Quantity Control
- 4-inch Thick MeDOT 411.12 Crushed Stone Surface Provided

Conclusion

The 0.38 acre reduction in surface area to the chassis yard MeDEP Manmade Pervious Surface BMP associated with the relocation of the Unitil station did not adversely affect the overall water quality treatment and water quantity control of the Port of Portland International Marine Terminal Existing Laydown and Connecting Corridor Connection site.

Project Erosion & Sedimentation Control Strategy

The project will provide disturbances of less than one (1) acre but will include erosion and sedimentation measures to meet the MeDEP Basic Standards requiring BMP Standards for development projects disturbing one (1) acre or more of area to ensure that the planned improvements will not create potential degradation of water quality treatment and water quantity control to the MeDEP Manmade Pervious Surface BMP chassis yard.

Amec Foster Wheeler has developed an Erosion and Sediment Control Report to address any possible erosion and sedimentation during and after the construction of the Unitil regulator and meter station project. This plan incorporates the standards and specifications for erosion prevention for development projects contained in the MeDEP *Erosion and Sediment Control Handbook for Construction: Best Management Practices* (March 2003).

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Appendix A

Erosion & Sedimentation Control Report

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EROSION AND SEDIMENTATION CONTROL PLAN REPORT

Amec Foster Wheeler Environment & Infrastructure, Inc. (Amec Foster Wheeler) has prepared an Erosion and Sediment Control Plan Report for the new Unitil regulator and meter station project at 40 West Commercial Street in the City of Portland (City).

This erosion and sediment control plan report will address any possible erosion and sedimentation during the construction of the Unitil station Relocation Project and incorporates the standards and specifications for erosion prevention for development projects contained in the Maine Department of Environmental Protection (MeDEP) *Erosion and Sediment Control Handbook for Construction: Best Management Practices* (March 2003). See Erosion and Sedimentation Control Drawings included as Appendix A.

Project Erosion & Sedimentation Control Strategy

The project is anticipated to produce minor excess earth materials that the contractor will be required to dispose of off-site in accordance with all local, state, and federal requirements.

The erosion and sediment control strategy to be employed during the construction and stabilization of the proposed development will be to contain sediment on the site. This strategy will not allow the introduction of sediment-laden runoff to the 7.4 acre MeDEP Manmade Pervious Surface BMP chassis yard. To accomplish this strategy, temporary erosion and sediment control measures will be used at the construction site and will stay in effect until the site has been stabilized permanently. These control measures will consist of the placement of a MeDEP siltation log Best Management Practices (BMP) along the perimeter of the construction site stabilization of disturbed areas by paving or installation of Geotextile fabric and crushed rock to site areas.

Project Site Data

The project site will be located between the planned cold storage building and the International Marine Terminal (IMT) container storage area and is bounded by The Fore River to the south and Commercial Street to the west.

The existing soils in the 7.4 acre chassis storage yard watershed are manmade cut and fill lands that are moderately well drained with groundwater levels approximately 6-9 feet below existing grade. See the Natural Resources Conservation Services Custom Soil Resource Report for Cumberland County included as Appendix B.

The existing site consists of a 4-inch thick MeDOT 411.12 crushed stone surface over a 20-inch thick MeDOT 304.10 Type D aggregate subbase per Section 7.7 – Manmade Pervious Surfaces Best Management Practices (BMP) from the MeDEP BMP Technical Design Manual associated with the Portland International Marine Terminal Existing Laydown and Connecting Corridor Connection project.

In general, the MeDEP Manmade Pervious Surface BMP was designed to handle heavy IMT vehicle loads, provide water quality treatment of runoff flows by filtration through the 20-inch aggregate subbase and infiltration through the existing soils and provide water quantity control

of runoff flows with storage of the 1-inch water quality rain event within the voids (40%) of the 4-inch crushed stone layer in accordance with MeDEP Chapter 500 General Standard requirements.

Erosion & Sedimentation Control Plan

The project will provide disturbances of less than one (1) acre but will include erosion and sedimentation measures to meet the MeDEP Basic Standards requiring BMP Standards for development projects disturbing one (1) acre or more of area to ensure that the planned improvements will not create potential degradation of water quality to locations downstream of the developments site.

The general contractor will be responsible for maintenance during construction. An Inspection and Maintenance Plan is included as Appendix C that provides information for the applicant or hired subcontractors for inspections and restoration activities. Additionally, MeDEP Housekeeping Standards are included as Appendix D of this report.

The primary emphasis of the erosion and sedimentation control plan to be implemented for this project is as follows:

1. Developing a project layout that avoids excessive earth disturbance.

2. Development of a careful construction sequence that limits the area and duration of soil exposure.

3. Rapid stabilization of disturbed areas to minimize the period of soil exposure.

4. The use of on-site measures to capture initial sediment (siltation logs/hay bales/silt fence, etc.).

5. Protection of natural resource areas.

6. Any loam or soil stockpiles will be in suitable areas approved by the MeDOT.

7. Additional erosion control methods will be implemented during winter construction, between November 1 and April 15, if necessary.

