

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



CITY OF PORTLAND

BUILDING PERMIT

This is to certify that VOLUNTEERS OF AMERICA

Located At 18 LUTHER ST

Job ID: 2012-08-4668-SF

CBL: 087-Z-015-001

has permission to Lot 15 New 2 story, 2 bathroom, 3 bedroom SFH
provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

Notification of inspection and written permission procured before this building or part thereof is lathed or otherwise closed-in. 48 HOUR NOTICE IS REQUIRED.

A final inspection must be completed by owner before this building or part thereof is occupied. If a certificate of occupancy is required, it must be

Fire Prevention Officer

Code Enforcement Officer / Plan Reviewer

**THIS CARD MUST BE POSTED ON THE STREET SIDE OF THE PROPERTY
PENALTY FOR REMOVING THIS CARD**

BUILDING PERMIT INSPECTION PROCEDURES

Please call 874-8703 or 874-8693 (ONLY)

or email: buildinginspections@portlandmaine.gov

With the issuance of this permit, the owner, builder or their designee is required to provide adequate notice to the city of Portland Inspections Services for the following inspections. Appointments must be requested 48 to 72 hours in advance of the required inspection. The inspection date will need to be confirmed by this office.

- **Please read the conditions of approval that is attached to this permit!! Contact this office if you have any questions.**
- **Permits expire in 6 months. If the project is not started or ceases for 6 months.**
- **If the inspection requirements are not followed as stated below additional fees may be incurred due to the issuance of a "Stop Work Order" and subsequent release to continue.**

Footings/Setbacks prior to pouring concrete

Close In Elec/Plmb/Frame prior to insulate or gyp

Final Inspection

The project cannot move to the next phase prior to the required inspection and approval to continue, REGARDLESS OF THE NOTICE OF CIRCUMSTANCES.

IF THE PERMIT REQUIRES A CERTIFICATE OF OCCUPANCY, IT MUST BE PAID FOR AND ISSUED TO THE OWNER OR DESIGNEE BEFORE THE SPACE MAY BE OCCUPIED.



PORTLAND MAINE

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

Director of Planning and Urban Development
Jeff Levine

Job ID: 2012-08-4668-SF

Located At: 18 LUTHER ST

CBL: 087- Z-015-001

Conditions of Approval:

Zoning

1. This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. As discussed during the review process, the property must be clearly identified prior to pouring concrete and compliance with the required setbacks must be established. Due to the proximity of the setbacks of the proposed structure, it may be required to be located by a surveyor.
3. This property shall remain a single family dwelling. Any change of use shall require a separate permit application for review and approval.
4. All the conditions of the Conditional Zone (C55) must be maintained.

DRC

1. The Development Review Coordinator reserves the right to require additional lot grading or other drainage improvements as necessary due to field conditions.
2. The applicant shall have a licensed surveyor install, prior to the issuance of any Certificate of Occupancy, permanent monumentation/pins identifying property corners.
3. A street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8822. (Only excavators licensed by the City of Portland are eligible.)
4. As-built record information for sewer and storm water service connections must be submitted to Public Services Engineering Section (55 Portland Street) and approved prior to issuance of a Certificate of Occupancy.
5. All damage to sidewalk, curb, street, or public utilities shall be repaired to City of Portland standards prior to issuance of a certificate of occupancy.
6. The Development Review Coordinator (874-8632) must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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.
7. Two (2) City of Portland approved species and size trees must be planted on your street frontage prior to issuance of a Certificate of Occupancy.
8. All Site work (final grading, landscaping, loam and seed) must be completed prior to issuance of a certificate of occupancy. A performance guarantee will be required to cover the cost of site work not completed due to seasonal conditions i.e., finish grading, loaming, seeding, mulching, installation of street trees, etc. The performance guarantee must be reviewed, approved, and accepted by the Planning Authority prior to the release of a Temporary Certificate of Occupancy.
9. Trees that are designated to be saved are to be protected during excavation and construction. Tree protection fencing is to be installed around the tree canopy drip line prior to the start of any excavation. Tree protection measures are to be inspected and maintained daily.

10. Erosion and Sedimentation control shall be established and inspected by the Development Review Coordinator prior to soil disturbance, and shall be done in accordance with Best Management Practices, Maine Department of Environmental Protection Technical and Design Standards and Guidelines. All Erosion and Sedimentation control measures must be inspected and maintained daily.
11. The limits of allowable clearing shall be clearly marked with flagging or temporary fencing. Absolutely no clearing is to take place within, or encroach into the "do not disturb/no cut" zone. All conditions listed in the approved subdivision plan, as they relate to this lot shall be followed.
12. A sewer permit is required for your project. Please contact Carol Merritt at 874-8300, ext . 8822. The Wastewater and Drainage section of Public Services must be notified five (5) working days prior to sewer connection to schedule an inspector for your site.

Building

A certificate of third party inspection, stamped plans, and a photo of the sticker stating third party inspection placed in the structure must be submitted to this office prior to issuance of the Certificate of Occupancy. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm HVAC systems, heating appliances, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.

Fire

All construction shall comply with City Code Chapter 10.

A sprinkler system shall be installed.

A separate no fee One- or Two-family Fire Sprinkler Permit is required.

All smoke detectors and smoke alarms shall be photoelectric.

Hardwired Carbon Monoxide alarms with battery back up are required on each floor.

Sprinkler requirements

The sprinkler system shall be installed in accordance with NFPA 13D. A compliance letter is required.

All control valves shall be supervised in accordance with NFPA 13D. Pad locks shall only be installed on valves designed to be secured in the open position by pad lock.

Application requires State Fire Marshal approval.

2012. 4.6.2012 08-4668

Lannie
8/9/12

Split from
maybe (26)
18

Project Address:

Luther St. ; Peaks Island (Lot 15)

Total Square Footage of Proposed Structure/Area:

1,440

Area of lot (total sq. ft.): .126 Ac.

Garage: Yes ___ No X

Attached ___

Detached ___

Sq. Ft.: _____

Number of Stories: 2

Number of Bathrooms: 2

Number of Bedrooms: 3

Tax Assessor's Chart, Block & Lot(s):

Chart# 87 Block # Z Lot# 15

COST 259,000.00

Current legal use: Undeveloped Subdivision

Number of Residential Units 1

If vacant, what was the previous use? _____

Is property part of a subdivision? Yes If yes, please name 18 Luther St.

Project Description:

Applicant - must be owner, Lessee or Buyer

Name:

Business Name, if applicable: Volunteers of America Northern New England

Address: 14 Maine St. Suite 301

City/State: Brunswick, ME Zip Code: 04011

Applicant Contact Information

Work # (207) 373-1140

Home#

Cell #

e-mail: julia.wilcock@voanne.org

Owner - (if different from Applicant)

Name:

Address: Same as above

City/State: Zip Code:

Owner Contact Information

Work #

Home#

Cell #

e-mail:

Billing Information

Name: Hallmark Homes Corp.

Address: P.O. Box 113

City/State: Topsham, ME Zip Code: 04086

Phone Number: (207) 729-1057

Contact when Building Permit is Ready:

Name: Rob Sherman

Address: Hallmark Homes

City/State: Zip Code:

Phone Number: (207) 729-1057

RECEIVED
AUG 08 2012
Dept. of Building Inspections
City of Portland Maine

DEVELOPMENT REVIEW FEES:

Payment may be made in cash, credit card or check addressed to the City of Portland.

Level I Minor Residential Site Plan	Fees Paid:
1. Application Fee - \$300.00	\$ 300.00
2. Inspection Fee - \$100.00 (for site plan inspection by the Planning Division)	\$ 100.00
3. Certificate of Occupancy Fee - \$75.00	\$ 75.00
4. Building Permit (Cost of Work)	\$ 2,610.00
Total Due:	\$ 3,085.00
Building Permit Fee - \$30 for the first \$1,000 construction cost - \$10 every additional \$1,000.	
Performance Guarantee - Exempt except for those projects that complete construction in the winter and the site work is incomplete.	

EST. COST
\$2,000,000.

Please submit all of the information outlined on the applicable Checklist, shown on Page 4 and 5 of this Application. In addition, a CD or PDF (e-mailed to buildinginspections@portlandmaine.gov) of the entire Application, including all plans, must be submitted with the Application. Failure to do so may result in the automatic denial of your permit.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division. All of the information on the checklist must be submitted for review. The applicant must check off the items contained in the application package to ensure the application is complete.

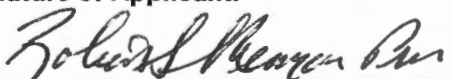
Property Taxes:

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before a permit of any kind is accepted.

Separate Permits:

Separate permits are required for internal and external plumbing, HVAC, and electrical installations.

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.

Signature of Applicant: 	Date: 8/6/12
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This is not a permit - you may not commence any work until the permit is issued.

(A CD or PDF (e-mailed to buildinginspections@portlandmaine.gov) of the entire application, including all plans, must be submitted with the application.)

General Submittal Requirements – Level I Minor Residential			
Applicant Checklist	Planner Checklist (internal)	Number of Copies	Submittal Requirement
✓	✓	2	Completed application form and check list.
✓	✓	1	Application fees.
✓	✓	2	Evidence of right, title and interest. <i>Deed</i>
N/A	✓	2	Copies of required state and/or federal permits.
✓ ✓	✓	2	Written Description of existing and proposed easements or other burdens. <i>Contract Zone</i>
✓ ✓	✓	2	Written requests for waivers from individual site plan and/or technical standards.
✓	✓	2	Written summary of fire safety (referencing NFPA fire code and Section 3 of the City of Portland Technical Manual). Refer to Fire Department Checklist on page 6 of this application.

Site Plans and Boundary Survey Requirements – Level I Minor Residential			
Applicant Checklist	Planner Checklist (internal)	Number of Copies	Submittal Requirement
✓		3	Boundary survey meeting the requirements of section 13 of the City of Portland Technical Manual with the site plan information listed below shown on the plan, including a north arrow and a scale greater than or equal to 1"=20'. (Photocopies of the plat or hand drawn building footprints will not be accepted.)
✓			▪ Zoning district, setbacks and dimensional requirements. Show zone lines and overlay zones that apply to the property, including Shoreland Zone &/or Stream Protection Zone.
✓			▪ Existing and proposed structures (including location of proposed piers, docks or wharves if in Shoreland Zone).
✓			▪ Location and dimension of existing and proposed paved areas.
✓			▪ Proposed ground floor area of building.
✓			▪ Finish floor elevation (FEE) or sill elevation.
✓			▪ Exterior building elevations (show all 4 sides).
✓			▪ Existing and proposed utilities (or septic system, where applicable)
✓			▪ Existing and proposed grading and contours.
✓			▪ Proposed stormwater management and erosion controls.
✓			▪ Total area and limits of proposed land disturbance.
✓ N/A			▪ Proposed protections to or alterations of watercourses.
✓ N/A			▪ Proposed wetland protections or impacts.
✓			▪ Existing vegetation to be preserved and proposed site landscaping and street trees (2 trees per unit for a single or two-family house).

N/A		▪ Existing and proposed curb and sidewalk, except for a single family home.
✓		▪ Existing and proposed easements or public or private rights of way.
✓		▪ Show foundation/perimeter drain and outlet.
✓		▪ Additional requirements may apply for lots on unimproved streets.

Building Permit Submittal Requirements –Level I: Minor Residential Development

Applicant Checklist	Planner Checklist (internal)	Number of Copies	Submittal Requirement
✓		1	One (1) complete set of construction drawings must include:
✓			▪ Cross section with framing details
✓			▪ Floor plans and elevations to scale
✓			▪ Stair details including dimensions of : rise/run, head room, guards/handrails, baluster space
✓			▪ Window and door schedules
✓			▪ Foundation plans w/required drainage and damp proofing , if applicable
✓			▪ Detail egress requirements and fire separation, if applicable
✓			▪ Insulation R-factors of walls, ceilings & floors & U-factors of windows per the IECC 2003
✓			▪ Deck construction including: pier layout, framing, fastenings, guards, stair dimensions
✓			▪ 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.)
✓			▪ Reduced plans or electronic files in pdf format are also required if original plans are larger than 11X17"

**** Reminder: ****

1. A CD or PDF of the entire application, including all plans, must be submitted with the application.
2. Separate permits are required for internal and external plumbing, HVAC, and electrical installations.
3. Please submit all of the information outlined in this application checklist.
4. If the application is incomplete, the application may be refused.
5. The Planning and Urban Development Department may request additional information prior to the issuance of a permit.

Site Plan Standards for Review of Level I: Minor Residential

Level I: Minor Residential site plan applications are subject to the following site plan standards*, as contained in section 14-526 of Article V, Site Plan:

- 14-526 (a) **Transportation Standards:**
 - 2.a. Site Access and Circulation (i) and (ii);
 - 2.c. Sidewalks: *(if the site plan is a two- family or multi-family building only);*
 - 4.a. Location and required number of vehicle parking spaces:(i) and (iv)

- 14-526 (b) **Environmental Quality Standards:**
 1. Preservation of significant natural features.
 - 2.a. Landscaping and landscape preservation
 - 2.b. Site landscaping (iii)
 - 3.a. Water quality, stormwater management and erosion control: a., d., e., and f.

- 14-526 (c) **Public Infrastructure and Community Safety Standards:**
 1. Consistency with Master Plan
 2. Public Safety and fire prevention
 3. Availability and adequate capacity of public utilities; a., c., d., and e.

- 14-526 (d) **Site Design Standards:**
 5. Historic Resources
 9. Zoning related design standards

• *Except as provided in Article III of the City Code, or to conditions imposed under Section 14-526(e) only, or to those submission requirements set forth in section 14-527 as relate solely thereto.*



PORTLAND FIRE DEPARTMENT SITE REVIEW FIRE DEPARTMENT CHECKLIST



A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews.

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. 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.)**
7. Hydrant locations

SHORT FORM QUITCLAIM DEED WITH COVENANT

HOME START, a Maine nonprofit corporation having its principal place of business on Peaks Island in Portland, Maine ("Grantor"), FOR CONSIDERATION PAID, grants to VOLUNTEERS OF AMERICA NORTHERN NEW ENGLAND, INC., a Maine nonprofit corporation with a place of business in Brunswick, Maine and having a mailing address of 14 Maine Street, Suite 301, Brunswick, Maine 04011 ("Grantee"), WITH QUITCLAIM COVENANT, the following described real property located at 22 and 26 Luther Street, Peaks Island in Portland, Cumberland County, Maine, and more particularly described on:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

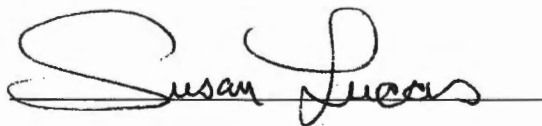
The above-described property is conveyed subject to the terms and conditions of the Conditional Zoning Agreement dated January 5, 2011, attached to the copy of the City Council Order and recorded in the Cumberland County Registry of Deeds at Book 28433, Page 235, including the affordability restrictions that are provided within the Conditional Zoning Agreement. The affordability restrictions restrict the sale or lease of the above-described property to individuals with household incomes at 120% or less of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine. The affordability restrictions shall be binding upon the Grantee, its successors and assigns.

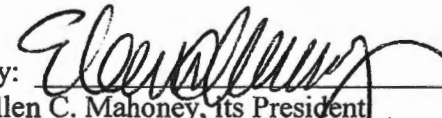
The above-described property is also subject to a Declaration of Affordable Housing Covenants for Home to Be Sold to Qualified Purchasers by Grantee to be recorded of even or near date.

IN WITNESS WHEREOF, HOME START has caused this instrument to be signed and sealed by Ellen C. Mahoney, its duly authorized President, this 24 day of July, 2012.

WITNESS:

HOME START, Grantor



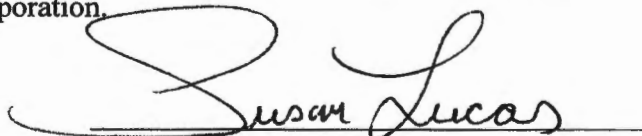
By: 
Ellen C. Mahoney, its President

STATE OF MAINE
CUMBERLAND, SS.

7/24, 2012

Personally appeared the above-named Ellen C. Mahoney, President of HOME START, as aforesaid, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said corporation.

Before me,



Notary Public/Attorney-at-Law

Print Name: _____

My commission expires: _____

EXHIBIT A

Two certain lots or parcels of land, together with all improvements thereon and all rights and easements related thereto, located on the northerly side of Luther Street on Peaks Island in Portland, Cumberland County, Maine, described as follows:

Parcel A:
[Map 87, Block Z, Lot 16]

The certain lot or parcel of land together with all improvements thereon and all rights and easements related thereto located on the northerly side of Luther Street on Peaks Island, in Portland, Cumberland County, Maine which is designated as Lot #7 (seven) on the plan entitled "Plan of Homestead of late Luther Sterling, Plan E, made by C.H. Howe, C.E., dated November, 1883", and recorded in the Cumberland County Registry of Deeds in Book 516, between Pages 210 and 211. Said Lot 7 has also been described as follows:

Commencing (but not beginning) at an iron marker found on the northerly side of Luther Street, at the southwesterly corner of land now or formerly of Leslie M. Kaynor and Edward D. Kaynor, (see Book 24723, Page 317);

Thence S 68°04'29" W along said sideline of Luther Street, a distance of 53.60 feet to the true point of beginning;

Thence N 21°55'31" W, along Lot 9 on the aforementioned 1883 plan by Howe, a distance of 104.10 feet to a point and land now or formerly of Samuel S. Saltonstall (see Book 25196, Page 268);

Thence S 71°10'46" W, along said Saltonstall land and land now or formerly of Lisa K. Lynch (See Book 15741, Page 68), a distance of 51.07 feet to a point;

Thence S 21°55'31" E, along being retained by the grantor herein and which is Lot #5 on said 1883 Howe plan, a distance of 106.87 feet to a point on the northerly sideline of said Luther Street;

Thence N 68°04'29" E along said sideline of Luther Street, a distance of 51.00 feet to the point of beginning.

