

CITY OF PORTLAND, MAINE

PLANNING BOARD

Stuart O'Brien, Chair
Elizabeth Boepple, Vice Chair
Sean Dundon
Dave Eaton
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August 14, 2015

Motherhouse Associates, LP &
Sea Coast at Baxter Woods Associates, LLC
100 Commercial Street, Suite 414
Portland, ME 04101

Frederick Licht, PE
Licht Environmental Design, LLC
35 Fran Circle
Gray, ME 04039

Attn. Kevin Bunker and Matt Teare

Project Name: **Subdivision of the McAuley site & conversion of the Motherhouse for senior housing**
Project ID: #2015-110
Address: 605 Stevens Avenue CBL: 136 E006001
Applicant: Motherhouse Associates, LP & Sea Coast at Baxter Woods Associates, LLC
Planner: Jean Fraser

Dear Sirs:

On August 11, 2015, the Planning Board considered the proposed subdivision of the McAuley Campus into 4 lots for the Master Plan Development of a Senior Living Campus, and the proposed subdivision and rehabilitation of the former St Joseph's Convent (known as the Motherhouse) into 88 units of affordable and market rate senior housing, at 605 Stevens Avenue, Portland. The Planning Board reviewed the proposals for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 6-0 (Easton recused) to approve the applications with the following waivers and conditions as presented below.

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on August 11, 2015 for application 2015-110 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the planning board hearing:

1. **Street Trees:** The Planning Board voted 6-0 (Eaton recused) that it finds that the applicant has demonstrated that site constraints prevent the planting of all required street trees. The Planning Board voted 6-0 (Eaton recused) to waive the site plan standard (*Section 14-526(b)(iii)*) requiring one street tree per unit for multi-family development and concludes that the applicant shall make a financial contribution of \$5,600 for 28 trees to Portland's Tree Fund.
2. **Parking Aisle width:** The Planning Board voted 6-0 (Eaton recused) to waive the requirement of Section 1.14 of the City's Technical Manual that show a 24 ft. wide drive aisle is required for perpendicular parking, to allow a reduction to 22 foot aisle width for the parking area in the north exit drive on Stevens Avenue in order to minimize impact on this historic character of the area.

3. **Number of driveways:** The Planning Board voted 6-0 (Eaton recused) to waive the requirement of Section 1.7.1.8 *Number of driveways* that does not permit more than 2 driveways for any site, to allow 3 driveways because 2 of the driveways are one-way and the third driveway functions as a shared driveway.

B. SUBDIVISION REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on August 11, 2015 for application 2015-110 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the planning board voted 6-0 (Eaton recused) that it finds that the plans are in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plats unless otherwise stated:

- i. The applicant shall finalize and cross-reference the two subdivision plats and associated condominium documents for review and approval by Corporation Counsel, the Department of Public Services, and the Planning Authority prior the plats being signed by the Planning Board; and
- ii. That the 73 parking spaces on Lot #3 (Motherhouse Lot) shall be solely for the residential tenants of the Motherhouse with no other lots having easement rights for parking on Lot #3. All of the easements as identified on the Plat, including those regarding the shared driveways and parking areas, shall be finalized to the satisfaction of the Corporation Counsel, Department of Public Services, Traffic Engineering Reviewer and the Planning Authority, and executed prior to the release of the signed subdivision plat; and
- iii. That the recommendations of the City Arborist in comments dated 7.22.2015 regarding the protection of preserved trees and follow up tree care (particularly large heritage Red Oaks) shall be advised to all contractors and implemented during construction and after, to include no storage of materials within the drip line of trees and tree save measures as per ISA trees and construction recommendations as noted.

C. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on August 11, 2015 for application 2015-110 relevant to the site plan regulations; and the testimony presented at the planning board hearing, the planning board voted 6-0 (Eaton recused) that it finds that the plan is in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

- i. That the applicant shall prepare and submit a Parking Management Plan, for review and approval prior to the issuance of a Certificate of Occupancy, that addresses the issues outlined in the comments of the Traffic Engineering Reviewer dated 8.6.2015, and conduct a monitoring survey (including a survey of tenants automobile ownership) after the Motherhouse is fully occupied, the time period to be determined in consultation with the Planning Authority and the results advised to the Planning Authority; and

- ii. That the applicant shall work with the City and METRO to: (a) facilitate the placement of a METRO bus shelter in the vicinity of the site (located to benefit the residents of the Motherhouse), to include the provision of a bus shelter pad on the site if possible. If not possible the applicant shall document that the project meets the relevant ordinance waiver criteria; and (b) to determine a location for a new ADA compliant crosswalk on Stevens Avenue that would be constructed by the City and the applicant shall contribute \$15,800 to be placed in escrow to be used to construct the ADA compliant crosswalk; and
- iii. That the final proposals for any changes to the site and features between the Motherhouse and Stevens Avenue be submitted for review and approval by the City's Historic Program Manager, well in advance of implementation, to ensure that these address the site plan historic resources compatibility requirements; and
- iv. That the applicant shall address the comments of the Peer Engineering Reviewer dated 8.5.2015 regarding catchbasin information, and the further inspection of the existing 12" Corrugated Plastic Pipe installed below the ball fields to verify condition and suitability for reuse, both prior to the issuance of a building permit; and
- v. The developer/contractor/subcontractor must comply with conditions of the submitted and approved stormwater management plan and sediment and erosion control plan and associated inspection and maintenance manual, based on City standards and state guidelines. The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A stormwater maintenance agreement for the stormwater drainage system shall be submitted, signed and recorded with a copy to the Planning Division and Department of Public Services prior to the issuance of a building permit; and
- vi. That the applicant shall address the comments of the Traffic Engineering Reviewer dated 8.6.2015 regarding the sight lines to pedestrians for the exit drive on Stevens Avenue, and the ramp design at the Walton Street driveway, both prior to the issuance of a building permit; and
- vii. That the outstanding capacity to serve regarding wastewater shall be submitted to the Planning Authority prior to the issuance of a building permit; and
- viii. That all external site lighting shall be full cut off in design, and prior to the issuance of a building permit the applicant shall submit further information in respect of area in front of the Motherhouse (driveway and stairs near entrance), to confirm that the light levels meet City standards.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report for application #2015-110 which is attached.

STANDARD CONDITIONS OF APPROVAL

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

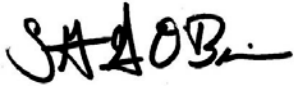
1. **Subdivision Recording Plat** The two revised recording plats listing all conditions of subdivision approval must be submitted for review and signature prior to the posting of a performance guarantee. The performance guarantee must be posted prior to the release of the recording plats for recording at the Cumberland County Registry of Deeds.

2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plans or outlined in a notice and the plans or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval.
3. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
4. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
5. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
10. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
11. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
12. **Mylar Copies** 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.

The 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 the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874-8728 or at jf@portlandmaine.gov .

Sincerely,



Stuart O'Brien, Chair
Portland Planning Board

Attachments:

1. City Arborist comments dated 7.22.2015
2. Traffic Engineering Reviewer comments dated 8.6.2015
3. Peer Engineering Reviewer comments dated 8.5.2015
4. Planning Board Report
5. City Code, Chapter 32
6. Sample Stormwater Maintenance Agreement (Site Plan site only, not subdivision)
7. Performance Guarantee Packet

Electronic Distribution:

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

Attachment 1

From: Jeff Tarling
To: Jean Fraser
CC: Barbara Barhydt; David Margolis-Pineo
Date: 7/22/2015 5:33 PM
Subject: Re: URGENT Motherhouse subdiv and site plan 2015-110

Jean -

The 'tree save' plan seems reasonable and attempts to save the heritage old growth Red Oaks lining the former roadway. New trees and landscape: overall meets approval with the exception of the small crescent shaped parking lot near the McAuley School building, see graphic below. This area does not appear to have any landscape treatment. The project also calls out for a 'relocated spruce', it is our experience that transplanted trees generally do very poorly in the long run, great if they want to try, the performance guarantee should cover an additional \$500. for replacement.

Recommendations - 'Tree Save' areas within construction zones shall be protected with fencing and tree protection measures on root zone. No storage of equipment or materials within in the 'drip line' of trees, other than on paved surfaces. The large heritage Red Oaks are a primary landscape / historic feature and should be a priority area for followup tree care. This includes deadwood pruning and soil aeration along with strict enforcement of 'tree save' measures, including fencing, following ISA trees & construction recommendations see web links. Rain garden construction may impact root zones and careful coordination is needed between project team and the City Arborist.

See ISA web links on 'Tree Save & Construction':

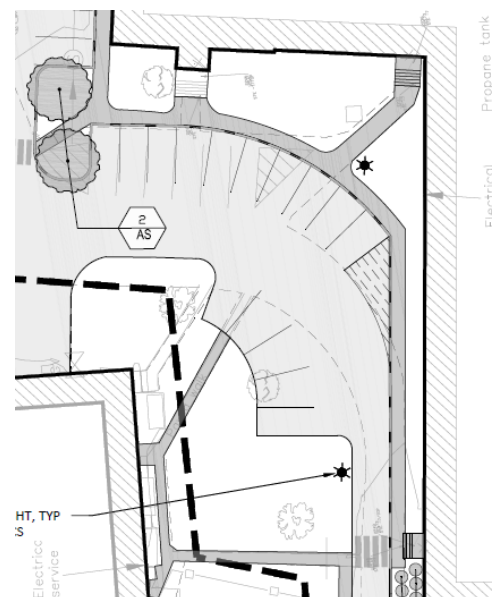
<http://www.treesaregood.com/treecare/resources/AvoidingTreeDamage.pdf>

<http://www.treesaregood.com/treecare/resources/ConstructionDamage.pdf>

Tree Fund - Plan view tree count is 60 trees that might count towards the one tree per unit standard. Field verification is needed. Twenty eight trees would be the 'Tree Fund' contribution to be used near the project area.

Jeff Tarling
 City Arborist

Sketch showing possible increased landscape treatment:



Attachment 2

From: Tom Errico <thomas.errico@tylin.com>
To: 'Jean Fraser' <JF@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>, "Tarling, Jeff" <JST@portlandmaine.gov>, "JeremiahBartlett" <JBartlett@portlandmaine.gov>
Date: 8/6/2015 3:57 PM
Subject: 605 Stevens Avenue - Motherhouse Senior Housing

Jean - The Applicant has provided responses to my previous traffic comments and the following.

* The traffic impact study notes that the project will generate 18 AM peak hour and 22 PM peak hour trips. I need to review this in more detail but given the volumes estimated, the project would not be expected to have a significant impact on traffic conditions in the area.

Prior Status: As noted the project will not have a significant impact and therefore I have no comment as it relates to off-site traffic impacts.

Final Status: I have no further comment.

* As noted in the traffic impact study, there are no identified High Crash Locations in the project area.

Status: I have no further comment.

* The High School Parking lot layout is being modified. Dimensional details for the proposed layout should be provided.

Status: I will review details upon receipt of a revised plan.

Final Status: The applicant has provided the noted information and I find the layout to be acceptable.

* The modified driveway at Walton Street seems very wide with 15-foot entry and exit lanes. The applicant should provide information in support of the driveway design.

Status: The applicant has noted that they will provide vehicle turning templates in support of their design for review and approval.

Final Status: The applicant has revised the design of the driveway and I find it to be acceptable.