Erosion & Sedimentation Control Requirements

The equipment anticipated to be used for the construction includes the following: backhoes, bulldozers, loaders, trucks, cranes, and compactors. The following measures will be undertaken to provide maximum protection to the soil, water, and abutting lands:

1. Prior to excavation and earth moving operations, perimeter siltation logs/silt fence will be installed along the perimeter of the site.

2. In areas of construction dewatering, if necessary, pumped discharge sediment devices will be utilized adjacent to the activity. Sediment traps will be constructed utilizing

dirtbags, or other similar devices that do not require additional soil disturbance. Additional sedimentation protection will be provided by the installation of hay bale barriers between the sediment traps and the receiving drainage course.

3. All siltation BMPs will be inspected by the contractor on a weekly basis or following any significant rainfall (1/2 inch or more) or snowmelt. All damaged erosion control devices will be repaired and/or replaced immediately. Trapped sediment will be removed before it has accumulated to one-half of the installed siltation fence or hay bale barrier height. Devices no longer serviceable due to sediment accumulation will also be repaired and/or replaced as necessary.

4. Intercepted sediment will be returned to the site and incorporated into the project area and stabilized.

5. Should construction occur after November 15, additional erosion control methods will be implemented. All disturbed areas will be minimized as much as possible. Prior to freezing, additional erosion control devices will be installed as appropriate. Inspection of these erosion control items will be constant, with particular attention paid to weather predictions to ensure that these measures are properly in place to handle large amounts of runoff from heavy rains or thaws.

Monitoring Program

Sedimentation and erosion control measures will be inspected continually by the contractor and all measures damaged by construction equipment, vandals, or the elements will be repaired immediately. Following rainstorms and during runoff events, the site and all structures will be inspected for erosion and damage. All damaged structures will be repaired and/or additional erosion control structures will be installed prior to continuing the construction.

After the project area is stabilized, the contractor shall remove all temporary erosion control measures.

Dust Control Program

If dusty conditions occur on-site as a result of increased vehicular traffic during dry conditions, dust control measures will need to be implemented.

1. Water: Water should be applied at a rate sufficient enough to moisten exposed soil to prevent dust transport but not at a rate that produces any amount of silt-laden runoff or muddy pools in the travel way.

2. Calcium Chloride: Liquid of fine-flaked calcium chloride may be used. Calcium chloride should not be applied adjacent to wetlands, lakes, pools or other naturally sensitive areas. Limit application rates to 30% calcium chloride or as recommended by manufacturer.

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Winter Construction (If Necessary)

The winter construction period is from November 1 through April 15. If the construction site is not stabilized with pavement, a road gravel base, by November 15, then the site needs to be protected with over-winter stabilization. An area considered open is any area not stabilized with pavement, or gravel base.

The contractor must install any added measures which may be necessary to control erosion/sedimentation from the site dependent upon the actual site and weather conditions.

Continuation of earthwork operations on additional areas shall not begin until the exposed soil surface on the area being worked has been stabilized, in order to minimize areas without erosion control protection.

1. Soil Stockpiles: Stockpiles of soil or subsoil will be mulched for over winter protection with hay or straw at twice the normal rate or at 150 lbs/1,000 s.f. (3 tons per acre) or with a four-inch layer of woodwaste erosion control mix. This will be done within 24 hours of stocking and re-established prior to any rainfall or snowfall. Any soil stockpile will not be placed (even covered with hay or straw) within 100 feet from any natural resources.

2. Trench Dewatering and Temporary Stream Diversion: Water from construction trench dewatering or temporary stream diversion will pass first through a filter bag or secondary containment structure (e.g. hay bale lined pool) prior to discharge. The discharge site shall be selected to avoid flooding, icing, and sediment discharges to a protected resource. In no case shall the filter bag or containment structure be located within 100 feet of a protected natural resource.

3. Inspection and Monitoring: After each rainfall, snow storm or period of thawing and runoff, the site contractor shall perform a visual inspection of all installed erosion control measures and perform repairs as needed to insure their continuous function.