Being and meaning to convey, and hereby conveying, the same premises as designated as "Parcel 2" in the deed to the grantor herein which is recorded in the Cumberland County Registry of Deeds in Book 25452, Page 211. Further reference is made to the plan depicting the herein conveyed parcel and other parcels, entitled "Boundary & Topographic Survey, on Luther Street, Peaks Island, Portland, Maine, Made for Record Owner Homestart (sic)", by Owen Haskell, Inc., dated September 23, 2009, and stamped by John C. Schwanda, PLS No. 1252, which is believed to be unrecorded. Further reference is made to the Subdivision Plan entitled "18 Luther Street, Peaks Island, Portland, Maine, for HOMESTART" dated August 5, 2010, as

revised on September 7, 2010 and further revised on November 22, 2010 by Walsh Engineering Associates, Inc. and recorded on June 13, 2012 in Plan Book 212, Page 177.

Parcel B:

[Map 87, Block Z, Lot 15]

The certain lot or parcel of land together with all improvements thereon and all rights and easements related thereto, located on the northerly side of Luther Street on Peaks Island, in Portland, Cumberland County, Maine which is designated as Lot #9 (nine) on the plan entitled "Plan of Homestead of late Luther Sterling, Plan E, made by C.H. Howe, C.E., dated November, 1883", and recorded in the Cumberland County Registry of Deeds in Book 516, between Pages 210 and 211. Said Lot 9 has also been described as follows:

Beginning at an iron marker found on the northerly side of Luther Street, at the southwesterly corner of land now or formerly of Leslie M. Kaynor and Edward D. Kaynor, (see Book 24723, Page 317);

Thence N 21°55'31" W, along said Kaynor land, a distance of 101.20 feet to another iron marker found;

Thence S 71°10'46" W, along land now or formerly of Samuel S. Saltonstall (see Book 25196, Page 268), a distance of 53.68 feet to a point;

Thence S 21°55'31" E, along Lot #7 on said 1883 plan by Howe, a distance of 104.10 feet to a point on the northerly sideline of said Luther Street;

Thence N 68°04'29" E along said sideline of Luther Street, a distance of 53.60 feet to the point of beginning.

Being and meaning to convey, and hereby conveying, the same premises as designated as "Parcel 3" in the deed to the grantor herein which is recorded in the Cumberland County Registry of Deeds in Book 25452, Page 211. Further reference is made to the plan depicting the herein conveyed parcel and other parcels, entitled "Boundary & Topographic Survey, on Luther Street, Peaks Island, Portland, Maine, Made for Record Owner Homestart (sic)", by Owen Haskell, Inc., dated September 23, 2009, and stamped by John C. Schwanda, PLS No. 1252, which is believed to be unrecorded. Further reference is made to the Subdivision Plan entitled "18 Luther Street, Peaks Island, Portland, Maine, for HOMESTART" dated August 5, 2010, as revised on September 7, 2010 and further revised on November 22, 2010 by Walsh Engineering Associates, Inc. and recorded on June 13, 2012 in Plan Book 212, Page 177.



MAINE REVENUE SERVICES
REAL ESTATE TRANSFER TAX
DECLARATION

TITLE 36, M.R.S.A. SECTIONS 554641-4641N

1. County
CUMBERLAND

2. Municipality/Township
PORTLAND

3. GRANTEE/
PURCHASER
3a) Name LAST or BUSINESS, FIRST, MI
VOLUNTEERS OF AMERICA NORTHERN NEW
3b) SSN or Federal ID
58-1818450
3c) Name, LAST or BUSINESS, FIRST, MI
ENGLAND, INC.
3d) SSN or Federal ID
3e) Mailing Address
14 MAINE STREET, SUITE 301
3f) City
BRUNSWICK
3g) State
ME
3h) Zip Code
04011

BOOK/PAGE—REGISTRY USE ONLY

4. GRANTOR/
SELLER
4a) Name, LAST or BUSINESS, FIRST, MI
HOME START
4b) SSN or Federal ID
25-1907421
4c) Name, LAST or BUSINESS, FIRST, MI
4d) SSN or Federal ID
4e) Mailing Address
P.O. BOX 174
4f) City
PEAKS ISLAND
4g) State
ME
4h) Zip Code
04108

5. PROPERTY
5a) Map 87 Block Z Lot 15+16 Sub-Lot
5b) Type of property—Enter the code number that best describes the property being sold. (See instructions)—3 120
Check any that apply:
 No tax maps exist 5d) Acreage
 Multiple parcels
 Portion of parcel
5c) Physical Location
22 & 26 LUTHER STREET

6. TRANSFER TAX
6a) Purchase Price (If the transfer is a gift, enter "0") 6a 6000.00
6b) Fair Market Value (enter a value only if you entered "0" in 6a) or if 6a) was of nominal value 6b .00
6c) Exemption claim - Check the box if either grantor or grantee is claiming exemption from transfer tax and explain.

7. DATE OF TRANSFER (MM-DD-YYYY)
8. WARNING TO BUYER—If the property is classified as Farmland, Open Space, Tree Growth, or Working Water-front a substantial financial penalty could be triggered by development, subdivision, partition or change in use. CLASSIFIED

9. SPECIAL CIRCUMSTANCES—Were there any special circumstances in the transfer which suggest that the price paid was either more or less than its fair market value? If yes, check the box and explain:
10. INCOME TAX WITHHELD—Buyer(s) not required to withhold Maine income tax because:
 Seller has qualified as a Maine resident
 A waiver has been received from the State Tax Assessor
 Consideration for the property is less than \$50,000
 Foreclosure Sale

11. OATH
Aware of penalties as set forth by Title 36 54641-K, we hereby swear or affirm that we have each examined this return and to the best of our knowledge and belief, it is true, correct, and complete. Grantee(s) and Grantor(s) or their authorized agent(s) are required to sign below:
Grantee: [Signature] Date: 7-24-12 Grantor: [Signature] Date: 7/24/12

12. PREPARER
Name of Preparer MAS, CURTIS THAXTER, LLC Phone Number 207-774-9000
Mailing Address P.O. BOX 7320, PORTLAND, MAINE 04112-7320 E-Mail Address mas@curtisthaxter.com
Fax Number

*Order 118-10/11
Job 28 12-20-10*

NICHOLAS M. MAVODONES (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
EDWARD J. SUSLOVIC (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
JILL C. DUSON (A/L)

**ORDER APPROVING AMENDMENTS TO CONDITIONAL ZONING
AGREEMENT WITH HOME START FOR PROPERTY LOCATED ON
LUTHER STREET ON PEAKS ISLAND**

ORDERED, that the Conditional Zoning Agreement with Home Start approved on July 19, 2010, is hereby amended in substantially the same form as shown on Attachment 1 hereto.

A TRUE COPY
ATTEST: *Kathleen Jones - Acting City Clerk*

Portland, Maine
DATE 1/10/2011

SEAL

CONDITIONAL ZONE AGREEMENT

RE:

Home Start

AGREEMENT made this 5th day of January, 2011 by Home Start, a 501c 3 Non-profit corporation with a place of business in Portland, Maine ("Developer"), and its successors and assigns.

WITNESSETH

WHEREAS, the Developer has acquired land and buildings located at 18 Luther Street, consisting of parcels shown on City of Portland Tax Map 87 Block Z, Lots 15, 16, and 17, and more particularly described in a deed from dated and recorded in the Cumberland County Registry of Deeds in Book 14020, Page 231 (the "Property"); and

WHEREAS, the existing building located on the Property is currently used to house a single family affordable residence; and

WHEREAS, the remaining portion of the Property remains undeveloped; and

WHEREAS, the homes on the Property will be constructed to be energy efficient;

WHEREAS, there is available public water and sewer to service the Property;

WHEREAS, the Developer intends to develop two (2) affordable single family homes on the remaining undeveloped land, which shall be sold or leased as affordable to buyers with household incomes one hundred and twenty (120%) percent or less of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine; and

WHEREAS, if Maine State Housing funds are available for such purposes, the Developer intends to rehabilitate or replace the existing house located on Property, which shall be owned by the Developer or an appropriate designee and leased as affordable to tenants with household incomes less than one hundred and twenty percent (120%) of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine; and

WHEREAS, if the Maine State Housing funds are unavailable, the Developer intends to sell the existing house located on the Property as affordable to buyers with household incomes less than one hundred and twenty percent (120%) of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine; and

WHEREAS, the Developer intends to maintain the character of the Property and complement the adjacent residential neighborhood; and

WHEREAS, the existing zoning is IR-2 which requires 20,000 square feet of land area per unit, and which results in a limitation of one (1) unit upon the Property; and

WHEREAS, the Developer has requested a rezoning of the Property in order to permit the proposed redevelopment and reuse of the property from a single family residence to three (3) single family residential units; and

WHEREAS, the Portland Planning Board has determined the rezoning and proposed development would provide needed affordable housing on Peaks Island as is consistent with the housing component of the Comprehensive Plan; and

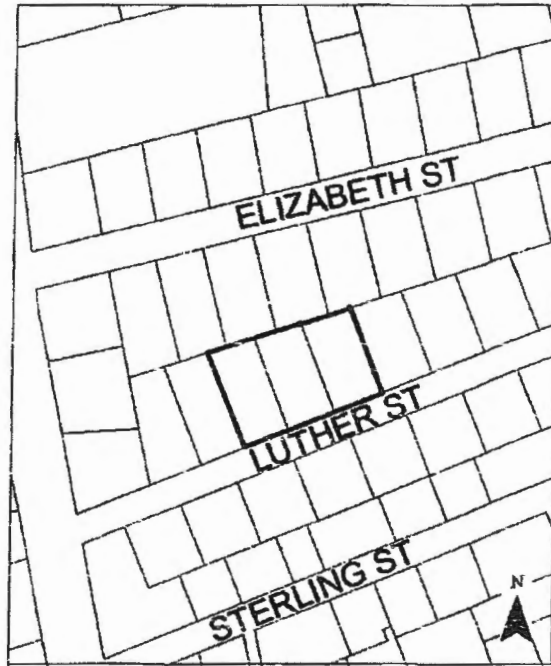
WHEREAS, the Planning Board, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions contained in this Agreement; and

WHEREAS, the Portland City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62, after notice, hearing and due deliberation thereon, has determined that because of the unusual nature and unique location of the proposed development, and its minimal impact on and compatibility with the surrounding community, it is necessary and appropriate to recommend the rezoning of the Property as aforesaid, with the following conditions and restrictions set forth in this Agreement; and

WHEREAS, the Portland City Council has on January 3, 2011 approved this Agreement in its entirety, by City Council Order No. 117-10/11, a true copy of which is attached hereto as Attachment 1 (the "Order");

NOW, THEREFORE, in consideration of the rezoning, the Developer covenants and agrees as follows:

1. Pursuant to the Order, the City shall amend the Zoning Map of the City of Portland, dated September, 2000 (as amended from time to time and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by § 14-49 of the Code) by adopting the map change amendment shown below to zone the property IR-2, subject to the conditions contained below.



16-18 Luther Street
Proposed Conditional Rezoning

28433 / 235 11/10/11

If this Agreement is not recorded within sixty (60) days after the effective date of the City Council's approval of the Order, then the conditional rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing IR - 2 zone.

2. The use of the Property shall be for a maximum of three (3) affordable single-family residential homes (1 existing unit and 2 new units). No additional units shall be developed, and the two (2) new units shall be developed substantially as delineated and depicted on the Site Plan, attached hereto as Attachment 2, entitled "Site Plan - conditional zone 18 Luther Street, Peaks Island, Portland Maine" for Home Start Prepared by Walsh Engineering Associates, Inc. dated September 7, 2010.

3. The underlying dimensional requirements of the IR-2 zone shall apply and are modified as follows:

- | | | |
|----|--------------------------------------|---------------|
| a. | Minimum Lot Area | 5,300 Sq. ft. |
| b. | Min Street Frontage | 49 ft |
| c. | Min. Front Yard Setback (Lots 15&16) | 10 ft |
| d. | Min. Front Yard Setback (Lot 17) | 1 ft* |
| e. | Min. Rear Yard Setback | 25 ft |
| f. | Min. Side Yard Setback (Lots 15&16) | 8 ft |
| g. | Min. Side Yard Setback (Lot 17) | 6.5 ft.** |
| h. | Max. Building Height | 35 ft |
| i. | Min. Lot Width | 49 ft |
| j. | Max. Lot Coverage | 28% of Lot |

* Existing house on Lot 17 currently has a 1-foot front yard setback. If the house is reconstructed, it will be required to meet the 10-foot front yard setback requirement.

** Existing house on Lot 17 currently has a 6.5-foot side yard setback. If the house is reconstructed, it will be required to meet the 8-foot side yard setback requirement.

4. The Developer or its designee agrees to maintain the following affordability controls on the proposed development on the Property:

- a. The two (2) new single family units shall be initially developed, marketed and sold and or leased to individuals with household incomes at 120% or less of the U.S. Department of Housing and Urban Development moderate-income income figure for metropolitan Cumberland County Maine, as calculated for the year in which the sale takes place (a "Qualified Purchaser"), and shall be priced to be affordable to a Qualified Purchaser. Each of the Qualified Purchasers of these two (2) single family units shall occupy the units as their principal residences, except that a Qualified Purchaser may rent a unit for a period not to exceed twelve (12) months in any thirty-six (36) month period, to enable the Qualified Purchaser to address matters such as divorce, transfer of employment, economic hardship and the like. Transient rentals shall not be permitted. Affordability shall be preserved in perpetuity through a deed restriction and legal documentation. Any such additional affordability restrictions or controls shall be reviewed and approved by the City of Portland corporation counsel's office. In the event that the purchase price for either of these two (2) single family units is subsidized as a result of public or private funds made available to make the purchase of such unit more affordable, a junior mortgage shall be placed upon such unit, representing the amount of the subsidy received. In the event that an initial Qualified Purchaser sells one of these two (2) units to another Qualified Purchaser, the junior mortgage shall not be repaid, but shall be assumed by the subsequent Qualified Purchaser, who shall own and hold these housing units subject to a junior mortgage in the same manner as an initial Qualified Purchaser.
- b. The existing unit shall be developed, marketed, sold and resold and/or leased as long as the Property remains a residential unit, to Qualified Purchasers or Tenants with household incomes at one hundred and twenty percent (120%) of the U.S. Department of Housing and Urban Development moderate-income income figure for metropolitan Cumberland County Maine, as calculated for the year in which the sale takes place. The Qualified Purchasers/Tenants of this single family unit shall occupy the unit as their principal residence, except that a Qualified Purchaser may rent a unit for a period not to exceed twelve

(12) months in any thirty-six (36) month period, to enable the Qualified Purchaser to address matters such as divorce, transfer of employment, economic hardship and the like. Transient rentals shall not be permitted. A junior mortgage may be placed upon such housing unit, to further secure the continued affordability covenants contained in the Declaration of Affordability Covenants for Rental Property Owned by Home Start.

- c. All of these affordability restrictions shall be stated in and secured by a Declaration of Affordable Housing Covenants and Restrictions for the purchased and leased property, other deed restriction(s) and/or condition(s) in any deed(s) conveyed out by the Developer, shall be stated in the housing documents, shall be identified on the approved Site Plan for the Property, and shall be reviewed and approved by the City of Portland corporation counsel's office. The affordability covenants contained in the Declaration of Affordable Housing Covenants for the purchased and leased property shall be enforceable by Home Start and the City of Portland, or their designees.

5. The Qualified Purchasers/Tenants shall be responsible for ongoing maintenance of the Property, including snowplowing, salting, sanding, sweeping, lighting, trash pickup (at least weekly), mowing, etc. Qualified Purchasers will be required to take a home education course offered through MaineHousing to ensure that these responsibilities are fully outlined.

6. The provisions of this Agreement are intended to replace and/or supersede the requirements of the underlying IR-2 zone. As stated above, to the extent not otherwise altered herein, the zoning requirements for the IR-2 zone shall otherwise apply to the Property.

7. In the event of a breach by the Developer or its successors or assigns (including, but not limited to, any homeowners association) of the zoning provisions contained herein (whether the Zoning Administrator, the Zoning Board of Appeals or a court determines such breach), the Planning Board, after notice and hearing, may recommend to the City Council that the conditional zone and this Agreement be amended, or be rescinded, such rescission to result in the termination of this Agreement and a reversion of the Property to the IR-2 zone requirements in place before the execution of this Agreement.

8. The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit the Developer, any entity affiliated with the Developer that takes title to the Property, its successors and assigns (including, but not limited to, any homeowners association), and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit of and be enforceable by the City of Portland, by and through its duly authorized representatives. The Developer shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds. Without limiting the generality of the foregoing,

and notwithstanding any other provision of this Agreement, the rights and obligations hereunder of Home Start, with respect to one, two or all of the three lots described herein, may be assigned to Community Housing of Maine (or a like organization) provided that such lots are in fact conveyed to said entity.

9. This conditional rezoning shall become null and void and the Property shall revert to the existing I-R2 zone in the event that the Developer fails to commence construction within three (3) years from the date of the Council approval of this rezoning. (2/20) 10
This three (3) year period shall be extended up to an additional one (1) year period if:

- a. The Developer has applied for all required approvals but has not received all required approvals within the aforementioned three (3) year period; or
- b. Any other event beyond the control of the Developer has occurred which will delay the closing on some or all of the parcels and Developer has notified the City of such event.