* The aisle width (22 feet) adjacent to the 8 parking spaces on the one-way egress road near Stevens Avenue does not meet City standards. Information in support of a formal technical standard waiver request shall be provided.

Status: The applicant has noted that there are NPS constraints that prevent providing a 24-foot width - the City standard. Given this constraint and the limited traffic volume and number of parking spaces impacted, I support a waiver from City standards.

Final Status: I have no further comment.

* The applicant should provide dimensional details for the area on the north side of the building where the 5 and 10 space parking areas are located.

Status: I will review details upon receipt of a revised plan.

Final Status: Details have been provided and I find conditions to be acceptable.

* The applicant should review landscaping and other features as it relates to providing safe sight distance when existing the site onto Stevens Avenue. I am particularly concerned about safety for pedestrians on the sidewalk.

Final Status: The applicant shall incorporate landscaping adjustments that provide acceptable sight lines to pedestrians walking on the Stevens Avenue sidewalk. No action is required by the applicant as it relates to on-street parking regulations, as that will be a component of the crosswalk and bus stop evaluation.

* A crosswalk is located at the egress driveway on Stevens Avenue and will need to be upgraded to meet accessibility standards. I would also like to review the location of the crosswalk to determine optimal placement.

Status: The applicant has agreed to upgrade the crosswalk to be ADA compliant. The applicant shall coordinate with METRO as it relates to this crosswalk location and whether METRO has any future improvement plans or requirements for the existing bus stop. The City, in conjunction with the METRO input, will make a determination on the crosswalk location.

Final Status: Please refer to DPS comments regarding this issue.

* A detail should be provided for the sidewalk ramp at the driveway on Walton Street to ensure that it is fully accessible.

Status: I will review the detail upon receipt of a revised plan.

Final Status: The sidewalk ramp detailed on the plan is not acceptable. The alignment of the ramp shall direct pedestrians along the Walton Street sidewalk. The applicant shall submit a revised plan for review and approval.

* The project is proposing three driveways and exceeds City standards. I support a waiver from this standard given that two of the driveways are one-way and the third driveway functions as a shared driveway with the High School.

Status: I have no further comment.

* The applicant should provide documentation that supports the parking supply being provided. The applicant shall conduct parking surveys (or obtain previously conducted surveys) at similar sites that are located off-peninsula. The applicant shall coordinate the methods of the survey with City staff.

Status: The applicant has provided parking summaries for projects located in South Portland, Falmouth, and Topsham. The applicant shall provide specific details on these developments (units, parking supply provided, tenant characteristics, etc.) and specific information on the parking/vehicle data and collection methods. I would also suggest the applicant provide parking information at the nearby ParkDanforth and Deering Pavilion developments.

Final Status: The applicant has provided supporting documentation that indicates similar projects in South Portland, Saco, Topsham, and Falmouth generate between 0.48 and 0.87 parking spaces per residential unit with an average parking rate of 0.65 spaces per unit. As proposed, the project will be providing 73 parking spaces for 88 residential units for a parking rate of 0.83 parking spaces per unit. Given that the project is located in proximity to METRO service and walkable/bikeable commercial land uses (versus the more suburban sites surveyed), the parking supply would be expected to meet the demands of the project. However, I do have concerns as it relates to interaction of parking users at the High School, the Smith Wing, the Play Fields, and the Motherhouse. I do suggest that a parking management plan be developed that addresses how peak events are managed such that vehicles are not encroaching into abutting parking areas. An example of this would be use of Motherhouse parking spaces (conveniently located near the fields) by visitors of sporting events. Additionally, are there any future growth assumptions at the High School that should be accounted for. The management plan should also look at opportunities for sharing parking so that on-street public parking pressures are minimized. During busy Motherhouse times periods, there may be opportunities to utilize the large High School parking lot. I would suggest that in conjunction with this parking management plan a monitoring survey be conducted following the full occupancy of the Motherhouse. The survey would be conducted at one time period (in consultation with the City) and include a survey of tenants regarding automobile ownership.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
[T.Y. Lin International]T.Y. Lin International
12 Northbrook Drive
Falmouth, ME 04105
207.781.4721 (main)
207.347.4354 (direct)
207.400.0719 (mobile)
207.781.4753 (fax)
thomas.errico@tylin.com<mailto:thomas.errico@tylin.com>

**COMMITMENT & INTEGRITY
DRIVE RESULTS**41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.comT 800.426.4262
T 207.774.2112
F 207.774.6635**MEMORANDUM**

TO: Jean Fraser, Planner
FROM: David Senus, P.E.
DATE: August 5, 2015
RE: Motherhouse Senior Housing, Final Level III Site Plan Application

Woodard & Curran has reviewed the response to comments submittal for the Final Level III Site Plan Application for the proposed senior housing development located at 605 Stevens Avenue in Portland, Maine. The project involves the rehabilitation of the existing "motherhouse" and associated site and circulation improvements.

Documents Reviewed by Woodard & Curran

- Response to Comments Letter and attachments, dated July 29, 2015, prepared by Licht Environmental Design, LLC, on behalf of Motherhouse Associates LP and Sea Coast at Baxter Woods Associates, LLC.
- Engineering Plans, Sheets G1, C4.0, C5.0, C6.0, C7.0, C7.1, C8.0, C8.1, revised July 28, 2015, prepared by FST on behalf of Motherhouse Associates LP and Sea Coast at Baxter Woods Associates, LLC.

Comments

- 1) A Plan, notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500; however, Sheet C6.0 should specify locations for catch basin inlet protection devices.
- 2) The proposed stormwater management system will rely on an existing 12" Corrugated Plastic Pipe installed below the ball fields to convey excess drainage away from the development area. The Applicant has noted that the outlet of the existing pipe has been inspected and appears to be in stable and good condition, and that the entire length of the pipe will be inspected with CCTV prior to construction to verify condition and suitability for reuse. Woodard & Curran recommends that this be made a condition of approval, to occur prior to receiving a building permit.
- 3) The Applicant has provided letters from utilities confirming capacity to serve the proposed development; however, as noted in the letters, approval of the final design plans by the utilities is still required. The Applicant is currently working with utilities for approval of final design and has requested that evidence of final approval be made a condition of approval. Woodard & Curran recommends that this be made a condition of approval, to be submitted prior to receiving a building permit.

All other review comments contained in the Woodard & Curran memorandum dated July 9, 2015 have been adequately addressed.



PLANNING BOARD REPORT PORTLAND, MAINE

Motherhouse conversion for senior housing
605 Stevens Avenue
Level III Site Plan and Subdivision Review
Project # 2015-110 CBL: 136 E006001

Motherhouse Associates, LP & Sea Coast at Baxter Woods Associates, LLC, Applicant

Submitted to: Portland Planning Board Public Hearing Date: August 11, 2015	Prepared by: Jean Fraser, Planner Date: August 7, 2015
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I. INTRODUCTION

Motherhouse Associates, LP & Sea Coast at Baxter Woods Associates, LLC have requested a final Level III site plan and subdivision review for the proposed rehabilitation of the former St. Joseph's Convent (known as the Motherhouse) at 605 Stevens Avenue into 88 units of senior housing, comprising 66 affordable units and 22 market rate units along with 73 parking spaces with 9 handicap spaces.

The project includes 66 units of affordable housing and an expedited review by the Planning Board is therefore required by the city's ordinance.

The Motherhouse is located on the 4.39 acre Lot 3 of a proposed 4-lot subdivision of the overall 18.98 acre property that is being purchased from the Sisters of Mercy.

The site is subject to the recently approved R5A Map and Text amendments that the Planning Board considered earlier this year. The Council approved the Text amendments exactly as recommended by the Planning Board, but amended the map so that the R5A zone applied to a smaller area and resulted in a lower density for the development parcel comprising Lots 3 and 4.



The amended R5A zone includes the Motherhouse building itself (see aerial above) but 1.73 acres of the site along Stevens Avenue and Baxter Woods is in the R5 zone.

The applicant has confirmed (Cover letter [Attachment A](#)) that a Master Development Plan application for Lot #4 (the open land mostly to the rear of the Motherhouse) will follow on from this application.

A notice of this Hearing was sent to 127 property owners within 500 feet and interested citizens, and appeared in the August 3rd / 4th, 2015 editions of the *Portland Press-Herald*. A Neighborhood Meeting is required for this project and was held on July 29, 2015 (see notes and attendee list in [Attachment E](#)). As of the time of completing this Report, the public comment ([PC SP 1](#), as already included in the Workshop Memo) is the only comment received and any additional comments will be circulated at the Hearing.

II. REQUIRED REVIEWS and REQUESTED WAIVERS

<i>Review</i>	<i>Applicable Standards</i>
Site Plan	<i>Section 14-526</i> for the proposed multifamily development of 88 apartments.
Subdivision of overall site	<i>Section 14-497</i> for the overall lot split into 4 lots, including Lot #3 for the Motherhouse.
Subdivision of Motherhouse lot	<i>Section 14-497</i> for the division of the Motherhouse into 88 units.

Waiver Requests	Applicable Standards
Street trees: To make a contribution to the Tree Fund equivalent to 28 street trees, being the number required after taking credit for existing street trees.	Site Plan Standard, <i>Section 14-526(b)2.b(iii)</i> and Technical Manual, <i>Section 4.6.1</i> : All multi-family development shall provide one street tree per unit. Waiver permitted where site constraints prevent it, with applicant contributing proportionate amount to Tree Fund. The city Arborist supports this waiver.
Parking Aisle Width: Width of parking lane at north Stevens Avenue exit gate to be 22 ft wide instead of the required 24 ft to minimize impacts on the historic character of the area.	City's Technical Manual Section 1.14 <i>Parking Lot and Parking Space Design</i> : Parking lot layout shall confirm to figures I-28 thru I-32 (I-27 and I-29 apply and show a 24 ft. wide drive aisle is required for perpendicular parking). The Traffic Engineering Reviewer supports this waiver.
Number of driveways: To allow 3 driveways: 2 of the driveways are one-way and the third driveway functions as a shared driveway.	City's Technical Manual Section 1.7.1.8 <i>Number of driveways</i> : No more than 2 driveways shall be permitted ... for any site. The Traffic Engineering Reviewer supports this waiver.

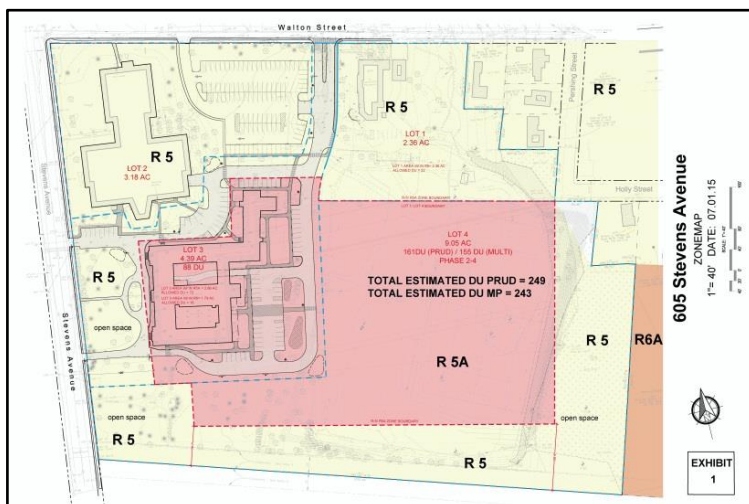
III. PROJECT DATA

Parcel Size	191,056 sq ft (4.39 acres) (Lot #3 Motherhouse)		
Total disturbed Area of the site	135,036 sq ft (3.1 acres)		
Existing Zoning	R5: 1.73 acres R5A (recently approved): 2.66 acres		
Existing Use	Vacant (part of Motherhouse building for conversion)		
Proposed Use	Multi-family senior residential		
Proposed Development Program	66 affordable and 22 market rate senior apartment, of which 20 are 1 bedroom and 68 are efficiency units		
	Existing	Proposed	Net Change
Impervious Surface Area	167,748 SF	168,047 SF	299 SF
Building Footprint	24,065 SF	24,065 SF	0 SF
Building Floor Area	102,241 SF	102,241 SF	0 SF
Parking Spaces (on site)	34+	73	39
Bicycle Parking Spaces	0	12 + 24 inside	36
Proposed handicapped Spaces		9	
Estimated Cost of Project	TBD		

IV. BACKGROUND AND EXISTING CONDITIONS

a. Background

The Board considered the zoning amendment request in the spring and the Council has approved the Map Amendment to R5A as shown in the plan below.



