

141-J-003001

Bay Street Extension, Portland, ME

Bay Street Extension

Sargent John P & Cynthia J Jts

103 Read St, Portland, ME 04103

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Engineering Copy**

2003-0142
Application I. D. Number

07/16/2003
Application Date

Bay Street Extension
Project Name/Description

Sargent John P & Cynthia J Jts
Applicant
103 Read St, Portland, ME 04103
Applicant's Mailing Address

Consultant/Agent
Agent Ph: _____ Agent Fax: _____
Applicant or Agent Daytime Telephone, Fax

Bay Street Extension, Portland, Maine
Address of Proposed Site
141 J003001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning **R3**

Check Review Required:

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input checked="" type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Plan _____ Subdivision _____ Engineer Review _____ Date _____

Engineering Comments

PUBLIC WORKS ENGINEERING REVIEW..7/18/03

I have reviewed the plans and application dated 7/16/03 and offer the following comments:

- The plans should specify proposed utility service stubs to the vacant developable lots owned by the developer.
- Driveway entrances should also be specified for the buildable lots.
- A construction detail is required for granite curb installation and sidewalk construction.
- The plans must specify that the connection of two proposed catch basins into the existing manhole at end of the extend paved surface, must be created by "core drilling" into the existing manhole. Further, these new inverts must be fitted with flexible connections.
- The guardrail proposed at the end of the extended roadway is physically too close to the proposed catch basins and represent a maintenance issue for servicing the structures as well as plowing the roadway in the winter. Public Works is requesting the applicant extend the roadway an additional ten (10) feet, install granite tipdown terminal curb beyond the catch basin headstones and then install the proposed guardrail. The plans should specify a construction detail for the guardrail.
- The applicant is advised to contact Carol Merritt at Public Works to confirm the fees and permits associated with this development proposal.

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
DRC Copy**

Application I. D. Number _____

Applicant _____

Application Date _____

Applicant's Mailing Address _____

Project Name/Description _____

Consultant/Agent _____

Address of Proposed Site _____

#Error _____ #Error _____

Applicant or Agent Daytime Telephone, Fax _____

Assessor's Reference: Chart-Block-Lot _____

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

Proposed Building square Feet or # of Units _____

Acreage of Site _____

Zoning _____

Check Review Required:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input type="checkbox"/> Subdivision # of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other _____ | |

Fees Paid: Site Plan _____ Subdivision _____ Engineer Review _____ Date _____

Planning

Performance Guarantee Required* Not Required

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<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

July 16, 2003

Department of Planning & Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Bay Street Extension

Dear Planning Department:

John Sargent owns three house lots on Bay Street Extension (Chart #141-J-3; Chart #155-D-27; Chart #155-D-28). He would like to construct the road from Station 9+30-12+06. The stationing is taken from Public Works Sewer Plan 607/18. The road would extend from the edge of pavement near BAY VILLAGE CONDOMINIUMS Southeasterly to the end of the existing lots.

A waiver is requested from installing curbs and sidewalks as there are none existing at this time.

Respectfully submitted,


Herbert P. Gray



City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: 9+30 - 12+06 BAY STREET EXTENSION		Zone: R3
Total Square Footage of Proposed Structure:		Square Footage of Lot:
		141-J-3 14,977.05 sf
		155-D-28 15,521.29 sf
		155-D-27 15,499.08 sf
Tax Assessor's Chart, Block & Lot:		Property owner's mailing address:
Chart#	Block#	Lot#
141	J	3
155	D	27
155	D	28
		Telephone #:
		773-0660
Consultant/Agent, mailing address, phone # & contact person:		Applicant's name, mailing address, telephone #/Fax#/Pager#:
Herbert P. Gray 111 Simmons Road South Portland, Maine 04106 Tel(207)767-1861		John Sargent 103 Read Street Portland, Maine 04103 Tel.(207)773-0660
		Project name:
		9+30-12+06 Bay Street Extension
Proposed Development (check all that apply)		
<input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision (\$500.00) + amount of lots____ (\$25.00 per lot) \$_____ <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot_____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00) <input checked="" type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other_____		
Major Development (more than 10,000 sq. ft.)		
<input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
Minor Site Plan Review		
<input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)		
Plan Amendments		
<input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)		
- Please see next page -		

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

John Sargent
103 Read Street
Portland, Maine 04103
Tel. (207) 773-0660

Submittals shall include (9) separate folded packets of the following:

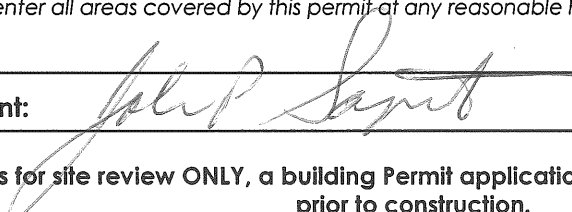
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, & c)
ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11)
you may also visit the web site: ci.portland.me.us chapter 14

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

Signature of applicant:



Date: 7/16/03

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

Hydrant locations
supplied by
Portland Water District



DI 8 1985

DI 8 1982

HY2701394

HY2701528

Walton

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Planning Copy**

ETIAJ BOER-MAJOR

2005-0054
Application I. D. Number

3/21/2005
Application Date

Bay Street Subdivision
Project Name/Description

Sargent John P & Cynthia J Jts
Applicant
103 Read St, Portland, ME 04103
Applicant's Mailing Address

Consultant/Agent
Applicant Ph: (207) 773-0660 Agent Fax:
Applicant or Agent Daytime Telephone, Fax

Bay Street Extension, Portland, Maine
Address of Proposed Site
141 J003001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning **R3**

Check Review Required:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input checked="" type="checkbox"/> Subdivision # of lots <u>4</u> | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other _____ | |

Fees Paid: Site Pla _____ Subdivision _____ Engineer Review _____ Date _____

Planning Approval Status:

Reviewer _____

- Approved Approved w/Conditions See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

OK to Issue Building Permit _____ signature _____ date _____

Performance Guarantee Required* Not Required

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- | | | | |
|---|----------------------------|--|-----------------------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ date _____ | _____ amount _____ | _____ expiration date _____ |
| <input type="checkbox"/> Inspection Fee Paid | _____ date _____ | _____ amount _____ | |
| <input type="checkbox"/> Building Permit Issue | _____ date _____ | | |
| <input type="checkbox"/> Performance Guarantee Reduced | _____ date _____ | _____ remaining balance _____ | _____ signature _____ |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ date _____ | <input type="checkbox"/> Conditions (See Attached) | _____ expiration date _____ |
| <input type="checkbox"/> Final Inspection | _____ date _____ | _____ signature _____ | |
| <input type="checkbox"/> Certificate Of Occupancy | _____ date _____ | | |
| <input type="checkbox"/> Performance Guarantee Released | _____ date _____ | _____ signature _____ | |
| <input type="checkbox"/> Defect Guarantee Submitted | _____ submitted date _____ | _____ amount _____ | _____ expiration date _____ |
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**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Planning Copy**

2003-0142
Application I. D. Number

Sargent John P & Cynthia J Jts

Applicant

103 Read St, Portland, ME 04103

Applicant's Mailing Address

07/16/2003

Application Date

Bay Street Extension

Project Name/Description

Consultant/Agent

Agent Ph: _____ **Agent Fax:** _____

Applicant or Agent Daytime Telephone, Fax

Bay Street Extension, Portland, Maine

Address of Proposed Site

141 J003001

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Zoning

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(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input checked="" type="checkbox"/> 14-403 Streets Review |
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| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

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Planning Approval Status:

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See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets
Attached

OK to Issue Building Permit _____
signature date

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- | | | | |
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| | date | amount | expiration date |
| <input type="checkbox"/> Inspection Fee Paid | _____ | _____ | |
| | date | amount | |
| <input type="checkbox"/> Building Permit Issue | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Reduced | _____ | _____ | _____ |
| | date | remaining balance | signature |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ | <input type="checkbox"/> Conditions (See Attached) | _____ |
| | date | | expiration date |
| <input type="checkbox"/> Final Inspection | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Certificate Of Occupancy | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Released | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Defect Guarantee Submitted | _____ | _____ | _____ |
| | submitted date | amount | expiration date |
| <input type="checkbox"/> Defect Guarantee Released | _____ | _____ | |
| | date | signature | |

EXHIBIT A

A certain lot or parcel of land situated on Bay Street Extension in the City of Portland, County of Cumberland and State of Maine, and being the premises conveyed by the City of Portland to Lena B. Ogens by deed dated November 22, 1955, and recorded at the Cumberland County Registry of Deeds in Book 2255, Page 259.

Being also the same premises conveyed to Belle Ogens by Lincoln T. Small by deed dated October, 1955 recorded at said Registry of Deeds in Book 2255, Page 224.

Being also the same premises conveyed to John P. Paris by Robert B. Williamson, Jr. and Maurice S. Friedman, Personal Representative of the Estate of Lena Belle Ogens, by deed dated September 26, 1990, and recorded in the said Registry of Deeds in Book 9342, Page 68.

Being the same premises conveyed to John P. Sargent and Cynthia J. Sargent by John P. Paris by deed dated November 15, 1991 and recorded in said Registry of Deeds and also being the same premises conveyed to the Grantor herein by John P. Sargent and Cynthia J. Sargent by deed dated January 8, 1999 and recorded in said Registry of Deeds.

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IM Bridges

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of Maine
rah M. Watt
n expires
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SEAL

Received
Recorded Register of Deeds
Mar 31, 2003 12:06:07P
Cumberland County
John B. O'Brien

D5



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

October 17, 2003

Mr. Herbert Gray
111 Simmons Road
South Portland, ME 04106

Dear Mr. Gray:

RE: Curb and Sidewalk Waiver, Bay Street Extension,
(John and Cynthia Sargent) (CBL#141J003) (ID#2003-0142)

Dear Mr. Gray:

On October 1, 2003, the Portland Planning Authority made the following determinations regarding the waiver requests for sidewalk and curb for Bay Street Extension:

ONE SIDE
Sidewalk Waiver: The Planning Authority concluded that the proposed development **does not meet the criteria for sidewalk waiver on both sides of Bay St. Extension.** The construction of sidewalk on one side of Bay Street will provide for a safe alternative walking route as required by criteria #3. Therefore, the Planning Authority waives the sidewalk requirement, in part, to require sidewalk on one side only of the Bay Street Extension.

NO
Curb Waiver: The Planning Authority concluded that the proposed development did not meet any of the criteria for curb waiver. Additional information may have shown meeting criteria #1 (cost exceeding 5%), however, two or more criteria need to be met. Therefore, the Planning Authority **does not waive the curbing requirement** for this development.

The waiver criteria are attached for reference as needed.

You may appeal this decision to the planning board pursuant to Section 14-527 of the Land Use Ordinance.

If there are any questions, please contact Jay Reynolds at 874-8632.

Sincerely,

Alexander Jaegerman
Planning Division Director

O:\PLAN\DEVREVW\Bay St. Ext\waiver.doc

JAMES F. CLOUTIER (MAYOR) (A/L)
PETER E. O'DONNELL (1)
KAREN A. GERAGHTY (2)
NATHAN H. SMITH (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES I. COHEN (5)
JOHN W. GRIFFIN (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

AMENDMENT TO PORTLAND CITY CODE
CHAPTER 14 SECTION 506 (B) : MODIFICATIONS

And

CHAPTER 25 SECTION 96 : REQUIRED FOR NONRESIDENTIAL DEVELOPMENT;
EXCEPTIONS

RE: CURB AND SIDEWALK REQUIREMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE
IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

1. *That Section 14-506 (b) of the Portland City Code is hereby
to read as follows:*

Sec.14 -506 (b) Modifications.

(b) Where the planning board or planning authority finds that, for each of the requirements listed below, two or more of the conditions exist with respect to compliance with the requirements set forth in sections 14-498 and 14-499 pertaining to the provision and construction of curbs and/or sidewalks, it may waive, in whole or in part, the regulations so that substantial justice may be done and the public interest secured:

Sidewalks-

1. There is no reasonable expectation for pedestrian usage coming from, going to and traversing the site.
2. There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of a pedestrian oriented infrastructure.
3. A safe alternative-walking route is reasonably and safely available, for example, by way of a sidewalk on the other side of the street that is lightly traveled.
4. The reconstruction of the street is specifically identified and approved in the first or second year of the current Capital Improvement Program or has been funded through an earlier CIP or through other sources.
5. The street has been constructed or reconstructed without sidewalks within the last 24 months.
6. Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.

Curbing-

1. The cost to construct the curbing, including any applicable street opening fees, is in excess of 5% of the overall project cost.2. The reconstruction of the street is specifically identified and approved in the first or second year of the current Capital Improvement Program or has been funded through an earlier CIP or through other sources.3. The street has been rehabilitated without curbing in the last 60 months.
4. Strict adherence to the curb requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.
5. Runoff from the development site or within the street does not require curbing for stormwater management.

In no event shall the waiver have the effect of creating potentially hazardous vehicle and pedestrian conflict or nullifying the intent and purpose and policies of the land development plan relating to transportation and pedestrian infrastructure and the regulations of this article.

At its discretion, the planning authority may refer any petition for a waiver from the curb and sidewalk requirement to the planning board for decision.

Sec. 25-96. Required for nonresidential, two-family or multi-family development; exceptions.

Where a nonresidential, or a two-family or multi-family development requiring site plan approval abuts any accepted street and a sidewalk with granite curbing satisfactory to the public works authority has not already been provided, a sidewalk constructed of bituminous concrete, portland cement concrete, brick or other paving material and granite curbing shall be provided along the entire street frontage of the lot. If either a sidewalk or curbing, but not both, shall exist at such location which is satisfactory to the public works authority, only a sidewalk or curbing, as the case may be, shall be provided. In either case, such sidewalk and curbing shall be constructed in accordance with the specifications and to the satisfaction of the public works authority at no cost to the city. In conjunction with major site plan review, the planning board, or with minor site plan review, the planning authority, may waive or modify the requirements contained herein upon a like finding and on the same terms and conditions as set forth in section 14-506(b) of this Code.

MORTGAGE LOAN COMMITMENT

Applicants: John Sargent
Cynthia Sargent
Property Address: 103 Read St
Portland, ME 04103
Application No: sargent

Lender: Auburn Loan Service
Date Prepared: 09/27/2005

It is a pleasure to notify you that your application for a first mortgage loan has been approved subject to the following matters set forth below. See Good Faith Estimate of Settlement Charges for any related closing costs.

AMOUNT, TERMS AND FEES					
Amount of Loan: \$	240,000	Contract Interest Rate:	12.000 %	LTV:	53.333 %
Terms/Due In:	/12	Commitment Expires:	10/31/2005	CLTV:	53.333 %

REPAYMENT TERMS	
-----------------	--

EVIDENCE OF TITLE

The following Evidence of Title is to be provided to the Lender and must indicate no liens, encumbrances, or any adverse covenants or conditions to title unless approved by Lender. The Evidence of Title must be issued from a firm or source, and in a form, acceptable to Lender.

warranty deed

Borrower will be charged for the cost of providing such title and the cost of recording documents, all of which will be ordered by Lender unless requested otherwise.


ADDITIONAL REQUIRED ITEMS OR CONDITIONS

Review of Acceptable bids for site work
clear title
Clearance from Portland Planning

SEE NEXT PAGE INSTRUCTIONS

The Continuation of Commitment Conditions is made a part of this Commitment. Please sign and return Lender's COPY of this Commitment, along with any required fee and items requested, to the lender at the: above address following address, within _____ days of date hereof, or at the option of Lender, this commitment shall become null and void.

I (WE) hereby accept the terms and Conditions of this Commitment.

COMMITMENT ISSUED BY: _____ ADDRESS: _____
 _____
Authorized Signature Date: 9/27/05

Applicant John Sargent _____ Date _____ Applicant Cynthia Sargent _____ Date _____
Applicant _____ Date _____ Applicant _____ Date _____



SEP 22 2005

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IN THE MATTER OF

WESCOTT & PAYSON II, LLC
Portland, Cumberland County
YALE STREET
L-22516-TB-A-N (approval)

-) NATURAL RESOURCES PROTECTION ACT
-) FRESHWATER WETLAND ALTERATION
-) WATER QUALITY CERTIFICATION
-) FINDINGS OF FACT AND ORDER

Project Description: University Park, a 7.5 acre parcel on Yale Street in the City of Portland, consists of a 30 unit Planned Residential Unit Development (PRUD), a 10-lot subdivision and a 15-lot subdivision. Phase I, includes the PRUD and the 10-lot subdivision and was constructed in 2003, filling 3,891 square feet of forested freshwater wetland. For Phase II, to rebuild Yale Street to access and construct the 15-lot subdivision, the applicant proposes to fill an additional 2,700 square feet of forested freshwater wetland. The applicant is seeking approval for a total of 6,591 square feet of wetland fill, as shown on a set of plans, entitled "Plan of Lots- Yale Street" prepared by Land Use Consultants and dated May 31, 2005 with a last revision date of August 1, 2005. The applicant avoided and minimized the wetland impacts to the greatest extent possible by limiting the wetland fill to the existing Yale Street right-of-way. The Department finds that the proposed project design is the least environmentally damaging practicable alternative that meets the project purpose.

Permit for:	<input checked="" type="checkbox"/> Tier 1
DEP Decision:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied (see attached letter)
CORPS Action:	<input checked="" type="checkbox"/> The Corps has been notified of your application. The following are subject to Federal screening: (1) projects with previously authorized or unauthorized work, in combination with a Tier 1 permit for a single and complete project, which total more than 15,000 square feet of altered area; (2) projects with multiple state permits and/or state exemptions which apply to a single and complete project that total more than 15,000 square feet of altered area; and (3) projects that may impact a vernal pool, as determined by the State of Maine or the Corps. If your activity is listed above, <i>Corps approval is required for your project.</i> For information regarding the status of your application contact the Corps' Maine Project Office at 623-8367.

Special Condition: No additional wetland may be filled to construct the subdivision lots without prior Department approval.

Standard Conditions:

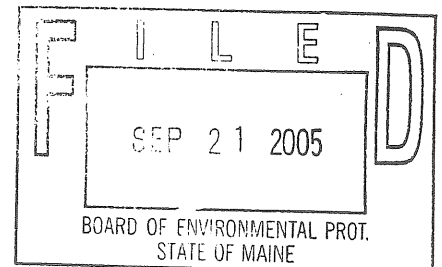
- 1) If construction or operation of the activity is not begun within two (2) years from the date signed, this permit shall lapse and the applicant shall reapply to the Department for a new permit. This permit is transferable only with prior approval from the Department. If the activity is associated with a larger project, starting any aspect of that project constitutes start of construction.
- 2) The project shall be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- 3) Properly installed erosion control measures shall be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- 4) A copy of this approval will be sent to the City of Portland. Department approval of your activity does not supersede or substitute the need for any necessary local approvals.

Please note the attached sheet for guidance on appeal procedures.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.


DAWN R. GALLAGHER, COMMISSIONER

9/20/05
DATE



Date of initial application August 3, 2005
Date application accepted for processing August 24, 2005
Date filed with Board of Environmental Protection
BC/ATS#560041/L22516AN



NATURAL RESOURCE PROTECTION ACT (NRPA) STANDARD CONDITIONS

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. **Approval of Variations From Plans.** The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. **Compliance With All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. **Erosion Control.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. **Compliance With Conditions.** Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. **Initiation of Activity Within Two Years.** If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years form the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. **Reexamination After Five Years.** If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. **No Construction Equipment Below High Water.** No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. **Permit Included In Contract Bids.** A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. **Permit Shown To Contractor.** Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's *General Laws*, 38 M.R.S.A. § 341-D(4), and its *Rules Concerning the Processing of Applications and Other Administrative Matters* (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5).

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

II. APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

CITY OF PORTLAND, MAINE

Planning and Development Department
Planning Division

389 Congress Street, Portland, Maine 04101
(207) 874-8719 Fax (207) 756-8258

Elizabeth:

Power @ BV is underground \therefore they should too.

F.I. Letter doesn't seem to cover scope of improvements proposed ... seems not to reflect new costs = \pm 235K

TREE BUFFER - SHOULD BE PROVIDED.

CHARLES GREEN

UNDERGROUND UTILITIES -- WOULD TRANSECT THEIR DEVELOPMENT..

CONCERNED ABOUT HOW CURRENT PARK LOT WILL WITHSTAND FUTURE TRAFFIC

HOW WILL UTS BE MARKETED?

IF 220K FOR ROAD THEN IS 240K APPROXIMATE TOO TIGHT??

Herbert P. Gray

office copy

=====
=====
Consulting Engineer
=====
=====

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

March 11, 2005

Department of Planning & Development
City of Portland
389 Congress Street
Portland, Maine 04101

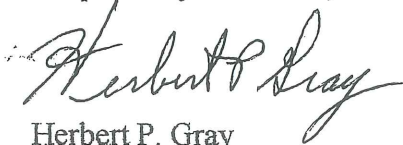
Re: Reshaping three existing lots to four lots - BAY STREET EXTENSION

Dear Planning Department:

John Sargent owns three house lots on Bay Street Extension (Chart #141-J-3; Chart #155-D-27; Chart #155-D-28). The City abandoned a proposed street next to lot #155-D-28 of which he claims half. He would like to reshape the above property into four house lots. He would like to construct the road from Station 9+30-12+06. The stationing is taken from Public Works Sewer Plan 607/18. The road would extend from the edge of pavement near BAY VILLAGE CONDOMINIUMS Southeasterly to the end of the existing lots.

On October 31, 2003, the Portland Planning Authority granted minor site plan approval for the construction of Bay Street Extension. (CBL#141J003) (ID#2003-0142). These plans have been revised to accomodate the four lots.

Respectfully submitted,


Herbert P. Gray

(B)

MAINE REAL ESTATE TAX PAID

019007

DAVID J. GUILLOT

9/05/15

WARRANTY DEED - SHORT FORM

KNOW ALL MEN BY THESE PRESENTS THAT WE, EILEEN V. WARD and DONALD J. WARD, of Portland, County of Cumberland and State of Maine, THOMAS F. WARD of Augusta, County of Kennebec and State of Maine, VALORA A. BAKER of Falmouth, County of Cumberland and State of Maine, JOHN M WARD of New Gloucester, County of Cumberland and State of Maine and JAMES E. WARD of Poland, County of Androscoggin and State of Maine, for valuable consideration received, hereby grant to JOHN P. SARGENT and CYNTHIA T. SARGENT of Portland in the County of Cumberland and State of Maine, with WARRANTY COVENANTS as JOINT TENANTS, that certain lot or parcel of land located on Bay Street, City of Portland, County of Cumberland and State of Maine, as more fully described in Exhibit A attached hereto and incorporated herein.

In witness whereof, we have hereunto set our hands and seals on this 23rd day of APRIL, 1990.

[Signature]
Witness

Valora Baker
Witness

[Signature]
Witness

E. V. Ward
Witness

Eileen V. Ward
Witness

Eileen V. Ward
Witness

Eileen V. Ward
Eileen V. Ward

Thomas F. Ward
Thomas F. Ward

Valora A. Baker
Valora A. Baker

Donald J. Ward
Donald J. Ward

John M. Ward
John M. Ward

James E. Ward
James E. Ward

State of Maine
Cumberland, ss

On April 23, 1990 personally appeared the above-named Eileen V. Ward and acknowledged the foregoing deed to be her free act and deed.

Before me,

[Signature]
Notary Public/Attorney At Law

THOMAS W. CROFTER
Type or Print Name

(DI)

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY LOCATED AT
Bay Street, Portland, MAINE

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.

EXCEPTING from the above-described premises that portion thereof which John J. Ward, Jr. conveyed to John DiSanto, et al dated April 26, 1962 and recorded in the Cumberland County Registry of deeds in Book 2669, Page 298; which is now owned by John Sargent and Cynthia Sargent.


Being the same premises described in a deed to Rose Burns from Hepzibah Home and Bible School, Inc. by deed recorded in Cumberland County Registry of Deeds, subject to the exceptions, reservations and restrictions mentioned in deed of said premises given to Addie L. Porter by Algernon S. Stubbs dated September 23, 1907 and recorded in said Registry of Deeds in Book 813, Page 353.

For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.

RECEIVED
RECORDED REGISTRY OF DEEDS

1990 MAY -8 PM 1:44

CUMBERLAND COUNTY



D2

PERSONAL REPRESENTATIVE'S DEED

KNOW ALL MEN BY THESE PRESENTS that I, EILEEN V. WARD, of Portland, County of Cumberland and State of Maine, whose mailing address is 45 Newton Street, Portland, Maine, duly appointed and acting Personal Representative of the Estate of JOHN J. WARD, JR. deceased intestate, as shown by the probate records of the County of Cumberland, Maine, and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to JOHN P. SARGENT and CYNTHIA J. SARGENT of Portland, Maine, as JOINT TENANTS, the real property in Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.

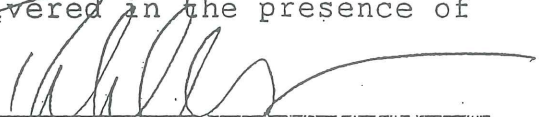
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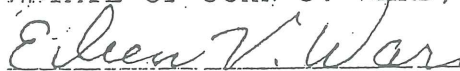
For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.

WITNESS her hand and seal this 23RD day of APRIL, 1990.

Signed, Sealed
Delivered in the presence of


Witness

ESTATE OF JOHN J. WARD, JR.


Eileen V. Ward,
Personal Representative

(D3)

*Lot 36
P. Law made page 99*

WARRANTY DEED

MAINE REAL ESTATE TAX PAID

KNOW ALL BY THESE PRESENTS that I, DAVID M. BRIDGES, AN individual of Westbrook, Cumberland County, Maine, for consideration paid, do hereby grant to JOHN P. SARGENT and CYNTHIA J. SARGENT, individuals of Portland, Cumberland County, Maine, that certain lot or parcel of land situated in Portland, Cumberland County, Maine, as more particularly described in Exhibit A hereto (the "Premises").

TO HAVE AND TO HOLD the Premises, as aforegranted and bargained for, with all the privileges and appurtenances thereof to the said Grantees, their heirs and assigns, to their use and behoof forever.

AND I DO COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the Premises, that it is free of all encumbrances, that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

WITNESS my hand and seal this 11 day of March, 2003.

Witness:

Deborah M. Watt

David M. Bridges
David M. Bridges

STATE OF MAINE
COUNTY OF CUMBERLAND, ss

On March 11, 2003, personally appeared the above-named David M. Bridges and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Deborah M. Watt
Notary Public, State of Maine
Printed Name: Deborah M. Watt
My Commission expires
6/1/2007

SEAL

(D4)

70-3700

767 1861

MORTGAGE LOAN COMMITMENT

Applicants: John Sargent
 Cynthia Sargent
 Prep My Address: 103 Read St
 Portland, ME 04103
 Application No: sargent

Lender: John E. Strasser, Trust
 288 Main Ave
 Auburn, Me 04210
 Date Prepared: 03/01/2005

It is a pleasure to notify you that your application for a first mortgage loan has been approved subject to the following matters set forth below. See Good Faith Estimate of Settlement Charges for any related closing costs.

AMOUNT, TERMS AND FEES			
Amount of Loan \$	240,000	Contract Interest Rate:	12.000 %
Term/Type	12	LTV:	59.333 %
		Commitment Expires:	01/31/06
		CLTV:	59.333 %

REPAYMENT TERMS

Above mentioned lender has already committed to this loan amount and has put a \$75,000 deposit at Bay Area Title Company for closing costs, other engineering and administrative costs to be checked upon board approval.

EVIDENCE OF TITLE

The following Evidence of Title is to be provided to the Lender and must indicate no liens, encumbrances, or any adverse covenants of conditions to the interest approved by Lender. The Evidence of Title must be issued from a firm or source, and in a form, acceptable to Lender.

Warranty
 Borrower will be charged for the cost of providing such title and the cost of recording documents, all of which will be ordered by Lender unless requested otherwise.

ADDITIONAL REQUIRED ITEMS OR CONDITIONS

A acceptable Bid for Site work
 Clear Title

SEE NEXT PAGE INSTRUCTIONS

This Continuation of Commitment Conditions is made a part of this Commitment. Please sign and return Lender's COPY of this Commitment, along with any required fee and items requested, to the lender at the: above address following address, within _____ days of date hereof, or at the option of Lender, this commitment shall become null and void.
 I (WE) hereby accept the terms and conditions of this Commitment.

COMMITMENT ISSUED BY: _____ ADDRESS: _____
 Authorized Signature *[Signature]* Date *3-14-05*
207-344-6667

Applicant John Sargent Date _____ Applicant Cynthia Sargent Date _____

Applicant _____ Date _____ Applicant _____ Date _____





CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

October 31, 2003

Mr. Herbert Gray
111 Simmons Road
South Portland, ME 04106

Dear Mr. Gray:

RE: Application for Minor Site Plan, Bay Street Extension,
(John and Cynthia Sargent) (CBL#141J003) (ID#2003-0142)

On October 31, 2003, the Portland Planning Authority granted minor site plan approval for the construction of Bay Street Extension.

Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

Please note the following provisions and requirements for all site plan approvals:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one-year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 2.0% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

John Sargent
103 Read Street
Portland, Maine 04103
Tel. (207)773-0660

Submittals shall include (9) separate folded packets of the following:

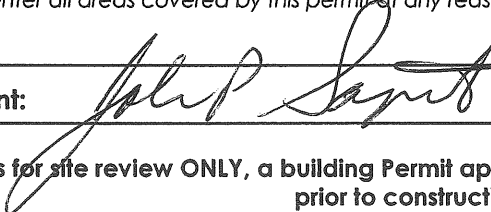
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, & c)
ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11)
you may also visit the web site: ci.portland.me.us chapter 14

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

Signature of applicant:



Date: 7/16/03

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

26 May 2005

Mr. Herbert P. Gray, P.E.,
Consulting Engineer,
111 Simmons Road,
South Portland, Maine 04106

**RE: The Capacity to Handle the Anticipated Wastewater Flows,
From Four Proposed Single Family Homes, at 103, 106, 107, and 113 Bay Street.**

Dear Mr. Gray:

The existing twenty-four inch diameter reinforced concrete sanitary sewer pipe, located in Bay Street, has adequate capacity to **transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the anticipated wastewater flows of **1,260 G.P.D.**, from the proposed housing subdivision.

Anticipated Wastewater Flows from the Proposed Development:

2 Proposed Three Bedroom Units, @ 270 G.P.D/Unit	=	540 G.P.D.
2 Proposed Four Bedroom Units, @ 360 G.P.D/Unit	=	720 G.P.D.
Total Proposed Increase in Wastewater Flows for this Project	=	1,260 G.P.D.

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

Sincerely,
CITY OF PORTLAND

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

FJB

cc: Alexander Q. Jaegerman, Director, Department of Planning, and Urban Development, City of Portland
Ethan Boxer-Macomber, Planner, Department of Planning, and Urban Development, City of Portland
Eric Labelle, P.E., City Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file

Hydraht locations
supplied by
Portland Water District



DI 8 1985

DI 8 1982

HY2701394

HY2701528

(E)

Hydrant locations
supplied by
Portland Water District



Who billing will be sent to: (Company, Contact Person, Address, Phone #)

John Sargent
103 Read Street
Portland, Maine 04103
Tel. (207) 773-0660

Submittals shall include (9) separate folded packets of the following:

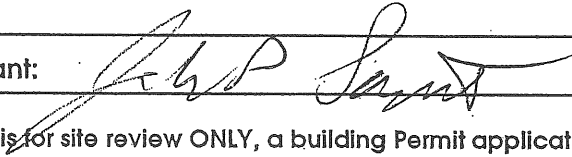
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you may also visit the web site: ci.portland.me.us chapter 14

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

Signature of applicant:



Date: 17 MAR 05

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

(A2)

Herbert P. Gray

office copy

=====
Consulting Engineer
=====

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

March 11, 2005

Department of Planning & Development
City of Portland
389 Congress Street
Portland, Maine 04101

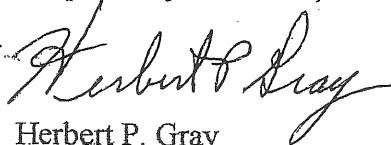
Re: Reshaping three existing lots to four lots - BAY STREET EXTENSION

Dear Planning Department:

John Sargent owns three house lots on Bay Street Extension (Chart #141-J-3; Chart #155-D-27; Chart #155-D-28). The City abandoned a proposed street next to lot #155-D-28 of which he claims half. He would like to reshape the above property into four house lots. He would like to construct the road from Station 9+30-12+06. The stationing is taken from Public Works Sewer Plan 607/18. The road would extend from the edge of pavement near BAY VILLAGE CONDOMINIUMS Southeasterly to the end of the existing lots.

On October 31, 2003, the Portland Planning Authority granted minor site plan approval for the construction of Bay Street Extension. (CBL#141J003) (ID#2003-0142). These plans have been revised to accomodate the four lots.

Respectfully submitted,



Herbert P. Gray

(B)

II. PROJECT BACKGROUND & DESCRIPTION

The subject site is situated on an undeveloped portion of Bay Street (Attachment F). The applicant proposes to create 4 single-family house lots in conformance with R3 zoning and the standards of the subdivision ordinance. The subject section of Bay Street is an accepted, undeveloped street.

The applicant had previously applied and was granted administrative approval to construct the City street under the provisions of §14-403 in order to access three existing lots of record. The City Engineer required the project to include separated storm and sewer lines along an approximately 150 foot undeveloped portion of Bay Street on which the applicant does not have frontage and does not propose to construct the street. Because of extensive ledge in the area, this requirement drove project costs up significantly and the applicant abandoned the project. With the creation of the fourth lot now proposed, the applicant feels he can cover the road costs.

By redrawing parcel lines and creating four new lots of record, the applicant's project requires subdivision review by the Planning Board.

Staff and the applicant will provide the Board with a comprehensive overview at the May 24, 2005 workshop.

III. PUBLIC OUTREACH AND RESPONSE

Upon receipt of the subject site plan application; staff noticed property owners within 500 feet of the site and placed an ad in the *Portland Press Herald* newspaper in accordance with the requirements of the site plan ordinance. Prior to the May 24, 2005 workshop the project was again noticed in the same manner.

As of the date of this report, staff has/has not received any written public correspondence pertaining to this application.

IV. Summary of Significant Issues

1. The applicant has been asked to provide verification that no wetlands exist on the subject site.
2. The project will involve blasting and should be conditioned to comply with the City's Blasting Ordinance.
3. No fire hydrants exist within 500 feet path-of-travel from the site (Attachment E). The project will require a fire hydrant as per the recommendation of the Fire Prevention Officer.

4. Water, Sewer, and Stormwater capacity letters have been requested.
5. The applicant has been asked to provide a tree save plan and identify opportunities for vegetative buffers.
6. The applicant has been encouraged to coordinate with the abutting property owner to stub utilities where appropriate.

V. ATTACHMENTS

- A. Application
- B. Narrative
- C. Financial Capacity Letter
- D. Evidence of Right, Title, and Interest
- E. Locations of Hydrants in the Vicinity
- F. Aerial Context Map
- G. General Context Map
- H. Project Plans (Survey, Subdivision, Utilities)

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: 9+30-12+06 BAY STREET EXTENSION			Zone: R3
Total Square Footage of Proposed Structure:		Square Footage of Lot: Lot 1-11,631.78 sf Lot 2- 9996.36 sf. - Lot 3-10340.86 sf Lot 4 - 10,686.64 sf	
Tax Assessor's Chart, Block & Lot:		Property owner's mailing address:	Telephone #:
141	J	3	103 Read Street Portland, Maine 04103 773-0660
Chart#	Block#	Lot#	
155	D	27	
155	D	28	
Consultant/Agent, mailing address, phone # & contact person:		Applicant's name, mailing address, telephone #/Fax#/Pager#:	Project name:
Herbert P. Gray 111 Simmons Road South Portland, Maine 04106 Tel(207)767-1861		John Sargent 103 Read Street Portland, Maine 04103 Tel.(207)773-0660	9+30-12+06 Bay Street Extension
Proposed Development (check all that apply)			
<input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input checked="" type="checkbox"/> Subdivision (\$500.00) + amount of lots <u>4</u> (\$25.00 per lot) \$ <u>100.00</u> = \$ <u>600.00</u> . <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____			
Major Development (more than 10,000 sq. ft.)			
<input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)			
Minor Site Plan Review			
<input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)			
Plan Amendments			
<input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)			

(AI)

- Please see next page -

Memorandum

Department of Planning and Development
Planning Division



To: Chair Lowry and Members of the Portland Planning Board

From: Ethan Boxer-Macomber, Planner

Date: May 20, 2005

Re: May 24, 2005 Planning Board Workshop
Bay Street Subdivision Application
John Sargent, Applicant

A May 24, 2005 Public Hearing has been scheduled for the Planning Board to consider the above referenced application.

I. PROJECT SUMMARY

Applicant: John and Cynthia Sargent
103 Read Street
Portland, ME 04103

Site Location: 103-115 Bay Street Extension

CBL#: 141J014, 141J003, 155D027, and 155D028

Development Proposal: Redrawing of lot lines on the subject parcels so as to convert four residential lots into five. Four of the proposed lots have frontage on a platted but undeveloped, unaccepted section of Bay Street Extension. One of the proposed lots has frontage on Read Street and is currently developed.

Zoning: R3

Land Area: Approximately 60,877 Sq. Ft. (1.4-Acres)



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Planning & Urban Development Department
Jeff Levine, AICP, Director

Planning Division
Alexander Jaegerman, FAICP, Director

July 25, 2013

Atlantic Services, LLC
103 Read Street
Portland, Maine 04103

RE: Clearing/Cutting of Vegetation at Bay Street Extension, Portland, Maine

Dear Atlantic Services, LLC:

On July 12, 2013 City staff inspected the undeveloped right-of-way located between properties, owned by you, known as Bay Street Extension. The inspection took place in response to a complaint relating to the clearing/cutting of vegetation, and alteration of a wetland. During the inspection some clearing/cutting of vegetation was observed to have taken place within the right-of-way and the wetland.

Although it is unclear who actually performed the clearing/cutting activities, the intent of this notice is to inform abuttors of the right-of-way of the City's permitting requirements for certain site work related activities.

Please be advised that any work undertaken within a City right-of-way, requires approval and permission from the City prior to starting work. In addition, Chapter 14 of the Land Use Code requires site plan review and approval for the alteration or filling of a wetland. Impacts to a wetland may also trigger review under the rules of Maine's Department of Environmental Protection.

Please feel free to contact me with any questions.

Sincerely,

Philip DiPierro
Development Review Coordinator

cc: Jeffrey Levine, AICP, Planning and Development Director
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Tammy Munson, Director of Inspection Services
Danielle West-Chuhta, Corporation Counsel

City Hall, 389 Congress Street . Portland, ME 04101-3509 . Ph (207) 874-8719 . Fx 756-8258 . TTY 874-8936
O:\PLAN\DRC\Projects\Bay Str Ext\Inspection Notice 7-23-13.doc



PORTLAND MAINE

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Planning & Urban Development Department
Jeff Levine, AICP, Director

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Philip DiPierro
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Danielle West-Chuhta, Acting Corporation Counsel

City Hall, 389 Congress Street . Portland, ME 04101-3509 . Ph (207) 874-8719 . Fx 756-8258 . TTY 874-8936
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Director of Planning and Urban Development
Penny St. Louis Littell

Planning Division, Director
Alexander Jaegerman

August 22, 2008

John and Cynthia Sargent
103 Read Street
Portland Maine 04103

Dear John and Cynthia Sargent:

We received your request for an extension of the subdivision approval for the Bayside Street Subdivision, which was granted by the Portland Planning Board on September 27, 2005. The City's subdivision ordinance requires the following:

Unless the subdivider shall record his or her approved recording plat within three (3) years after the Planning Board has approved the subdivision plat, the recording plat approval shall become null and void. The preceding sentence notwithstanding, if the Planning Board's initial approval of a subdivision is based in part upon the granting of a variance from any of the applicable subdivision approval standards, no such variance shall be valid unless that fact shall be expressly noted on the face of the recording plan and shall be noted in a certificate, each of which shall conform to 30-A M.R.S.A. Section 4406, and such recording plat or such certificate or both of them are recorded in the Cumberland County Registry of Deeds within ninety (90) days of final subdivision approval.

In order to record the subdivision plat you need to meet the conditions of approval and post a performance guarantee for the site improvements. A copy of the original approval letter is attached for your reference. Based upon our records, it does not appear that any revised plans or a performance guarantee was received. The ordinance does not permit any extensions.

Thank you for your attention to this matter.

Sincerely,

Barbara Barhydt
Development Review Services Manager

Cc: Alexander Jaegerman, Planning Division Director
Marge Schmuckal, Zoning Administrator
Philip DiPierro, Development Review Coordinator
Jeanie Bourke, Inspection Division Director

Attachment:
Approval Letter from 2005

CITY OF PORTLAND, MAINE
PLANNING BOARD

Lee Lowry III, Chair
Kevin Beal, Vice Chair
John Anton
Michael Patterson
David Silk
Janice E. Tevanian
Shalom Odokara

October 11, 2005

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

Dear Mr. and Mrs. Sargent:

On September 27, 2005, the Portland Planning Board voted 4-0 (Anton and Beal Absent, Tevanian Abstaining) to approve the above referenced subdivision application. The approval was granted for the project by the following motion, subject to the following conditions:

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #40-05 relevant to standards for subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Conditions of Approval:

- i. The applicant shall revise plans so as to address concerns outlined in a September 16, 2005 memo prepared by Jim Seymour P.E., subject to final review and approval by the Planning Authority accept that the additional 93 feet of curbing on both sides of the street toward Glengarden Street shall not be required.
- ii. The applicant shall present turn around easements and drainage and maintenance easements for potential additional inlet pipe for final review and approval by Corporation Council.

- iii. The applicant shall prepare and record a subdivision plat subject to final review and approval by the Planning Authority and Corporation Counsel.
- iv. The applicant shall revise the subdivision plat to provide an eight foot no-cut zone along the Eastern property line of lot 4 so as to provide a buffer to the Bay Village Condominium Association and shall work with the Bay Village Condo Association to provide an additional 7 feet of buffer plantings on the Bay Village property so as to achieve a total of fifteen (15) feet of privacy buffer, subject to final review and approval by the Planning Authority.
- v. A final positive zoning determination letter shall be placed in the public record.

The Board also voted on two proposed waivers related to the project.

The first waiver passed 4-0 (Anton and Beal Absent, Tevenian Abstaining) as follows:

2. That the Planning Board grants the applicant his request under §14-506(b) for a waiver of sidewalk requirements on the South side of Bay Street.

The second waiver was denied by the Board by a vote of 0-4 (Anton and Beal Absent, Tevenian Abstaining) as follows:

3. That the Planning Board grants the applicant his request under §14499 (h) for a waiver of the underground electric utility technical requirement of the subdivision ordinance.

The approval includes a 5-lot residential subdivision on an accepted, undeveloped portion of Bay Street.

The approval is based on the submitted site plan and the findings related to subdivision review standards as contained in Planning Report #40-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to

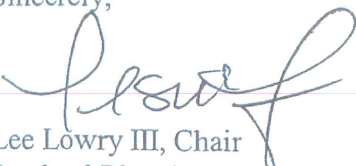
and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. 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.)

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. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager

Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File

From: Theresa Nappi <tessnapp@yahoo.com>
To: Cheryl Leeman <cal4161@yahoo.com>
Date: 5/16/2007 7:01:38 AM
Subject: development between Bay & Glen Gardens

Hi Cheryl,

The Sargent's of Read Street own property between Bay St. and Glenn Gardens. They had submitted a proposal for 4-5 house lots/homes within that area. Last we were informed @ a meeting w/planning board the access road would come from Glen Gardens. This was due to the proximity (100ft) to the development as opposed to coming through Bay St (300ft).

No decision had been confirmed as of the last meeting - it was actually cancelled and we were told we would be notified when the meeting was re-scheduled.

We were informed by a blasting company last week that a road would be extended at the Bay St end instead of the Glenn Gardens end. this is due to the tenants using the current access as a parking lot.

Would you please let me know whom I may contact to get information regarding this. No one in our neighborhood was contacted regarding a new meeting for this project. I checked.

Thank you for your help,
Theresa Nappi

Be a better Globetrotter. Get better travel answers from someone who knows.
Yahoo! Answers - Check it out.

2005 - 0054

Bay Str. Subdivision

FAX COVER SHEET

DATE 13 Dec 05

TO; JAY REYNOLDS D.R.C.

FROM John P. Sargent , re bay st ext.

PHONE 207-773 0660

SUBJECT; LINE OF CREDIT (bay st ext)

PAGES = 2 cover + 1

207 756 8258

Approved

Extended to 10/31/05

2003-0142

~~#~~ # 2005-0054

MORTGAGE LOAN COMMITMENT

Applicant: **John Sargent**
Cynthia Sargent
 Property Address: **103 Road St**
Portland, ME 04103
 Application No: **sargent**

Lender: **Auburn Loan Service**

Date Prepared: **09/27/2005**

It is a pleasure to notify you that your application for a first mortgage loan has been approved subject to the following matters set forth below. See Good Faith Estimate of Settlement Charges for any related closing costs.

AMOUNT, TERMS AND FEES			
Amount of Loan: \$	240,000	Contract Interest Rate:	12.000 %
		LTV:	53.333 %
Term/Due In:	/12	Commitment Expires:	10/31/2005
		CLTV:	53.333 %
REPAYMENT TERMS			

EVIDENCE OF TITLE

The following Evidence of Title is to be provided to the Lender and must indicate no liens, encumbrances, or any adverse covenants or conditions to title unless approved by Lender. The Evidence of Title must be issued from a firm or source, and in a form, acceptable to Lender.

warranty deed


Borrower will be charged for the cost of providing such title and the cost of recording documents, all of which will be ordered by Lender unless requested otherwise.

ADDITIONAL REQUIRED ITEMS OR CONDITIONS

- Review of Acceptable bids for site work
- clear title
- Clearance from Portland Planning

SEE NEXT PAGE INSTRUCTIONS

The Continuation of Commitment Conditions is made a part of this Commitment. Please sign and return Lender's COPY of this Commitment, along with any required fee and items requested, to the lender at the: above address following address, within _____ days of date hereof, or at the option of Lender, this commitment shall become null and void. I (WE) hereby accept the terms and Conditions of this Commitment.

COMMITMENT ISSUED BY: _____ ADDRESS: _____
 **9/27/05**
 Authorized Signature Date

Applicant **John Sargent** Date _____ Applicant **Cynthia Sargent** Date _____
 Applicant _____ Date _____ Applicant _____ Date _____

City of Portland
Department of Planning and Development
Planning Division

389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To: John Sargent

Company: _____

Fax #: 773-0660

Date: 3-2-06

From: Jay Reynolds

You should receive 5 page(s) including this cover sheet.

Comments:

MODE = MEMORY TRANSMISSION

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-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258-*****

City of Portland
 Department of Planning and Development
 Planning Division
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 Portland ME 04101
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FAX

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Company: _____

Fax #: 773-0660

Date: 3-1-06

From: Jay Reynolds

You should receive 5 page(s) including this cover sheet.

Comments:

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

[Date]

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

Re: [Insert: Name of the Developer]
[Insert: Address of the Project, Portland, Maine]

[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 the 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 Development and in his sole discretion, may draw on this Letter of Credit by presentation of a sight draft and the Letter of Credit and all amendments thereto, at [Insert: Bank’s] offices located at [Insert: Address of the appropriate local office of the bank] 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 **[Insert: Bank's]** dishonor of the City of Portland's sight draft, the **[Insert: Bank]** shall inform the City of Portland in writing of the reason or reasons thereof within three (3) working days of the dishonor.

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 Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the **[Insert: Bank]**, by written certification, to reduce the available amount of this Letter of Credit by a specified amount according to the terms contained within City Code §14-501.

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 fifteen (15) days prior to any expiration, the **[Insert: Bank]** notifies the City by certified mail (restricted delivery to Duane Kline, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that the **[Insert: 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 Development, at **[Bank's]** offices located at **[Insert: address of the appropriate local office of the bank]** stating that:

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

This Letter of Credit will automatically expire upon the earlier of **[Insert: Date as determined by Planning Authority]** or the date when the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed. At such time, this 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 **[Insert: Bank]**. The Defect Letter of Credit 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 Development and in his 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 **[Insert: Bank's]** offices located at **[Insert: address of the appropriate local office of the Bank]**, up to thirty (30) days before or sixty (60) after its expiration, 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]**.

Very truly yours,

[the Bank]

Date: _____

By: _____

Its Duly Authorized Agent

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

By: _____

MODE = MEMORY TRANSMISSION

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END=MAR-02 13:38

FILE NO.=069

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-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
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Comments:

October 11, 2005

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

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4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. 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.)

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. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,

Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager

Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File



FACSIMILE TRANSMITTAL SHEET

TO: JAY REYNOLDS

FROM: Mason Ide
masonide@maietta.com

COMPANY: CITY OF PORTLAND PLANNING

DATE: 2-2-2006

FAX NUMBER: 756-8258

TOTAL NO. OF PAGES INCLUDING COVER: 3

PHONE NUMBER: 874 8632

SENDER'S REFERENCE NUMBER:

RE: BAY STREET EXT PERFORMANCE GUARANTEE ESTIMATE

- URGENT
- FOR REVIEW
- PLEASE COMMENT
- PLEASE REPLY
- PLEASE RECYCLE

CC: HELENA P. GRAY
PEF 767-1861



PLANNING AND DEVELOPMENT DEPARTMENT
SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: FEB 2, 2006

Name of Project: CONSTRUCTION OF BAY STREET EXTENSION

Address/Location: BAY STREET STA 9+30 - 12+72

Developer: JOHN P. SARGENT (103 READ ST. PORTLAND)

Form of Performance Guarantee: _____

Type of Development: Subdivision _____ Site Plan (Major/Minor) _____

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road/Parking Areas	<u>1242 SY</u>	<u>25.-</u>	<u>31,050.-</u>			
Curbing	<u>496 LF</u>	<u>30.-</u>	<u>13,380.-</u>			
Sidewalks	<u>195 SY</u>	<u>35.-</u>	<u>5,075.-</u>			
Esplanades						
Monuments	<u>2 EA</u>	<u>750.-</u>	<u>1500.-</u>			
Street Lighting	<u>1 EA</u>	<u>2500.-</u>	<u>2500.-</u>			
Street Opening Repairs						
Other						
2. EARTH WORK						
Cut	<u>1046 CY</u>	<u>10.-</u>	<u>10,460.-</u>			
Fill	<u>306 CY</u>	<u>12.-</u>	<u>3,672.-</u>			
3. SANITARY SEWER						
Manholes						
Piping						
Connections	<u>4 EA</u>	<u>150.-</u>	<u>600.-</u>			
Main Line Piping						
House Sewer Service Piping	<u>120 LF</u>	<u>40.-</u>	<u>4800.-</u>			
Pump Stations						
Other						
4. WATER MAINS	<u>240 LF</u>	<u>55.-</u>	<u>13,200.-</u>			
5. STORM DRAINAGE						
Manholes	<u>2 EA</u>	<u>2500.-</u>	<u>5000.-</u>			
Catchbasins	<u>4 EA</u>	<u>2750.-</u>	<u>11,000.-</u>			
Piping	<u>407 LF</u>	<u>45.-</u>	<u>18,315.-</u>			
Detention Basin						
Stormwater Quality Units						
Other						

6. SITE LIGHTING

7. EROSION CONTROL

Silt Fence

500 LF 3.- 1500.-

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

HARDWOOD 8 EA

500.-

4000.-

(Attach breakdown of plant materials, quantities, and unit costs)

PINE 10 EA

250.-

2500.-

10. MISCELLANEOUS

TOTAL:

\$ 128,552.-

GRAND TOTAL:

\$ 128,552.-

INSPECTION FEE (to be filled out by the City)

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

Bay Street Ext R11-16-05

Maietta Construction
Bay Street Extension
Revised Bid

Date Printed:
11/16/2005
11:22 AM

Item Nos.	Item description	QTY	Unit	Unit Price	Total
203.20	Common Excavation	1	ls	\$9,000.00	\$12,500.00
203.21	Rock Excavation	25	cy	\$1.00	\$25.00
203.28	Excav for UGE	300	lf	\$10.00	\$3,000.00
203.29	Excav for UGE w/ Conduit	240	lf	\$20.00	\$4,800.00
203.30	Transformer Pad	1	ls	\$1,500.00	\$1,500.00
206.061	Structural Earth Excavation below grade	40	cy	\$25.00	\$1,000.00
206.07	Structural Rock Excavation	85	cy	\$200.00	\$17,000.00
206.14	Special Back Fill	100	cy	\$15.00	\$1,500.00
304.09	Aggregate Base Course "A"	1	ls	\$7,500.00	\$7,500.00
304.10	Aggregate Sub Base Course "D"	1	ls	\$12,500.00	\$12,500.00
403.207	Hot Mix 19.0mm	1	ls	\$10,500.00	\$10,500.00
403.210	Hot Mix 9.5mm	1	ls	\$4,500.00	\$4,500.00
409.15	Bit Tack Coat	1	ls	\$750.00	\$750.00
603.13	10" Storm	60	lf	\$65.00	\$3,900.00
603.14	12" Storm	347	lf	\$45.00	\$15,615.00
603.15	6" foundation laterals	105	lf	\$30.00	\$3,150.00
603.16	6" Sanitary laterals	120	lf	\$40.00	\$4,800.00
604.14	Catch basin Type E	4	ea	\$2,750.00	\$11,000.00
604.15	Manhole Type A	1	ea	\$2,500.00	\$2,500.00
604.15A	Manhole Type B	1	ea	\$3,500.00	\$3,500.00
604.17	Altering Manhole	1	ea	\$1,000.00	\$1,000.00
604.17A	Field Inlet	2	ea	\$1,350.00	\$2,700.00
605.09	Underdrain Type B	528	lf	\$22.00	\$11,616.00
606.15	Guard Rail	1	ls	\$1,750.00	\$1,750.00
609.11	Vertical granite Curb	446	lf	\$32.00	\$14,272.00
609.23	Terminal Curb	18	ea	\$250.00	\$4,500.00
615.07	Loam Seed and Mulch	1	ls	\$3,250.00	\$3,250.00
621.10	Street Trees Type "A"	8	ea	\$500.00	\$4,000.00
621.20	Street Trees Type "B"	10	ea	\$250.00	\$2,500.00
623.06	Granite Monument	2	ea	\$750.00	\$1,500.00
625.08	8" Ductile Iron	240	lf	\$55.00	\$13,200.00
625.08A	6" Ductile Iron	6	lf	\$50.00	\$300.00
625.08B	Hydrant	1	ea	\$3,250.00	\$3,250.00
625.082	1" Copper Tubing	140	lf	\$40.00	\$5,600.00
626.39	Street Light	1	ea	\$2,500.00	\$2,500.00

Total \$193,478.00

OK'd By Eric Saballe

Inspection fee = \$3,869.56

*DPL
wants
II
on
standards
form*

*Eric
OK'd
it
on
voice mail*

From: Jay Reynolds
To: Ethan Boxer-Macomber
Date: 12/15/2005 10:10:46 AM
Subject: Fwd: Bay Street Extension Subdivision

>>> William Clark 12/12/2005 2:33:18 PM >>>
Penny,
Jay,

We reviewed the plan that came last week and the proposed deed descriptions.

I can meet at your convenience.

Bill Clark

Bay Street Extension Subdivision Concerns - Plan Dated 11/14/05

1. Bay Street Extension

It cannot be named with a sounds like "Bay Street" name. E911 Rule.
There is no legally accepted existing street named Bay Street Extension.

2. Bay Street

It cannot be named Bay Street.
The guard rail at the easterly end of the subdivision blocks emergency responders from access via Bay Street.

3. Street Numbers

They will need to be changed. Jessica Hanscom was not told of the guard rail block when the numbers were assigned.

4. The Paper Street was shown as abandoned by the City of Portland Nov. 1997. It was Vacated.

5. Location sketch (North arrow up) is oriented in the opposite direction from the plan views (North arrow downward) of the survey and construction plans.

6. Survey Certification refers to an older standard no longer used by the Board of Licensure for Professional Land Surveyors.

7. Plan is not on State Plane Coordinates.

8. City Datum is not stated.

9. City Benchmark - not stated which City Benchmark monument was used.

10. Survey Monumentation - Was any existing survey monumentation for Bay Street, as accepted, used to create the new street lines?