If any required approval, including the Council's approval of this conditional rezoning, has been appealed, then this rezoning shall become null and void and shall revert if the Developer fails to commence construction within one (1) year from the final disposition of such appeal.

10. This conditional rezoning agreement shall be enforced pursuant to the land use enforcement provisions of state law including, but not limited to, 30-A MRSA § 4452 and the Portland City Code.

11. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision and such determination shall not affect the validity of the remaining portions hereof.

12. Except as expressly modified herein, the development shall be governed by and comply with the provisions of the Portland City Code and any applicable amendments thereto or replacement thereof.

WITNESS: Rochelle Walsh

Home Start

Ellen C. Mahoney
BY: Ellen C. Mahoney
President, Home Start

STATE OF MAINE
CUMBERLAND, ss.

January 5, 2011

Personally appeared before me the above-named Ellen C. Mahoney, in her capacity as President of Home Start, and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of said corporation.

Before me,

Priscilla Webster
Notary Public/Attorney at Law

Priscilla Webster

MY COMMISSION EXPIRES
MAY 30 2011

Received
Recorded Register of Deeds
Jan 10, 2011 11:16:16A
Cumberland County
Pamela E. Lovley



CITY OF PORTLAND, MAINE
PLANNING BOARD

Bill Hall, Chair
Joe Lewis, Vice Chair
Lee Lowry, III
Carol Morrissette
Michael J. Patterson
David Silk
Janice Tevanian

October 21, 2010

HomeStart Affordable Housing
Attention: Jane Banquer
PO Box 174
Peaks Island, ME 04106

Walsh Engineering associates
Attention: Bill Walsh
918 Brighton Avenue
Portland, ME 04102

Project Name: 18 Luther Street (Peaks Island); Three (3) Lot Subdivision;
HomeStart Affordable Housing, Applicant.
Project ID: 10-99700004
CBL: 087 - Z-015-001

Project Address: 18 LUTHER ST

Planner Shukria Wiar

Dear Ms. Banquer:

On October 12, 2010 the Portland Planning Board considered a three (3) lot subdivision at 18 Luther Street on Peaks Island by Home Start Affordable Housing. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance. The Planning Board voted unanimously 6-0 (Lewis absent) to approve the application with the following motions, waivers and condition as presented below.

WAIVERS

- i. The Planning Board voted unanimously 6-0 (Lewis absent) to waive the requirement of Section 14-499 (d) of the Zoning Ordinance that requires sidewalk and curbing to be constructed on both sides of public street, to allow no sidewalk and curbing as shown on the Subdivision Plan (Attachment B-2 to Report # 38-10).
- ii. The Planning Board voted unanimously (3-3, Lewis absent; Patterson, Silk and Lowry opposed) on the applicant's request for a waiver of Section 14-499 (h) of the Zoning Ordinance which requires all utilities to be underground in order to allow the electricity line to be overhead as shown on the Subdivision Plan (Attachment B-2 to Report # 38-10). The motion for the waiver failed due to the tied vote.
- iii. The Planning Board voted unanimously 6-0 (Lewis absent) to waive the requirement of Section III (2) (e) of the Technical Standards for driveway spacing, to allow the existing driveway to remain in its current location.

SUBDIVISION REVIEW

The Planning Board voted unanimously 6-0 (Lewis absent) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following condition of approval:

- i. The applicant must comply with the conditions of Chapter 32 Stormwater including Article III, Post-Construction Stormwater Management, which specifies the annual inspections and reporting requirements. The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment & erosion control plan based on our standards and state guidelines. A maintenance agreement for the rain gardens acceptable to Corporation Counsel must be submitted and signed prior to the issuance of a certificate of occupancy.

The approval is based on the submitted plans and the findings related to subdivision review standards as contained in Planning Report for Application #10-99700004, which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved subdivision plans:

1. A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee.
2. Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval.
3. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
4. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and eight (8) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of the subdivision plat for recording at the Registry of Deeds and prior to the release of a building permit or street opening permit. If you need to make any modifications to the approved plans, you must submit a revised subdivision application for staff review and approval.
5. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
6. Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.
7. The subdivision approval is valid for three (3) years.
8. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. Prior to construction, a pre-construction meeting shall be held at the project site 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 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.

10. 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.)

Philip DiPierro, Development Review Coordinator, must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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 you have any questions, please contact Shukria Wiar at 756-8083 or shukriaw@portlandmaine.gov

Sincerely,



Bill Hall Chair
Portland Planning Board

Attachments:

1. Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Shukria Wiar, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Tammy Munson, Inspections Division Director
Gayle Guertin, Inspections Division
Lannie Dobson, Inspections Division
Michael Bobinsky, Public Services Director
Kathi Earley, Public Services
Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Greg Vining, Public Services
John Low, Public Services
Jane Ward, Public Services
Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, TY Lin
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File

NOTICE OF WAIVERS

On October 12, 2010 the **City of Portland Planning Board** considered a proposal to create a 3 lot subdivision along Luther Street on Peaks Island Portland, in Cumberland County Maine on property owned by **Home Start**, a Maine non-profit corporation, and more particularly described in deed recorded in the Cumberland County Registry of Deeds in Book 25452, at Page 211. The Planning Board Reviewed the proposal conformance with the standards of the City of Portland Subdivision Ordinance. Among other things, the Planning Board voted to approve the following waivers:

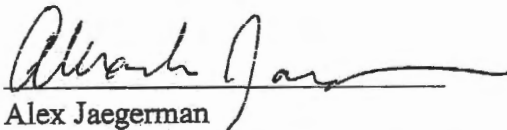
Waivers

On the basis of plans and materials submitted by the applicant and on the basis of information contained in the Planning Board file # 10-999700004, relevant to standards for subdivision, and other findings as follows:

- 1. The Planning Board voted unanimously to waive the requirement of section 14-499(d) of the Zoning Ordinance that requires sidewalk and curbing to be constructed on both sides of public street, to allow no sidewalk and curbing as shown on the Subdivision Plan (attachment B-2 to Report #3810).*
- 2. The Planning Board voted unanimously to waive the requirement of Section III (2) (e) of the Technical Standards for driveway spacing, to allow the existing driveway to remain in its current location.*

This certificate is being recorded pursuant to 30-A M.S.R.A § 4406.

Dated this 12th day of January, 2011.



Alex Jaegerman
City of Portland Planning Division Director

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

January 12, 2011

Then personally appeared the above named Alex Jaegerman and acknowledged the forgoing instrument to be his free act and deed in his said capacity and the free act and deed of the said Portland Planning Board.

Before me,

Barbara J. Brewer
Notary Public/Attorney at Law
Printed Name: Barbara J. Brewer
My Commission expires: 6-15-2013

Received
Recorded Register of Deeds
Jan 12, 2011 11:36:02A
Cumberland County
Pamela E. Lovies

A TRUE COPY OF RECORD
Attest Pamela E. Lovies
Register

High Tech Fire Protection Co., Inc.
P.O. Box 156
Minot, Maine 04258-0156
Tel (207) 998-2551

Contract Document:
Home Start Colonial
Peaks Island, ME.

Date: 2/13/12

Proposal: # 021312 -3

High Tech Fire Protection Co. is pleased to submit our quote for furnishing and installing the specified wet sprinkler system in your new building. All work is subject to the approval of the State Fire Marshal's Office and local authority. This system is designed as an approved Wet NFPA 13D sprinkler system.

Price: \$6,515.00

We have included the following:

- | | |
|---|---|
| <input type="checkbox"/> Semi recessed sprinkler heads on concealed piping in all areas. | <input type="checkbox"/> Expansion tank for glycol loop |
| <input type="checkbox"/> Overhead supply piping, fittings and hangers. (CPVC & black steel) | <input type="checkbox"/> Fire department connection. |
| <input type="checkbox"/> Domestic backflow preventer. | <input type="checkbox"/> Center of tile head placement. |
| <input type="checkbox"/> Shot gun valve w/ trim. | <input type="checkbox"/> Seismic bracing. |
| <input type="checkbox"/> OS&Y gate/ball valves. | <input type="checkbox"/> Extinguishers and /or cabinets |
| <input type="checkbox"/> Check valve/s. | <input type="checkbox"/> Fire pump or accessories. (NFPA 20) |
| <input type="checkbox"/> Cabinets with spare sprinklers and wrench. | <input type="checkbox"/> Performance bond. |
| <input type="checkbox"/> State Fire Marshal sprinkler permit fee. | <input type="checkbox"/> Underground piping or connection and/or city water tap. |
| <input type="checkbox"/> City of Portland sprinkler permit fee. | <input type="checkbox"/> Chlorination of underground piping. |
| <input type="checkbox"/> Shipping, receiving, distribution, & freight. | <input type="checkbox"/> Excavating and backfilling, concrete thrust blocks, including pumping and shoring if required, and replacement of pavement and flooring where disturbed. |
| <input type="checkbox"/> Installation crews traveling expenses. | <input type="checkbox"/> Boxing of the installed sprinkler piping. |
| <input type="checkbox"/> Preparation of design drawings and calcs. | <input type="checkbox"/> Painting or plating of piping and/or fittings. |
| <input type="checkbox"/> Our work to begin at 2" water supply by others. | <input type="checkbox"/> FDC Knox protective cap. |

We have not included the following:

- | | |
|--|--|
| <input type="checkbox"/> Sprinkler coverage in attic, crawl spaces, & car port/garage. (Attic & crawl spaces must not be used for storage) | <input type="checkbox"/> Electrical wiring of flow devices and or pre-action devices, etc.(switches only to be supplied by High Tech Fire protection Co., all wiring must be done by others) |
| <input type="checkbox"/> Glycol loops. (All piping must be properly insulated by others) | |

-
- Please note:**
- If city water is not available and the domestic well is going to be the main source of water supply, High Tech Fire Protection will run hydraulic calculation and provide the owner with information on the size pump required to meet the sprinkler system demand. (Pump provided by others)
 - Keiser to provide transportation on the island.



PORTLAND MAINE

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

Receipts Details:

Tender Information: Check , BusinessName: Julia Sherman, Check Number: 5545
Tender Amount: 3085.00

Receipt Header:

Cashier Id: Ldobson
Receipt Date: 8/9/2012
Receipt Number: 46920

Receipt Details:

Referance ID:	7576	Fee Type:	BP-C of O
Receipt Number:	0	Payment Date:	
Transaction Amount:	75.00	Charge Amount:	75.00
Job ID: Job ID: 2012-08-4668-SF - New 2 story, 2 bathroom, 3 bedroom SFH			
Additional Comments: Lot 15			

Referance ID:	7577	Fee Type:	BP-Constr
Receipt Number:	0	Payment Date:	
Transaction Amount:	2610.00	Charge Amount:	2610.00
Job ID: Job ID: 2012-08-4668-SF - New 2 story, 2 bathroom, 3 bedroom SFH			

Additional Comments: Lot 15

Referance ID:	7578	Fee Type:	BP-MSFSR
Receipt Number:	0	Payment Date:	
Transaction Amount:	300.00	Charge Amount:	300.00
Job ID: Job ID: 2012-08-4668-SF - New 2 story, 2 bathroom, 3 bedroom SFH			
Additional Comments: Lot 15			

Referance ID:	7579	Fee Type:	BP-INSP
Receipt Number:	0	Payment Date:	
Transaction Amount:	100.00	Charge Amount:	100.00
Job ID: Job ID: 2012-08-4668-SF - New 2 story, 2 bathroom, 3 bedroom SFH			
Additional Comments: Lot 15			

Thank You for your Payment!



General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Location/Address of Construction: Luther St

Total Square Footage of Proposed Structure/Area ~~533~~ 1,440 Square Footage of Lot .126 acre Number of Stories 2

Tax Assessor's Chart, Block & Lot
Chart# 87 Block# 2 Lot#15

Applicant: (must be owner, lessee or buyer) Telephone: 373-1140

Name Volunteers of America/Northern New England

Address 14 Maine Street Suite 301

City, State & Zip Brunswick, Me 04011

Lessee/DBA

Owner: (if different from applicant)

Name

Address

City, State & Zip

259,000
Cost of Work: \$ _____
CofOFee: \$ _____
Historic Review: \$ _____
Planning Amin.: \$ _____

Total Fee: | _____

Current legal use (i.e. single family) _____ Number of Residential Units _____

if vacant, what was the previous use? _____

Proposed Specific use: Residential Home

Is property part of a subdivision? Yes If yes, please name _____

Project description: Keiser Modular Zero Colonial 22x28

Contractor's name: Hallmark Homes Corp Email: rob@hallmarkhomesofmaine.com

Address: PO Box 113

City, State & Zip Topsham, ME 04086 Telephone: 729-1057

Who should we contact when the permit is ready: Robert Sherman, President Telephone: 837-8941

Mailing address: same

Please submit all of the information outlined on the applicable checklist. Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information or to download copies of this form and other applications visit the Inspections Division on-line at www.portlandmaine.gov, or stop by the Inspections Division office, room 315 City Hall or call 874-8703.

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

Signature: Robert Sherman Pres Date: 7-24-12

This is not a permit; you may not commence ANY work until the permit is issued

Applicant: Volunteers of America Northern
New England.

Address: 26? Luther St, Peaks Island (Lot 15)
split from 18 Luther St.

Date: 8/14/12

C-B-L: 087-2-015
permit # 2012-08-4668.

CHECK-LIST AGAINST ZONING ORDINANCE

Date - new.

Zone Location - CSS (was IR-2)

Interior or corner lot -

Proposed Use/Work - ~~public~~ build new single family - two story house - 22x28 w ¹⁹ 13x13
single story section in rear.

Sewage Disposal - public.

Lot Street Frontage - 49' min. - 53.06' min (OK)

Front Yard - 10' min. - scales @ 11' (OK)

Rear Yard - 25' min. - scales @ ~~25'~~ ^{43'} (OK)

Side Yard - 8' min. - right scales @ 10' (OK)
- left scales @ 15.25' (OK)

Projections - front porch w/ 18' x 6' (includes landing & steps). rear steps 4' x 4'

Width of Lot - 49' min - scales @ 53' (OK)

Height - 35' max - scales @ 24.25' (OK)

Lot Area - 5300 ± sq ft min. - 5501.97 ± sq ft min (OK)

22x28 = 616
19x13 = 247
18x6 108
4x4 = 16
987 ± (OK)

Lot Coverage Impervious Surface - 28% = 1,540.55 ±

Area per Family - N/A

Off-street Parking - 1 space under incentive for affordable housing (Section 14 - 332.2(b))
(OK) 10' x 19.5'

Loading Bays - N/A

Site Plan - Level I Minor Residential

Shoreland Zoning/Stream Protection - N/A

Flood Plains - Panel 15 - Zone C



REScheck Software Version 4.4.3 Inspection Checklist

Energy Code: **2009 IECC**
Location: **Portland, Maine**
Construction Type: **Single Family**
Glazing Area Percentage: **12%**
Heating Degree Days: **7378**
Climate Zone: **6**

Ceilings:

- Ceiling: Raised or Energy Truss, R-60.0 cavity insulation

Comments: _____

Insulation must achieve full height over the plate lines of exterior walls.

Above-Grade Walls:

- Wall: Wood Frame, 16" o.c., R-40.0 cavity insulation

Comments: _____

Windows:

- Single Hung Windows: Vinyl Frame: Triple Pane with Low-E, U-factor: 0.280

For windows without labeled U-factors, describe features:

#Panes _____ Frame Type _____ Thermal Break? _____ Yes _____ No

Comments: _____

Doors:

- 6-Panel Door: Solid, U-factor: 0.150

Comments: _____

- 9-Lite Door: Glass, U-factor: 0.270

Comments: _____

Crawl Space Walls:

- Crawl 1: Solid Concrete or Masonry, 5.0' ht / 4.0' bg / 5.0' ext. insul / 0.0' inside bg depth, R-10.0 continuous insulation

Comments: _____

Exposed earth in unvented crawl space foundations is covered with a continuous vapor retarder (less than or equal to 0.1 perm). All joints of the vapor retarder are overlapped by 6 inches and are sealed or taped with edges extending at least 6 inches up the stem wall and securely attached.

Air Leakage:

- Joints (including rim joist junctions), attic access openings, penetrations, and all other such openings in the building envelope that are sources of air leakage are sealed with caulk, gasketed, weatherstripped or otherwise sealed with an air barrier material, suitable film or solid material.
- Air barrier and sealing exists on common walls between dwelling units, on exterior walls behind tubs/showers, and in openings between window/door jambs and framing.
- Recessed lights in the building thermal envelope are 1) type IC rated and ASTM E283 labeled and 2) sealed with a gasket or caulk between the housing and the interior wall or ceiling covering.
- Access doors separating conditioned from unconditioned space are weather-stripped and insulated (without insulation compression or damage) to at least the level of insulation on the surrounding surfaces. Where loose fill insulation exists, a baffle or retainer is installed to maintain insulation application.
- Wood-burning fireplaces have gasketed doors and outdoor combustion air.
- Automatic or gravity dampers are installed on all outdoor air intakes and exhausts.

Air Sealing and Insulation:

- Building envelope air tightness and insulation installation complies by either 1) a post rough-in blower door test result of less than 7 ACH at 50 pascals OR 2) the following items have been satisfied:

- (a) Air barriers and thermal barrier: Installed on outside of air-permeable insulation and breaks or joints in the air barrier are filled or repaired.
- (b) Ceiling/attic: Air barrier in any dropped ceiling/soffit is substantially aligned with insulation and any gaps are sealed.
- (c) Above-grade walls: Insulation is installed in substantial contact and continuous alignment with the building envelope air barrier.
- (d) Floors: Air barrier is installed at any exposed edge of insulation.
- (e) Plumbing and wiring: Insulation is placed between outside and pipes. Batt insulation is cut to fit around wiring and plumbing, or sprayed/blown insulation extends behind piping and wiring.
- (f) Corners, headers, narrow framing cavities, and rim joists are insulated.
- (g) Shower/tub on exterior wall: Insulation exists between showers/tubs and exterior wall.