Motherhouse as viewed from Stevens Avenue

b. Existing Conditions

The existing Motherhouse building is a 5-story building dating 1909 and 1921 and set back about 125 feet from Stevens Avenue. It is a vacant building with historical importance and eligible for designation as a local landmark, although currently it has no historic designation. The “Smith Wing” part of the building is not included in the proposal as it is currently occupied and will be separated as a second condominium unit.

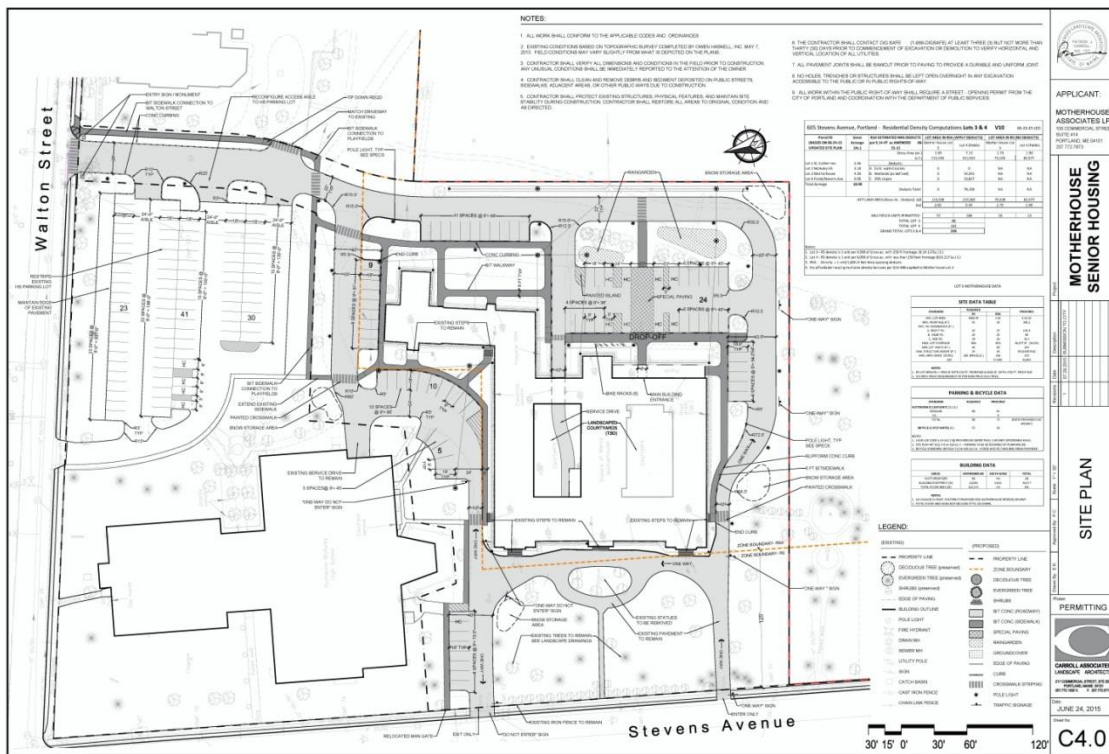
V. PROPOSED DEVELOPMENT

The applicant has described the proposal in detail at the beginning of the main application document (Attachment A) and in the final submissions/updates in Attachments C and D, plus the submitted final plan set P1 to P27:

Subdivision: Creation of 88 units within the Motherhouse (see Sectional Recording Plat in Plan P4) and 4 lots within the overall subdivision plat (Plan P3) with associated easements to allow shared use and utilities:

- Lot 1: St Catherines Hall (2.36 acres)
- Lot 2: Catherine McAuley High School (3.18 acres)
- Lot 3: Motherhouse (4.39 acres)
- Lot 4: Open area and fields (9.05 acres)

Site Plan: the final proposals are similar to those considered at the Planning Board Workshop with some minor revisions to clarify the proposal and address comments:



Final Site plan - also see Plan P5

Key elements include:

- Rehabilitation of the main Motherhouse building for 66 affordable housing units and 22 market rate units - with a mix of 68 studio and 20 single bedroom apartments;
- Redesign of the driveway entrance from Walton Street, incorporating revisions in response to Workshop comments (Attachment D1);
- Modification of the existing high school parking lot to better organize access and parking - this has been modified slightly since the PB Workshop to add another access drive (Plan P5);
- Creation of a rear main ADA entrance and associated drop-off and parking areas;

- New walkways to create an interconnected walkway system;
- Stormwater measures;
- Landscaping to include extensive tree preservation as shown on the Tree Preservation Plan and Landscape Plan (Plans P8-10);
- Lighting (revised since the Workshop) and photometric plan (Plan P17);
- Off site improvements to facilitate access to and from the site e.g ADA ramps at the Stevens Avenue crosswalk (via a contribution as requested by DPS) and facilitating a nearby bus shelter (not on plan but confirmed in documents).

VI. WORKSHOP SUMMARY AND PUBLIC COMMENT

The Planning Board workshop identified a number of issues that needed further clarification (including the division of the Motherhouse into 2 units, parking and its interaction with the School parking needs, and the mix of studio and 1 bedroom apartments) and the likely review process for this and the Master Development Plan.

The Planning Office has not received any public comments in addition to PC SP 1 from Mr. MilNeil that was circulated in the Workshop memorandum. Mr MilNeil is pressing for the project to incorporate a new street link between Forest and Stevens Avenues, as the subdivision ordinance refers to the aim for street connectivity. Staff suggest that this idea be addressed in more detail at the Master Development Plan stage, as its not realistic in relation to the Motherhouse development.

VII. RIGHT, TITLE AND INTEREST; FINANCIAL & TECHNICAL CAPACITY & SUBMISSION REQUIREMENTS

The final application is complete except that it did not include drafts of the easements which underpin the shared use of the main drive and school parking area, and for the utility easements across the lots within the subdivision (these are listed on the overall Subdivision Plat (Plan P3). The Associate Corporation Counsel considered that these easements were part of the right, title and interest requirement (Attachment 8) and these drafts were requested; they are anticipated to be submitted prior to the Hearing.

The applicant has submitted the Condominium documents for the two condo units within the Motherhouse; the “Smith Wing” and the main building that is to be rehabilitated for the 88 senior housing units (Attachment F). These help clarify the intention in creating the two units.

VIII. ZONING ANALYSIS

The applicant has provided a table (Exhibit 5 of Attachment A) showing that the proposals meet the relevant zoning requirements. Based on the areas within the R5 and R5A zones, a total of 88 units can be created on Lot #3.

V. SUBDIVISION REVIEW (*Section 14-497(a)*)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland’s subdivision ordinance.

1. Water, Air Pollution

The Peer Engineer (Attachment 3) has indicated that the proposed stormwater drainage and water quality treatment is acceptable subject to two conditions (more detail below).

2 & 3. Adequacy of Water Supply

The applicant has provided evidence of capacity from the Portland Water District (Exhibit 14 of Attachment A).

4. Soil Erosion

The applicant has met the MDEP requirements, as confirmed by the Peer Engineer Reviewer (Attachment 3).

5. Impacts on Existing or Proposed Highways and Public Roads

The proposed traffic generation from the proposal is not expected to have a significant impact on the traffic conditions in the area, as confirmed by the Traffic Engineering Reviewer (Attachment 5).

Internal Vehicle Circulation

The internal circulation retains the existing main drive into the site from Walton Street, but has reconfigured the area near the school parking lot to direct traffic more clearly, and has added a loop road to the main rear entrance of the Motherhouse to facilitate drop offs and emergency access. In addition, the existing curved loop at the front of the Motherhouse that is accessed from Stevens Avenue, will be one way *in* at the south gate and one way *out* (right turn only) at the north gate. The applicant is willing to install ADA tipdowns (or make the contribution as requested by DPS in Attachment 1) and to consider relocation of the crosswalk in Stevens Avenue (Attachment C). The sidewalk along the frontage is in good condition.

Tom Errico, the City's consulting traffic engineer reviewer, has reviewed the proposals and submitted information and data in Attachments C, D3, and G and has the following comments (Attachment 5):

- *The High School Parking lot layout is being modified. Dimensional details for the proposed layout should be provided.*

Status: I will review details upon receipt of a revised plan.

Final Status: The applicant has provided the noted information and I find the layout to be acceptable.

- *The modified driveway at Walton Street seems very wide with 15-foot entry and exit lanes. The applicant should provide information in support of the driveway design.*

Status: The applicant has noted that they will provide vehicle turning templates in support of their design for review and approval.

Final Status: The applicant has revised the design of the driveway and I find it to be acceptable.

- *The aisle width (22 feet) adjacent to the 8 parking spaces on the one-way egress road near Stevens Avenue does not meet City standards. Information in support of a formal technical standard waiver request shall be provided.*

Status: The applicant has noted that there are NPS constraints that prevent providing a 24-foot width – the City standard. Given this constraint and the limited traffic volume and number of parking spaces impacted, I support a waiver from City standards.

Final Status: I have no further comment.

- *The applicant should provide dimensional details for the area on the north side of the building where the 5 and 10 space parking areas are located.*

Status: I will review details upon receipt of a revised plan.

Final Status: Details have been provided and I find conditions to be acceptable.

- *The project is proposing three driveways and exceeds City standards. I support a waiver from this standard given that two of the driveways are one-way and the third driveway functions as a shared driveway with the High School.*

Status: I have no further comment..

Pedestrian Safety

The proposals include an interconnected walkway system within the site and to link with the school and parking areas, and to the sidewalk, street crossing and bus stops on Stevens Avenue. These proposals are acceptable subject to some minor revisions, as confirmed by the Traffic Engineering Reviewer (Attachment 5) :

- *A crosswalk is located at the egress driveway on Stevens Avenue and will need to be upgraded to meet accessibility standards. I would also like to review the location of the crosswalk to determine optimal placement.*

Status: The applicant has agreed to upgrade the crosswalk to be ADA compliant. The applicant shall coordinate with METRO as it relates to this crosswalk location and whether METRO has any future improvement plans or requirements for the existing bus stop. The City, in conjunction with the METRO input, will make a determination on the crosswalk location.