11. Lot 4 - Drainage Easement

The plans do not state the ownership.
The DPW Environmental Engineer does not want the City of Portland to be responsible for a Private Drainage Easement.
The Proposed Drainage Easement is not shown on the Topographic Survey Plan.

12. Field Inlets

The DPW Environmental Engineer does not want the City of Portland to be responsible for a Private Drainage Easement.

They should be moved out of the street right of way.

They should not tie into the catch basins. The City of Portland could be held liable if the catch basins fail and water floods the individual properties

The field inlet laterals should tie directly into the storm drain main line in the street.

13. Sheet 2 - Pavement Butt Joint Detail

Detail states <Peel back at least 1'-0">

Detail should state <Grind back at least 2'-0">

14. Sheet 3 - Note calls for MDOT Specifications.

Should call for City of Portland Technical and Design Standards and Guidelines Manual.

15. Sheet 2 - Drain Manhole Missing

DPW Inspections Coordinator notes that a Drain Manhole should be set at Station 12+72.

16. 7' Buffer With Plantings

The Topography Survey shows the buffer on Bay Village Condominiums property.

Has an easement been granted to Lot #4?

17. Proposed Drainage Easement Deed - John Sargent to City

A. The DPW Environmental Engineer does not want the City of Portland to be responsible for a Private Drainage Easement.

B. Calls for #113 Bay Street. Cannot legally call it #113 Bay Street (see #2 and #3).

C. Calls for Bay Street Extension. There is no legally accepted Bay Street Extension (see note #1 through #3).

D. 3rd bearing called for on plan is not on plan (15.00' line).

E. 5th bearing called for on plan is not on plan (26.37' line).

F. 15 feet is not wide enough for an easement due to the size of construction equipment that would be needed.

18. Stormwater Drainage System Maintenance Agreement

The DPW Environmental Engineer does not want the City of Portland to be responsible for a Private Drainage Easement.

19. Easement Deed for Turnaround

A. Calls for Bay Street Extension. There is no legally accepted Bay Street Extension (see note #1 through #3).

B. Schedule "A" titled "Temporary Turnaround Easement"

I believe "Temporary" should be removed as there will be no through traffic due to the blocking guard rail.

C. Subdivision needs another name. Bay Street Extension not legal (see note #1 through #3).

D. Word "Commencing" should be changed to "Beginning".

MODE = MEMORY TRANSMISSION

START=JUN-13 14:59

END=JUN-13 15:00

FILE NO.=382

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	a	98783702	005/005	00:00:53

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
Department of Planning and Development
Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: Steve Sanderson

Company: Back Bay Properties, LLC

Fax #: 878-3702

Date: 6-13-06

From: [Signature]

749-3996
 phone #

You should receive 5 page(s) including this cover sheet.

Comments:

Steve 8783702
 Sanderson,
 \$11,048.00 check +
 \$300.00 check

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

May 9, 2005

Department of Planning & Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

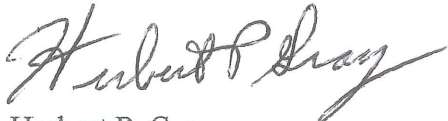
Dear Planning Department:

John Sargent owns three house lots on Bay Street Extension (Chart #141-J-3; Chart #155-D-27; Chart #155-D-28). The City abandoned a proposed street next to lot #155-D-28 of which he claims half. He would like to reshape the above property into four house lots. He would like to construct the road from Station 9+30-12+06. The stationing is taken from Public Works Sewer Plan 607/18. The road would extend from the edge of pavement near BAY VILLAGE CONDOMINIUMS Southeasterly to the end of the existing lots.

On October 31, 2003, the Portland Planning Authority granted minor site plan approval for the construction of Bay Street Extension. (CBL#141J003) (ID#2003-0142). These plans have been revised to accomodate the four lots.

A waiver is requested from installing sidewalks on both sides of the street. Reference letter of October 17, 2003 from Alexander Jaegerman.

Respectfully submitted,



Herbert P. Gray

MODE = MEMORY TRANSMISSION

START=MAY-03 09:14

END=MAY-03 09:17

FILE NO.=026

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	8	97671861	004/004	00:02:32

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258- *****

City of Portland
 Department of Planning and Development
 Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: HERBERT GRAY, P.E.

Company: _____

Fax #: 767-1861 (ALSO VOICE)

Date: MAY 3, 2005

From: ETHAN BOXER - MACOMBER

You should receive 4 page(s) including this cover sheet.

Comments:

PLEASE GIVE ME A CALL ONCE YOU'VE HAD
 A CHANCE TO REVIEW.

BEST REGARDS,

TEL# (207) 756-8083

City of Portland
Department of Planning and Development
Planning Division

389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To:

HERBERT GRAY, P.E.

Company:

Fax #:

767-1861

Date:

MAY 3, 2005

From:

ETHAN BOXER-MACOMBER

You should receive 4 page(s) including this cover sheet.

Comments:

PLEASE GIVE ME A CALL ONCE YOU'VE HAD
A CHANCE TO REVIEW.

BEST REGARDS,

TEL# (207) 756-8083



PORTLAND MAINE

Planning Division

Sarah Hopkins, Development Review Services Manager

Hi Cheryl,

Mr. Sargent came in previously
to extend Bay Street. He was
approved for existing lots buildout.

Now he wants to divide lots.

So... Now he's in for subdivision.

Give a call if you have any
questions.

Sarah

FIGURE V-1
(Page 1 of 2)
STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT

IN CONSIDERATION OF subdivision approval granted by the Planning Authority of the City of Portland to a plan entitled BAY STREET EXTENSION dated 11/14/05, and recorded in the Cumberland County Registry of Deeds in Plan Book _____ Page _____, filed with the City of Portland, Department of Planning and Development, 389 Congress Street, Portland, Maine, and pursuant to a condition thereof, JOHN SARGENT with a place of business 103 Read Street, Portland, Maine, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

That it will, at its own cost and expense and at all time in perpetuity, maintain in good repair and in proper working order the stormwater drainage system, as shown on said plan, including but not limited to a drainage culvert, at 113 BAY STREET. Owner of the subject premises further agrees to periodically maintain said culvert in accordance with best management practices. 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, said persons in lawful possession and said abutters, or any of them, 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 reasonable 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 culvert 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 of lot 113 Bay Street upon demand.

This Agreement shall not confer upon the City of Portland or any other person the right to utilize said stormwater drainage system for public use or for the development of any other property, and the Owner shall bear no financial responsibility by virtue of this Agreement for enlarging the capacity of said surface water drainage system for any reason whatsoever.

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 its successors and assigns as their interests may from time to time appear.

Dated at Portland, Maine this _____ day of _____, 200 ____.

By: _____
Its: _____

STATE OF MAINE
CUMBERLAND, ss.

Date: _____, 2005.

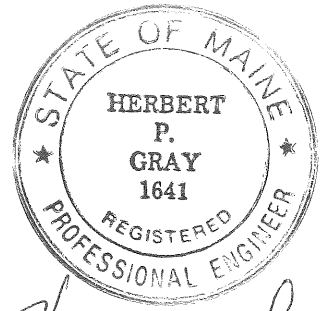
Personally appeared the above-named _____, and
acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity,
and the free act and deed of said _____.

Before me,

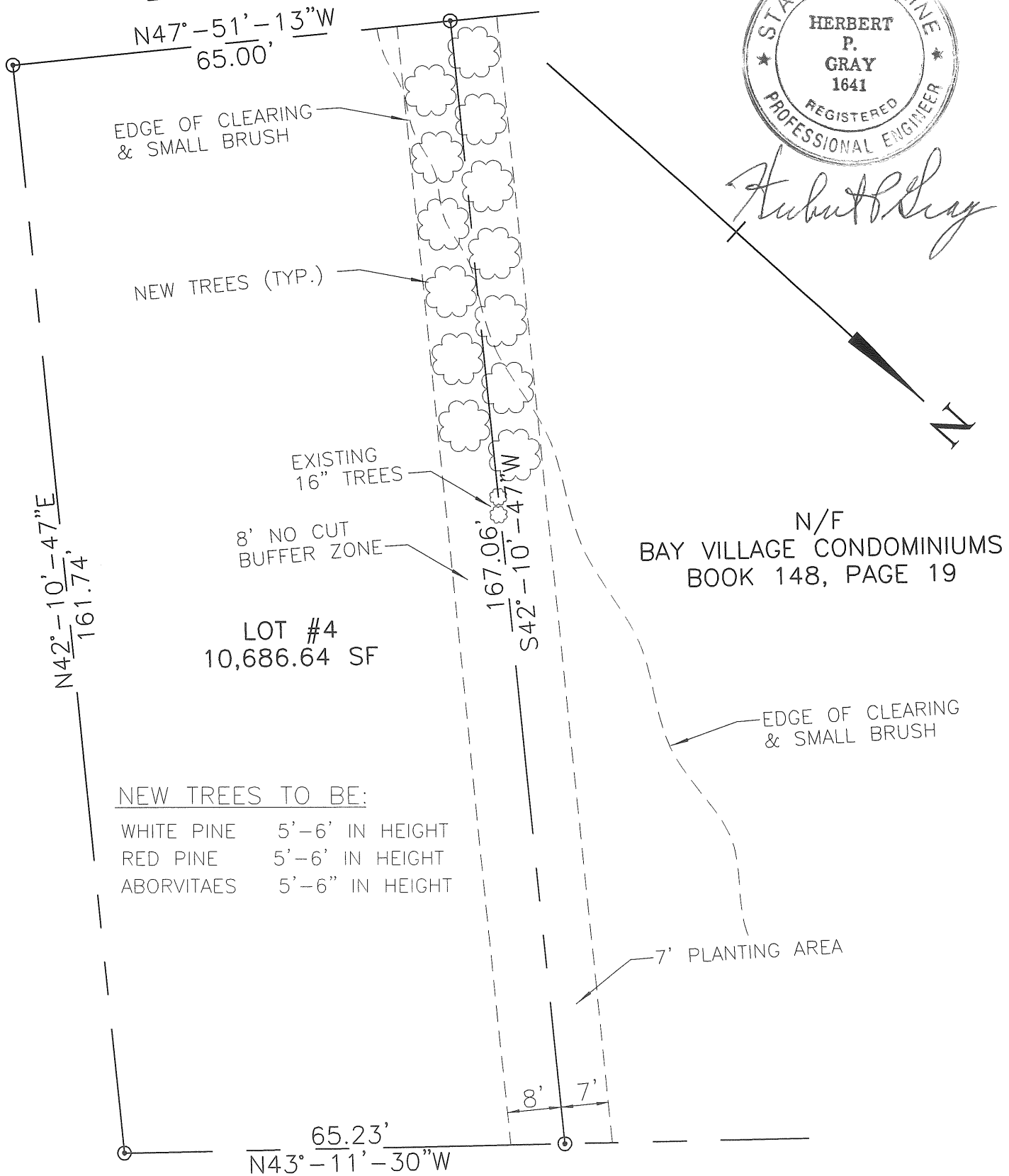
Notary Public/Attorney at Law

Print Name: _____

UNNAMED STREET



Herbert P. Gray



N/F
BAY VILLAGE CONDOMINIUMS
BOOK 148, PAGE 19

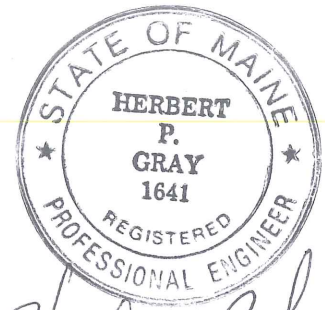
- NEW TREES TO BE:
- WHITE PINE 5'-6' IN HEIGHT
 - RED PINE 5'-6' IN HEIGHT
 - ABORVITAES 5'-6" IN HEIGHT

PLANTING PLAN

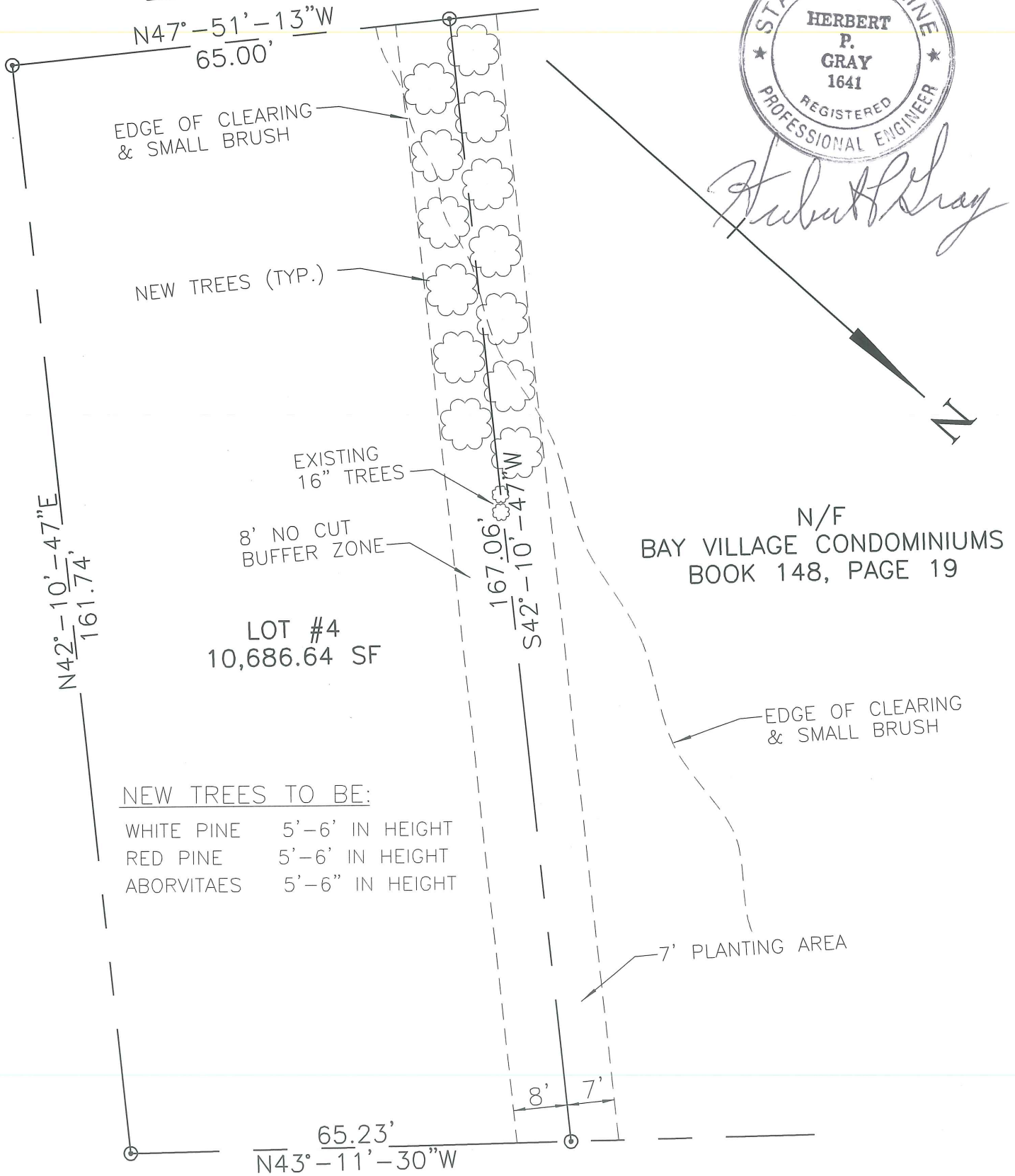
STA. 9+30 - 12+72 JOHN SARGENT

SCALE: 1"=20'

UNNAMED STREET



Herbert P. Gray



PLANTING PLAN

STA. 9+30 — 12+72 JOHN SARGENT

SCALE: 1"=20'

EASEMENT DEED FOR
TURNAROUND

In consideration of the payment of one dollar, John Sargent, an individual with a mailing address at 103 Read Street, Portland, Maine, 04103 ("Grantor"), hereby grants to CITY OF PORTLAND, a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine 04101 ("Grantee") a perpetual easement over a strip of land (the "Turnaround Easement") running off of BAY STREET EXTENSION which Easement Area and property are more particularly described in Schedule A, attached hereto and incorporated herein by reference. This easement is for the purpose of facilitating emergency access (fire, police, etc.), street maintenance and other City purposes (snow plowing, trash removal, etc.) purposes to the BAY STREET EXTENSION development.

Together with and hereby granting to Grantee the perpetual right in its discretion to maintain, replace, relocate and repair within the Easement Area an area, paved or unpaved, capable of serving as a turnaround by motorized vehicles.

Together with and hereby granting to Grantee the perpetual right within the Easement Area to periodically trim trees and to remove dead, diseased or fallen trees (including "leaners") and to selectively clear undergrowth and make plantings to (1) prevent erosion, (2) provide for the safe passage of municipal vehicles, and (3) provide for public safety, all in accordance with good forestry and landscaping management practices.

Both Grantor and Grantee acknowledge that this easement is being granted without claim for damages and provided to Grantee for use by municipal vehicles without charge.

To have and to hold the said Easement and all rights granted hereunder to the said Grantee and their successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this easement to be executed by _____, its duly authorized _____, this _____ day of _____, 2005.

WITNESS:

By: _____

Its:

Print Name: _____

State of _____
County of _____, ss. _____, 2005

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

Before me,

Notary Public/Attorney-at-Law

SCHEDULE A
TEMPORARY TURNAROUND EASEMENT

Commencing at the iron thirty (30.00') feet at the bearing of N47°-51'-13"W from the Northwest corner of land now or formerly Virginia A. Lapomada and the Northeast corner of Lot #1 of Bay Street Extension Subdivision as recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____; thence a distance of thirty (30.00') feet at the bearing of S42°-08'-47"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N47°-51'-13"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N42°-08'-47"E to an iron pin; thence along the Westerly side of Bay Street Extension and along the front of Lot #1 a distance of thirty (30.00') feet at the bearing of S47°-51'-13"E to the point of beginning, containing 900 square feet.

DRAINAGE EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that John Sargent, with an address at 103 Read Street in Portland, Maine, for consideration paid, receipt whereof is hereby acknowledged, grant to the City of Portland, a body politic and corporate located in Cumberland County, State of Maine, with warranty covenants, an easement described as follows:

The right perpetually to enter at any and all times upon property situated on 113 Bay Street, Portland, in said County of Cumberland and State of Maine, said property being described in Schedule A, attached hereto and incorporated herein by reference.

The above described parcel contains 1400.68 square feet of area.

Meaning and intending to convey a portion of the property conveyed to this Grantor by deed 11 March 2003, recorded in the Cumberland County Registry of Deeds in Book 19105,

Page 110;

Said easement for the sole purpose of and conveying the right to construct, install and perpetually maintain through, under and across said property conduits or pipelines with all necessary fixtures and appurtenances for retaining and or conveying water and to lay, relay, repair, maintain, clean and remove said stormwater pipe or pipes upon or under said strips, with all necessary fixtures and appurtenances, together with the right at all times to make connections with said conduits or pipelines to land adjoining said drainage easement by means of pipes or other services; to trim, cut down and remove trees, bushes, and other vegetation of all kinds, to remove debris and deposits of any kind and to alter and regrade the contours of said drainage easement to such extent as in the sole judgment of the grantee is necessary or appropriate for any of the above purposes; and to enter upon said drainage easement at any and all times for any of the foregoing purposes, reserving to the grantor and her heirs and assigns the use and enjoyment of said strips and for such purposes only as will in no way interfere temporarily or otherwise with the perpetual use thereof by the grantee, its successors and assigns for the purpose above mentioned, provided that no building or any kind of permanent structure, including, but not limited to, walls and fences, shall be erected on said strip by the grantor, her successors or assigns; and that the grantor, her heirs and assigns shall not remove earth from said drainage easement without the written permission of the grantee, its successors and assigns.

IN WITNESS WHEREOF, _____ has hereunto set her hand and seal on

this ____ day of _____, 200__.

WITNESS

STATE OF MAINE
CUMBERLAND, ss

Dated: _____

Personally appeared the above-named _____, and acknowledged the
Foregoing instrument to be his free act and deed.

Before me,

Notary Public/Attorney-at-Law

**SCHEDULE A
DRAINAGE EASEMENT DEED
113 BAY STREET**

Starting at a point on the North side of Bay Street Extension said point being S47°-51'-13"E twenty-nine and five tenths (29.50') feet from an iron set between Bay Village Condominiums and Lot 4 recorded in Plan Book _____, Page _____; thence N13°-56'-05"E Thirty and sixty-four one hundredths (30.64') to a point; thence N42°-10'-47"E sixty-three (63.00') feet to a point; thence N47°-51'-13"W fifteen (15.00') feet to a point on the Westerly lot line of Lot 4; thence S42°-10'-47"W sixty-six and seventy-six one hundredths (66.76') feet to a point; thence S13°-56'-05"W twenty-six and thirty-seven (26.37') feet to the Northerly side of Bay Street Extension; thence S47°-51'-13"E seventeen and two one hundredths (17.02') feet to the point of beginning containing 1400.68 SF.

PLANNING BOARD REPORT #XX-XX

**BAY STREET SUBDIVISION
VICINITY OF 103-115 BAY STREET EXTENSION**

SUBDIVISION REVIEW

JOHN SARGENT, APPLICANT

DRAFT

Submitted to:
Portland Planning Board
Portland, Maine

Submitted by:
Ethan Boxer-Macomber, Planner

DateHere

A DATE Public Hearing has been scheduled for the Planning Board to consider the above referenced application.

I. PROJECT SUMMARY

Applicant: John and Cynthia Sargent
103 Read Street
Portland, ME 04103

Site Location: 103-115 Bay Street Extension

CBL#: 141J014, 141J003, 155D027, and 155D028

Development Proposal: Redrawing of lot lines on the subject parcels so as to convert four residential lots into five. Four of the proposed lots have frontage on a platted but undeveloped, unaccepted section of Bay Street Extension. One of the proposed lots has frontage on Read Street and is currently developed.

Zoning: R3

Land Area: Approximately 60,877 Sq. Ft. (1.4-Acres)

II. PROJECT BACKGROUND & DESCRIPTION

The subject site...

The applicant proposes...

III. PUBLIC OUTREACH AND RESPONSE

Upon receipt of the subject site plan application; staff noticed property owners within 500 feet of the site and placed an ad in the *Portland Press Herald* newspaper in accordance with the requirements of the site plan ordinance. Prior to the DATE workshop(s) and the DATE Public Hearing the project was again noticed in the same manner.

The applicant held a required neighborhood meeting on DATE and has provided required documentation (Attachment ___).

As of the date of this report, staff has/has not received...

IV. SUBDIVISION

1. Water and Air Pollution §14-497(a)(1)

The propose project will not have an adverse effect on water or air quality.

2. Water Capacity and Supply §14-497(a)(2-3)

The applicant has presented a capacity letter from the Portland Water District (Attachment D2).

3. Soil Erosion §14-497(a)(4)

The proposed project will not result in any soil erosion.

4. Traffic §14-497(a)(5)

The proposed project has been reviewed and approved by the City's consulting traffic engineer based on traffic studies presented by the applicant (Attachment G an H).

5. Sanitary and Stormwater Capacity §14-497(a)(6)

The applicant has presented letter of capacity of sanitary sewer and stormwater infrastructure (Attachment D1).

STORM + WATER CAPACITY LTRS PLS .

6. Sewage and Solid Waste Disposal §14-497(a)(7)

The proposed building is designed with trash chutes and the building management will provide private trash collection as per the terms of the contract zone.

7. Scenic Beauty §14-497(a)(8)

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

8. Comprehensive Plan Conformance §14-497(a)(9)

STREET CONNECTIVITY - ANOTHER TZ ISO WETLAND PT. ?

9. Financial and Technical Capability §14-497(a)(10)

PLS PROVIDE

10. Water Bodies Protection §14-497(a)(11)

11. Groundwater Quality §14-497(a)(12)

12. Flood Zone §14-497(a)(13)

13. Wetlands §14-497(a)(14)

The project will provide 10 street trees and palce funds in escrow with the City of Portland for the installation of 10 additional trees in the area as per the terms of the contract zone.

PLEASE PROVIDE WETLAND DETERMINATION
OR LETTER STATING THAT NO WETLANDS
ARE PRESENT - PREPARED BY A
CERTIFIED BIOLOGIST.

14. Rivers, Streams, Brooks

§14-497(a)(15)

15. Subdivision Technical and Design Standards

§14-498

Street Plan / Design

PLS PROVIDE
FYI 28FE W/ TREES IN
ESPLANADE

- STUB GULCHES ON PROPERTY?
- WHY CITE TURNAROUND THERE?

Curb and Sidewalk

SIDEWALK WAIVER REQUEST.

GRANTED W/ 14-403 - NOW BOARD DECISION W/
STAFF RECOMMENDATION

Street Trees

2 PER LOT, IN ESPLANADE W/ COMPLIANCE W/ STDS.

Street Lighting

COBRA LIGHTS NO →

Easements →

Public Open Space

V. CONCLUSION AND RECOMMENDATION

Staff finds the proposed project consistent with the XX Zoning Ordinance and the standards of the Site Plan and Subdivision ordinances and recommends that the Planning Board approve the proposed motion.

VI. MOTION FOR THE BOARD TO CONSIDER

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #XX-XX relevant to standards for site plan and subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Potential Conditions of Approval:

- i.

2. That the plan is in conformance with the site plan standards of the land use code.

Potential Conditions of Approval:

- i.

VII. ATTACHMENTS

- A. Application
- B. Evidence of Right, Title, and Interest
- C. Utility Capacity Letters (Sewer, Water, Gas)



PORTLAND MAINE

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

Director of Planning and Urban Development
Penny St. Louis Littell

Planning Division, Director
Alexander Jaegerman

August 22, 2008

John and Cynthia Sargent
103 Read Street
Portland Maine 04103

Dear John and Cynthia Sargent:

We received your request for an extension of the subdivision approval for the Bayside Street Subdivision, which was granted by the Portland Planning Board on September 27, 2005. The City's subdivision ordinance requires the following:

Unless the subdivider shall record his or her approved recording plat within three (3) years after the Planning Board has approved the subdivision plat, the recording plat approval shall become null and void. The preceding sentence notwithstanding, if the Planning Board's initial approval of a subdivision is based in part upon the granting of a variance from any of the applicable subdivision approval standards, no such variance shall be valid unless that fact shall be expressly noted on the face of the recording plan and shall be noted in a certificate, each of which shall conform to 30-A M.R.S.A. Section 4406, and such recording plat or such certificate or both of them are recorded in the Cumberland County Registry of Deeds within ninety (90) days of final subdivision approval.

In order to record the subdivision plat you need to meet the conditions of approval and post a performance guarantee for the site improvements. A copy of the original approval letter is attached for your reference. Based upon our records, it does not appear that any revised plans or a performance guarantee was received. The ordinance does not permit any extensions.

Thank you for your attention to this matter.

Sincerely,

Barbara Barhydt
Development Review Services Manager

Cc: Alexander Jaegerman, Planning Division Director
Marge Schmuckal, Zoning Administrator
Philip DiPierro, Development Review Coordinator
Jeanie Bourke, Inspection Division Director

Attachment:
Approval Letter from 2005

CITY OF PORTLAND, MAINE
PLANNING BOARD

Lee Lowry III, Chair
Kevin Beal, Vice Chair
John Anton
Michael Patterson
David Silk
Janice E. Tevanian
Shalom Odokara

October 11, 2005

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

Dear Mr. and Mrs. Sargent:

On September 27, 2005, the Portland Planning Board voted 4-0 (Anton and Beal Absent, Tevanian Abstaining) to approve the above referenced subdivision application. The approval was granted for the project by the following motion, subject to the following conditions:

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #40-05 relevant to standards for subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Conditions of Approval:

- i. The applicant shall revise plans so as to address concerns outlined in a September 16, 2005 memo prepared by Jim Seymour P.E., subject to final review and approval by the Planning Authority except that the additional 93 feet of curbing on both sides of the street toward Glengarden Street shall not be required.
- ii. The applicant shall present turn around easements and drainage and maintenance easements for potential additional inlet pipe for final review and approval by Corporation Council.

- iii. The applicant shall prepare and record a subdivision plat subject to final review and approval by the Planning Authority and Corporation Counsel.
- iv. The applicant shall revise the subdivision plat to provide an eight foot no-cut zone along the Eastern property line of lot 4 so as to provide a buffer to the Bay Village Condominium Association and shall work with the Bay Village Condo Association to provide an additional 7 feet of buffer plantings on the Bay Village property so as to achieve a total of fifteen (15) feet of privacy buffer, subject to final review and approval by the Planning Authority.
- v. A final positive zoning determination letter shall be placed in the public record.

The Board also voted on two proposed waivers related to the project.

The first waiver passed 4-0 (Anton and Beal Absent, Tevenian Abstaining) as follows:

2. That the Planning Board grants the applicant his request under §14-506(b) for a waiver of sidewalk requirements on the South side of Bay Street.

The second waiver was denied by the Board by a vote of 0-4 (Anton and Beal Absent, Tevenian Abstaining) as follows:

3. That the Planning Board grants the applicant his request under §14499 (h) for a waiver of the underground electric utility technical requirement of the subdivision ordinance.

The approval includes a 5-lot residential subdivision on an accepted, undeveloped portion of Bay Street.

The approval is based on the submitted site plan and the findings related to subdivision review standards as contained in Planning Report #40-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to

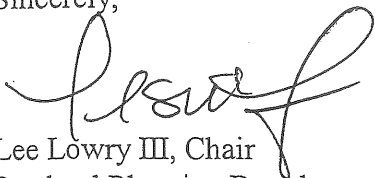
and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. 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.)

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. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager

Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File



No guarantees
-draft letter

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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

September 27, 2005

John Sargent
103 Read Street
Portland, ME 04103

RE: Bay Street Subdivision
CBL: Application #2005-0054, CBL #'s 141-J-003, 14 and 155-D-027-28

Dear Mr. Sargent:

On September 27, 2005, the Portland Planning Board voted 4-0 to approve the above referenced subdivision application. The approval was granted for the project and will remain in effect until September 27, 2008, as per State Title and Ordinance.

If you have any questions, please contact Sarah Hopkins, Development Review Services Manager at 874- 8720.

Sincerely,

Sarah Hopkins
Development Review Services Manager

- cc: Lee D. Urban, Planning and Development Department Director
- Alexander Jaegerman, Planning Division Director
- Sarah Hopkins, Development Review Services Manager
- Jay Reynolds, Development Review Coordinator
- Marge Seligson, Zoning Administrator
- Inspection Division
- Michael B. Bousky, Public Works Director
- Eric Labelle, City Engineer
- Bill Clark, Public Works
- Jim Carnahan, Transportation Manager
- Jeff Tarleton, City Arborist
- Penny Little, Associate Corporation Counsel
- Captain Craig Glass, Fire Prevention
- Assessor's Office
- Approval Letter File

Aug 6, 2008

JOHN, AND CYNTHIA SARGENT
103 READ STREET
PORTLAND ME 04103

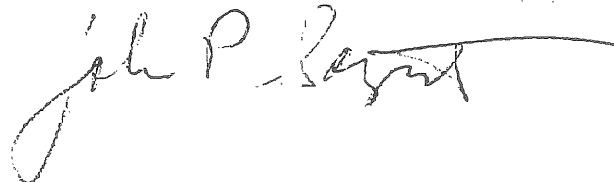
PLANNING AND DEV DEPT.
PLANNING DIV.
SARAH HOPKINS, DEV REV SVC MGR

DEAR MS. HOPKINS:
RE: BAY ST SUBDIV.
CBL: ID# 20080054, CBL# 141-J-000.14,175-D-027-28.

WE ARE HEREBY REQUESTING AN EXTENSION ON
THE EXPECTATION DATE OF SEPT 27, 2008. WE VERY
ANXIOUS TO COMPLETE THIS PROJECT. THE
ORIGINAL FINANCING WE HAD FADED WITH THE
FAILING REAL ESTATE MARKET CONDITIONS. WE
HAVE SINCE SOLD ONE OF THE LOTS, AND WE ARE
CONFIDENT OF ARRANGING SALES OF THE REST.
WE HAVE ALSO TRANSFERRED THE TITLE OF THE
LAND TO A LLC (ATLANTIC SERVICES LLC). ANY
HELP FROM YOU WILL BE GREATLY APPRECIATED.

SINCERELY

JOHN P. SARGENT
103 READ ST
PORTLAND MAINE 04103



FAX FROM:

A REALTY COMPANY
JOHN P. SARGENT BROKER
108 road st. portland me 04106
207 773 0660

To:

PLANNING AND DEV DEPT

ATTN: SARAH HOPKINS

Fax #: 756 8258

No. of Pages (including this cover page): 3

FAX FROM:

A REALTY COMPANY
JOHN P. SARGENT BROKER
103 road at portland me 04103
207 773 0660

To: SARAH Hodges
@ Caldwell Barber
56 8258

Fax #: ~~704 9019~~

No. of Pages (including this cover page): 2 two

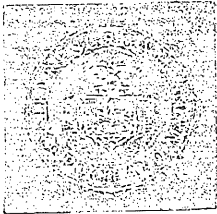
21 Aug 08

SARAH Hopkins
Dev Assoc Sue Inga

DEAR MAIM

Is it possible for a two
year ext on Bay St Subdiv. Re
letter dated Sept 27, 2006. (encl)

Sincerely
John P Sargent



Streets, Planning a Remarkable City, Building a Community for Life

www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

September 27, 2005

John Sargent
103 Read Street
Portland, ME 04103

RE: Bay Street subdivision
CBL: Application #D #2005-0054, CBL #'s 141-J-003, 14 and 155-I-027-28

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Sincerely,

Sarah Hopkins
Development Review Services Manager

Aug 21, 08

- cc: Lee D. Urban, Planning and Development Department Director
- Alexander Jaegerman, Planning Division Director
- Sarah Hopkins, Development Review Services Manager
- Jay Reynolds, Development Review Coordinator
- Margaret Hunkel, Zoning Administrator
- Inspection Division
- Michael Bobinsky, Public Works Director
- Eric L. ... , City Engineer
- Bill ... , Public works
- Jim ... , Transportation Manager
- Jeff ... , City Arborist
- Penny ... , Associate Corporation Counsel
- Captain ... , Fire Prevention
- Assessor's Office
- Approval Letter File

CITY OF PORTLAND, MAINE

PLANNING BOARD

Lee Lowry III, Chair
Kevin Beal, Vice Chair
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Janice E. Tevanian
Shalom Odokara

October 11, 2005

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

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- v. A final positive zoning determination letter shall be placed in the public record.

The Board also voted on two proposed waivers related to the project.

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- 
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The approval is based on the submitted site plan and the findings related to subdivision review standards as contained in Planning Report #40-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

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2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to

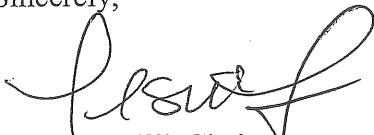
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4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. 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.)

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. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager

Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

July 16, 2003

Department of Planning & Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Bay Street Extension

Dear Planning Department:

John Sargent owns three house lots on Bay Street Extension (Chart #141-J-3; Chart #155-D-27; Chart #155-D-28). He would like to construct the road from Station 9+30-12+06. The stationing is taken from Public Works Sewer Plan 607/18. The road would extend from the edge of pavement near BAY VILLAGE CONDOMINIUMS Southeasterly to the end of the existing lots.

A waiver is requested from installing curbs and sidewalks as there are none existing at this time.

Respectfully submitted,


Herbert P. Gray





CITY OF PORTLAND

August 29, 2003

Mr. Herbert Gray
111 Simmons Road
South Portland, ME 04106

Dear Mr. Gray:

RE: Application for Minor Site Plan, Bay Street Extension,
(John and Cynthia Sargent) (CBL#141J003) (ID#2003-0142)

Thank you for your application for the Bay Street Extension. It is my understanding that you have been provided direction on the stormwater connection to the sewer system by the Public Works department. Upon review, the City has the following additional comments:

1. Planning Comments:
 - a. Please show the entire lots and provide additional topography on the plan.
 - b. Will power/telephone/cable be run underground or a new utility pole set?
 - c. It appears the Gullikson property may be a buildable lot. Has the possibility of running stubs to this property been discussed between property owners?
 - d. Please provide the distance to the nearest fire hydrant.
 - e. Please provide the distance to the nearest street light.
 - f. The curb and sidewalk waiver has not been processed yet. I expect this to be processed some time next week.

2. Public Works Comments:
 - a. The plans should specify proposed utility service stubs to the vacant developable lots owned by the developer.
 - b. Driveway entrances should also be specified for the buildable lots.
 - c. A construction detail is required for granite curb installation and sidewalk construction.
 - d. The plans must specify that the connection of two proposed catch basins into the existing manhole at end of the extend paved surface, must be created by "core drilling" into the existing manhole. Further, these new inverts must be fitted with flexible connections.
 - e. The guardrail proposed at the end of the extended roadway is physically too close to the proposed catch basins and represent a maintenance issue for servicing the structures as well as plowing the roadway in the winter. Public Works is requesting the applicant extend the roadway an additional ten (10) feet, install granite tipdown

terminal curb beyond the catch basin headstones and then install the proposed guardrail. The plans should specify a construction detail for the guardrail.

- f. The applicant is advised to contact Carol Merritt at Public Works to confirm the fees and permits associated with this development proposal.

Please feel free to call me at 874-8632 if you have any questions or comments.

Sincerely,



Jay Reynolds

Development Review Coordinator

cc: Sarah Hopkins, Development Review Services Manager
Eric Labelle, City Engineer
Anthony Lombardo, Project Engineer

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

October 14, 2005

Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28.

Dear Planning Department:

Enclosed are two sets of plans dated October 13, 2005 conforming to the October 11, 2005 letter for the approval of the above project for staff review and approval.

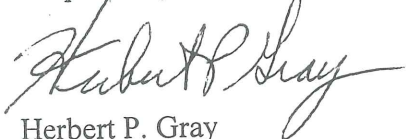
Attached are copies of:

1. Temporary Turnaround Easement.
2. Aquarion Engineering is checking with Jim Seymour to submit supporting calculations for the restrictive flow device shown on the plans.
3. Foundation drains connected to a storm drain with a backflow prevention valve will be shown for each lot near the house being built on each lot.
4. The 10-inch culvert shown on Lot 4 shall end at a field inlet where a 10-inch pipe can be continued to catch offsite runoff as needed and covered by a drainage and maintenance easement.
5. The Definitive Plan (1 of 4) to be recorded in the Cumberland County Registry of Deeds has been revised to provide an eight (8') foot no-cut zone along the Easterly property line next to the Bay Village Condo Association.
6. The Topography Survey Plan (2 of 4) has been revised showing the eight (8') foot no-cut zone along the Easterly property line next to the Bay Village Condo Association and the additional seven (7') feet for buffer plantings on the bay Village property to achieve the fifteen (15') feet of privacy buffer subject to final approval by the Planning Authority.

FINE, SHOW
ON PLAN

DETAIL

Respectfully submitted,



Herbert P. Gray



11/7/05
REVIEW

05P054

TO: Ethan Boxer-Macomber – Planner
FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.
RE: Bay Street Extension Subdivision – John Sargent
DATE: September 16, 2005

Sebago Technics has reviewed the 2nd revised Bay Street Extension Subdivision plan submittal for John Sargent from Herb Gray Consulting Engineer dated August 31, 2005. We had met with the applicant along with Public Works to resolve the final design issues. Although the project has cost impacts with wetland filling, some ledge removal, potential groundwater flows, and connectivity issues with access and utilities, Public Works and the consultant agreed to certain conditions to both address immediate concerns and assist the City with long term design off Bay St. Unfortunately, after reviewing this submittal these concerns, some of these items still need to be accounted for on the plans, or within the application. We have listed the following for your consideration:

1. Stormwater Management

A. The information submitted addresses our concerns and with outlet control. Although the stormwater calculations indicate a very slight increase, this is conservative because the calculations account for a 32-foot wide road and not the 28-foot wide as shown. Therefore given the reduction in pavement there will likely be a slight reduction in the peak rates of runoff. We believe no further improvements that are feasible can be accomplished without great costs, or loss of a lot or lots. And based on the Public Works concerns for lack of maintenance on detention systems, which connect to City infrastructure, the construction of the flow restriction achieves the results to lessen capacity in the existing combined system for other flows entering further down on Bay St.

2. Road Construction

A. The applicant was required to extend granite curbing to the end of Bay view to the intersection of Glen Garden Street as discussed with the Public Works engineer. We allowed for the reduction of pavement width from 32 to 28 feet and requested that the design install new curbing to align the new street width from the Glen Garden St, end to the end of the paving associated with designed portion of Bay St. with this project. We and the City Engineer agree that the natural location to terminate

* BOARD
DID NOT
REQUIRE
*

the curbing is at the driveway cut and corner of Glen Garden St, and to extend the utilities to the edge of where Bay St has been City accepted and with future CIP work the City will install catch basins and pick up the necessary infrastructure at that location when it will rebuild the street.

Per discussions with the City Engineer, Public Works staff, and the Project Engineer, the desired solution with use flow restrictive devices within the last drain manhole to purposely back runoff in the drains and allow it a slower release into the combined system, until such time as the City separates Bay St and then the restriction could come out and the drain could free flow. The engineer has not submitted supporting calculations, to accommodate this effort.

- B. Foundation drains are to be connected to a storm drain main with a backflow preventer/valve. NOT SHOWN
- C. The 10-inch culvert shown capped at Lot 4 shall be directed in a different angle to be designed as an inlet for offsite runoff, to be set on the property line of Lot 4 in the middle of the abandoned ROW.

5. General

- A. A final subdivision plan will need to be generated showing standard street cross section as proposed, City notes/requirements per construction and subdivision standards, and delineate and set proposed street monumentation per City standards. The cross section and more notes may still be needed on the Definitive (Recording) Plan please coordinate with the Planner for proper standard notes and plan requirements.
- B. A few details are still needed and are listed below:
- Sewer saddle connections
 - Pavement butt joint
 - Handicap ramp detail.

We have met with the project engineer to discuss the construction cost feasibility due to the low number of lots but tremendous impacts associated with the road and drainage infrastructure. We have reviewed all of the utility and drainage issues involved and agreed to the solutions listed above. We along with Public Work's Engineers feel that the flow restriction of the drainage into the combined system as a short-term solution is acceptable, and when the City reconstructs and separates the sanitary and storm drains the connections can be easily reworked to conform to the City's long-term plans. Most of these are technical issues that can be addressed. The current plan as presented does not accurately show the solutions necessary to address the City's request for street alignment, curb placement, and evidence of stormwater calculations. Once the above is shown and complete the project will obtain our complete endorsement. Please contact our office with any questions.

JS:js

**CITY OF PORTLAND, MAINE
PLANNING BOARD**

Lee Lowry III, Chair
Kevin Beal, Vice Chair
John Anton
Michael Patterson
David Silk
Janice E. Tevanian
Shalom Odokara

October 11, 2005

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

Dear Mr. and Mrs. Sargent:

On September 27, 2005, the Portland Planning Board voted 4-0 (Anton and Beal Absent, Tevanian Abstaining) to approve the above referenced subdivision application. The approval was granted for the project by the following motion, subject to the following conditions:

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #40-05 relevant to standards for subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Conditions of Approval:

- i. The applicant shall revise plans so as to address concerns outlined in a September 16, 2005 memo prepared by Jim Seymour P.E., subject to final review and approval by the Planning Authority accept that the additional 93 feet of curbing on both sides of the street toward Glengarden Street shall not be required.
- ii. The applicant shall present turn around easements and drainage and maintenance easements for potential additional inlet pipe for final review and approval by Corporation Council.

**SAMPLES MAILED
VIA FAX...**

*PLANS TO ✓
JIM*
*meets a bounds
only -
No legal
language*

- iii. The applicant shall prepare and record a subdivision plat subject to final review and approval by the Planning Authority and Corporation Counsel.
- iv. The applicant shall revise the subdivision plat to provide an eight foot no-cut zone along the Eastern property line of lot 4 so as to provide a buffer to the Bay Village Condominium Association ~~and shall work with the Bay Village Condo Association to provide an additional 7 feet of buffer plantings on the Bay Village property so as to achieve a total of fifteen (15) feet of privacy buffer, subject to final review and approval by the Planning Authority.~~ ✓ ?
- v. A final positive zoning determination letter shall be placed in the public record. ↳ FOLLOWED UP w/ MARGE ✓

The Board also voted on two proposed waivers related to the project.

The first waiver passed 4-0 (Anton and Beal Absent, Tevenian Abstaining) as follows:

- 2. That the Planning Board grants the applicant his request under §14-506(b) for a waiver of sidewalk requirements on the South side of Bay Street.

The second waiver was denied by the Board by a vote of 0-4 (Anton and Beal Absent, Tevenian Abstaining) as follows:

- 3. That the Planning Board grants the applicant his request under §14499 (h) for a waiver of the underground electric utility technical requirement of the subdivision ordinance.

The approval includes a 5-lot residential subdivision on an accepted, undeveloped portion of Bay Street.

The approval is based on the submitted site plan and the findings related to subdivision review standards as contained in Planning Report #40-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

- 1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
- 2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to

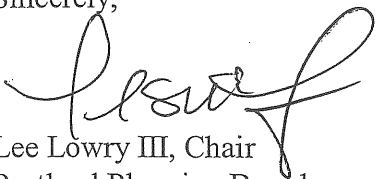
and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. 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.)

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. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,



Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager

Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File

TEMPORARY TURNAROUND EASEMENT

Commencing at the iron thirty (30.00') feet at the bearing of N47°-51'-13"W from the Northwest corner of land now or formerly Virginia A. Lapomada and the Northeast corner of Lot #1 of Bay Street Extension Subdivision as recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____; thence a distance of thirty (30.00') feet at the bearing of S42°-08'-47"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N47°-51'-13"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N42°-08'-47"E to an iron pin; thence along the Westerly side of Bay Street Extension and along the front of Lot #1 a distance of thirty (30.00') feet at the bearing of S47°-51'-13"E to the point of beginning, containing 900 square feet.

~~*~~ CREATION OF ROADS:
OVERALL IMPACT ON
HYDROLOGY FROM
ROAD BED.

MARK PAPER
3/2-4/2010

TEMPORARY TURNAROUND EASEMENT

Commencing at the iron thirty (30.00') feet at the bearing of N47°-51'-13"W from the Northwest corner of land now or formerly Virginia A. Lapomada and the Northeast corner of Lot #1 of Bay Street Extension Subdivision as recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____; thence a distance of thirty (30.00') feet at the bearing of S42°-08'-47"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N47°-51'-13"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N42°-08'-47"E to an iron pin; thence along the Westerly side of Bay Street Extension and along the front of Lot #1 a distance of thirty (30.00') feet at the bearing of S47°-51'-13"E to the point of beginning, containing 900 square feet.

DRAINAGE EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that John Sargent, with an address at 103 Read Street in Portland, Maine, for consideration paid, receipt whereof is hereby acknowledged, grant to the City of Portland, a body politic and corporate located in Cumberland County, State of Maine, with warranty covenants, an easement described as follows:

The right perpetually to enter at any and all times upon property situated on 113 Bay Street, Portland, in said County of Cumberland and State of Maine, said property being described in Schedule A, attached hereto and incorporated herein by reference.

The above described parcel contains 1400.68 square feet of area.

Meaning and intending to convey a portion of the property conveyed to this Grantor by deed 11 March 2003, recorded in the Cumberland County Registry of Deeds in Book 19105, Page 110;

Said easement for the sole purpose of and conveying the right to construct, install and perpetually maintain through, under and across said property conduits or pipelines with all necessary fixtures and appurtenances for retaining and or conveying water and to lay, relay, repair, maintain, clean and remove said stormwater pipe or pipes upon or under said strips, with all necessary fixtures and appurtenances, together with the right at all times to make connections with said conduits or pipelines to land adjoining said drainage easement by means of pipes or other services; to trim, cut down and remove trees, bushes, and other vegetation of all kinds, to remove debris and deposits of any kind and to alter and regrade the contours of said drainage easement to such extent as in the sole judgment of the grantee is necessary or appropriate for any of the above purposes; and to enter upon said drainage easement at any and all times for any of the foregoing purposes, reserving to the grantor and her heirs and assigns the use and enjoyment of said strips and for such purposes only as will in no way interfere temporarily or otherwise with the perpetual use thereof by the grantee, its successors and assigns for the purpose above mentioned, provided that no building or any kind of permanent structure, including, but not limited to, walls and fences, shall be erected on said strip by the grantor, her successors or assigns; and that the grantor, her heirs and assigns shall not remove earth from said drainage easement without the written permission of the grantee, its successors and assigns.

**SCHEDULE A
DRAINAGE EASEMENT DEED
113 BAY STREET**

Starting at a point on the North side of Bay Street Extension said point being S47°-51'-13"E twenty-nine and five tenths (29.50') feet from an iron set between Bay Village Condominiums and Lot 4 recorded in Plan Book _____, Page _____; thence N13°-56'-05"E Thirty and sixty-four one hundredths (30.64') to a point; thence N42°-10'-47"E sixty-three (63.00') feet to a point; thence N47°-51'-13"W fifteen (15.00') feet to a point on the Westerly lot line of Lot 4; thence S42°-10'-47"W sixty-six and seventy-six one hundredths (66.76') feet to a point; thence S13°-56'-05"W twenty-six and thirty-seven (26.37') feet to the Northerly side of Bay Street Extension; thence S47°-51'-13"E seventeen and two one hundredths (17.02') feet to the point of beginning containing 1400.68 SF.

EASEMENT DEED FOR
TURNAROUND

In consideration of the payment of one dollar, John Sargent, an individual with a mailing address at 103 Read Street, Portland, Maine, 04103 ("Grantor"), hereby grants to CITY OF PORTLAND, a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine 04101 ("Grantee") a perpetual easement over a strip of land (the "Turnaround Easement") running off of BAY STREET EXTENSION which Easement Area and property are more particularly described in Schedule A, attached hereto and incorporated herein by reference. This easement is for the purpose of facilitating emergency access (fire, police, etc.), street maintenance and other City purposes (snow plowing, trash removal, etc.) purposes to the BAY STREET EXTENSION development.

Together with and hereby granting to Grantee the perpetual right in its discretion to maintain, replace, relocate and repair within the Easement Area an area, paved or unpaved, capable of serving as a turnaround by motorized vehicles.

Together with and hereby granting to Grantee the perpetual right within the Easement Area to periodically trim trees and to remove dead, diseased or fallen trees (including "leaners") and to selectively clear undergrowth and make plantings to (1) prevent erosion, (2) provide for the safe passage of municipal vehicles, and (3) provide for public safety, all in accordance with good forestry and landscaping management practices.

Both Grantor and Grantee acknowledge that this easement is being granted without claim for damages and provided to Grantee for use by municipal vehicles without charge.

To have and to hold the said Easement and all rights granted hereunder to the said Grantee and their successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this easement to be executed by _____, its duly authorized _____, this _____ day of _____, 2005.

WITNESS:

By: _____
Its: _____
Print Name: _____

State of _____
County of _____, ss. _____, 2005

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

Before me,

Notary Public/Attorney-at-Law

SCHEDULE A
TEMPORARY TURNAROUND EASEMENT

Commencing at the iron thirty (30.00') feet at the bearing of N47°-51'-13"W from the Northwest corner of land now or formerly Virginia A. Lapomada and the Northeast corner of Lot #1 of Bay Street Extension Subdivision as recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____; thence a distance of thirty (30.00') feet at the bearing of S42°-08'-47"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N47°-51'-13"W to an iron pin; thence a distance of thirty (30.00') feet at the bearing of N42°-08'-47"E to an iron pin; thence along the Westerly side of Bay Street Extension and along the front of Lot #1 a distance of thirty (30.00') feet at the bearing of S47°-51'-13"E to the point of beginning, containing 900 square feet.

FIGURE V-1
(Page 1 of 2)
STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT

IN CONSIDERATION OF subdivision approval granted by the Planning Authority of the City of Portland to a plan entitled BAY STREET EXTENSION dated 11/14/05, and recorded in the Cumberland County Registry of Deeds in Plan Book _____ Page _____, filed with the City of Portland, Department of Planning and Development, 389 Congress Street, Portland, Maine, and pursuant to a condition thereof, JOHN SARGENT with a place of business 103 Read Street, Portland, Maine, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

That it will, at its own cost and expense and at all time in perpetuity, maintain in good repair and in proper working order the stormwater drainage system, as shown on said plan, including but not limited to a drainage culvert, at 113 BAY STREET. Owner of the subject premises further agrees to periodically maintain said culvert in accordance with best management practices. 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, said persons in lawful possession and said abutters, or any of them, 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 reasonable 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 culvert 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 of lot 113 Bay Street upon demand.

This Agreement shall not confer upon the City of Portland or any other person the right to utilize said stormwater drainage system for public use or for the development of any other property, and the Owner shall bear no financial responsibility by virtue of this Agreement for enlarging the capacity of said surface water drainage system for any reason whatsoever.

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 its successors and assigns as their interests may from time to time appear.

Dated at Portland, Maine this _____ day of _____, 200____.

By: _____
Its: _____

STATE OF MAINE
CUMBERLAND, ss.

Date: _____, 2005.

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

Before me,

Notary Public/Attorney at Law

Print Name: _____

City of Portland
Department of Planning and Development
Planning Division

389 Congress Street, 4th Floor
Portland ME 04101
(207)874-8721 or (207)874-8719
Fax: (207)756-8258



FAX

To:

HERB GRAY

Company:

Fax #:

767-1861

Date:

NOVEMBER 7, 2005

From:

ETHAN BOXER-MALMBERG

You should receive 7 page(s) including this cover sheet.

Comments:

HERB -

ATTACHED PLEASE FIND SAMPLE EASEMENT &
DRAINAGE & MAINTENANCE AGREEMENT DOCUMENTS.
THESE SHOULD PROVIDE YOUR CLIENT W/ A GOOD STARTING
POINT TO GET THESE ITEMS DRAFTED.

ALSO, PLEASE NOTE THE FOLLOWING:

- + FOUNDATION DRAINS STILL NOT SHOWN ON PLANS
- + DETAIL FOR ~~PIPE~~ FIELD INLET NOT PROVIDED
- + DRAINAGE EASEMENT SHOULD BE REPRESENTED ON PLANS & PLAT.

BEST REGARDS,
ETHAN

SECTION V - STORMWATER MANAGEMENT STANDARDS

FIGURE V-1
(Page 1 of 2)
STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT

IN CONSIDERATION OF minor site plan approval granted by the Planning Authority of the City of Portland to a plan entitled _____ dated _____, and filed with the City of Portland, Department of Planning and Development, 389 Congress Street, Portland, Maine,* and pursuant to a condition thereof, _____ with a place of business _____, _____, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

That it will, at its own cost and expense and at all time in perpetuity, maintain in good repair and in proper working order the stormwater drainage system, as shown on said plan, including but not limited to a drainage culvert, detention pond, and the outlet therefrom. Owner of the subject premises further agrees to periodically maintain said detention pond in accordance with best management practices and to keep a log detailing: 1) the date and nature of the maintenance performed; and 2) who performed said maintenance. 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, said persons in lawful possession and said abutters, or any of them, may enforce this Agreement by an action at law or in equity in any court of competent

*Where this Agreement is a condition of subdivision rather than site plan approval, this clause should instead read "and recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____."

DRAINAGE EASEMENT DEED

KNOW ALL PERSONS BY THESE PRESENTS, that _____, with an address at _____ in Portland, Maine, for consideration paid, receipt whereof is hereby acknowledged, grant to the City of Portland, a body politic and corporate located in Cumberland County, State of Maine, with warranty covenants, an easement described as follows:

The right perpetually to enter at any and all times upon property situated on _____, Portland, in said County of Cumberland and State of Maine, said property being described in Schedule A, attached hereto and incorporated herein by reference.

The above described parcel contains _____ square feet of area.

Meaning and intending to convey a portion of the property conveyed to this Grantor by deed of _____ recorded in the Cumberland County Registry of Deeds in Book _____, Page _____.