Sunrooms:

- Sunrooms that are thermally isolated from the building envelope have a maximum fenestration U-factor of 0.50 and the maximum skylight U-factor of 0.75. New windows and doors separating the sunroom from conditioned space meet the building thermal envelope requirements.

Materials Identification and Installation:

- Materials and equipment are installed in accordance with the manufacturer's installation instructions.
- Materials and equipment are identified so that compliance can be determined.
- Manufacturer manuals for all installed heating and cooling equipment and service water heating equipment have been provided.
- Insulation R-values and glazing U-factors are clearly marked on the building plans or specifications.

Duct Insulation:

- Supply ducts in attics are insulated to a minimum of R-8. All other ducts in unconditioned spaces or outside the building envelope are insulated to at least R-6.

Duct Construction and Testing:

- Building framing cavities are not used as supply ducts.
- All joints and seams of air ducts, air handlers, filter boxes, and building cavities used as return ducts are substantially airtight by means of tapes, mastics, liquid sealants, gasketing or other approved closure systems. Tapes, mastics, and fasteners are rated UL 181A or UL 181B and are labeled according to the duct construction. Metal duct connections with equipment and/or fittings are mechanically fastened. Crimp joints for round metal ducts have a contact lap of at least 1 1/2 inches and are fastened with a minimum of three equally spaced sheet-metal screws.

Exceptions:

Joint and seams covered with spray polyurethane foam.

Where a partially inaccessible duct connection exists, mechanical fasteners can be equally spaced on the exposed portion of the joint so as to prevent a hinge effect.

Continuously welded and locking-type longitudinal joints and seams on ducts operating at less than 2 in. w.g. (500 Pa).

- All ducts and air handlers are located within conditioned space.

Temperature Controls:

- Where the primary heating system is a forced air-furnace, at least one programmable thermostat is installed to control the primary heating system and has set-points initialized at 70 degree F for the heating cycle and 78 degree F for the cooling cycle.
- Heat pumps having supplementary electric-resistance heat have controls that prevent supplemental heat operation when the compressor can meet the heating load.

Heating and Cooling Equipment Sizing:

- Additional requirements for equipment sizing are included by an inspection for compliance with the International Residential Code.
- For systems serving multiple dwelling units documentation has been submitted demonstrating compliance with 2009 IECC Commercial Building Mechanical and/or Service Water Heating (Sections 503 and 504).

Circulating Service Hot Water Systems:

- Circulating service hot water pipes are insulated to R-2.
- Circulating service hot water systems include an automatic or accessible manual switch to turn off the circulating pump when the system is not in use.

Heating and Cooling Piping Insulation:

- HVAC piping conveying fluids above 105 degrees F or chilled fluids below 55 degrees F are insulated to R-3.

Swimming Pools:

- Heated swimming pools have an on/off heater switch.

Pool heaters operating on natural gas or LPG have an electronic pilot light.

Timer switches on pool heaters and pumps are present.

Exceptions:

Where public health standards require continuous pump operation.

Where pumps operate within solar- and/or waste-heat-recovery systems.

Heated swimming pools have a cover on or at the water surface. For pools heated over 90 degrees F (32 degrees C) the cover has a minimum insulation value of R-12.

Exceptions:

Covers are not required when 60% of the heating energy is from site-recovered energy or solar energy source.

Lighting Requirements:

A minimum of 50 percent of the lamps in permanently installed lighting fixtures can be categorized as one of the following:

(a) Compact fluorescent

(b) T-8 or smaller diameter linear fluorescent

(c) 40 lumens per watt for lamp wattage ≤ 15

(d) 50 lumens per watt for lamp wattage > 15 and ≤ 40

(e) 60 lumens per watt for lamp wattage > 40

Other Requirements:

Snow- and ice-melting systems with energy supplied from the service to a building shall include automatic controls capable of shutting off the system when a) the pavement temperature is above 50 degrees F, b) no precipitation is falling, and c) the outdoor temperature is above 40 degrees F (a manual shutoff control is also permitted to satisfy requirement 'c').

Certificate:

A permanent certificate is provided on or in the electrical distribution panel listing the predominant insulation R-values; window U-factors; type and efficiency of space-conditioning and water heating equipment. The certificate does not cover or obstruct the visibility of the circuit directory label, service disconnect label or other required labels.

NOTES TO FIELD: (Building Department Use Only)

08/15/2012

087 Z015001

8:23 AM

ADKINS KYRA
21 LUTHER ST
PEAKS ISLAND , ME 04108

HOMESTART
PO BOX 174
PEAKS ISLAND , ME 04108

LYNCH LISA K
17 ELIZABETH ST
PEAKS ISLAND , ME 04108

SALTONSTALL SAMUEL S &
LINDA S SALTONSTALL JTS
21 ELIZABETH ST
PEAKS ISLAND , ME 04108

Labels Requested For CBL:

087 E028

087 Z015

087 Z025

087 Z026

IMPORTANT NOTICE FROM CITY OF PORTLAND

To residents and property owners: A Level I Minor Residential Development application was submitted to the Portland Inspections Division by Volunteers of America Northern New England, Inc. to build a new single family home at 18 Luther Street, Peaks Island Lot # 15.

In accordance with the Portland Land Use Ordinance, notices of receipt of a Level I Minor Residential Development application must be sent to neighbors. This application will be reviewed administratively by City Staff.

Plans are available in the Portland Inspections Division, Room 315, City Hall. If you have any questions or wish to submit comments, contact Ann Machado, Zoning Specialist at 874-8709 or email amachado@portlandmaine.gov

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CHURCH AVE

ELIZABETH ST

LUTHER ST

STERLING ST

EDGEWOOD ST

CENTRAL AVE

ISLAND AVE

G ST

087 OO010

087 OO011

087 OO012

087 OO013

087 OO014

087 OO015

087 OO016

087 OO017

087 OO018

087 OO019

087 OO020

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084 P001

Gayle Guertin - 18 Luther St. PI Lot # 15

From: Gayle Guertin
To: Ann Machado; Marge Schmuckal
Date: 8/15/2012 10:41 AM
Subject: 18 Luther St. PI Lot # 15
CC: Gayle Guertin

Sent the abutters notices as of 8-15-12 for Lot #15 18 Luther St. (new address 26 Luther St. PI)

Gayle

Comments
Submitted

City of Portland
Development Review Application
Planning Division Transmittal form

8/11/10

Application Number: 10-99700004 **Application Date:** 8-10-10

Project Name: 3 SINGLE FAMILY HOMES

Address: 18 Luther Street **CBL:** 087 - Z-015-001

Project Description: Luther Street (Peaks Island) - 18; 3 Single Families;
Home Start Affordable Housing, Applicant.

Zoning: IR-2

Other Reviews Required:

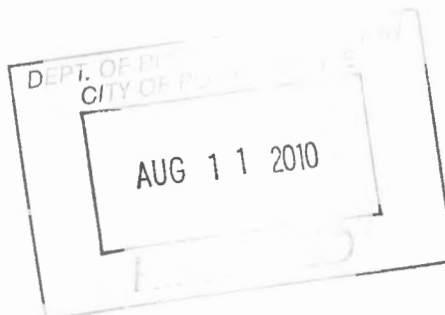
Review Type: MAJOR SITE PLAN WITH SUBDIVISION

Applicant:

Home Start Affordable Housing
PO Box 174
South Portland Me 04106

Applicant:

Walsh Engineering
918 Brighton Avenue
Portland Me 04102



Distribution List:

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

Preliminary Comments needed by: August 18, 2010

Final Comments needed by: August 25, 2010

August 4, 2010

City of Portland Planning Board
c/o Ms. Barbara Barhydt
Portland City Hall
389 Congress Street
Portland, Maine 04101

**RE: Development Review / Subdivision Application
18 Luther Street, Peaks Island, Tax Map 87, Block Z, Lots 15, 16 & 17**

Dear Members of the Planning Board:

On behalf of Home Start Affordable Housing, we are pleased to submit the attached Development Review Application for 18 Luther Street, Peaks Island. The applicant is seeking to divide the existing 16,271 square-foot parcel at 18 Luther Street into three lots in order to allow the development of three single-family affordable and energy efficient housing units on Peaks Island.

Project Background

Home Start is a non-profit (501c-3) community-based volunteer organization founded to create affordable housing on Peaks Island. Home Start grew out of a volunteer group that came together to develop a long-range vision for the island and eventually published the *Peaks Island Neighborhood Plan*. The affordable housing subcommittee of the volunteer group developed into a working board and then incorporated into Home Start. Since its inception, Home Start has worked diligently to develop strategies to create lower housing cost solutions for families on Peaks Island.

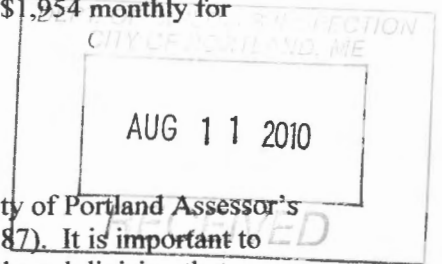
Since 2004, Home Start has explored various options both for renovation of existing buildings and new construction affordable housing opportunities on the island. In the fall of 2007, Home Start purchased 18 Luther Street and has rented it as an affordable housing unit.

In May 2010 the City of Portland Planning Board approved the Conditional Zone and forwarded the application to the City Council. On July 19, 2010 the City Council voted to approve a conditional rezone for the Luther Street Property.

The homes will be available for purchase to Peaks Island residents who qualify as modest income, those at 80% to 120% of the HUD area median income guidelines. Home Start's goal is to sell the homes at a monthly carrying cost of 30% to 35% of the homeowner's gross income. This means that a family earning \$67,000 will pay between \$1,675 and \$1,954 monthly for mortgage, taxes, insurance and basic heat and electricity.

Existing Conditions and Existing Zoning

The 16,271 square-foot parcel at 18 Luther Street is identified on the City of Portland Assessor's Map as Tax Map 87, Block Z, Lots 15, 16 & 17 (see attached Tax Map 87). It is important to note, that the three (3) proposed lots are the same lots that were part of the subdivision that



created this area, long before zoning existed. The combined parcel is located in the Island Residential, IR-2 zone.

Proposed Development

The applicant proposes to divide the proposed lot into three lots (see attached drawing titled L1.0 — Site Plan). The existing house located at 18 Luther Street will either remain on Lot 17, or will be replaced by a new home. The existing house will either be sold as affordable housing unit or it will remain owned by the applicant, or a designee, and will be rented as affordable to renters with household incomes less than one hundred and twenty (120%) percent of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine.

Lot 16 (5,380 s.f.) and Lot 15 (5,502 s.f.) will be created to allow the development of two new affordable and energy efficient single-family houses. The proposed homes will be designed to be architecturally well proportioned and detailed with rhythm and forms that are compatible to the patterns of Luther Street and Peaks Island. Consistent with the vernacular of the area, two-story gable roof, narrow edge toward the street homes will be constructed. Front porches and rafter-tail cottage details will be used, consistent with surrounding homes.

The homes will be constructed to meet green building standards, including high performance building envelopes, minimal mechanical systems including fossil free heating systems. Using green building standards, the affordability of utility costs will remain low for the owners, providing additional affordability to them.

Interested buyers will be pre-qualified through an application and evaluation process independent of Home Start Board members. Selected candidates will be introduced to Maine State Housing and Portland HomePort programs, which offer low interest mortgages, assistance with closing costs and require homeowner educational programs.

The homes will remain as affordable housing stock through deed restrictions. The deed restrictions will clearly state a pre-established formula to determine the resale and rental value, allow for the recapture of capital improvements, and determine the difference between general maintenance and capital improvements. In exchange for an upfront subsidy in the purchase, the owner-occupant will be required to resell the home to a buyer who is income-eligible for a specified, formula-determined price. The owner occupant will realize some percentage of the market increase upon the sale while preserving the affordability subsidy. All affordability deed restrictions or conditions within any deed conveyed out by Home Start will be stated in the home documents and identified on the approved Site Plan for the property. Home Start will seek review and approval of such restrictions by the City of Portland and will designate the City as a monitor of such restrictions.

The homes will remain on the City of Portland tax roles. Prior to the initial sale of the homes, assessment specifics will be obtained from the City's Assessor's office.

Existing and Proposed Easements or Other Burdens

There are no existing easements or burdens on the existing parcel. The proposed Conditional Zone dimension requirements limit the amount of future development on the proposed lots. The underlying dimensional requirements of the IR-2 zone shall apply and are modified as follows (per the approved conditional rezoning):

a.	Minimum Lot Area	5,300 sq. ft.
b.	Min Street Frontage	49 ft.
c.	Min. Front Yard Setback (Lots 15 & 16)	10 ft.
d.	Min. Front Yard Setback (Lot 17)	1 ft.*
e.	Min. Rear Yard Setback	25 ft.
f.	Min. Side Yard Setback (Lots 15 & 16)	8 ft.
g.	Min. Side Yard Setback (Lot 17)	6.5 ft.**
h.	Max. Building Height	35 ft.
i.	Min. Lot Width	49 ft.
j.	Max. Lot Coverage	28% of Lot

* Existing house on Lot 17 currently has a 1-foot front yard setback. If the house is reconstructed, it will be required to meet the 10-foot front yard setback requirement.

** Existing house on Lot 17 currently has a 6.5-foot side yard setback. If the house is reconstructed, it will be required to meet the 8-foot side yard setback requirement.

The proposed affordable housing deed restrictions (which are part of the Conditional Zone Agreement) ensure the proposed lots will remain as affordable house stock.

Solid Waste Disposal

Individuals will be responsible for delivery household solid waste to the Peaks Island Transfer Station.

Public Utilities – Water, Sewer, Electrical Service, Cable TV, Telephone

Overhead electrical and telephone utilities will be supplied by existing overhead utilities along Luther Street. Sanitary sewer and water utilities will be extended from the existing utilities along Luther Street. See attached Wastewater Capacity Application, which quantifies proposed wastewater flows. Also, see attached letter from the Portland Water District, dated November 18, 2009, stating the existence of adequate capacity for proposed water demands and describing the existence of a fire hydrant (on Island Avenue) located 150-feet from the site.

Stormwater Management

The existing drainage patterns of the site allow the majority of the stormwater to sheet flow off the north portion of the site.

The proposed drainage patterns maintain most of the existing drainage patterns. The undeveloped areas north of the three houses will continue to sheet drain toward the north. Stormwater from the developed portions of the site will drain toward Luther Street and will be treated by rain gardens on Lots 15 and 16 (see attached plans.)

Estimated Time of Completion

The applicant proposes to begin construction in September 2010 with anticipated completion by June 2011.

State and Federal Regulatory Approvals

This project will require no state or federal regulatory approvals.

Evidence of Financial and Technical Capability

See attached letters from Maine Bank and Trust indicating a loan amount of \$380,000.

Evidence of Right, Title or Interest

See attached Short Form Warranty Deed, dated September 7, 2007, showing evidence Home Start's purchase of 18 Luther Street (Plan Book 25452, Page 212).

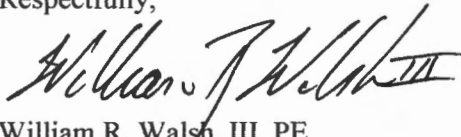
Natural Areas and Habitats

The project site is not on or near any unusual natural areas, wildlife and fisheries habitats or archaeological sites.

Construction cost for the two new units are estimated to be \$407,800 (inclusive of both house and site costs.) The applicant hopes to commence construction in the fall of 2010 with completion set for July 2011.

Enclosed you will find seven (7) copies of the Development Review Application, seven (7) copies of the proposed Site Plan, seven (7) copies of the proposed Subdivision Plan and a check for \$806.25. (This fee reflects a 25% reduction of the required fee of \$1,075.00, per Division 30, Section 14-486 of the City's Land Use Ordinance). I trust you will find the information sufficient for review. We look forward to working with the Planning Board that will help to provide affordable homes on Peaks Island.

Respectfully,



William R. Walsh, III, PE
Walsh Engineering Associates, Inc.

Enc. Development Review Application
 Site Plan
 Subdivision Plan Set
 Letter of Financial Capacity
 Deed of 18 Luther Street
 Capacity letter from Portland Water District
 Stormwater Management Report
 Medium Intensity Soil Survey for Luther Street
 Application fee

cc. Jane Banquer – President Home Start
 Mary Terry – Island Institute Fellow, Peaks Island
 Bill Floyd – Genesis Community Loan Fund
 Ellen Mahoney – Home Start
 Dick Reed – Home Start
 Chris Roberts - Home Start



Development Review Application

PORTLAND, MAINE

Department of Planning and Urban Development, Planning
Division and Planning Board

PROJECT NAME: 18 Luther Street

PROPOSED DEVELOPMENT ADDRESS: 18 Luther Street, Peaks Island

PROJECT DESCRIPTION: The applicant is seeking to develop three single-family affordable and energy efficient housing units on Peaks Island. Currently a single-family house exists along the westerly portion of the site, within Lot 17, with the remaining area (Lots 15 & 16) being wooded and undeveloped. The applicant proposes to divide the single lot into three lots in order to develop two new affordable single-family houses. The proposed three lots are the same lots that were part of the original 1883 subdivision of this area of Peaks Island.

In January 2010, the applicant submitted a Zoning Amendment Application to the City of Portland for this project; the application proposes the creation of a condition zone for this project. The conditional zone was reviewed and approved by the Portland City Council on July 19, 2010.