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Appendix A

Erosion and Sedimentation Control Drawings

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Appendix B

Natural Resources Conservation Services Custom Soil Resource Report

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

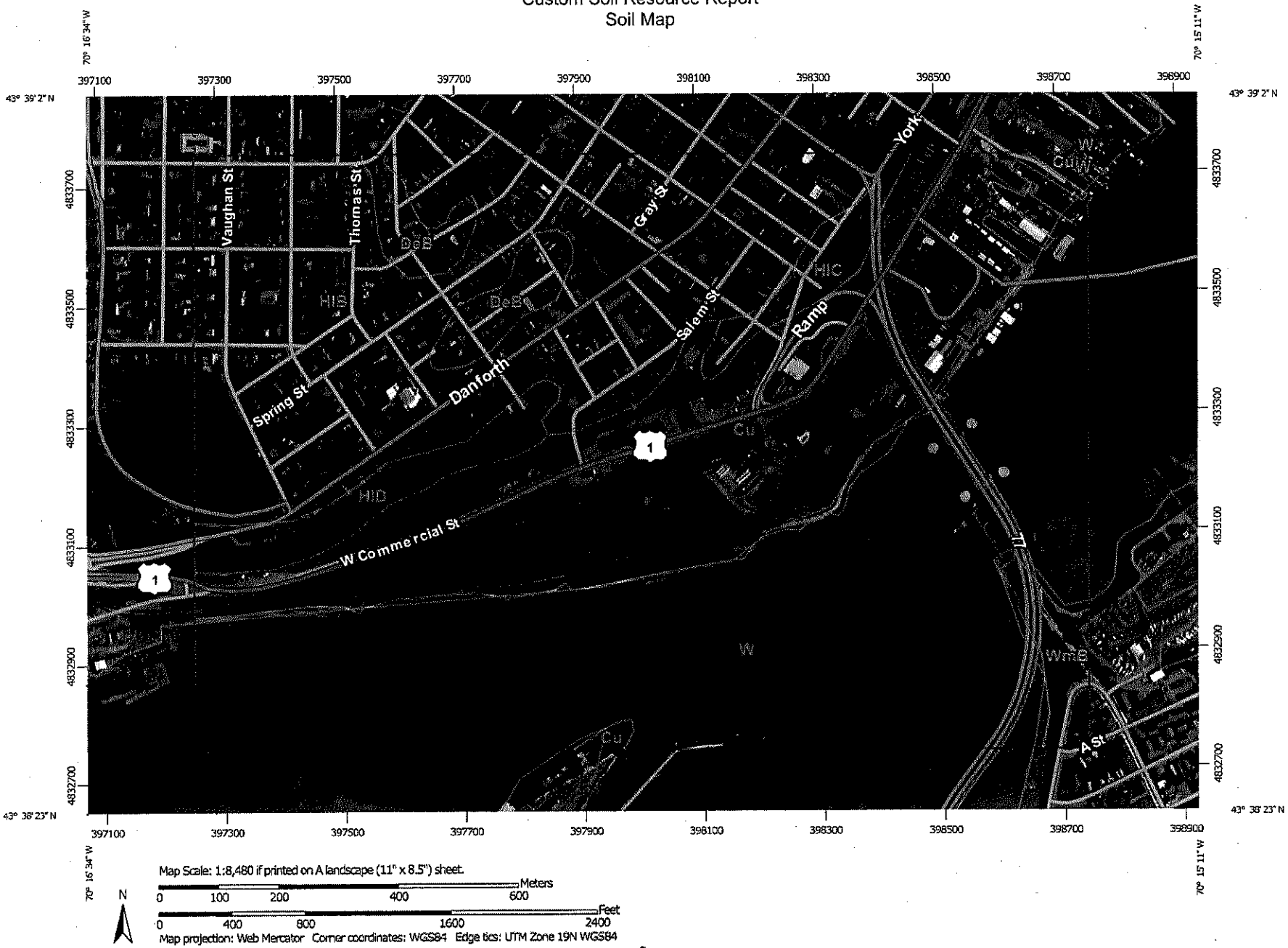
Custom Soil Resource Report for Cumberland County and Part of Oxford County, Maine

April 4, 2016

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

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

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

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

Water Features
- Streams and Canals

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

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

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

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

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

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL: http://websoilsurvey.nrcs.usda.gov
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

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

Soil Survey Area: Cumberland County and Part of Oxford County, Maine
Survey Area Data: Version 11, Sep 17, 2015

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jul 31, 2013—Aug 11, 2013

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

Map Unit Legend

Cumberland County and Part of Oxford County, Maine (ME005)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
Cu	Cut and fill land	89.5	24.1%
DeB	Deerfield loamy sand, 3 to 8 percent slopes	10.4	2.8%
HlB	Hinckley loamy sand, 3 to 8 percent slopes	107.6	29.0%
HlC	Hinckley loamy sand, 8 to 15 percent slopes	6.6	1.8%
HlD	Hinckley loamy sand, 15 to 25 percent slopes	11.0	3.0%
W	Water	139.7	37.7%
WmB	Windsor loamy sand, 0 to 8 percent slopes	5.8	1.6%
Totals for Area of Interest		370.6	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially

where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Cumberland County and Part of Oxford County, Maine

Cu—Cut and fill land

Map Unit Composition

Cut and fill land: 90 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Cut And Fill Land

Typical profile

H1 - 0 to 65 inches: very gravelly sandy loam

Properties and qualities

Slope: 0 to 35 percent
Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to very high (0.06 to 20.00 in/hr)
Depth to water table: About 24 to 42 inches
Available water storage in profile: Moderate (about 6.6 inches)

DeB—Deerfield loamy sand, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: blh6
Elevation: 150 to 1,200 feet
Mean annual precipitation: 30 to 50 inches
Mean annual air temperature: 37 to 45 degrees F
Frost-free period: 90 to 160 days
Farmland classification: Farmland of statewide importance

Map Unit Composition

Deerfield and similar soils: 87 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Deerfield

Setting

Landform: Outwash terraces
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy glaciofluvial deposits derived from granite and gneiss

Typical profile

H1 - 0 to 10 inches: loamy sand
H2 - 10 to 24 inches: loamy sand
H3 - 24 to 65 inches: sand

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches

Natural drainage class: Moderately well drained
Capacity of the most limiting layer to transmit water (Ksat): High to very high (6.00 to 20.00 in/hr)
Depth to water table: About 18 to 36 inches
Frequency of flooding: None
Frequency of ponding: None
Available water storage in profile: Low (about 3.2 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: A