Said easement for the sole purpose of and conveying the right to construct, install and perpetually maintain through, under and across said property conduits or pipelines with all necessary fixtures and appurtenances for retaining and or conveying water and to lay, relay, repair, maintain, clean and remove said stormwater pipe or pipes upon or under said strips, with all necessary fixtures and appurtenances, together with the right at all times to make connections with said conduits or pipelines to land adjoining said drainage easement by means of pipes or other services; to trim, cut down and remove trees, bushes, and other vegetation of all kinds, to remove debris and deposits of any kind and to alter and regrade the contours of said drainage easement to such extent as in the sole judgment of the grantee is necessary or appropriate for any of the above purposes; and to enter upon said drainage easement at any and all times for any of the foregoing purposes, reserving to the grantor and her heirs and assigns the use and enjoyment of said strips and for such purposes only as will in no way interfere temporarily or otherwise with the perpetual use thereof by the grantee, its successors and assigns for the purpose above mentioned, provided that no building or any kind of permanent structure, including, but not limited to, walls and fences, shall be erected on said strip by the grantor, her successors or assigns; and that the grantor, her heirs and assigns shall not remove earth from said drainage easement without the written permission of the grantee, its successors and assigns.

IN WITNESS WHEREOF, _____ has hereunto set her hand and seal on
this __ day of _____, 200__.

WITNESS

STATE OF MAINE
CUMBERLAND, ss.

Dated: _____

Personally appeared the above-named _____, and acknowledged the foregoing
instrument to be his free act and deed.

Before me,

EASEMENT DEED FOR
TURNAROUND

In consideration of the payment of one dollar, _____, an individual with a mailing address at _____, Portland, Maine, 04103 (“Grantor”), hereby grants to CITY OF PORTLAND, a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine 04101 (“Grantee”) a perpetual easement over a strip of land (the “Easement Area”) running off of _____ which Easement Area and property are more particularly described in Schedule A, attached hereto and incorporated herein by reference. This easement is for the purpose of facilitating emergency access (fire, police, etc.), street maintenance and other City purposes (snow plowing, trash removal, etc.) purposes to the _____ development.

Together with and hereby granting to Grantee the perpetual right in its discretion to maintain, replace, relocate and repair within the Easement Area an area, paved or unpaved, capable of serving as a turnaround by motorized vehicles.

Together with and hereby granting to Grantee the perpetual right within the Easement Area to periodically trim trees and to remove dead, diseased or fallen trees (including “leaners”) and to selectively clear undergrowth and make plantings to (1) prevent erosion, (2) provide for the safe passage of municipal vehicles, and (3) provide for public safety, all in accordance with good forestry and landscaping management practices.

Both Grantor and Grantee acknowledge that this easement is being granted without claim for damages and provided to Grantee for use by municipal vehicles without charge.

To have and to hold the said Easement and all rights granted hereunder to the said Grantee and their successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this easement to be executed by _____, its duly authorized _____, this _____ day of _____, 2002.

WITNESS:

By: _____
Its: _____
Print Name: _____

State of _____
County of _____, ss. _____, 2001

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

Before me,

Notary Public/Attorney-at-Law

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Planning Copy**

2005-0054
Application I. D. Number

3/21/2005
Application Date

Bay Street Subdivision
Project Name/Description

Sargent John P & Cynthia J Jts
Applicant

103 Read St, Portland, ME 04103
Applicant's Mailing Address

Consultant/Agent
Applicant Ph: (207) 773-0660 Agent Fax:
Applicant or Agent Daytime Telephone, Fax

Bay Street Extension, Portland, Maine
Address of Proposed Site
141 J003001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) _____

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning **R3**

Check Review Required:

- | | | | |
|--|--|--|--|
| <input type="checkbox"/> Site Plan (major/minor) | <input checked="" type="checkbox"/> Subdivision # of lots <u>4</u> | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other _____ | |

Fees Paid: Site Pla _____ Subdivision _____ Engineer Review _____ Date _____

Planning Approval Status:

Reviewer _____

- Approved Approved w/Conditions See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

OK to Issue Building Permit _____
signature _____ date _____

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- | | | | |
|---|----------------|--|-----------------|
| <input type="checkbox"/> Performance Guarantee Accepted | _____ | _____ | _____ |
| | date | amount | expiration date |
| <input type="checkbox"/> Inspection Fee Paid | _____ | _____ | |
| | date | amount | |
| <input type="checkbox"/> Building Permit Issue | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Reduced | _____ | _____ | _____ |
| | date | remaining balance | signature |
| <input type="checkbox"/> Temporary Certificate of Occupancy | _____ | <input type="checkbox"/> Conditions (See Attached) | _____ |
| | date | | expiration date |
| <input type="checkbox"/> Final Inspection | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Certificate Of Occupancy | _____ | | |
| | date | | |
| <input type="checkbox"/> Performance Guarantee Released | _____ | _____ | |
| | date | signature | |
| <input type="checkbox"/> Defect Guarantee Submitted | _____ | _____ | _____ |
| | submitted date | amount | expiration date |
| <input type="checkbox"/> Defect Guarantee Released | _____ | _____ | |
| | date | signature | |

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

March 11, 2005

Department of Planning & Development
City of Portland
389 Congress Street
Portland, Maine 04101

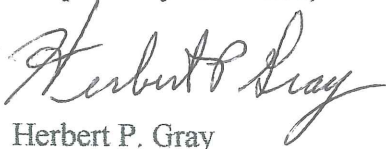
Re: Reshaping three existing lots to four lots - BAY STREET EXTENSION

Dear Planning Department:

John Sargent owns three house lots on Bay Street Extension (Chart #141-J-3; Chart #155-D-27; Chart #155-D-28). The City abandoned a proposed street next to lot #155-D-28 of which he claims half. He would like to reshape the above property into four house lots. He would like to construct the road from Station 9+30-12+06. The stationing is taken from Public Works Sewer Plan 607/18. The road would extend from the edge of pavement near BAY VILLAGE CONDOMINIUMS Southeasterly to the end of the existing lots.

On October 31, 2003, the Portland Planning Authority granted minor site plan approval for the construction of Bay Street Extension. (CBL#141J003) (ID#2003-0142). These plans have been revised to accomodate the four lots.

Respectfully submitted,


Herbert P. Gray



City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: 9+30-12+06 BAY STREET EXTENSION			Zone: R3
Total Square Footage of Proposed Structure:		Square Footage of Lot: Lot 1-11,631.78 sf Lot 2- 9996.36 sf. - Lot 3-10340.86 sf Lot 4 - 10,686.64 sf	
Tax Assessor's Chart, Block & Lot:		Property owner's mailing address:	Telephone #:
141	J	3	103 Read Street Portland, Maine 04103 773-0660
Chart#	Block#	Lot#	
155	D	27	
155	D	28	
Consultant/Agent, mailing address, phone # & contact person:		Applicant's name, mailing address, telephone #/Fax#/Pager#:	Project name:
Herbert P. Gray 111 Simmons Road South Portland, Maine 04106 Tel(207)767-1861		John Sargent 103 Read Street Portland, Maine 04103 Tel.(207)773-0660	9+30-12+06 Bay Street Extension
Proposed Development (check all that apply)			
<input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input checked="" type="checkbox"/> Subdivision (\$500.00) + amount of lots <u>4</u> (\$25.00 per lot) \$ <u>100.00</u> = \$600.00. <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____			
Major Development (more than 10,000 sq. ft.)			
<input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)			
Minor Site Plan Review			
<input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)			
Plan Amendments			
<input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)			
- Please see next page -			

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

John Sargent
103 Read Street
Portland, Maine 04103
Tel.(207)773-0660

Submittals shall include (9) separate folded packets of the following:

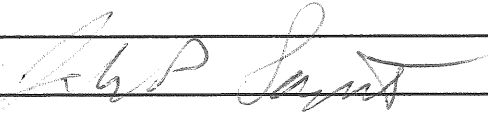
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, & c)
ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11)
you may also visit the web site: cl.portland.me.us chapter 14

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

Signature of applicant:



Date: 17 MAR 05

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

Hydrant locations
supplied by
Portland Water District



DI 8 1985

DI 8 1982

HY2701394

HY2701528

Walton

9165/15

WARRANTY DEED - SHORT FORM

MAINE REAL ESTATE TAX PAID

KNOW ALL MEN BY THESE PRESENTS THAT WE, EILEEN V. WARD and DONALD J. WARD, of Portland, County of Cumberland and State of Maine, THOMAS F. WARD of Augusta, County of Kennebec and State of Maine, VALORA A. BAKER of Falmouth, County of Cumberland and State of Maine, JOHN M WARD of New Gloucester, County of Cumberland and State of Maine and JAMES E. WARD of Poland, County of Androscoggin and State of Maine, for valuable consideration received, hereby grant to JOHN P. SARGENT and CYNTHIA T. SARGENT of Portland in the County of Cumberland and State of Maine, with WARRANTY COVENANTS as JOINT TENANTS, that certain lot or parcel of land located on Bay Street, City of Portland, County of Cumberland and State of Maine, as more fully described in Exhibit A attached hereto and incorporated herein.

In witness whereof, we have hereunto set our hands and seals on this 23rd day of APRIL, 1990.

[Signature]
Witness

Valora Baker
Witness

[Signature]
Witness

E. V. Ward
Witness

Eileen V. Ward
Witness

Eileen V. Ward
Witness

Eileen V. Ward
Eileen V. Ward

Thomas F. Ward
Thomas F. Ward

Valora A. Baker
Valora A. Baker

Donald J. Ward
Donald J. Ward

John M. Ward
John M. Ward

James E. Ward
James E. Ward

State of Maine
Cumberland, ss

On April 23, 1990 personally appeared the above-named Eileen V. Ward and acknowledged the foregoing deed to be her free act and deed.

Before me,

[Signature]
Notary Public/Attorney At Law

THOMAS W. GOUTIER
Type or Print Name

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY LOCATED AT
Bay Street, Portland, MAINE

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.

EXCEPTING from the above-described premises that portion thereof which John J. Ward, Jr. conveyed to John DiSanto, et al dated April 26, 1962 and recorded in the Cumberland County Registry of deeds in Book 2669, Page 298; which is now owned by John Sargent and Cynthia Sargent.

Being the same premises described in a deed to Rose Burns from Hepzibah Home and Bible School, Inc. by deed recorded in Cumberland County Registry of Deeds, subject to the exceptions, reservations and restrictions mentioned in deed of said premises given to Addie L. Porter by Algernon S. Stubbs dated September 23, 1907 and recorded in said Registry of Deeds in Book 813, Page 353.

For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.

RECEIVED
RECORDED REGISTRY OF DEEDS

1990 MAY -8 PM 1:44

CUMBERLAND COUNTY



PERSONAL REPRESENTATIVE'S DEED

KNOW ALL MEN BY THESE PRESENTS that I, EILEEN V. WARD, of Portland, County of Cumberland and State of Maine, whose mailing address is 45 Newton Street, Portland, Maine, duly appointed and acting Personal Representative of the Estate of JOHN J. WARD, JR. deceased intestate, as shown by the probate records of the County of Cumberland, Maine, and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to JOHN P. SARGENT and CYNTHIA J. SARGENT of Portland, Maine, as JOINT TENANTS, the real property in Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.

EXCEPTING from the above-described premises that portion thereof which John J. Ward, Jr. conveyed to John DiSanto, et al dated April 26, 1962 and recorded in the Cumberland County Registry of deeds in Book 2669, Page 298; which is now owned by John Sargent and Cynthia Sargent.

Being the same premises described in a deed to Rose Burns from Hepzibah Home and Bible School, Inc. by deed recorded in Cumberland County Registry of Deeds, subject to the exceptions, reservations and restrictions mentioned in deed of said premises given to Addie L. Porter by Algernon S. Stubbs dated September 23, 1907 and recorded in said Registry of Deeds in Book 813, Page 353.

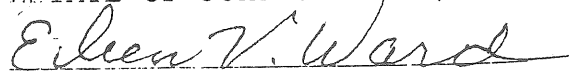
For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.

WITNESS her hand and seal this 23RD day of APRIL, 1990.

Signed, Sealed
Delivered in the presence of


Witness

ESTATE OF JOHN J. WARD, JR.


Eileen V. Ward,
Personal Representative

*Lot 36
Plan Book 8 page 99*

WARRANTY DEED

MAINE REAL ESTATE TAX PAID

KNOW ALL BY THESE PRESENTS that I, DAVID M. BRIDGES, AN individual of Westbrook, Cumberland County, Maine, for consideration paid, do hereby grant to JOHN P. SARGENT and CYNTHIA J. SARGENT, individuals of Portland, Cumberland County, Maine, that certain lot or parcel of land situated in Portland, Cumberland County, Maine, as more particularly described in Exhibit A hereto (the "Premises").

TO HAVE AND TO HOLD the Premises, as aforegranted and bargained for, with all the privileges and appurtenances thereof to the said Grantees, their heirs and assigns, to their use and behoof forever.

AND I DO COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the Premises, that it is free of all encumbrances, that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

WITNESS my hand and seal this 11 day of March, 2003.

Witness:

Deborah M. Watt

David M. Bridges
David M. Bridges

STATE OF MAINE
COUNTY OF CUMBERLAND, ss

On March 11, 2003, personally appeared the above-named David M. Bridges and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Deborah M. Watt

SEAL

Notary Public, State of Maine

Printed Name: Deborah M. Watt

My Commission expires
6/1/2007

EXHIBIT A

A certain lot or parcel of land situated on Bay Street Extension in the City of Portland, County of Cumberland and State of Maine, and being the premises conveyed by the City of Portland to Lena B. Ogens by deed dated November 22, 1955, and recorded at the Cumberland County Registry of Deeds in Book 2255, Page 259.

Being also the same premises conveyed to Belle Ogens by Lincoln T. Small by deed dated October, 1955 recorded at said Registry of Deeds in Book 2255, Page 224.

Being also the same premises conveyed to John P. Paris by Robert B. Williamson, Jr. and Maurice S. Friedman, Personal Representative of the Estate of Lena Belle Ogens, by deed dated September 26, 1990, and recorded in the said Registry of Deeds in Book 9342, Page 68.

Being the same premises conveyed to John P. Sargent and Cynthia J. Sargent by John P. Paris by deed dated November 15, 1991 and recorded in said Registry of Deeds and also being the same premises conveyed to the Grantor herein by John P. Sargent and Cynthia J. Sargent by deed dated January 8, 1999 and recorded in said Registry of Deeds.

S, AN
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f Portland,
rtland,
ereto (the

gained for, with
s and assigns,

signs, that I am
hat I have good
; and that I and
r heirs and

[Handwritten signature]

d M. Bridges

[Handwritten signature]
of Maine
wah M. Watt
on expires
57

SEAL

Received
Recorded Register of Deeds
Mar 31, 2003 12:06:07P
Cumberland County
John B. O'Brien

Fax Cover Sheet

T&M Mortgage Solutions

259 Minot Avenue
Auburn, ME 04210
Phone: 207-344-6669
Fax: 207-344-6670

Send to: COTLAND PLANNING	From: RICKI HUIZA
Attention:	Date: 3/15/05
Office location:	Office location:
Fax number: 761-2406	Phone number: 344-6665

- Urgent
 Reply ASAP
 Please comment
 Please review
 For your information

Total pages, including cover:

Comments:

JOHN SARGENT LOAN
Commitment

207-344-6670

767 1861

MORTGAGE LOAN COMMITMENT

Applicants: John Sargent
Cynthia Sargent
Property Address: 103 Reed St
Portland, ME 04103
Application No: sargent

Lender: John E. Streeter, Trust
280 Main Ave
Auburn, Me 04210

Date Prepared: 03/01/2005

It is a pleasure to notify you that your application for a first mortgage loan has been approved subject to the following matters set forth below. See Good Faith Estimate of Settlement Charges for any related closing costs.

AMOUNT, TERMS AND FEES			
Amount of Loan: \$	240,000	Contract Interest Rate:	12.000 %
Term/Due in:	712	Commitment Expires:	CLTV: 52.333 %
LTV: 52.333 %			

REPAYMENT TERMS

Above mentioned lender has already committed to this loan amount and has put a \$75,000 deposit at Bay Area Title Company for closings costs, other engineering and administrative costs to be closed upon board approval.

EVIDENCE OF TITLE

The following Evidence of Title is to be provided to the Lender and must indicate no liens, encumbrances, or any adverse covenants or conditions to title unless approved by Lender. The Evidence of Title must be issued from a firm or source, and in a form acceptable to Lender.


Warranty
Borrower will be charged for the cost of providing such title and the cost of recording documents, all of which will be ordered by Lender unless requested otherwise.

ADDITIONAL REQUIRED ITEMS OR CONDITIONS

Acceptable Bid for Site work
Clear Title

SEE NEXT PAGE INSTRUCTIONS

This Continuation of Commitment Conditions is made a part of this Commitment. Please sign and return Lender's COPY of this Commitment, along with any required fee and items requested, to the lender at the: above address following address, within _____ days of date hereof, or at the option of Lender, this commitment shall become null and void.
I (WE) hereby accept the terms and Conditions of this Commitment.

COMMITMENT ISSUED BY:

Authorized Signature _____ Date 3-17-05
207-344-6670

ADDRESS:

Applicant John Sargent _____ Date

Applicant Cynthia Sargent _____ Date

Applicant _____ Date

Applicant _____ Date

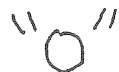
From: Marge Schmuckal
To: Ethan Boxer-Macomber
Date: 6/23/05 9:59:57 AM
Subject: Bay Street Development

Ethan,

I have reviewed the given subdivision plans. These properties are located within an R-3 zone. As far as developed all R-3 zone requirements are being met.

However, the envelopes are misleading. They are only showing 8' setbacks as a "minimum". The ordinance require 8' setbacks for a single story only. The notes should be adjusted to showing the R-3 setback zoning requirements as outlined within the R-3 Zone.

Marge Schmuckal
Zoning Administrator



Sec. 25-96. Required for nonresidential, two-family or multi-family development; exceptions.

Where a nonresidential, or a two-family or multi-family development requiring site plan approval abuts any accepted street and a sidewalk with granite curbing satisfactory to the public works authority has not already been provided, a sidewalk constructed of bituminous concrete, portland cement concrete, brick or other paving material and granite curbing shall be provided along the entire street frontage of the lot. If either a sidewalk or curbing, but not both, shall exist at such location which is satisfactory to the public works authority, only a sidewalk or curbing, as the case may be, shall be provided. In either case, such sidewalk and curbing shall be constructed in accordance with the specifications and to the satisfaction of the public works authority at no cost to the city. In conjunction with major site plan review, the planning board, or with minor site plan review, the planning authority, may waive or modify the requirements contained herein upon a like finding and on the same terms and conditions as set forth in section 14-506(b) of this Code.

Sec.14 -506 (b) Modifications.

(b) Where the planning board or planning authority finds that, for each of the requirements listed below, two or more of the conditions exist with respect to compliance with the requirements set forth in sections 14-498 and 14-499 pertaining to the provision and construction of curbs and/or sidewalks, it may vary the regulations so that substantial justice may be done and the public interest secured:

Sidewalks-

1. There is no reasonable expectation for pedestrian usage coming from, going to and traversing the site.
2. There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of a pedestrian oriented infrastructure.
3. A safe alternative-walking route is reasonably available, for example, by way of a sidewalk on the other side of the street.
4. The reconstruction of the street is specifically identified in the first or second year of the current Capital Improvement Program.
5. The street has been constructed or reconstructed without sidewalks within the last 24 months.
6. Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.

Curbing-

1. The cost to construct the curbing, including any applicable street opening fees, is in excess of 5% of the overall project cost
2. The street is scheduled for major reconstruction as a component of the Capital Improvement Program.
3. The street has been rehabilitated without curbing in the last 60 months.
4. Strict adherence to the curb requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.
5. Runoff from the development site or within the street does not require curbing for

stormwater management.

In no event shall the waiver have the effect of creating potentially hazardous vehicle and pedestrian conflict or nullifying the intent and purpose and policies of the land development plan relating to transportation and pedestrian infrastructure and the regulations of this article.

At its discretion, the planning authority may refer any petition for a waiver from the curb and sidewalk requirement to the planning board for decision.

**COMMENTS RE: APPLICATION OF JOHN SARGENT
FROM BAY VILLAGE ASSOCIATION**

Chair and Members of the Planning Board:

Thank you for this opportunity to speak with you about the Sargent application to increase the undeveloped lots from 3 to 4 (with a total of 5 lots, including the developed lot fronting on Read Street).

I am here strictly in my private capacity as an abutting property owner and President of Bay Village Association which is significantly impacted by this proposal. I am not here in any capacity as a city employee.

First, let me raise two notice issues. Bay Village was aware in 2003 that Mr. Sargent had filed an application for approval to construct Bay Street Extension. Actual approval of that application, however, was granted without any opportunity for input or prior notice to Bay Village. Secondly, notice of today's meeting was postmarked May 18, and most of us received the notice either in the evening of May 19, or not until May 20. There was no time to provide any comments prior to the Planning Staff Memo to you, and lack of comment should not be construed to be lack of concern. The mailing of notice on May 18 for a May 24 workshop does not comply with the requirement in section 14-32 that notice be mailed 7 days in advance of the workshop or hearing date.

As I noted, I am here as a resident and officer of Bay Village Association. We want to make it clear to you that this proposal will have a significant impact upon our Association. We are a small association, consisting of 10 townhouse units in a total of 4 buildings. The proposed road will cut our Association exactly in half, with two buildings on one side of the road and two buildings on the other side. It will also require the removal of several 20+ year old trees which were planted by the association developers back in the early 1980's and the loss of a substantial part of the Association's back yard.

Currently, there is a small paved area from Bay Street Extension which is, in effect, part of our parking lot. It is the area we have always designated as visitor parking. It is also the area we put our cars in the winter in order to permit plowing of our parking lot. Thus, loss of this area for these uses impacts us adversely.

More importantly, however, is the separation of our Association into two parts by this proposed road, along with the loss of the trees and grass which are currently part of our Association grounds. Our Association was specifically designed to take advantage of its one amenity - its location. None of the buildings have first floor windows looking out on the parking lot. Rather, all of the units are designed to look out into the back yard, i.e. into the woods that currently exist in this area. We all have triple patio doors on the first floor, and when you walk into my unit, for example, which is a middle unit and has no side windows, the back woods are what you see from the front entrance. It will be a

Q1

great loss in value for the unit to be looking instead at the side of someone's garage or house.

Finally, this area in back and to the side of our Association is one of the significant open spaces in Portland, and it is filled with wet areas, including a large marsh on one side of the Association. I note that the Planner has identified wetlands as an issue to be addressed by the developer. This should include the impact of the development on the entire area, including the marsh located within a few hundred feet of the subdivision as well as the wet areas which run through the development area itself.

All of these adverse impacts can be avoided by one simple change in this proposal: the developer should be required to build the road from the existing Bay Street side, rather than from the Glengarden Street side. My understanding is that Public Works will require him to do substantial work on the Bay Street end in connection with sewer and storm drains. He will be blasting in this area to meet those requirements. It is reasonable that all of the related street development be done in this area rather than building the street itself on the opposite side of the subdivision, where it will cause such adverse impacts on our condominium association. The lots bounding the end of Bay Street are not currently developed and would not be negatively impacted by construction of the street. If this subdivision is ultimately approved, I ask that you consider making it a condition of approval that he extend the street from the Bay Street side, not from Glengarden, through the Bay Village Association.

An additional concern that the Association has in adding a lot to the subdivision is that the survey presented shows that the lots are exactly the required 65 feet. If this survey is off at all, then the ordinance standards for the lot size are not met. The Association is in the process of contacting surveyors to see if we can verify the accuracy of the survey before you, and what the cost would be to do such a survey. As noted, we are a small group of homeowners and do not have unlimited financial resources. At minimum, we request that you postpone any final action on this application until we have had time to consider this option.

Finally, we ask that, if you approve this subdivision, that you make it a condition of that approval that the applicant provide a substantial buffer of trees in the back and along the sides of Bay Village Association as part of any development of the lots. This is only fair given the loss of trees from our property, and will maintain some of the original integrity of the property which we all thought we were acquiring when we purchased our condominiums.

Respectfully submitted:

Elizabeth Boynton
President, Bay Village Association

QZ

From: "Lisa Joyce" <ljoyce@maine.rr.com>
To: <ebm@portlandmaine.gov>
Date: 6/24/05 12:13:54 PM
Subject: Bay Street Project

Ethan,

I am writing to you to express my concerns about the above referenced project. My interest in this project is as a neighbor. I own and have owned property at 121 Bay Street Extension for the past 20 years. I have three major concerns and they are as follows:

1. **Underground Utilities.** Mr Gray at our recent neighborhood meeting informed us that he was given a waiver by the City and not required to install underground utilities for this development. I have a hard time understanding this as our development is 20 years old and has underground utilities. I would ask the Planning Board to revisit this waiver and require that underground utilities be installed.
2. **Completion/Performance Bond.** I would request assurance from the Planning Board/City that a completion/performance bond be required for this project. The developer has a history of noncompliance with City regulations on this parcel of land.
3. **Reconstruction of Glengarden Street/Bay Street Extension.** I would like to know when this street is scheduled for reconstruction. The street is barely passable at present and the introduction of construction vehicles will only hasten the collapse of the road. In the past year we have made numerous (5 plus) calls to Public Works to request that at least the potholes get filled and each time we are promised that it will happen, so far no one has shown up and the potholes are worse than ever.

Sincerely,

Lisa M. Joyce
121 Bay St Ext. Unit #8
Portland, Maine 04103




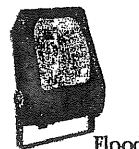

CC: <cl@portlandmaine.gov>, <jayjr@portlandmaine.gov>

Q3






Outdoor Lighting

CMP LIST

Area and Street Lights

FIXTURE TYPE	LAMP TYPE	LAMP WATTS	RATED LUMENS	COMMENTS
 Open Light	HPS	70	5,670	Great for general lighting needs for business and homes, including roadside businesses and suburban or rural homes and yards.
 Mongoose	HPS	250	25,600	Best for roadways and parking lots, and where light trespass could be a problem. Vector Series can be set back up to 50' from the area being illuminated.
	HPS	400	45,000	
	MH	250	17,000	
	MH	400	28,800	
 Decashield	HPS	70	5,670	Good for roadways and areas that are wider than they are long. Underground electric service required. Commonly used for parking and auto lots.
	HPS	150	14,400	
	HPS	250	25,600	
	HPS	400	45,000	
	MH	175	10,500	
	MH	250	17,000	
	MH	400	28,800	
 Flood	HPS	150	14,400	Ideal for parking lots, building security, building facades, storage yards, and other areas needing directional lighting.
	HPS	250	25,600	
	HPS	400	45,000	
	HPS	1000	126,000	
	MH	175	10,500	
	MH	250	17,000	
	MH	400	28,800	
 Cutoff Luminaire	HPS	50	3,600	Best for roadways and parking lots, and where light trespass could be a problem.
	HPS	70	5,670	
	HPS	100	8,550	
	HPS	150	14,400	
	HPS	250	25,600	
	HPS	400	45,000	
	MH	175	10,500	
	MH	250	17,000	
	MH	400	28,800	

Decorative Options

 Town & Country	HPS	100	8,550	Classic "colonial" design with modern street light performance. Requires underground electric service.
	HPS	150	14,400	
	MH	175	10,500	
 Hallbrook	HPS	70	5,670	Sleekly styled luminaire designed to meet the aesthetic and architectural qualities desired in decorative street and area lighting. Requires underground electric service.
	HPS	100	8,550	
	HPS	150	14,400	
	MH	70	4,000	
	MH	100	8,550	
	MH	175	10,500	
 Radial Wave	HPS	50	3,600	The ornamental radial wave fixture recaptures a tradition from decades ago. Note: Ability to attach to standard wood utility pole.
	HPS	70	5,670	
	HPS	100	8,550	
	HPS	150	14,400	
 Esplanade	HPS	70	5,670	Styling from early in this century, with precision optical system for modern street lighting performance. Seventy watt MH available for for a smaller sized pedestrian version of this style. Requires underground electric service; ability to attach to standard wood utility pole.
	HPS	150	14,400	
	HPS	250	25,600	
	HPS	400	45,000	
	MH	70	4,000	
	MH	175	10,500	
	MH	250	17,000	
 Granville	HPS	70	5,670	Combines a distinctive architectural heritage with high design standards and prismatic light control for maximum efficiency. Available with or without 5' finial. Requires underground electric service.
	HPS	100	8,550	
	HPS	150	14,400	
	MH	70	4,000	
	MH	100	8,550	

HPS = High Pressure Sodium MH = Metal Halide

RI

Outdoor Lighting

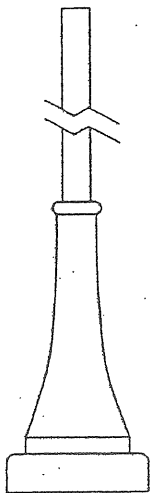
We have a wide variety of outdoor lighting fixture options to choose from. A CMP Customer Service Advisor can help you select the best lighting fixtures for your needs. Fixture installation and maintenance is included in monthly lease price.

Call 1-800-649-1169 to get in touch with the CMP Customer Service Advisor for your area.

Which area or street light is right for your application (non decorative fixtures)?

	Open HPS	Mongoose Vector HPS	Mongoose Vector MH	Mongoose Close In HPS	Mongoose Close In MH	Decashield HPS	Decashield MH	Flood HPS	Flood MH	Cutoff HPS	Cutoff MH
Residential Security	X							X	X	X	
Commercial Security	X	X	X	X	X			X	X	X	X
Roadways	X	X	X	X	X					X	X
Parking Lots	X	X	X	X	X	X	X	X	X	X	X
Auto Sales Lots			X		X		X		X		X
Building Façades		X	X					X	X		
Walkways	X			X	X	X	X			X	X
Barnyards	X							X	X		
Outside Rec Areas	X					X	X	X	X		

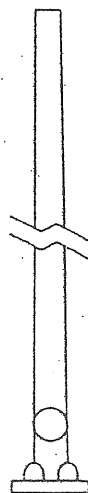
Pole options: We also have a variety of poles to create just the look you desire.



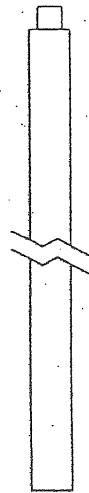
Hallbrook



Salem



Tapered



Laminated

Decorative pole options:

Hallbrook pole (black or dark green) 12', 15', or 18', with or without base cover, single or twin for use with Esplanade, or Hallbrook luminaires.

Salem Series aluminum pole (black or dark green) 8', 10', or 12' for use with Granville, or Town and Country luminaires.

Basic pole options:

Tapered aluminum pole (black or dark green) 8', 10', or 12' for use with Granville, or Town and Country luminaires.

Laminated wood pole, 20' or 36', for use with Town and Country luminaires.



Central Maine Power

www.cmpco.com

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 2, 2005

Dear Neighbor:

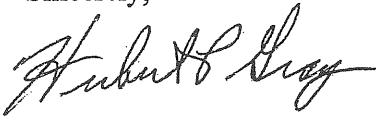
Please join us for a neighborhood meeting to discuss John Sargent's plans for four new house lots at 103, 106, 107 and 113 Bay Street, which includes two hundred and seventy six (276.00') feet of new road in front of the above properties.

The meeting will be held on Wednesday, June 15, 2005 at the Rec Room, Loyola Hall, Cheverus High School at 271 Ocean Avenue, Portland, Maine at 7:00 PM.

If you have any questions, please call:

John Sargent – 773-0660
Herbert P. Gray – 767-1861

Sincerely,



Herbert P. Gray, P.E. – Agent
for John Sargent
103 Read Street
Portland, Maine 04103

NOTE:

Under Section 14-32 (C) of the City Code of Ordinances, an applicant for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal.

L2

START 6:45 PM - 8:15 PM
JUNE 15, 2005

NEIGHBORHOOD MEETING
BAY STREET EXTENSION
SIGN UP SHEET

<u>NAME</u>	<u>ADDRESS</u>
Hubert O Gray	3 Park Engineer
John P Sargent Sr	103 READ ST. PTD.
KEITH CRAIG	43 BAY ST PTD.
Dorothy Berte	70 Torrey St. Ptd.
Elizabeth Boynton	121 Bay St Ext #7
Claire Sutton	121 Bay ST. Ext #10
Sylvia O'Connell	121 " " " #2
Diana L. Foley	" " " #5
Peter Mullen	
Francena Robert	46 Bay 318 Campbells Pond Rd W. Beth 0453

**MINUTES OF THE
NEIGHBORHOOD MEETING
BAY STREET EXTENSION**

The neighborhood meeting was held on Wednesday, June 15, 2005 at the Rec Room, Loyola Hall, Cheverus High School at 271 Ocean Avenue, Portland, Maine. The meeting started at 6:45 PM and finished around 8:15 PM.

The following topics were discussed by those who attended:

1. Herbert P. Gray, P.E. – explained the subdivision and the lots available.

Note: The removal of existing trees in the condo area was a concern of the people attending. Of the 5 existing trees between the condo buildings only 2 trees would be removed by the road extension.

2. A question and answer session followed and the following is a list of the Questions asked and the answers given:

Q. Where is the new road starting from?

A. Extending the road ROW from the Bay Village Condo area.

Q. What would happen to the wetland area at the end of the condominium property?

A. An explanation of Mark Hampton's, C.S.S., L.S.E. findings was explained by Herbert P. Gray, P.E.. Mark Hampton's letter was read aloud and circulated among attendants explaining his findings.

Q. What about Maietta Construction's estimate to do the project?

A. An explanation of the estimate was given. Explained why continuing the road from the Condo area would cost only \$160K while extending the road from Bay Street was estimated at \$311,700. The main reason was building 248 feet of road plus the 195 feet of road to the end of the proposed lots with ledge and blasting required.

Q. When would construction begin?

A. Estimated start of construction within one month after the Planning Board meeting scheduled for 6/28/05.

Q. How much heavy equipment will be used?

Q. Would the surrounding roads handle the heavy loads?

A. To the best of my knowledge standard equipment will be used and the existing roads should be sufficient.

Q. How much construction traffic is estimated?

A. Efficient use of equipment is required for Contractor to make money on this project. A tentative order of events were given. First step would be to clear ROW, install underdrains, extend the water line, then stabilize the road base, etc.

(For John Sargent) Q. What is the property owners intent in selling lots?

A. Owner stated he wanted to build on one of the new lots and sell the remaining lots.

Q. What lighting was required?

A. Explained the replacing of the pole in the Condo area and installing another light pole between Lot #1 and the Gullickson property. Two types proposed – Town & Country Lights or Cobra Lights.

Q. Where is blasting required in the project?

A. Estimated to be at the end of Bay Street and nothing near the Condominium area.

Q. Is the DEP certificate required by the Planning Board meeting on 6/28/05?

A. No. The Planning Board could approve the plans upon a condition of DEP approval.

Q. Abutters would like construction to start on the Southerly end of subdivision, would the Contractor start there?

A. Owner and Engineer would ask Maietta to start there but could not guarantee.

- Q. Is underground wiring required?
- A. No. Underground wiring is more expensive and is not required by the City since no other underground wiring is in the street.
- Q. What is the new speed limit for the proposed street?
- A. Estimated at 25 MPH – owner does not anticipate a lot of traffic, at the most 2 cars per lot.
- Q. Would the survey be shared with condo owners?
- A. Plans used in presentation were given to those requesting one.
- Q. Would abutters be notified when blasting starts?
- A. Engineer stated the City of Portland has strict rules and regulations on blasting and everyone possibly affected would be notified.
- Q. Is there anything to prevent the proposed road, after it is built, from extending to existing Bay Street?
- A. No. The extension of our proposed street would have to be paid for by other property owners affected, not by John Sargent.

CONCLUSION

Those attending the meeting would like to see Bay Street remain a dead end road with the one hundred feet (100.00') of road right-of-way within the Bay Village Condominium area to be discontinued. Those attending would like to see the proposed road start from the end of Bay Street and end at the rear property line of Bay Village Condominiums with a turnaround.

Memorandum

Department of Planning and Development
Planning Division



To: Chair Lowry and Members of the Portland Planning Board
From: Ethan Boxer-Macomber, Planner
Date: September 23, 2005
Re: September 27, 2005 Public Hearing (Unfinished Business)
Bay Street Subdivision Application

A September 27, 2005 Public Hearing has been scheduled for the Planning Board to consider unfinished business regarding the above referenced application.

I. PROJECT SUMMARY

Applicant: John and Cynthia Sargent
103 Read Street
Portland, ME 04103

Site Location: 103-115 Bay Street Extension

CBL#: 141J014, 141J003, 155D027, and 155D028

Development Proposal: Redrawing of lot lines on the subject parcels so as to convert four residential lots into five. Four of the proposed lots have frontage on a platted but undeveloped, unaccepted section of Bay Street Extension. One of the proposed lots has frontage on Read Street and is currently developed.

Zoning: R3

Land Area: Approximately 60,877 Sq. Ft. (1.4-Acres)

I. PROJECT BACKGROUND AND UPDATE

At a July 26, 2005 Public Hearing, the Planning Board considered the above referenced application based on plans and materials submitted and information contained in Planning Board Report #40-05 (Attached). At the July 26, 2005 public hearing, the Board tabled the item to a date certain so that applicant could have more time to address outstanding concerns including:

1. Applicant's financial capacity to complete the project

As of this writing, no new information has been presented to support the applicant's financial capacity. Staff will remind the applicant of the Board's requirement and hopes that more information may be available at the Public Hearing.

2. Adequacy of the proposed streetscape design and stormwater management plan

Revised plans have been submitted but were not available in reduced form as of this writing. Staff will provide the Board with the applicant's revised plans, along with an overview of those plans, at the Public Hearing.

The applicant's revised plans were prepared after follow up meetings with the City's consulting civil engineer, Jim Seymour, and the City Engineer, Eric LaBelle. After reviewing the revised plans, Mr. Seymour issued a September 16, 2005 memo which outlines continued concerns over the proposed design (Attachment D). These concerns will also be outlined for the Board at the Public Hearing. Staff recommends a condition of approval as follows:

The applicant shall revise plans so as to address concerns outlined in a September 16, 2005 memo prepared by Jim Seymour P.E., subject to final review and approval by the Planning Authority.

3. The expected fate of various trees located within the Bay Street R.O.W. to the N.W. of the site toward Bay Village Condominiums

Staff anticipates that 4-5 mature trees planted in the Bay Street right of way and maintained by the Bay Village Condominium Association (BVCA) will be destroyed with the proposed roadway extension, which is of concern to BVCA residents. The applicant asserts that some of these trees will be saved but no tree save plan or revised survey information has been presented. The applicant has been asked to address this matter at the Public Hearing.

4. Final Zoning Determination by the Zoning administrator

The final zoning determination letter on the proposed project will be submitted to the Board at the Public Hearing.

5. DEP Wetland Fill Permitting

The applicant has been granted this permit (Attachment A).

6. Sidewalk Waiver Request

The Board requested that the applicant submit a justification statement in support of the proposed sidewalk waiver so as to demonstrate compliance with §14-506(b). The applicant has submitted a response letter (Attachment B). Staff will provide the Board with a sidewalk waiver motion to consider.

7. Underground Utilities Waiver Request

In an August 30, 2005 letter, the applicant has requested that the Planning Board waive the requirement for underground utilities (Attachment C). The City Engineer has advised against the granting of this waiver, but ultimate authority is with the Planning Board. Staff will include a proposed motion for the Board to consider.

II. REVISED MOTION FOR THE BOARD TO CONSIDER

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #40-05 relevant to standards for subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Potential Conditions of Approval:

- i. The applicant shall revise plans so as to address concerns outlined in a September 16, 2005 memo prepared by Jim Seymour P.E., subject to final review and approval by the Planning Authority.
 - ii. The applicant shall present turn around easements for final review and approval by Corporation Council.
 - iii. The applicant shall amend the plan to eliminate all overhead electric service and instead provide underground electric service to the proposed subdivision in conformance with §14-499(h).
 - iv. The applicant shall prepare and record a subdivision plat subject to final review and approval by the Planning Authority and Corporation Counsel.
2. That the Planning Board grants the applicant his request under §14-506(b) for a waiver of sidewalk requirements on the South side of Bay Street.
 3. That the Planning Board grants the applicant his request under §14499 (h) for a waiver of the underground electric utility technical requirement of the subdivision ordinance.

III. ATTACHMENTS

- A. DEP Tier I Wetland Fill Permit
- B. Sidewalk Waiver Request Letter
- C. Underground Utilities Waiver Request Letter
- D. September 16, 2005 Engineering Review Memo



IN THE MATTER OF

JOHN P. SARGENT
Portland, Cumberland County
BAY STREET EXTENSION
L-22482-TC-A-N (approval)

) NATURAL RESOURCES PROTECTION ACT
) FRESHWATER WETLAND ALTERATION
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

Project Description: The applicant proposes to fill 10,960 square feet of forested freshwater wetland as part of the extension of Bay Street to access four house lots. The proposed project is located on Bay Street in the City of Portland and is shown on a set of plans entitled "Bay Street Extension, Bay Street, Portland, Maine, John Sargent", prepared by Herbert Gray, and dated March 4, 2005. The applicant proposes to construct Bay Street in accordance with the City of Portland standards. Wetland impacts have been avoided and minimized to the extent possible, as only the existing road right-of-way will be filled. The Department finds that the proposed project design is the least environmentally damaging practicable alternative that meets the project purpose.

Permit for:	<input checked="" type="checkbox"/> Tier 1
DEP Decision:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied (see attached letter)
CORPS Action:	<input checked="" type="checkbox"/> The Corps has been notified of your application. The following are subject to Federal screening: (1) projects with previously authorized or unauthorized work, in combination with a Tier 1 permit for a single and complete project, which total more than 15,000 square feet of altered area; (2) projects with multiple state permits and/or state exemptions which apply to a single and complete project that total more than 15,000 square feet of altered area; and (3) projects that may impact a vernal pool, as determined by the State of Maine or the Corps. If your activity is listed above, <i>Corps approval is required for your project.</i> For information regarding the status of your application contact the Corps' Maine Project Office at 623-8367.

Special Condition: No other wetland fill is authorized for this subdivision without prior Department approval.

Standard Conditions:

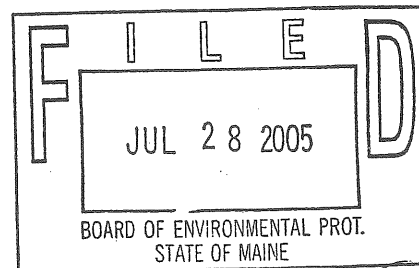
- 1) If construction or operation of the activity is not begun within two (2) years from the date signed, this permit shall lapse and the applicant shall reapply to the Department for a new permit. This permit is transferable only with prior approval from the Department. If the activity is associated with a larger project, starting any aspect of that project constitutes start of construction.
- 2) The project shall be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- 3) Properly installed erosion control measures shall be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- 4) A copy of this approval will be sent to the City of Portland. Department approval of your activity does not supersede or substitute the need for any necessary local approvals.

Please note the attached sheet for guidance on appeal procedures.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.


DAWN R. GALLAGHER, COMMISSIONER

7/27/05
DATE



Date of initial application June 26, 2005
Date application accepted for processing July 11, 2005
Date filed with Board of Environmental Protection
BC/ATS#55767/L22482AN

AI



NATURAL RESOURCE PROTECTION ACT (NRPA) STANDARD CONDITIONS

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. **Approval of Variations From Plans.** The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. **Compliance With All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. **Erosion Control.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. **Compliance With Conditions.** Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. **Initiation of Activity Within Two Years.** If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years form the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. **Reexamination After Five Years.** If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. **No Construction Equipment Below High Water.** No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. **Permit Included In Contract Bids.** A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. **Permit Shown To Contractor.** Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

A2

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 8, 2005

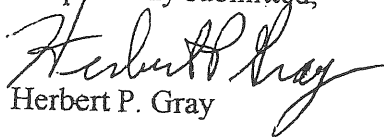
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

John Sargent requests a sidewalk waiver for the South Westerly side of Bay Street Extension. There is no reasonable expectation for pedestrian useage coming from, going to and traversing that side of Bay Street Extension as there are no sidewalks on either side of Bay Street from Ocean Street to Glengarden Street. A safe alternative-walking route is reasonably available by way of a sidewalk on the other side of the proposed street.

Respectfully submitted,


Herbert P. Gray

(B)

Herbert P. Gray
Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

August 30, 2005

Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

John Sargent requests a waiver for installing underground electrical services for the proposed development.

Eric Label, City Engineer, has no plans to install underground electrical services when the City rebuilds approximately fourteen hundred feet of Bay Street from Ocean Street to Glengarden Street.

The additional cost for underground services is approximately \$15,000.00.

Respectfully submitted,


Herbert P. Gray

(C)



05P054

TO: Ethan Boxer-Macomber – Planner
FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.
RE: Bay Street Extension Subdivision – John Sargent
DATE: September 16, 2005

Sebago Technics has reviewed the 2nd revised Bay Street Extension Subdivision plan submittal for John Sargent from Herb Gray Consulting Engineer dated August 31, 2005. We had met with the applicant along with Public Works to resolve the final design issues. Although the project has cost impacts with wetland filling, some ledge removal, potential groundwater flows, and connectivity issues with access and utilities, Public Works and the consultant agreed to certain conditions to both address immediate concerns and assist the City with long term design off Bay St. Unfortunately, after reviewing this submittal these concerns, some of these items still need to be accounted for on the plans, or within the application. We have listed the following for your consideration:

1. Stormwater Management

- A. The information submitted addresses our concerns and with outlet control. Although the stormwater calculations indicate a very slight increase, this is conservative because the calculations account for a 32-foot wide road and not the 28-foot wide as shown. Therefore given the reduction in pavement there will likely be a slight reduction in the peak rates of runoff. We believe no further improvements that are feasible can be accomplished without great costs, or loss of a lot or lots. And based on the Public Works concerns for lack of maintenance on detention systems, which connect to City infrastructure, the construction of the flow restriction achieves the results to lessen capacity in the existing combined system for other flows entering further down on Bay St.

2. Road Construction

- A. The applicant was required to extend granite curbing to the end of Bay view to the intersection of Glen Garden Street as discussed with the Public Works engineer. We allowed for the reduction of pavement width from 32 to 28 feet and requested that the design install new curbing to align the new street width from the Glen Garden St, end to the end of the paving associated with designed portion of Bay St. with this project. We and the City Engineer agree that the natural location to terminate

DI

Bay St. Extension. Subdivision

-2-

September 13, 2005

the curbing is at the driveway cut and corner of Glen Garden St, and to extend the utilities to the edge of where Bay St has been City accepted and with future CIP work the City will install catch basins and pick up the necessary infrastructure at that location when it will rebuild the street.

Per discussions with the City Engineer, Public Works staff, and the Project Engineer, the desired solution with use flow restrictive devices within the last drain manhole to purposely back runoff in the drains and allow it a slower release into the combined system, until such time as the City separates Bay St and then the restriction could come out and the drain could free flow. The engineer has not submitted supporting calculations, to accommodate this effort.

- B. Foundation drains are to be connected to a storm drain main with a backflow preventer/valve.
- C. The 10-inch culvert shown capped at Lot 4 shall be directed in a different angle to be designed as an inlet for offsite runoff, to be set on the property line of Lot 4 in the middle of the abandoned ROW.

5. General

- A. A final subdivision plan will need to be generated showing standard street cross section as proposed, City notes/requirements per construction and subdivision standards, and delineate and set proposed street monumentation per City standards. The cross section and more notes may still be needed on the Definitive (Recording) Plan please coordinate with the Planner for proper standard notes and plan requirements.
- B. A few details are still needed and are listed below:
 - Sewer saddle connections
 - Pavement butt joint
 - Handicap ramp detail.

We have met with the project engineer to discuss the construction cost feasibility due to the low number of lots but tremendous impacts associated with the road and drainage infrastructure. We have reviewed all of the utility and drainage issues involved and agreed to the solutions listed above. We along with Public Work's Engineers feel that the flow restriction of the drainage into the combined system as a short-term solution is acceptable, and when the City reconstructs and separates the sanitary and storm drains the connections can be easily reworked to conform to the City's long-term plans. Most of these are technical issues that can be addressed. The current plan as presented does not accurately show the solutions necessary to address the City's request for street alignment, curb placement, and evidence of stormwater calculations. Once the above is shown and complete the project will obtain our complete endorsement. Please contact our office with any questions.

JS:js

D2

PLANNING BOARD REPORT #40-05

**BAY STREET 5-LOT RESIDENTIAL SUBDIVISION
VICINITY OF 103-115 BAY STREET**

SUBDIVISION REVIEW

JOHN SARGENT, APPLICANT

Submitted to:
Portland Planning Board
Portland, Maine

Submitted by:
Ethan Boxer-Macomber, Planner

June 22, 2005

A June 28, 2005 Public Hearing has been scheduled for the Planning Board to consider the above referenced application.

I. PROJECT SUMMARY

Applicant: John and Cynthia Sargent
103 Read Street
Portland, ME 04103

Site Location: 103-115 Bay Street Extension

CBL#: 141J014, 141J003, 155D027, and 155D028

Development Proposal: Redrawing of lot lines on the subject parcels so as to convert four residential lots into five. Four of the proposed lots are currently vacant and have frontage on an accepted but undeveloped portion of Bay Street. One of the proposed lots has frontage on Read Street and is the current residence of the applicant.

Zoning: R3

Land Area: Approximately 60,877 Sq. Ft. (1.4-Acres)

II. PROJECT BACKGROUND & DESCRIPTION

The subject site is situated on an undeveloped portion of Bay Street (Attachment F). The applicant proposes to create 5 single-family house lots in conformance with R3 zoning and the standards of the subdivision ordinance. The subject section of Bay Street is an accepted, undeveloped street.

The applicant had previously applied for and was granted administrative approval to construct the City street under the provisions of §14-403 in order to access three existing lots of record. The City Engineer required the project to include separated storm and sewer lines along an approximately 240 foot undeveloped portion of Bay Street on which the applicant does not have frontage and does not propose to construct the street. Because of extensive ledge in the area, this requirement drove project costs up significantly and the applicant abandoned the project. With the creation of the fifth lot now proposed, the applicant feels he can cover the road costs.

By redrawing parcel lines and creating five new lots of record (Attachment S), the applicant's project requires subdivision review by the Planning Board.

III. PUBLIC OUTREACH AND RESPONSE

Upon receipt of the subject site plan application staff noticed property owners within 500 feet of the site and placed an ad in the *Portland Press Herald* newspaper in accordance with the requirements of the site plan ordinance. Prior to the May 24, 2005 workshop and the June 28, 2005 public hearing the project was again noticed in the same manner.

The applicant held a required neighborhood meeting on June 15, 2005 and has provided required documentation (Attachment L).

As of the date of this report, staff has received two written communications related to the project, both from residents of the Bay Village Condominiums (Attachment Q).

IV. SUBDIVISION

1. Water and Air Pollution §14-497(a)(1)

The propose project is not anticipated to have any adverse effect on water or air quality.

2. Water Capacity and Supply §14-497(a)(2-3)

The applicant has presented a capacity letter from the Portland Water District (Attachment H).

3. Soil Erosion §14-497(a)(4)

The applicant's erosion control plan is limited to hay bale barrier and silt fence typical details (Attachment N4) The applicant should be required to present a more detailed erosion control plan consistent with State of Maine best management practices subject to final review and approval by the City's consulting development review engineer (see proposed condition of approval below).

4. Traffic §14-497(a)(5)

The proposed project could potentially result in four (4) additional single-family homes on Bay Street. While access to the site may ultimately be provided from the West via Glengarden Road or from the East via Bay Street, no significant traffic impacts are anticipated under either scenario.

5. Sanitary and Stormwater Capacity §14-497(a)(6)

The applicant has presented a sanitary sewer infrastructure capacity letter (Attachment G).

The City Engineer has reviewed the proposed project an has required the applicant to install separated sanitary and stormwater lines from the subject site to the East down the Bay Street right of way to the

point where the accepted portion of Bay Street currently ends. To the applicant, this means constructing approximately 240 feet of street infrastructure not fronting the proposed project. The City Engineer has indicated that the remainder of Bay Street will be separated in the future as part of the CSO program.

At staff's request the applicant has presented a sample lot grading plan (Attachment E). The City's DRC has reviewed this sample plan and found it lacking adequate topographic detail. The applicant should be required to revised the sample drainage plan to the satisfaction of the DRC (see proposed condition of approval).

6. Sewage and Solid Waste Disposal §14-497(a)(7)

Sewer capacity is addressed in section 5, above. The proposed residential house lots are proposed to front a City Street and would therefore receive City of Portland trash removal and recycling services.

7. Scenic Beauty §14-497(a)(8)

Staff finds the proposed project to be in conformance with this section.

8. Comprehensive Plan Conformance §14-497(a)(9)

The proposed project conforms to the goals and policies of the Comprehensive Plan.

9. Financial and Technical Capability §14-497(a)(10)

The applicant has presented a mortgage loan commitment in the amount of \$240,000 from the John E. Straeter Trust of Auburn, Maine.

10. Water Bodies Protection §14-497(a)(11)

The proposed project will not have any adverse impact on any water body.

11. Groundwater Quality §14-497(a)(12)

The proposed project will not have any impact on any water body.

12. Flood Zone §14-497(a)(13)

Staff has consulted current floor insurance maps and determined that the proposed project is not located within any flood prone are.

13. Wetlands §14-497(a)(14)

At staff's request the applicant conducted a wetland survey of the subject site in early June (Attachment F). The results of the wetland survey are depicted on the applicant's current topographic

survey (Attachment N2). The proposed development of Bay Street and a small portion of the proposed Lot 4 would require areas of wetland to be filled. Staff understands that the proposed wetland filling will require a Tier I NRPA fill permit from the Maine DEP. Staff understands that the applicant has submitted a Tier I application to the MDEP and is awaiting approval.

The project should be conditioned on the issuance of the Tier I permit (see proposed condition of approval below).

14. Rivers, Streams, Brooks

§14-497(a)(15)

The proposed project is in conformance with this section.

15. Subdivision Technical and Design Standards

§14-498

Street Plan / Design

The proposed street is 32 feet in width so as to match existing street width. The 32-foot street width has been reviewed and approved by the City Engineer.

The proposed plan calls for access to the site to be provided via Glengarden Street to the East. The proposed street would extend along the whole of the applicant's frontage and end with a hammer-head turn around provide on Lot 1 as per City standards (Attachment N).

At the May 24, 2005 workshop, residents of the Bay Village Condominiums expressed concerns about negative impacts that the proposed project would have on their development. Those resident asked that the Board consider requiring the applicant to provide access via Bay Street to the East so as to lessen some of these impacts (Attachment Q1&2).

At the May 24, 2005 workshop the Board requested that the applicant provide a comparative cost analysis between the two possible access routes. The applicant presented a cost comparison (Attachment J). Staff has reviewed this cost analysis and is concerned that it may not provide enough detail to adequately inform the Board's decision in this matter. Staff will request that the applicant prepare additional analysis in advance of the June 28, 2005 public hearing and that the applicant's engineer be present to answer any questions the Board may have. Planning Division staff has also requested that the City Engineer review the competitive cost estimates and develop a recommendation for the Board. That recommendation will also be presented at the June 24, 2005 public hearing.

Curb and Sidewalk

Granite curbing is proposed on both sides of the proposed street. The applicant proposes a five-foot wide sidewalk on the North side of Bay Street.

The applicant has requested a sidewalk waiver for the South side of the street (Attachment D). When the subject application was considered under §14-403 review in 2003 the City Engineer granted the applicant this waiver. Whereas the application is now under subdivision review, the Board will need

to make this determination. City Code §14-506(b) outlines criteria for the Planning Board to follow in considering the applicant's sidewalk waiver request (Attachment P).

Street Trees/ Esplanade

The applicant proposes a 6-foot esplanade and a five-foot wide sidewalk on the North side of the street. Street trees are provided in the esplanade. Street tree species selection was made in coordination with the City Arborist.

Street Lighting

The applicant proposes a single pole mounted "cobra head" style streetlight. Public Works and the Planning Division have generally discouraged this fixture style. A more pedestrian scaled light may be more appropriate for the proposed residential subdivision such as CMP's "Town and Country" model or similar (Attachment R) (see proposed condition of approval below).

Easements

The proposed subdivision features no existing and only one proposed easement. A hammer-head turn round easement is proposed to be conveyed to the City of Portland on Lot 1. As of the date of this report the applicant had not submitted any easement language for review. Staff recommends that final review and approval of the turn around easement be complete by Corporation Council as a condition of approval (see proposed condition of approval below).