CHART/BLOCK/LOT: Tax Map 87, Block Z, Lots 15, 16 & 17

CONTACT INFORMATION:

APPLICANT

Name: Home Start Affordable Housing
Address: P.O. Box 174
Peaks Island, ME
Zip Code: 04106
Work #: 207-766-2543
Cell #: 207-776-0327
Fax #:
Home:
E-mail: emahoney@harborviewproperties.com

PROPERTY OWNER

Name: Home Start Affordable Housing
Address: P.O. Box 174
Peaks Island, ME
Zip Code: 04106
Work #: 207-766-2543
Cell #: 207-776-0327
Fax #:
Home:
E-mail: emahoney@harborviewproperties.com

BILLING ADDRESS

Name: Home Start Affordable Housing
Address: P.O. Box 174
Peaks Island, ME
Zip Code: 04106
Work #: 207-766-2543
Cell #: 207-776-0327
Fax #:
Home:
E-mail: emahoney@harborviewproperties.com

~As applicable, please include additional contact information on the next page~

AGENT / REPRESENTATIVE

Name: William R. Walsh, IIII- Walsh
Engineering Associates

Address: 918 Brighton Avenue
Portland, ME

Zip Code: 04102

Work #: 207-553-9898
Cell #: 207-650-8855
Fax #:

Home:

E-mail: bill@walsh-eng.com

ENGINEER

Name: William R. Walsh, IIII- Walsh
Engineering Associates

Address: 918 Brighton Avenue
Portland, ME

Zip Code: 04102

Work #: 207-553-9898
Cell #: 207-650-8855
Fax #:

Home:

E-mail: bill@walsh-eng.com

ARCHITECT

Name: Jamie Broadbent- Kaplan Thompson
Architects

Address: 424 Fore Street
Portland, ME

Zip Code: 04101

Work #: 207-842-2888
Cell #:
Fax #: 207-842-2888

Home:

E-mail: jamie@kaplanthompson.com

CONSULTANT

Name:

Address:

Zip Code:

Work #:
Cell #:
Fax #:

Home:

E-mail:

SURVEYOR:

Name: Owen Haskell, Inc.

Address: 390 U.S. Route One
Falmouth, ME

Zip Code: 04105

Work #: 207-774-0424
Cell #: 207-774-0424
Fax #:

Home:

E-mail: cad@owenhaskell.com

ATTORNEY:

Name:

Address:

Zip Code:

Work #:
Cell #:
Fax #:

Home:

E-mail:

PROJECT DATA

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

Total Site Area	16,271.04 sq. ft.
Proposed Total Disturbed Area of the Site	8,500 sq. ft.

(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland)

IMPERVIOUS SURFACE AREA

Proposed Total Paved Area	886.19 sq. ft.
Existing Total Impervious Area	1,034.64 sq. ft.
Proposed Total Impervious Area	3,953.04 sq. ft.
Proposed Impervious Net Change	2,918.40 sq. ft.

BUILDING AREA

Existing Building Footprint	1,035 +/- sq. ft. (1 building)
Proposed Building Footprint	2,035 +/-1 sq. ft. (2 buildings)
Proposed Building Footprint Net change	+ 2,035 sq. ft.
Existing Total Building Floor Area	1,023 sq. ft.
Proposed Total Building Floor Area	2,904 sq. ft.
Proposed Building Floor Area Net Change	+ 2,904 sq. ft.
New Building	yes – two, possibly three

ZONING

Existing	IR-2
Proposed, if applicable	Conditional Zone 18 Luther Street

LAND USE

Existing	Single Family Residential
Proposed	Single Family Residential

RESIDENTIAL, IF APPLICABLE

Proposed Number of Affordable Housing Units	3
Proposed Number of Residential Units to be Demolished	0 (Possibly 1 to be reconstructed)
Existing Number of Residential Units	1
Proposed Number of Residential Units	3
Subdivision, Proposed Number of Lots	3

PARKING SPACES

Existing Number of Parking Spaces	1
Proposed Number of Parking Spaces	2
Number of Handicapped Parking Spaces	N/A
Proposed Total Parking Spaces	3

BICYCLE PARKING SPACES

Existing Number of Bicycle Parking Spaces	0
Proposed Number of Bicycle Parking Spaces	0
Total Bicycle Parking Spaces	0 _____

ESTIMATED COST OF PROJECT \$407,800

Please answer the following with a Yes/No response on all that apply to the proposed development

Institutional	n/a	Change of Use	n/a
Parking Lot	n/a	Design Review	n/a
Manufacturing	n/a	Flood Plain Review	n/a
Office	n/a	Historic Preservation	n/a
Residential	YES	Housing Replacement	n/a
Retail/Business	n/a	14-403 Street Review	n/a
Warehouse	n/a	Shoreland	n/a
Single Family Dwelling	YES	Site Location	n/a
2 Family Dwelling	n/a	Stormwater Quality	n/a
Multi-Family Dwelling	n/a	Traffic Movement	n/a
B-3 Ped Activity Review	n/a	Zoning Variance	YES (Conditional Zone)
Change of Use	n/a	Historic Dist./Landmark	n/a
		Off Site Parking	n/a

APPLICATION FEE:

Check all reviews that apply. Payment may be made in cash or check to the City of Portland.

<p>Major Development (more than 10,000 sq. ft.)</p> <p><input checked="" type="checkbox"/> Under 50,000 sq. ft. (\$500.00)*</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p>Plan Amendments</p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p>Subdivision</p> <p><input checked="" type="checkbox"/> Subdivision (\$500.00) + amount of lots (3) (\$25.00 per lot) \$575.00 + (applicable Major site plan fee)*</p> <p><small>*Per Division 30, Section 14-484 of the Land Use Ordinance, this project is eligible for a 25% reduction of application fees.</small></p>
<p>Minor Site Plan Review</p> <p><input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p>Other Reviews</p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot_____)</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00)</p> <p><input type="checkbox"/> Storm water Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other_____</p>

DEVELOPMENT REVIEW APPLICATION SUBMISSION

Submissions shall include seven (7) packets with folded plans containing the following materials:

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

Refer to the application checklist (page 9) for a detailed list of submittal requirements.

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

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

This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

Signature of Applicant:	Date:
-------------------------	-------

Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

18 Luther Street, Peaks Island

Project Name, Address of Project

Application Number

(The form is to be completed by the Applicant or Designated Representative)

Check Submitted	Required Information	Section 14-525 (b,c)																																																																																				
<table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Applicant</td> <td style="width: 50%;">Staff</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">N/A</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">_____</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> <tr> <td style="text-align: center;">✓</td> <td style="text-align: center;">_____</td> </tr> </table>	Applicant	Staff	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	_____	_____	✓	_____	✓	_____	_____	_____	✓	_____	✓	_____	✓	_____	N/A	_____	✓	_____	✓	_____	✓	_____	✓	_____	N/A	_____	✓	_____	N/A	_____	✓	_____	✓	_____	N/A	_____	_____	_____	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	N/A	_____	_____	_____	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	✓	_____	<p>Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:</p> <p>Name and address of applicant and name of proposed development</p> <ul style="list-style-type: none"> * Scale and north points * Boundaries of the site * Total land area of site * Topography - existing and proposed (2 feet intervals or less) <p>Plans based on the boundary survey including:</p> <ul style="list-style-type: none"> * Existing soil conditions * Location of water courses, wetlands, marshes, rock outcroppings and wooded areas * Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used * Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (<u>example page 11 of packet</u>) * Location of on-site waste receptacles * Public utilities * Water and sewer mains * Culverts, drains, existing and proposed, showing size and directions of flows * Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed * Location and dimensions of on-site pedestrian and vehicular access ways * Parking areas * Loading facilities * Design of ingress and egress of vehicles to and from the site onto public streets * Curb and sidewalks <p>Landscape plan showing:</p> <ul style="list-style-type: none"> * Location of existing vegetation and proposed vegetation * Type of vegetation * Quantity of plantings * Size of proposed landscaping * Existing areas to be preserved * Preservation measures to be employed * Details of planting and preservation specifications * Location and dimensions of all fencing and screening <p>Location and intensity of outdoor lighting system</p> <p>Location of fire hydrants, existing and proposed (<u>refer to Fire Department checklist – page 11</u>)</p> <p>Written statements to include:</p> <ul style="list-style-type: none"> * Description of proposed uses to be located on site * Quantity and type of residential, if any * Total land area of the site * Total floor area, total disturbed area and ground coverage of each proposed Building and structure * General summary of existing and proposed easements or other burdens * Type, quantity and method of handling solid waste disposal * Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (<u>refer to the wastewater capacity application – page 12</u>) * Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff. 	<p>1</p> <p>a</p> <p>b</p> <p>c</p> <p>d</p> <p>e</p> <p>2</p> <p>a</p> <p>b</p> <p>c</p> <p>d</p> <p>e</p> <p>f</p> <p>g</p> <p>g</p> <p>g</p> <p>g</p> <p>h</p> <p>h</p> <p>h</p> <p>h</p> <p>h</p> <p>h</p> <p>h</p> <p>h</p> <p>h</p> <p>i</p> <p>j</p> <p>k</p> <p>c</p> <p>cl</p> <p>cl</p> <p>c2</p> <p>c2</p> <p>c3</p> <p>c4</p> <p>c5</p> <p>c5</p> <p>c6</p>
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- * An estimate of the time period required for completion of the development 7
 - * A list of all state and federal regulatory approvals to which the development may be subject to, the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction. 8
 - * Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.
 - * Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.
 - * A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.
- A jpeg or pdf of the proposed site plan, if available.
- Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study

Conditional Zone Dimension Summary

1.	Property is located in a CONDITIONAL ZONE		
2.	Parcel Acreage: 0.37 Acres (16,271 s.f.)		
	Regulations	<u>CZA Requirement</u>	<u>Provided</u>
	Min Lot Area	5,300 s.f.	5,380 s.f.
	Min Street		
	Frontage	49 ft.	49 ft.
	Min. Front Yard (Lots 15+16)	10 ft.	10 ft.
	Min. Front Yard (Lot 17)	1 ft. *	1 ft.
	Min. Rear Yard	25 ft.	25 ft.
	Min. Side Yard (Lots 15+16)	8 ft.	8 ft.
	Min. Side Yard (Lot 17)	6.5 ft.**	6.5 ft.
	Max. Building Height	35 ft.	35 ft.
	Min. Lot Width	49 ft.	49 ft.
4.	Parking:	1 space/lot	1 space/lot
5.	Maximum Impervious Surface Ratio:	28%	28%

* Existing house on Lot 17 currently has a 1-foot front yard setback. If the house is reconstructed, it will be required to meet the 10-foot front yard setback requirement.

** Existing house on Lot 17 currently has a 6.5-foot side yard setback. If the house is reconstructed, it will be required to meet the 8-foot side yard setback requirement.

Portland Fire Department Checklist

A separate drawing[s] shall be provided to the Portland Fire Department for all site plan reviews, which shall include:

1. Name, address, telephone number of applicant.
2. Name address, telephone number of architect
3. Proposed uses of any structures [NFPA and IBC classification]
4. Square footage of all structures [total and per story]
5. Elevation of all structures
6. Proposed fire protection of all structures
7. Hydrant locations
8. Water main[s] size and location
9. Access to any fire department connections
10. Access to all structures [min. 2 sides]
11. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.
12. Elevators shall be sized to fit an 81" x 23" stretcher and two personnel.
13. Some structures may require Fire flows using annex H of NFPA 1

Additional Submission for Subdivisions:

Street Names and Street Numbering for Proposed Subdivisions

Notice to Developers of New Subdivisions

Effective January 1, 1998, the City of Portland requests that developers of new subdivisions submit information regarding the origin of the name of any new street(s) created within the City limits. This information shall be submitted to the Planning Division with all other related application materials and shall include information regarding the person or subject for which all new streets are being named. In the case of a person, the full name should be submitted, as well as their vocation, relationship to the developer or the area, or other pertinent information.

Street Numbering Assignments

The assignment of official street addresses is the sole responsibility of the Department of Public Services. These assignments proceed by a set of guidelines and are done from submitted site plans whenever possible. For Enhanced 9-1-1 purposes, they need to be as accurate as possible and, depending on size and site layout, the creation of new street names may be required. Despite addresses listed on such things as the check sheet for site plan approval, building inspection documents or tax maps, it is requested you contact the Department of Public Services for your official address(es). Please call, Leslie Kaynor, GIS Surveyor at (207) 874-8346.

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,
55 Portland Street,
Portland, Maine 04101-2991



Mr. Frank J. Brancely,
Senior Engineering Technician,
Phone #: (207) 874-8832,
Fax #: (207) 874-8852,
E-mail: fjb@portlandmaine.gov

Date: July 1, 2010

1. Please, Submit Utility, Site, and Locus Plans.

Site Address: **18 Luther Street**

(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)

Proposed Use: **Single Family Residential (three)**

Previous Use: **Single Family Residential (one)**

Existing Sanitary Flows: **270 GPD**

Existing Process Flows: **810 GPD**

Description and location of City sewer, at proposed building sewer lateral connection: **There is an existing sanitary sewer main located on Luther Street. Proposed house will connect to main as shown on attached plans.**

Chart Block Lot Number: **Map 87, Block Z,
Lots 15, 16 & 17**

Site Category

Commercial
Industrial (complete part 4 below)
Governmental
Residential
Other (specify)

XX

Clearly, indicate the proposed connection, on the submitted plans.

2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: **90 GPD/bedroom x 3 bedroom x 3 houses = 810 GPD**

Peaking Factor/ Peak Times:

Specify the source of design guidelines: (i.e. “Handbook of Subsurface Wastewater Disposal in Maine,” “Plumbers and Pipe Fitters Calculation Manual,” Portland Water District Records, Other (specify)

Note: Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet.

3. Please, Submit Contact Information.

Owner/Developer Name: **Home Start**

Owner/Developer Address: **P.O. Box 174, Peaks Island, ME 04108**

Phone: **207-766-2543**

E-mail: **emahoney@harborviewproperties.com**

Engineering Consultant Name: **Walsh Engineering Associates, Inc.**

Engineering Consultant Address: **918 Brighton Avenue, Portland, Maine 04102**

Phone: **553-9898** E-mail: **bill@walsh-eng.com**

City Planner's Name: **Shukria Wiar** Phone: **874-8721**

Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review.

4. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: _____ GPD

Do you currently hold Federal or State discharge permits? Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? Yes _____ No _____

OSHA Standard Industrial Code (SIC): _____

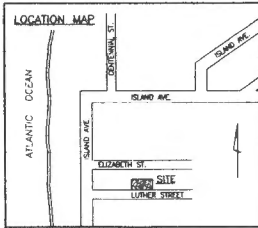
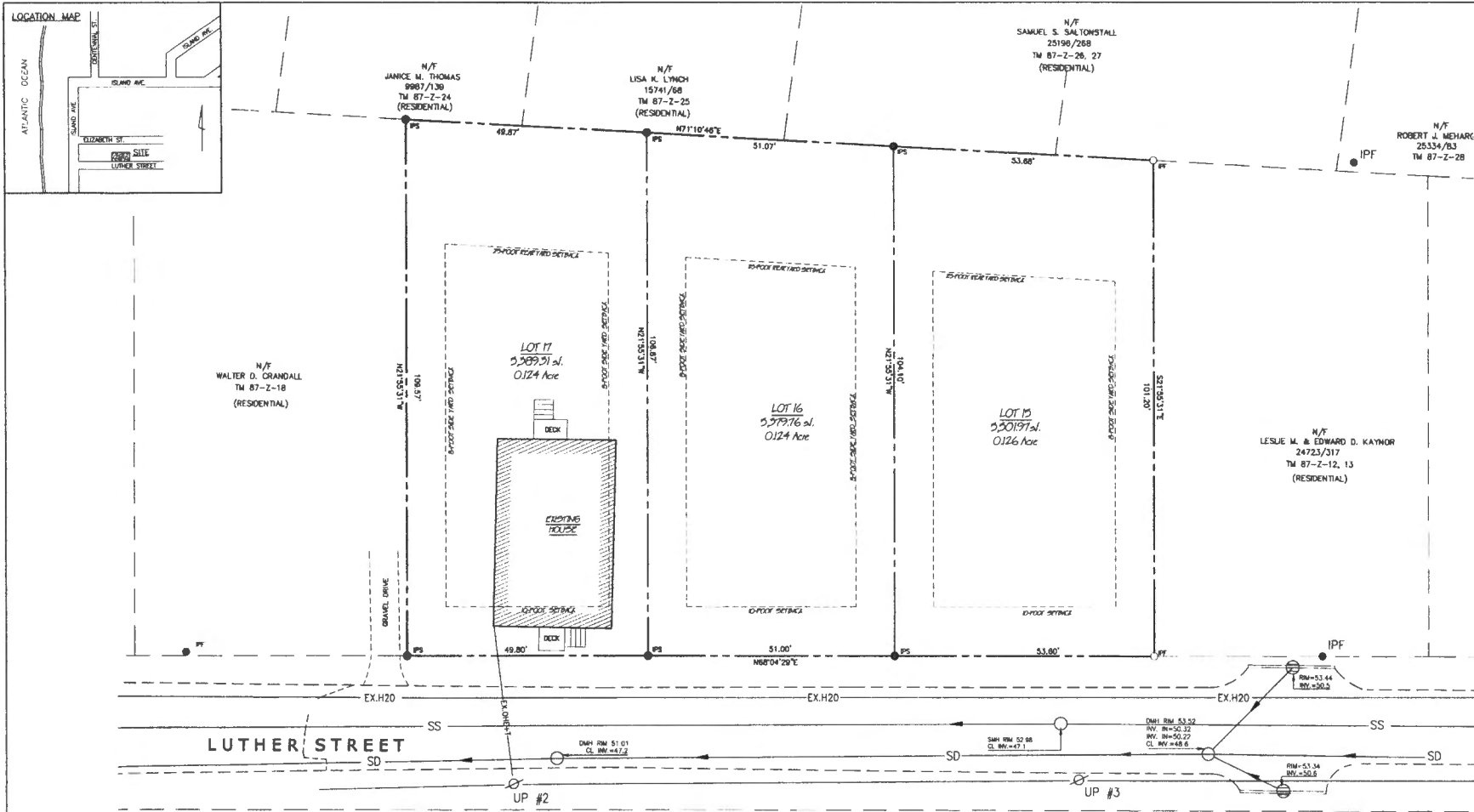
(<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: _____

Note: On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.