HIB—Hinckley loamy sand, 3 to 8 percent slopes

Map Unit Setting
National map unit symbol: 2svm8
Elevation: 0 to 1,430 feet
Mean annual precipitation: 36 to 53 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 140 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition
Hinckley and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting
Landform: Eskers, kames, kame terraces, outwash plains, outwash terraces, moraines, outwash deltas
Landform position (two-dimensional): Summit, shoulder, backslope, footslope
Landform position (three-dimensional): Base slope, crest, nose slope, side slope, tread, riser
Down-slope shape: Linear, convex, concave
Across-slope shape: Convex, linear, concave
Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile
Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 8 inches: loamy sand
Bw1 - 8 to 11 inches: gravelly loamy sand
Bw2 - 11 to 16 inches: gravelly loamy sand
BC - 16 to 19 inches: very gravelly loamy sand
C - 19 to 65 inches: very gravelly sand

Properties and qualities
Slope: 3 to 8 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Excessively drained

Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Very low (about 3.0 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3s
Hydrologic Soil Group: A

HIC—Hinckley loamy sand, 8 to 15 percent slopes

Map Unit Setting
National map unit symbol: 2svm9
Elevation: 0 to 1,480 feet
Mean annual precipitation: 36 to 71 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 140 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition
Hinckley and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting
Landform: Eskers, kames, kame terraces, outwash plains, outwash terraces, moraines, outwash deltas
Landform position (two-dimensional): Shoulder, toeslope, footslope, backslope
Landform position (three-dimensional): Crest, head slope, nose slope, side slope, riser
Down-slope shape: Convex, concave, linear
Across-slope shape: Concave, linear, convex
Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile
Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 8 inches: loamy sand
Bw1 - 8 to 11 inches: gravelly loamy sand
Bw2 - 11 to 16 inches: gravelly loamy sand
BC - 16 to 19 inches: very gravelly loamy sand
C - 19 to 65 inches: very gravelly sand

Properties and qualities
Slope: 8 to 15 percent
Depth to restrictive feature: More than 80 inches

Natural drainage class: Excessively drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Low (about 3.1 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: A

HID—Hinckley loamy sand, 15 to 25 percent slopes

Map Unit Setting
National map unit symbol: 2svmc
Elevation: 0 to 1,460 feet
Mean annual precipitation: 36 to 71 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 140 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition
Hinckley and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hinckley

Setting
Landform: Eskers, kames, kame terraces, outwash plains, outwash terraces, moraines, outwash deltas
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope, crest, head slope, nose slope, riser
Down-slope shape: Convex, concave, linear
Across-slope shape: Concave, linear, convex
Parent material: Sandy and gravelly glaciofluvial deposits derived from gneiss and/or granite and/or schist

Typical profile
Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 8 inches: loamy sand
Bw1 - 8 to 11 inches: gravelly loamy sand
Bw2 - 11 to 16 inches: gravelly loamy sand
BC - 16 to 19 inches: very gravelly loamy sand
C - 19 to 65 inches: very gravelly sand

Properties and qualities
Slope: 15 to 25 percent

Depth to restrictive feature: More than 80 inches
Natural drainage class: Excessively drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Low (about 3.1 inches)

Interpretive groups
Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: A

W—Water

Map Unit Composition
Water: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Water

Setting
Landform: Lakes

WmB—Windsor loamy sand, 0 to 8 percent slopes

Map Unit Setting
National map unit symbol: 2w2x2
Elevation: 0 to 1,410 feet
Mean annual precipitation: 36 to 71 inches
Mean annual air temperature: 39 to 55 degrees F
Frost-free period: 140 to 240 days
Farmland classification: Farmland of statewide importance

Map Unit Composition
Windsor and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Windsor

Setting
Landform: Deltas, dunes, outwash plains, outwash terraces
Landform position (three-dimensional): Riser, tread
Down-slope shape: Linear, convex
Across-slope shape: Linear, convex

Parent material: Loose sandy glaciofluvial deposits derived from granite and/or loose sandy glaciofluvial deposits derived from schist and/or loose sandy glaciofluvial deposits derived from gneiss

Typical profile

Oe - 0 to 1 inches: moderately decomposed plant material
A - 1 to 3 inches: loamy sand
Bw - 3 to 25 inches: loamy sand
C - 25 to 65 inches: sand

Properties and qualities

Slope: 0 to 8 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Excessively drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to very high (1.42 to 99.90 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: Low (about 4.5 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2s
Hydrologic Soil Group: A

amec
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wheeler

Appendix C

Inspection and Maintenance Plan

amec foster wheeler

INSPECTION & MAINTENANCE PLAN

Stormwater runoff from construction areas can contain a significant amount of non-point contaminants which can have an adverse impact on the receiving waters. The installation of MeDEP Best Management Practices (BMP) measures can significantly reduce the non-point pollutant discharge from the developed area.

This inspection and maintenance plan defines the inspection and maintenance requirements for the stabilization of the project site.

During Construction

The following standards must be met during construction.