16. Required Improvements

§14-499

City Code §14-499(h) requires that "all utility lines shall be placed underground unless otherwise approved by the Planning Board". At the May 24, 2005 workshop the City Engineer presented a recommendation that the applicant should be allowed to run overhead power based on an understanding that all existing portions of the street were currently services in the same manner. After neighborhood responses and further research it is now known that the Bay Village Condominiums to the West of the project feature underground electric at the point where the applicant proposes to continue the City Street. Based on this information, the City engineer has revised his recommendation. If the project is provided access from the West, via Glengarden Road, the applicant should be required to continue the existing underground service. If access is provided to the site from the East, via the existing portion of Bay Street, the applicant should be allowed to run overhead power, consistent with the rest of the street (see proposed condition of approval below).

17. Incomplete Engineering Review

As of the date of this staff report the City's consulting development review engineer's review memo had not been received. That memo will be presented to the Board at the June 28, 2005 public hearing possibly to include an amended proposed motion for the board to consider.

V. CONCLUSION AND RECOMMENDATION

Staff finds that, with the recommended conditions of approval imposed by the Board and satisfied by the applicant, the proposed project will be consistent with the R3 Zoning Ordinance and the standards of the Subdivision ordinance. Staff therefore recommends that the Planning Board approve the proposed motion.

After hearing final analysis on the comparative costs of constructing Bay Street from the East as opposed to West, the Board may wish to consider a condition of approval requiring the applicant to provide access from the East so as to minimize impacts on the Bay Village Condominiums.

VI. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #40-05 relevant to standards for subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Potential Conditions of Approval:

- i. The applicant shall submit a detailed erosion control plan in conformance with best management practices subject to final review and approval by the City's consulting development review engineer.
- ii. The applicant shall present an Tier I NRPA approval letter from the Maine DEP for the wetland fill proposed in conjunction with the project.
- iii. The applicant shall present turn around easements for final review and approval by Corporation Council.
- iv. The applicant shall amend the plans to replace the proposed "cobra head" style light fixture with a "Town and Country" fixture.
- v. The applicant shall amend the plan to eliminate all overhead electric service.
- vi. The applicant shall submit lot-by-lot grading plans and finished floor elevations for final review and approval by the DRC.
- vii. The applicant shall prepare a subdivision recording plat for final

review and approval by the Planning Authority and Corporation Council.


2. That the Planning Board grants the applicant his request for a waiver of sidewalk requirements on the South side of Bay Street.

VII. ATTACHMENTS

- A. Application
- B. Financial Capacity Letter
- C. Evidence of Right, Title, and Interest
- D. Request for Sidewalk Waiver
- E. Sample Lot Grading Plan
- F. Wetland Delineation Letter
- G. Wastewater Capacity Letter
- H. Water Capacity Letter
- I. Existing Vicinity Fire Hydrants
- J. Alternative Road Access Cost Analysis Letter
- K. Area Floodplain Map
- L. Neighborhood Meeting Documentation
- M. Tax Assessor's Map
- N. Subdivision Plans
- O. Zoning Determination Letter
- P. Sidewalk Waiver Policy §14-506(b)
- Q. Public Communications
- R. CMP Street Light Options
- S. Context Map

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: <u>9+30-12+06 BAY STREET EXTENSION</u> Zone: <u>R3</u>		
Total Square Footage of Proposed Structure:		Square Footage of Lot: Lot 1-11,631.78 sf Lot 2- 9996.36 sf. - Lot 3-10340.86 sf Lot 4 - 10,686.64 sf
Tax Assessor's Chart, Block & Lot: 141 J 3 Chart# Block# Lot# 155 D 27 155 D 28	Property owner's mailing address: 103 Read Street Portland, Maine 04103	Telephone #: 773-0660
Consultant/Agent, mailing address, phone # & contact person: Herbert P. Gray 111 Simmons Road South Portland, Maine 04106 Tel (207) 767-1861	Applicant's name, mailing address, telephone #/Fax#/Pager#: John Sargent 103 Read Street Portland, Maine 04103 Tel. (207) 773-0660	Project name: 9+30-12+06 Bay Street Extension
<p>Proposed Development (check all that apply)</p> <p><input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input checked="" type="checkbox"/> Subdivision (\$500.00) + amount of lots <u>4</u> (\$25.00 per lot) \$ <u>100.00</u> = \$600.00. <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____</p> <p>Major Development (more than 10,000 sq. ft.)</p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)</p> <p>Minor Site Plan Review</p> <p><input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)</p> <p>Plan Amendments</p> <p><input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)</p>		
		- Please see next page - 

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

John Sargent
103 Read Street
Portland, Maine 04103
Tel. (207) 773-0660

Submittals shall include (9) separate folded packets of the following:

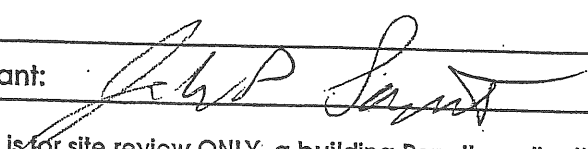
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, & c)
ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11) you may also visit the web site: ci.portland.me.us chapter 14

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

Signature of applicant:



Date: 17 MAR 05

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

(A2)

7671861

7671861

MORTGAGE LOAN COMMITMENT

Applicants: John Sargent
Cynthia Sargent
Prep my Address: 103 Reed St
Portland, ME 04102
Application No: sarcent

Lender: John E. Straator, Trust
269 Main Ave
Auburn, Me 04210

Date Prepared: 02/01/2005

It is a pleasure to notify you that your application for a first mortgage loan has been approved subject to the following matters set forth below. See Good Faith Estimate of Settlement Charges for any related closing costs.

AMOUNT, TERMS AND FEES			
Amount of Loan:	240,000	Contract Interest Rate:	12.000 %
Term:	12	LTV:	52.358 %
		Commitment Expires:	01/01/06
		CLTV:	52.358 %

Above mentioned lender has already committed to this loan amount and has put a \$75,000 deposit at Bay Area Title Company for closing costs, other engineering and administrative costs to be decided upon board approval.

EVIDENCE OF TITLE

The following Evidence of Title is to be provided to the Lender and must indicate no liens, encumbrances, or any adverse covenants or conditions to this unless approved by Lender. The Evidence of Title must be issued from a firm or source, and in a form, acceptable to Lender.

Warranty

Borrower will be charged for the cost of providing such title and the cost of recording documents, all of which will be ordered by Lender unless requested otherwise.

ADDITIONAL REQUIRED ITEMS OR CONDITIONS

A acceptable Bid for Site work
Clear Title

SEE NEXT PAGE INSTRUCTIONS

This Continuation of Commitment Conditions is made a part of this Commitment. Please sign and return Lender's COPY of this Commitment, along with any required fee and items requested, to the lender at the: above address following address, WITHIN _____ days of date hereof, or at the option of Lender, this commitment shall become null and void.

I (WE) hereby accept the terms and Conditions of this Commitment.

COMMITMENT ISSUED BY: _____ ADDRESS: _____

[Signature] _____
Authorized Signature Date *3-17-05*

Applicant John Sargent Date _____ Applicant Cynthia Sargent Date _____

Applicant _____ Date _____ Applicant _____ Date _____

B

MAINE REAL ESTATE TAX PAID

019007

DAY 10 JEGUUIJ

9105/15

WARRANTY DEED - SHORT FORM

KNOW ALL MEN BY THESE PRESENTS THAT WE, EILEEN V. WARD and DONALD J. WARD, of Portland, County of Cumberland and State of Maine, THOMAS F. WARD of Augusta, County of Kennebec and State of Maine, VALORA A. BAKER of Falmouth, County of Cumberland and State of Maine, JOHN M WARD of New Gloucester, County of Cumberland and State of Maine and JAMES E. WARD of Poland, County of Androscoggin and State of Maine, for valuable consideration received, hereby grant to JOHN P. SARGENT and CYNTHIA T. SARGENT of Portland in the County of Cumberland and State of Maine, with WARRANTY COVENANTS as JOINT TENANTS, that certain lot or parcel of land located on Bay Street, City of Portland, County of Cumberland and State of Maine, as more fully described in Exhibit A attached hereto and incorporated herein.

In witness whereof, we have hereunto set our hands and seals on this 23rd day of APRIL, 1990.

[Signature]
Witness

Valora Baker
Witness

[Signature]
Witness

E. V. Ward
Witness

Eileen V. Ward
Witness

Eileen V. Ward
Witness

Eileen V. Ward
Eileen V. Ward

Thomas F. Ward
Thomas F. Ward

Valora A. Baker
Valora A. Baker

Donald Ward
Donald J. Ward

John M. Ward
John M. Ward

James E. Ward
James E. Ward

State of Maine
Cumberland, ss

On April 23, 1990 personally appeared the above-named Eileen V. Ward and acknowledged the foregoing deed to be her free act and deed.

Before me,

[Signature]
Notary Public/Attorney At Law

THOMAS W. COOPER
Type or Print Name

(CI)

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY LOCATED AT
Bay Street, Portland, MAINE

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.

EXCEPTING from the above-described premises that portion thereof which John J. Ward, Jr. conveyed to John DiSanto, et al dated April 26, 1962 and recorded in the Cumberland County Registry of deeds in Book 2669, Page 298; which is now owned by John Sargent and Cynthia Sargent.

Being the same premises described in a deed to Rose Burns from Hepzibah Home and Bible School, Inc. by deed recorded in Cumberland County Registry of Deeds, subject to the exceptions, reservations and restrictions mentioned in deed of said premises given to Addie L. Porter by Algernon S. Stubbs dated September 23, 1907 and recorded in said Registry of Deeds in Book 813, Page 353.

For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.

RECEIVED
RECORDED REGISTRY OF DEEDS

1990 MAY -8 PM 1:44

CUMBERLAND COUNTY



C2

PERSONAL REPRESENTATIVE'S DEED

KNOW ALL MEN BY THESE PRESENTS that I, EILEEN V. WARD, of Portland, County of Cumberland and State of Maine, whose mailing address is 45 Newton Street, Portland, Maine, duly appointed and acting Personal Representative of the Estate of JOHN J. WARD, JR. deceased intestate, as shown by the probate records of the County of Cumberland, Maine, and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to JOHN P. SARGENT and CYNTHIA J. SARGENT of Portland, Maine, as JOINT TENANTS, the real property in Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.

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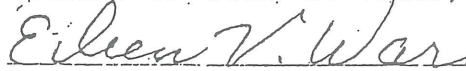
For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.

WITNESS her hand and seal this 23RD day of APRIL, 1990.

Signed, Sealed
Delivered in the presence of


Witness

ESTATE OF JOHN J. WARD, JR.


Eileen V. Ward,
Personal Representative

C3

Lot 36
Plan Book 5 page 99

MAINE REAL ESTATE TAX PAID

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that I, DAVID M. BRIDGES, AN individual of Westbrook, Cumberland County, Maine, for consideration paid, do hereby grant to JOHN P. SARGENT and CYNTHIA J. SARGENT, individuals of Portland, Cumberland County, Maine, that certain lot or parcel of land situated in Portland, Cumberland County, Maine, as more particularly described in Exhibit A hereto (the "Premises").

TO HAVE AND TO HOLD the Premises, as aforegranted and bargained for, with all the privileges and appurtenances thereof to the said Grantees, their heirs and assigns, to their use and behoof forever.

AND I DO COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the Premises, that it is free of all encumbrances, that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

WITNESS my hand and seal this 11 day of March, 2003.

Witness:

Deborah M. Watt

David M. Bridges
David M. Bridges

STATE OF MAINE
COUNTY OF CUMBERLAND, ss

On March 11, 2003, personally appeared the above-named David M. Bridges and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Deborah M. Watt
Notary Public, State of Maine
Printed Name: Deborah M. Watt
My Commission expires
6/1/2007

SEAL

(04)

EXHIBIT A

A certain lot or parcel of land situated on Bay Street Extension in the City of Portland, County of Cumberland and State of Maine, and being the premises conveyed by the City of Portland to Lena B. Ogens by deed dated November 22, 1955, and recorded at the Cumberland County Registry of Deeds in Book 2255, Page 259.

Being also the same premises conveyed to Belle Ogens by Lincoln T. Small by deed dated October, 1955 recorded at said Registry of Deeds in Book 2255, Page 224.

Being also the same premises conveyed to John P. Paris by Robert B. Williamson, Jr. and Maurice S. Friedman, Personal Representative of the Estate of Lena Belle Ogens, by deed dated September 26, 1990, and recorded in the said Registry of Deeds in Book 9342, Page 68.

Being the same premises conveyed to John P. Sargent and Cynthia J. Sargent by John P. Paris by deed dated November 15, 1991 and recorded in said Registry of Deeds and also being the same premises conveyed to the Grantor herein by John P. Sargent and Cynthia J. Sargent by deed dated January 8, 1999 and recorded in said Registry of Deeds.

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do hereby
Portland,
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eirs and

[Signature]

[Bridges

[Signature]
Maine
L. M. Watt
expires

SEAL

Received
Recorded Register of Deeds
Mar 31 2003 12:06:07P
Cumberland County
John B. O'Brien

C5

Herbert P. Gray
Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 8, 2005

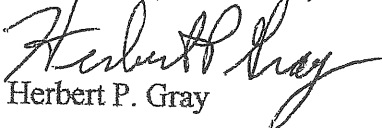
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

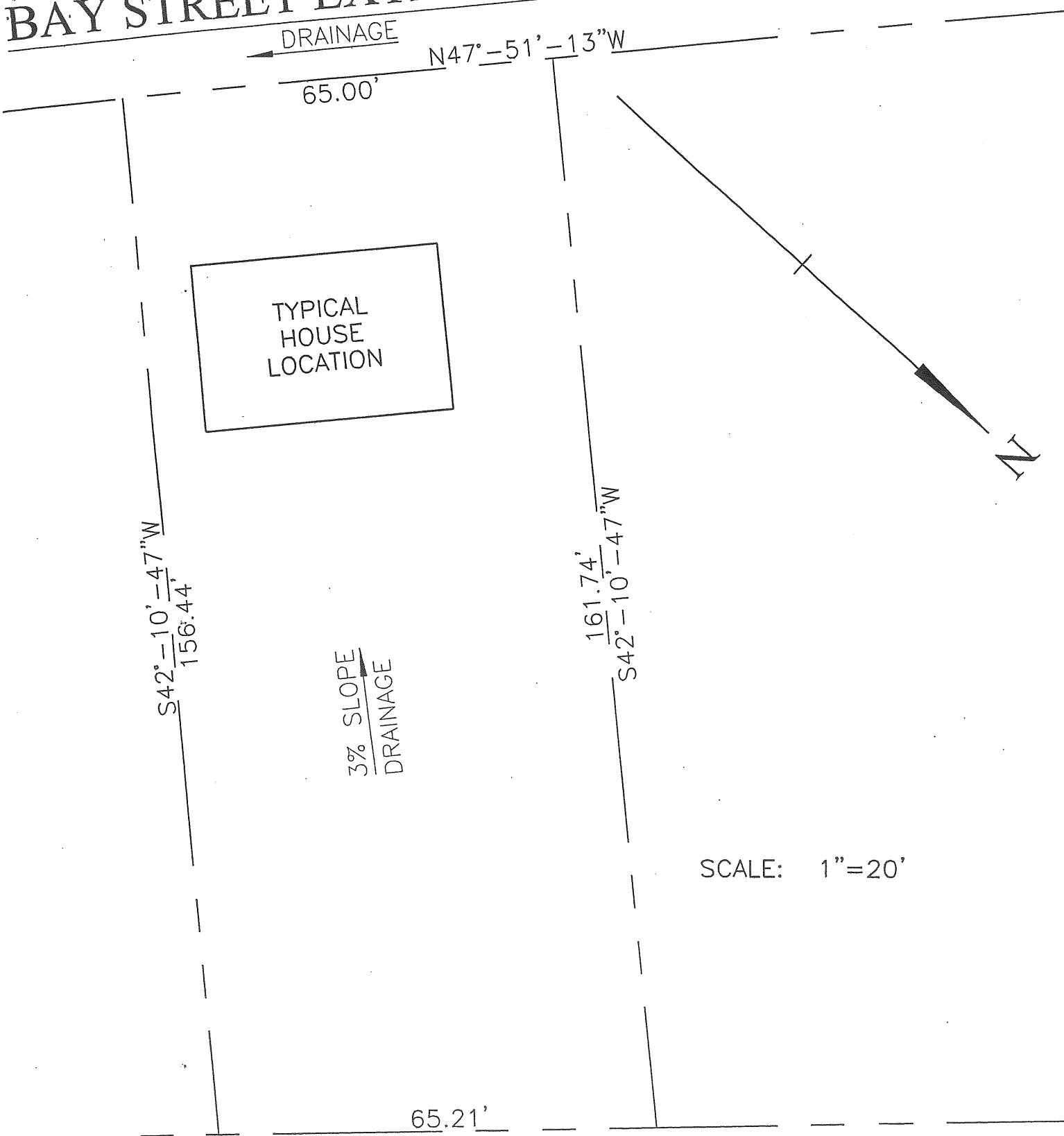
Dear Planning Department:

John Sargent requests a sidewalk waiver for the South Westerly side of Bay Street Extension. There is no reasonable expectation for pedestrian useage coming from, going to and traversing that side of Bay Street Extension as there are no sidewalks on either side of Bay Street from Ocean Street to Glengarden Street. A safe alternative-walking route is reasonably available by way of a sidewalk on the other side of the proposed street.

Respectfully submitted,


Herbert P. Gray

BAY STREET EXTENSION



SCALE: 1"=20'

TYPICAL HOUSE LOT LAYOUT
 9+30 - 12+06 BAY STREET EXTENSION
 BY JOHN SARGENT

MAXIMUM FIRST FLOOR ELEV.

LOT #1	-	72.00
LOT #2	-	68.00
LOT #3	-	69.00
LOT #4	-	71.00





MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

1897

June 5, 2005

Mr. Herb Gray
Herbert P. Gray Consulting Engineer
111 Simmons Road
South Portland, ME 04106

Re: Wetland Delineation, Bay Street Extension, Portland, ME

Dear Herb,

I completed a delineation of wetlands on a proposed extension of Bay Street in Portland, Maine. The wetland delineation was completed for a proposed single family subdivision. The wetland delineation was conducted in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual. This manual requires the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils.

The wetlands I found on the parcel were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located by using GPS backpack equipment capable of locating the flags to within 3.0 feet. The wetland delineation information has been forwarded to you by hand. The wetlands found onsite are forested wetlands. The wetlands found on the parcel are associated with drainage which moves across the parcel from east to west. The wetlands found on the parcel do not meet the definition of wetlands of special significance as defined by Maine Department of Environmental Protection.

If you have any questions or require additional information, please contact me.

Sincerely,

Mark J. Hampton C.S.S., L.S.E.
Certified Soil Scientist #216
Licensed Site Evaluator #263



PORTLAND MAINE

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

Public Works Department
Michael J. Bobinsky, Director

26 May 2005

Mr. Herbert P. Gray, P.E.,
Consulting Engineer,
111 Simmons Road,
South Portland, Maine 04106

**RE: The Capacity to Handle the Anticipated Wastewater Flows,
From Four Proposed Single Family Homes, at 103, 106, 107, and 113 Bay Street.**

Dear Mr. Gray:

The existing twenty-four inch diameter reinforced concrete sanitary sewer pipe, located in Bay Street, has adequate capacity to transport, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to treat the anticipated wastewater flows of 1,260 G.P.D., from the proposed housing subdivision.

Anticipated Wastewater Flows from the Proposed Development:

2 Proposed Three Bedroom Units, @ 270 G.P.D./Unit	= 540 G.P.D.
2 Proposed Four Bedroom Units, @ 360 G.P.D./Unit	= 720 G.P.D.
Total Proposed Increase in Wastewater Flows for this Project	= 1,260 G.P.D.

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

Sincerely,
CITY OF PORTLAND

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

FJB

cc: Alexander Q. Jaegerman, Director, Department of Planning, and Urban Development, City of Portland
Ethan Boxer-Macomber, Planner, Department of Planning, and Urban Development, City of Portland
Eric Labelle, P.E., City Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file





CUSTOMER SERVICE
OFFICE HOURS
8:30 A.M. - 4:30 P.M.

Portland Water District
FROM SEBAGO LAKE TO CASCO BAY

May 9, 2005

Herb Gray
11 Simmons Rd.
South Portland, Me. 04106

Re: Bay St. Extension-Portland

Herb:


This letter is to confirm there should be an adequate supply of clean and healthful water to serve the needs of the proposed four building lots on Bay St. in Portland. Checking District records, I find there is a 8"DI water main on the north east side of Bay Street. In order to serve the four lots in question the water main would need to be extended further up the street.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the needs of your proposed project.

Hydrant Location: Bay St. 560' west of Ocean Ave.
Hydrant # 1528
Static pressure = 74 PSI
Flow = 1034 GPM
Last Tested = 8/17/1993

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

Sincerely,
Portland Water District


Jim Pandiscio
Means Coordinator

4

Hydraht locations
supplied by
Portland Water District



Herbert P. Gray
Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 15, 2005

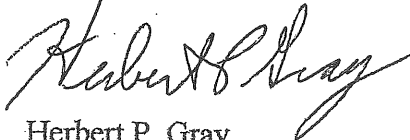
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 DO27-28

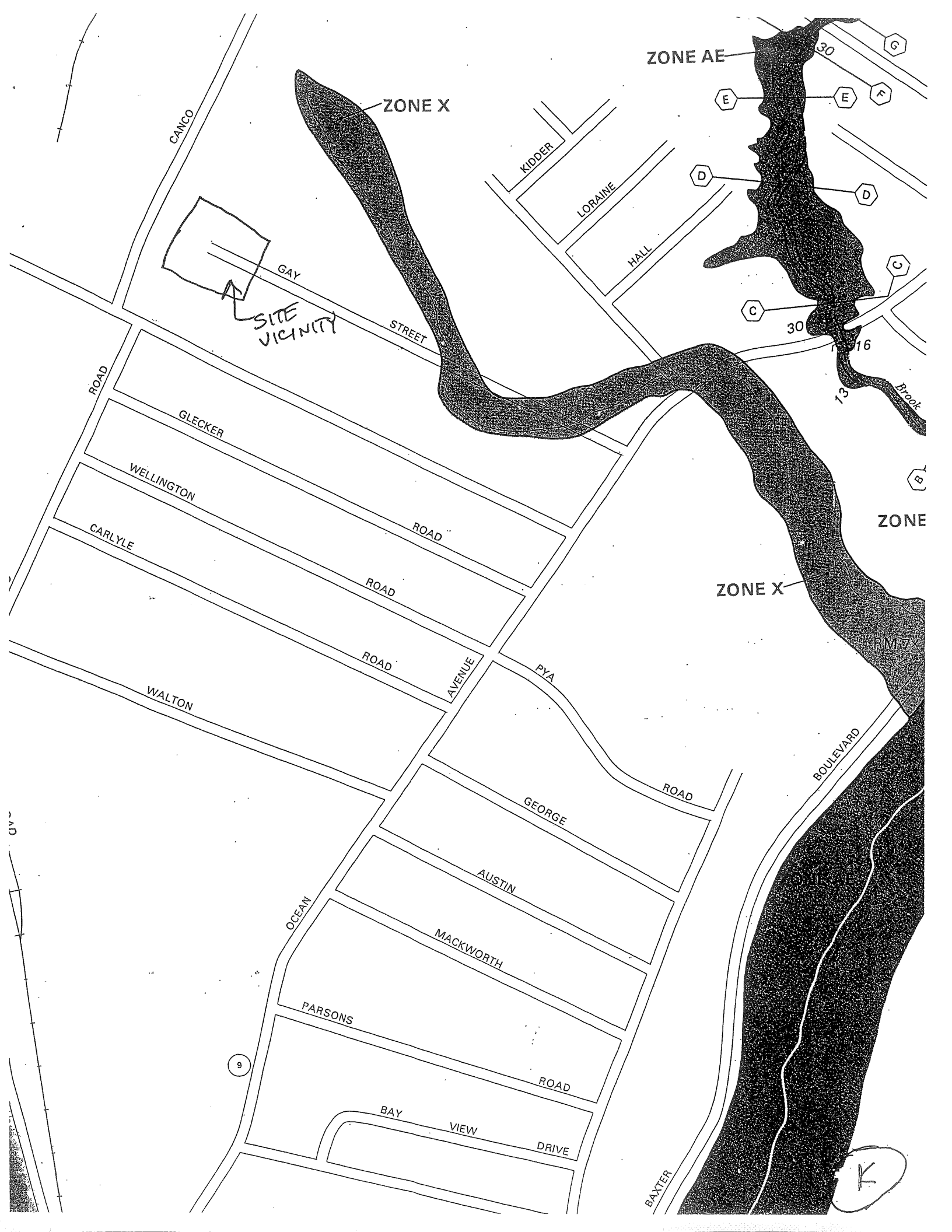
Dear Planning Department:

In reference to your letter of May 27, 2005 Item 2 - Requesting an analysis comparing the estimated cost of providing access to the proposed subdivision from the North, via Glengarden Street as opposed to South via Bay Street - The following information has been supplied by Maietta Construction, Inc. The cost of the project from the North via Glengarden Street is a bid of about \$160,000.00. The estimated cost of the Project from the South via Bay Street includes building about 248 feet of road through ledge before reaching the the onehundred ninety five feet of road necessary to to serve the four new lots is \$311,700.00.

Respectfully submitted,



Herbert P. Gray



ZONE AE

ZONE X

ZONE X

ZONE

CANCO

KIDDER

LORRAINE

HALL

GAY

STREET

ROAD

GLECKER

WELLINGTON

CARLYLE

WALTON

ROAD

ROAD

AVENUE

PYA

GEORGE

AUSTIN

MACKWORTH

PARSONS

ROAD

BAY

VIEW

DRIVE

BOULEVARD

RM 7

B

C

D

16

13

G

F

30

E

C

D

9

K

SITE VICINITY

Brook

Herbert P. Gray

Consulting Engineer

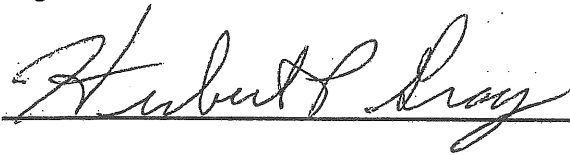
111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 16, 2005

I, Herbert P. Gray, P.E. hereby certify that a neighborhood meeting was held on Wednesday, June 15, 2005 at the Rec Room, Loyola Hall, Cheverus High School at 271 Ocean Avenue, Portland, Maine between 6:45 PM and 8:15 PM.

I also certify that on June 2, 2005, invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed Development and the residents on the "interested parties" list.

Signed,




Date

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes.

MODE = MEMORY TRANSMISSION

START=OCT-12 09:30

END=OCT-12 09:36

FILE NO.=594

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK	*	97671861	009/009	00:05:16

-CITY OF PORTLAND -

***** -PLANNING DEPT. - ***** 2077568258 *****

City of Portland
 Department of Planning and Development
 Planning Division
 389 Congress Street, 4th Floor
 Portland ME 04101
 (207)874-8721 or (207)874-8719
 Fax: (207)756-8258



FAX

To: HERB GRAY

Company: _____

Fax #: 767-1861

Date: OCTOBER 12, 2005

From: EWAN BOXER - MALCOMBER

You should receive 9 page(s) including this cover sheet.

Comments:

HERB →

~~APPROVAL~~ LETTER, SEYMOUR MEMO, &
 COST ESTIMATE FORM AS PER OUR CONVERSATION.
 I WOULD ADVISE THAT YOU CONTACT JAY
 REYNOLDS AS SOON AS POSSIBLE TO RUN THROUGH
 HIS PROCESS AND FIGURE OUT WHAT CREDITS
 MAY ALREADY BE HELD FROM MR. SARGENT'S
 EARLIER SM-403 REVIEW.

BEST REGARDS,

City of Portland
Department of Planning and Development
Planning Division

389 Congress Street, 4th Floor
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(207)874-8721 or (207)874-8719
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FAX

To:

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Company:

Fax #:

767-1861

Date:

OCTOBER 12, 2005

From:

ETHAN BOYER-MAUMBER

You should receive 9 page(s) including this cover sheet.

Comments:

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BEST REGARDS,

ETHAN

October 11, 2005

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

Dear Mr. and Mrs. Sargent:

On September 27, 2005, the Portland Planning Board voted 4-0 (Anton and Beal Absent, Tevenian Abstaining) to approve the above referenced subdivision application. The approval was granted for the project by the following motion, subject to the following conditions:

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #40-05 relevant to standards for subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Conditions of Approval:

- i. The applicant shall revise plans so as to address concerns outlined in a September 16, 2005 memo prepared by Jim Seymour P.E., subject to final review and approval by the Planning Authority except that the additional 93 feet of curbing on both sides of the street toward Glengarden Street shall not be required.
- ii. The applicant shall present turn around easements and drainage and maintenance easements for potential additional inlet pipe for final review and approval by Corporation Council.

- iii. The applicant shall prepare and record a subdivision plat subject to final review and approval by the Planning Authority and Corporation Counsel.
- iv. The applicant shall revise the subdivision plat to provide an eight foot no-cut zone along the Eastern property line of lot 4 so as to provide a buffer to the Bay Village Condominium Association and shall work with the Bay Village Condo Association to provide an additional 7 feet of buffer plantings on the Bay Village property so as to achieve a total of fifteen (15) feet of privacy buffer, subject to final review and approval by the Planning Authority.
- v. A final positive zoning determination letter shall be placed in the public record.

The Board also voted on two proposed waivers related to the project.

The first waiver passed 4-0 (Anton and Beal Absent, Tevenian Abstaining) as follows:

- 2. That the Planning Board grants the applicant his request under §14-506(b) for a waiver of sidewalk requirements on the South side of Bay Street.

The second waiver was denied by the Board by a vote of 0-4 (Anton and Beal Absent, Tevenian Abstaining) as follows:

- 3. That the Planning Board grants the applicant his request under §14499 (h) for a waiver of the underground electric utility technical requirement of the subdivision ordinance.

The approval includes a 5-lot residential subdivision on an accepted, undeveloped portion of Bay Street.

The approval is based on the submitted site plan and the findings related to subdivision review standards as contained in Planning Report #40-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

- 1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
- 2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to

and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. 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.)

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. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,

Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager

Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
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Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File



05P054

TO: Ethan Boxer-Macomber – Planner
FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.
RE: Bay Street Extension Subdivision – John Sargent
DATE: September 16, 2005

Sebago Technics has reviewed the 2nd revised Bay Street Extension Subdivision plan submittal for John Sargent from Herb Gray Consulting Engineer dated August 31, 2005. We had met with the applicant along with Public Works to resolve the final design issues. Although the project has cost impacts with wetland filling, some ledge removal, potential groundwater flows, and connectivity issues with access and utilities, Public Works and the consultant agreed to certain conditions to both address immediate concerns and assist the City with long term design off Bay St. Unfortunately, after reviewing this submittal these concerns, some of these items still need to be accounted for on the plans, or within the application. We have listed the following for your consideration:

1. Stormwater Management

- A. The information submitted addresses our concerns and with outlet control. Although the stormwater calculations indicate a very slight increase, this is conservative because the calculations account for a 32-foot wide road and not the 28-foot wide as shown. Therefore given the reduction in pavement there will likely be a slight reduction in the peak rates of runoff. We believe no further improvements that are feasible can be accomplished without great costs, or loss of a lot or lots. And based on the Public Works concerns for lack of maintenance on detention systems, which connect to City infrastructure, the construction of the flow restriction achieves the results to lessen capacity in the existing combined system for other flows entering further down on Bay St.

2. Road Construction

- A. The applicant was required to extend granite curbing to the end of Bay view to the intersection of Glen Garden Street as discussed with the Public Works engineer. We allowed for the reduction of pavement width from 32 to 28 feet and requested that the design install new curbing to align the new street width from the Glen Garden St, end to the end of the paving associated with designed portion of Bay St. with this project. We and the City Engineer agree that the natural location to terminate

the curbing is at the driveway cut and corner of Glen Garden St, and to extend the utilities to the edge of where Bay St has been City accepted and with future CIP work the City will install catch basins and pick up the necessary infrastructure at that location when it will rebuild the street.

Per discussions with the City Engineer, Public Works staff, and the Project Engineer, the desired solution with use flow restrictive devices within the last drain manhole to purposely back runoff in the drains and allow it a slower release into the combined system, until such time as the City separates Bay St and then the restriction could come out and the drain could free flow. The engineer has not submitted supporting calculations, to accommodate this effort.

- B. Foundation drains are to be connected to a storm drain main with a backflow preventer/valve.
- C. The 10-inch culvert shown capped at Lot 4 shall be directed in a different angle to be designed as an inlet for offsite runoff, to be set on the property line of Lot 4 in the middle of the abandoned ROW.

5. General

- A. A final subdivision plan will need to be generated showing standard street cross section as proposed, City notes/requirements per construction and subdivision standards, and delineate and set proposed street monumentation per City standards. The cross section and more notes may still be needed on the Definitive (Recording) Plan please coordinate with the Planner for proper standard notes and plan requirements.
- B. A few details are still needed and are listed below:
 - Sewer saddle connections
 - Pavement butt joint
 - Handicap ramp detail.

We have met with the project engineer to discuss the construction cost feasibility due to the low number of lots but tremendous impacts associated with the road and drainage infrastructure. We have reviewed all of the utility and drainage issues involved and agreed to the solutions listed above. We along with Public Work's Engineers feel that the flow restriction of the drainage into the combined system as a short-term solution is acceptable, and when the City reconstructs and separates the sanitary and storm drains the connections can be easily reworked to conform to the City's long-term plans. Most of these are technical issues that can be addressed. The current plan as presented does not accurately show the solutions necessary to address the City's request for street alignment, curb placement, and evidence of stormwater calculations. Once the above is shown and complete the project will obtain our complete endorsement. Please contact our office with any questions.

JS:js

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)

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

December 16, 2005

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Approved Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

Dear Mr. and Mrs. Sargent:

In an October 11, 2005 approval letter, Planning Board Chair Lee Lowry outlined the various conditions of approval for the above referenced project, which must be satisfied prior to issuance of a building permit. This letter is to outline outstanding issues which must be resolved in order for those conditions to be met. Each issue is presented in outline form as follows:

- 1) Lot 4 Drainage Easement
 - a) Corporation Counsel requires that the 15-foot wide drainage easement on lot 4 be extended an additional +100 feet N.E. to reach the rear of that lot and the abutting Gulikson Property.
 - b) 3rd bearing called for on plan is not on plan (15.00' line).
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 - d) Plans should be revised to indicate to whom the drainage easement is granted. Additionally, the Proposed Drainage Easement must be shown on the Topographic Survey Plan.
 - e) Staff strongly recommends that you seek professional legal counsel as you revise the proposed drainage deed for Lot 4.

- 2) Landscape Buffer Plan – Vicinity Lot 4 and Bay Village Condos
 - a) Whereas Lot 4 presents an apparent potential conflict due to overlay between a drainage easement and an 8-foot “no-cut buffer” required by the Planning Board, the applicant shall present a landscape plan based on final grades, which mitigates any tree damage in the buffer zone. This plan shall be

DRAFT

coordinated with the City Arborist to provide maximum screening to the Bay Village Condominiums.

- b) The landscape plan shall also depict proposed landscaping on the Bay Village Condo side of the property line in conformance with Planning Board conditions of approval.
- c) The 7-foot landscape buffer on the Bay Village property was a condition of site plan approval and should not be referenced on the subdivision plan or plat.

3) Street Name

Please be advised that “Bay Street Extension” is not a legally accepted street name in the City of Portland. Emergency 911 response rules preclude the City from approving this name due to similarity to “Bay Street”. At the same time, the subject street section may not be named “Bay Street” as no through vehicular access is provided to the existing section of Bay Street. Planning staff is currently working with the Public Works Department to develop an alternative naming and numbering scheme for the subject street.

Once the Final road name has been determined, the plan set should be carefully reviewed and all references to “Bay Street Extension” removed / corrected.

4) Vacated Public Way

The plans identify a platted public way between the subject property and the Bay Village Condominiums. This paper street has been vacated by the City of Portland. Please revise plans to strike the word “abandoned” in favor of “vacated. Also, please strike the text “proposed street” as no street is proposed in this location.

5) Plan Orientation

The location sketch is oriented with north up and the project plans and survey are oriented with north down. Please revise plans to provide consistent orientation.

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- a) The Survey Certification refers to an older standard no longer used by the Board of Licensure for Professional Land Surveyors and should be revised.
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DRAFT

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The DPW Environmental Engineer does not want the City of Portland to be responsible for a private drainage infrastructure and requests that the private field inlets be moved out of the street right of way. Furthermore, these inlets will not be permitted to tie into the catch basins. The field inlet laterals should, instead, tie directly into the storm drain main line in the street.

8) Plan Notes and Details

a) Sheet 2 - Pavement Butt Joint Detail

Detail states, "Peel back at least 1'-0"" but should state, "Grind back at least 2'-0"".

b) Sheet 3 - Note calls for MDOT Specifications.

Should call for City of Portland Technical and Design Standards and Guidelines Manual.

c) Sheet 2 - Drain Manhole Missing

DPW Inspections Coordinator notes that a Drain Manhole should be set at Station 12+72.

If you have any questions, please do not hesitate to contact me by phone at 874-8731 or by email at ebm@portlandmaine.gov.

Best regards,

Ethan Boxer-Macomber
Housing and Community Development Program Manager

CC: Sarah Hopkins, Development Review Services Manager
Jay Reynolds, Development Review Coordinator
Todd Merkle, Public Works
Eric Labelle, City Engineer
Penny Littell, Associate Corporation Counsel
Herbert Gray, P.E. (via fax 12/16/2005)

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Ethan Boxer-Macomber

Housing and Community Development Program Manager

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Herbert P. Gray
Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

August 30, 2005

Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

John Sargent requests a waiver for installing underground electrical services for the proposed development.

Eric Label, City Engineer, has no plans to install underground electrical services when the City rebuilds approximately fourteen hundred feet of Bay Street from Ocean Street to Glengarden Street.

The additional cost for underground services is approximately \$15,000.00.

Respectfully submitted,


Herbert P. Gray

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 8, 2005

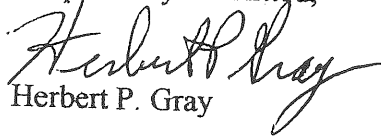
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

John Sargent requests a sidewalk waiver for the South Westerly side of Bay Street Extension. There is no reasonable expectation for pedestrian useage coming from, going to and traversing that side of Bay Street Extension as there are no sidewalks on either side of Bay Street from Ocean Street to Glengarden Street. A safe alternative-walking route is reasonably available by way of a sidewalk on the other side of the proposed street.

Respectfully submitted,


Herbert P. Gray



IN THE MATTER OF

JOHN P. SARGENT
Portland, Cumberland County
BAY STREET EXTENSION
L-22482-TC-A-N (approval)

) NATURAL RESOURCES PROTECTION ACT
) FRESHWATER WETLAND ALTERATION
) WATER QUALITY CERTIFICATION
) FINDINGS OF FACT AND ORDER

Project Description: The applicant proposes to fill 10,960 square feet of forested freshwater wetland as part of the extension of Bay Street to access four house lots. The proposed project is located on Bay Street in the City of Portland and is shown on a set of plans entitled "Bay Street Extension, Bay Street, Portland, Maine, John Sargent", prepared by Herbert Gray, and dated March 4, 2005. The applicant proposes to construct Bay Street in accordance with the City of Portland standards. Wetland impacts have been avoided and minimized to the extent possible, as only the existing road right-of-way will be filled. The Department finds that the proposed project design is the least environmentally damaging practicable alternative that meets the project purpose.

Permit for:	<input checked="" type="checkbox"/> Tier 1
DEP Decision:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied (see attached letter)
CORPS Action:	<input checked="" type="checkbox"/> The Corps has been notified of your application. The following are subject to Federal screening: (1) projects with previously authorized or unauthorized work, in combination with a Tier 1 permit for a single and complete project, which total more than 15,000 square feet of altered area; (2) projects with multiple state permits and/or state exemptions which apply to a single and complete project that total more than 15,000 square feet of altered area; and (3) projects that may impact a vernal pool, as determined by the State of Maine or the Corps. If your activity is listed above, <i>Corps approval is required for your project.</i> For information regarding the status of your application contact the Corps' Maine Project Office at 623-8367.

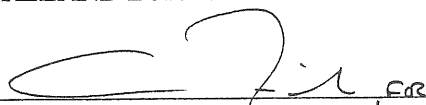
Special Condition: No other wetland fill is authorized for this subdivision without prior Department approval.

Standard Conditions:

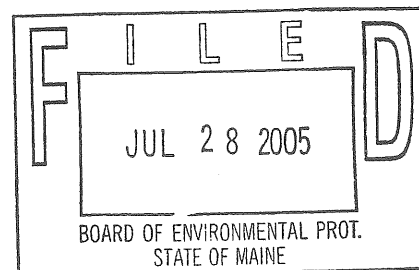
- 1) If construction or operation of the activity is not begun within two (2) years from the date signed, this permit shall lapse and the applicant shall reapply to the Department for a new permit. This permit is transferable only with prior approval from the Department. If the activity is associated with a larger project, starting any aspect of that project constitutes start of construction.
- 2) The project shall be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- 3) Properly installed erosion control measures shall be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- 4) A copy of this approval will be sent to the City of Portland. Department approval of your activity does not supersede or substitute the need for any necessary local approvals.

Please note the attached sheet for guidance on appeal procedures.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.


DAWN R. GALLAGHER, COMMISSIONER

7/27/05
DATE



Date of initial application June 26, 2005
Date application accepted for processing July 11, 2005
Date filed with Board of Environmental Protection
BC/ATS#55767/L22482AN



NATURAL RESOURCE PROTECTION ACT (NRPA) STANDARD CONDITIONS

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. **Approval of Variations From Plans.** The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. **Compliance With All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. **Erosion Control.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. **Compliance With Conditions.** Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. **Initiation of Activity Within Two Years.** If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years form the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. **Reexamination After Five Years.** If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. **No Construction Equipment Below High Water.** No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. **Permit Included In Contract Bids.** A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. **Permit Shown To Contractor.** Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

August 30, 2005

Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

John Sargent requests a waiver for installing underground electrical services for the proposed development.

Eric Label, City Engineer, has no plans to install underground electrical services when the City rebuilds approximately fourteen hundred feet of Bay Street from Ocean Street to Glengarden Street.

The additional cost for underground services is approximately \$15,000.00.

Respectfully submitted,


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June 8, 2005

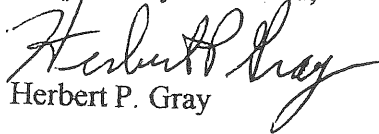
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

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Respectfully submitted,


Herbert P. Gray



STATE OF MAINE
17 State House Station
Augusta, ME 04333

IN THE MATTER OF

JOHN P. SARGENT
Portland, Cumberland County
BAY STREET EXTENSION
L-22482-TC-A-N (approval)

-) NATURAL RESOURCES PROTECTION ACT
-) FRESHWATER WETLAND ALTERATION
-) WATER QUALITY CERTIFICATION
-) FINDINGS OF FACT AND ORDER

Project Description: The applicant proposes to fill 10,960 square feet of forested freshwater wetland as part of the extension of Bay Street to access four house lots. The proposed project is located on Bay Street in the City of Portland and is shown on a set of plans entitled "Bay Street Extension, Bay Street, Portland, Maine, John Sargent", prepared by Herbert Gray, and dated March 4, 2005. The applicant proposes to construct Bay Street in accordance with the City of Portland standards. Wetland impacts have been avoided and minimized to the extent possible, as only the existing road right-of-way will be filled. The Department finds that the proposed project design is the least environmentally damaging practicable alternative that meets the project purpose.

Permit for:	<input checked="" type="checkbox"/> Tier 1
DEP Decision:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied (see attached letter)
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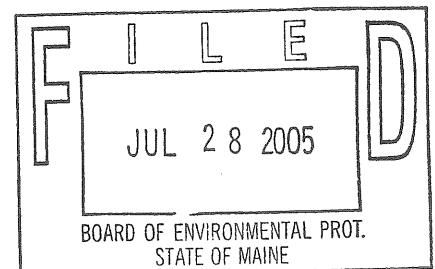
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DAWN R. GALLAGHER, COMMISSIONER

7/27/05
DATE



Date of initial application June 26, 2005
Date application accepted for processing July 11, 2005
Date filed with Board of Environmental Protection
BC/ATS#55767/L22482AN



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05P054

TO: Ethan Boxer-Macomber – Planner
FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.
RE: Bay Street Extension Subdivision – John Sargent
DATE: July 22, 2005

Sebago Technics has reviewed the revised Bay Street Extension Subdivision plan submittal for John Sargent from Herb Gray Consulting Engineer dated July 20, 2004. We feel that though this is a small residential development, it has concerns with wetland filling, some ledge removal, potential groundwater impacts, and connectivity issues with access and utilities, which could create expensive solutions. Due to these concerns and after reviewing this submittal, we have listed the following for your consideration:

1. Stormwater Management

- A. We have received the stormwater calculations for the project as conducted by Aquarian Engineering. We reviewed these calculations and found some inaccuracies likely based on the limitations of the soils and topographic mapping used. In the computations the wetland soils must be based on D hydrologic soils not a C classification, also the wetland areas present actually have detention capabilities and shall be modeled as a pond, however the larger concern is that the pre developed modeling leaves the drainage on the land, and the post conditions discharge the majority of runoff into the combined system. We also have some concerns with the lots grading plan that fails to adequately connect existing swales and wetland outfalls into any discharge location. This lack of drainage consideration could create water impediments, infiltration into the road base, winter icing and backed up drainage on abutting lots which could eventually create more of a wetland condition.

Observations at the site, indicates common drainage schemes with Glen Garden St. and Bay View Condominiums. This drainage storage in wetlands currently is maximized during rainfall events through sheet and shallow flows and wetland swales. The status of the outfall from this development appears to be undetermined and may be actually a combination of overland sheet flow and infiltration. Runoff appears to travel a great length down Glen Garden on the southerly side and then down the Bay St Extension. In our opinion there is too long of a drainage run from the rear parking lot at the corner of Read Street/ Glen Garden to the proposed catch basin. We discussed with the engineer to extend their proposed storm drain to the limits of their property and farther to collect gutter flows to alleviate to capacity placed on one set of catch basins. The plan has not addressed that issue.

The applicant has extended curbing and underdrain to the extent as discussed. We do feel that the natural location to terminate the curbing is at the driveway cut from Bay View Condos, and to extend the storm drain further up Bay Street Extension to collect gutter flows more efficiently and to provide a means for offsite runoff from the Bay View condo swale to the north and from the Gullikson lot's wetland to the west. In both case we suggest a field inlet basin at the right of way edge and tie it to the closest basins, as suggested above, near the same location.

For the purposes of stormwater rates and future separation projects we believe the stormwater shall be revised per our suggestion so we can have accurate information to gauge the future design capacities needed in the Bay St separation projects slated for the near future. Per discussions with the City Engineer, Public Works staff, and the Project Engineer, the desired solution with use flow restrictive devices within the last drain manhole to purposely back runoff in the drains and allow it a slower release into the combined system, until such time as the City separates Bay St and then the restriction could come out and the drain could free flow. The engineer has not submitted supporting calculations, or a design to accommodate this effort.

- B. Foundation drains are to be connected to a storm drain main with a backflow preventer/valve and not tie directly to catch basins.

5. General

- A. A final subdivision plan will need to be generated showing standard street cross section as proposed, City notes/requirements per construction and subdivision standards, and delineate and set proposed street monumentation per City standards. **The cross section and several notes are still needed.**
- B. Due to the poor condition of Glen Garden and the Bay St Ext. the design shall match the existing elevations at Glen Garden St. Also we recommend that the applicant meet with Public Works and in Lieu of a street opening permit fee that the City consider waiver it for a complete a paving overlay up to the intersection of Glen Garden St. **No Discussion of repairing the end of Bay Street Extension has been shown. Although the entire street has been stated as City accepted the section from the Bay View Condos to this project was not built to a City Standard and should minimally be set with a new top base and paving.**
- D. Several details are need and are listed below:
- Sewer saddle connections
 - Street lights **or catalog cut**
 - Pavement butt joint
 - Underground electric trenches
 - Hydrant detail
 - Handicap ramp detail.
- E. The applicant appears to have filed a wetland alteration permit with the Maine DEP. A copy will be forwarded per the MeDEP process to the City so it will be

able to track the overall filling that may occur with individual lot grading. We have walked the site and believe the wetland delineation is accurate and will not require any peer review.

We have met with the project engineer to discuss the construction cost feasibility due to the low number of lots but tremendous impacts associated with the road and drainage infrastructure. We have reviewed all of the utility and drainage issues involved and attempted to compromise some options based on costs and impacts the City and Developer. We along with Public Work's Engineers feel that the flow restriction of the drainage into the combined system as a short-term solution is acceptable. These above comments can be conditionally approved if the Board and staff so agree. Most of these are technical issues that can be addressed once a decision has been agreed. The current plan as presented does not offer the solutions necessary to address the City's concern of added stormwater flows to the combined sewer. If the above is considered it is an acceptable solution to benefit the City and neighborhood. Please contact our office with any questions.

JS:js

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

July 15, 2005

Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision

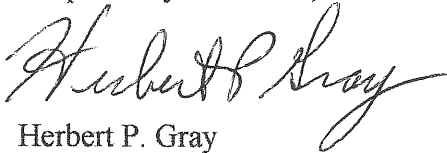
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

Enclosed are six copies of corrected plans of the Project showing erosion control additions; grading plans for proposed lots; changed street light pole and fixtures to Town and Country fixture; letter from DEP accepting Tier 1 Permit application; and a statement of what Subdivision means in the City of Portland.

The drainage report should be submitted by July 19, 2005.

Respectfully submitted,



Herbert P. Gray



STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION

JOHN ELIAS BALDACCI
GOVERNOR

DAWN R. GALLAGHER
COMMISSIONER

July 11, 2005

Herbert P. Gray
111 Simons Road
South Portland, ME 04106

RE: John P. Sargent Natural Resources Protection Act Tier I Permit Application

Dear Mr. Gray:

Your application on behalf of John P. Sargent of Read Street, Portland for a Natural Resources Protection Act Tier I permit has been received by the Department of Environmental Protection and found to be acceptable for processing on July 11, 2005. Your application has been assigned DEP #L-22482-TC-A-N. Please refer to this number in any future correspondence.

Your application is now being examined to determine whether a license can be issued. Acceptance of your application does not preclude the Department from requesting additional information during processing.

Please feel free to call me at 822-6300 if you have any questions regarding your project.

Beth Connors
Project Manager
Bureau of Land and Water Quality

cc: John P. Sargent
file

AUGUSTA
17 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0017
(207) 287-7688
RAY BLDG., HOSPITAL ST.

BANGOR
106 HOGAN ROAD
BANGOR, MAINE 04401
(207) 941-4570 FAX: (207) 941-4584

PORTLAND
312 CANCO ROAD
PORTLAND, MAINE 04103
(207) 822-6300 FAX: (207) 822-6303

PRESQUE ISLE
1235 CENTRAL DRIVE, SKYWAY PARK
PRESQUE ISLE, MAINE 04769-2094
(207) 764-0477 FAX: 764-1507



PORTLAND MAINE

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

Planning and Development Department
Lee D. Urban, Director

May 27, 2005

Planning Division
Alexander Jaegerman, Director

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

Dear Mr. and Mrs. Sargent:

In recent weeks, Planning Division staff has worked with your project engineer on the above referenced application. On May 24, 2005, the Planning board considered the application at a workshop session. This letter is to provide updated response comments and to summarize additional information and revisions, which shall be required in order to prepare the application for its public hearing.

1. Please be advised that, per Planning Board rules, you will be required to hold a neighborhood meeting no fewer than 7 days prior to a Public Hearing. At your request, Planning Division staff will generate mailing labels for abutters within 500 feet of the project. For your convenience, a neighborhood meeting procedure guide is enclosed.
2. As per the request of the Planning Board, please provide a analysis comparing the estimated cost of providing access to the proposed subdivision from the North, via Glengarden Street as opposed to South via Bay Street.
3. Please provide a letter for the Portland Water District finding adequate water supply to serve the project.
4. As per the request of the City's Fire Prevention officer, please revise the plan to show a fire hydrant within 500 feet path of travel to any of the proposed building envelopes.
5. Please provide a wetland delineation of the site or a letter stating that no wetlands exist, prepared by a certified wetland biologist.

6. Please provide, on the plan, a survey of existing vegetation and a Tree Save plan identifying any areas or individual specimens to be preserved.
7. The proposed "Cobra Head light fixtures are not acceptable. Please consider a more neighborhood scale fixture such as the "Town and Country" model.
8. The City engineer has reviewed and approved your proposal to match the existing curb-to-curb width of Bay Street. Sidewalks and Esplanades should be a minimum of 5 feet in width. Street trees should be provided in the esplanade, not the private front yards.
9. The City Engineer has reviewed and approved your proposal to provide electric service to the proposed lots with overhead lines as opposed to underground. In light of existing conditions on the street, the City Engineer supports this proposal and will recommend approval of this strategy to the Planning Board.
10. While you have already been granted a partial sidewalk waiver in conjunction with your October 2003 §14-403 review, the current application requires you to submit a new waiver request to the Planning Board. This waiver request should explain how the project qualifies for the waiver under the provisions of §14-506(b), which is attached for your convenience.
11. Planning Staff has distributed copies of your proposed plans to the City's consulting development review engineer. Response comments are expected in the coming days and will be provided to you and your engineer as soon as they are available.

Please be advised that all materials and revision must be submitted to the Planning Authority no later than June 13, 2005 in order for the project to stay on the June 28th Planning Board agenda.

If you have any questions, please do not hesitate to contact me by phone at 756-8083 or by email at ebm@portlandmaine.gov. I look forward to working with you and your design team through the remainder of this review process.

Best regards,



Ethan Boxer-Macomber
Planner

CC: Sarah Hopkins, Development Review Services Manager
Herbert Gray, P.E. (via fax 5/27/2005)

Enclosed: Neighborhood Meeting Guide Document
§14-506(b) Curb and Sidewalk Waiver Policy



PORTLAND MAINE

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

Planning and Development Department
Lee D. Urban, Director

May 2, 2005

Planning Division
Alexander Jaegerman, Director

John and Cynthia Sargent
103 Read Street
Portland, ME 04103

RE: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155D027-28

Dear Mr. and Mrs. Sargent:

The Planning Division has received the above referenced subdivision application.

In October of 2003, the City of Portland granted you an administrative approval to develop Bay Street across the subject site in accordance with §14-403 standards. Please be advised that the current subdivision review is a de novo review, subject to a final determination by the Planning Board.

A May 24, 2005 workshop has been scheduled for you and your design team to present the proposal to the Planning Board.

Planning Division Staff has conducted a preliminary review of the proposed subdivision plan and has generated the following responses and requests for additional submittals, which are required before the application can be found complete.


1. Please provide letters supporting the applicant's Financial and Technical Capacity to undergo the proposed project.
2. Please provide a letter for the Department of public Works, Engineering Division finding adequate Stormwater and Sewer Capacity to serve the project
3. Please provide a letter for the Portland Water District finding adequate water supply to serve the project.
4. Please revise the plan to show a fire hydrant within 500 feet path of travel to any of the proposed building envelopes.

5. Please provide a wetland delineation of the site or a letter stating that no wetlands exist, prepared by a certified wetland biologist.
6. Please provide a rationale for the citing of the proposed hammerhead turn around near the center of Lot 1's frontage where it would consume the most usable front yard area. Is this intended to double as a private driveway?
7. Please provide a streetscape design plan showing dimensioned curbs, sidewalks, esplanades, curb cuts, street trees, street lights, etc. When preparing this plan, please be advised that current subdivision standards require a street width of 28 feet.
8. The proposed esplanade is not dimensioned on the plans but appears to scale at approximately 3.5 feet. Please increase the esplanade width to a minimum of 5 feet. Street trees should be provided in the esplanade, not on private yards.
9. The proposed "Cobra Head" light fixture is not acceptable. Please consider a more neighborhood scale fixture such as the "Town and Country" model. Also please revise the plans to show the type and location of existing street light fixtures in the immediate vicinity of the project.
10. While you have already been granted a partial sidewalk waiver in conjunction with your October 2003 §14-403 administrative review, the current de novo application requires you to submit a new waiver request to the Planning Board.
11. The plans should be revised to include proposed laterals to each lot along with typicals of connections to City infrastructure in Bay Street.
12. The plans should be revised to include lot by lot grading plans with maximum finish floor elevations.
13. Please provide stormwater calculations in accordance with the City's Technical and Design Standards.
14. Please provide an erosion control plan in conformance with State best management practices.
15. Please provide a detailed landscape plan including the type, size and location of species along with typical planning details. The landscape plan should also include a survey of existing vegetation and a Tree Save plan identifying any areas or individual specimens to be preserved.
16. Please provide a detail of the proposed road barrier at end of pavement.