Notes, Comments, or Calculations:

Location of existing house lateral is unknown. Should reconstruction of the home be completed, the service will be Located and extended to the proposed unit.



ENGINEER:
WALSH
 ENGINEERING ASSOCIATES, INC.
 918 Bridgeway | Portland, Maine 04102
 ph 207 865 9891 | www.walsh-eng.com
 Copyright © 2010

SURVEYOR:
 OWEN HAINBELL, INC.
 380 U.S. 1
 Falmouth, ME 04105-1395
 (207) 774-0454

ARCHITECT:
 NAPLAN THOMPSON ARCHITECTS
 424 Elm Street
 Portland, ME 04101
 (207) 842-3088

18 Luther Street
 Portland, Maine
 for
 Peaks Island
 HOMESTART, P.O. Box 174, Peaks Island, Maine 04108

LEGEND:

EXISTING	—
BY-LINE PIP OF RVD PLAND	—
UTILITY POLE	—
WATER VALVE	—
MANHOLE	—
CATCH BASIN	—
PIPS TO BE SET	—
OVERHEAD WIRES	—
PROPERTY	—
WATER LINE	—
SHADY TREE	—

PLAN REFERENCES:
 1. PLAN OF HOMESTEAD LOT OF LATE LUTHER STERLING NOV. 1893 RECORDED IN DEED BOOK 514 PAGE 210.
 2. BOUNDARY AND TOPOGRAPHIC SURVEY ON LUTHER STREET, PEAKS ISLAND, PORTLAND, MAINE, PREPARED FOR RECORD OWNER: HOMESTART, 379 ISLAND AVENUE, PEAKS ISLAND, PORTLAND, MAINE. PREPARED BY OWEN HAINBELL, INC., PROFESSIONAL LAND SURVEYORS, DATED SEPTEMBER 23, 2009.

GENERAL NOTES:
 1. OWNER OF RECORD: HOMESTART, C.C.R.D. BOOK 25452 PAGE 211.
 2. PARCEL IS SHOWN AS LOTS 15, 16 AND 17, BLOCK 2, ON THE CITY OF PORTLAND ASSESSORS MAP 87.
 3. BEARINGS ARE BASED ON CONTROL POINTS PROVIDED BY CITY OF PORTLAND ENGINEERING DEPARTMENT AS REQUIRED FOR CITY REVIEW.
 4. SURVEYORS SIGNATURE AND SEAL IS ONLY FOR BOUNDARY LINE INFORMATION SHOWN HEREON AS TAKEN FROM PLAN REFERENCE 2.

ZONING SUMMARY
 1. LOTS 15, 16 AND 17 ARE SUBJECT TO A CONDITIONAL ZONE AGREEMENT AS APPROVED BY THE CITY OF PORTLAND CITY COUNCIL ON JULY 19, 2010.
 2. CONDITIONAL ZONE AGREEMENT (CZA) REGULATIONS:
 MINIMUM LOT AREA 5,300 S.F.
 MIN. STREET FRONTAGE 49 FT.
 MIN. FRONT YARD SETBACK (LOTS 15 & 16) 10 FT.
 MIN. FRONT YARD SETBACK (LOT 17) 1 FT.
 MIN. REAR YARD SETBACK 25 FT.
 MIN. SIDE YARD SETBACK (LOTS 15 & 16) 5 FT.
 MIN. SIDE YARD SETBACK (LOTS 17) 6.5 FT.
 MAX. BUILDING HEIGHT 35 FT.
 MIN. LOT WIDTH 49 FT.
 MAX. LOT COVERAGE 20% OF LOT
 3. PARKING - R-2 ZONE 1 SPACE/UNIT

* EXISTING HOUSE ON LOT 17 HAS A 1-FOOT FRONT YARD SETBACK. IF THE HOUSE IS RECONSTRUCTED, IT WILL BE REQUIRED TO MEET THE 10-FOOT FRONT YARD SETBACK REQUIREMENT.
 ** EXISTING HOUSE ON LOT 17 CURRENTLY HAS A 6.5-FOOT SIDE YARD SETBACK. IF THE HOUSE IS RECONSTRUCTED, IT WILL BE REQUIRED TO MEET THE 6-FOOT SIDE YARD SETBACK REQUIREMENT.

APPROVED BY THE CITY OF PORTLAND PLANNING BOARD

NAME:	DATE:

GRAPHIC SCALE
 0 5 10 20

STATE OF MAINE
 CUMBERLAND COUNTY REGISTRY OF DEEDS

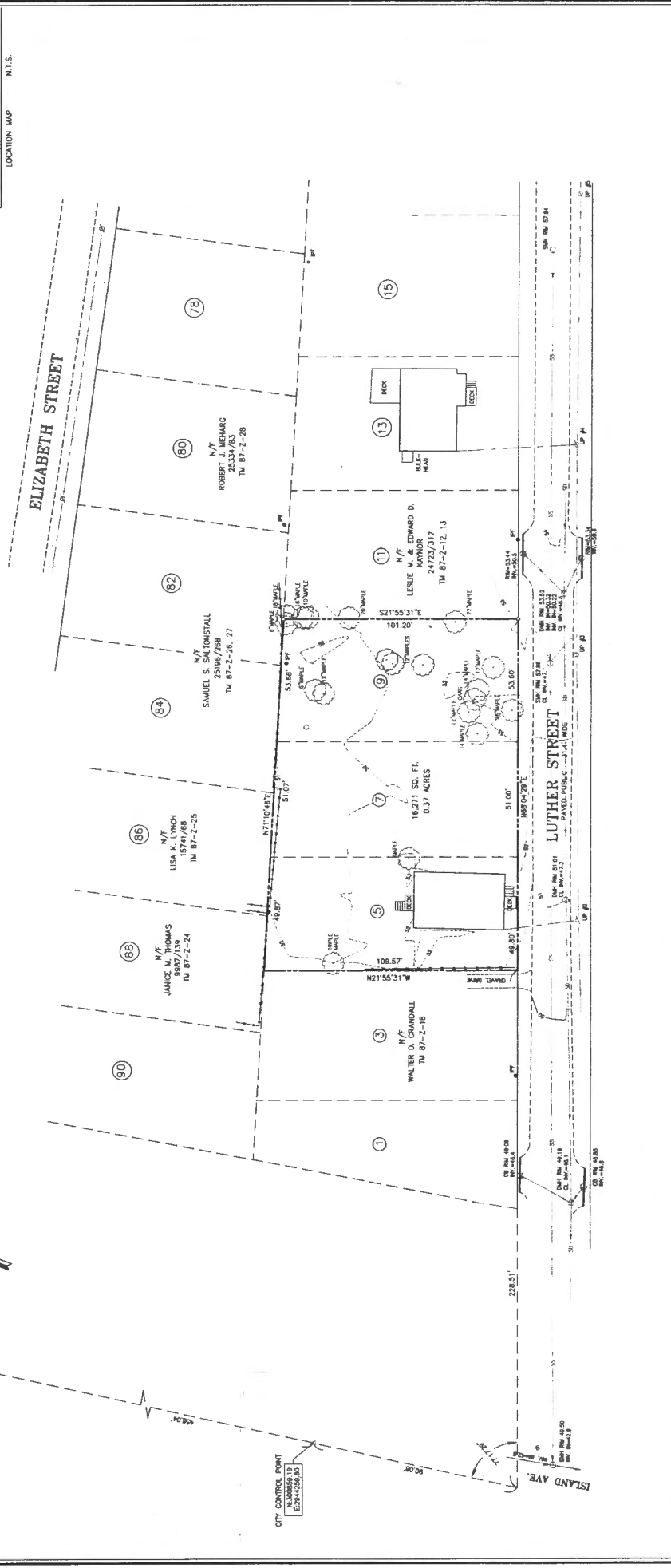
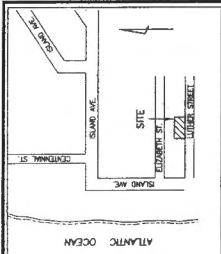
RECEIVED
 AT ___ M ___ M AND RECORDED
 IMPLEMENT NUMBER _____
 PLAN BOOK _____ PAGE _____
 ATTEST _____
 REGISTER

Rev.	Date	Description	Drawn/Check

Sheet Title
Subdivision Plan

Job No. 114 Sheet No. 1
 Date: Aug. 6 2010
 Scale: 1" = 10'
 Drawn: _____
 Checked: _____

S1.0



BOUNDARY & TOPOGRAPHIC SURVEY
 LUTHER STREET, PEAKS ON ISLAND, PORTLAND, MAINE
 MADE FOR RECORD OWNER
 HOMESTART
 379 ISLAND AVENUE, PEAKS ISLAND, PORTLAND, MAINE
OWEN HASKELL, INC.
 390 U.S. ROUTE ONE, PORTSMOUTH, ME 04105 (603) 774-0844

Drawn By: JCS
 Checked By: JCS
 Date: SEPT. 23, 2008
 Scale: 1" = 20'

CERTIFICATE
 OWEN HASKELL, INC. HEREBY CERTIFIES THAT THIS PLAN IS BASED ON THE RESULTS OF AN ON THE GROUND FIELD SURVEY AND IT CONFORMS TO THE BOARD OF GEODESY FOR PROFESSIONAL LAND SURVEYORS CURRENT STANDARDS OF PRACTICE.

DATE: 10-1-2008
 JOHN C. SCHINDLER, PLS. NO. 1232

PLAN REFERENCES

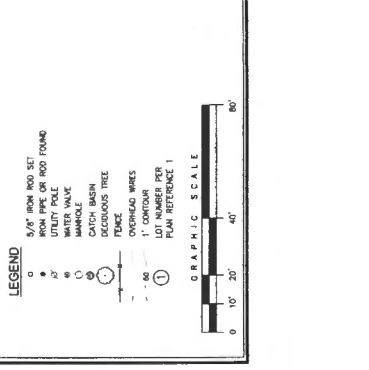
1. PLAN OF HOMESTART LOT OF LATE LUTHER STERLING NOV. 1883 RECORDED IN DEED BOOK 316 PAGE 210.
2. BOUNDARY SURVEY ON LUTHER STREET, PEAKS ISLAND, PORTLAND, MAINE MADE FOR HOME START DATED FEBRUARY 20, 2008 REV. 1 02-23-08 BY OWEN HASKELL, INC.

NOTES

1. OWNER OF RECORD: HOMESTART, C.C.R.D. BOOK 2956 PAGE 211
2. PARCEL IS SHOWN AS LOTS 15, 16 AND 17, BLOCK 2, ON
3. THE CITY OF PORTLAND RECORDS MAP 87-1 ON PLAN REFERENCES 2.
4. BEARINGS ARE BASED ON CONTROL POINTS PROVIDED BY CITY OF PORTLAND ENGINEERING DEPARTMENT AS REQUIRED FOR CITY REVIEW.
5. ELEVATIONS ARE BASED ON CITY DATUM.

APPROVED BY THE
 CITY OF PORTLAND PLANNING BOARD

DATE: _____



W



A Division of People's United Bank

ORIGINAL

April 9, 2010

Mary Terry
Home Start
PO Box 174
Peaks Island, ME 04108

Dear Mary:

Maine Bank & Trust, a division of People's United Bank ("Bank") is pleased to approve the following Loan to Home Start ("Borrower"). This letter, when properly signed and accepted, will constitute an agreement between Bank and Borrower which agrees to borrow in accordance with the following terms and conditions in addition to all provisions of the Loan documents.

- Name of Borrower:** Home Start
- Amount of Loan:** Up to \$380,000
- Loan Type/Use of Funds:** Non-revolving construction line to construct two additional single family homes on existing lot, for resale to low to moderate income end buyers.
- Maturity Date:** Up to 9 months
- Interest Rate:** National Prime plus 1.5% variable with a rate floor of 4.0% AK
- Repayment:** Interest monthly, principal pay downs equal to net proceeds and in an amount acceptable to the Bank due upon the sale of each home. Balance due upon maturity
- Collateral:** A valid first mortgage free and clear of all encumbrances and assignment of rents on the real estate located at 18 Luther Street, Peaks Island, ME.
- Cross Default/
Cross Collateralization:** N/A
- Guarantees:** N/A
- Other Conditions & Terms:**
 - Comprehensive deposit account relationship with Borrower to be maintained at Bank.
 - As completed appraisal for each of the individual homes and lots with a combined maximum loan to value of 80% for the proposed loan.

SHORT FORM WARRANTY DEED

87-2-15, 16, 17

SUSAN MORIARTY CADORETTE, formerly known as Susan Moriarty, of Belchertown, Massachusetts, FOR CONSIDERATION PAID, grants to HOME START, a Maine non-profit corporation having a mailing address of 196 Seashore Avenue, Peaks Island, Portland, Maine 04108, WITH WARRANTY COVENANTS, the following described real property located on Peaks Island, Portland, County of Cumberland and State of Maine:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

~~Meaning and intending to convey the same premises described in three (3) deeds from~~

Susan Moriarty Trustee of Moriarty Maine Property Realty Trust to Susan Moriarty, all dated June 4, 1998 and recorded in Cumberland County Registry of Deeds in Book 14020, Page 225, Book 14020, Page 228 and Book 14020, Page 231, respectively.

IN WITNESS WHEREOF, SUSAN MORIARTY CADORETTE has hereunto set her hand and seal this 7th day of September, 2007.

WITNESS:

[Signature]

Susan Moriarty Cadorette
Susan Moriarty Cadorette

STATE OF MAINE
CUMBERLAND, SS.

September 7, 2007

Personally appeared the above-named SUSAN MORIARTY CADORETTE and acknowledged the foregoing instrument to be her free act and deed.

Before me,

[Signature]
Notary Public/Attorney-at-Law

Print Name: Amy N. Dennis
My commission expires: N/A

MAINE REAL ESTATE TAX PAID

EXHIBIT A
18 Luther Street, Peaks Island, Portland, Maine

Certain lots or parcels of land, with the buildings thereon, situated on Peaks Island, City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

PARCEL 1:

A certain lot or parcel of land with the buildings thereon situated on the northerly side of Luther Street on said Peaks Island, County of Cumberland, bounded and described as follows:

Beginning on the northerly sideline of Luther Street, at a stake or stones located one hundred four and eight tenths (104.8) feet easterly thereon from the southeasterly corner of land conveyed by Luther Sterling to Melville C. Sterling; thence northerly at right angles with Luther Street one hundred eight and one-half (108.50) feet more or less, to a point half way to Elizabeth Street; thence easterly on a line half way between Luther Street and Elizabeth Street, forty nine and eight tenths (49.80) feet to the northwesterly corner of Lot #7 (seven); thence southerly by said Lot #7 (seven) one hundred four (104) feet, more or less, to the northerly side line of Luther Street; thence westerly by Luther Street, forty nine and eight tenths (49.80) feet to the point of beginning. Being Lot #5 (five) on the above mentioned Plan.

Being the same premises conveyed by warranty deed from Susan Moriarty, Trustee of the Moriarty Maine Property Realty Trust to Susan Moriarty dated June 4, 1998 and recorded in the Cumberland County Registry of Deeds in Book 14020, Page 225.

PARCEL 2:

A certain lot or parcel of land at Peaks Island, City of Portland, County of Cumberland and State of Maine, one (1) parcel bounded and described as follows:

A certain lot of land being known as designated as Lot #7 (seven) as shown on Plan of Homestead Lot of late Luther Sterling, Plan E, made by C. H. Howe, C.E. dated November, 1883 and recorded in Cumberland County Registry of Deeds in Book 516, between Pages 210 and 211.

Being the same premises conveyed by warranty deed from Susan Moriarty, Trustee of the Moriarty Maine Property Realty Trust to Susan Moriarty dated June 4, 1998 and recorded in the Cumberland County Registry of Deeds in Book 14020, Page 228.