Final Status: Please refer to DPS comments regarding this issue.[re a contribution]

- *The applicant should review landscaping and other features as it relates to providing safe sight distance when existing the site onto Stevens Avenue. I am particularly concerned about safety for pedestrians on the sidewalk.*

Final Status: The applicant shall incorporate landscaping adjustments that provide acceptable sight lines to pedestrians walking on the Stevens Avenue sidewalk. No action is required by the applicant as it relates to on-street parking regulations, as that will be a component of the crosswalk and bus stop evaluation.

- *A detail should be provided for the sidewalk ramp at the driveway on Walton Street to ensure that it is fully accessible.*

Status: I will review the detail upon receipt of a revised plan.

Final Status: The sidewalk ramp detailed on the plan is not acceptable. The alignment of the ramp shall direct pedestrians along the Walton Street sidewalk. The applicant shall submit a revised plan for review and approval.

The Department of Public Services has requested that the applicant contribute \$15,800 towards the cost of upgrading and improving the existing crosswalk across Stevens Avenue on the Motherhouse frontage ([Attachment 1](#)). The applicant had agreed to paying for and installing ADA ramps on both ends of the existing crosswalk, and the DPS are requesting the contribution instead to allow for further consideration of the crosswalk location in conjunction with METRO and the applicant. A suggested condition of approval has been included to reflect the DPS request.

A suggested condition of approval is also included to require the applicant to address the sightlines at the Stevens Avenue exit and the ramp design at Walton Street, as noted by Mr Errico as being of concern.

Parking

Within Lot #3 the proposals will add 39 parking spaces to provide a total of 73 spaces for the senior housing (the final “update” confirms that all these spaces will be for the tenants of the Motherhouse, with users of the Smith Wing to be accommodated in the High School parking lot ([Attachment D3](#)). This is a ratio of .83 spaces per unit.

The ordinance (under Affordable Housing) requires one space per unit for affordable housing and the Planning Board may “*establish a parking requirement for affordable housing units for rent or sale within an eligible project that is less than one (1) parking space per affordable housing unit, regardless of the size of the structure*” (Section 14-332.2 (b)). The applicant has submitted additional information from similar senior housing developments that support the reduced ratio ([Attachments D3 and G](#)).

At the Workshop there were questions regarding the parking provision and whether it addressed the school parking demands, including for events and future growth. John Peverada, the City’s Parking Manager, has also noted, based on his experience elsewhere in the City, that the parking provision should take account of the potential parking needs of caregivers such as visiting nurses and visitors for residents ([Attachment 4](#)).

The Traffic Engineering reviewer Tom Errico has noted the additional background information provided by the applicant and that it generally supports the provision of less than one to one parking per unit when considering the tenant-only demand. But there is limited information regarding other parking needs, the school parking demands, likely timing of all demands, and the potential conflict in demand for the on-site spaces, and Mr Errico has suggested a condition as explained below ([Attachment 5](#)) :

[Note: the suggested condition of approval for the Board’s consideration is a shortened version of this]

- *The applicant should provide documentation that supports the parking supply being provided. The applicant shall conduct parking surveys (or obtain previously conducted surveys) at similar sites that are located off-peninsula. The applicant shall coordinate the methods of the survey with City staff.*

Status: The applicant has provided parking summaries for projects located in South Portland, Falmouth, and Topsham. The applicant shall provide specific details on these developments (units, parking supply provided, tenant characteristics, etc.) and specific information on the parking/vehicle

data and collection methods. I would also suggest the applicant provide parking information at the nearby ParkDanforth and Deering Pavilion developments.

Final Status: The applicant has provided supporting documentation that indicates similar projects in South Portland, Saco, Topsham, and Falmouth generate between 0.48 and 0.87 parking spaces per residential unit with an average parking rate of 0.65 spaces per unit. As proposed, the project will be providing 73 parking spaces for 88 residential units for a parking rate of 0.83 parking spaces per unit. Given that the project is located in proximity to METRO service and walkable/bikeable commercial land uses (versus the more suburban sites surveyed), the parking supply would be expected to meet the demands of the project. However, I do have concerns as it relates to interaction of parking users at the High School, the Smith Wing, the Play Fields, and the Motherhouse. I do suggest that a parking management plan be developed that addresses how peak events are managed such that vehicles are not encroaching into abutting parking areas. An example of this would be use of Motherhouse parking spaces (conveniently located near the fields) by visitors of sporting events. Additionally, are there any future growth assumptions at the High School that should be accounted for. The management plan should also look at opportunities for sharing parking so that on-street public parking pressures are minimized. During busy Motherhouse times periods, there may be opportunities to utilize the large High School parking lot. I would suggest that in conjunction with this parking management plan a monitoring survey be conducted following the full occupancy of the Motherhouse. The survey would be conducted at one time period (in consultation with the City) and include a survey of tenants regarding automobile ownership.

6. Sanitary Sewer/Stormwater Disposal

The proposals incorporate stormwater management and treatment measures including storage, drip filter strips, infiltration trenches and underdrained soil filter systems that will reduce the volume and rate of stormwater runoff and also provide water quality treatment far in excess of the proposed increase in impervious area (Attachment B includes the Stormwater Report). The Peer Review Engineer David Senus has confirmed that the proposals are acceptable, subject to a minor technical condition regarding catch basins, and a condition that requires further investigation of an existing drainage pipe (Attachment 3).

7. Solid Waste

The applicant has proposed an internal trash and recycling room for residential use and has stated that a private hauler will be contracted for the removal of solid waste.

8. Scenic Beauty

The applicant has preserved most of the existing trees with many of the removals due to disease, as shown on the Tree Preservation Plan in Plan P8. The City Arborist has met with the applicants Landscape Architect (Pat Carroll) on site and considers the proposals acceptable subject to the applicant addressing his recommendations for the protection of the preserved trees (Attachment 7).

9. Comprehensive Plan

The proposal includes affordable senior housing and addresses the Comprehensive Policies for housing.

10. Financial and Technical Capacity

A letter from the Androscoggin Bank dated 6.19.2015 is included in the application (Attachment A).

11. Wetland/Water Body Impacts

The Motherhouse proposal does not impact wetlands.

12. Groundwater Impacts

There are no anticipated detrimental impacts to groundwater supplies.

13. Flood-Prone Area

Per the city's existing flood maps, the development is not proposed in a flood zone.

VI. SITE PLAN REVIEW (Section 14-526)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's site plan ordinance, and staff comments are included.

1. Transportation Standards

[See above under subdivision review for impact on surrounding streets, access and circulation and parking]

a. Public Transit Access

The proposed development is located along a public transit route with a bus stop very near by on the northbound side, and the southbound stop is within 500 feet on the opposite side of Stevens Avenue. The proposal includes pedestrian ways so that residents and visitors can access the sidewalks and then the public transit stops.

The Site Plan ordinance includes the following requirement:

3. Public Transit Access:

- a. For any residential development consisting of twenty (20) or more dwelling units or commercial or institutional development of at least 20,000 square feet gross floor area, a transit facility shall be constructed where the following criteria are met:
 - (i) The development is proposed along an existing public transit route on a local principal or minor arterial roadway, as shown in the Federal Street Classification Map provided in Section 1 of the Technical Manual.
 - (ii) The nearest existing transit shelter and/or bus pullout on the route is ¼ mile (1,320 feet) or more away from the closest primary building on the site, measured along rights-of-way.
- b. Transit facilities shall consist of a transit shelter and a transit pullout bay.
- c. Transit facilities shall be connected to the public sidewalk system.
- d. Waiver: All or some of this standard may be waived if the Reviewing Authority determines one or more of the following:
 - (i) That some or all of the required improvements cannot reasonably be made due to site constraints and/or insufficient right of way width; or
 - (ii) That the development is not anticipated to generate public transit usage due to particular characteristics or proposed use of the development.

There are no bus shelters within 1320 feet of the Motherhouse building and the provision of a transit facilities would apply to this project. Staff considered that a bus pullout was not feasible at this location but advised the applicant that provision of a bus shelter or at least a pad for a bus shelter was an ordinance requirement and requested that they liaise with METRO on this issue. The applicant indicated support for this (Attachment D).

There has not been time to fully explore the scope for a bus shelter and there are constraints presented by the width of the sidewalks and the historic fence along the back of the ROW, and the location of the bus stops may be impacted by the relocation of the crosswalk. The historic gates and possibly part of the fence may be altered as part of the project to allow vehicle access, so there is a possibility that a bus shelter pad could be located within the site.

Therefore the suggested condition of approval links this requirement with the crosswalk improvements and its possible relocation, and acknowledges that after further investigation it may be evident that the applicant can meet the first waiver criteria. In this case it would be appropriate to further consider the transit facility provision as part of the review of the Master Development Plan.

b. Transportation Demand Management

A transportation demand management plan is not a requirement for the proposed site plan.

2. **Environmental Quality Standards**

- a. *Preservation of Significant Natural Features*
- b. *Landscape Preservation*

See above under subdivision review.

- c. *Site Landscaping*

The City Arborist has reviewed the proposals and requested some additional landscaping in one small area and questioned the replanting of an existing tree (Attachment 7). The final Tree Preservation and Landscape Plans (Plan P8-P10) propose additional planting as suggested and the “response” in Attachment C satisfactorily addresses the tree replanting question.

Street trees: The project is required to include 88 street trees (one per dwelling unit) and the City Arborist has confirmed that there are 60 existing trees that can be considered “street trees” and a contribution to the Tree Fund is recommended regarding the remaining required 28 street trees (Attachment 7.)

- d. *Water Quality/Storm Water Management/Erosion Control*

See above under subdivision review.

3. **Public Infrastructure and Community Safety Standards**

- a. *Consistency with Master Plans*

The Department of Public Services have recommended in Attachment 1 that the applicant make a contribution of \$15,800 for the upgrading of the existing crosswalk on Stevens Avenue (to include ADA ramps at both ends) and this has been incorporated into a suggested condition of approval.

- b. *Public Safety and Fire Prevention*

Keith Gautreau, of the City’s Fire Prevention Bureau, has confirmed that the project meets emergency access requirements and is adequately served by the existing hydrant (noting that the Development Master Plan would need to consider the need for additional hydrants) (Attachment 6).

- c. *Availability and Capacity of Public Utilities*

See above under subdivision review; the wastewater capacity letter is awaited.

4. **Site Design Standards**

- a. *Massing, Ventilation, and Wind Impact*
- b. *Shadows*
- c. *Snow and Ice Loading*
- d. *View Corridors*

The proposals do not raise any issues regarding these standards.

- e. *Historic Resources*

The final proposals include references to altering or removing the gates on Stevens Avenue and to removing some trees and statues along the frontage, subject to advice from a Historic Preservation consultant (Attachment C, page 2). At this time the Motherhouse is not formally designated an historic building but its rehabilitation proposals are within 100 feet of a designated historic landscape, Evergreen Cemetery. Any proposed changes facing the cemetery must be generally compatible with the historic resource.

The Historic Preservation Program Manager Deb Andrews had previously confirmed that this proposal does not require a review under this program because she understood that there were no proposed alterations along the front of the site and the anticipated review for historic tax credits would address any potential issues.