17. Please indicate whether you intend to stub utilities to the Gullikson property to the West of Lot 1, or offer that property owner an opportunity to do so, prior to installation of curbing, sidewalk, and street surfacing.
18. The proposed plans have been submitted for engineering review to the Department of Public Works as well as the City's consulting civil engineer. As of the date of the date of this letter Planning Division staff has not received engineering comments. These comments will be provided to you as soon as they are available.
19. The proposed plans have been submitted to the City's Zoning Administrator for review. As of the date of the date of this letter Planning Division staff has not received zoning comments. These comments will be provided to you as soon as they are available.

If you have any questions, please do not hesitate to contact me by phone at 756-8083 or by email at ebm@portlandmaine.gov. I look forward to working with you and your design team through the remainder of this review process.

Best regards,



Ethan Boxer-Macomber

Planner

CC: Sarah Hopkins, Development Review Services Manager
Herbert Gray, via fax 5-03-05

DRAFT

FYI

call me
later
Jim S.



05P054

TO: Ethan Boxer-Macomber – Planner
FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.
RE: Bay Street Extension Subdivision – John Sargent
DATE: September, ^{13,} 2005

Sebago Technics has reviewed the 2nd revised Bay Street Extension Subdivision plan submittal for John Sargent from Herb Gray Consulting Engineer dated August 31, 2005. We had met with the applicant along with Public Works to resolve the final design issues. Although the project has cost impacts with wetland filling, some ledge removal, potential groundwater flows, and connectivity issues with access and utilities, Public Works and the consultant agreed to certain conditions to both address immediate concerns and assist the City with long term design off Bay St. Unfortunately, after reviewing this submittal these concerns, some of these items still need to be accounted for on the plans, or within the application. We have listed the following for your consideration:

1. Stormwater Management

A. The information submitted addresses our concerns and with outlet control. Although the stormwater calculations indicate a very slight increase, this is conservative because the calculations account for a 32-foot wide road and not the 28-foot wide as shown. Therefore given the reduction in pavement there will likely be a slight reduction in the peak rates of runoff. We believe no further improvements that are feasible can be accomplished without great costs, or loss of a lot or lots. And based on the Public Works concerns for lack of maintenance on detention systems, which connect to City infrastructure, the construction of the flow restriction achieves the results to lessen capacity in the existing combined system for other flows entering further down on Bay St.

2. Road Construction

A. The applicant was required to extend granite curbing to the end of Bay view to the intersection of Glen Garden Street as discussed with the Public Works engineer. We allowed for the reduction of pavement width from 32 to 28 feet and requested that the design install new curbing to align the new street width from the Glen Garden St, end to the end of the paving associated with designed portion of Bay St. with this project. We and the City Engineer agree that the natural location to terminate the curbing is at the driveway cut and corner of Glen Garden St, and to extend the utilities to the edge of where Bay St has been City accepted and with future CIP work the City will install

catch basins and pick up the necessary infrastructure at that location when it will rebuild the street.

Per discussions with the City Engineer, Public Works staff, and the Project Engineer, the desired solution with use flow restrictive devices within the last drain manhole to purposely back runoff in the drains and allow it a slower release into the combined system, until such time as the City separates Bay St and then the restriction could come out and the drain could free flow. The engineer has not submitted supporting calculations, to accommodate this effort.

- B. Foundation drains are to be connected to a storm drain main with a backflow preventer/valve.
- C. The 10-inch culvert shown capped at Lot 4 shall be directed in a different angle to be designed as an inlet for offsite runoff, to be set on the property line of Lot 4 in the middle of the abandoned ROW.

5. General

- A. A final subdivision plan will need to be generated showing standard street cross section as proposed, City notes/requirements per construction and subdivision standards, and delineate and set proposed street monumentation per City standards. The cross section and more notes may still be needed on the Definitive (Recording) Plan please coordinate with the Planner for proper standard notes and plan requirements.
- B. A few details are still needed and are listed below:
 - Sewer saddle connections
 - Pavement butt joint
 - Handicap ramp detail.

We have met with the project engineer to discuss the construction cost feasibility due to the low number of lots but tremendous impacts associated with the road and drainage infrastructure. We have reviewed all of the utility and drainage issues involved and agreed to the solutions listed above. We along with Public Work's Engineers feel that the flow restriction of the drainage into the combined system as a short-term solution is acceptable, and when the City reconstructs and separates the sanitary and storm drains the connections can be easily reworked to conform to the City's long-term plans. Most of these are technical issues that can be addressed. The current plan as presented does not accurately show the solutions necessary to address the City's request for street alignment, curb placement, and evidence of stormwater calculations. Once the above is shown and complete the project will obtain our complete endorsement. Please contact our office with any questions.

JS:js

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

August 30, 2005

Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

John Sargent requests a waiver for installing underground electrical services for the proposed development.

Eric Label, City Engineer, has no plans to install underground electrical services when the City rebuilds approximately fourteen hundred feet of Bay Street from Ocean Street to Glengarden Street.

The additional cost for underground services is approximately \$15,000.00.

Respectfully submitted,


Herbert P. Gray

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 8, 2005

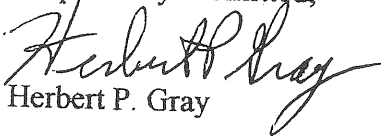
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

John Sargent requests a sidewalk waiver for the South Westerly side of Bay Street Extension. There is no reasonable expectation for pedestrian useage coming from, going to and traversing that side of Bay Street Extension as there are no sidewalks on either side of Bay Street from Ocean Street to Glengarden Street. A safe alternative-walking route is reasonably available by way of a sidewalk on the other side of the proposed street.

Respectfully submitted,


Herbert P. Gray



NATURAL RESOURCE PROTECTION ACT (NRPA) STANDARD CONDITIONS

THE FOLLOWING STANDARD CONDITIONS SHALL APPLY TO ALL PERMITS GRANTED UNDER THE NATURAL RESOURCE PROTECTION ACT, TITLE 38, M.R.S.A. SECTION 480-A ET.SEQ. UNLESS OTHERWISE SPECIFICALLY STATED IN THE PERMIT.

- A. **Approval of Variations From Plans.** The granting of this permit is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents is subject to review and approval prior to implementation.
- B. **Compliance With All Applicable Laws.** The applicant shall secure and comply with all applicable federal, state, and local licenses, permits, authorizations, conditions, agreements, and orders prior to or during construction and operation, as appropriate.
- C. **Erosion Control.** The applicant shall take all necessary measures to ensure that his activities or those of his agents do not result in measurable erosion of soils on the site during the construction and operation of the project covered by this Approval.
- D. **Compliance With Conditions.** Should the project be found, at any time, not to be in compliance with any of the Conditions of this Approval, or should the applicant construct or operate this development in any way other the specified in the Application or Supporting Documents, as modified by the Conditions of this Approval, then the terms of this Approval shall be considered to have been violated.
- E. **Initiation of Activity Within Two Years.** If construction or operation of the activity is not begun within two years, this permit shall lapse and the applicant shall reapply to the Board for a new permit. The applicant may not begin construction or operation of the activity until a new permit is granted. Reapplications for permits shall state the reasons why the applicant will be able to begin the activity within two years form the granting of a new permit, if so granted. Reapplications for permits may include information submitted in the initial application by reference.
- F. **Reexamination After Five Years.** If the approved activity is not completed within five years from the date of the granting of a permit, the Board may reexamine its permit approval and impose additional terms or conditions to respond to significant changes in circumstances which may have occurred during the five-year period.
- G. **No Construction Equipment Below High Water.** No construction equipment used in the undertaking of an approved activity is allowed below the mean high water line unless otherwise specified by this permit.
- H. **Permit Included In Contract Bids.** A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. **Permit Shown To Contractor.** Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.



STATE OF MAINE
 17 State House Station
 Augusta, ME 04333

T

IN THE MATTER OF

JOHN P. SARGENT
 Portland, Cumberland County
 BAY STREET EXTENSION
 L-22482-TC-A-N (approval)

-) NATURAL RESOURCES PROTECTION ACT
-) FRESHWATER WETLAND ALTERATION
-) WATER QUALITY CERTIFICATION
-) FINDINGS OF FACT AND ORDER

Project Description: The applicant proposes to fill 10,960 square feet of forested freshwater wetland as part of the extension of Bay Street to access four house lots. The proposed project is located on Bay Street in the City of Portland and is shown on a set of plans entitled "Bay Street Extension, Bay Street, Portland, Maine, John Sargent", prepared by Herbert Gray, and dated March 4, 2005. The applicant proposes to construct Bay Street in accordance with the City of Portland standards. Wetland impacts have been avoided and minimized to the extent possible, as only the existing road right-of-way will be filled. The Department finds that the proposed project design is the least environmentally damaging practicable alternative that meets the project purpose.

Permit for:	<input checked="" type="checkbox"/> Tier 1
DEP Decision:	<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied (see attached letter)
CORPS Action:	<input checked="" type="checkbox"/> The Corps has been notified of your application. The following are subject to Federal screening: (1) projects with previously authorized or unauthorized work, in combination with a Tier 1 permit for a single and complete project, which total more than 15,000 square feet of altered area; (2) projects with multiple state permits and/or state exemptions which apply to a single and complete project that total more than 15,000 square feet of altered area; and (3) projects that may impact a vernal pool, as determined by the State of Maine or the Corps. If your activity is listed above, <i>Corps approval is required for your project.</i> For information regarding the status of your application contact the Corps' Maine Project Office at 623-8367.

Special Condition: No other wetland fill is authorized for this subdivision without prior Department approval.

Standard Conditions:

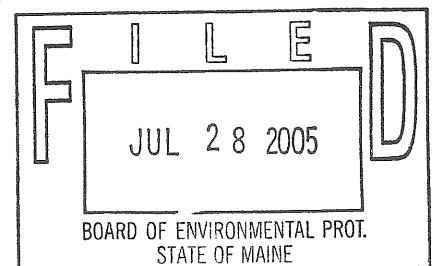
- 1) If construction or operation of the activity is not begun within two (2) years from the date signed, this permit shall lapse and the applicant shall reapply to the Department for a new permit. This permit is transferable only with prior approval from the Department. If the activity is associated with a larger project, starting any aspect of that project constitutes start of construction.
- 2) The project shall be completed according to the plans in the application. Any change in the project plans must be reviewed and approved by the Department.
- 3) Properly installed erosion control measures shall be installed prior to beginning the project, and all disturbed soil should be stabilized immediately upon project completion.
- 4) A copy of this approval will be sent to the City of Portland. Department approval of your activity does not supersede or substitute the need for any necessary local approvals.

Please note the attached sheet for guidance on appeal procedures.

THIS APPROVAL DOES NOT CONSTITUTE OR SUBSTITUTE FOR ANY OTHER REQUIRED STATE, FEDERAL OR LOCAL APPROVALS NOR DOES IT VERIFY COMPLIANCE WITH ANY APPLICABLE SHORELAND ZONING ORDINANCES.


 DAWN R. GALLAGHER, COMMISSIONER

7/27/05
 DATE



Date of initial application June 26, 2005
 Date application accepted for processing July 11, 2005
 Date filed with Board of Environmental Protection
 BC/ATS#55767/L22482AN

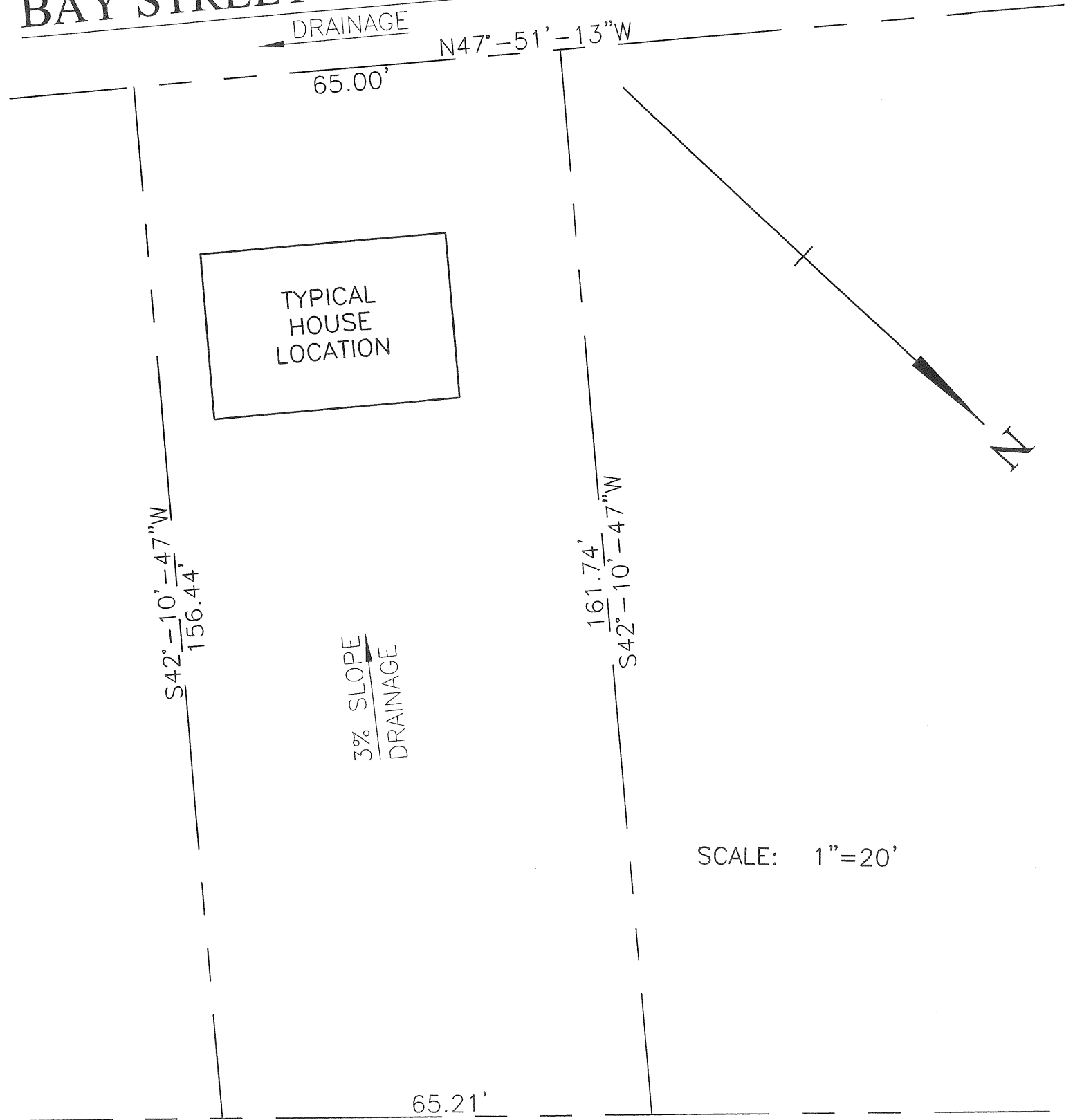


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- H. **Permit Included In Contract Bids.** A copy of this permit must be included in or attached to all contract bid specifications for the approved activity.
- I. **Permit Shown To Contractor.** Work done by a contractor pursuant to this permit shall not begin before the contractor has been shown by the applicant a copy of this permit.

BAY STREET EXTENSION



TYPICAL HOUSE LOT LAYOUT

9+30 - 12+06 BAY STREET EXTENSION
BY JOHN SARGENT

MAXIMUM FIRST FLOOR ELEV.

- LOT #1 - 72.00
- LOT #2 - 68.00
- LOT #3 - 69.00
- LOT #4 - 71.00

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 8, 2005

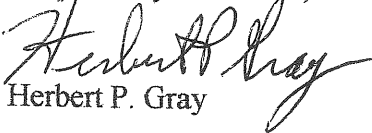
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

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Respectfully submitted,


Herbert P. Gray



Public Works Department
Michael J. Bobinsky, Director

26 May 2005

Mr. Herbert P. Gray, P.E.,
Consulting Engineer,
111 Simmons Road,
South Portland, Maine 04106

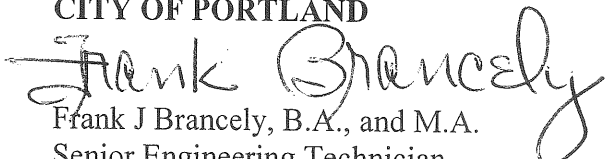
**RE: The Capacity to Handle the Anticipated Wastewater Flows,
From Four Proposed Single Family Homes, at 103, 106, 107, and 113 Bay Street.**

Dear Mr. Gray:

The existing twenty-four inch diameter reinforced concrete sanitary sewer pipe, located in Bay Street, has adequate capacity to **transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the anticipated wastewater flows of **1,260 G.P.D.**, from the proposed housing subdivision.

<u>Anticipated Wastewater Flows from the Proposed Development:</u>	
2 Proposed Three Bedroom Units, @ 270 G.P.D/Unit	= 540 G.P.D.
2 Proposed Four Bedroom Units, @ 360 G.P.D/Unit	= <u>720 G.P.D.</u>
Total Proposed Increase in Wastewater Flows for this Project	= 1,260 G.P.D.

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

Sincerely,
CITY OF PORTLAND

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

FJB

- cc:
- Alexander Q. Jaegerman, Director, Department of Planning, and Urban Development, City of Portland
 - Ethan Boxer-Macomber, Planner, Department of Planning, and Urban Development, City of Portland
 - Eric Labelle, P.E., City Engineer, City of Portland
 - Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
 - Stephen K. Harris, Assistant Engineer, City of Portland
 - Jane Ward, Administrative Assistant, City of Portland
 - Desk file



MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

1897

June 5, 2005

Mr. Herb Gray
Herbert P. Gray Consulting Engineer
111 Simmons Road
South Portland, ME 04106

Re: Wetland Delineation, Bay Street Extension, Portland, ME

Dear Herb,

I completed a delineation of wetlands on a proposed extension of Bay Street in Portland, Maine. The wetland delineation was completed for a proposed single family subdivision. The wetland delineation was conducted in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual. This manual requires the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils.

The wetlands I found on the parcel were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located by using GPS backpack equipment capable of locating the flags to within 3.0 feet. The wetland delineation information has been forwarded to you by hand. The wetlands found onsite are forested wetlands. The wetlands found on the parcel are associated with drainage which moves across the parcel from east to west. The wetlands found on the parcel do not meet the definition of wetlands of special significance as defined by Maine Department of Environmental Protection.

If you have any questions or require additional information, please contact me.

Sincerely,

Mark J. Hampton C.S.S., L.S.E.
Certified Soil Scientist #216
Licensed Site Evaluator #263

PLANNING BOARD REPORT #40-05

BAY STREET 5-LOT RESIDENTIAL SUBDIVISION

VICINITY OF 103-115 BAY STREET

SUBDIVISION REVIEW

JOHN SARGENT, APPLICANT

Submitted to:
Portland Planning Board
Portland, Maine

Submitted by:
Ethan Boxer-Macomber, Planner

July 22, 2005

A July 26, 2005 Public Hearing has been scheduled for the Planning Board to consider the above referenced application.

I. PROJECT SUMMARY

Applicant: John and Cynthia Sargent
103 Read Street
Portland, ME 04103

Site Location: 103-115 Bay Street Extension

CBL#: 141J014, 141J003, 155D027, and 155D028

Development Proposal: Redrawing of lot lines on the subject parcels so as to convert four residential lots into five. Four of the proposed lots are currently vacant and have frontage on an accepted but undeveloped portion of Bay Street. One of the proposed lots has frontage on Read Street and is the current residence of the applicant.

Zoning: R3

Land Area: Approximately 60,877 Sq. Ft. (1.4-Acres)

II. PROJECT BACKGROUND & DESCRIPTION

The subject site is situated on an undeveloped portion of Bay Street (Attachment F). The applicant proposes to create 5 single-family house lots in conformance with R3 zoning and the standards of the subdivision ordinance. The subject section of Bay Street is an accepted, undeveloped street.

The applicant had previously applied for and was granted administrative approval to construct the City Street under the provisions of §14-403 in order to access three existing lots of record. The City Engineer required the project to include separated storm and sewer lines along an approximately 240 foot undeveloped portion of Bay Street on which the applicant does not have frontage and does not propose to construct the street. Because of extensive ledge in the area, this requirement drove project costs up significantly and the applicant abandoned the project. With the creation of the fifth lot now proposed, the applicant feels he can cover the road costs.

By redrawing parcel lines and creating five new lots of record (Attachment S), the applicant's project requires subdivision review by the Planning Board.

III. PUBLIC OUTREACH AND RESPONSE

Upon receipt of the subject site plan application staff noticed property owners within 500 feet of the site and placed an ad in the *Portland Press Herald* newspaper in accordance with the requirements of the site plan ordinance. Prior to the May 24, 2005 workshop and the July 26, 2005 public hearing the project was again noticed in the same manner.

The applicant held a required neighborhood meeting on June 15, 2005 and has provided required documentation (Attachment L).

As of the date of this report, staff has received two written communications related to the project, both from residents of the Bay Village Condominiums (Attachment Q).

IV. SUBDIVISION

1. Water and Air Pollution §14-497(a)(1)

The propose project is not anticipated to have any adverse effect on water or air quality.

2. Water Capacity and Supply §14-497(a)(2-3)

The applicant has presented a capacity letter from the Portland Water District (Attachment H).

3. Soil Erosion §14-497(a)(4)

The applicant's erosion control plan is limited to hay bale barrier and silt fence typical details (Attachment N4) The applicant should be required to present a more detailed erosion control plan consistent with State of Maine best management practices subject to final review and approval by the City's consulting development review engineer (see proposed condition of approval below).

4. Traffic §14-497(a)(5)

The proposed project could potentially result in four (4) additional single-family homes on Bay Street. While access to the site may ultimately be provided from the West via Glengarden Road or from the East via Bay Street, no significant traffic impacts are anticipated under either scenario.

5. Sanitary and Stormwater Capacity §14-497(a)(6)

The applicant has presented a sanitary sewer infrastructure capacity letter (Attachment G).

The City Engineer has reviewed the proposed project an has required the applicant to install separated sanitary and stormwater lines from the subject site to the East down the Bay Street right of way to the

point where the accepted portion of Bay Street currently ends. To the applicant, this means constructing approximately 240 feet of street infrastructure not fronting the proposed project. The City Engineer has indicated that the remainder of Bay Street will be separated in the future as part of the CSO program.

At staff's request the applicant has presented a sample lot grading plan (Attachment E). The City's DRC has reviewed this sample plan and found it lacking adequate topographic detail. The applicant should be required to revised the sample drainage plan to the satisfaction of the DRC (see proposed condition of approval).

The City's consulting development review engineer, Jim Seymour, has conducted a review of the applicant's stormwater management and drainage plans. Mr. Seymour raises concerns about the applicant's stormwater plan in a July 22, 2005 memo (Attachment T).

Staff recommends the following condition of approval:

The applicant shall revise plans so as to satisfy concerns expressed by the City's development review engineer, Jim Seymour, in a July 22, 2005 memo, subject to final review and approval by the Planning Authority.

6. Sewage and Solid Waste Disposal §14-497(a)(7)

Sewer capacity is addressed in section 5, above. The proposed residential house lots are proposed to front a City Street and would therefore receive City of Portland trash removal and recycling services.

7. Scenic Beauty §14-497(a)(8)

Staff finds the proposed project to be in conformance with this section.

8. Comprehensive Plan Conformance §14-497(a)(9)

The proposed project conforms to the goals and policies of the Comprehensive Plan.

9. Financial and Technical Capability §14-497(a)(10)

The applicant has presented a mortgage loan commitment in the amount of \$240,000 from the John E. Straeter Trust of Auburn, Maine (Attachment B).

10. Water Bodies Protection §14-497(a)(11)

The proposed project will not have any adverse impact on any water body.

11. Groundwater Quality §14-497(a)(12)

The proposed project will not have any impact on any water body.

12. Flood Zone §14-497(a)(13)

Staff has consulted current floor insurance maps and determined that the proposed project is not located within any flood prone area (Attachment K).

13. Wetlands §14-497(a)(14)

At staff's request the applicant conducted a wetland survey of the subject site in early June (Attachment F). The results of the wetland survey are depicted on the applicant's current topographic survey (Attachment N2). The proposed development of Bay Street and a small portion of the proposed Lot 4 would require areas of wetland to be filled. Staff understands that the proposed wetland filling will require a Tier I NRPA fill permit from the Maine DEP. Staff understands that the applicant has submitted a Tier I application to the MDEP and is awaiting approval.

The project should be conditioned on the issuance of the Tier I permit (see proposed condition of approval below).

14. Rivers, Streams, Brooks §14-497(a)(15)

The proposed project is in conformance with this section.

15. Subdivision Technical and Design Standards §14-498

Street Plan / Design

The proposed street is 32 feet in width so as to match existing street width. The 32-foot street width has been reviewed and approved by the City Engineer.

The proposed plan calls for access to the site to be provided via Glengarden Street to the East. The proposed street would extend along the whole of the applicant's frontage and end with a hammer-head turn around provide on Lot 1 as per City standards (Attachment N).

At the May 24, 2005 workshop, residents of the Bay Village Condominiums expressed concerns about negative impacts that the proposed project would have on their development. Those resident asked that the Board consider requiring the applicant to provide access via Bay Street to the East so as to lessen some of these impacts (Attachment Q1&2).

At the May 24, 2005 workshop the Board requested that the applicant provide a comparative cost analysis between the two possible access routes. The applicant presented a cost comparison (Attachment J). Staff has reviewed this cost analysis and is concerned that it may not provide enough detail to adequately inform the Board's decision in this matter. Staff will request that the applicant

prepare additional analysis in advance of the July 26, 2005 public hearing and that the applicant's engineer be present to answer any questions the Board may have. Planning Division staff has also requested that the City Engineer review the competitive cost estimates and develop a recommendation for the Board. That recommendation will also be presented at the July 26, 2005 public hearing, where the City engineer will be present.

The City's reviewing engineer also points out that the existing portion of Bay Street where it divides the Bay Village Condominiums is in a state of disrepair and appears not to have been built to City standards (Attachment T). Mr. Seymour recommends that this section of road should be set with a new top base and paving at a minimum. The Board may want to consider whether the applicant should bear responsibility, whole or in part for this improvement to Bay Street.

Curb and Sidewalk

Granite curbing is proposed on both sides of the proposed street. The applicant proposes a five-foot wide sidewalk on the North side of Bay Street.

The applicant has requested a sidewalk waiver for the South side of the street (Attachment D). When the subject application was considered under §14-403 review in 2003 the City Engineer granted the applicant this waiver. Whereas the application is now under subdivision review, the Board will need to make this determination. City Code §14-506(b) outlines criteria for the Planning Board to follow in considering the applicant's sidewalk waiver request (Attachment P).

The City's consulting development review engineer recommends that the sidewalk be provided on the southerly side of the street so as to better connect with existing sidewalks on Glengarden Street. Planning staff also supports this plan change. This change would be required if the Board moves that the applicant address Mr. Seymour's concerns as proposed in the potential motion for the Board to consider.

Street Trees/ Esplanade

The applicant proposes a 6-foot esplanade and a five-foot wide sidewalk on the North side of the street. Street trees are provided in the esplanade. Street tree species selection was made in coordination with the City Arborist.

Street Lighting

The applicant now proposes a single "Town and Country" streetlight toward the center of the subject site in conformance with the City's exterior lighting and street lighting standards.

Easements

The proposed subdivision features no existing and only one proposed easement. A hammer-head turn round easement is proposed to be conveyed to the City of Portland on Lot 1. As of the date of this report the applicant had not submitted any easement language for review. Staff recommends that final review and approval of the turn around easement be complete by Corporation Council as a condition

of approval (see proposed condition of approval below).

16. Required Improvements

§14-499

City Code §14-499(h) requires that “all utility lines shall be placed underground unless otherwise approved by the Planning Board”. At the May 24, 2005 workshop the City Engineer presented a recommendation that the applicant should be allowed to run overhead power based on an understanding that all existing portions of the street were currently services in the same manner. After neighborhood responses and further research it is now known that the Bay Village Condominiums to the West of the project feature underground electric at the point where the applicant proposes to continue the City Street. Based on this information, the City engineer has revised his recommendation. If the project is provided access from the West, via Glengarden Road, the applicant should be required to continue the existing underground service. If access is provided to the site from the East, via the existing portion of Bay Street, the applicant should be allowed to run overhead power, consistent with the rest of the street (see proposed condition of approval below).

V. CONCLUSION AND RECOMMENDATION

Staff finds that, with the recommended conditions of approval imposed by the Board and satisfied by the applicant, the proposed project will be consistent with the R3 Zoning Ordinance and the standards of the Subdivision ordinance. Staff therefore recommends that the Planning Board approve the proposed motion.

After hearing final analysis on the comparative costs of constructing Bay Street from the East as opposed to West, the Board may wish to consider a condition of approval requiring the applicant to provide access from the East so as to minimize impacts on the Bay Village Condominiums.

VI. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans submitted by the applicant and on the basis of information contained in Planning Report #40-05 relevant to standards for subdivision regulations, and other findings as follows:

1. That the plan is in conformance with the subdivision standards of the land use code.

Potential Conditions of Approval:

- i. The applicant shall submit a detailed erosion control plan in conformance with best management practices subject to final review and approval by the City’s consulting development review engineer.

- ii. The applicant shall present a Tier I NRPA approval letter from the Maine DEP for the wetland fill proposed in conjunction with the project.
 - iii. The applicant shall present turn around easements for final review and approval by Corporation Council.
 - iv. The applicant shall amend the plan to eliminate all overhead electric service.
 - v. The applicant shall submit lot-by-lot grading plans and finished floor elevations for final review and approval by the DRC.
 - vi. The applicant shall prepare a subdivision recording plat for final review and approval by the Planning Authority and Corporation Council.
 - vii. The applicant shall revise plans so as to satisfy concerns expressed by the City's development review engineer, Jim Seymour, in a July 22, 2005 memo, subject to final review and approval by the Planning Authority.
2. That the Planning Board grants the applicant his request for a waiver of sidewalk requirements on the South side of Bay Street.

VII. ATTACHMENTS

- A. Application
- B. Financial Capacity Letter
- C. Evidence of Right, Title, and Interest
- D. Request for Sidewalk Waiver
- E. Sample Lot Grading Plan
- F. Wetland Delineation Letter
- G. Wastewater Capacity Letter
- H. Water Capacity Letter
- I. Existing Vicinity Fire Hydrants
- J. Alternative Road Access Cost Analysis Letter
- K. Area Floodplain Map
- L. Neighborhood Meeting Documentation
- M. Tax Assessor's Map

- N. Subdivision Plans
- O. Zoning Determination Letter
- P. Sidewalk Waiver Policy §14-506(b)
- Q. Public Communications
- R. CMP Street Light Options
- S. Context Map
- T. July 22, 2005 Seymour Memo



05P054

TO: Ethan Boxer-Macomber – Planner
FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.
RE: Bay Street Extension Subdivision – John Sargent
DATE: July 22, 2005

Sebago Technics has reviewed the revised Bay Street Extension Subdivision plan submittal for John Sargent from Herb Gray Consulting Engineer dated July 20, 2004. We feel that though this is a small residential development, it has concerns with wetland filling, some ledge removal, potential groundwater impacts, and connectivity issues with access and utilities, which could create expensive solutions. Due to these concerns and after reviewing this submittal, we have listed the following for your consideration:

1. Stormwater Management

- A. We have received the stormwater calculations for the project as conducted by Aquarian Engineering. We reviewed these calculations and found some inaccuracies likely based on the limitations of the soils and topographic mapping used. In the computations the wetland soils must be based on D hydrologic soils not a C classification, also the wetland areas present actually have detention capabilities and shall be modeled as a pond, however the larger concern is that the pre developed modeling leaves the drainage on the land, and the post conditions discharge the majority of runoff into the combined system. We also have some concerns with the lots grading plan that fails to adequately connect existing swales and wetland outfalls into any discharge location. This lack of drainage consideration could create water impediments, infiltration into the road base, winter icing and backed up drainage on abutting lots which could eventually create more of a wetland condition.

Observations at the site, indicates common drainage schemes with Glengarden St. and Bay View Condominiums. This drainage storage in wetlands currently is maximized during rainfall events through sheet and shallow flows and wetland swales. The status of the outfall from this development appears to be undetermined and may actually be a combination of overland sheet flow and infiltration. Runoff appears to travel a great length down Glengarden on the southerly side and then down the Bay St Extension. In our opinion there is too long of a drainage run from the rear parking lot at the corner of Read Street/ Glengarden to the proposed catch basin. We discussed this with the engineer requesting extension of the proposed storm drain to the limits of their property and farther to collect gutter flows to alleviate to capacity placed on one set of catch basins. The plan has not addressed that issue.

TI

The applicant has extended curbing and underdrain to the extent as discussed. We do feel that the natural location to terminate the curbing is at the driveway cut from Bay View Condos, and to extend the storm drain further up Bay Street Extension to collect gutter flows more efficiently and to provide a means for offsite runoff from the Bay View condo swale to the north and from the Gullikson lot's wetland to the west. In both case we suggest a field inlet basin at the right of way edge and tie it to the closest basins, as suggested above, near the same location.

For the purposes of stormwater rates and future separation projects we believe the stormwater should be revised per our suggestion so we can have accurate information to gauge the future design capacities needed in the Bay St separation projects slated for the near future. Per discussions with the City Engineer, Public Works staff, and the Project Engineer, the desired solution would use flow restrictive devices within the last drain manhole to restrict runoff into the drains and allow a slower release into the combined system, until such time as the City separates Bay St and then the restriction could come out and the drain could free flow. The engineer has not submitted supporting calculations, or a design to accommodate this effort.

- B. Foundation drains are to be connected to a storm drain main with a backflow preventer/valve and not tie directly to catch basins.

5. General

- A. A final subdivision plan will need to be generated showing standard street cross section as proposed, City notes/requirements per construction and subdivision standards, and delineate and set proposed street monumentation per City standards. **The cross section and several notes are still needed.**
- B. Due to the poor condition of Glengarden and the Bay St Ext. the design shall match the existing elevations at Glengarden St. Also we recommend that the applicant meet with Public Works and in Lieu of a street opening permit fee that the City may consider a waiver if the applicant provides a paving overlay up to the intersection of Glengarden St. **No Discussion of repairing the end of Bay Street Extension has been shown. Although the entire street has been stated as City accepted the section from the Bay View Condos to this project was not built to a City Standard and should minimally be set with a new top base and paving.**
- C. Based on discussions with Public Works, the proposed sidewalk would be best located on the southerly side of Bay Street Extension for connectivity access into existing sidewalks on the southerly side of Glengarden St.
- D. Several details are need and are listed below:
- Sewer saddle connections
 - Street lights or catalog cut
 - Pavement butt joint
 - Underground electric trenches

T2

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: 9+30-12+06 BAY STREET EXTENSION Zone: R3														
Total Square Footage of Proposed Structure:	Square Footage of Lot: Lot 1-11,631.78 sf Lot 2- 9996.36 sf. - Lot 3-10340.86 sf Lot 4 - 10,686.64 sf													
Tax Assessor's Chart, Block & Lot: <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">141</td> <td style="width: 33%;">J</td> <td style="width: 33%;">3</td> </tr> <tr> <td>Chart#</td> <td>Block#</td> <td>Lot#</td> </tr> <tr> <td>155</td> <td>D</td> <td>27</td> </tr> <tr> <td>155</td> <td>D</td> <td>28</td> </tr> </table>	141	J	3	Chart#	Block#	Lot#	155	D	27	155	D	28	Property owner's mailing address: 103 Read Street Portland, Maine 04103	Telephone #: 773-0660
141	J	3												
Chart#	Block#	Lot#												
155	D	27												
155	D	28												
Consultant/Agent, mailing address, phone # & contact person: Herbert P. Gray 111 Simmons Road South Portland, Maine 04106 Tel (207) 767-1861	Applicant's name, mailing address, telephone #/Fax#/Pager#: John Sargent 103 Read Street Portland, Maine 04103 Tel. (207) 773-0660	Project name: 9+30-12+06 Bay Street Extension												
Proposed Development (check all that apply) <input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input type="checkbox"/> Parking lot <input checked="" type="checkbox"/> Subdivision (\$500.00) + amount of lots <u>4</u> (\$25.00 per lot) \$ <u>100.00</u> = \$600.00. <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Stormwater Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input type="checkbox"/> Other _____														
Major Development (more than 10,000 sq. ft.) <input type="checkbox"/> Under 50,000 sq. ft. (\$500.00) <input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00) <input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00) <input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00) <input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00) <input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)														
Minor Site Plan Review <input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00) <input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)														
Plan Amendments <input type="checkbox"/> Planning Staff Review (\$250.00) <input type="checkbox"/> Planning Board Review (\$500.00)														

- Please see next page -

(A)

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

John Sargent
103 Read Street
Portland, Maine 04103
Tel. (207)773-0660

Submittals shall include (9) separate folded packets of the following:

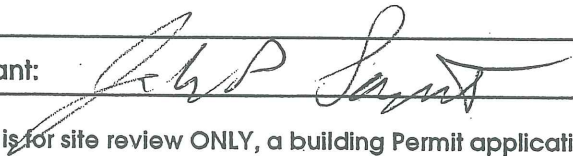
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, & c)
ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x11)
you may also visit the web site: ci.portland.me.us chapter 14

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

Signature of applicant:



Date: 17 MAR 05

This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.

A2

767 1861
MORTGAGE LOAN COMMITMENT

Applicants: John Sargent
Cynthia Sargent
Property Address: 103 Reed St
Portland, ME 04103
Application No: sargent

Lender: John E. Straeter, Trust
289 Main Ave
Auburn, Me 04210
Date Prepared: 03/01/2005

It is a pleasure to notify you that your application for a first mortgage loan has been approved subject to the following matters set forth below. See Good Faith Estimate of Settlement Charges for any related closing costs.

MORTGAGE TERMS AND FEES			
Amount of Loan: \$	240,000	Contract Interest Rate:	12.000 %
Term/Type:	1/2	LTV:	53.333 %
		Commitment Expires:	OLTV: 53.333 %
REPAYMENT TERMS			

Above mentioned lender has already committed to this loan amount and has put a \$75,000 deposit at Bay Area Title Company for closing costs, other engineering and administrative costs to be checked upon board approval.

EVIDENCE OF TITLE

The following Evidence of Title is to be provided to the Lender and must indicate no liens, encumbrances, or any adverse covenants or conditions to this unless approved by Lender. The Evidence of Title must be issued from a firm or source, and in a form, acceptable to Lender.

Warranty

Borrower will be charged for the cost of providing such title and the cost of recording documents, all of which will be ordered by Lender unless requested otherwise.

ADDITIONAL REQUIRED ITEMS OR CONDITIONS

Acceptable Bid for Site work
Clear Title

SEE NEXT PAGE INSTRUCTIONS

This Continuation of Commitment Conditions is made a part of this Commitment. Please sign and return Lender's COPY of this Commitment, along with any required fee and items requested, to the lender at the: above address following address, within _____ days of date hereof, or at the option of Lender, this commitment shall become null and void.
I (WE) hereby accept the terms and Conditions of this Commitment.

COMMITMENT ISSUED BY: _____ ADDRESS: _____

Authorized Signature: *[Signature]* Date: *3-17-05*

Applicant: John Sargent Date: _____ Applicant: Cynthia Sargent Date: _____

Applicant: _____ Date: _____ Applicant: _____ Date: _____

2004 Form MLC 12/93

B

019007

9105/15

WARRANTY DEED - SHORT FORM

MAINE REAL ESTATE TAX PAID

KNOW ALL MEN BY THESE PRESENTS THAT WE, EILEEN V. WARD and DONALD J. WARD, of Portland, County of Cumberland and State of Maine, THOMAS F. WARD of Augusta, County of Kennebec and State of Maine, VALORA A. BAKER of Falmouth, County of Cumberland and State of Maine, JOHN M WARD of New Gloucester, County of Cumberland and State of Maine and JAMES E. WARD of Poland, County of Androscoggin and State of Maine, for valuable consideration received, hereby grant to JOHN P. SARGENT and CYNTHIA T. SARGENT of Portland in the County of Cumberland and State of Maine, with WARRANTY COVENANTS as JOINT TENANTS, that certain lot or parcel of land located on Bay Street, City of Portland, County of Cumberland and State of Maine, as more fully described in Exhibit A attached hereto and incorporated herein.

In witness whereof, we have hereunto set our hands and seals on this 23rd day of APRIL, 1990.

[Signature]
Witness

Eileen V. Ward
Eileen V. Ward

Valora Baker
Witness

Thomas F. Ward
Thomas F. Ward

[Signature]
Witness

Valora A. Baker
Valora A. Baker

E. V. Ward
Witness

Donald Ward
Donald J. Ward

Eileen V. Ward
Witness

John M. Ward
John M. Ward

Eileen V. Ward
Witness

James E. Ward
James E. Ward

State of Maine
Cumberland, ss

On April 23, 1990 personally appeared the above-named Eileen V. Ward and acknowledged the foregoing deed to be her free act and deed.

Before me,

[Signature]
Notary Public/Attorney At Law

THOMAS W. COUTER
Type or Print Name

CI

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY LOCATED AT
Bay Street, Portland, MAINE

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.

EXCEPTING from the above-described premises that portion thereof which John J. Ward, Jr. conveyed to John DiSanto, et al dated April 26, 1962 and recorded in the Cumberland County Registry of deeds in Book 2669, Page 298; which is now owned by John Sargent and Cynthia Sargent.

Being the same premises described in a deed to Rose Burns from Hepzibah Home and Bible School, Inc. by deed recorded in Cumberland County Registry of Deeds, subject to the exceptions, reservations and restrictions mentioned in deed of said premises given to Addie L. Porter by Algernon S. Stubbs dated September 23, 1907 and recorded in said Registry of Deeds in Book 813, Page 353.

For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.

RECEIVED
RECORDED REGISTRY OF DEEDS

1990 MAY -8 PM 1:44

CUMBERLAND COUNTY



C2

PERSONAL REPRESENTATIVE'S DEED

KNOW ALL MEN BY THESE PRESENTS that I, EILEEN V. WARD, of Portland, County of Cumberland and State of Maine, whose mailing address is 45 Newton Street, Portland, Maine, duly appointed and acting Personal Representative of the Estate of JOHN J. WARD, JR. deceased intestate, as shown by the probate records of the County of Cumberland, Maine, and having given notice to each person succeeding to an interest in the real property described below at least ten (10) days prior to the sale, by the power conferred by the Probate Code, and every other power, for consideration paid, grants to JOHN P. SARGENT and CYNTHIA J. SARGENT of Portland, Maine, as JOINT TENANTS, the real property in Portland, County of Cumberland and State of Maine, described as follows:

A certain lot or parcel of land, with the buildings thereon, located in Portland, County of Cumberland and State of Maine, and more particularly described as follows:

BEGINNING on the northeasterly side line of Read Street at a point thereon distant twelve hundred (1,200) feet northwesterly from the point of intersection of said northeasterly side of Read Street with the northwesterly side line of Ocean Avenue (formerly Back Cove Road); thence by said side line of Read Street one hundred (100) feet to a point in said side line; thence from said two points keeping the width of one hundred (100) feet, extending back northeasterly from said Read Street and at right angles thereto about five hundred ten (510) feet, more or less, to land now or formerly of F.O.J. Smith.


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For further reference see deed from Rose Burns to John J. Ward, Jr. dated September 1946 and recorded in the Cumberland County Registry of Deeds on September 10, 1946 in book 1838, Page 202.


WITNESS her hand and seal this 23RD day of APRIL, 1990.

Signed, Sealed
Delivered in the presence of



Witness

ESTATE OF JOHN J. WARD, JR.


Eileen V. Ward,
Personal Representative

C3

Lot 36
Plan Book 5 page 99

WARRANTY DEED

MAINE REAL ESTATE TAX PAID

KNOW ALL BY THESE PRESENTS that I, DAVID M. BRIDGES, AN individual of Westbrook, Cumberland County, Maine, for consideration paid, do hereby grant to JOHN P. SARGENT and CYNTHIA J. SARGENT, individuals of Portland, Cumberland County, Maine, that certain lot or parcel of land situated in Portland, Cumberland County, Maine, as more particularly described in Exhibit A hereto (the "Premises").

TO HAVE AND TO HOLD the Premises, as aforegranted and bargained for, with all the privileges and appurtenances thereof to the said Grantees, their heirs and assigns, to their use and behoof forever.

AND I DO COVENANT with the said Grantees, their heirs and assigns, that I am lawfully seized in fee of the Premises, that it is free of all encumbrances, that I have good right to sell and convey the same to the said Grantees to hold as aforesaid; and that I and my heirs shall and will warrant and defend the same to said Grantees, their heirs and assigns forever, against the lawful claims and demands of all persons.

WITNESS my hand and seal this 11 day of March, 2003.

Witness:

Deborah M. Watt

David M. Bridges
David M. Bridges

STATE OF MAINE
COUNTY OF CUMBERLAND, ss

On March 11, 2003, personally appeared the above-named David M. Bridges and acknowledged the foregoing instrument to be his free act and deed.

Before me,

Deborah M. Watt

SEAL

Notary Public, State of Maine
Printed Name: Deborah M. Watt

My Commission expires
6/1/2007

(C4)

EXHIBIT A

A certain lot or parcel of land situated on Bay Street Extension in the City of Portland, County of Cumberland and State of Maine, and being the premises conveyed by the City of Portland to Lena B. Ogens by deed dated November 22, 1955, and recorded at the Cumberland County Registry of Deeds in Book 2255, Page 259.

Being also the same premises conveyed to Belle Ogens by Lincoln T. Small by deed dated October, 1955 recorded at said Registry of Deeds in Book 2255, Page 224.

Being also the same premises conveyed to John P. Paris by Robert B. Williamson, Jr. and Maurice S. Friedman, Personal Representative of the Estate of Lena Belle Ogens, by deed dated September 26, 1990, and recorded in the said Registry of Deeds in Book 9342, Page 68.

Being the same premises conveyed to John P. Sargent and Cynthia J. Sargent by John P. Paris by deed dated November 15, 1991 and recorded in said Registry of Deeds and also being the same premises conveyed to the Grantor herein by John P. Sargent and Cynthia J. Sargent by deed dated January 8, 1999 and recorded in said Registry of Deeds.

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; and that I and
r heirs and

[Signature]

M. Bridges

[Signature]
of Maine
wah M. Watt
on expires
7

SEAL

Received
Recorded Register of Deeds
Mar 31 2003 12:06:07P
Cumberland County
John B. O'Brien

C5

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 8, 2005

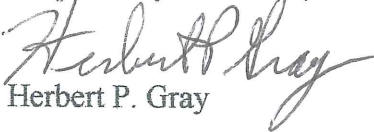
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 D027-28

Dear Planning Department:

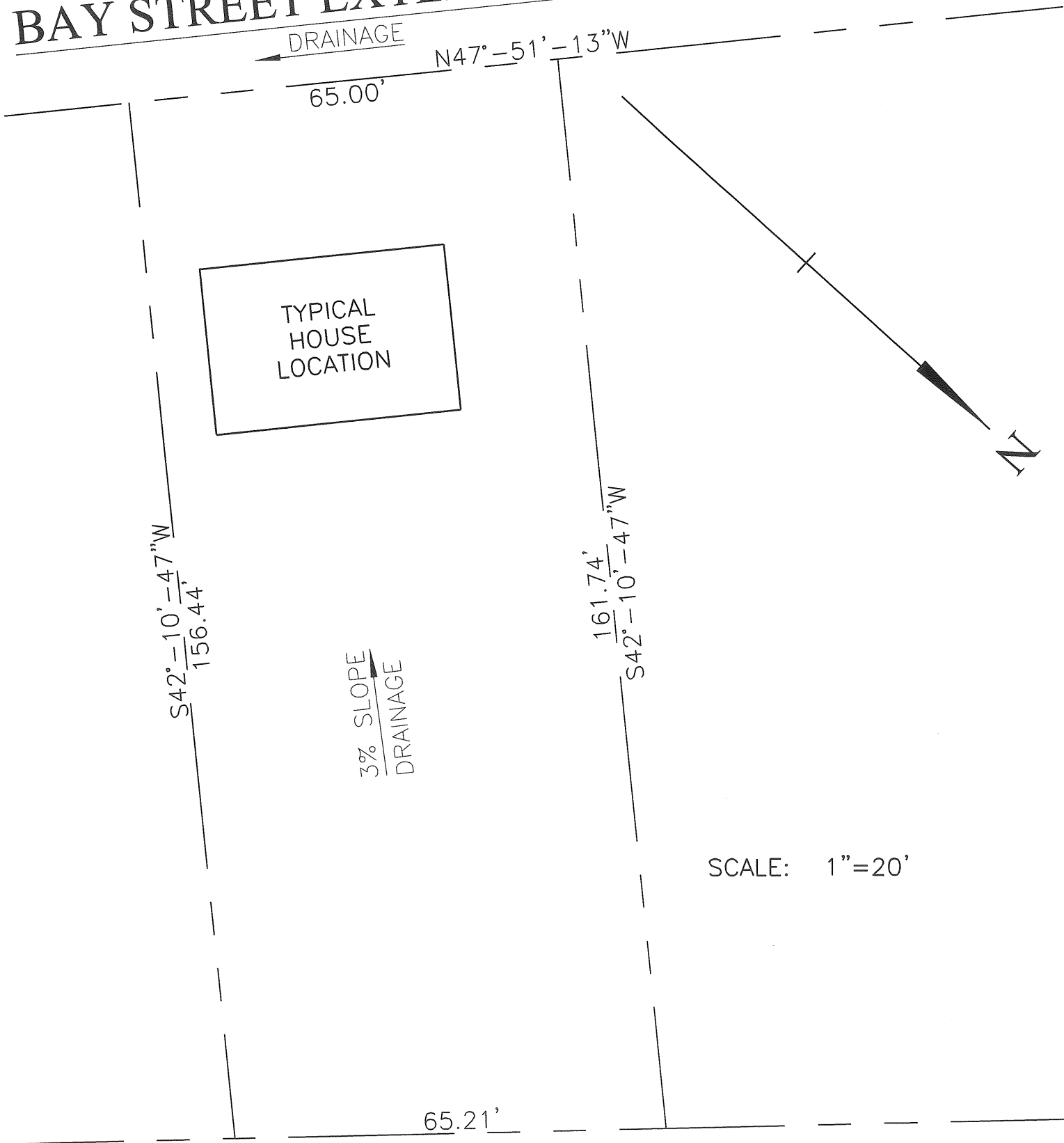
John Sargent requests a sidewalk waiver for the South Westerly side of Bay Street Extension. There is no reasonable expectation for pedestrian useage coming from, going to and traversing that side of Bay Street Extension as there are no sidewalks on either side of Bay Street from Ocean Street to Glengarden Street. A safe alternative-walking route is reasonably available by way of a sidewalk on the other side of the proposed street.

Respectfully submitted,


Herbert P. Gray

(D)

BAY STREET EXTENSION



TYPICAL HOUSE LOT LAYOUT

9+30 - 12+06 BAY STREET EXTENSION
BY JOHN SARGENT

MAXIMUM FIRST FLOOR ELEV.

- LOT #1 - 72.00
- LOT #2 - 68.00
- LOT #3 - 69.00
- LOT #4 - 71.00





MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

1897

June 5, 2005

Mr. Herb Gray
Herbert P. Gray Consulting Engineer
111 Simmons Road
South Portland, ME 04106

Re: Wetland Delineation, Bay Street Extension, Portland, ME

Dear Herb,

I completed a delineation of wetlands on a proposed extension of Bay Street in Portland, Maine. The wetland delineation was completed for a proposed single family subdivision. The wetland delineation was conducted in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual. This manual requires the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils.

The wetlands I found on the parcel were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located by using GPS backpack equipment capable of locating the flags to within 3.0 feet. The wetland delineation information has been forwarded to you by hand. The wetlands found onsite are forested wetlands. The wetlands found on the parcel are associated with drainage which moves across the parcel from east to west. The wetlands found on the parcel do not meet the definition of wetlands of special significance as defined by Maine Department of Environmental Protection.

If you have any questions or require additional information, please contact me.

Sincerely,

Mark J. Hampton C.S.S., L.S.E.
Certified Soil Scientist #216
Licensed Site Evaluator #263



PORTLAND MAINE

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

Public Works Department
Michael J. Bobinsky, Director

26 May 2005

Mr. Herbert P. Gray, P.E.,
Consulting Engineer,
111 Simmons Road,
South Portland, Maine 04106

**RE: The Capacity to Handle the Anticipated Wastewater Flows,
From Four Proposed Single Family Homes, at 103, 106, 107, and 113 Bay Street.**

Dear Mr. Gray:

The existing twenty-four inch diameter reinforced concrete sanitary sewer pipe, located in Bay Street, has adequate capacity to **transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the anticipated wastewater flows of **1,260 G.P.D.**, from the proposed housing subdivision.

Anticipated Wastewater Flows from the Proposed Development:

2 Proposed Three Bedroom Units, @ 270 G.P.D./Unit	=	540 G.P.D.
2 Proposed Four Bedroom Units, @ 360 G.P.D./Unit	=	<u>720 G.P.D.</u>
Total Proposed Increase in Wastewater Flows for this Project	=	1,260 G.P.D.

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

Sincerely,
CITY OF PORTLAND

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

FJB

cc: Alexander Q. Jaegerman, Director, Department of Planning, and Urban Development, City of Portland
Ethan Boxer-Macomber, Planner, Department of Planning, and Urban Development, City of Portland
Eric Labelle, P.E., City Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file





Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

May 9, 2005

Herb Gray
11 Simmons Rd.
South Portland, Me. 04106

Re: Bay St. Extension-Portland

Herb:

This letter is to confirm there should be an adequate supply of clean and healthful water to serve the needs of the proposed four building lots on Bay St. in Portland. Checking District records, I find there is a 8"DI water main on the north east side of Bay Street. In order to serve the four lots in question the water main would need to be extended further up the street.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the needs of your proposed project.

Hydrant Location: Bay St. 560' west of Ocean Ave.