A. Inspection and Corrective Action

Inspection disturbed and impervious areas, erosion control measures, materials, storage areas that are exposed to precipitation, and locations where vehicles enter or exit the site. Inspect these areas at least once a week as well as before and after a storm event, and prior to completing permanent stabilization measures. A person with knowledge of erosion and stormwater control shall conduct the inspections.

B. Maintenance

Maintain all measures in effective operating condition until areas are permanently stabilized. If BMP's need to be maintained or modified, additional BMP's are necessary, or other corrective action is needed, implementation must be completed within 7 days and prior to any storm event (rainfall).

C. Documentation

Keep a log (Report) summarizing the inspections and any corrective action taken. The log must include the name(s) and qualifications of the person making the inspections, the date(s) of the inspections, and major observations about the operation and maintenance of erosion and sedimentation controls, materials storage areas, and vehicle access points to the parcel. Major observations must include BMP's that need maintenance, BMP's that failed to operate as designed or proved inadequate for a particular location, and location(s) where additional BMP's are needed. For each BMP requiring maintenance, BMP needing replacement, and location needing additional BMP's, note in the log the corrective action taken and when it was taken.

The log must be made accessible to City staff and a copy must be provided upon request. The permittee shall retain a copy of the log for a period of at least three years from the completion of permanent stabilization.

Post Construction

Persons knowledgeable of erosion and stormwater controls and the standards and conditions of MeDEP permits should conduct the inspections, identify deficiencies, and perform maintenance to assure that the stormwater management system functions as intended on a long-term basis.

After the project area has stabilized, the contractor shall remove all siltation fences, temporary siltation control risers, and any other temporary erosion control measures.

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Summary Checklist – Inspection & Maintenance

Maintenance Program
Summary Checklist

		Frequency			
BMP ITEM	**Commentary**	**After Storm Event**	**Weekly**	**At Final Stabilization**	**Prior to City Approval**
Resurfaced Areas					

Inspected By: Date:

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Appendix D

MeDEP Housekeeping Standards

MAINE DEP – Chapter 500: Stormwater Management

Housekeeping

These performance standards apply to all projects.

1. **Spill prevention.** Controls must be used to prevent pollutants from being discharged from materials on site, including storage practices to minimize exposure of the materials to stormwater and appropriate spill prevention, containment and response planning and implementation. If required, the general contractor shall review the Jetport Stormwater Pollution Prevention Plan and follow all established spill control plans and maintenance report logs as necessary.

2. **Groundwater protection.** During construction, liquid petroleum products and other hazardous materials with the potential to contaminate groundwater may not be stored or handled in the Park.

NOTE: Lack of appropriate pollutant removal best management practices (BMPs) may result in violations of the groundwater quality standard established by 38 M.R. S.A. §465-C(1).

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3. **Fugitive sediment and dust.** Actions must be taken to ensure that activities do not result in noticeable erosion of soils or fugitive dust emissions during or after construction. Oil may not be used for dust control.

4. **Debris and other materials.** Litter, construction debris and chemicals exposed to stormwater must be prevented from becoming a pollutant source.

NOTE: To prevent these materials from becoming a source of pollutants, construction and post-construction activities related to a project may be required to comply with applicable provision of rules related to solid, universal and hazardous waste, including, but not limited to, the Maine solid waste and hazardous waste management rules; Maine hazardous waste management rules, Maine oil conveyance and storage rules and Maine pesticide requirements.

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5. **Trench or foundation de-watering.** Trench de-watering is the removal of water from trenches, foundations, coffer dams, ponds and other areas within the construction area that retain water after excavation. In most cases the collected water is heavily silted and hinders correct and safe construction practices. The collected water must be removed from the ponded area, either through gravity or pumping and must be spread through natural wooded buffers or removed to areas that are specifically designed to collect the maximum amount of sediment possible, like a coffer dam sedimentation basin. Avoid allowing the water to flow over disturbed areas of the site. Measures may require approval by the Department.

Note: For guidance on de-watering controls, consult the Maine Erosion and Sediment Control BMPs, Maine Department of Environmental Protection.

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6. Non-stormwater discharges. Identify and prevent contamination by non-stormwater discharges. Follow manufacturer's recommendations and MeDEP requirements for all non-stormwater discharges.

Consistency with Master Plan

No change from previous submittal. See Section 18 of the April 4, 2014 Site Plan Application.

Evidence of Utilities Capacity to Serve

No change from previous submittal. See Section 19 of the April 4, 2014 Site Plan Application.

Summary of Solid Waste Generation & Proposed Management

The proposed project will not result in the generation of solid waste with the exception of standard construction waste. No change from previous submittal. See Section 20 of the April 4, 2014 Site Plan Application.