In view of the uncertainty regarding the exact proposals associated with this site plan application (eg regarding the gates to allow vehicle access) and the historic importance of the Motherhouse and its proximity to Evergreen Cemetery, staff recommend a condition of approval. The condition would require that the final proposals for any changes to the site and features between the Motherhouse and Stevens Avenue be submitted for review and approval by the City’s Historic Program Manager, well in advance of implementation, to ensure that these address the site plan historic resources compatibility requirements.

f. *Exterior Lighting*

The applicant has submitted cut sheets for the proposed lights which are revised as from those presented to the Workshop (Attachment D), and a photometric plan (Plan P17). Some of the proposed lighting is “historic” and all is LED and generally is acceptable except it is not clear that all are full cut off in design as required by the City’s technical standards.

The photometric plan shows acceptable light levels for the sides and rear of the Motherhouse, but there is no lighting in the front of the building where a one way loop drive is located with stairs to the front entrance. It may be that street lights or wall mounted lighting or bollard lighting exists or will be incorporated into the final plans, but a suggested condition of approval is suggested to ensure that all the lighting is full cut off and to ensure that appropriate lighting is provided in the front of the building for pedestrian safety.

g. *Noise and Vibration*

External HVAC vents and mechanical equipment are not included in the proposals.

h. *Signage and Wayfinding*

No signage or wayfinding is proposed at this time.

i. *Zoning-Related Design Standards*

The multi-family design standards (*Design Manual, Section (i)*) apply to this project, but most are not relevant as they are building design related. There are two standards that would apply regarding the provision of open space and design of parking and paved areas:

- *Open space on the site for all two-family, special needs independent living unit, bed and breakfast and multiple-family development shall be integrated into the development site. Such open space in a special needs independent living unit or a multiple-family development shall be designed to complement and enhance the building form and development proposed on the site. Open space functions may include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings;*
- *The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets;*

The Motherhouse building has two internal courtyards that the applicant has indicated will be improved for outdoor amenities for the residents, such as benches and picnic tables in a grassed environment. The details have not been noted on the Landscape Plan (Plan P9) as the actual level of landscape treatment will depend on the budget. Staff have not suggested these be subject to a condition of approval (for the detailed landscaping) as they are identified on the Site Plan (Plan P5) as “landscaped courtyards”.

These courtyard areas along with the extensive areas of existing and proposed trees around the sides and front will address the first part of this standard. The Landscape Plan (Plan P9) also shows that the parking is broken up into small areas with extensive screening in bump-outs and end islands.

VIII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the planning board approve the proposed conversion of the motherhouse building into 88 senior housing units.

XIV. PROPOSED MOTIONS

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on August 11, 2015 for application 2015-110 relevant to Portland’s technical and design standards and other regulations; and the testimony presented at the planning board hearing:

1. **Street Trees:** The Planning Board **finds/does not find** that the applicant has demonstrated that site constraints prevent the planting of all required street trees. The Planning Board **waives/does not waive** the site plan standard (*Section 14-526(b)(iii)*) requiring one street tree per unit for multi-family development and concludes that the applicant shall make a financial contribution of \$5,600 for 28 trees to Portland's Tree Fund.
2. **Parking Aisle width:** The Planning Board **waives / does not waive** the requirement of Section 1.14 of the City's Technical Manual that show a 24 ft. wide drive aisle is required for perpendicular parking, to allow a reduction to 22 foot aisle width for the parking area in the north exit drive on Stevens Avenue in order to minimize impact on this historic character of the area.
3. **Number of driveways:** The Planning Board **waives / does not waive** the requirement of Section 1.7.1.8 *Number of driveways* that does not permit more than 2 driveways for any site, to allow 3 driveways because 2 of the driveways are one-way and the third driveway functions as a shared driveway.

B. SUBDIVISION

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on August 11, 2015 for application 2015-110 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the planning board finds that the plan **is/is not** in conformance with the subdivision standards of the land use code, subject to the following condition of approval, which must be met prior to the signing of the plat:

- i. The applicant shall finalize the two subdivision plats and associated condominium documents for review and approval by Corporation Counsel, the Department of Public Services, and the Planning Authority prior the plats being signed by the Planning Board; and
- ii. That all of the easements as identified on the Plat, including those regarding the shared driveways and parking areas, shall be finalized to the satisfaction of the Corporation Counsel, Department of Public Services and the Planning Authority prior to the release of the signed subdivision plat; and
- iii. That the recommendations of the City Arborist in comments dated 7.22.2015 regarding the protection of preserved trees and follow up tree care (particularly large heritage Red Oaks) shall be advised to all contractors and implemented during construction and after, to include no storage of materials within the drip line of trees and tree save measures as per ISA trees and construction recommendations as noted.

C. DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on August 11, 2015 for application 2015-110 relevant to the site plan regulations; and the testimony presented at the planning board hearing, the planning board finds that the plan **is/is not** in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

- i. That the applicant shall prepare and submit a Parking Management Plan, for review and approval prior to the issuance of a Certificate of Occupancy, that addresses the issues outlined in the comments of the Traffic Engineering Reviewer dated 8.6.2015, and conduct a monitoring survey (including a survey of tenants automobile ownership) after the Motherhouse is fully occupied, the time period to be determined in consultation with the Planning Authority and the results advised to the Planning Authority; and

- ii. That the applicant shall work with the City and METRO to: (a) facilitate the placement of a METRO bus shelter in the vicinity of the site (located to benefit the residents of the Motherhouse), to include the provision of a bus shelter pad on the site if possible. If not possible the applicant shall document that the project meets the relevant ordinance waiver criteria; and (b) to determine a location for a new ADA compliant crosswalk on Stevens Avenue that would be constructed by the City and the applicant shall contribute \$15,800 to be placed in escrow to be used to construct the ADA compliant crosswalk; and
- iii. That the final proposals for any changes to the site and features between the Motherhouse and Stevens Avenue be submitted for review and approval by the City's Historic Program Manager, well in advance of implementation, to ensure that these address the site plan historic resources compatibility requirements; and
- iv. That the applicant shall address the comments of the Peer Engineering Reviewer dated 8.5.2015 regarding catchbasin information, and the further inspection of the existing 12" Corrugated Plastic Pipe installed below the ball fields to verify condition and suitability for reuse, both prior to the issuance of a building permit; and
- v. The developer/contractor/subcontractor must comply with conditions of the submitted and approved stormwater management plan and sediment and erosion control plan and associated inspection and maintenance manual, based on City standards and state guidelines. The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A stormwater maintenance agreement for the stormwater drainage system shall be submitted, signed and recorded with a copy to the Planning Division and Department of Public Services prior to the issuance of a building permit; and
- vi. That the applicant shall address the comments of the Traffic Engineering Reviewer dated 8.6.2015 regarding the sight lines to pedestrians for the exit drive on Stevens Avenue, and the ramp design at the Walton Street driveway, both prior to the issuance of a building permit; and
- vii. That the outstanding capacity to serve regarding wastewater shall be submitted to the Planning Authority prior to the issuance of a building permit; and
- viii. That all external site lighting shall be full cut off in design, and prior to the issuance of a building permit the applicant shall submit further information in respect of area in front of the Motherhouse (driveway and stairs near entrance), to confirm that the light levels meet City standards.

ATTACHMENTS:

Staff Review comments and background information

1. DPS comments re crosswalk 8.5.15
2. DPS comments re Construction Management Plan 8.5.15
3. Peer Engineer Review comments 8.5.15
4. Parking Manager comments 8.6.15
5. Traffic Engineer Review comments 8.6.15
6. Fire Department final comments 8.4.15
7. City Arborist comments 7.22.15
8. Legal Department comments 8.3.15

Public comments

PC SP 1 C MilNeil

Applicant's Submittal

- A. (As to PB Workshop) Application and supporting documents
- B. (As to PB Workshop) Stormwater Report and Erosion Control
- C. Final submission Part 1: July 27, 2015 Responses; updated appl. form; Construction Management Plan
- D. Final submission Part 2: letter and updates July 29, 2015
 - 1 Updates
 - 2 Easements and Reciprocal Agreements
 - 3 Traffic, Parking and Circulation (all submissions incl from Workshop)
 - 4 Stormwater update
 - 5 Fire & Life Safety
 - 6 Lighting
- E. Neighborhood Meeting Certificates, Notes and Attendance 7.29.2015
- F. Motherhouse Condo Units condominium documents
- G. Parking background information 8.5.15

Plan Set

- P1 Cover
- P2 Existing Conditions
- P3 (Overall) Subdivision Plat
- P4 Sectional Subdivision Plat
- P5 Site Plan
- P6 Utility Plan
- P7 Grading, Drainage and Erosion control
- P8 Tree Preservation Plan
- P9 - P10 Landscape Plan and Details
- P11-P14- Details and Notes
- P15-P16 Watershed Plans
- P17 Photometric plan
- P18-P22 Floor Plans
- P23-P27 Elevations

CHAPTER 32 STORM WATER

Art. I. Prohibited Discharges, §§ 32-1--32-15

Art. II. Prohibited Discharges, §§ 32-16--32-35

Art. III. Post-Construction Stormwater Management, §§32-36-32-40

ARTICLE I. IN GENERAL

Sec. 32-1. Definitions.

For the purposes of this article, the terms listed below are defined as follows:

Applicant. "Applicant" means a person with requisite right, title or interest or an agent for such person who has filed an application for a development project that requires a post-construction stormwater management plan under this article.

Best management practices ("BMP"). "Best management practices" or "BMPs" means schedules or activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

Clean Water Act. "Clean Water Act" means the federal Water Pollution Control Act (33 U.S.C. § 1251 *et seq.*, also known as the "Clean Water Act"), and any subsequent amendments thereto.

Discharge. "Discharge" means any spilling, leaking, pumping, pouring, emptying, dumping, disposing or other addition of pollutants to "waters of the state." "Direct discharge" or "point source" means any discernable, confined and discrete conveyance, including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft, from which pollutants are or may be discharged.

Enforcement authority. "Enforcement authority" means the person(s) or department authorized under section 32-3 of this article to administer and enforce this article.

Exempt person or discharge. "Exempt person or discharge" means any person who is subject to a multi-sector general permit for industrial activities, a general permit for construction activity, a general permit for the discharge of storm water from the Maine department of transportation and the Maine turnpike authority

municipal separate storm sewer systems, or a general permit for the discharge of storm water from state or federally owned authority municipal separate storm sewer system facilities; and any non-storm water discharge permitted under a NPDES permit, waiver, or waste discharge license or order issued to the discharger and administered under the authority of the U.S. environmental protection agency ("EPA") or the Maine department of environmental protection ("DEP").City of Portland

Municipality. "Municipality" means the city of Portland.

Municipal separate storm sewer system, or MS4. "Municipal separate storm sewer system" or "MS4," means conveyances for storm water, including, but not limited to, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, human-made channels or storm drains (other than publicly owned treatment works and combined sewers) owned or operated by any municipality, sewer or sewage district, fire district, state agency or federal agency or other public entity that discharges directly to surface waters of the state.

National pollutant discharge elimination system (NPDES) storm water discharge permit. "National pollutant discharge elimination system (NPDES) storm water discharge permit" means a permit issued by the EPA or by the DEP that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-storm water discharge. "Non-storm water discharge" means any discharge to an MS4 that is not composed entirely of storm water.

Person. "Person" means any individual, firm, corporation, municipality, quasi-municipal corporation, state agency or federal agency or other legal entity which creates, initiates, originates or maintains a discharge of storm water or a non-storm water discharge.

Pollutant. "Pollutant" means dredged spoil, solid waste, junk, incinerator residue, sewage, refuse, effluent, garbage, sewage sludge, munitions, chemicals, biological or radiological materials, oil, petroleum products or by-products, heat, wrecked or discarded equipment, rock, sand, dirt and industrial, municipal, domestic, commercial or agricultural wastes of any kind.