Hydrant # 1528

Static pressure = 74 PSI

Flow = 1034 GPM

Last Tested = 8/17/1993

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

Sincerely,
Portland Water District

Jim Pandiscio
Means Coordinator

4

Hydrant locations
supplied by
Portland Water District



HY2701394

DI 8 1985

DI 8 1982

HY2701528

I

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 15, 2005

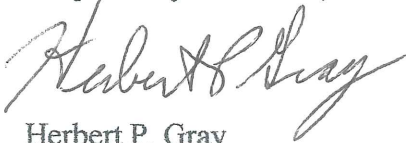
Department of Planning and Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: Proposed Bay Street Subdivision
Application ID #2005-0054, CBL #s 141 J003, 14 and 155 DO27-28

Dear Planning Department:

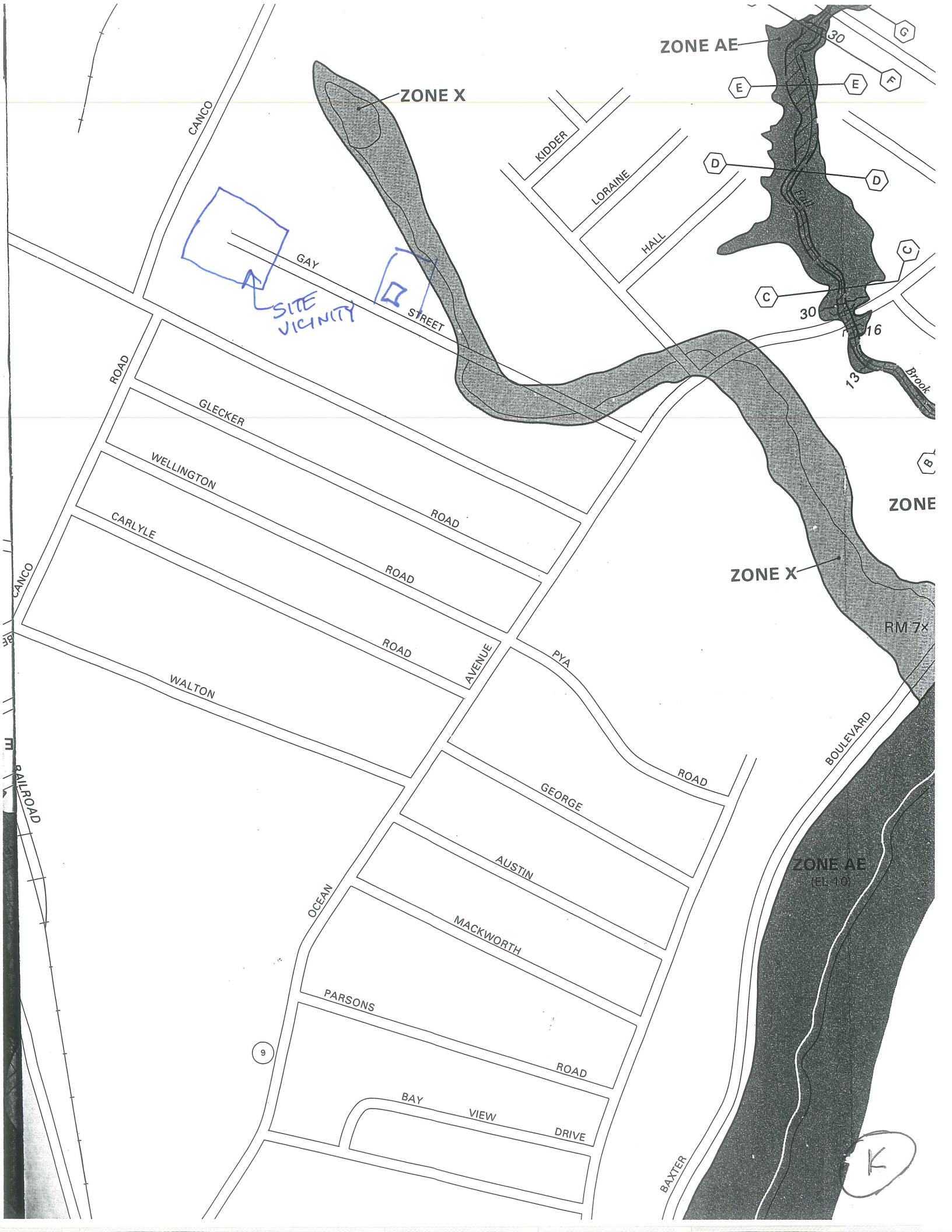
In reference to your letter of May 27, 2005 Item 2 - Requesting an analysis comparing the estimated cost of providing access to the proposed subdivision from the North, via Glengarden Street as opposed to South via Bay Street - The following information has been supplied by Maietta Construction, Inc. The cost of the project from the North via Glengarden Street is a bid of about \$160,000.00. The estimated cost of the Project from the South via Bay Street includes building about 248 feet of road through ledge before reaching the the onehundred ninety five feet of road necessary to to serve the four new lots is \$311,700.00.

Respectfully submitted,



Herbert P. Gray

5



ZONE AE

ZONE X

CANCO

KIDDER

LORAIN

HALL

GAY

STREET

SITE VICINITY

C

30

16

13

Brook

ROAD

GLECKER

WELLINGTON

CARLYLE

ROAD

ROAD

ROAD

WALTON

AVENUE

PYA

ZONE X

ZONE

RM 7x

BOULEVARD

ROAD

GEORGE

AUSTIN

MACKWORTH

OCEAN

PARSONS

ROAD

BAY

VIEW

DRIVE

BAXTER

ZONE AE
(EL. 10)

K

E

E

F

D

D

C

C

B

ZONE

RM 7x

ZONE AE
(EL. 10)

K

9

30

G

CANCO RAILROAD

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 16, 2005

I, Herbert P. Gray, P.E. hereby certify that a neighborhood meeting was held on Wednesday, June 15, 2005 at the Rec Room, Loyola Hall, Cheverus High School at 271 Ocean Avenue, Portland, Maine between 6:45 PM and 8:15 PM.

I also certify that on June 2, 2005, invitations were mailed to all addresses on the mailing list provided by the Planning Division, including property owners within 500 feet of the proposed Development and the residents on the "interested parties" list.

Signed,



June 16, 2005
Date

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes.

(41)

Herbert P. Gray

Consulting Engineer

111 SIMMONS ROAD, SOUTH PORTLAND, MAINE 04106 TEL. & FAX: 207-767-1861

June 2, 2005

Dear Neighbor:

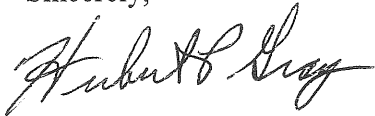
Please join us for a neighborhood meeting to discuss John Sargent's plans for four new house lots at 103, 106, 107 and 113 Bay Street, which includes two hundred and seventy six (276.00') feet of new road in front of the above properties.

The meeting will be held on Wednesday, June 15, 2005 at the Rec Room, Loyola Hall, Cheverus High School at 271 Ocean Avenue, Portland, Maine at 7:00 PM.

If you have any questions, please call:

John Sargent – 773-0660
Herbert P. Gray – 767-1861

Sincerely,



Herbert P. Gray, P.E. – Agent
for John Sargent
103 Read Street
Portland, Maine 04103

NOTE:

Under Section 14-32 (C) of the City Code of Ordinances, an applicant for a major development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting at least seven days prior to the Planning Board public hearing on the proposal.

L2

START 6:45 PM - 8:15 PM
JUNE 15, 2005

NEIGHBORHOOD MEETING
BAY STREET EXTENSION
SIGN UP SHEET

<u>NAME</u>	<u>ADDRESS</u>
Hubert Gray	3 Park Engineer
John P Sargent Sr	103 READ ST. PTD.
KEITH CRAIG	43 BAY ST PTD.
Dorothy Berte	70 Torrey St. PTD.
Elizabeth Boynton	121 Bay St Ext # 7
Claire Sutton	121 Bay ST. EXT #10
Sylvia O'Connell	121 " " " #2
Gina L. Foley	" " " #5
Peter Mullen	
Francena Robert	46 Bay 318 Campbells Pond Rd W. Path 0458

**MINUTES OF THE
NEIGHBORHOOD MEETING
BAY STREET EXTENSION**

The neighborhood meeting was held on Wednesday, June 15, 2005 at the Rec Room, Loyola Hall, Cheverus High School at 271 Ocean Avenue, Portland, Maine. The meeting started at 6:45 PM and finished around 8:15 PM.

The following topics were discussed by those who attended:

1. Herbert P. Gray, P.E. – explained the subdivision and the lots available.

Note: The removal of existing trees in the condo area was a concern of the people attending. Of the 5 existing trees between the condo buildings only 2 trees would be removed by the road extension.

2. A question and answer session followed and the following is a list of the Questions asked and the answers given:

Q. Where is the new road starting from?

A. Extending the road ROW from the Bay Village Condo area.

Q. What would happen to the wetland area at the end of the condominium property?

A. An explanation of Mark Hampton's, C.S.S., L.S.E. findings was explained by Herbert P. Gray, P.E.. Mark Hampton's letter was read aloud and circulated among attendants explaining his findings.

Q. What about Maietta Construction's estimate to do the project?

A. An explanation of the estimate was given. Explained why continuing the road from the Condo area would cost only \$160K while extending the road from Bay Street was estimated at \$311,700. The main reason was building 248 feet of road plus the 195 feet of road to the end of the proposed lots with ledge and blasting required.

Q. When would construction begin?

A. Estimated start of construction within one month after the Planning Board meeting scheduled for 6/28/05.

- Q. How much heavy equipment will be used?
- Q. Would the surrounding roads handle the heavy loads?

- A. To the best of my knowledge standard equipment will be used and the existing roads should be sufficient.

- Q. How much construction traffic is estimated?

- A. Efficient use of equipment is required for Contractor to make money on this project. A tentative order of events were given. First step would be to clear ROW, install underdrains, extend the water line, then stabilize the road base, etc.

- (For John Sargent) Q. What is the property owners intent in selling lots?

- A. Owner stated he wanted to build on one of the new lots and sell the remaining lots.

- Q. What lighting was required?

- A. Explained the replacing of the pole in the Condo area and installing another light pole between Lot #1 and the Gullickson property. Two types proposed – Town & Country Lights or Cobra Lights.

- Q. Where is blasting required in the project?

- A. Estimated to be at the end of Bay Street and nothing near the Condominium area.

- Q. Is the DEP certificate required by the Planning Board meeting on 6/28/05?

- A. No. The Planning Board could approve the plans upon a condition of DEP approval.

- Q. Abutters would like construction to start on the Southerly end of subdivision, would the Contractor start there?

- A. Owner and Engineer would ask Maietta to start there but could not guarantee.

- Q. Is underground wiring required?
- A. No. Underground wiring is more expensive and is not required by the City since no other underground wiring is in the street.
- Q. What is the new speed limit for the proposed street?
- A. Estimated at 25 MPH – owner does not anticipate a lot of traffic, at the most 2 cars per lot.
- Q. Would the survey be shared with condo owners?
- A. Plans used in presentation were given to those requesting one.
- Q. Would abutters be notified when blasting starts?
- A. Engineer stated the City of Portland has strict rules and regulations on blasting and everyone possibly affected would be notified.
- Q. Is there anything to prevent the proposed road, after it is built, from extending to existing Bay Street?
- A. No. The extension of our proposed street would have to be paid for by other property owners affected, not by John Sargent.

CONCLUSION

Those attending the meeting would like to see Bay Street remain a dead end road with the one hundred feet (100.00') of road right-of-way within the Bay Village Condominium area to be discontinued. Those attending would like to see the proposed road start from the end of Bay Street and end at the rear property line of Bay Village Condominiums with a turnaround.

From: Marge Schmuckal
To: Ethan Boxer-Macomber
Date: 6/23/05 9:59:57 AM
Subject: Bay Street Development

Ethan,

I have reviewed the given subdivision plans. These properties are located within an R-3 zone. As far as developed all R-3 zone requirements are being met.

However, the envelopes are misleading. They are only showing 8' setbacks as a "minimum". The ordinance require 8' setbacks for a single story only. The notes should be adjusted to showing the R-3 setback zoning requirements as outlined within the R-3 Zone.

Marge Schmuckal
Zoning Administrator

“O”

Sec. 25-96. Required for nonresidential, two-family or multi-family development; exceptions.

Where a nonresidential, or a two-family or multi-family development requiring site plan approval abuts any accepted street and a sidewalk with granite curbing satisfactory to the public works authority has not already been provided, a sidewalk constructed of bituminous concrete, portland cement concrete, brick or other paving material and granite curbing shall be provided along the entire street frontage of the lot. If either a sidewalk or curbing, but not both, shall exist at such location which is satisfactory to the public works authority, only a sidewalk or curbing, as the case may be, shall be provided. In either case, such sidewalk and curbing shall be constructed in accordance with the specifications and to the satisfaction of the public works authority at no cost to the city. In conjunction with major site plan review, the planning board, or with minor site plan review, the planning authority, may waive or modify the requirements contained herein upon a like finding and on the same terms and conditions as set forth in section 14-506(b) of this Code.

Sec.14 -506 (b) Modifications.

(b) Where the planning board or planning authority finds that, for each of the requirements listed below, two or more of the conditions exist with respect to compliance with the requirements set forth in sections 14-498 and 14-499 pertaining to the provision and construction of curbs and/or sidewalks, it may vary the regulations so that substantial justice may be done and the public interest secured:

Sidewalks-

1. There is no reasonable expectation for pedestrian usage coming from, going to and traversing the site.
2. There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of a pedestrian oriented infrastructure.
3. A safe alternative-walking route is reasonably available, for example, by way of a sidewalk on the other side of the street.
4. The reconstruction of the street is specifically identified in the first or second year of the current Capital Improvement Program.
5. The street has been constructed or reconstructed without sidewalks within the last 24 months.
6. Strict adherence to the sidewalk requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.

Curbing-

1. The cost to construct the curbing, including any applicable street opening fees, is in excess of 5% of the overall project cost
2. The street is scheduled for major reconstruction as a component of the Capital Improvement Program.
3. The street has been rehabilitated without curbing in the last 60 months.
4. Strict adherence to the curb requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.
5. Runoff from the development site or within the street does not require curbing for

PI

stormwater management.

In no event shall the waiver have the effect of creating potentially hazardous vehicle and pedestrian conflict or nullifying the intent and purpose and policies of the land development plan relating to transportation and pedestrian infrastructure and the regulations of this article.

At its discretion, the planning authority may refer any petition for a waiver from the curb and sidewalk requirement to the planning board for decision.

**COMMENTS RE: APPLICATION OF JOHN SARGENT
FROM BAY VILLAGE ASSOCIATION**

Chair and Members of the Planning Board:

Thank you for this opportunity to speak with you about the Sargent application to increase the undeveloped lots from 3 to 4 (with a total of 5 lots, including the developed lot fronting on Read Street).

I am here strictly in my private capacity as an abutting property owner and President of Bay Village Association which is significantly impacted by this proposal. I am not here in any capacity as a city employee.

First, let me raise two notice issues. Bay Village was aware in 2003 that Mr. Sargent had filed an application for approval to construct Bay Street Extension. Actual approval of that application, however, was granted without any opportunity for input or prior notice to Bay Village. Secondly, notice of today's meeting was postmarked May 18, and most of us received the notice either in the evening of May 19, or not until May 20. There was no time to provide any comments prior to the Planning Staff Memo to you, and lack of comment should not be construed to be lack of concern. The mailing of notice on May 18 for a May 24 workshop does not comply with the requirement in section 14-32 that notice be mailed 7 days in advance of the workshop or hearing date.

As I noted, I am here as a resident and officer of Bay Village Association. We want to make it clear to you that this proposal will have a significant impact upon our Association. We are a small association, consisting of 10 townhouse units in a total of 4 buildings. The proposed road will cut our Association exactly in half, with two buildings on one side of the road and two buildings on the other side. It will also require the removal of several 20+ year old trees which were planted by the association developers back in the early 1980's and the loss of a substantial part of the Association's back yard.

Currently, there is a small paved area from Bay Street Extension which is, in effect, part of our parking lot. It is the area we have always designated as visitor parking. It is also the area we put our cars in the winter in order to permit plowing of our parking lot. Thus, loss of this area for these uses impacts us adversely.

More importantly, however, is the separation of our Association into two parts by this proposed road, along with the loss of the trees and grass which are currently part of our Association grounds. Our Association was specifically designed to take advantage of its one amenity – its location. None of the buildings have first floor windows looking out on the parking lot. Rather, all of the units are designed to look out into the back yard, i.e. into the woods that currently exist in this area. We all have triple patio doors on the first floor, and when you walk into my unit, for example, which is a middle unit and has no side windows, the back woods are what you see from the front entrance. It will be a

Q1

great loss in value for the unit to be looking instead at the side of someone's garage or house.

Finally, this area in back and to the side of our Association is one of the significant open spaces in Portland, and it is filled with wet areas, including a large marsh on one side of the Association. I note that the Planner has identified wetlands as an issue to be addressed by the developer. This should include the impact of the development on the entire area, including the marsh located within a few hundred feet of the subdivision as well as the wet areas which run through the development area itself.

All of these adverse impacts can be avoided by one simple change in this proposal: the developer should be required to build the road from the existing Bay Street side, rather than from the Glengarden Street side. My understanding is that Public Works will require him to do substantial work on the Bay Street end in connection with sewer and storm drains. He will be blasting in this area to meet those requirements. It is reasonable that all of the related street development be done in this area rather than building the street itself on the opposite side of the subdivision, where it will cause such adverse impacts on our condominium association. The lots bounding the end of Bay Street are not currently developed and would not be negatively impacted by construction of the street. If this subdivision is ultimately approved, I ask that you consider making it a condition of approval that he extend the street from the Bay Street side, not from Glengarden, through the Bay Village Association.

An additional concern that the Association has in adding a lot to the subdivision is that the survey presented shows that the lots are exactly the required 65 feet. If this survey is off at all, then the ordinance standards for the lot size are not met. The Association is in the process of contacting surveyors to see if we can verify the accuracy of the survey before you, and what the cost would be to do such a survey. As noted, we are a small group of homeowners and do not have unlimited financial resources. At minimum, we request that you postpone any final action on this application until we have had time to consider this option.

Finally, we ask that, if you approve this subdivision, that you make it a condition of that approval that the applicant provide a substantial buffer of trees in the back and along the sides of Bay Village Association as part of any development of the lots. This is only fair given the loss of trees from our property, and will maintain some of the original integrity of the property which we all thought we were acquiring when we purchased our condominiums.

Respectfully submitted:

Elizabeth Boynton
President, Bay Village Association

Q2

From: "Lisa Joyce" <ljoyce@maine.rr.com>
To: <ebm@portlandmaine.gov>
Date: 6/24/05 12:13:54 PM
Subject: Bay Street Project

Ethan,

I am writing to you to express my concerns about the above referenced project. My interest in this project is as a neighbor. I own and have owned property at 121 Bay Street Extension for the past 20 years. I have three major concerns and they are as follows:

1. **Underground Utilities.** Mr Gray at our recent neighborhood meeting informed us that he was given a waiver by the City and not required to install underground utilities for this development. I have a hard time understanding this as our development is 20 years old and has underground utilities. I would ask the Planning Board to revisit this waiver and require that underground utilities be installed.
2. **Completion/Performance Bond.** I would request assurance from the Planning Board/City that a completion/performance bond be required for this project. The developer has a history of noncompliance with City regulations on this parcel of land.
3. **Reconstruction of Glengarden Street/Bay Street Extension.** I would like to know when this street is scheduled for reconstruction. The street is barely passable at present and the introduction of construction vehicles will only hasten the collapse of the road. In the past year we have made numerous (5 plus) calls to Public Works to request that at least the potholes get filled and each time we are promised that it will happen, so far no one has shown up and the potholes are worse than ever.

Sincerely,






Lisa M. Joyce
121 Bay St Ext. Unit #8
Portland, Maine 04103

CC: <cl@portlandmaine.gov>, <jayjr@portlandmaine.gov>





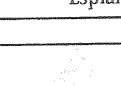
23

Outdoor Lighting

Area and Street Lights

FIXTURE TYPE	LAMP TYPE	LAMP WATTS	RATED LUMENS	COMMENTS
 Open Light	HPS	70	5,670	Great for general lighting needs for business and homes, including roadside businesses and suburban or rural homes and yards.
 Mongoose	HPS HPS MH MH	250 400 250 400	25,600 45,000 17,000 28,800	Best for roadways and parking lots, and where light trespass could be a problem. Vector series can be set back up to 50' from the area being illuminated.
 Decashield	HPS HPS HPS HPS MH MH MH MH	70 150 250 400 175 250 400 1000	5,670 14,400 25,600 45,000 10,500 17,000 28,800 88,000	Good for roadways and areas that are wider than they are long. Underground electric service required. Commonly used for parking and auto lots.
 Flood	HPS HPS HPS HPS MH MH MH MH	150 250 400 1000 175 250 400 1000	14,400 25,600 45,000 126,000 10,500 17,000 28,800 88,000	Ideal for parking lots, building security, building façades, storage yards, and other areas needing directional lighting.
 Cutoff Luminaire	HPS HPS HPS HPS HPS HPS MH MH MH	50 70 100 150 250 400 175 250 400	3,600 5,670 8,550 14,400 25,600 45,000 10,500 17,000 28,800	Best for roadways and parking lots, and where light trespass could be a problem.

Decorative Options

 Town & Country	HPS HPS MH	100 150 175	8,550 14,400 10,500	Classic "colonial" design with modern street light performance. Requires underground electric service.
 Hallbrook	HPS HPS HPS MH MH MH	70 100 150 70 100 175	5,670 8,550 14,400 4,000 5,850 10,500	Sleekly-styled luminaire designed to meet the aesthetic and architectural qualities desired in decorative street and area lighting. Requires underground electric service.
 Radial Wave	HPS HPS HPS HPS	50 70 100 150	3,600 5,670 8,550 14,400	The ornamental radial wave fixture recaptures a tradition from decades ago. Note: Ability to attach to standard wood utility pole.
 Esplanade	HPS HPS HPS HPS MH MH MH MH	70 150 250 400 70 175 250 400	5,670 14,400 25,600 45,000 4,000 10,500 17,000 28,800	Styling from early in this century, with precision optical system for modern street lighting performance. Seventy watt MH available for a smaller sized pedestrian version of this style. Requires underground electric service. ability to attach to standard wood utility pole.
 Granville	HPS HPS HPS MH MH MH	70 100 150 70 100 175	5,670 8,550 14,400 4,000 5,850 10,500	Combines a distinctive architectural heritage with high -design standards and prismatic light control for maximum efficiency. Available with or without 5" finial. Requires underground electric service.

HPS = High Pressure Sodium MH = Metal Halide

RI

Outdoor Lighting

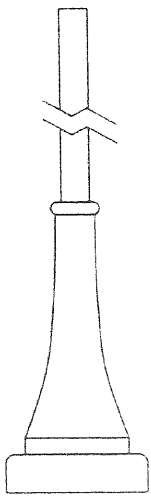
We have a wide variety of outdoor lighting fixture options to choose from. A CMP Customer Service Advisor can help you select the best lighting fixtures for your needs. Fixture installation and maintenance is included in monthly lease price.

Call 1-800-649-1169 to get in touch with the CMP Customer Service Advisor for your area.

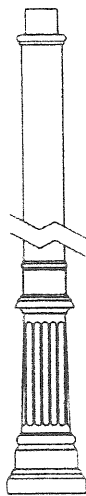
Which area or street light is right for your application (non decorative fixtures)?

	Open HPS	Mongoose Vector HPS	Mongoose Vector MH	Mongoose Close In HPS	Mongoose Close In MH	Decashield HPS	Decashield MH	Flood HPS	Flood MH	Cutoff HPS	Cutoff MH
Residential Security	X							X	X	X	
Commercial Security	X	X	X	X	X			X	X	X	X
Roadways	X	X	X	X	X					X	X
Parking Lots	X	X	X	X	X	X	X	X	X	X	X
Auto Sales Lots			X		X		X		X		X
Building Façades		X	X					X	X		
Walkways	X			X	X	X	X			X	X
Barnyards	X							X	X		
Outside Rec Areas	X					X	X	X	X		

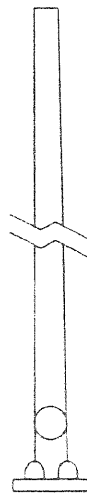
Pole options: We also have a variety of poles to create just the look you desire.



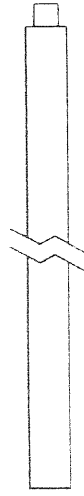
Hallbrook



Salem



Tapered



Laminated

Decorative pole options:

Hallbrook pole (black or dark green) 12', 15', or 18', with or without base cover, single or twin for use with Esplanade, or Hallbrook luminaires.

Salem Series aluminum pole (black or dark green) 8', 10', or 12' for use with Granville, or Town and Country luminaires.

Basic pole options:

Tapered aluminum pole (black or dark green) 8', 10', or 12' for use with Granville, or Town and Country luminaires.

Laminated wood pole, 20' or 36', for use with Town and Country luminaires.



Central Maine Power

www.cmpco.com



CUSTOMER SERVICE
OFFICE HOURS
8:30 A.M. - 4:30 P.M.

Portland Water District
FROM SEBAGO LAKE TO CASCO BAY

May 9, 2005

Herb Gray
11 Simmons Rd.
South Portland, Me. 04106

Re: Bay St. Extension-Portland

Herb:

This letter is to confirm there should be an adequate supply of clean and healthful water to serve the needs of the proposed four building lots on Bay St. in Portland. Checking District records, I find there is a 8"DI water main on the north east side of Bay Street. In order to serve the four lots in question the water main would need to be extended further up the street.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the needs of your proposed project.

Hydrant Location: Bay St. 560' west of Ocean Ave.
Hydrant # 1528
Static pressure = 74 PSI
Flow = 1034 GPM
Last Tested = 8/17/1993

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

Sincerely,
Portland Water District

Jim Pandiscio
Means Coordinator



DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004

Contact: (207) 287-2811

SUMMARY

There are two methods available to an aggrieved person seeking to appeal a licensing decision made by the Department of Environmental Protection's (DEP) Commissioner: (1) in an administrative process before the Board of Environmental Protection (Board); or (2) in a judicial process before Maine's Superior Court. This INFORMATION SHEET, in conjunction with consulting statutory and regulatory provisions referred to herein, can help aggrieved persons with understanding their rights and obligations in filing an administrative or judicial appeal.

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

DEP's *General Laws*, 38 M.R.S.A. § 341-D(4), and its *Rules Concerning the Processing of Applications and Other Administrative Matters* (Chapter 2), 06-096 CMR 2.24 (April 1, 2003).

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

The Board must receive a written notice of appeal within 30 calendar days of the date on which the Commissioner's decision was filed with the Board. Appeals filed after 30 calendar days will be rejected.

HOW TO SUBMIT AN APPEAL TO THE BOARD

Signed original appeal documents must be sent to: Chair, Board of Environmental Protection, c/o Department of Environmental Protection, 17 State House Station, Augusta, ME 04333-0017; faxes are acceptable for purposes of meeting the deadline when followed by receipt of mailed original documents within five (5) working days. Receipt on a particular day must be by 5:00 PM at DEP's offices in Augusta; materials received after 5:00 PM are not considered received until the following day. The person appealing a licensing decision must also send the DEP's Commissioner and the applicant a copy of the documents. All the information listed in the next section must be submitted at the time the appeal is filed. Only the extraordinary circumstances described at the end of that section will justify evidence not in the DEP's record at the time of decision being added to the record for consideration by the Board as part of an appeal.

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

The materials constituting an appeal must contain the following information at the time submitted:

1. *Aggrieved Status.* Standing to maintain an appeal requires the appellant to show they are particularly injured by the Commissioner's decision.
2. *The findings, conclusions or conditions objected to or believed to be in error.* Specific references and facts regarding the appellant's issues with the decision must be provided in the notice of appeal.
3. *The basis of the objections or challenge.* If possible, specific regulations, statutes or other facts should be referenced. This may include citing omissions of relevant requirements, and errors believed to have been made in interpretations, conclusions, and relevant requirements.
4. *The remedy sought.* This can range from reversal of the Commissioner's decision on the license or permit to changes in specific permit conditions.

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.
6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.
7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5).

OTHER CONSIDERATIONS IN APPEALING A DECISION TO THE BOARD

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.
2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.
3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

WHAT TO EXPECT ONCE YOU FILE A TIMELY APPEAL WITH THE BOARD

The Board will formally acknowledge initiation of the appeals procedure, including the name of the DEP project manager assigned to the specific appeal, within 15 days of receiving a timely filing. The notice of appeal, all materials accepted by the Board Chair as additional evidence, and any materials submitted in response to the appeal will be sent to Board members along with a briefing and recommendation from DEP staff. Parties filing appeals and interested persons are notified in advance of the final date set for Board consideration of an appeal or request for public hearing. With or without holding a public hearing, the Board may affirm, amend, or reverse a Commissioner decision. The Board will notify parties to an appeal and interested persons of its decision.

II. APPEALS TO MAINE SUPERIOR COURT

Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's written decision. A petition for review by any other person aggrieved must be filed within 40-days from the date the written decision is rendered. The laws cited in this paragraph and other legal procedures govern the contents and processing of a Superior Court appeal.

ADDITIONAL INFORMATION

If you have questions or need additional information on the appeal process, contact the DEP's Director of Procedures and Enforcement at (207) 287-2811.

Note: The DEP provides this INFORMATION SHEET for general guidance only; it is not intended for use as a legal reference. Maine law governs an appellant's rights.

Stormwater Management Report for Bay Street Extension Portland, Maine

PROJECT'S HYDROLOGICAL LOCATION

The project is located between Bay Street and Bay Street Extension in Portland, Maine. The parcel is divided into small subareas of the larger Back Cove Watershed where stormwater is collected via the City's combined sewer infrastructure and treated accordingly.

Please note that the total area analyzed both in pre and post development exceeds the parcel acreage due to the inclusion of abutting properties for a more accurate analysis. Watershed delineation and analysis is based on survey and engineering design provided by Herbert P. Gray.

PRE-DEVELOPMENT CONDITIONS

The 4.9 acre subarea is mixture of woods, field/open area, buildings, and paved surfaces. Adjacent to the site and included within the subarea analysis is Bay Village Condominiums, parking accommodations, and a few residential homes.

The site gradually slopes towards the northwesterly corner of the subarea where stormwater discharges off-site as defined as Outlet A. Stormwater from Subarea 1 is currently detained on-site within the low wetland area until detention capacity is exceeded and stormwater is discharged to Outlet A. Stormwater from Subarea 2 appears to meander its way directly to Outlet A without being detained on-site.

Soils onsite include Buxton and Walpole. These soils are typically classified as Hydrological Grouping C and D within the delineated wetland. Soils were classified using the Cumberland County Soil Survey published by the United States Department of Agriculture.

POST-DEVELOPMENT CONDITIONS

The Post development site analysis is now characterized by 6 subareas. Runoff from subareas 2, 3 and 4 are collected via proposed catch basins and piped to the City's existing combined sewer system. Runoff from subarea 1 is collected via a proposed field inlet and routed to the nearest catch basin. Subarea 5 and 6 discharges off-site, with no development impact, at the same location as Pre development.

The proposed road will be constructed in accordance with the City's local street standards. The road will be constructed as a 32-foot wide paved road with a 6-foot esplanade and 5-foot sidewalk on one side. All four lots will be developed with the following assumptions:

± 1,225 square foot building footprint and ± 1,225 square feet of pavement. The remaining area of the lots is anticipated to remain in their natural conditions.

STORMWATER RUNOFF CALCULATIONS

Stormwater runoff calculations for this project were made using the HydroCAD computer program, which is based on the Soil Conservation Service's TR-20 methodology. Runoff hydrographs are generated based on a standard type III storm. Three storms were modeled, the two-year storm (3.0 inches in 24 hours); the ten-year storm (4.7 inches in 24 hours); the 25-year storm (5.5 inches in 24 hours).

Two watershed areas were analyzed in pre-development and six watershed areas were analyzed in post-development. While there were additional watershed areas in post-development analysis, the total subarea acreage being analyzed for change in peak storm flow are equivalent for both pre and post. Watershed 5 will not be affected by the construction of the road or development of the lots.

Runoff Curve numbers were determined based on land coverage and soil type. Soils were extracted from the Cumberland County Soil Survey published by the United States Department of Agriculture. Wetland delineation was performed by Mark Hampton Associates of Portland, Maine. Times of concentration were developed based on runoff flow paths for each watershed.

Based on the calculations in Appendix A, the stormwater results are tabulated below.

Subarea	Pre-Development (CFS)		
	2 Year	10 Year	25 Year
1	4.07	8.38	10.49
2	1.03	2.50	3.26
SUM	5.10	10.88	13.75

Based on the calculations presented in Appendix B, the stormwater results are tabulated below.

Subarea	Post-Development (CFS)		
	2 Year	10 Year	25 Year
1	2.69	5.66	7.12
2	0.97	1.84	2.26
3	1.10	2.06	2.51
4	0.71	1.52	1.92
5	0.10	0.26	0.34
6	0.20	0.53	0.71
SUM	5.77	11.87	14.86

The following table indicates total pre- and post-development runoff conditions at each off-site outlet.

Pre-Development (CFS)				Post-Development (CFS)			
REACH OUTLET	2-YEAR	10-YEAR	25-YEAR	REACH OUTLET	2-YEAR	10-YEAR	25-YEAR
Outlet A	1.03	2.50	10.53	Outlet A	0.30	0.79	1.04
Stormdrain	NA	NA	NA	Stormdrain	1.80	8.46	11.74
TOTAL	1.03	2.50	10.53	TOTAL	2.10	9.25	12.78

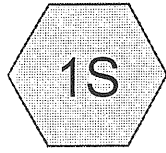
The following table indicates total pre- and post-development runoff conditions with the installation of a flow restrictive device (6" orifice, as shown) in post-development analysis.

Pre-Development (CFS)				Post-Development (CFS)			
REACH OUTLET	2-YEAR	10-YEAR	25-YEAR	REACH OUTLET	2-YEAR	10-YEAR	25-YEAR
Outlet A	1.03	2.50	10.53	Outlet A	0.30	0.79	1.04
Flow Restriction	NA	NA	NA	Flow Restriction	0.55	0.55	0.54
TOTAL	1.03	2.50	10.53	TOTAL	0.85	1.34	1.58

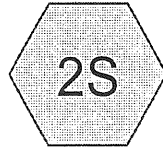
SUMMARY AND CONCLUSIONS

Performing the HydroCAD analysis of the subject site and corresponding area indicates that Post development peak flow is slightly increased from Pre development peak flow. The increase is expected with pre development stormwater being detained on-site while post development design indicates stormwater discharging to the City's combined sewer system.

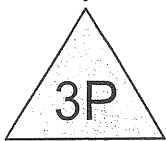
Per the City's recommendations a flow restrictive device was modeled with the installation of a six inch orifice (down stream catch basin) to restrict the flow during a ten year storm. The restriction raises the existing detention elevation to 67.22 feet, which indicates that the stormdrain is flowing at capacity and backing up within the wetland causing some flooding. It is our understanding that some flooding is going to occur until the City's systems are updated and flow restrictions are removed.



Subarea 1



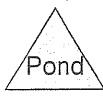
Subarea 2



Existing Detention



Outlet A



Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1

Runoff Area=3.427 ac Runoff Depth>1.27"
Flow Length=265' Tc=15.6 min CN=82 Runoff=4.07 cfs 0.363 af

Subcatchment 2S: Subarea 2

Runoff Area=1.477 ac Runoff Depth>0.87"
Flow Length=390' Tc=20.9 min CN=75 Runoff=1.03 cfs 0.107 af

Reach 2R: Outlet A

Peak Depth=0.08' Max Vel=0.9 fps Inflow=1.03 cfs 0.107 af
n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=1.03 cfs 0.107 af

Pond 3P: Existing Detention

Peak Elev=67.47' Storage=0.363 af Inflow=4.07 cfs 0.363 af
Outflow=0.00 cfs 0.000 af

Total Runoff Area = 4.900 ac Runoff Volume = 0.470 af Average Runoff Depth = 1.15"

Subcatchment 1S: Subarea 1

Runoff = 4.07 cfs @ 12.22 hrs, Volume= 0.363 af, Depth > 1.27"

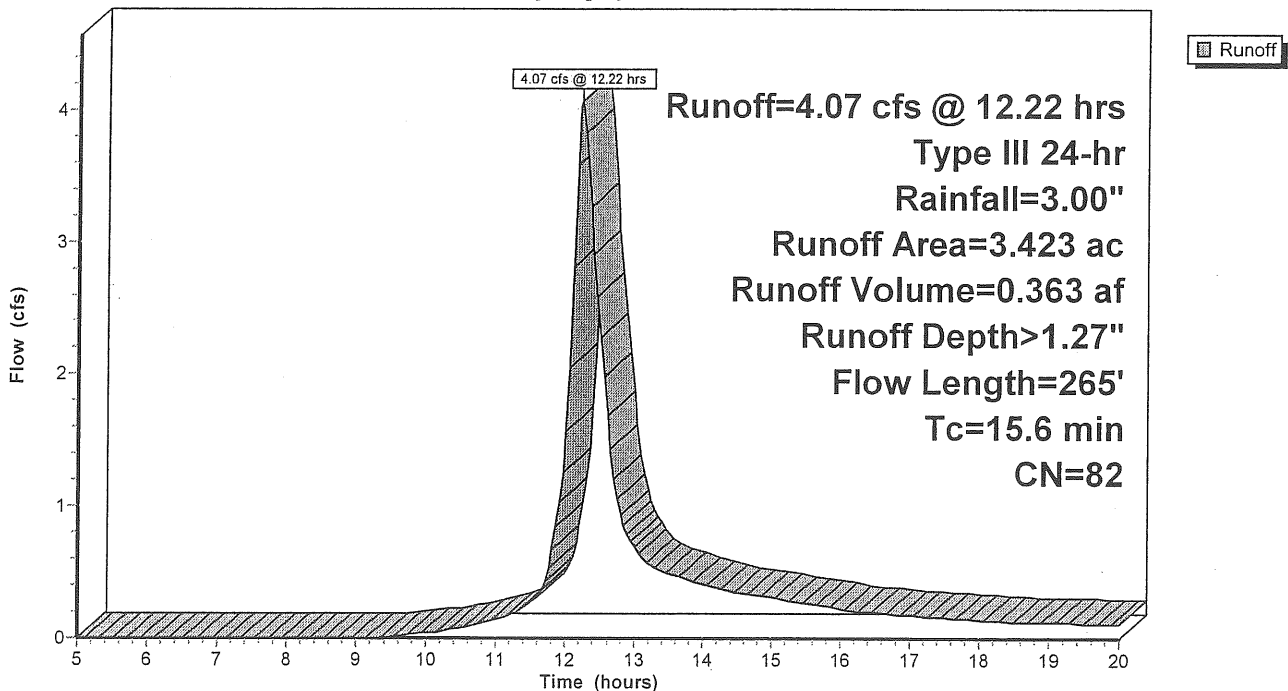
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
1.153	98	Paved parking & roofs
1.228	74	> 75% Grass cover, Good, HSG C
0.760	70	Woods, Good, HSG C
0.084	80	> 75% Grass cover, Good, HSG D
0.198	77	Woods, Good, HSG D
3.423	82	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265	Total			

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 1.03 cfs @ 12.32 hrs, Volume= 0.107 af, Depth> 0.87"

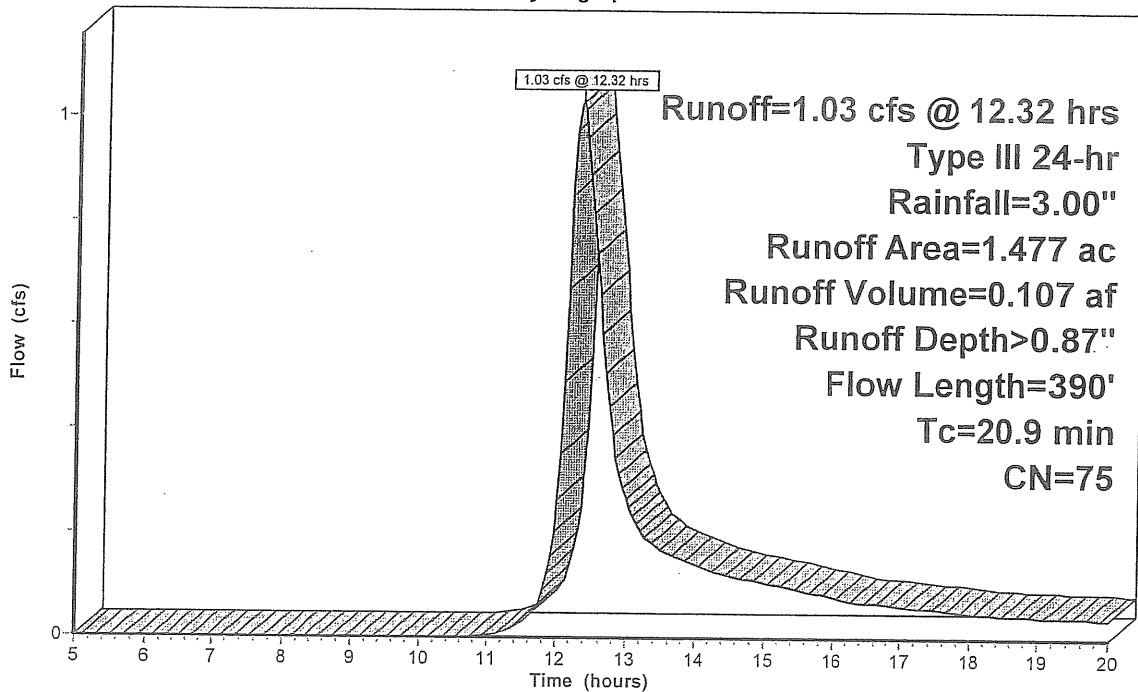
Runoff by SCS TR-20 method. UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.137	98	Paved parking & roofs
0.562	70	Woods, Good, HSG C
0.095	80	> 75% Grass cover, Good, HSG D
0.683	74	> 75% Grass cover, Good, HSG C
1.477	75	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	100	0.0200	0.1		Sheet Flow, AB
6.2	290	0.0240	0.8		Grass: Dense n= 0.240 P2= 3.00" Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
20.9	390	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Reach 2R: Outlet A

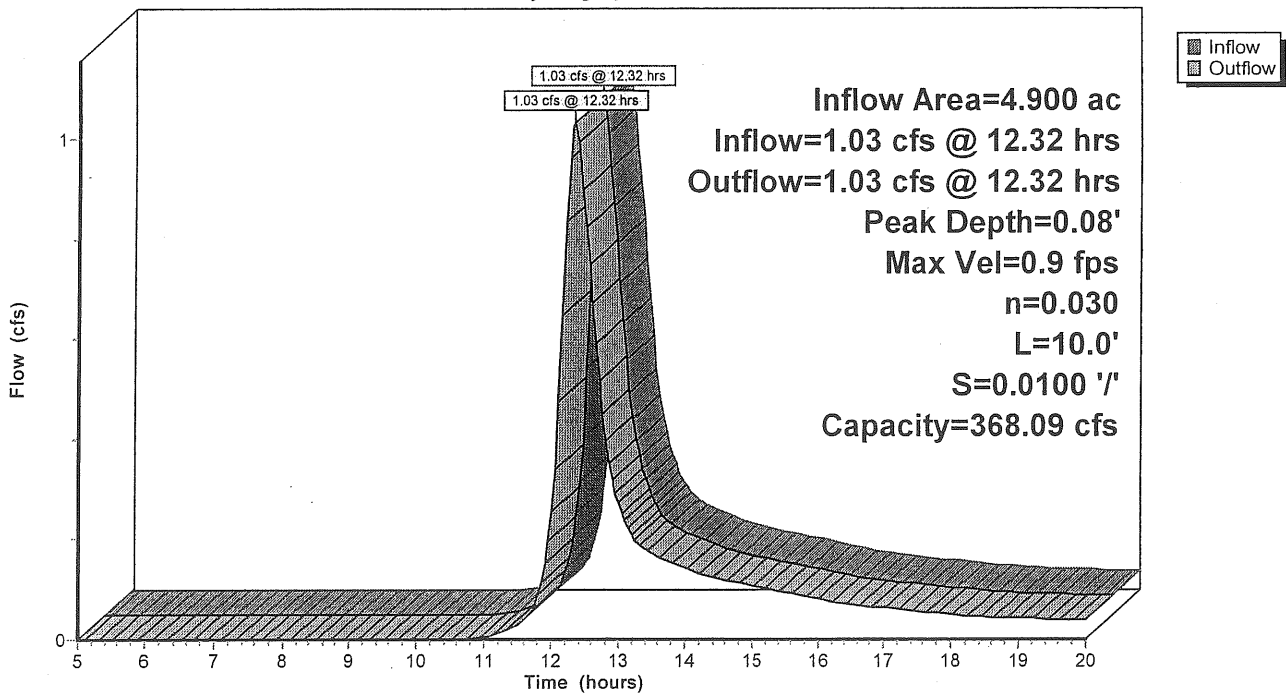
Inflow Area = 4.900 ac, Inflow Depth > 0.26"
Inflow = 1.03 cfs @ 12.32 hrs, Volume= 0.107 af
Outflow = 1.03 cfs @ 12.32 hrs, Volume= 0.107 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 0.9 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 0.4 fps, Avg. Travel Time= 0.4 min

Peak Depth= 0.08' @ 12.32 hrs
Capacity at bank full= 368.09 cfs
15.00' x 2.00' deep channel, n= 0.030
Side Slope Z-value= 8.0 '/' Top Width= 47.00'
Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Pond 3P: Existing Detention

Inflow Area = 3.423 ac, Inflow Depth > 1.27"
 Inflow = 4.07 cfs @ 12.22 hrs, Volume= 0.363 af
 Outflow = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af, Atten= 100%, Lag= 0.0 min
 Primary = 0.00 cfs @ 5.00 hrs, Volume= 0.000 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 67.47' @ 20.00 hrs Surf.Area= 0.275 ac Storage= 0.363 af
 Plug-Flow detention time= (not calculated: initial storage exceeds outflow)
 Center-of-Mass det. time= (not calculated: no outflow)

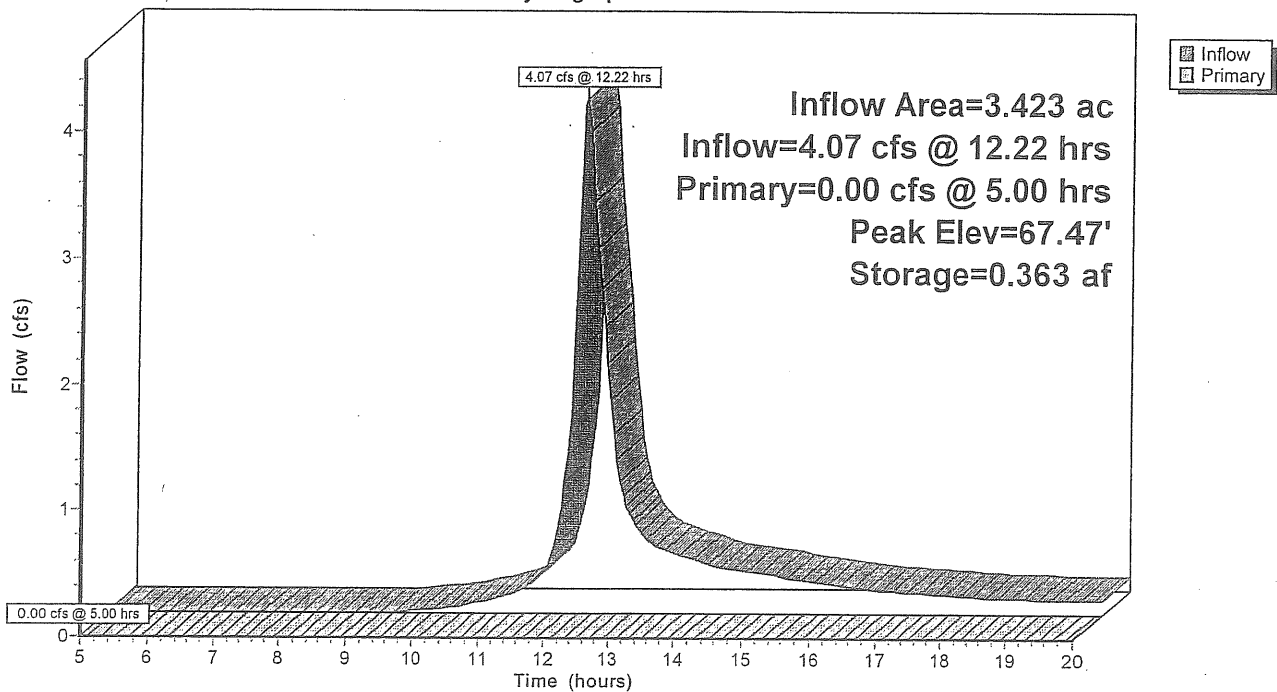
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.511 af	Custom Stage Data (Prismatic) Listed below (Recalc)
	Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)
	65.00	0.000	0.000
	66.00	0.100	0.050
	67.00	0.271	0.185
	68.00	0.280	0.275

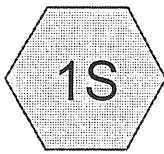
Device	Routing	Invert	Outlet Devices
#1	Primary	68.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir
			Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50
			5.00 5.50
			Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79
			2.88 3.07 3.32

Primary OutFlow Max=0.00 cfs @ 5.00 hrs HW=65.00' (Free Discharge)
 ↑ 1 = Broad-Crested Rectangular Weir (Controls 0.00 cfs)

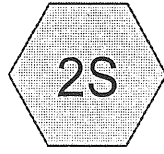
Pond 3P: Existing Detention

Hydrograph





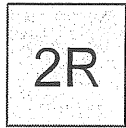
Subarea 1



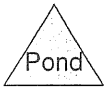
Subarea 2



Existing Detention



Outlet A



Time span= 5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Stor-Ind+ Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1

Runoff Area=3.423 ac Runoff Depth>2.62"
Flow Length=265' Tc=15.6 min CN=82 Runoff=8.38 cfs 0.748 af

Subcatchment 2S: Subarea 2

Runoff Area=1.477 ac Runoff Depth>2.03"
Flow Length=390' Tc=20.9 min CN=75 Runoff=2.50 cfs 0.250 af

Reach 2R: Outlet A

Peak Depth=0.13' Max Vel=1.2 fps Inflow=2.50 cfs 0.488 af
n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=2.50 cfs 0.488 af

Pond 3P: Existing Detention

Peak Elev=68.11' Storage=0.511 af Inflow=8.38 cfs 0.748 af
Outflow=1.75 cfs 0.238 af

Total Runoff Area = 4.900 ac Runoff Volume = 0.998 af Average Runoff Depth = 2.45"

Subcatchment 1S: Subarea 1

Runoff = 8.38 cfs @ 12.22 hrs, Volume= 0.748 af, Depth > 2.62"

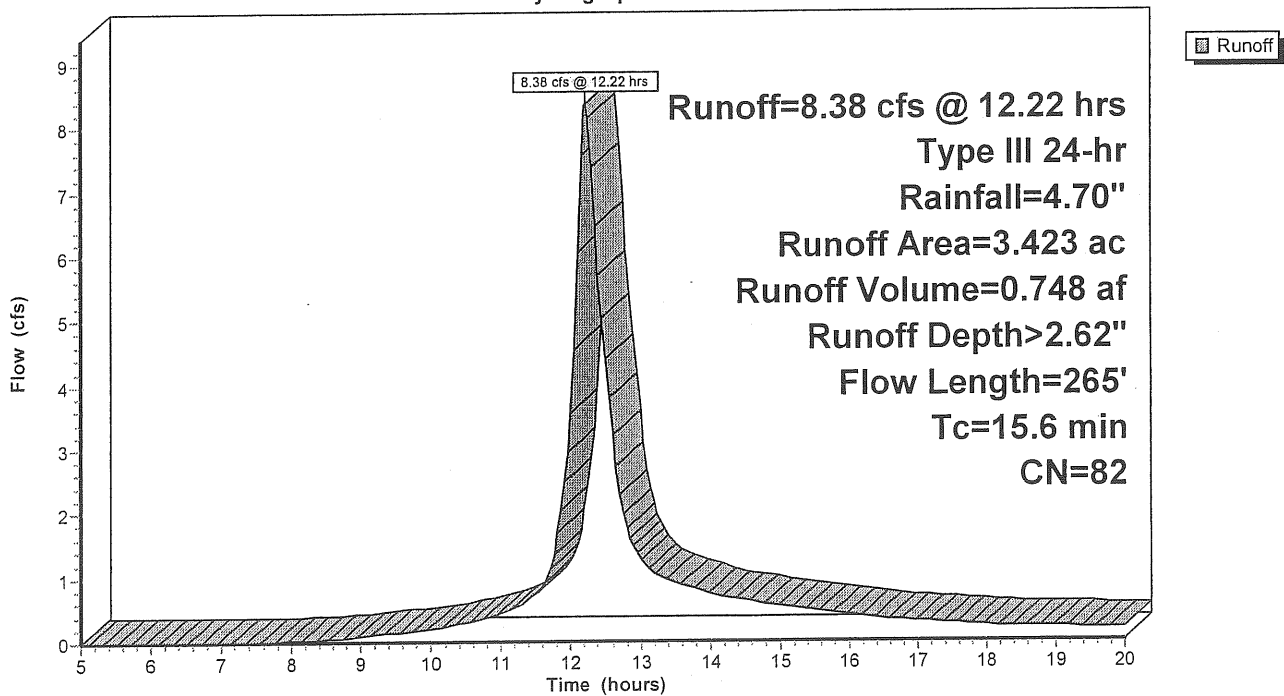
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
1.153	98	Paved parking & roofs
1.228	74	>75% Grass cover, Good, HSG C
0.760	70	Woods, Good, HSG C
0.084	80	>75% Grass cover, Good, HSG D
0.198	77	Woods, Good, HSG D
3.423	82	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265	Total			

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 2.50 cfs @ 12.30 hrs, Volume= 0.250 af, Depth > 2.03"

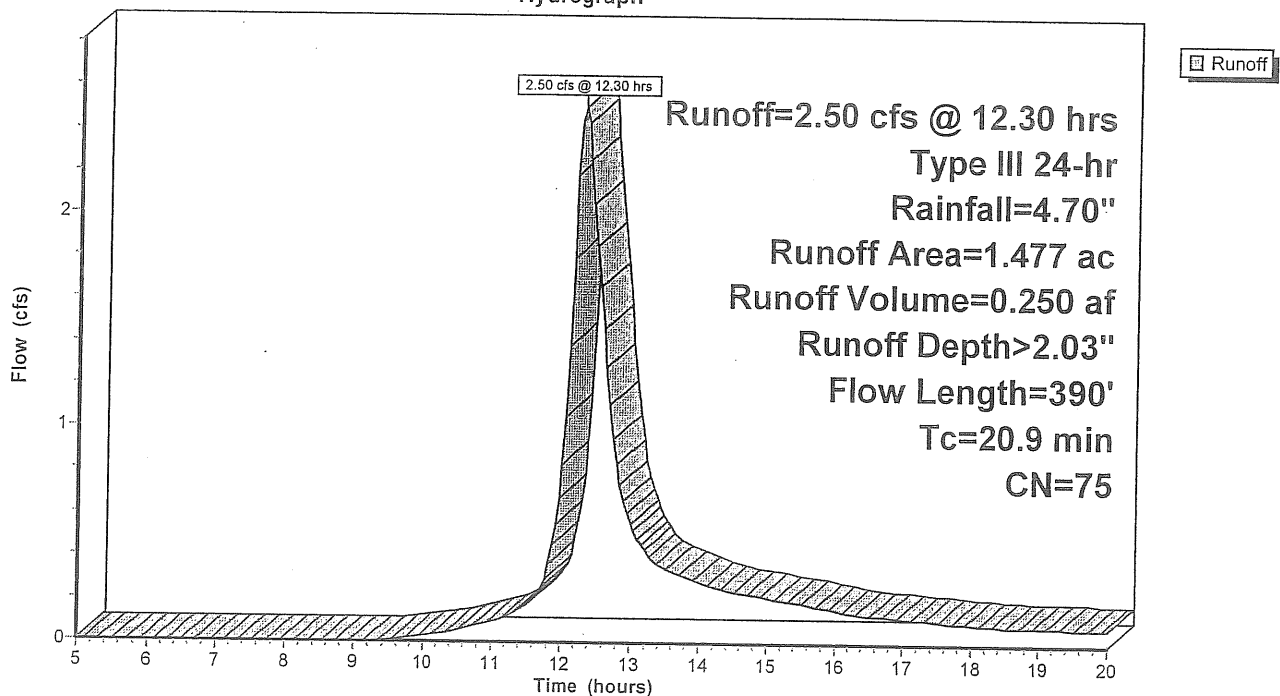
Runoff by SCS TR-20 method, LH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.137	98	Paved parking & roofs
0.562	70	Woods, Good, HSG C
0.095	80	>75% Grass cover, Good, HSG D
0.683	74	>75% Grass cover, Good, HSG C
1.477	75	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	100	0.0200	0.1		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
6.2	290	0.0240	0.8		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
20.9	390	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Reach 2R: Outlet A

Inflow Area = 4.900 ac, Inflow Depth > 1.20"
Inflow = 2.50 cfs @ 12.30 hrs, Volume = 0.488 af
Outflow = 2.50 cfs @ 12.30 hrs, Volume = 0.488 af, Atten = 0%, Lag = 0.2 min