Fire Safety Plan and Fire Safety Assessment/ Code Summary (NFPA 1) and Fire Department Technical Standards

A Fire Safety Plan was submitted and approved with the April 4, 2014 Site Plan Application. In addition to this plan Unitil has set fire safety features for their facilities and infrastructure. Each pipeline will have isolation valves separated a minimum of 100 ft. from the building which can isolate the natural gas supply to and from the regulator building. The gas pressures for all systems will be continuously monitored by supervisory control and data acquisition (SCADA) in Unitil's Gas Control. There will be redundant pressure regulators on each system: one to control pressure and one as a backup to monitor gas pressure in the event the controller fails. There will be a firewall installed in the center of the building to satisfy the "single incident single failure" industry safety standard. There will also be gas detectors in both buildings, which send alarm signals back through SCADA to gas control in the event there is a gas leak inside the buildings. The regulator building's exterior will have two warning lights at the entrances, which will illuminate if there is an unexpected gas buildup inside the regulator building. The fenced area of the regulator building is accessed by two 16-foot wide gates (as recommended by the City) and two 3-foot wide personnel gates.

Maine Port Authority
International Marine Terminal

FIRE SAFETY PLAN
(Rev. 01, 24 March, 2014)

Fire Safety Program

As part of the overall objective to ensure that adequate fire and life safety protection are provided at the Portland International Marine Terminal (IMT), a Fire Safety Program has been implemented. This Fire Safety Plan outlines not only the fire protection and life safety systems that are installed throughout the IMT, but also provides specific operational requirements that are designed to minimize any potential fire risks to personnel or property, resulting from flammable or combustible materials that are being used, handled, and/or stored at the IMT site. In general, the IMT Fire Safety Program consists of:

- Installed fire protection and life safety systems that are distributed throughout the IMT site to support both early notification of a fire emergency and provide ready access to firefighting water,
- Operational and administrative procedures that provide guidance for ensuring that day-to-day operations at the IMT are conducted in a fire-safe manner, and
- The assignment of personnel responsible for the oversight of the fire safety measures implemented at the IMT.

All three facets of the program must be maintained and administered on a day-to-day basis to ensure that operations within the IMT are conducted in the most fire safe manner possible and that if a fire emergency does occur, that emergency responders have ready access to all portions of the site, including the installed fire protection systems.

Fire Protection Systems

The fire protection systems installed at the Portland IMT consist of both a fire alarm/notification system and a fire water supply system to support manual firefighting operations. The fire alarm/notification system consists of six (6) manual fire alarm pull stations that are installed at locations throughout the IMT site. These pull stations provide a means for rapid notification of emergency responders to a fire or other emergency at the site. The general locations of these pull stations are included on Attachment 1; the site's Fire Safety Plan (Dwg. C17). These pull stations are to be connected to the main fire alarm control panel (FACP) for the main Terminal Building. Upon activation, these will alert the Fire Department via the wireless Master Box system that is connected to the FACP.

In addition to the five (5) Municipal fire hydrants installed along the north side of Commercial Street, adjacent to the IMT site, the private fire water supply system on the IMT site has been updated such that nine (9) fire hydrants and three (3) standpipe connections, which are supplied from the Municipal system, are dispersed throughout the IMT. The three standpipe connections are located along the length of the railroad loading area. Due to space constraints associated with large equipment used to load containers on the rail cars, along with ensuring adequate protection from damage, it was not possible to site hydrants within this area. The standpipes are connected to the remainder of the fire water supply system via a post indicator valve (PIV) that is located adjacent to the west access road from Commercial St. The location of the hydrants and standpipes is intended to maximize the ease of access to firefighting water from all points within the IMT site. Equally, the specified clear space that is to be maintained between all container storage areas has been designed to facilitate the ease of movement and operation of firefighting vehicles within the IMT. The locations for all fire hydrants and standpipes, including the standpipe's PIV, throughout the IMT are indicated on Attachment 1. Although Attachment 1

also shows the locations of several existing hydrants that are located on adjacent properties, these are not IMT control and were not considered when evaluating the fire water supply requirements for IMT.

An associated aspect of providing adequate site fire protection capabilities is the need to ensure that the responding Fire Department will have ready access to the site itself. The IMT is a "secure" site, with access from Commercial St. provided by two automatic-opening gates at the eastern end of the IMT, along with the access road at the western end of the site. Additionally, the IMT site includes a secure storage area for the wheeled containers that are awaiting loading on rail cars. This secure storage area is accessed from the eastern end by an automatic-opening gate from within the IMT site, along with another automatic-opening gate on the western side; which is accessed by the (unsecured) roadway on the western end of the site. Each gate is operated by use of a key card. To ensure that the Fire Department will have ready access to all areas of the site, including during non-working hours when the site is unmanned, a "knox" box will be located adjacent to each gate; with each containing the necessary key card that will open the respective gate.

Control of Flammable/Combustible Materials

Inherent in the site Fire Protection Plan is a requirement to control the locations of both potential ignition sources and all flammable and combustible materials; with the emphasis being to maintain separation between the two.

Areas within the IMT site where the potential exists for open flame or other ignition sources to be present are specifically designated. These areas include the IMT Maintenance Shop, the DoT Bridge Maintenance Building, and any designated smoking areas. No flammable or combustible materials are to be stored within 100 feet of the "shop" areas associated with the Maintenance Buildings. Any storage areas within this distance must be designated for non-flammable/combustible materials only, including any bulk containers that may contain flammable or combustible materials. Smoking areas may be designated at locations throughout the IMT site, but these may be no closer than 50 feet from any areas where flammable/combustible materials are used, handled, or stored. All areas designated as either flammable/combustible storage "exclusion" areas or smoking areas must be clearly marked.