PARCEL 3:

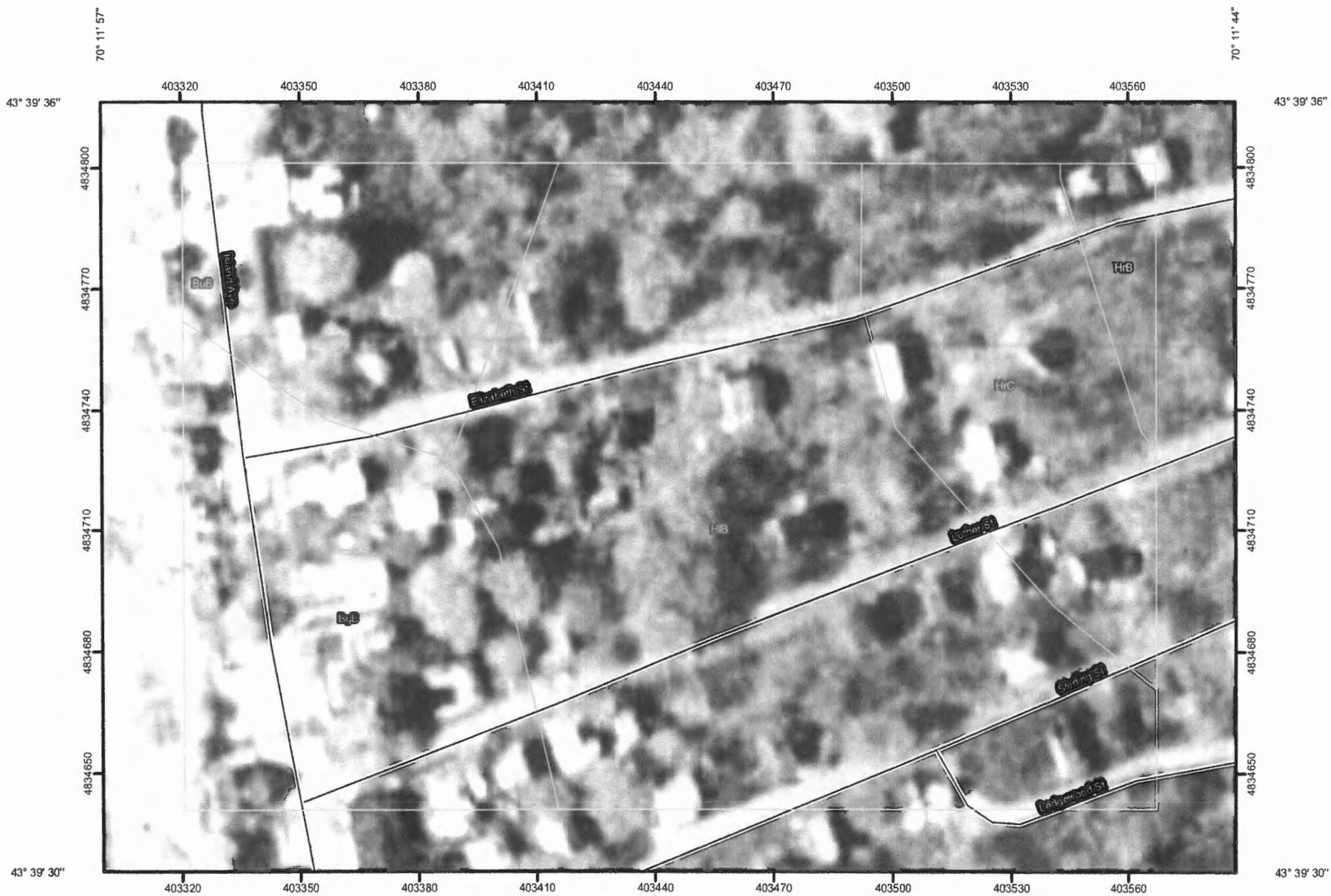
A certain lot or parcel of land at Peaks Island, City of Portland, County of Cumberland and State of Maine, one (1) parcel bounded and described as follows:

Beginning in the northerly line of Luther Street at a stone, distant two hundred five (205) feet from the home lot now or formerly of Melville C. Sterling; thence easterly by said Luther Street fifty-three and six tenths (53.60) feet to another stone bound and from these two stones extending northerly one-half way to Elizabeth Street, the easterly line of said lot being about ninety seven and one-half (97 ½) feet and the westerly line about one hundred eleven and one-half (111.50) feet in length and being Lot #9 on a plan made by C. W. Howe and recorded in the Cumberland County Registry of Deeds in Book 516, Page 210, being the lot of land conveyed to Elva E. Rich by Luther A. Sterling by deed dated November 3, 1892 and recorded in said Registry of Deeds in Book 596, Page 105.

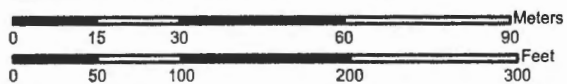
Being the same premises conveyed by warranty deed from Susan Moriarty, Trustee of the Moriarty Maine Property Realty Trust to Susan Moriarty dated June 4, 1998 and recorded in the Cumberland County Registry of Deeds in Book 14020, Page 231.

Received
Recorded Register of Deeds
Sep 07, 2007 02:44:38P
Cumberland County
Pamela E. Lovley

Soil Map—Cumberland County and Part of Oxford County, Maine




Map Scale: 1:1,360 if printed on A size (8.5" x 11") sheet.



MAP LEGEND






















Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Units

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

-  Gully
-  Short Steep Slope
-  Other

Political Features

 Cities

Water Features

-  Oceans
-  Streams and Canals

Transportation

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

MAP INFORMATION

Map Scale: 1:1,360 if printed on A size (8.5" x 11") sheet.

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

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

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>
 Coordinate System: UTM Zone 19N NAD83

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 7, Jan 8, 2009

Date(s) aerial images were photographed: 4/29/1998

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
BgB	Belgrade very fine sandy loam, 0 to 8 percent slopes	2.0	20.8%
BuB	Buxton silt loam, 3 to 8 percent slopes	1.2	12.7%
HIB	Hinckley gravelly sandy loam, 3 to 8 percent slopes	4.7	48.5%
HrB	Hollis fine sandy loam, 3 to 8 percent slopes	0.2	2.5%
HrC	Hollis fine sandy loam, 8 to 15 percent slopes	1.5	15.5%
Totals for Area of Interest		9.7	100.0%



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

November 18, 2009

Walsh Engineering Associates, Inc.
918 Brighton Avenue
Portland, ME 04102

Attn: William R. Walsh, III, PE, LEED AP
Re: 18 Luther Street, Peaks Island
Ability to serve with PWD water

Dear Mr. Walsh:

This letter is to confirm that there should be an adequate supply of clean and healthful water to serve the needs of the two proposed single-family houses located at 18 Luther Street on Peaks Island. According to District records, there is an 8-inch ductile iron water main on the north side of Luther Street as well as a hydrant located 150 ft. from the site.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the domestic water needs of your proposed project, as stated in your e-mail, dated November 9, 2009.

Hydrant Location: Luther Street, 500' east of Island Avenue
Hydrant Number: POD-HYD00627
Static Pressure: 70 PSI
Residual Pressure: Not measured
Flow: Not measured
Last Tested: 6/4/2003

With regard to your fire protection needs, please notify your plumber of these results so that they can design any residential sprinkler systems that are required. Also, please contact your local fire department to determine if the fire service capacity is sufficient for their needs. If the results of a two-hydrant flow test are required, please contact us, and we will schedule a test for spring 2010.

The service card for the existing service to the home at 18 Luther Street is attached to this letter, as requested. Please note that each new service will have to tap the main along the street frontage of its own lot.

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

Sincerely,
Portland Water District

Rico Spugnardi, P.E.
Business Development Engineer

PO - 18 Luther Street - Ability to Serve 09.doc

225 DOUGLASS STREET P.O. BOX 3553 PORTLAND, MAINE 04104-3553
PHONE: 207.774.5961 FAX: 207.761.8307 WEB: WWW.PWD.ORG

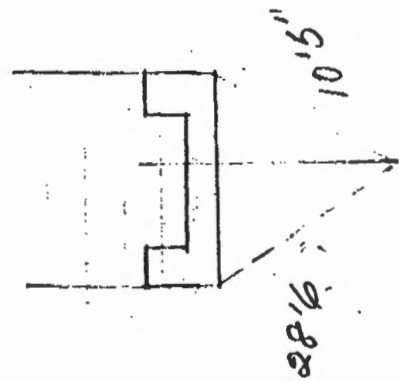


CODE NO. *PT 4* DISTRICT *P.I.*
 REG. NO. *41399* NO. *18* BUTHER ST. ST.

NAME *56117*
 NAME *General B. Corbally*
 NAME *Jas. Moriarty*

SERVICE RECORD		RENEWAL RECORDS	
KIND OF PIPE		KIND OF PIPE	<i>Copper</i>
SIZE OF PIPE		SIZE OF PIPE	<i>3/4"</i>
MAIN TO STOP		MAIN TO STOP	<i>13'</i>
STOP TO ST. LINE		STOP TO ST. LINE	<i>5'</i>
ST. LINE TO BUILDING		ST. LINE TO BUILDING	<i>3/4" Copper</i>
TOTAL LENGTH		TOTAL LENGTH	
DATE		DATE	<i>11-29-67</i>
REMARKS		REMARKS	<i>5/2" Cover</i>

IN 4-65, P. 5 SERVICE SHUT AT COMP.





STORMWATER MANAGEMENT REPORT
for the
LUTHER STREET, PEAKS ISLAND
August 5, 2010

INTRODUCTION

The subject property (the Site) owned by Homestart is located on Luther Street on Peaks Island, Portland, Maine. The stormwater runoff from this project discharges via overland flow at two points, to a closed storm drainage system to the south and to an existing vegetative buffer to the north of the project. Two proposed rain gardens will mitigate stormwater runoff via infiltration.

The approximately 0.375 acre Site currently is undeveloped woodlands. Homestart proposes to add two single family homes with associated driveways and landscaped areas on the existing Lots 15, 16 and 17. This report discusses the Site's hydrological conditions and water quality provided for the development through utilization of stormwater BMP's.

DATA COLLECTION AND ASSUMPTIONS

Site Data based on an on Site survey performed by Owen Haskell, Inc. dated September 23, 2009. Calculations were performed to create a HydroCAD stormwater model, which is based on the United States Department of Agriculture's (USDA) Technical Release 20 (TR-20) and Technical Release 55 (TR-55) hydraulic programs.

Curve numbers (CN's) assigned to differing land cover and soil types were taken from tables within the HydroCAD software, which are from the SCS TR-55 manual, revised 1986. 24-hour rainfall depths were taken from the 'Stormwater Management for Maine: Volume III BMP's Technical Design Manual, January 2006'. Time of concentrations were assumed to be 5 minutes.

The proposed watershed subcatchments for the treatment areas are shown on the attached Drawing D1 entitled "Post Development Watershed". Modeling assumptions are summarized in the attached HydroCAD output.

EXISTING SITE CONDITIONS

Refer to plan entitled, " Boundary & Topographic Survey by Owen Haskell, Inc" dated September 23, 2009 or existing Site features and topography. Site topography generally slopes towards the north and south end of the property. Slopes are generally moderate on the existing development. According to the United States Department of Agriculture and Soil Conservation Service Issued August 1974, on-Site soils include Hinckley, which have a "A" Hydrological Soil Grouping (HSG) classification.

The northern portion of the Site's runoff from the existing partially developed land enters an existing vegetative buffer to the north. The remainder of the Site's runoff on the southern portion runs overland and enters the existing closed drainage system on Luther Street. This project is not in a watershed of a lake most at risk of development or an urban impaired stream as defined in Chapter 502 of the Maine Department of Environmental Protection (DEP) Rules revised December 27, 2006. Proposed Site Conditions

PROPOSED SITE CONDITIONS

Proposed improvements include the reconstruction of the existing house on Lot 17, new single family homes on lots 15 and 16, and associated driveways, grading and proposed rain gardens for stormwater treatment. Future patios will be constructed with a permeable paver system.

Land cover changes include converting wood, grass and gravel areas to paved areas. The proposed Site will have 8,750 ± square feet of developed area, including 2,898 ± square feet of impervious area. The proposed improvements will increase impervious area by 2,898 square feet. Refer to Drawing Set for details of proposed Site improvements.

Stormwater from the area of proposed improvements will be directed to the two proposed rain gardens located on lots 15 and 16. The remainder of the drainage from northern portion of the site will drain to the existing vegetative buffer to the north. The stormwater treatment measures proposed for the project have been sized based on the total developed area presented above.

WATER QUANTITY

Two points of analysis, POA #1 & POA #2, were evaluated for the Site. POA # 1 is at the existing storm drainage system in Luther Street. POA #2 is the point of analysis at the rear property line to the north of the Site.

Table 1: Summary of Peak Flows

Point of Analysis	Pre-development			Post-development		
	2-Year Peak Flow (cfs)	10-Year Peak Flow (cfs)	25-Year Peak Flow (cfs)	2-Year Peak Flow (cfs)	10-Year Peak Flow (cfs)	25-Year Peak Flow (cfs)
1	0.00	0.01	0.03	0.02	0.07	0.18
2	0.00	0.00	0.00	0.00	0.00	0.01

Peak stormwater flows leaving the Site will be mitigated by two proposed rain gardens in front of Lots 15 and 16. These rain gardens will infiltrate stormwater runoff from the 2 year storm and will infiltrate a majority of the runoff from the 10 and 25-year storms.

Table 1 shows small increases to peak flows entering the stormwater system in Luther Street at POA #1. The largest increase in peak flow leaving the Site will be 0.15 cfs in the 25-year storm event. The increase in the 2-year storm, is due to the addition of impervious area and minor shifting of the drainage patterns on Lot 17. In the 10 and 25-year storms, there will be some minor overflows from the rain gardens on Lots 15 and 16 that will enter the stormwater system in Luther Street.

POA #1 at the northern property line will have a 0.01 cfs increase to peak flows. The additional impervious area draining to POA #1 is offset by shifting some drainage area towards the proposed rain gardens.

WATER QUALITY

Increases to impervious and developed areas will be treated via the proposed rain gardens. 100% of the increased impervious and 81% of the increased developed area will be treated by the rain gardens. Refer to the plan set for plan views, layout and details of these treatment measures.

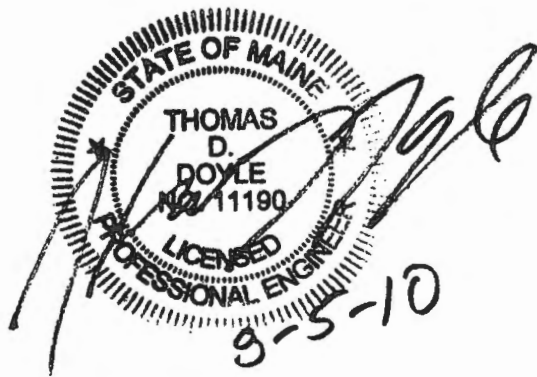
The rain gardens are designed to treat stormwater consistent with current Maine DEP stormwater standards. The enclosed calculations titled "Water Quality Computations" summarizes the water quality computations for the proposed improvements.

Construction will be in accordance with the most current Maine Erosion and Sedimentation Control Best Management Practices. These measures include temporary and permanent seeding, temporary sediment barriers, erosion control mesh, culvert inlet and outlet protection, and a construction entrance.

CONCLUSIONS

The proposed stormwater design will use two rain gardens as well as long-term and short-term erosion control measures to mitigate stormwater runoff to the maximum extent practicable. This project will have no significant adverse impacts on downstream properties as a result of stormwater. Stormwater related calculations and computer modeling are included as Appendix A to this Exhibit.

BLAIS CIVIL ENGINEERS, PA



Thomas D. Doyle, PE

Peaks Island-Luther Street - BCE PROJECT # 10150
Water Quality Worksheet

Required Treatment Summary

	Non-Linear	
	Impervious Area	Developed Area
Net Area Increase	2,898 SF	8,750 SF
Total Net Area to be Treated	0 SF	0 SF

UD Soil Filter/Rain Garden Treatment Table

Best Management Practice	Non-Linear Treated Impervious Area (sf)	% Treated of Total Net Increase	Non-Linear Treated Developed Area (sf)	% Treated of Total Net Increase	Treated Landscaped/Lawn Area (sf)	Subarea	Required WQ Volume (cf)	Provided WQ Volume (cf)	Required Filter Area (sf)	Provided Filter Area (sf)
Rain Garden #1	1,963 SF	68%	3,881 SF	44%	1,918 SF	1.1S	228 CF	302 CF	195 SF	207 SF
Rain Garden #2	942 SF	33%	3,220 SF	37%	2,278 SF	1.2S	154 CF	263 CF	134 SF	179 SF
Total Treatment Provided	2,905 SF	100%	7,101 SF	81%						

Notes: 1. WQ Volume = (1.0' x Treated Impervious Area) + (0.4' x Treated Landscaped Area)
 2. Req'd Filter Area = 7% of Treated Impervious Area + 3% of Treated Landscaped/Lawn Area

Zoning Administrator Marge Schmuckal

August 26, 2010

This 3-lot subdivision is now under a contract zone that was council approved on 7/19/10 with an underlying IR-2 Zone.

Reviewing for subdivision, all terms of the contract are being met. Lot #17, the existing lot is currently meeting its requirements. The potential build out of Lot #16 & 15 have the ability to meet the contract requirements. The affordable housing regulation require only 1 parking space per dwelling unit. That requirement can be met.

It should be noted that I am not approving specific plans to build on the new lots. However, it is noted on the potential site building plans, the parking requirements would not be met. Section 14-334 of the Parking Division states that required parking may not be located within the required front yard setback. That same section also states that there must be a minimum 5' side setback for parking within 50' of the front property line. The suggested build-out plans show the parking in the front yard and shared driveway where the parking would be up to the property line. I did not see in the Contract Zone that there was a provision for such parking.

September 13, 2010

On 9/8/10 I received revised plans for this project. The project now shows that the proposed parking for all three single families will meet parking section 14-336. The one required parking space is not located within the required front yard setback and the parking is shown to be at least 5' from the side property line. The Zoning requirements of the contract zone and the underlying I-R2 Zone are both being met respectively.

This project will need separate building permits when the time comes for construction.

Applicant: Home Start Affordable Housing Date: 8/10/10 Shukria can get copy of contract

Address: 18 Luther St P.I. C-B-L: 87-2-15, 16, 17

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Council Approved 8/19/10

Zone Location - Contract Zone - 3-lot subdivision (IR-2 underlying)

Interior or corner lot - Contract: Allowed 1 existing unit & 2 New units

Proposed Use/Work - City

Sewage Disposal - City

Lot Street Frontage - min 49ft - Lot 17: 49.80' / Lot 16: 51' / Lot 15: 53.60'

Front Yard - min (lots 15 & 16) 10' (Lot 17) 1' (for existing only) - if rebuilt 10' req.

Rear Yard - min 25' - NO change in IR-2

Side Yard - min (lots 15 & 16) 8' (Lot 17) 6.5' (for existing only) - if rebuilt 8' req.