Routing by Stor-Ind+Trans method, Time Span = 5.00-20.00 hrs, dt = 0.05 hrs

Max. Velocity = 1.2 fps, Min. Travel Time = 0.1 min

Avg. Velocity = 0.6 fps, Avg. Travel Time = 0.3 min

Peak Depth = 0.13' @ 12.30 hrs

Capacity at bank full = 368.09 cfs

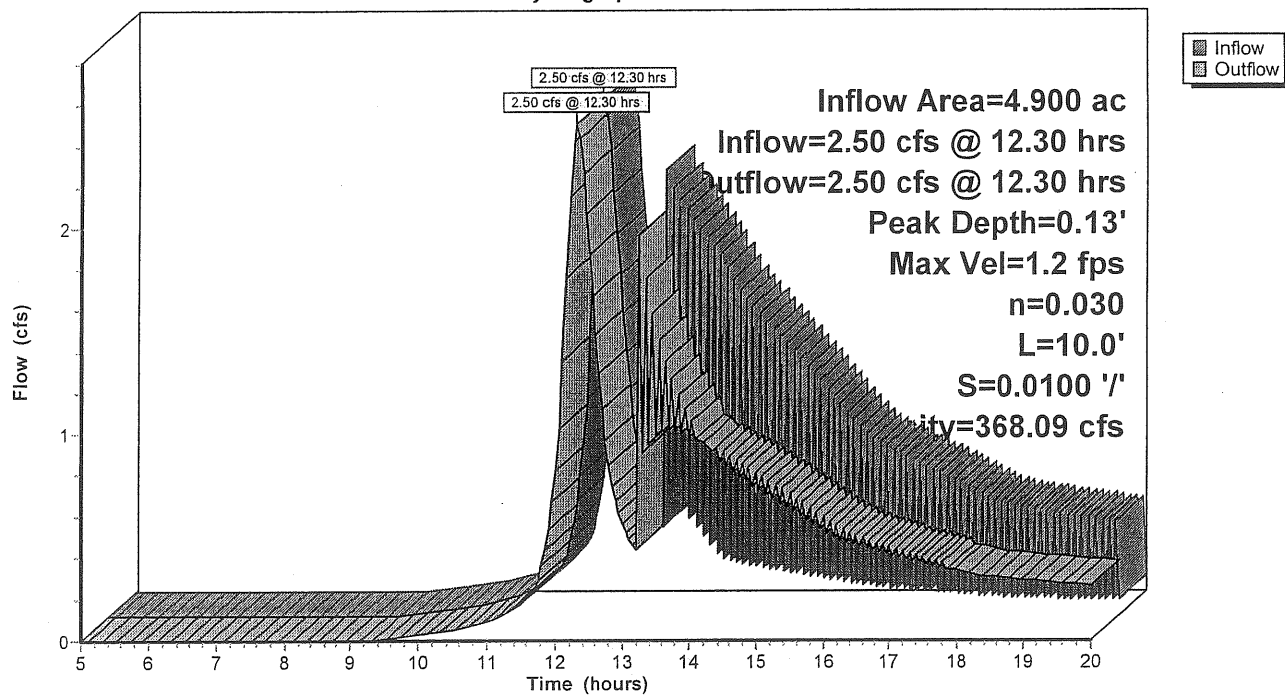
15.00' x 2.00' deep channel, n = 0.030

Side Slope Z-value = 8.0 '/' Top Width = 47.00'

Length = 10.0' Slope = 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Pond 3P: Existing Detention

Inflow Area = 3.423 ac, Inflow Depth > 2.62"
 Inflow = 8.38 cfs @ 12.22 hrs, Volume= 0.748 af
 Outflow = 1.75 cfs @ 13.25 hrs, Volume= 0.238 af, Atten= 79%, Lag= 62.1 min
 Primary = 1.75 cfs @ 13.25 hrs, Volume= 0.238 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 68.11' @ 13.25 hrs Surf.Area= 0.280 ac Storage= 0.511 af
 Plug-Flow detention time= 242.8 min calculated for 0.238 af (32% of inflow)
 Center-of-Mass det. time= 145.3 min (937.6 - 792.2)

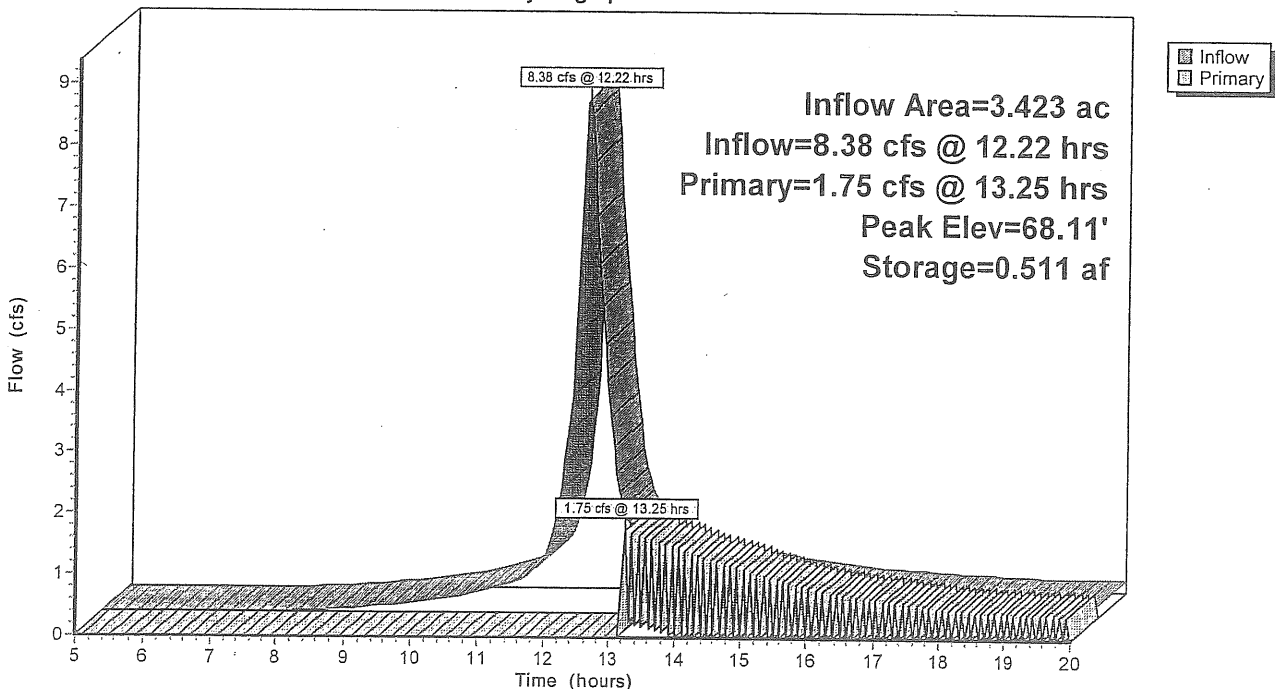
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.511 af	Custom Stage Data (Prismatic) Listed below (Recalc)
	Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet) Cum.Store (acre-feet)
	65.00	0.000	0.000 0.000
	66.00	0.100	0.050 0.050
	67.00	0.271	0.185 0.236
	68.00	0.280	0.275 0.511

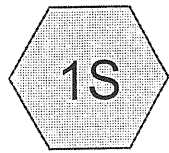
Device	Routing	Invert	Outlet Devices
#1	Primary	68.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79 2.88 3.07 3.32

Primary OutFlow Max=1.74 cfs @ 13.25 hrs HW=68.11' (Free Discharge)
 ↑1 = Broad-Crested Rectangular Weir (Weir Controls 1.74 cfs @ 0.8 fps)

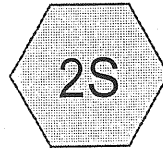
Pond 3P: Existing Detention

Hydrograph

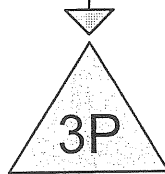




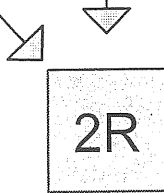
Subarea 1



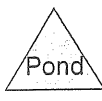
Subarea 2



Existing Detention



Outlet A



Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1

Runoff Area=3.427 ac Runoff Depth=3.30"
Flow Length=265' Tc=15.6 min CN=82 Runoff=10.49 cfs 0.942 af

Subcatchment 2S: Subarea 2

Runoff Area=1.477 ac Runoff Depth>2.65"
Flow Length=390' Tc=20.9 min CN=75 Runoff=3.26 cfs 0.326 af

Reach 2R: Outlet A

Peak Depth=0.30' Max Vel=2.0 fps Inflow=10.99 cfs 0.764 af
n=0.030 L=10.0' S=0.0100 1/1' Capacity=368.09 cfs Outflow=10.53 cfs 0.765 af

Pond 3P: Existing Detention

Peak Elev=68.32' Storage=0.511 af Inflow=10.49 cfs 0.942 af
Outflow=8.86 cfs 0.438 af

Total Runoff Area = 4.900 ac Runoff Volume = 1.268 af Average Runoff Depth = 3.10"

Subcatchment 1S: Subarea 1

Runoff = 10.49 cfs @ 12.21 hrs, Volume= 0.942 af, Depth > 3.30"

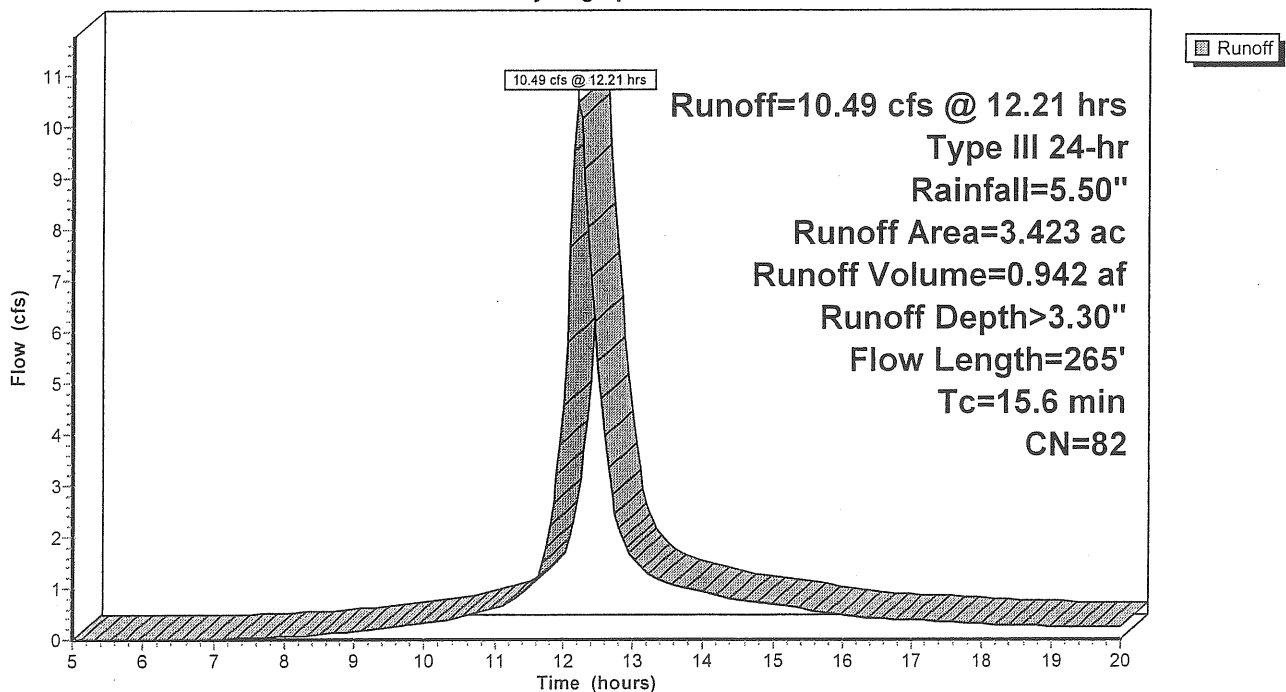
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
1.153	98	Paved parking & roofs
1.228	74	> 75% Grass cover, Good, HSG C
0.760	70	Woods, Good, HSG C
0.084	80	> 75% Grass cover, Good, HSG D
0.198	77	Woods, Good, HSG D
3.423	82	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n = 0.240 P2 = 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv = 5.0 fps
15.6	265	Total			

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 3.26 cfs @ 12.29 hrs, Volume= 0.326 af, Depth> 2.65"

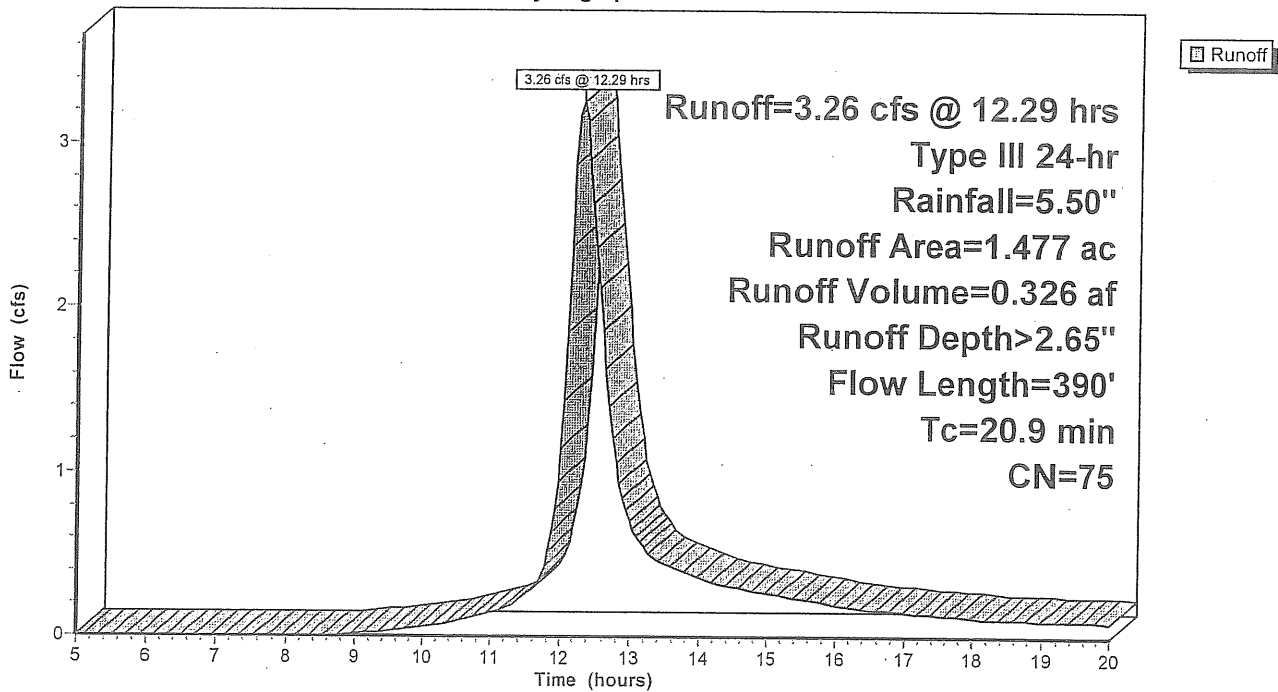
Runoff by SCS TR-20 method, IIR-SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.137	98	Paved parking & roofs
0.562	70	Woods, Good, HSG C
0.095	80	>75% Grass cover, Good, HSG D
0.683	74	>75% Grass cover, Good, HSG C
1.477	75	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.7	100	0.0200	0.1		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
6.2	290	0.0240	0.8		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
20.9	390	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Reach 2R: Outlet A

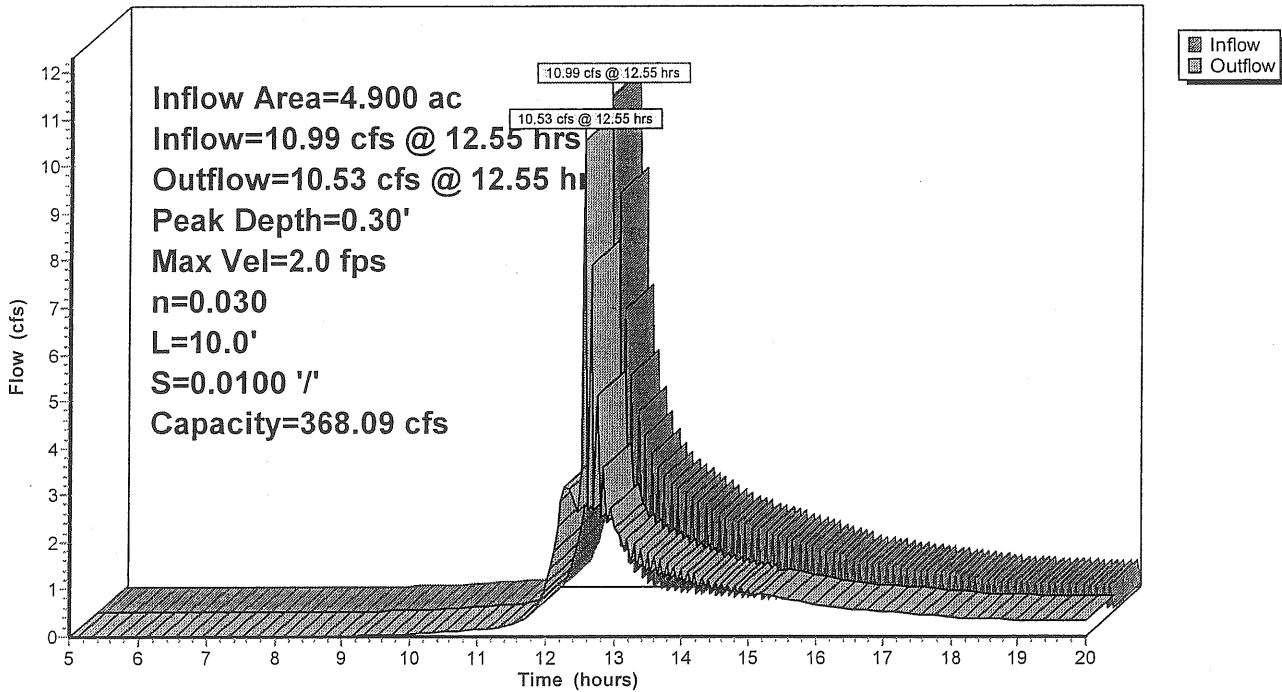
Inflow Area = 4.900 ac, Inflow Depth > 1.87"
Inflow = 10.99 cfs @ 12.55 hrs, Volume= 0.764 af
Outflow = 10.53 cfs @ 12.55 hrs, Volume= 0.765 af, Atten= 4%, Lag= 0.1 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 2.0 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 0.7 fps, Avg. Travel Time= 0.2 min

Peak Depth= 0.30' @ 12.55 hrs
Capacity at bank full= 368.09 cfs
15.00' x 2.00' deep channel, n= 0.030
Side Slope Z-value= 8.0 '/' Top Width= 47.00'
Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Pond 3P: Existing Detention

Inflow Area = 3.423 ac, Inflow Depth > 3.30"
 Inflow = 10.49 cfs @ 12.21 hrs, Volume= 0.942 af
 Outflow = 8.86 cfs @ 12.55 hrs, Volume= 0.438 af, Atten= 13%, Lag= 20.1 min
 Primary = 8.86 cfs @ 12.55 hrs, Volume= 0.438 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 68.32' @ 12.55 hrs Surf.Area= 0.280 ac Storage= 0.511 af
 Plug-Flow detention time= 174.9 min calculated for 0.437 af (46% of inflow)
 Center-of-Mass det. time= 91.5 min (878.4 - 786.9)

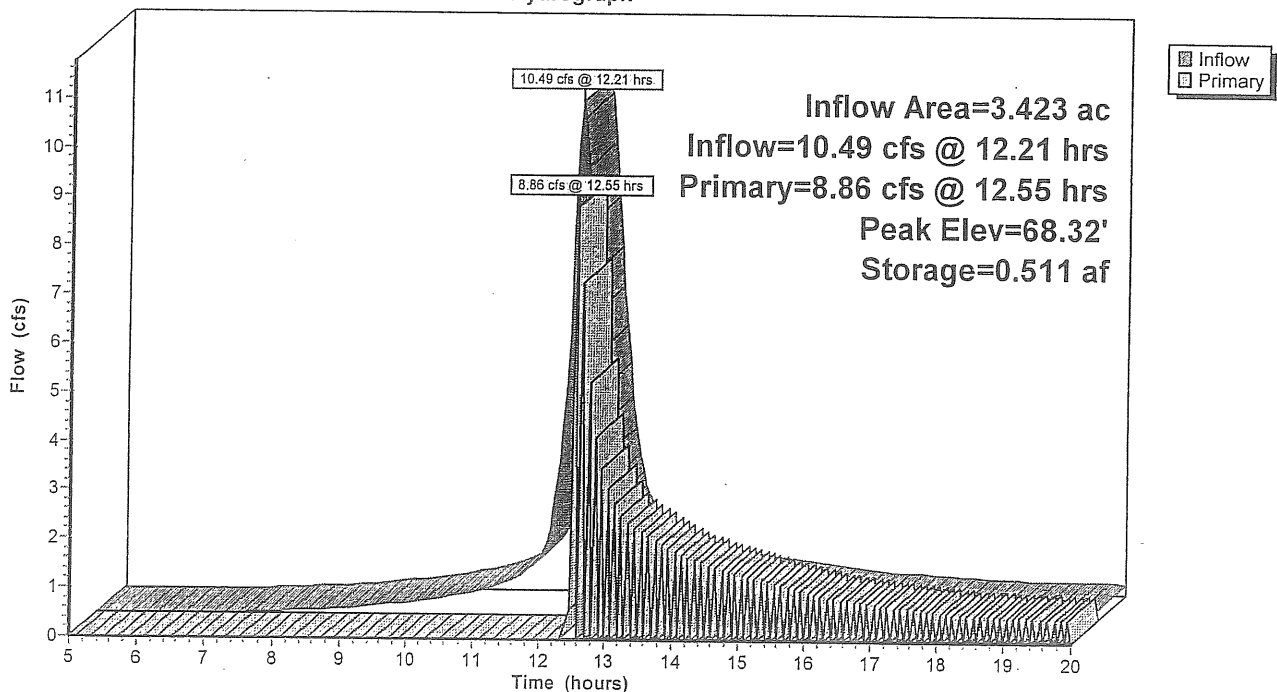
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.511 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
65.00	0.000	0.000	0.000
66.00	0.100	0.050	0.050
67.00	0.271	0.185	0.236
68.00	0.280	0.275	0.511

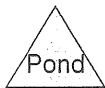
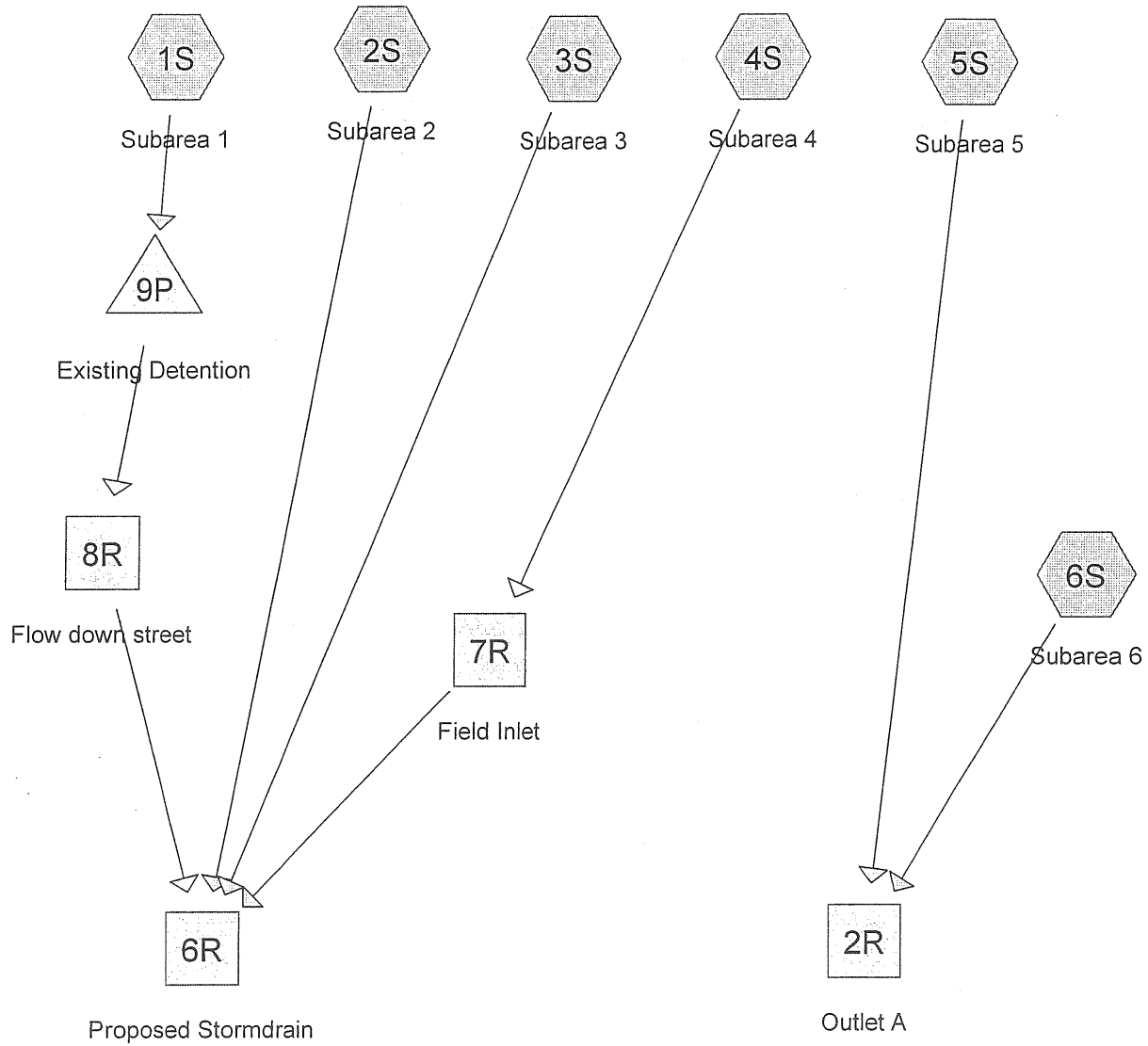
Device	Routing	Invert	Outlet Devices
#1	Primary	68.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79 2.88 3.07 3.32

Primary OutFlow Max=8.45 cfs @ 12.55 hrs HW=68.31' (Free Discharge)
 ↑1 = Broad-Crested Rectangular Weir (Weir Controls 8.45 cfs @ 1.4 fps)

Pond 3P: Existing Detention

Hydrograph





Time span= 5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1	Runoff Area=2.386 ac Runoff Depth > 1.21" Flow Length=265' Tc=15.6 min CN=81 Runoff=2.69 cfs 0.240 af
Subcatchment 2S: Subarea 2	Runoff Area=0.661 ac Runoff Depth > 1.55" Flow Length=410' Tc=15.1 min CN=86 Runoff=0.97 cfs 0.085 af
Subcatchment 3S: Subarea 3	Runoff Area=0.487 ac Runoff Depth > 1.63" Flow Length=360' Tc=1.0 min CN=87 Runoff=1.10 cfs 0.066 af
Subcatchment 4S: Subarea 4	Runoff Area=0.913 ac Runoff Depth > 1.14" Flow Length=290' Tc=33.2 min CN=80 Runoff=0.71 cfs 0.087 af
Subcatchment 5S: Subarea 5	Runoff Area=0.143 ac Runoff Depth > 0.82" Flow Length=200' Tc=16.0 min CN=74 Runoff=0.10 cfs 0.010 af
Subcatchment 6S: Subarea 6	Runoff Area=0.310 ac Runoff Depth > 0.73" Flow Length=210' Tc=14.7 min CN=72 Runoff=0.20 cfs 0.019 af
Reach 2R: Outlet A	Peak Depth=0.04' Max Vel=0.5 fps Inflow=0.30 cfs 0.029 af n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=0.30 cfs 0.029 af
Reach 6R: Proposed Stormdrain	Peak Depth=0.32' Max Vel=7.3 fps Inflow=1.81 cfs 0.289 af D=15.0" n=0.010 L=197.0' S=0.0225 '/' Capacity=12.59 cfs Outflow=1.80 cfs 0.289 af
Reach 7R: Field Inlet	Peak Depth=0.26' Max Vel=4.3 fps Inflow=0.71 cfs 0.087 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=0.71 cfs 0.087 af
Reach 8R: Flow down street	Peak Depth=0.07' Max Vel=2.6 fps Inflow=0.31 cfs 0.051 af n=0.013 L=120.0' S=0.0220 '/' Capacity=7.27 cfs Outflow=0.22 cfs 0.051 af
Pond 9P: Existing Detention	Peak Elev=67.03' Storage=0.189 af Inflow=2.69 cfs 0.240 af Outflow=0.31 cfs 0.051 af

Total Runoff Area = 4.900 ac Runoff Volume = 0.507 af Average Runoff Depth = 1.24"

Subcatchment 1S: Subarea 1

Runoff = 2.69 cfs @ 12.22 hrs, Volume= 0.240 af, Depth > 1.21"

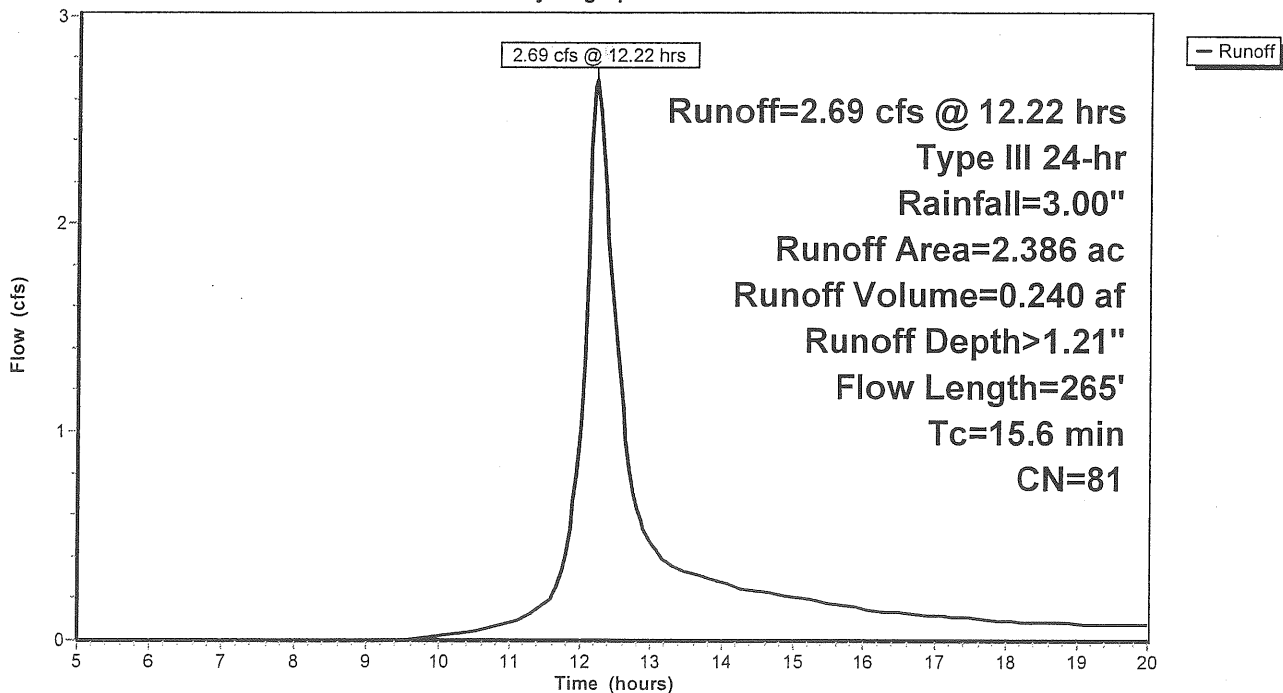
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.801	98	Paved parking & roofs
0.723	74	>75% Grass cover, Good, HSG C
0.646	70	Woods, Good, HSG C
0.174	77	Woods, Good, HSG D
0.042	80	>75% Grass cover, Good, HSG D
2.386	81	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265				Total

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 0.97 cfs @ 12.21 hrs, Volume= 0.085 af, Depth > 1.55"

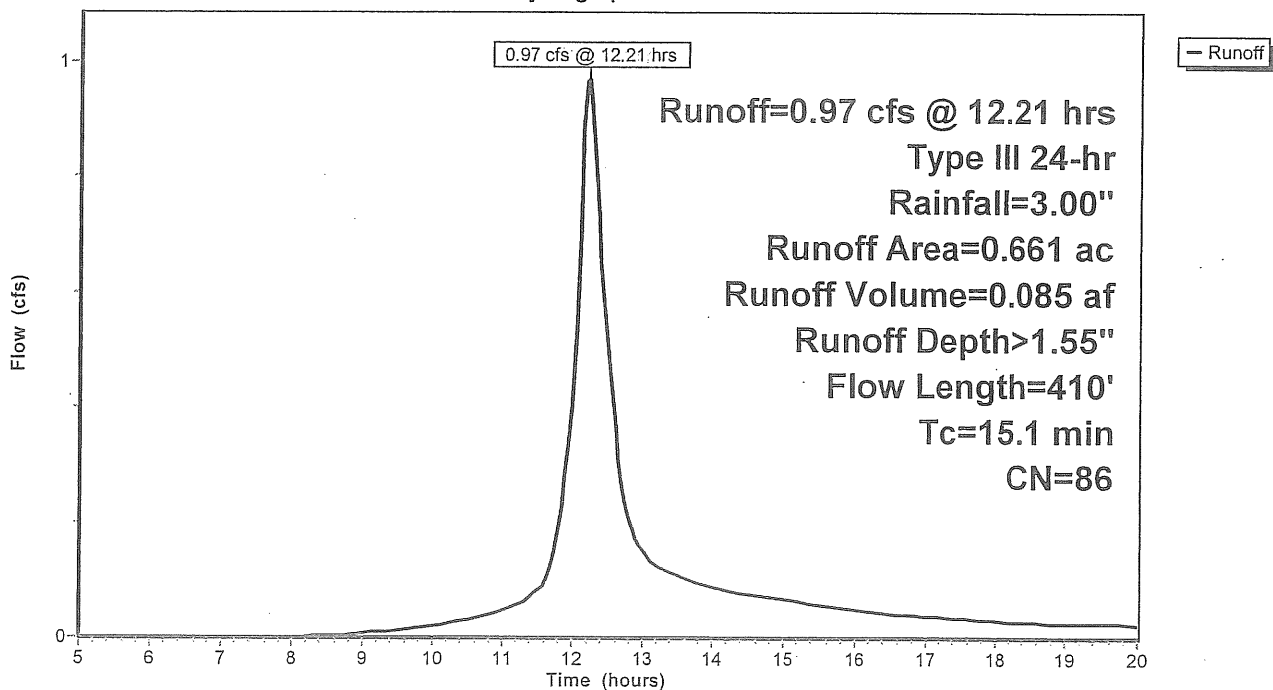
Runoff by SCS TR 20 method, LH-SCS, Time Span = 5.00-20.00 hrs, dt = 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.346	98	Paved parking & roofs
0.062	70	Woods, Good, HSG C
0.253	74	>75% Grass cover, Good, HSG C
0.661	86	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.5	80	0.0370	0.1		Sheet Flow, AB Woods: Light underbrush n = 0.400 P2 = 3.00"
0.4	190	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W = 1.00' D = 0.50' Z = 4.0 & 0.0 '/' Top.W = 3.00' n = 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam = 24.0" Area = 3.1 sf Perim = 6.3' r = 0.50' n = 0.011 Concrete pipe, straight & clean
15.1	410	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Subcatchment 3S: Subarea 3

Runoff = 1.10 cfs @ 12.02 hrs, Volume= 0.066 af, Depth > 1.63"

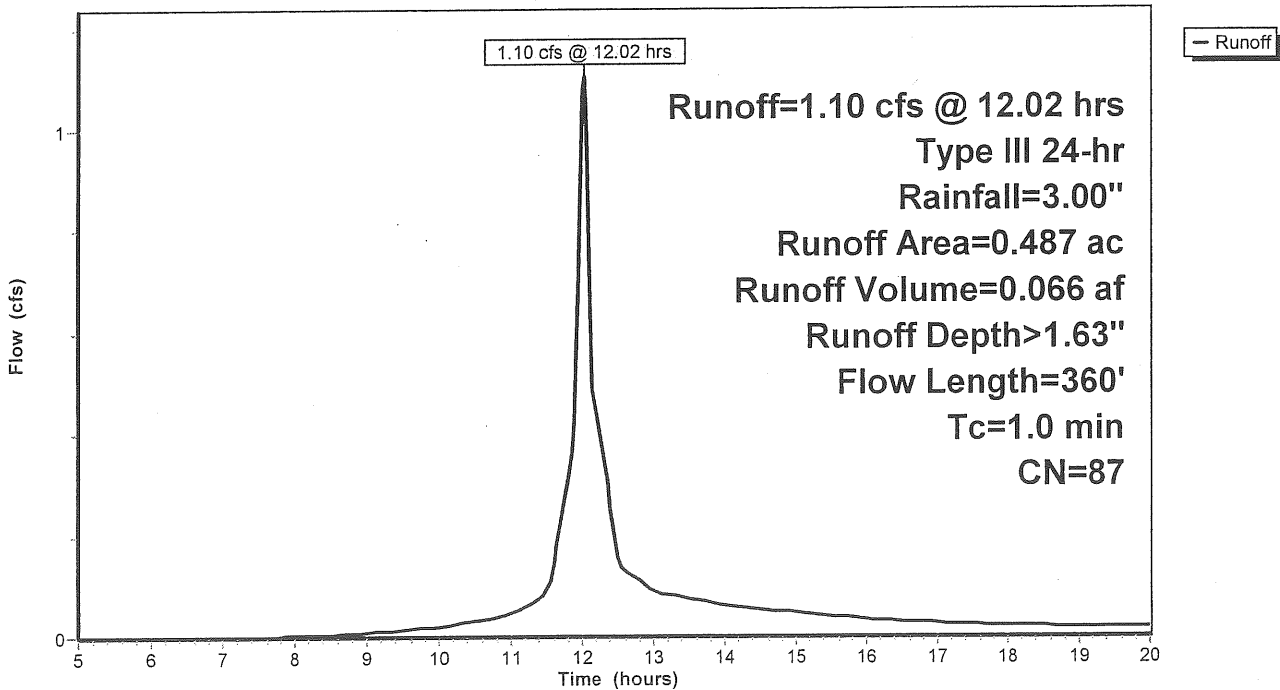
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.267	98	Paved parking & roofs
0.073	70	Woods, Good, HSG C
0.147	74	>75% Grass cover, Good, HSG C
0.487	87	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	90	0.0220	3.0		Shallow Concentrated Flow, AB Paved Kv= 20.3 fps
0.3	130	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
1.0	360	Total			

Subcatchment 3S: Subarea 3

Hydrograph



Subcatchment 4S: Subarea 4

Runoff = 0.71 cfs @ 12.48 hrs, Volume= 0.087 af, Depth> 1.14"

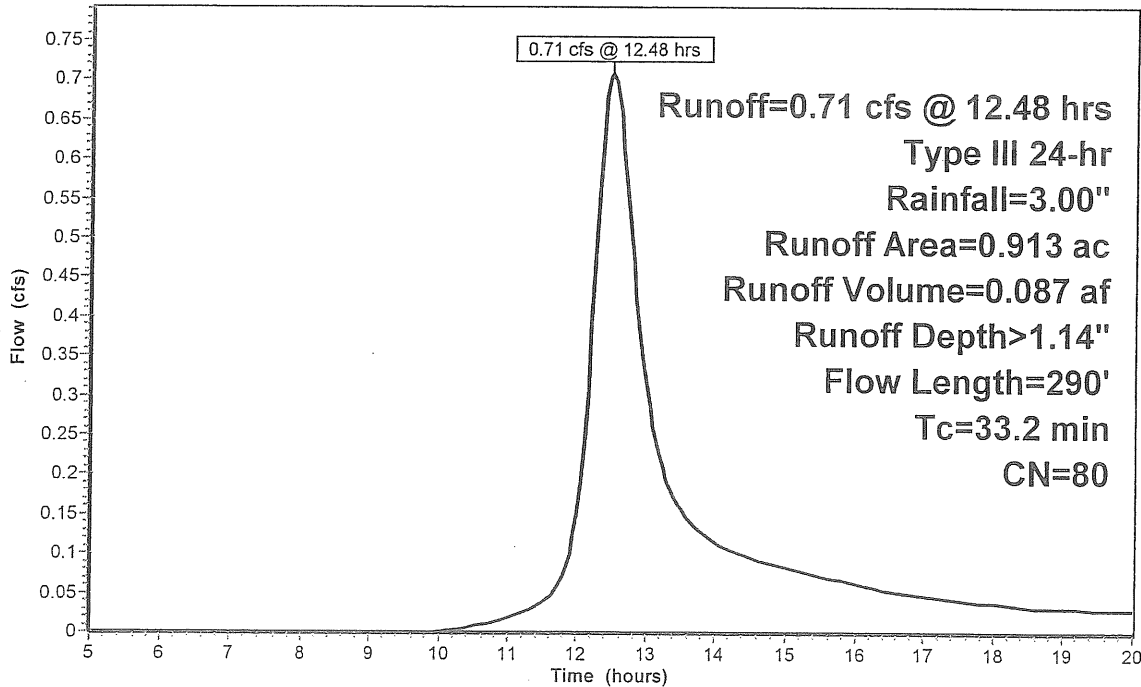
Runoff by SCS TR-20 method, LH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.300	98	Paved parking & roofs
0.466	70	Woods, Good, HSG C
0.125	74	> 75% Grass cover, Good, HSG C
0.022	77	Woods, Good, HSG D
0.913	80	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.7	150	0.0200	0.1		Sheet Flow, AB Woods: Light underbrush n= 0.400 P2= 3.00"
2.5	140	0.0350	0.9		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
33.2	290	Total			

Subcatchment 4S: Subarea 4

Hydrograph



Subcatchment 5S: Subarea 5

Runoff = 0.10 cfs @ 12.24 hrs, Volume= 0.010 af, Depth > 0.82"

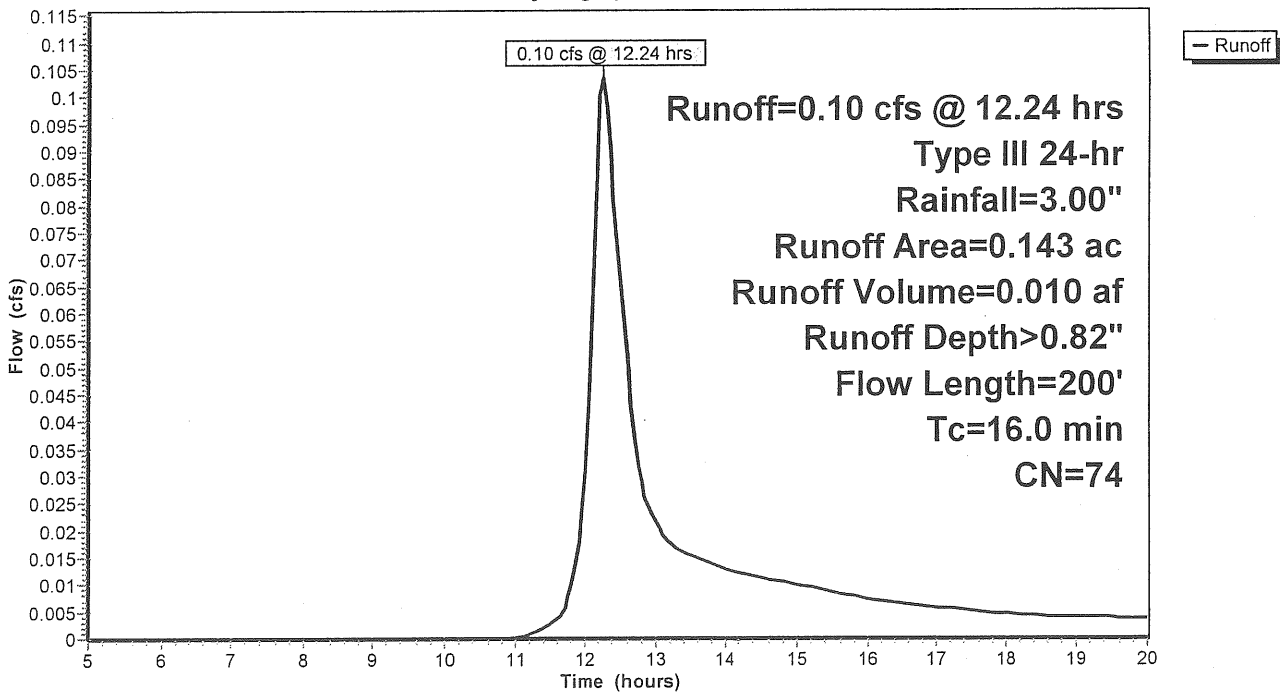
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.143	74	>75% Grass cover, Good, HSG C

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.4	140	0.0350	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
0.6	60	0.0500	1.6		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
16.0	200	Total			

Subcatchment 5S: Subarea 5

Hydrograph



Subcatchment 6S: Subarea 6

Runoff = 0.20 cfs @ 12.23 hrs, Volume= 0.019 af, Depth > 0.73"

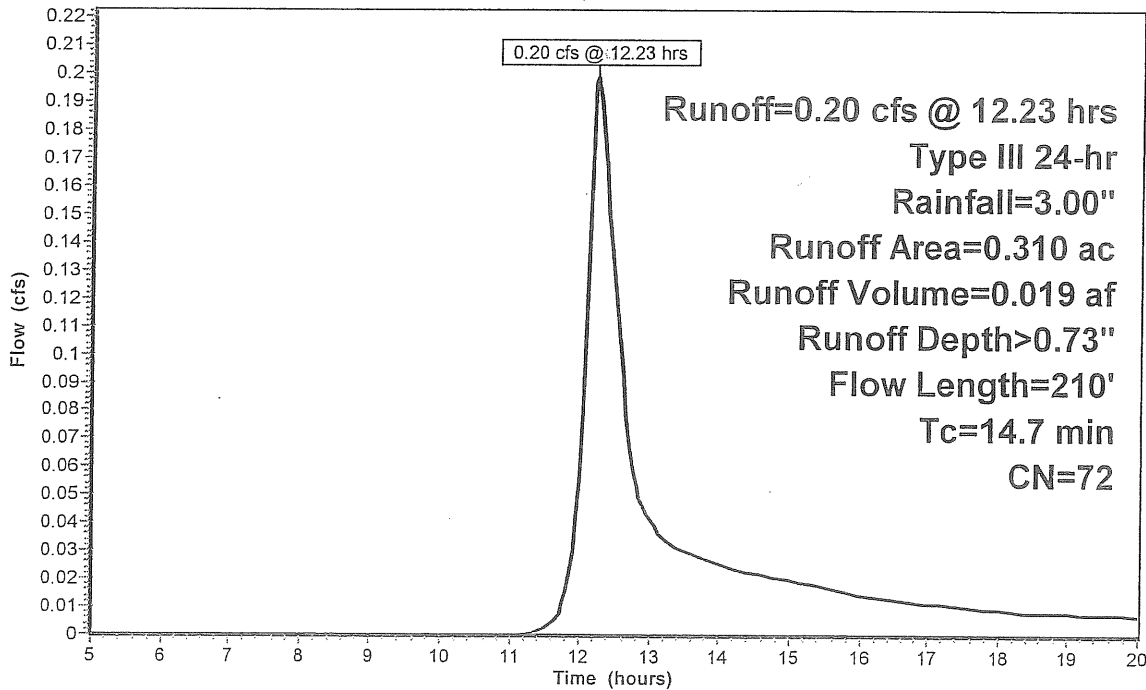
Runoff by SCS TR 20 method, LH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.155	74	>75% Grass cover, Good, HSG C
0.155	70	Woods, Good, HSG C
0.310	72	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
12.4	70	0.0420	0.1		Sheet Flow, AB Woods: Light underbrush n= 0.400 P2= 3.00"
2.3	140	0.0210	1.0		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
14.7	210	Total			

Subcatchment 6S: Subarea 6

Hydrograph



Reach 2R: Outlet A

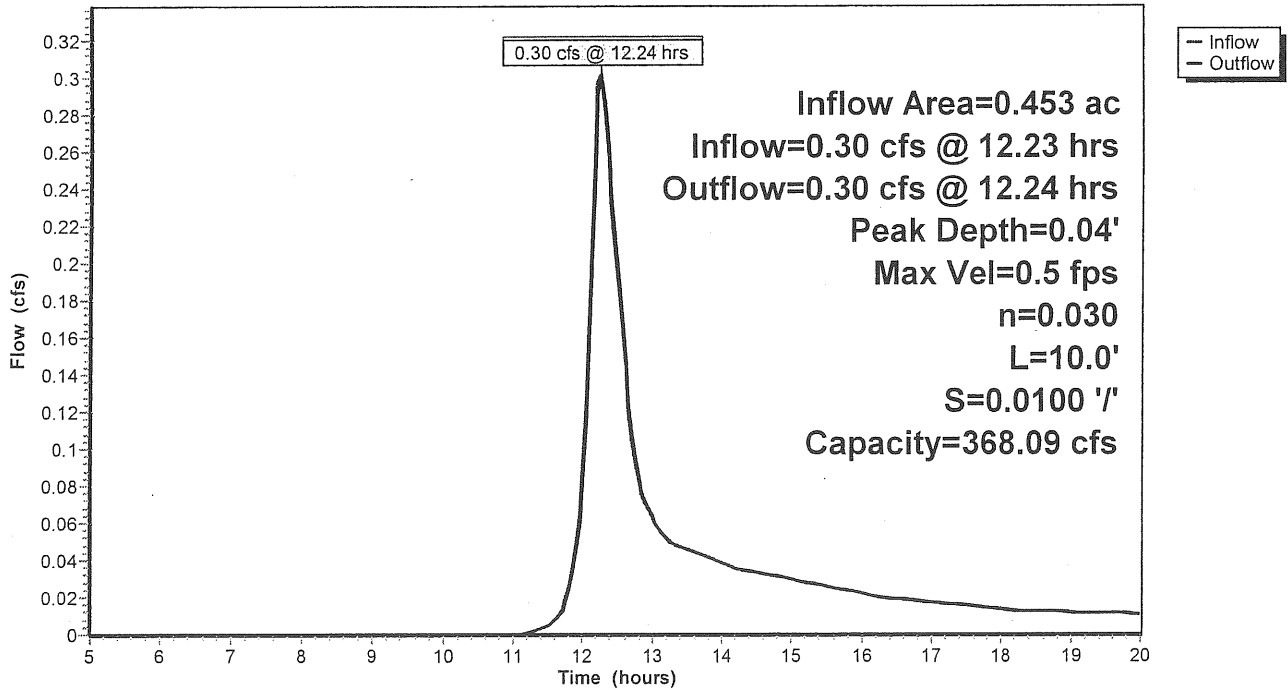
Inflow Area = 0.453 ac, Inflow Depth > 0.76"
Inflow = 0.30 cfs @ 12.23 hrs, Volume= 0.029 af
Outflow = 0.30 cfs @ 12.24 hrs, Volume= 0.029 af, Atten= 1%, Lag= 0.6 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 0.5 fps, Min. Travel Time= 0.3 min
Avg. Velocity = 0.4 fps, Avg. Travel Time= 0.4 min

Peak Depth= 0.04' @ 12.24 hrs
Capacity at bank full= 368.09 cfs
15.00' x 2.00' deep channel, n= 0.030
Side Slope Z-value= 8.0 '/' Top Width= 47.00'
Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Reach 6R: Proposed Stormdrain

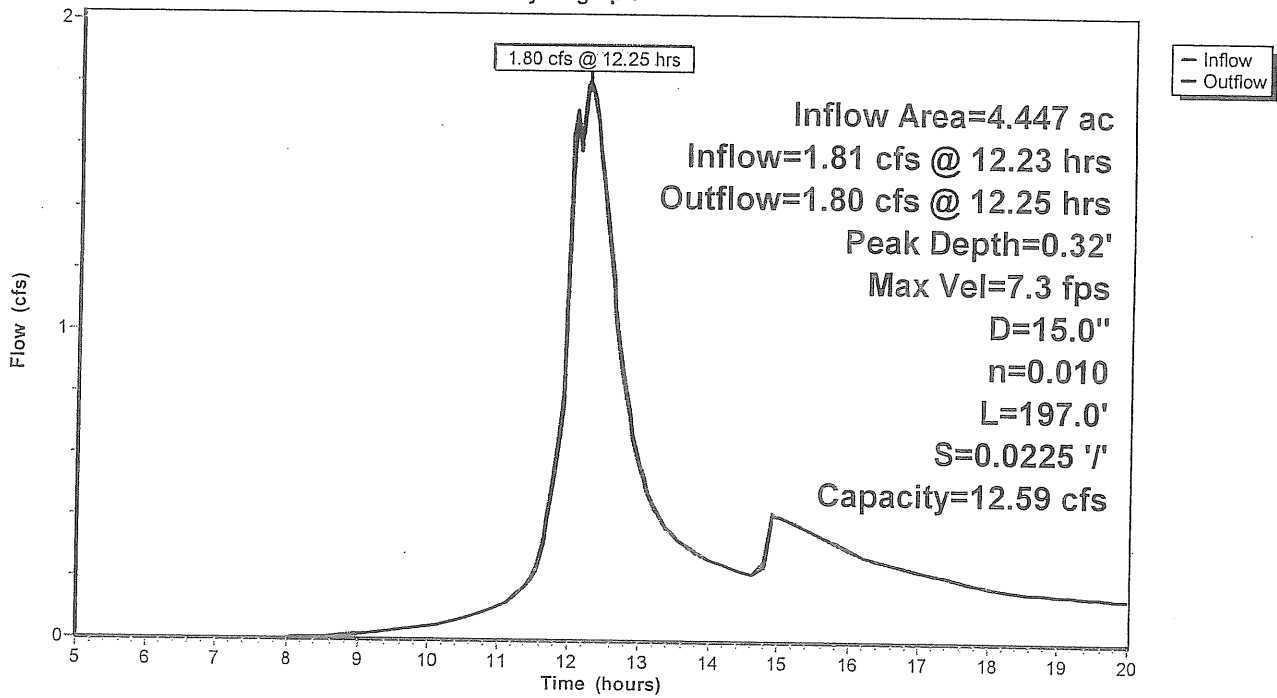
Inflow Area = 4.447 ac, Inflow Depth > 0.78"
Inflow = 1.81 cfs @ 12.23 hrs, Volume= 0.289 af
Outflow = 1.80 cfs @ 12.25 hrs, Volume= 0.289 af, Atten= 0%, Lag= 1.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 7.3 fps, Min. Travel Time= 0.5 min
Avg. Velocity = 3.6 fps, Avg. Travel Time= 0.9 min

Peak Depth= 0.32' @ 12.24 hrs
Capacity at bank full= 12.59 cfs
15.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 197.0' Slope= 0.0225 '/'

Reach 6R: Proposed Stormdrain

Hydrograph



Reach 7R: Field Inlet

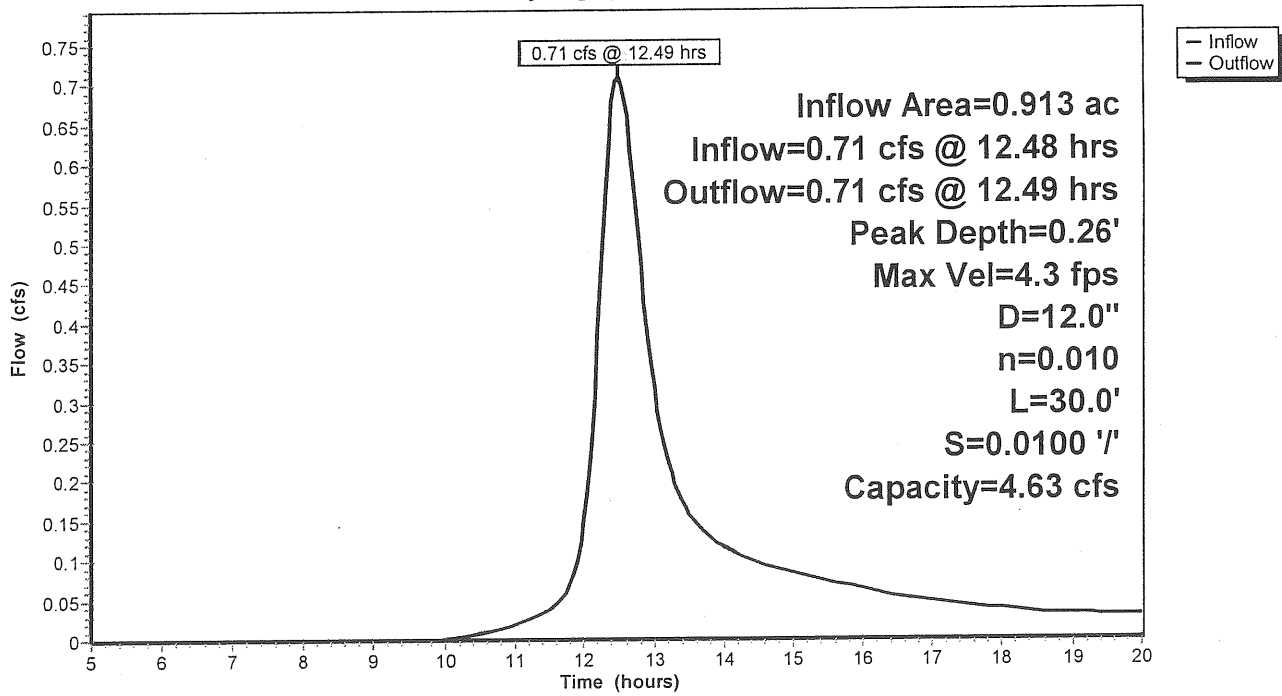
Inflow Area = 0.913 ac, Inflow Depth > 1.14"
Inflow = 0.71 cfs @ 12.48 hrs, Volume= 0.087 af
Outflow = 0.71 cfs @ 12.49 hrs, Volume= 0.087 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 4.3 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 2.1 fps, Avg. Travel Time= 0.2 min