The IMT is certified for the handling of bulk containers of ethanol; a flammable liquid. Due to the specific hazards associated with the (temporary) storage of large quantities of flammable liquids, a specific area of the IMT storage yard has been designated for the storage of the bulk ethanol containers. To alleviate the potential for errors, the size of the designated flammable liquid storage area is sufficient to accommodate both the incoming "full" containers and those that are empty and awaiting return shipping. The location for the storage of the bulk flammable liquids containers is highlighted on Attachment 1. Should the site be recertified to handle other types of flammable liquids, the proposed specific location to be designated for storing these additional containers will be reviewed and approved by the Authority(ies) Having Jurisdiction.

Site Fire Safety Coordinator

Although all IMT site personnel will receive basic instruction regarding the fire safety requirements at the IMT, a full-time employee of the Maine Port Authority will be assigned as the site's Fire Safety Coordinator. This individual will receive specific orientation training that

will provide a more in-depth understanding of all facets of the site's Fire Safety Plan. He/She will be responsible for ensuring the day-to-day implementation of, and adherence to, the Fire Safety Plan by all site personnel. Equally, this individual will be responsible for coordinating the IMT fire safety requirements with the site's two adjacent tenants whose personnel must transit portions of the IMT site to reach their respective facilities; the DoT Bridge Maintenance Building and the Canal Landing Boatyard. Each will be instructed as to the specific fire safety requirements to which they must adhere to ensure the safety of all personnel operating at, or immediately adjacent to, the IMT site. At a minimum, this individual's responsibilities will include;

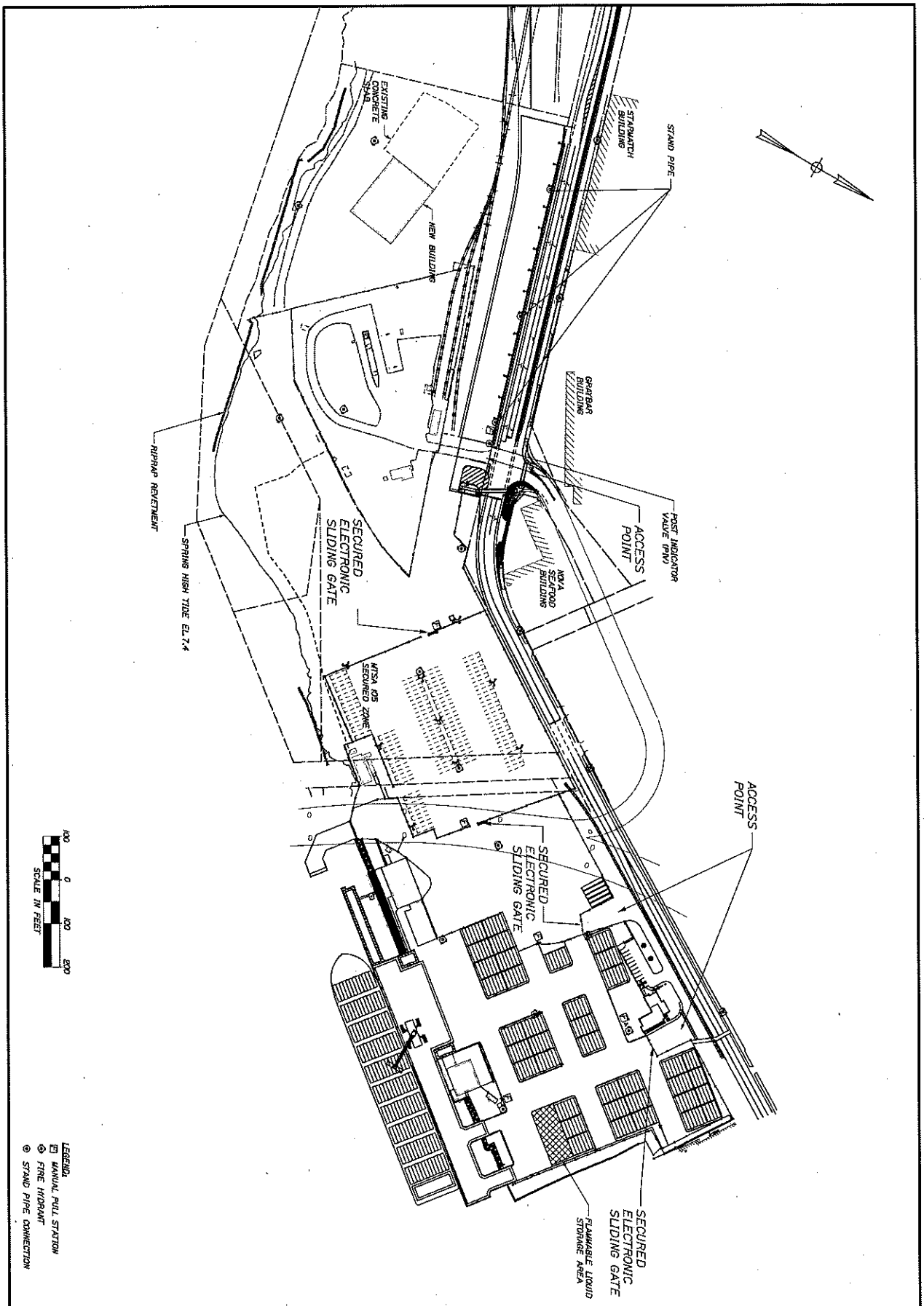
- Ensuring all IMT personnel receive an initial briefing regarding all facets of the site's Fire Safety Program, including the location and use of all fire protection and life safety equipment,
- Acting as the site's primary liaison with the local Fire Department; both for coordinating any maintenance and testing of the fire water supply system and scheduling routine familiarization and training exercises at the IMT,
- Acting as the site's primary liaison with representatives of the DoT Bridge Maintenance facility and Canal Landing Boatyard to ensure they are fully knowledgeable of the fire safety requirements associated with the IMT's operation and their responsibilities when operating within the IMT site.
- Conducting routine site inspections to verify that all fire protection systems remain undamaged and in good working condition and that access to all fire hydrants, standpipes (and controlling PIV), and manual pull stations remains unobstructed, and
- Verifying that all hot work activities are performed only in designated areas, including smoking, and that all flammable and combustible materials are stored within their proper areas.