Projections -

Width of Lot - min 49' - Lot #17: 49.80' / Lot #16: 51' / Lot #15: 53.60'

Height - 35'

Lot Area - 5300 sq ft min size - showing 5,389.31 sq ft / 5,379.76 sq ft / 5,501.97 sq ft

Lot Coverage/ Impervious Surface - 28% of Lot #17: 1509 sq ft max / 1035.63 sq ft / Lot #16: 1506.3 sq ft max / 1155 sq ft / Lot 15: 1540.55 sq ft max

Area per Family - As given Above

Off-street Parking - 1 parking spot each under affordable housing standards

Loading Bays - N/A

Site Plan # 10-99700004

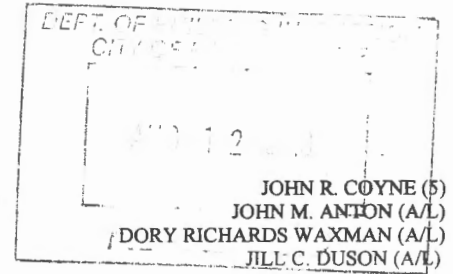
Shoreland Zoning/ Stream Protection - N/A

Flood Plains - Panel 15 - Zone C

14-336
9/6/10
addressed

Order 273-09/10
Given first reading 6/21/10
Public hearing & Passage 7/19/10 8-0 (Skolnik absent)
NICHOLAS M. MAVODONES (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL



AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING TEXT AND MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR PROPERTY
LOCATED ON LUTHER STREET ON PEAKS ISLAND

ORDERED, that the zoning map and text of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect the conditional rezoning as substantially detailed and described below.

CONDITIONAL ZONE AGREEMENT
RE:
HOMESTART

AGREEMENT made this ___ day of _____, 2010 by HOMESTART, a 501 c 3 Non-profit corporation with a place of business in Portland, Maine ("Developer"), and its successors and assigns.

WITNESSETH

WHEREAS, the Developer has acquired land and buildings located at 18 Luther Street, consisting of parcels shown on City of Portland Tax Map 87 Block Z, Lots 15, 16, and 17, and more particularly described in a deed from dated and recorded in the Cumberland County Registry of Deeds in Book 14020, Page 231 (the "Property"); and

WHEREAS, the existing building located on the Property is currently used to house a single family affordable residence; and

WHEREAS, the remaining portion of the Property remains undeveloped; and

WHEREAS, the homes on the Property will constructed to be energy efficient;

WHEREAS, there is available public water and sewer to service the Property;

WHEREAS, the Developer intends to develop two (2) affordable single family homes on the remaining undeveloped land, which shall be sold as affordable to buyers with household incomes one hundred and twenty (120%) percent or less of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine; and

WHEREAS, if Maine State Housing funds are available for such purposes, the Developer intends to rehabilitate or replace the existing house located on Property, which shall be owned by the Developer or an appropriate designee and leased as affordable to tenants with household incomes less than one hundred and twenty percent (120%) of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine; and

WHEREAS, if the Maine State Housing funds are unavailable, the Developer intends to sell the existing house located on the Property as affordable to buyers with household incomes less than one hundred and twenty percent (120%) of the U.S. Department of Housing and Urban Development moderate-income figure for metropolitan Cumberland County Maine; and

WHEREAS, the Developer intends to maintain the character of the Property and complement the adjacent residential neighborhood; and

WHEREAS, the existing zoning is IR-2 which requires 20,000 square feet of land area per unit, and which results in a limitation of one (1) unit upon the Property; and

WHEREAS, the Developer has requested a rezoning of the Property in order to permit the proposed redevelopment and reuse of the property from a single family residence to three (3) single family residential units; and

WHEREAS, the Portland Planning Board has determined the rezoning and proposed development would provide needed affordable housing on Peaks Island as is consistent with the housing component of the Comprehensive Plan; and

WHEREAS, the Planning Board, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions contained in this Agreement; and

WHEREAS, the Portland City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62, after notice, hearing and due deliberation thereon, has determined that because of the unusual nature and unique location of the proposed development, and its minimal impact on and compatibility with the surrounding community, it is necessary and appropriate to recommend the rezoning of the Property as aforesaid, with the following conditions and restrictions set forth in this Agreement; and

WHEREAS, the Portland City Council has on _____, 2010 approved this Agreement in its entirety, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1 (the "Order");

NOW, THEREFORE, in consideration of the rezoning, the Developer covenants and agrees as follows:

1. Pursuant to the Order, the City shall amend the Zoning Map of the City of Portland, dated September, 2000 (as amended from time to time and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by § 14-49 of the Code) by adopting the map change amendment shown below to zone the property IR-2, subject to the conditions contained below.



16-18 Luther Street
Proposed Conditional Rezoning

If this Agreement is not recorded within sixty (60) days after the effective date of the City Council's approval of the Order, then the conditional rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing IR - 2 zone.

2. The use of the Property shall be for a maximum of three (3) affordable single-family residential homes (1 existing unit and 2 new units). No additional units shall be developed, and the two (2) new units shall be developed substantially as delineated and depicted on the Site Plan, attached hereto as Attachment 2, entitled "Site Plan - conditional zone 18 Luther Street, Peaks Island, Portland Maine" for HOMESTART Prepared by Walsh Engineering Associates, Inc.

3. The underlying dimensional requirements of the IR-2 zone shall apply and are modified as follows:

a.	Minimum Lot Area	5,300 Sq. ft.
b.	Min Street Frontage	49 ft
c.	Min. Front Yard Setback (Lots 15&16)	10 ft
d.	Min. Front Yard Setback (Lot 17)	1 ft*
e.	Min. Rear Yard Setback	25 ft

f.	Min. Side Yard Setback (Lots 15&16)	8 ft
g.	Min. Side Yard Setback (Lot 17)	6.5 ft.**
h.	Max. Building Height	35 ft
i.	Min. Lot Width	49 ft
j.	Max. Lot Coverage	28% of Lot

* Existing house on Lot 17 currently has a 1-foot front yard setback. If the house is reconstructed, it will be required to meet the 10-foot front yard setback requirement.

** Existing house on Lot 17 currently has a 6.5-foot side yard setback. If the house is reconstructed, it will be required to meet the 8-foot side yard setback requirement.

4. The Developer agrees to maintain the following affordability controls on the proposed development on the Property:

- a. The two (2) new single family units shall be initially developed, marketed and sold to individuals with household incomes at 120% or less of the U.S. Department of Housing and Urban Development moderate-income income figure for metropolitan Cumberland County Maine, as calculated for the year in which the sale takes place (a "Qualified Purchaser"), and shall be priced to be affordable to a Qualified Purchaser. Each of the Qualified Purchasers of these two (2) single family units shall occupy the units as their principal residences, except that a Qualified Purchaser may rent a unit for a period not to exceed twelve (12) months in any thirty-six (36) month period, to enable the Qualified Purchaser to address matters such as divorce, transfer of employment, economic hardship and the like. Transient rentals shall not be permitted. Affordability shall be preserved in perpetuity through a deed restriction and legal documentation. Any such additional affordability restrictions or controls shall be reviewed and approved by the City of Portland corporation counsel's office. In the event that the purchase price for either of these two (2) single family units is subsidized as a result of public or private funds made available to make the purchase of such unit more affordable, a junior mortgage shall be placed upon such unit, representing the amount of the subsidy received. In the event that an initial Qualified Purchaser sells one of these two (2) units to another Qualified Purchaser, the junior mortgage shall not be repaid, but shall be assumed by the subsequent Qualified Purchaser, who shall own and hold these housing units subject to a junior mortgage in the same manner as an initial Qualified Purchaser.
- b. The existing unit (whether rehabilitated or reconstructed) shall be developed, marketed, sold and resold and/or leased as long as the Property remains a residential unit, to Qualified Purchasers or Tenants

with household incomes at one hundred and twenty percent (120%) of the U.S. Department of Housing and Urban Development moderate-income income figure for metropolitan Cumberland County Maine, as calculated for the year in which the sale takes place. The Qualified Purchasers/Tenants of this single family unit shall occupy the unit as their principal residence, except that a Qualified Purchaser may rent a unit for a period not to exceed twelve (12) months in any thirty-six (36) month period, to enable the Qualified Purchaser to address matters such as divorce, transfer of employment, economic hardship and the like. Transient rentals shall not be permitted. A junior mortgage may be placed upon such housing unit, to further secure the continued affordability covenants contained in the Declaration of Affordability Covenants for Rental Property Owned by Developer.

- c. All of these affordability restrictions shall be stated in and secured by a Declaration of Affordable Housing Covenants and Restrictions for the purchased and leased property, other deed restriction(s) and/or condition(s) in any deed(s) conveyed out by the Developer, shall be stated in the housing documents, shall be identified on the approved Site Plan for the Property, and shall be reviewed and approved by the City of Portland corporation counsel's office. The affordability covenants contained in the Declaration of Affordable Housing Covenants for the purchased and leased property shall be enforceable by HOMESTART and the City of Portland, or their designees.

5. The Qualified Purchasers/Tenants shall be responsible for ongoing maintenance of the Property, including snowplowing, salting, sanding, sweeping, lighting, trash pickup (at least weekly), mowing, etc. Qualified Purchasers will be required to take a home education course offered through MaineHousing to ensure that these responsibilities are fully outlined.

6. The provisions of this Agreement are intended to replace and/or supersede the requirements of the underlying IR-2 zone. As stated above, to the extent not otherwise altered herein, the zoning requirements for the IR-2 zone shall otherwise apply to the Property.

7. In the event of a breach by the Developer or its successors or assigns (including, but not limited to, any homeowners association) of the zoning provisions contained herein (whether the Zoning Administrator, the Zoning Board of Appeals or a court determines such breach), the Planning Board, after notice and hearing, may recommend to the City Council that the conditional zone and this Agreement be amended, or be rescinded, such rescission to result in the termination of this Agreement and a reversion of the Property to the IR-2 zone requirements in place before the execution of this Agreement.

8. The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit the Developer, any

entity affiliated with the Developer that takes title to the Property, its successors and assigns (including, but not limited to, any homeowners association), and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit of and be enforceable by the City of Portland, by and through its duly authorized representatives. The Developer shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

9. This conditional rezoning shall become null and void and the Property shall revert to the existing I-R2 zone in the event that the Developer fails to commence construction within three (3) years from the date of the Council approval of this rezoning. This three (3) year period shall be extended up to an additional one (1) year period if:

- a. The Developer has applied for all required approvals but has not received all required approvals within the aforementioned three (3) year period; or
- b. Any other event beyond the control of the Developer has occurred which will delay the closing on some or all of the parcels and Developer has notified the City of such event.

If any required approval, including the Council's approval of this conditional rezoning, has been appealed, then this rezoning shall become null and void and shall revert if the Developer fails to commence construction within one (1) year from the final disposition of such appeal.

10. This conditional rezoning agreement shall be enforced pursuant to the land use enforcement provisions of state law including, but not limited to, 30-A MRSA § 4452 and the Portland City Code.

11. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision and such determination shall not affect the validity of the remaining portions hereof.

12. Except as expressly modified herein, the development shall be governed by and comply with the provisions of the Portland City Code and any applicable amendments thereto or replacement thereof.

WITNESS: _____

HOMESTART

BY:

STATE OF MAINE
CUMBERLAND, ss.

_____, 2010

Personally appeared before me the above-named _____, in his/her capacity as _____ of HOMESTART, and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity and the free act and deed of said corporation.

Before me,

Notary Public/

Comments
Submitted

9/8/10

City of Portland
Development Review Application
Planning Division Transmittal form

Application Number: 10-99700004 **Application Date:** 8-10-10

Project Name: 3 SINGLE FAMILY HOMES

Address: 18 Luther Street **CBL:** 087 - Z-015-001

Project Description: Luther Street (Peaks Island) - 18; 3 Single Families;
Home Start Affordable Housing, Applicant.

Zoning: IR-2

Other Reviews Required:

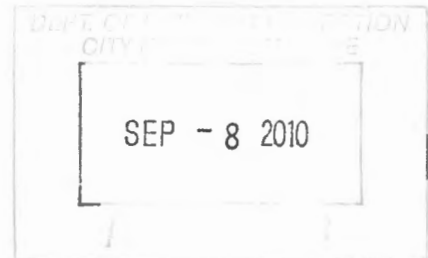
Review Type: SUBDIVISION

Applicant:

Home Start Affordable Housing
PO Box 174
South Portland Me 04106

Applicant:

Walsh Engineering
918 Brighton Avenue
Portland Me 04102



Distribution List:

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

Final Comments needed by: The applicant has submitted revised site plans for review. Please forward you comments by September 22, 2010.

September 7, 2010

City of Portland Planning Board
c/o Ms. Shukria Wair
Portland City Hall
389 Congress Street
Portland, Maine 04101

**RE: Development Review / Subdivision Application
18 Luther Street, Peaks Island, Tax Map 87, Block Z, Lots 15, 16 & 17
Project ID: 10-99700004**

Dear Shukria and Members of the Planning Board:

In Response to your review comments that we received on August 30, for the final plan on the 18 Luther Street project on Peaks Island, we offer the following response:

A. Planning Shukria Wiar

1. The existing home on the property, as well as all other existing homes on Luther Street, presently have overhead utilities. In an effort to reduce development cost and maintain affordability, we formally request a waiver from the subdivision standards to allow for overhead electrical, telephone and cable television services to the three units.
2. We do not intend for the City to be the monitoring agent, please disregard that statement.
3. Currently there is no sidewalk on Luther Street. There is very minimal curbing at the existing catch basin inlets. In an effort to maintain affordability, we would like to formally request a waiver from the subdivision standards for curbing.
4. Attached is the sewer capacity letter from Frank Brancley showing adequate capacity.
5. We have added street trees to the plan, meeting the subdivision standard.

B. Zoning Administrator Marge Schmuckal

1. Agreed that project was approved as a contract zone.
2. Agreed that one parking space has been provided.
3. As we discussed, unfortunately this was missed in the Contract Zone document.
Therefore, we have:
 - a. Separated the drives on Lots 15 and 16 to meet the requirement.
 - b. Maintained the 5' setback from the property lines.
 - c. Increased the length of the driveway to assure that parking is not within the 10-ft front setback.

C. Deputy City Engineer David Margolis-Pineo

1. We have incorporated driveway aprons for each of the drives and widened the driveways to 10-ft as required by the technical standards.
2. We are requesting a waiver for overhead electrical, telephone and cable television lines. This is consistent with the existing overhead lines on Luther Street including the overhead line that exists to Lot 17. We have also included an easement to benefit Lot 16 for the overhead line to pass over Lot 15.
3. Understood that sewer connection fee will be required for the two new connections. Note that Lot 17 already is connected.
4. Understood that property pins will need to be set before building permit issuance.

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5. The contour line has been adjusted.
6. We respectfully request a waiver of granite curbing and sidewalks for this project. Presently no curbing or sidewalks exist on Luther Street and implementing them would not present any opportunity for connection to others in the area. As well, the limited width of the road right of way makes the sidewalks difficult to implement.
7. We have added notes and details to the plans that indicate that the road must be repaired to the requirements of the City of Portland Road standards.

E. Consulting Engineer, Stormwater Dan Goyette

1. All foundation drains will be 4" PVC pipes, sanitary sewer laterals will be 6" PVC pipes. Inserta-Tees will be used for the connections to the existing lines. A note has been added to the utility plan indicating that they are to be used on all connections.
2. A detail has been added to detail sheets showing how pipes are to be connected.
3. Gutters are not proposed for the houses. Runoff will be directed to rain gardens by grading the lots to drain.
4. We will stamp the final survey/subdivision plan when all items are addressed and we proceed for signatures to the board.

F. City Arborist Jeff Tarling

1. We have revised the plan to show 2 street trees per lot. The existing trees at the rear of and sides of the lots will be protected during construction.

G. Fire Prevention Captain Keith Gautreau

1. The closest hydrant is shown on the information submitted with the original submission as supplied by Portland Water District. The hydrant is located approximately 200-ft to the east of the furthest lot (17). The hydrant is fed off of an 8" DI line that was installed in 2000. The static pressure was measured in 2003 and shown to be 70 psi. We do not anticipate any issues with water supply.
2. Agreed that access is adequate.
3. Understood that fire suppression systems will be required.

I trust this adequately addresses your comments and concerns. Should you have anything further, please call to discuss.

Respectfully,



William R. Walsh, III, PE
Walsh Engineering Associates, Inc.

Enc. Revised plan set.

- cc. Jane Banquer – President Home Start
Bill Floyd – Genesis Community Loan Fund
Ellen Mahoney – Home Start
Dick Reed – Home Start
Chris Roberts - Home Start



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www.portlandmaine.gov

Public Services Department
Michael J. Bobinsky, Director

24 August 2010

Mr. William R. Walsh, III, P.E.,
 Walsh Engineering Associates, Inc.,
 918 Brighton Avenue,
 Portland, Maine 04102-1004

RE: The Capacity to Handle the Anticipated Wastewater Flows, from the Proposed Three Single Family Subdivision, at 18 Luther Street, Peaks Island, Portland, Maine.

Dear Mr. Walsh:

The existing eight-inch diameter vitrified clay sanitary sewer pipe, in Luther Street, Peaks Island, **has adequate capacity to transport**, while The Portland Water District sewage treatment facility, located at the corner of Welsh Street and Island Avenue, **has adequate capacity to treat** the anticipated net increase in wastewater flows of **776 G.P.D.**, from the proposed three family dwellings.

Anticipated Wastewater Flows

The Proposed Single Family Housing Project:

3 Proposed Three Bedroom Houses @ 270 gpd/House	= 810 gpd
Less Existing Sanitary Flows, from Single Family House	= <u>34 gpd</u>
Total Net Increase in Wastewater Flows for this Project	= 776 GPD

If The City can be of further assistance, please call 874-8832.

Sincerely,
 CITY OF PORTLAND

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

FJB

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