Post-construction stormwater management plan. "Post-construction stormwater management plan" means BMPs employed by a development project to meet the stormwater standards of Section V of the department of planning and urban development's Technical and Design Standards and Guidelines.

Premises. "Premises" means any building, lot, parcel of land, or portion of land, whether improved or unimproved, including adjacent sidewalks and parking strips, located within the municipality from which discharges into the storm drainage system are or may be created, initiated, originated or maintained.

Qualified post-construction stormwater inspector. "Qualified post-construction stormwater inspector" means a person who conducts post-construction stormwater best management practice inspections for compensation and who has received the appropriate training for the same from DEP or otherwise meets DEP requirements to perform said inspections.

Regulated small MS4. "Regulated small MS4" means any small MS4 regulated by the State of Maine "general permit for the discharge of storm water from small municipal separate storm sewer systems" dated July 1, 2008 ("general permit") or the general permits for the discharge of storm water from the Maine department of transportation and Maine turnpike authority small MS4s or state or federally owned or operated small MS4s, including all those located partially or entirely within an urbanized area (UA).

Small municipal separate storm sewer system, or small MS4. "Small municipal separate storm sewer system", or "small MS4," means any MS4 that is not already covered by the phase I MS4 storm water program including municipally owned or operated storm sewer systems, state or federally-owned systems, such as colleges, universities, prisons, Maine department of transportation and Maine turnpike authority road systems and facilities, and military bases and facilities.

Storm drainage system. "Storm drainage system" means the City of Portland's regulated small MS4 and other conveyances for storm water located in areas outside the UA that drain into the regulated small MS4.

Storm water. "Storm water" means any storm water runoff, snowmelt runoff, and surface runoff and drainage; "Stormwater" has the same meaning as "storm water".

Urbanized area ("UA"). "Urbanized area" or "UA" means the areas of the State of Maine so defined by the latest decennial (2000) census by the U.S. Bureau of Census.
(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10, 8-17-09)

Sec. 32-2. Reserved.

Sec. 32-3. Reserved.

Sec. 32-4. Reserved.

Sec. 32-5.	Reserved.
Sec. 32-6.	Reserved.
Sec. 32-7.	Reserved.
Sec. 32-8.	Reserved.
Sec. 32-9.	Reserved.
Sec. 32-10.	Reserved.
Sec. 32-11.	Reserved.
Sec. 32-12.	Reserved.
Sec. 32-13.	Reserved.
Sec. 32-14.	Reserved.
Sec. 32-15.	Reserved.

ARICLE II. PROHIBITED DISCHARGES

Sec. 32-16. Applicability.

This Article shall apply to all persons discharging storm water and/or non-storm water discharges from any premises into the storm drainage system.

(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10, 8-17-09)

Sec. 32-17. Responsibility for administration.

The department of public services is the enforcement authority who shall administer, implement, and enforce the provisions of this article.

(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10; 8-17-09)

Sec. 32-18. Prohibition of non-storm water discharges.

(a) *General prohibition.* Except as allowed or exempted herein, no person shall create, initiate, originate or maintain a non-storm water discharge to the storm drainage system. Such non-storm water discharges are prohibited notwithstanding the fact that the city may have approved the connections, drains or conveyances by which a person discharges un-allowed non-storm water discharges to the storm drainage system.

(b) *Allowed non-storm water discharges.* The creation, initiation, origination and maintenance of the following non-storm water discharges to the storm drainage system is allowed:

- (1) Landscape irrigation; diverted stream flows; rising ground waters; uncontaminated flows from foundation drains; air conditioning and compressor condensate; irrigation water; flows from uncontaminated springs; uncontaminated water from crawl space pumps; uncontaminated flows from footing drains; lawn watering runoff; flows from riparian habitats and wetlands; residual street wash water (where spills/leaks of toxic or hazardous materials have not

occurred, unless all spilled material has been removed and detergents are not used); hydrant flushing and fire fighting activity runoff; water line flushing and discharges from potable water sources; individual residential car washing; and de-chlorinated swimming pool discharges.

- (2) Discharges specified in writing by the enforcement authority as being necessary to protect public health and safety.
- (3) Dye testing, with verbal notification to the enforcement authority prior to the time of the test.

(c) *Exempt person or discharge.* This article shall not apply to an exempt person or discharge, except that the enforcement authority may request from exempt persons and persons with exempt discharges copies of permits, notices of intent, licenses and orders from the EPA or DEP that authorize the discharge(s).

(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10, 8-17-09)

Sec. 32-19. Suspension of access to the city's small MS4.

The enforcement authority may, without prior notice, physically suspend discharge access to the storm drainage system to a person when such suspension is necessary to stop an actual or threatened non-storm water discharge to the storm drainage system which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the storm drainage system, or which may cause the city to violate the terms of its environmental permits. Such suspension may include, but is not limited to, blocking pipes, constructing dams or taking other measures, on public ways or public property, to physically block the discharge to prevent or minimize a non-storm water discharge to the storm drainage system. If a person fails to comply with a suspension order issued in an emergency, the enforcement authority may take such steps as deemed necessary to prevent or minimize damage to the storm drainage system, or to minimize danger to persons.

(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10, 8-17-09)

Sec. 32-20. Monitoring of discharges.

In order to determine compliance with this article, the enforcement authority may enter upon and inspect premises subject to this article at reasonable hours to inspect the premises and connections thereon to the storm drainage system; and to conduct monitoring, sampling and testing of the discharge to the storm drainage system.

(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10, 8-17-09)

Sec. 32-21. Enforcement.

It shall be unlawful for any person to violate any provision of or to fail to comply with any of the requirements of this article. Whenever the enforcement authority believes that a person has violated this article, the enforcement authority may enforce this article in accordance with 30-A M.R.S.A. § 4452.

- (a) *Notice of violation.* Whenever the enforcement authority believes that a person has violated this article, the enforcement authority may order compliance with this article by written notice of violation to that person indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:
- (1) The elimination of non-storm water discharges to the storm drainage system, including, but not limited to, disconnection of the premises from the MS4.
 - (2) The cessation of discharges, practices, or operations in violation of this article.
 - (3) At the Person's expense, the abatement or remediation (in accordance with best management practices in DEP rules and regulations) of non-storm water discharges to the storm drainage system and the restoration of any affected property; and/or
 - (4) The payment of fines, of the city's remediation costs and of the city's reasonable administrative costs and attorneys' fees and costs. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such abatement or restoration must be completed.
- (b) *Penalties/fines/injunctive relief.* In addition to the imposition of any other costs or penalties provided for herein, any person who violates this section shall be subject to fines, penalties and orders for injunctive relief and shall be responsible for the city's attorney's fees and costs, all in accordance with 30-A M.R.S.A. § 4452. Each day such violation continues shall constitute a separate violation. Moreover, any person who violates this section also shall be responsible for any and all fines, penalties, damages and costs, including, but not limited to attorneys' fees and costs, incurred by the city for violation of federal and State environmental laws and

regulations caused by or related to that person's violation of this article; this responsibility shall be in addition to any penalties, fines or injunctive relief imposed under this section.

- (c) *Consent agreement.* The enforcement authority may, with the approval of the city manager, enter into a written consent agreement with the violator to address timely abatement of the violation(s) of this article for the purposes of eliminating violations of this article and of recovering fines, costs and fees without court action.
- (d) *Appeal of notice of violation.* Any person receiving a notice of violation or suspension notice may appeal the determination of the enforcement authority to the city manager or his or her designee. The notice of appeal must be received within 30 days from the date of receipt of the notice of violation. The city manager shall hold a hearing on the appeal within 30 days from the date of receipt of the notice of appeal, except that such hearing may be delayed by agreement of the city manager and the appellant. The city manager may affirm, reverse or modify the decision of the enforcement authority. A suspension under Section 32-5 of this article remains in place unless or until lifted by the city manager or by a reviewing court. A party aggrieved by the decision of the city manager may appeal that decision to the Maine superior court within 45 days of the date of the city manager's decision pursuant to Rule 80B of the Maine Rules of Civil Procedure.
- (e) *Enforcement measures.* If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal to the city manager, within 45 days of a decision of the city manager affirming the enforcement authority's decision, then the enforcement authority may recommend that the corporation counsel's office file an enforcement action in a Maine court of competent jurisdiction under Rule 80K of the Maine Rules of Civil Procedure.
- (f) *Ultimate responsibility of discharger.* The standards set forth herein are minimum standards; therefore this article does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants into waters of the U.S. caused by said person. This article shall not create liability on the part of the city, or any officer agent or employee thereof for any damages that

result from any person's reliance on this article or any administrative decision lawfully made hereunder.
(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10, 8-17-09)

Sec. 32-22. Severability.

The provisions of this article are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this article or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions, clauses, sentences, or paragraphs or application of this article.

(Ord. No. 85-08/09, 10-20-08; Ord. No. 35-09/10, 8-17-09)

- Sec. 32-23. Reserved.**
- Sec. 32-24. Reserved.**
- Sec. 32-25. Reserved.**
- Sec. 32-26. Reserved.**
- Sec. 32-27. Reserved.**
- Sec. 32-28. Reserved.**
- Sec. 32-29. Reserved.**
- Sec. 32-30. Reserved.**
- Sec. 32-31. Reserved.**
- Sec. 32-32. Reserved.**
- Sec. 32-33. Reserved.**
- Sec. 32-34. Reserved.**
- Sec. 32-35. Reserved.**

ARTICLE III. POST-CONSTRUCTION STORMWATER MANAGEMENT.

Sec. 32-36. Applicability.

This article applies to all development projects that require a stormwater management plan pursuant to section V of the department of planning and urban development's Technical and Design Standards and Guidelines.

(Ord. No. 35-09/10, 8-17-09)

Sec. 32-37. Post-construction stormwater management plan approval.

Notwithstanding any ordinance provision to the contrary, no applicant for a development project to which this article is applicable shall receive approval for that development project unless the applicant also receives approval for its post-construction stormwater management plan and for the best management practices ("BMPs") for that development project.

(Ord. No. 35-09/10, 9-17-09)

Sec. 32-38. Post-construction stormwater management plan compliance.

Any person owning, operating, or otherwise having control over a BMP required by a post construction stormwater management plan shall maintain the BMPs in accordance with the approved plan and shall demonstrate compliance with that plan as follows:

- (a) *Inspections.* The owner or operator of a BMP shall hire a qualified post-construction stormwater inspector to at least annually, inspect the BMPs, including but not limited to any parking areas, catch basins, drainage swales, detention basins and ponds, pipes and related structures, in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.
- (b) *Maintenance and repair.* If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the department of public services ("DPS") in the annual report.
- (c) *Annual report.* The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, on or by June 30 of each year, provide a completed and signed certification to DPS in a form provided by DPS, certifying that the person has inspected the BMP(s) and that the yare adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they require maintenance or repair, including the record of the deficiency and corrective action(s) taken.
- (d) *Filing fee.* Any persons required to file and annual certification under this section shall include with the annual certification a filing fee established by DPS to pay the administrative and technical costs of review of the annual certification.
- (e) *Right of entry.* In order to determine compliance with this article and with the post-construction stormwater management plan, DPS may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the BMPs.

Sec. 32-39. Enforcement.