The Maine Port Authority management will ensure that this individual has the necessary authority to carry out and enforce the assigned responsibilities. Equally, an alternate Fire Safety Coordinator will be designated as/if needed to support periods when the primary designee is unavailable to perform these functions.

Fire Protection and Life Safety Systems Inspection, Testing, and Maintenance

To ensure that all fire protection and life safety systems are operational and ready for use when/if needed, the site's Fire Safety Coordinator will maintain records that demonstrate all installed systems are being properly maintained and tested in accordance with applicable industry codes and standards. The Maine Port Authority will ensure that the site's fire alarm/notification system is being properly inspected, tested, and maintained by an authorized fire alarm contractor. Equally, the Fire Safety Coordinator will work with the Municipal Authorities to ensure that authorized personnel have the necessary access to the site to properly inspect, test, and maintain all components associated with the fire water supply system, including performing the routine hydrant flow tests, along with performing the necessary inspections and testing of the standpipe system, including its controlling PIV.

Filename: 020_FireSafety.dgn Division: Username: Date:3/24/2014



PORTLAND INTERNATIONAL MARINE TERMINAL
EXISTING LAYDOWN AND CONNECTING CORRIDOR CONNECTION
PORTLAND CUMBERLAND COUNTY

FIRE SAFETY PLAN

	PROJ. MANAGER	J. KITTREDGE	BY	DATE
	DESIGN-DEVELED	RWH	RWH	06/14
	CHECKED-REVIEWED	-	-	-
	DESIGN1-DETAILED2	-	-	-
	DESIGN1-DETAILED3	-	-	-
	REVISIONS 1	-		-
	REVISIONS 2	-		-
	REVISIONS 3	-		-
	REVISIONS 4	-		-
	FIELD CHANGES	-		-

SIGNATURE

P.E. NUMBER

DATE

STATE OF MAINE
DEPARTMENT OF TRANSPORTATION

PROJECT NUMBER 022809.00

WIN
022809.00

SHEET NUMBER C17 - OF -

Consistency with Applicable Design Standards

The City of Portland's Building Design Standards do not currently provide any set requirements for the Waterfront Port Development Zone. The proposed project involves the relocation of existing facilities within the same parcel of land and is in keeping with the Waterfront Port Development Zone. See below for additional facility information.

1. Two (2) buildings are proposed to replace two (2) existing buildings:
   - The current combined building foot print is approximately 2270 s.f.
   - The proposed combined building foot print will be approximately 1500 s.f.
   - The proposed Regulator Building will be 28x50x11'4" and the proposed Control Building will be 10x12x9'10".

2. The buildings which are to have smooth concrete siding, are in keeping (both in size and look) with the aesthetic of the IMT facilities (as a frame of reference a typical shipping container is 20'- 40'x8x9.5' and typically stored multiple units high i.e. stacked).

3. The proposed location for the regulator and control buildings is situated between the approved container storage area to the east and the future location of the cold storage facility to the west. The proposed buildings will be set back from Commercial Street approximately 200 feet. The approved IMT plan utilizes landscaping and fencing as a visual buffer between Commercial Street and the site.

4. There is an approved lighting plan in place (for the IMT) which will be utilized as well as an additional four (4) utility lights to be located above the regulator building access points and one (1) utility light for the control building. There are also two (2) Red LED warning lights to be located on the regulator building. These will only illuminate if a certain level of gas accumulates inside the building. A copy of the light bulb specs for the exterior utility lights has been provided in Section 4. None of the proposed lights are to be positioned directly facing Commercial Street or the harbor. The regulator building has four (4) access points; two (2) on the west side of the building (facing the cold storage facility) and two (2) on the east side of the building (facing the container storage area). The access point for the control building is towards the east.

5. There will be a steel sign fastened to the chain linked fence with "Unitil" written on it with an emergency telephone number. See Section 4 for a photographic example of the sign to be used.

A photographic example of the proposed regulator building has been provided at the end of this section as well as pictures was the existing facility.