

**Memorandum
Planning and Urban Development Department
Planning Division**



To: Steve Bushey, PE, Deluca Hoffman
From: Bill Needelman, Senior Planner
Date: November 27, 2012
Re: Canal Landing NewYard: Site Plan Review Notes
CC: Barbara Barhydt, Development Review Services Manager
Dave Margolis-Pineo, Deputy City Engineer
Tom Errico, PE, TY Lin
David Senus, PE, Woodard Curran
Marge Schmuckal, Zoning Administrator

The following notes are based on the October 31 submission of the Canal Landing NewYard Final Site Plan application for a boat repair, storage and brokerage at 40 West Commercial Street. These notes and comments are in addition to review comments provided or to be provided by the City Department of Public Services, the reviewing traffic and stormwater engineers, the zoning administrator, Fire Safety, and other city staff.

Issues:

- Sidewalk Waiver: City Staff is still considering the waiver of sidewalk and granite curbing for the application. The comments below assume that if the sidewalk waiver is granted, then granite curbing would be unneeded and waived as well. As with the adjacent IMT application, which recently received a sidewalk waiver, the issues involve the industrial context of the site, the low potential for off-site foot traffic, and pedestrian accommodations for employees and patrons of the development. The first two issues point toward waiver, while the third leaves a basic transportation standard unaddressed. The above issues are complicated by the high vehicle speeds on West Commercial Street and the poor siting distances around the Nova Seafood site across the street. The solution for the IMT project resulted in a waived sidewalk with an identified walking route to a crosswalk accessing the sidewalk network on the northerly side of Commercial Street. In the current condition, there is no such crosswalk serving the subject parcel.

In support of the waiver request, the applicant as asked to describe how the basic pedestrian transportation access needs of the use are to be, or could be, addressed.

Note: the city is currently requesting funds from PACTS to study West Commercial Street to determine the future of the corridor for multiple modes of travel. Since the future policies and configuration of the street are now unknown, it may be prudent to retain contributed funds in anticipation of the results of a future study. The value and use of such contributions have not been determined and the applicant is encouraged to provide thoughts and/or information that will further this discussion.

- Removal of rail track: The applicant is asked to provide evidence that the tracks to be removed have either been officially abandoned or a legal opinion that abandonment is not needed. State and or Federal process have been required prior to the removal of track from city-owned rail track.
- Driveway consolidation: The applicant is asking for two drives for phase one and up to 4 in later phases. The city encourages the fewest number of curb cuts needed. Consulting Traffic Engineer, Tom Errico will address this in greater detail.
- Page1-7 of the application narrative does not list Washdown Treatment areas in the phase 1 development description. Please confirm.
- Page 1-9. The Zoning Administrator will need to confirm the building height calculation. Generally building height is calculated from the average grade of the ground around the foundation. The narrative notes the finished floor as the benchmark. Confirm with Zoning Administrator.
- Page 1-11, Shoreland review: Confirm with the Zoning Administrator the tree clearance approach of a 1-1 replacement to achieve a predevelopment tree count of 60% of existing minus the trees located in trash removal areas (which need to be removed regardless.)
- Page 3-5 Public Infrastructure: Utility Easements: Department of Public Services is requesting utility easements over the CSO crossing the site to the Fore River.
Hydrants and water lines: Applicant indicates that additional hydrants will be provided, but the utilities plan does not show either water lines or additional hydrants.
- Page 3, Archeological resources. Where the site was the origination/termination of the Cumberland and Oxford Canal, the subject property has significant historic interest; however, more recent grading and development has obliterated surficial evidence of the canal structure. Likewise, as noted in the Maine State Historic Preservation Commission letter, the site of the former Portland Glass Works is a significant resource, though its location appears to be sited westerly from the proposed phase one buildings. The proposed construction is not anticipated to disturb any evidence of the original canal structure or remains of either of these resources. The Site Plan standards additionally list historic rail beds as a specific resource for preservation and/or documentation. Given the fact that the rail and gasworks uses of the site resulted in a dense web of rail beds

constructed and modified over 150 years, this standard is both applicable and nearly impossible to fully address. Numerous period maps and images of the site exist, which show the evolving network of rail sidings on and around the site, serve to document the rail history of the subject property and should serve to address this standard. Planning staff will provided at least one 1882 example to the Planning Board as an example

Waivers

- **Sidewalls and Granite Curbing:** Site Plan Standard 14-526(a)(2)c.1 (and 14-448 and 14-449, by reference)
- **Site Lighting:** Tech Standards Sec. XV. 5.4.A, Uniformity and 4.B, Illumination Levels. Waiver requested
- **Landscaping:**
Landscape Preservation, Site Plan Standard 14-526 b.(2)a.4. *Question: Is the applicant asking for a waiver from Landscape Preservation, or from the waiver provisions requiring replacement and/or contribution of trees not preserved?*
Site Plan Environmental Standards, Site Plan Standard 14-526 b.(2)(e)2, parking landscaping. Waiver requested
Industrial and Commercial Landscape Guidelines: Tech Standards Sec. VI. 5.4., Item 1 and 2, for perimeter trees, and perimeter compatible uses; and, Subsection 9, Tree Species and Size standards.
- **Flooding: Tech Standards Sec.V E, Flooding** Standard due to the capacity of the receiving body (the Fore River).
- **Soil Infiltration Testing...Need Tech standards citation (?) Tech Standards, Sec. V.....**
- **Transit Facility...Waiver requested, not needed (not located on a transit route.)**
- **Bicycle Parking 14-526 a (4) b. Based on an “industrial use located in an outlying area (waiver criteria) No information provided**
- **Motorcycle and scooter Parking 14-526 a (4) c. No information provided**