It shall be unlawful for any person to violate any provision of or to fail to comply with any of the requirements of this article or of the post-construction stormwater management plan. Whenever the enforcement authority believes that a person has violated this article, DPS may enforce this article in accordance with 30-A M.R.S.A. § 4452. Each day on which a violation exists shall constitute a separate violation for purposes of this section.

- (a) *Notice of violation.* Whenever DPS believes that a person has violated this article or the post-construction stormwater management plan, DPS may order compliance by written notice of violation to that person indicating the nature of the violation and ordering the action necessary to correct it, including, without limitation:
- (1) The abatement of violations, and the cessation of practices or operations in violation of this article or of the post-construction stormwater management plan;
 - (2) At the person's expense, compliance with BMPs required as a condition of approval of the development project, the repair of BMPs and/or the restoration of any affected property; and/or
 - (3) The payment of fines, of the City's remediation costs and of the City's reasonable administrative costs and attorneys' fees and costs.
 - (4) If abatement of a violation, compliance with BMPs, repair of BMPs and/or restoration of affected property is required, the notice shall set forth a deadline within which such abatement, compliance, repair and/or restoration must be completed.
- (b) *Penalties/fines/injunctive relief.* In addition to the imposition of any other costs or penalties provided for herein, any person who violates this section shall be subject to fines, penalties and orders for injunctive relief and shall be responsible for the city's attorney's fees and costs, all in accordance with 30-A M.R.S.A. § 4452. Each day such violation continues shall constitute a separate violation. Moreover, any person who violates this section also shall be responsible for any and all fines, penalties, damages and costs, including, but not limited to

attorneys' fees and costs, incurred by the city for violation of federal and state environmental laws and regulations caused by or related to that person's violation of this article; this responsibility shall be in addition to any penalties, fines or injunctive relief imposed under this section.

- (c) *Consent agreement.* The enforcement authority may, without approval of the city manager, enter into a written consent agreement with the violator to address timely abatement of the violation(s) of this article for the purposes of eliminating violations of this article and of recovering fines, costs and fees without court action.
- (d) *Appeal of notice of violation.* Any person receiving a notice of violation or suspension notice may appeal the determination of the enforcement authority to the city manager or his or her designee. The notice of appeal must be received within 30 days from the date of receipt of the notice of violation. The city manager shall hold a hearing on the appeal within 30 days from the date of receipt of the notice of appeal, except that such hearing may be delayed by agreement of the city manager and the appellant. The city manager may affirm, reverse or modify the decision of the DPS. A party aggrieved by the decision of the city manager may appeal that decision to the Maine superior court within forty-five (45) days of the date of the city manager's decision pursuant to Rule 80B of the Maine Rules of Civil Procedure.
- (e) *Enforcement measures.* If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or , in the event of an appeal to the city manager, within forty-five (45) days of a decision of the city manager affirming the enforcement authority's decision, then the enforcement authority may recommend that the corporation counsel's office file an enforcement action in a Maine court of competent jurisdiction under Rule 80K of the Maine Rules of Civil Procedure.

(Ord. No. 35-09/10, 8-17-09)

Sec. 32-40. Severability.

The provisions of this article are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this article or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions, clauses, sentences, or paragraphs or application of this article.

(Ord. No. 35-09/10, 8-17-09)

**STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT**

For SITE PLANS (THAT ARE NOT SUBDIVISIONS)

IN CONSIDERATION OF the site plan approval granted by the Planning Board/Planning Authority of the City of Portland to the proposed _____ (*name of development and project number*), and the associated Grading, Drainage & Erosion Control Plan (*insert correct name of plan*) (Exhibit A) submitted by _____, prepared by _____ (*engineer/agent*) of _____ (address) dated _____, and pursuant to a condition thereof, _____ (*name of owner*) a Maine limited liability company with a principal place of business in Portland, Maine, and having a mailing address of _____, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the “Owner”), as follows:

Maintenance Agreement

That it, its successors and assigns, will, at its own cost and expense and at all times in perpetuity, maintain in good repair and in proper working order the _____ (*details of the system such as underdrained subsurface sand filter BMP system, rain gardens, storm drain pipes, underdrain pipes, catch basins*), (hereinafter collectively referred to as the “stormwater system”), as shown on the _____ Plan in Exhibit A and in strict compliance with the approved Stormwater Maintenance and Inspection Agreement (*insert correct name of document*) prepared for the Owner by _____ (copy attached at Exhibit B) and Chapter 32 of the Portland City Code.

Owner of the subject premises further agrees, at its own cost, to keep a Stormwater Maintenance Log. Such log shall be made available for inspection by the City of Portland upon reasonable notice and request.

Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of said premises and abutters thereto; further, that the said City of Portland and said persons in lawful possession may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice and a stated time to perform, the said City of Portland, by its authorized agents or representatives, may, but is not obligated to, enter upon said premises to maintain, repair, or replace said stormwater system in the event of any failure or neglect thereof, the cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon written demand. Any funds owed to the City under this paragraph shall be secured by a lien on the property.

This Agreement shall also not be construed to allow any change or deviation from the requirements of the site plan most recently and formally approved by the Planning Board/Planning Authority of the City of Portland.

This agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon the Owner's successors and assigns as their interests may from time to time appear.

The Owner agrees to record a copy of this Agreement in the Cumberland County Registry of Deeds within thirty (30) days of final execution of this Agreement. The Owner further agrees to provide a copy of this Agreement to any Condominium Association or management company, and to any successor or assign and to forward to the City an Addendum signed by any successor or assign in which the successor or assign states that the successor or assign has read the Agreement, agrees to all its terms and conditions and the successor or assign will obtain and forward to the City's Department of Public Services and Department of Planning and Urban Development a similar Addendum from any other successor or assign.

For the purpose of this agreement and release "Owner" is any person or entity who is a successor or assign and has a legal interest in part, or all, of the real estate and any building. The real estate shown by chart, block and lot number in the records on file in the City Assessor's office shall constitute "the property" that may be entered by the City and liened if the City is not paid all of its costs and charges following the mailing of a written demand for payment to the owner pursuant to the process and with the same force and effect as that established by 36 M.R.S.A. §§ 942 and 943 for real estate tax liens.

Any written notices or demands required by the agreement shall be complete on the date the notice is attached to one or more doors providing entry to any buildings and mailed by certified mail, return receipt requested or ordinary mail or both to the owner of record as shown on the tax roles on file in the City Assessor's Office.

If the property has more than one owner on the tax rolls, service shall be complete by mailing it to only the first listed owner. The failure to receive any written notice required by this agreement shall not prevent the City from entering the property and performing maintenance or repairs on the stormwater system, or any component thereof, or liening it or create a cause of action against the City.

Dated at Portland, Maine this _____ day of _____, 2014.

(*name of company*)

(*representative of owner, name and title*)

STATE OF MAINE
CUMBERLAND, ss.

Date: _____

Personally appeared the above-named _____ (*name and title*), and acknowledged the foregoing instrument to be his free act and deed in his said capacity.

Before me,

Notary Public/Attorney at Law

Print name: _____

Exhibit A: Approved Grading and Drainage Plan (*name of the plan showing the Stormwater System in detail*)

Exhibit B: Approved Stormwater Maintenance and Inspection Agreement



PORTLAND MAINE

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

Planning & Urban Development Department

Jeff Levine, AICP, Director

Planning Division

Alexander Jaegerman, FAICP, Director

Performance Guarantee and Infrastructure Financial Contribution Packet

The municipal code requires that all development falling under site plan and/or subdivision review in the City of Portland be subject to a performance guarantee for various required site improvements. The code further requires developers to pay a fee for the administrative costs associated with inspecting construction activity to ensure that it conforms with plans and specifications.

The performance guarantee covers major site improvements related to site plan and subdivision review, such as paving, roadway, utility connections, drainage, landscaping, lighting, etc. A detailed itemized cost estimate is required to be submitted, which upon review and approval by the City, determines the amount of the performance guarantee. The performance guarantee will usually be a letter of credit from a financial institution, although escrow accounts are acceptable. The form, terms, and conditions of the performance guarantee must be approved by the City through the Planning Division. The performance guarantee plus a check to the City of Portland in the amount of 2.0% of the performance guarantee or as assessed by the planning or public works engineer, must be submitted prior to the issuance of any building permit for affected development.

Administration of performance guarantee and defect bonds is through the Planning Division. Inspections for improvements within existing and proposed public right-of-ways are the responsibility of the Department of Public Services. Inspections for site improvements are the responsibility of the Development Review Coordinator in the Planning Division.

Performance Guarantees will not be released by the City until all required improvements are completed and approved by the City and a Defect Bond has been submitted to and approved by the City.

If an infrastructure financial contribution is required by the City as part of a development approval, please complete the contribution form and submit it along with the designated contribution to the Planning Division. Please make checks payable to the City of Portland.

Attachments

1. Cost Estimate of Improvements Form
2. Performance Guarantee Letter of Credit Form (with private financial institution)
3. Performance Guarantee Escrow Account Form (with private financial institution)
4. Performance Guarantee Form with the City of Portland
5. Infrastructure Financial Contribution Form with the City of Portland

SUBDIVISION/SITE DEVELOPMENT
Cost Estimate of Improvements to be covered by Performance Guarantee

Date: _____

Name of Project: _____

Address/Location: _____

Application ID #: _____

Developer: _____

Form of Performance Guarantee: _____

Type of Development: Subdivision _____ Site Plan (Level I, II or III) _____

TO BE FILLED OUT BY THE APPLICANT:

<u>Item</u>	PUBLIC			PRIVATE		
	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>
1. STREET/SIDEWALK						
Road/Parking Areas	_____	_____	_____	_____	_____	_____
Curbing	_____	_____	_____	_____	_____	_____
Sidewalks	_____	_____	_____	_____	_____	_____
Esplanades	_____	_____	_____	_____	_____	_____
Monuments	_____	_____	_____	_____	_____	_____
Street Lighting	_____	_____	_____	_____	_____	_____
Street Opening Repairs	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____
2. EARTH WORK						
Cut	_____	_____	_____	_____	_____	_____
Fill	_____	_____	_____	_____	_____	_____
3. SANITARY SEWER						
Manholes	_____	_____	_____	_____	_____	_____
Piping	_____	_____	_____	_____	_____	_____
Connections	_____	_____	_____	_____	_____	_____
Main Line Piping	_____	_____	_____	_____	_____	_____
House Sewer Service Piping	_____	_____	_____	_____	_____	_____
Pump Stations	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____
4. WATER MAINS	_____	_____	_____	_____	_____	_____
5. STORM DRAINAGE						
Manholes	_____	_____	_____	_____	_____	_____
Catchbasins	_____	_____	_____	_____	_____	_____
Piping	_____	_____	_____	_____	_____	_____
Detention Basin	_____	_____	_____	_____	_____	_____
Stormwater Quality Units	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____

6. SITE LIGHTING	_____	_____	_____	_____	_____	_____	_____
7. EROSION CONTROL							
Silt Fence	_____	_____	_____	_____	_____	_____	_____
Check Dams	_____	_____	_____	_____	_____	_____	_____
Pipe Inlet/Outlet Protection	_____	_____	_____	_____	_____	_____	_____
Level Lip Spreader	_____	_____	_____	_____	_____	_____	_____
Slope Stabilization	_____	_____	_____	_____	_____	_____	_____
Geotextile	_____	_____	_____	_____	_____	_____	_____
Hay Bale Barriers	_____	_____	_____	_____	_____	_____	_____
Catch Basin Inlet Protection	_____	_____	_____	_____	_____	_____	_____
8. RECREATION AND OPEN SPACE AMENITIES	_____	_____	_____	_____	_____	_____	_____
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	_____	_____	_____	_____	_____	_____	_____
10. MISCELLANEOUS	_____	_____	_____	_____	_____	_____	_____
TOTAL:	_____	_____	_____	_____	_____	_____	_____
GRAND TOTAL:	_____	_____	_____	_____	_____	_____	_____

INSPECTION FEE (to be filled out by the City)

	PUBLIC	PRIVATE	TOTAL
A: 2.0% of totals:	_____	_____	_____
<u>or</u>			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	_____	_____	_____
	(name)	(name)	

SAMPLE FORM

**SITE PLAN/SUBDIVISION
PERFORMANCE GUARANTEE
LETTER OF CREDIT
[ACCOUNT NUMBER]**

[Date]

Jeff Levine
Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: **[Insert: Name of Developer]**
[Insert: Address of Project, Portland, Maine]
[Insert: Application ID #]

[Insert: Name of Bank] hereby issues its Irrevocable Letter of Credit for the account of **[Insert: Name of Developer]**, (hereinafter referred to as “Developer”), held for the exclusive benefit of the City of Portland, in the aggregate amount of **[Insert: amount of original performance guarantee]**. These funds represent the estimated cost of installing site improvements as depicted on the **[Insert: subdivision and/ or site plan]**, approved on **[Insert: Date]** and as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65.

This Letter of Credit is required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §46 through 65 and is intended to satisfy the Developer’s obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development.

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on this Letter of Credit by presentation of a sight draft and the Letter of Credit and all amendments thereto, up to thirty (30) days before or sixty (60) days after its expiration, stating any one of the following:

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the **[Insert: subdivision and/ or site plan]** approval, dated **[Insert date]**; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or

3. the Developer has failed to notify the City for inspections.

In the event of the Bank's dishonor of the City of Portland's sight draft, the Bank shall inform the City of Portland in writing of the reason or reasons thereof within three (3) business days of the dishonor.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Services and Planning Division, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the **[Bank]**, by written certification, to reduce the available amount of the escrowed money by a specified amount.

This performance guarantee will automatically expire on **[Insert date between April 16 and October 30 of the following year]** ("Expiration Date") or on the date when the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, whichever is later. It is a condition of this Letter of Credit that it is deemed to be automatically extended without amendment for period(s) of one year each from the current Expiration Date hereof, or any future Expiration Date, unless within thirty (30) days prior to any expiration, the Bank notifies the City by certified mail (restricted delivery to Ellen Sanborn, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that the Bank elects not to consider this Letter of Credit renewed for any such additional period.

In the event of such notice, the City, in its sole discretion, may draw hereunder by presentation of a sight draft drawn on the Bank, accompanied by this Letter of Credit and all amendments thereto, and a statement purportedly signed by the Director of Planning and Urban Development, at Bank's offices located at

_____ stating that:

this drawing results from notification that the Bank has elected not to renew its Letter of Credit No. _____.

On its Expiration Date or on the date the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, this Performance Guarantee Letter of Credit shall be reduced by the City to ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Letter of Credit. Written notice of such reduction shall be forwarded by the City to the Bank. The Defect Letter of Credit shall ensure the workmanship and durability of all materials used in the construction of the **[Insert: subdivision and/ or site plan]** approval, dated **[Insert: Date]** as required by City Code §14-501, 525 and shall automatically expire one (1) year from the date of its creation ("Termination Date").

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on the Defect Letter of Credit by presentation of a sight draft and this Letter of Credit and all amendments thereto, at Bank's offices located at _____, prior to the Termination Date, stating any one of the following:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship; or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the **[Insert: subdivision and/ or site improvements]**.

Date: _____

By: _____

[Name]

[Title]

Its Duly Authorized Agent

SAMPLE FORM

SITE PLAN/SUBDIVISION
PERFORMANCE GUARANTEE
ESCROW ACCOUNT
[ACCOUNT NUMBER]

[Date]

Jeff Levine
Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: **[Insert: Name of Developer]**
[Insert: Address of Project, Portland, Maine]
[Insert: Application ID #]

[Insert: Name of Bank] hereby certifies to the City of Portland that **[Bank]** will hold the sum of **[Insert: amount of original performance guarantee]** in an interest bearing account established with the Bank. These funds shall be held for the exclusive benefit of the City of Portland and shall represent the estimated cost of installing site improvements as depicted on the **[Insert: subdivision and/or site plan]**, approved on **[Insert: date]** as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65. It is intended to satisfy the Developer's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development. All costs associated with establishing, maintaining and disbursing funds from the Escrow Account shall be borne by **[Insert: Developer]**.

[Bank] will hold these funds as escrow agent for the benefit of the City subject to the following:

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw against this Escrow Account by presentation of a draft in the event that:

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the **[Insert: subdivision and/ or site plan]** approval, dated **[Insert date]**; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. the Developer has failed to notify the City for inspections.

In the event of the Bank's dishonor of the City of Portland's sight draft, the Bank shall inform the City of Portland in writing of the reason or reasons thereof within three (3) business days of the dishonor.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Services and Planning Division, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the **[Bank]**, by written certification, to reduce the available amount of the escrowed money by a specified amount.

This performance guarantee will automatically expire on **[Insert date between April 16 and October 30 of the following year]** ("Expiration Date") or on the date when the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, whichever is later. It is a condition of this agreement that it is deemed to be automatically extended without amendment for period(s) of one year each from the current Expiration Date hereof, or any future Expiration Date, unless within thirty (30) days prior to any expiration, the Bank notifies the City by certified mail (restricted delivery to Ellen Sanborn, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that the Bank elects not to consider the Escrow Account renewed for any such additional period.

In the event of such notice, the City, in its sole discretion, may draw against the Escrow Account by presentation of a sight draft drawn on the Bank and a statement purportedly signed by the Director of Planning and Urban Development, at Bank's offices located at _____ stating that:

this drawing results from notification that the Bank has elected not to renew its Letter of Credit No. _____.

On its Expiration Date or on the date the City determines that all improvements guaranteed by this Escrow Account are satisfactorily completed, this Performance Guarantee shall be reduced by the City to ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Guarantee. Written notice of such reduction shall be forwarded by the City to the Bank. The Defect Guarantee shall ensure the workmanship and durability of all materials used in the construction of the **[Insert: subdivision and/ or site plan]** approval, dated **[Insert: Date]** as required by City Code §14-501, 525 and shall automatically expire one (1) year from the date of its creation ("Termination Date").

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on the Defect Guarantee by presentation of a sight draft at Bank's offices located at _____, prior to the Termination Date, stating any one of the following:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship; or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the [**Insert: subdivision and/ or site improvements**].

Date: _____

By: _____

[Name]

[Title]

Its Duly Authorized Agent

Seen and Agreed to: [**Applicant**]

By: _____

**PERFORMANCE GUARANTEE
with the City of Portland**

Developer's Tax Identification Number: _____

Developer's Name and Mailing Address: _____

City Account Number: _____

Application ID #: _____

Application of _____ [Applicant] for _____ [Insert street/Project Name] at _____ [Address], Portland, Maine.

The City of Portland (hereinafter the "City") will hold the sum of \$_____ [amount of performance guarantee] on behalf of _____ [Applicant] in a non-interest bearing account established with the City. This account shall represent the estimated cost of installing _____ [insert: subdivision and/ or site improvements (as applicable)] as depicted on the subdivision/site plan, approved on _____ [date] as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65. It is intended to satisfy the Applicant's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development.

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw against this Escrow Account in the event that:

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the _____ [insert: subdivision and/ or site improvements (as applicable)] approval, dated _____ [insert date]; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. the Developer has failed to notify the City for inspections in conjunction with the installation of improvements noted in paragraph one.

The Director of Planning and Urban Development may draw on this Guarantee, at his/her option,

either thirty days prior to the expiration date contained herein, or s/he may draw against this escrow for a period not to exceed sixty (60) days after the expiration of this commitment; provided that the Applicant, or its representative, will give the City written notice, by certified mail (restricted delivery to Ellen Sanborn, Director of Finance, City of Portland, 389 Congress Street, Room 110, Portland, Maine) of the expiration of this escrow within sixty (60) days prior thereto.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Works and Planning, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the City to reduce the available amount of the escrowed money by a specified amount.

This Guarantee will automatically expire on **[Insert date between April 16 and October 30 of the following year]** (“Expiration Date”) or on the date when the City determines that all improvements guaranteed by this Performance Guarantee are satisfactorily completed, whichever is later. At such time, this Guarantee shall be reduced by the City to ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Guarantee. Written notice of such reduction and conversion shall be forwarded by the City to **[the applicant]**. The Defect Guarantee shall expire one (1) year from the date of its creation and shall ensure the workmanship and durability of all materials used in the construction of the **[Insert: Subdivision and/ or site plan]** approval, dated **[Insert: Date]** as required by City Code §14-501, 525.

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on the Defect Guarantee should any one of the following occur:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship;
or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the **[Insert: subdivision and/ or site improvements]**.

Seen and Agreed to:

By: _____
[Applicant]

Date: _____

By: _____
****Planning Division Director

Date: _____

By: _____
Development Review Coordinator

Date: _____

Attach **Letter of Approval and Estimated Cost of Improvements** to this form.

Distribution

1. This information will be completed by Planning Staff.
2. The account number can be obtained by calling Cathy Ricker, ext. 8665.
3. The Agreement will be executed with one original signed by the Developer.
4. The original signed Agreement will be scanned by the Planning Staff then forwarded to the Finance Office, together with a copy of the Cash Receipts Set.
5. ****Signature required if over \$50,000.00.

Infrastructure Financial Contribution Form
Planning and Urban Development Department - Planning Division

Amount \$

City Account Number: 710-0000-236-98-00

Project Code: _____

(This number can be obtained by calling Cathy Ricker, x8665)

Project Name:

Application ID #:

Project Location:

Project Description:

Funds intended for:

Applicant's Name:

Applicant's Address:

Expiration:

If funds are not expended or encumbered for the intended purpose by _____, funds, or any balance of remaining funds, shall be returned to contributor within six months of said date.

Funds shall be permanently retained by the City.

Other (describe in detail) _____

Form of Contribution:

Escrow Account

Cash Contribution

Interest Disbursement: Interest on funds to be paid to contributor only if project is not commenced.

Terms of Draw Down of Funds: The City shall periodically draw down the funds via a payment requisition from Public Works, which form shall specify use of City Account # shown above.

Date of Form:

Planner:

- Attach the approval letter, condition of approval or other documentation of the required contribution.
- One copy sent to the Applicant.

Electronic Distribution to:

Peggy Axelsen, Finance Department
Catherine Baier, Public Services Department
Barbara Barhydt, Planning Division
Jeremiah Bartlett, Public Services Department
Michael Bobinsky, Public Services Department
Diane Butts, Finance Department
Philip DiPierro, Planning Division
Katherine Earley, Public Services Department
Michael Farmer, Public Services Department
Alex Jaegerman, Planning Division
David Margolis Pineo, Public Services Department
Matt Rancourt, Public Services Department
Jeff Tarling, Public Services Department
Planner for Project