Peak Depth= 0.26' @ 12.48 hrs
Capacity at bank full= 4.63 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 30.0' Slope= 0.0100 '/'

Reach 7R: Field Inlet

Hydrograph



Reach 8R: Flow down street

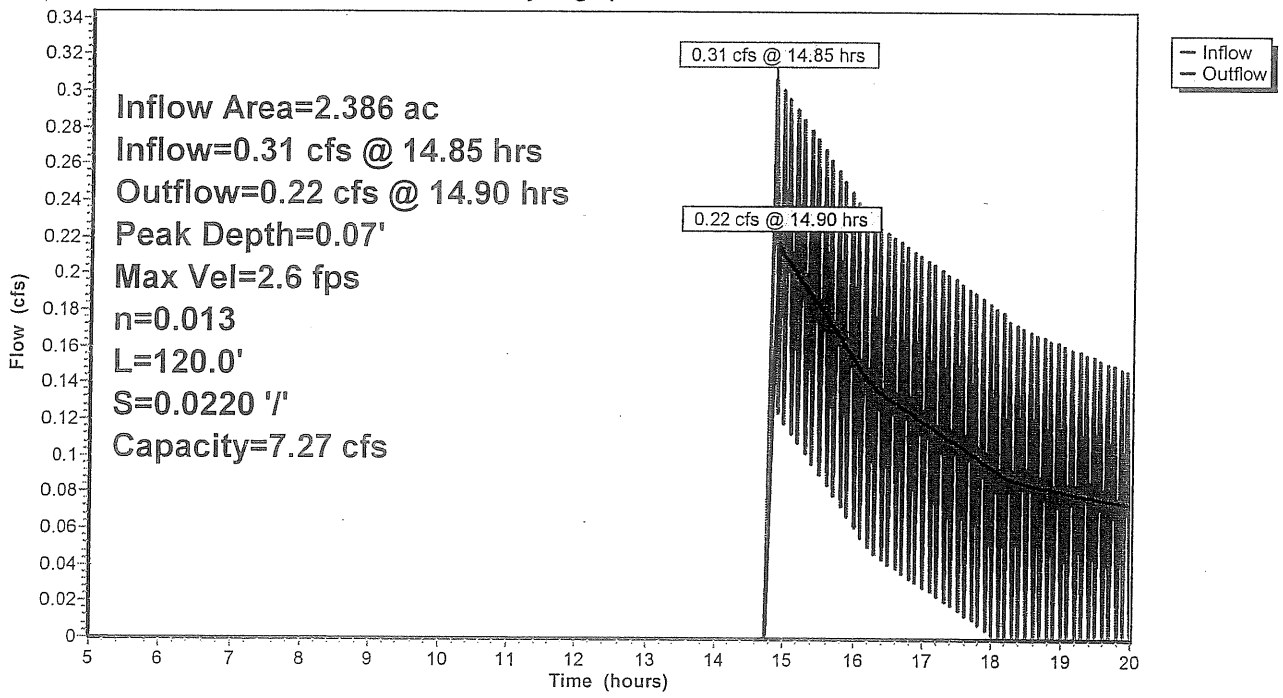
Inflow Area = 2.386 ac, Inflow Depth > 0.26"
Inflow = 0.31 cfs @ 14.85 hrs, Volume= 0.051 af
Outflow = 0.22 cfs @ 14.90 hrs, Volume= 0.051 af, Atten= 29%, Lag= 3.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 2.6 fps, Min. Travel Time= 0.8 min
Avg. Velocity= 2.1 fps, Avg. Travel Time= 1.0 min

Peak Depth= 0.07' @ 14.90 hrs
Capacity at bank full= 7.27 cfs
1.00' x 0.50' deep channel, n= 0.013 Asphalt, smooth
Side Slope Z-value= 4.0 0.0 '/' Top Width= 3.00'
Length= 120.0' Slope= 0.0220 '/'

Reach 8R: Flow down street

Hydrograph



Pond 9P: Existing Detention

Inflow Area = 2.386 ac, Inflow Depth > 1.21"
 Inflow = 2.69 cfs @ 12.22 hrs, Volume= 0.240 af
 Outflow = 0.31 cfs @ 14.85 hrs, Volume= 0.051 af, Atten= 89%, Lag= 157.6 min
 Primary = 0.31 cfs @ 14.85 hrs, Volume= 0.051 af

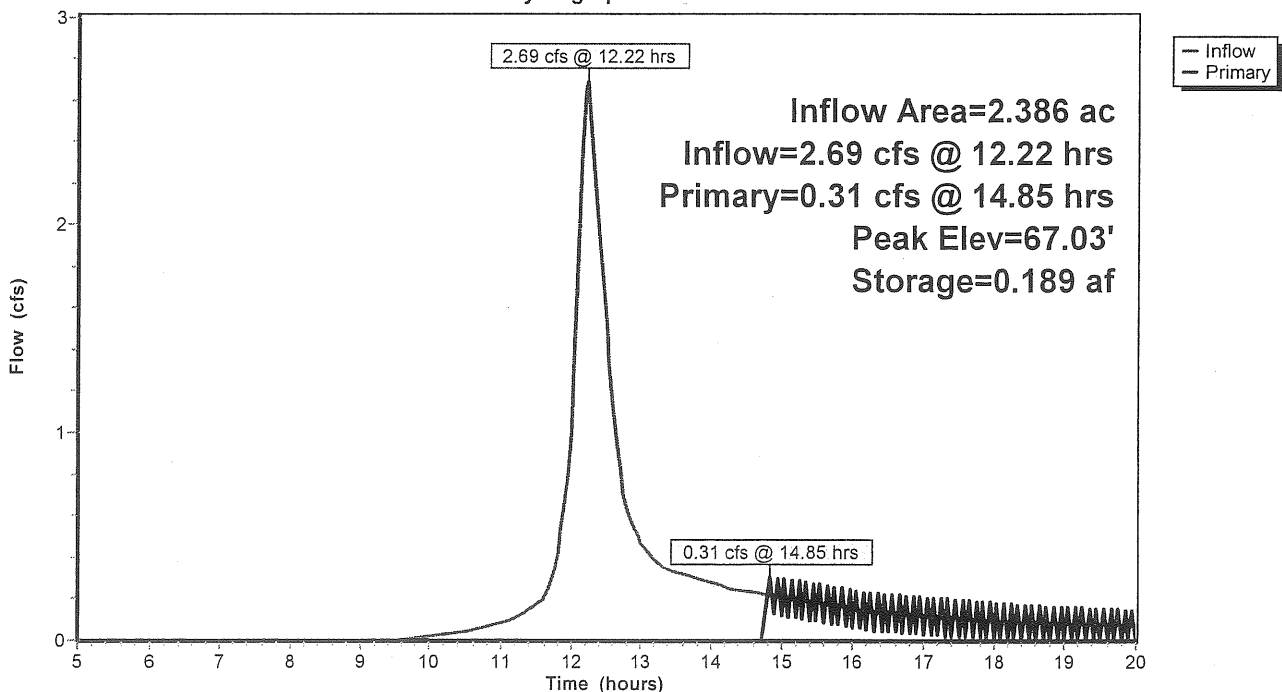
Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 67.03' @ 14.85 hrs Surf.Area= 0.178 ac Storage= 0.189 af
 Plug-Flow detention time= 305.2 min calculated for 0.051 af (21% of inflow)
 Center-of-Mass det. time= 203.3 min (1,014.4 - 811.2)

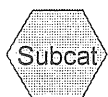
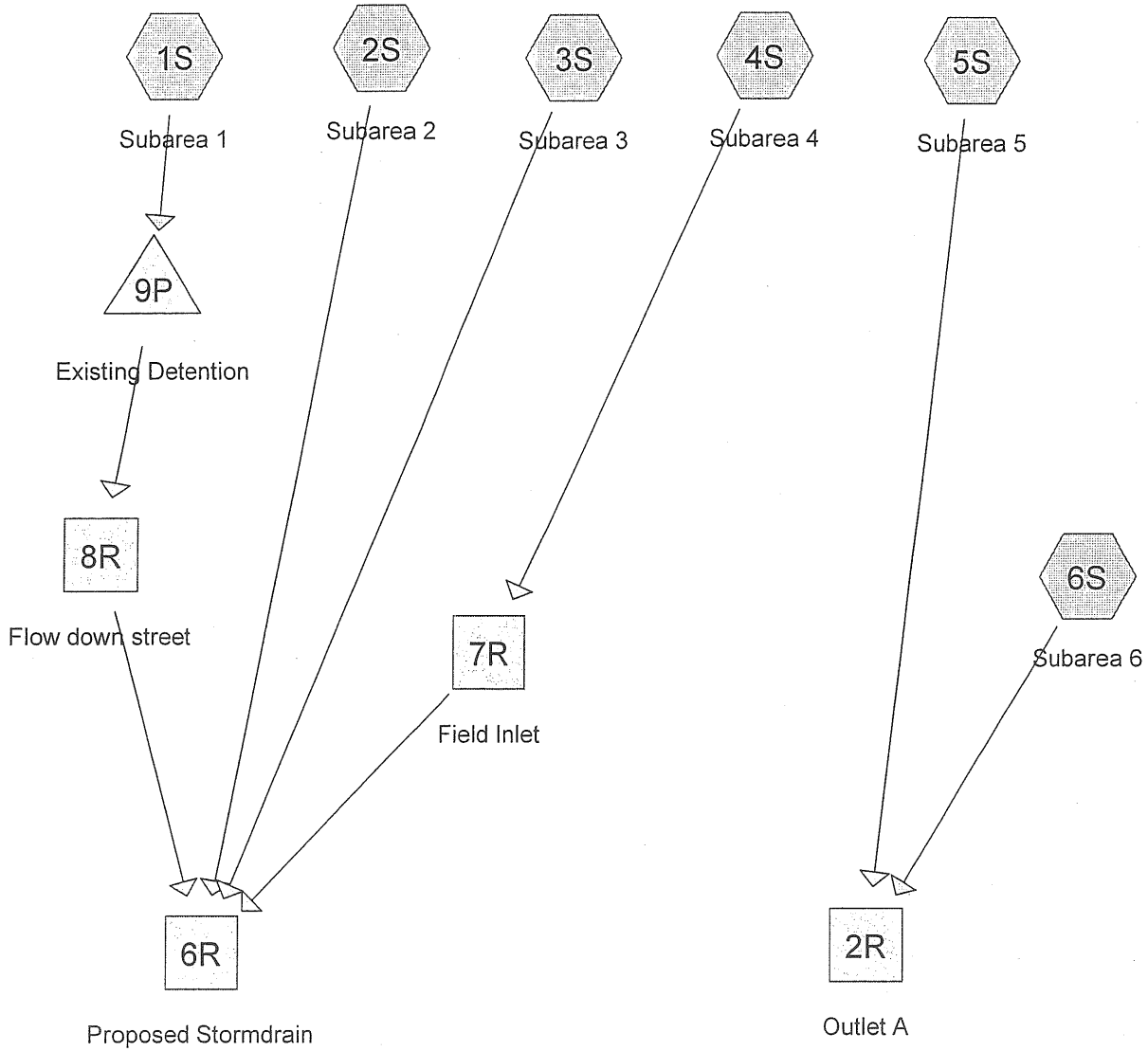
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.189 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
65.00	0.000	0.000	0.000
66.00	0.100	0.050	0.050
67.00	0.178	0.139	0.189

Device	Routing	Invert	Outlet Devices
#1	Primary	67.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir
Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50			
5.00 5.50			
Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79			
2.88 3.07 3.32			

Primary OutFlow Max=0.30 cfs @ 14.85 hrs HW=67.03' (Free Discharge)
 ↑ 1 = Broad-Crested Rectangular Weir (Weir Controls 0.30 cfs @ 0.4 fps)

Pond 9P: Existing Detention
 Hydrograph





Drainage Diagram for Bay Street Ext (1018) Post-Development (10 year)
 Prepared by Aquarion Engineering Services 10/26/2005
 HydroCAD® 7.10 s/n 000749 © 2005 HydroCAD Software Solutions LLC

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1	Runoff Area=2.386 ac Runoff Depth>2.53" Flow Length=265' Tc=15.6 min CN=81 Runoff=5.66 cfs 0.504 af
Subcatchment 2S: Subarea 2	Runoff Area=0.661 ac Runoff Depth>2.99" Flow Length=410' Tc=15.1 min CN=86 Runoff=1.84 cfs 0.165 af
Subcatchment 3S: Subarea 3	Runoff Area=0.487 ac Runoff Depth>3.10" Flow Length=360' Tc=1.0 min CN=87 Runoff=2.06 cfs 0.126 af
Subcatchment 4S: Subarea 4	Runoff Area=0.913 ac Runoff Depth>2.43" Flow Length=290' Tc=33.2 min CN=80 Runoff=1.52 cfs 0.185 af
Subcatchment 5S: Subarea 5	Runoff Area=0.143 ac Runoff Depth>1.96" Flow Length=200' Tc=16.0 min CN=74 Runoff=0.26 cfs 0.023 af
Subcatchment 6S: Subarea 6	Runoff Area=0.310 ac Runoff Depth>1.81" Flow Length=210' Tc=14.7 min CN=72 Runoff=0.53 cfs 0.047 af
Reach 2R: Outlet A	Peak Depth=0.06' Max Vel=0.8 fps Inflow=0.79 cfs 0.070 af n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=0.79 cfs 0.070 af
Reach 6R: Proposed Stormdrain	Peak Depth=0.76' Max Vel=11.1 fps Inflow=8.61 cfs 0.791 af D=15.0" n=0.010 L=197.0' S=0.0225 '/' Capacity=12.59 cfs Outflow=8.46 cfs 0.791 af
Reach 7R: Field Inlet	Peak Depth=0.39' Max Vel=5.3 fps Inflow=1.52 cfs 0.185 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=1.52 cfs 0.185 af
Reach 8R: Flow down street	Peak Depth=0.44' Max Vel=6.8 fps Inflow=5.08 cfs 0.316 af n=0.013 L=120.0' S=0.0220 '/' Capacity=7.27 cfs Outflow=5.32 cfs 0.316 af
Pond 9P: Existing Detention	Peak Elev=67.22' Storage=0.189 af Inflow=5.66 cfs 0.504 af Outflow=5.08 cfs 0.316 af

Total Runoff Area = 4.900 ac Runoff Volume = 1.050 af Average Runoff Depth = 2.57"

Subcatchment 1S: Subarea 1

Runoff = 5.66 cfs @ 12.22 hrs, Volume= 0.504 af, Depth > 2.53"

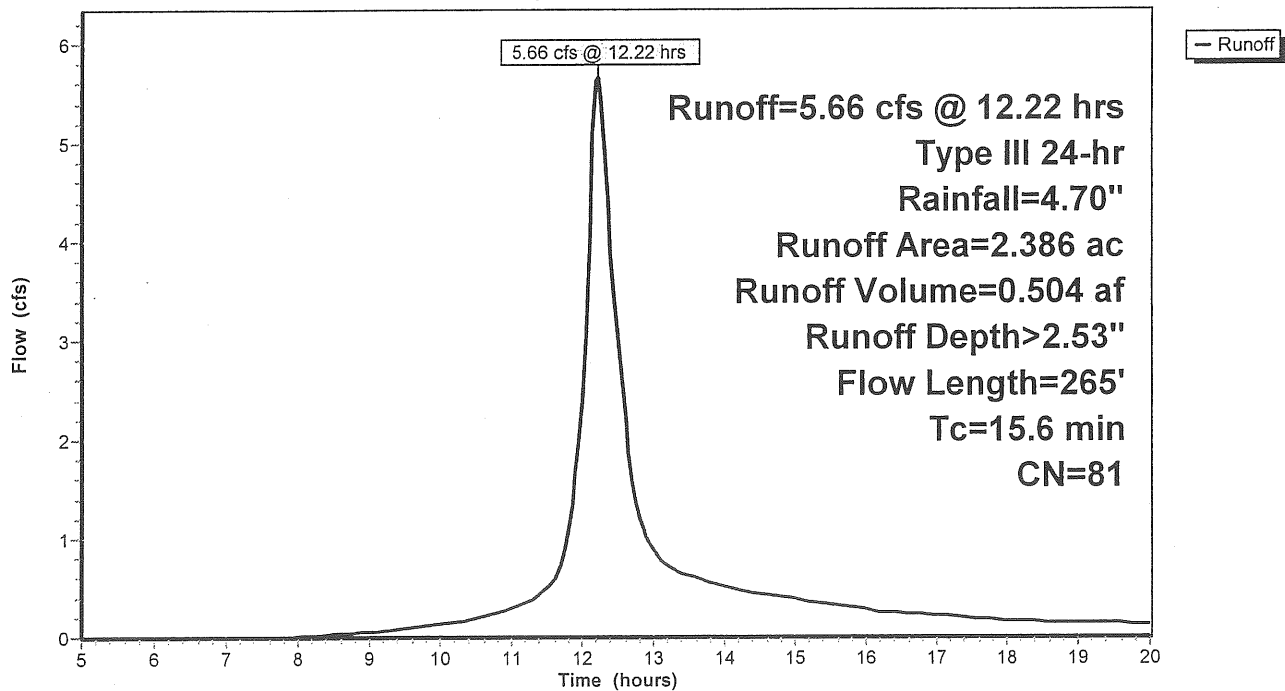
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.801	98	Paved parking & roofs
0.723	74	> 75% Grass cover, Good, HSG C
0.646	70	Woods, Good, HSG C
0.174	77	Woods, Good, HSG D
0.042	80	> 75% Grass cover, Good, HSG D
2.386	81	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265				Total

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 1.84 cfs @ 12.21 hrs, Volume= 0.165 af, Depth > 2.99"

Runoff by SCS TR-20 method, IHH=SCS, Time Span= 5:00-20:00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

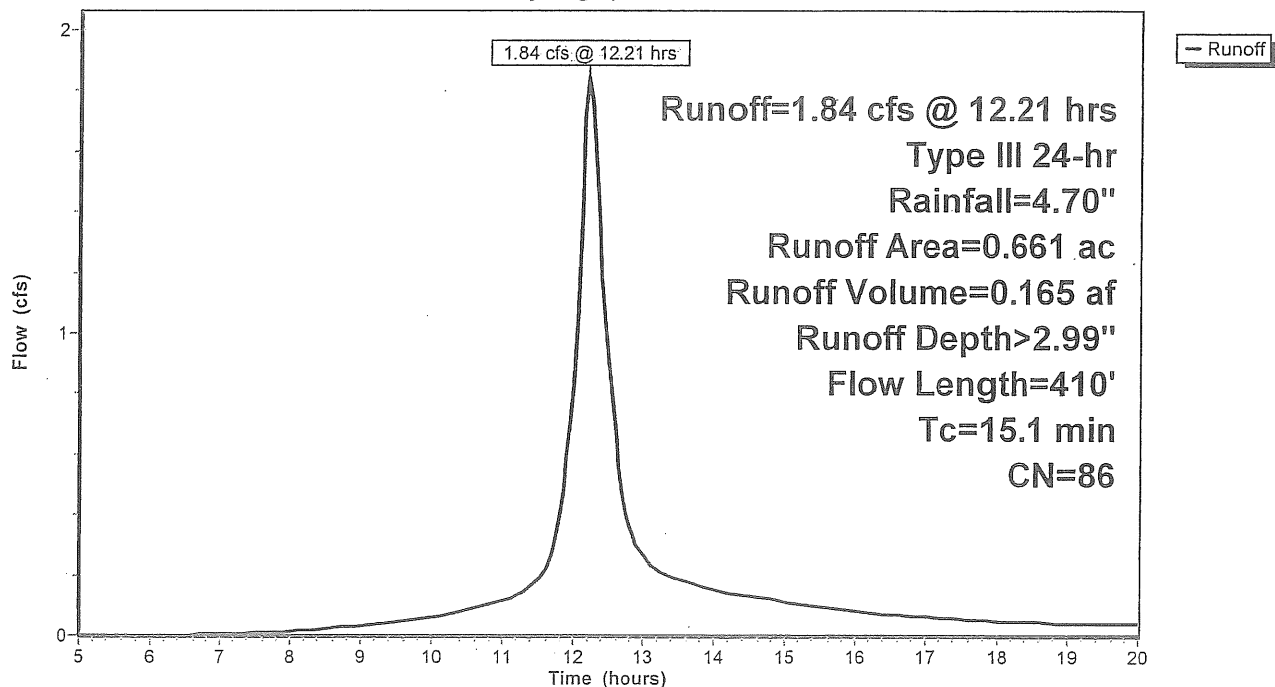
Area (ac)	CN	Description
0.346	98	Paved parking & roofs
0.062	70	Woods, Good, HSG C
0.253	74	>75% Grass cover, Good, HSG C
0.661	86	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.5	80	0.0370	0.1		Sheet Flow, AB Woods: Light underbrush n= 0.400 P2= 3.00"
0.4	190	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean

15.1 410 Total

Subcatchment 2S: Subarea 2

Hydrograph



Subcatchment 3S: Subarea 3

Runoff = 2.06 cfs @ 12.01 hrs, Volume= 0.126 af, Depth > 3.10"

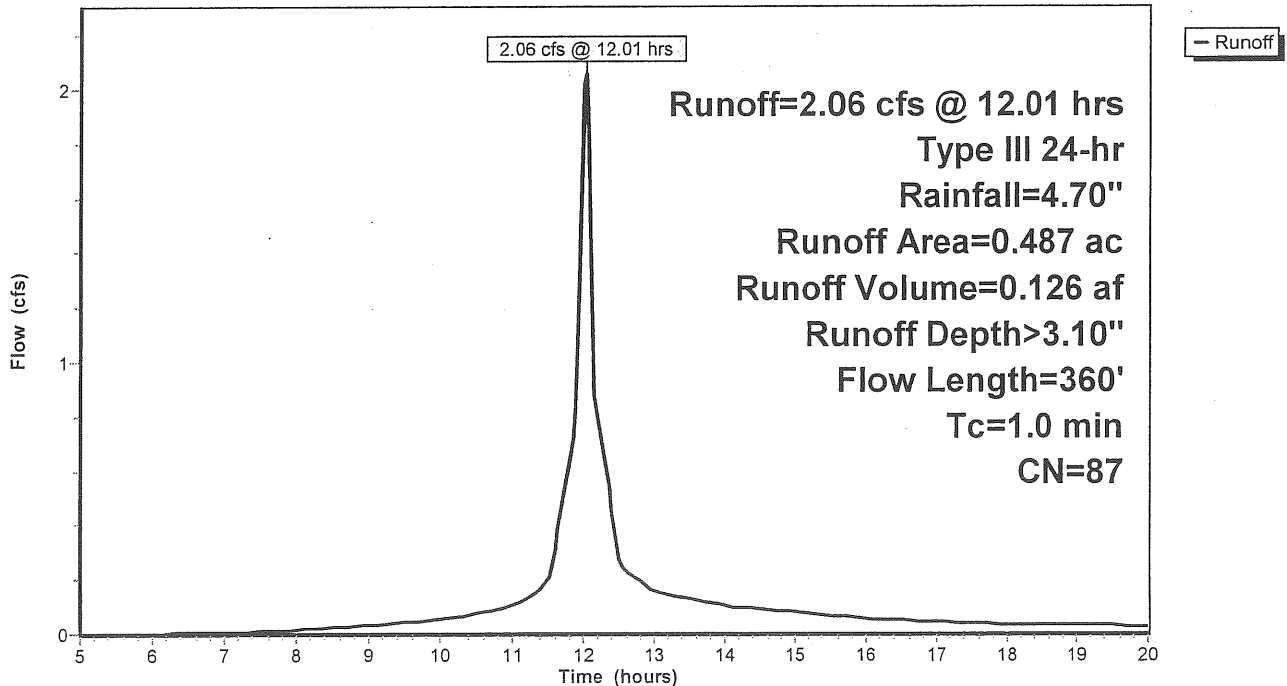
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.267	98	Paved parking & roofs
0.073	70	Woods, Good, HSG C
0.147	74	> 75% Grass cover, Good, HSG C
0.487	87	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	90	0.0220	3.0		Shallow Concentrated Flow, AB Paved Kv= 20.3 fps
0.3	130	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
1.0	360	Total			

Subcatchment 3S: Subarea 3

Hydrograph



Subcatchment 4S: Subarea 4

Runoff = 1.52 cfs @ 12.46 hrs, Volume= 0.185 af, Depth > 2.43"

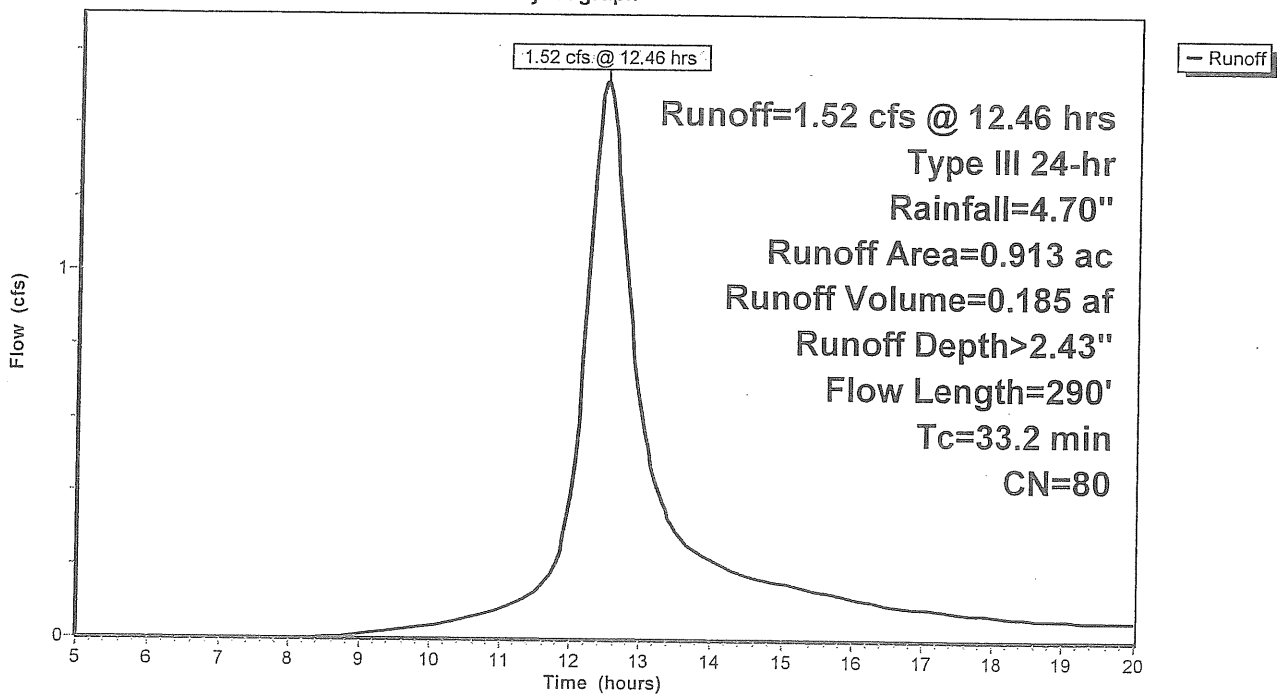
Runoff by SCS TR-20 method, IIR=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.300	98	Paved parking & roofs
0.466	70	Woods, Good, HSG C
0.125	74	> 75% Grass cover, Good, HSG C
0.022	77	Woods, Good, HSG D
0.913	80	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.7	150	0.0200	0.1		Sheet Flow, AB
2.5	140	0.0350	0.9		Woods: Light underbrush n= 0.400 P2= 3.00" Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
33.2	290	Total			

Subcatchment 4S: Subarea 4

Hydrograph



Subcatchment 5S: Subarea 5

Runoff = 0.26 cfs @ 12.23 hrs, Volume= 0.023 af, Depth > 1.96"

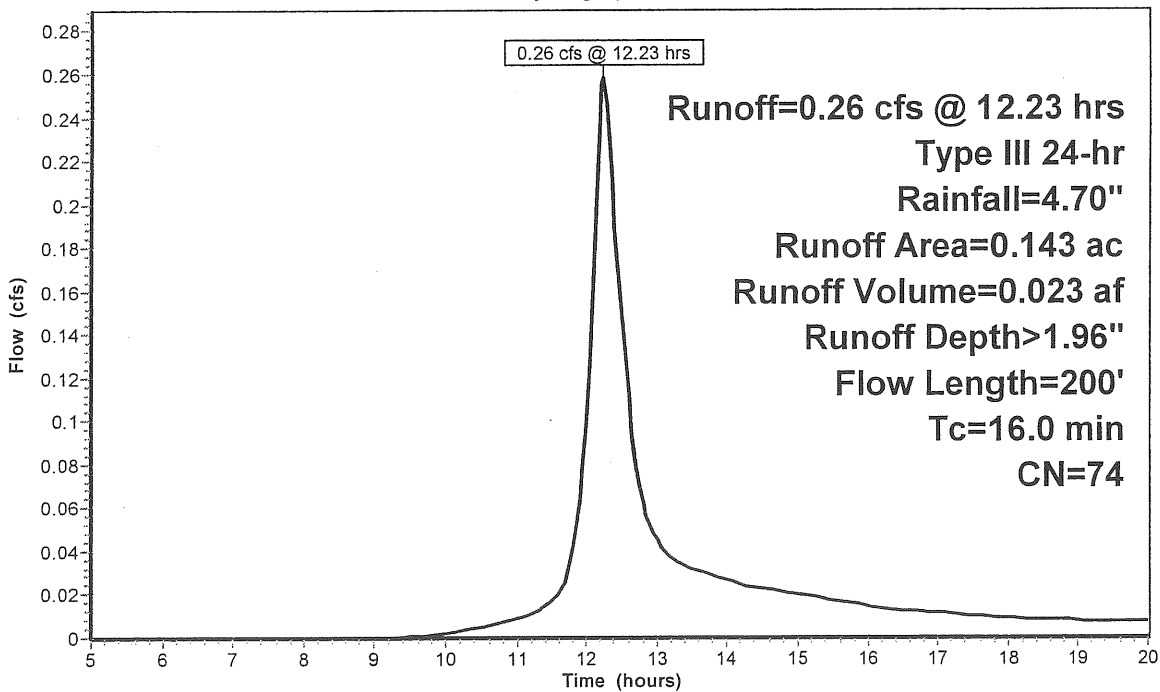
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.143	74	>75% Grass cover, Good, HSG C

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.4	140	0.0350	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
0.6	60	0.0500	1.6		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
16.0	200	Total			

Subcatchment 5S: Subarea 5

Hydrograph



Subcatchment 6S: Subarea 6

Runoff = 0.53 cfs @ 12.21 hrs, Volume= 0.047 af, Depth > 1.81"

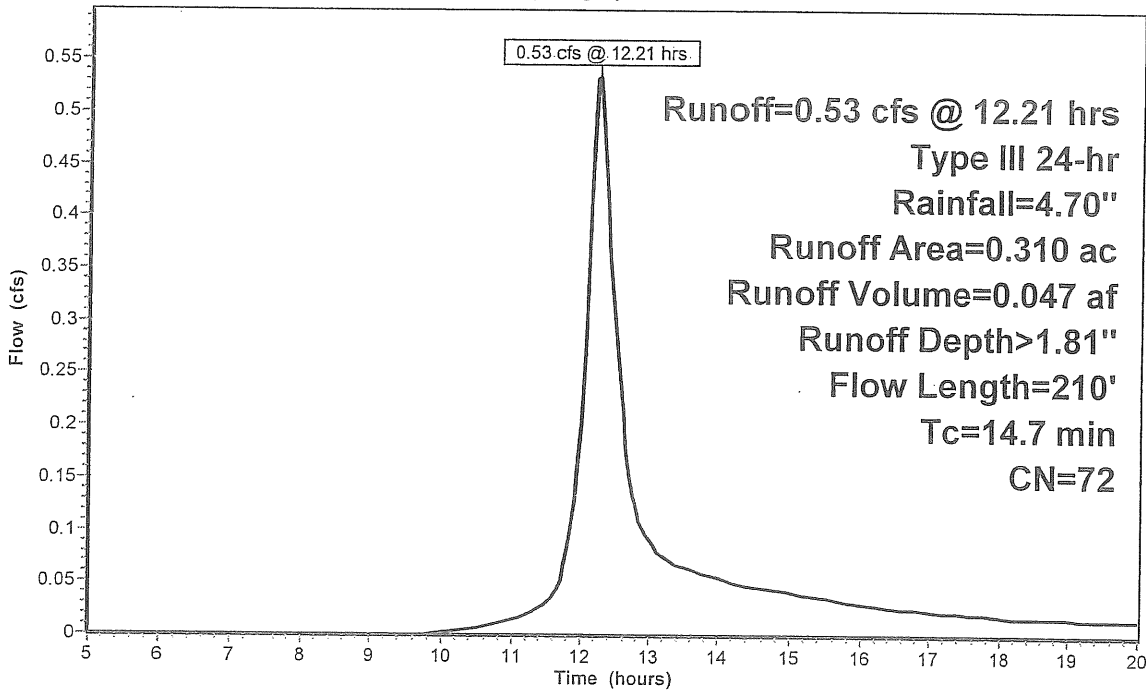
Runoff by SCS TR-20 method, IIR=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.155	74	>75% Grass cover, Good, HSG C
0.155	70	Woods, Good, HSG C
0.310	72	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
12.4	70	0.0420	0.1		Sheet Flow, AB
2.3	140	0.0210	1.0		Woods: Light underbrush n= 0.400 P2= 3.00" Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
14.7	210				Total

Subcatchment 6S: Subarea 6

Hydrograph



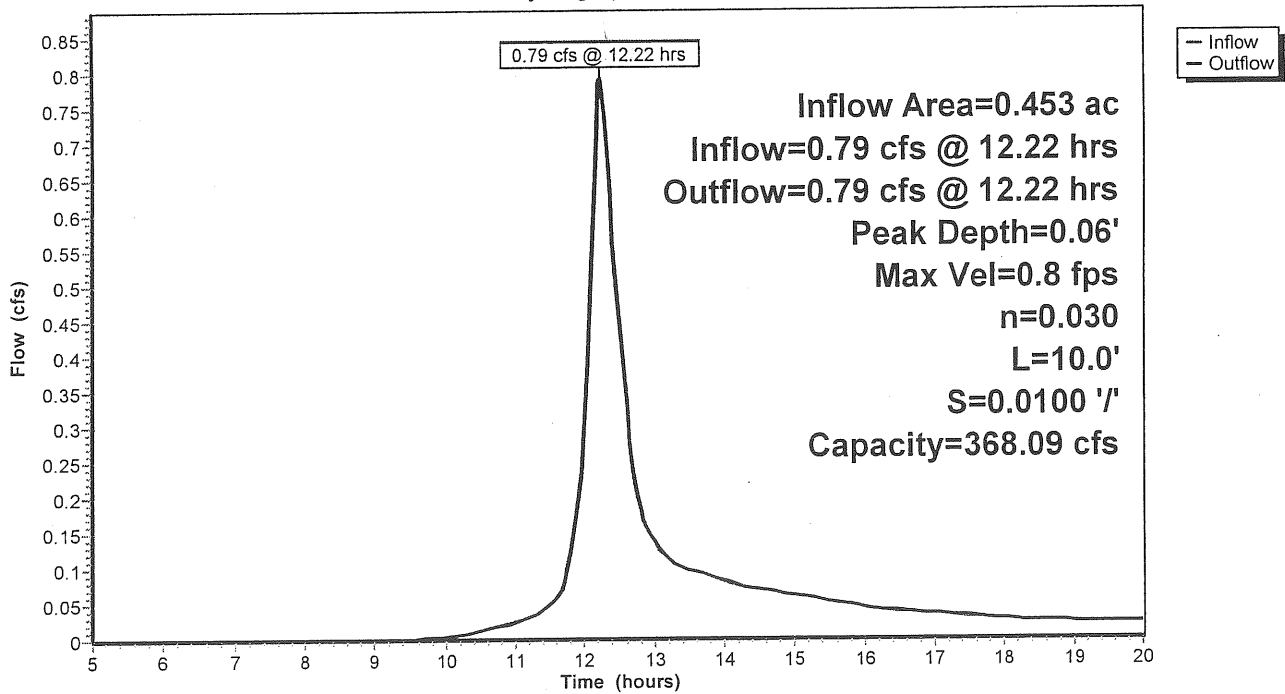
Reach 2R: Outlet A

Inflow Area = 0.453 ac, Inflow Depth > 1.86"
Inflow = 0.79 cfs @ 12.22 hrs, Volume= 0.070 af
Outflow = 0.79 cfs @ 12.22 hrs, Volume= 0.070 af, Atten= 0%, Lag= 0.3 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 0.8 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 0.4 fps, Avg. Travel Time= 0.4 min

Peak Depth= 0.06' @ 12.22 hrs
Capacity at bank full= 368.09 cfs
15.00' x 2.00' deep channel, n= 0.030
Side Slope Z-value= 8.0 '/' Top Width= 47.00'
Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A
Hydrograph



Reach 6R: Proposed Stormdrain

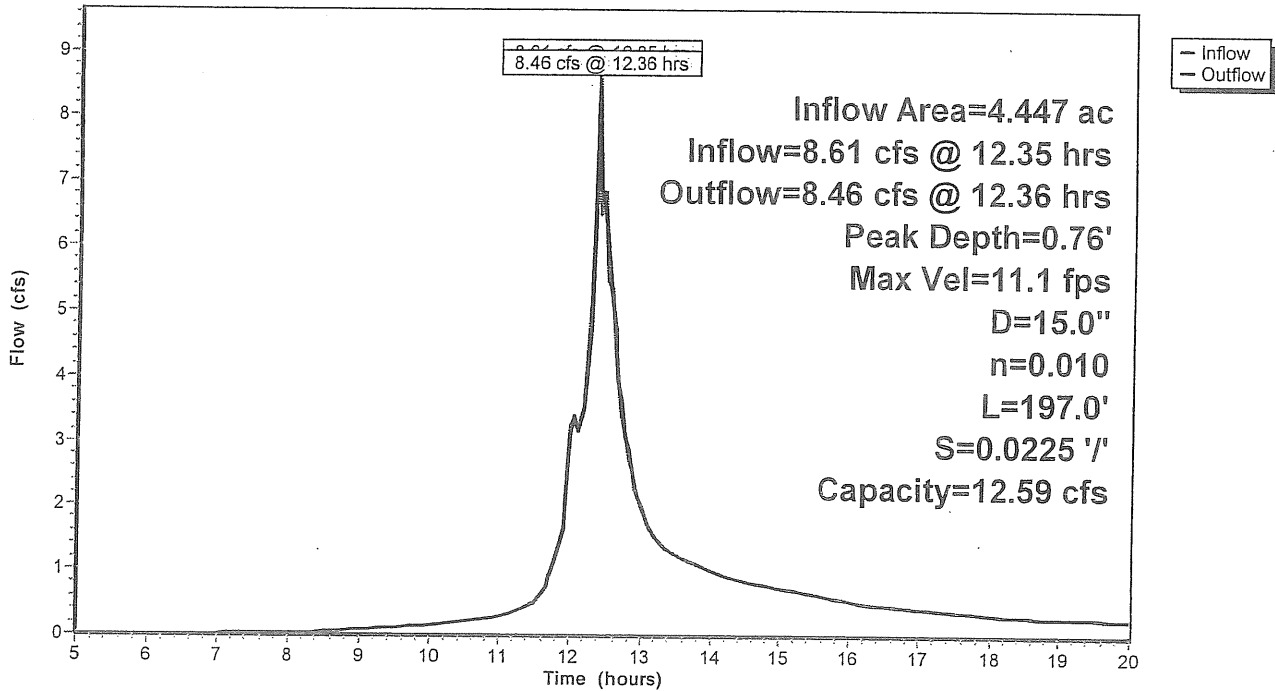
Inflow Area = 4.447 ac, Inflow Depth > 2.14"
Inflow = 8.61 cfs @ 12.35 hrs, Volume= 0.791 af
Outflow = 8.46 cfs @ 12.36 hrs, Volume= 0.791 af, Atten= 2%, Lag= 0.4 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 11.1 fps, Min. Travel Time= 0.3 min
Avg. Velocity= 4.4 fps, Avg. Travel Time= 0.8 min

Peak Depth= 0.76' @ 12.35 hrs
Capacity at bank full= 12.59 cfs
15.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 197.0' Slope= 0.0225 '/'

Reach 6R: Proposed Stormdrain

Hydrograph



Reach 7R: Field Inlet

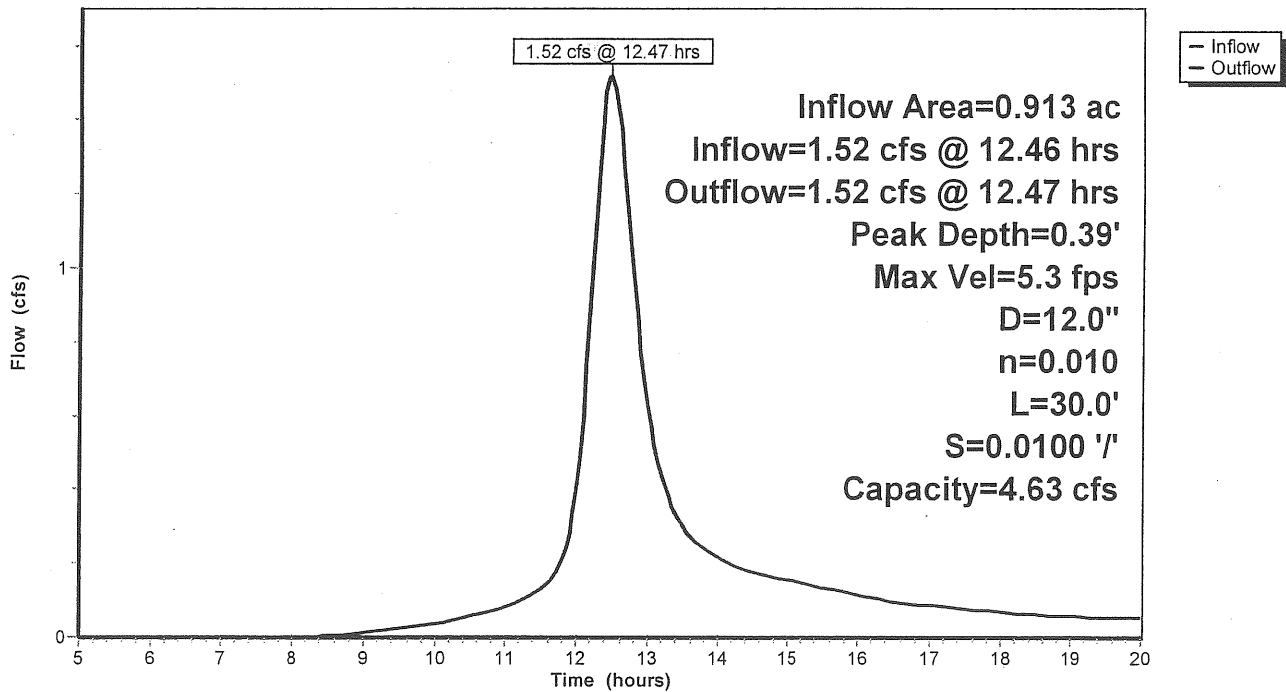
Inflow Area = 0.913 ac, Inflow Depth > 2.43"
Inflow = 1.52 cfs @ 12.46 hrs, Volume= 0.185 af
Outflow = 1.52 cfs @ 12.47 hrs, Volume= 0.185 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 5.3 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 2.4 fps, Avg. Travel Time= 0.2 min

Peak Depth = 0.39' @ 12.46 hrs
Capacity at bank full = 4.63 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 30.0' Slope= 0.0100 '/'

Reach 7R: Field Inlet

Hydrograph



Reach 8R: Flow down street

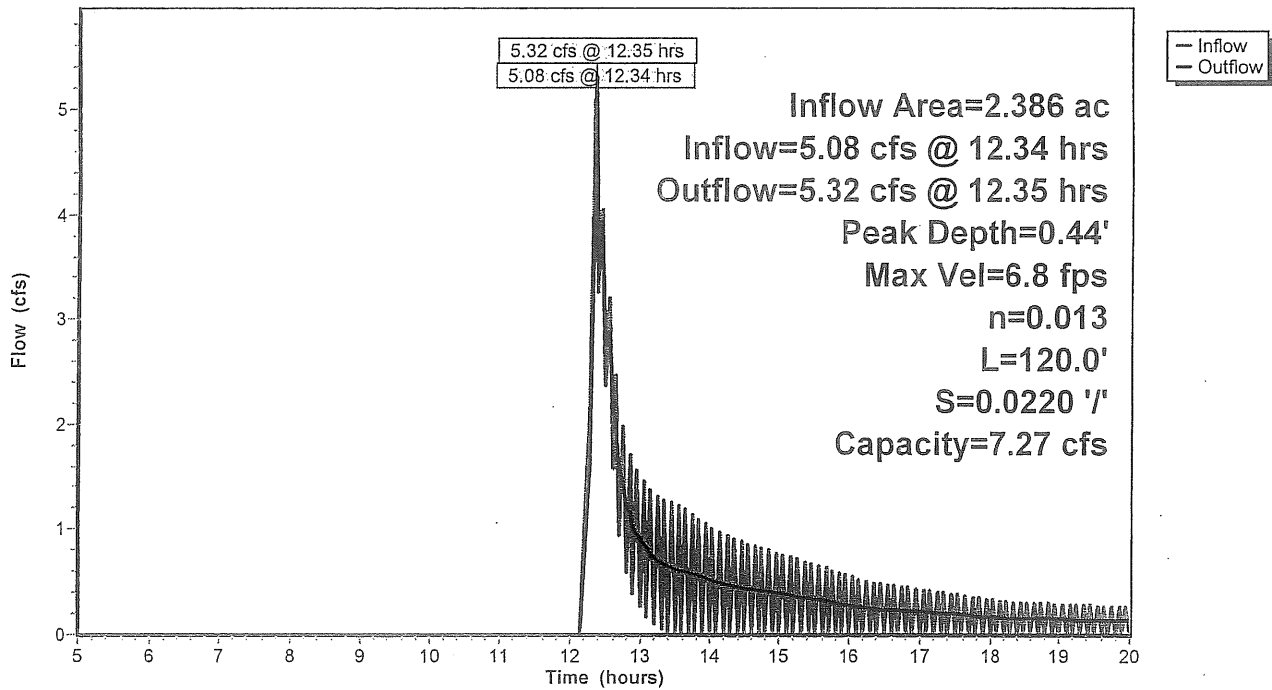
Inflow Area = 2.386 ac, Inflow Depth > 1.59"
Inflow = 5.08 cfs @ 12.34 hrs, Volume = 0.316 af
Outflow = 5.32 cfs @ 12.35 hrs, Volume = 0.316 af, Atten= 0%, Lag= 0.7 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 6.8 fps, Min. Travel Time= 0.3 min
Avg. Velocity = 3.0 fps, Avg. Travel Time= 0.7 min

Peak Depth= 0.44' @ 12.35 hrs
Capacity at bank full= 7.27 cfs
1.00' x 0.50' deep channel, n= 0.013 Asphalt, smooth
Side Slope Z-value= 4.0 0.0 '/' Top Width= 3.00'
Length= 120.0' Slope= 0.0220 '/'

Reach 8R: Flow down street

Hydrograph



Pond 9P: Existing Detention

Inflow Area = 2.386 ac, Inflow Depth > 2.53"
 Inflow = 5.66 cfs @ 12.22 hrs, Volume= 0.504 af
 Outflow = 5.08 cfs @ 12.34 hrs, Volume= 0.316 af, Atten= 10%, Lag= 7.4 min
 Primary = 5.08 cfs @ 12.34 hrs, Volume= 0.316 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 67.22' @ 12.34 hrs Surf.Area= 0.178 ac Storage= 0.189 af
 Plug-Flow detention time= 127.2 min calculated for 0.316 af (63% of inflow)
 Center-of-Mass det. time= 54.7 min (849.3 - 794.5)

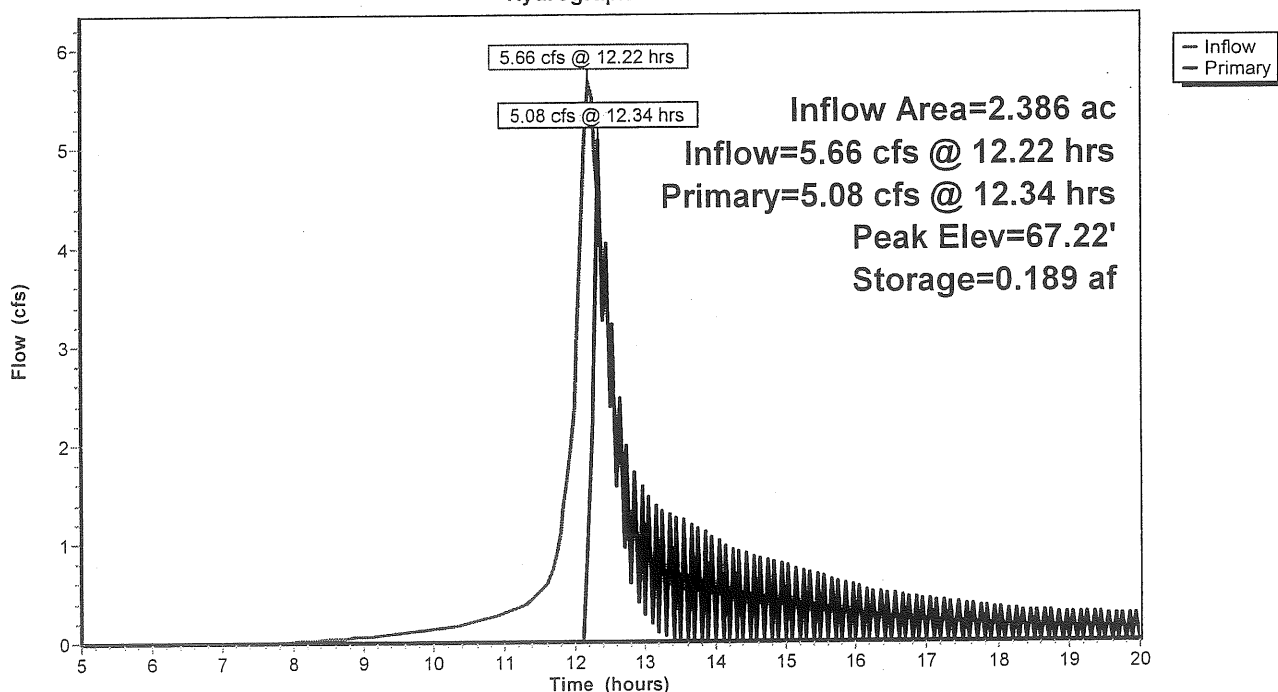
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.189 af	Custom Stage Data (Prismatic) Listed below (Recalc)

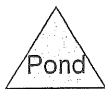
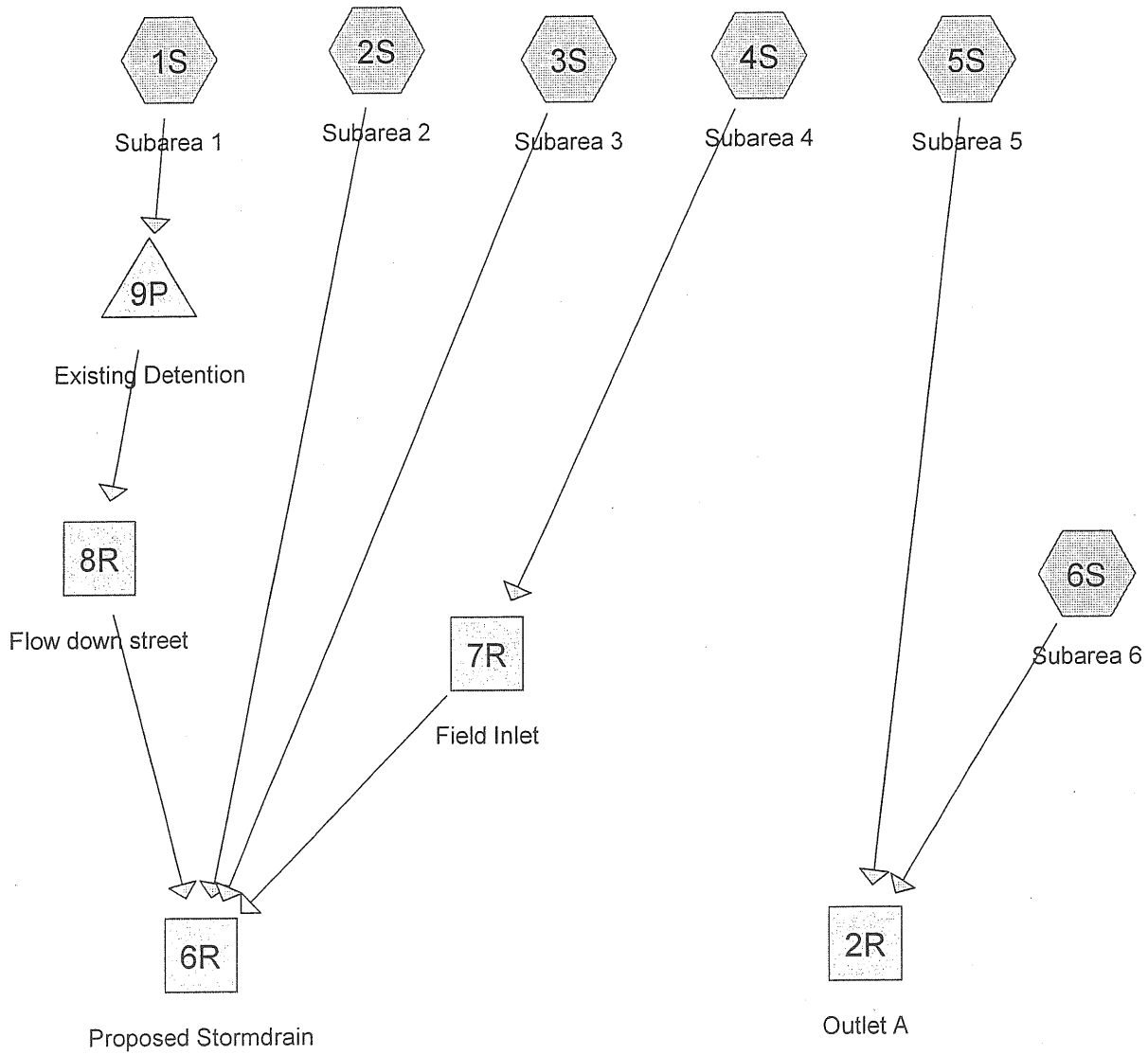
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
65.00	0.000	0.000	0.000
66.00	0.100	0.050	0.050
67.00	0.178	0.139	0.189

Device	Routing	Invert	Outlet Devices
#1	Primary	67.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79 2.88 3.07 3.32

Primary OutFlow Max=4.86 cfs @ 12.34 hrs HW=67.22' (Free Discharge)
 ↑1 = Broad-Crested Rectangular Weir (Weir Controls 4.86 cfs @ 1.1 fps)

Pond 9P: Existing Detention
 Hydrograph





Drainage Diagram for Bay Street Ext (1018) Post-Development (25 year)
 Prepared by Aquarion Engineering Services 10/26/2005
 HydroCAD® 7.10 s/n 000749 © 2005 HydroCAD Software Solutions LLC

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1	Runoff Area=2.566 ac Runoff Depth>3.21" Flow Length=265' Tc=15.6 min CN=81 Runoff=7.12 cfs 0.637 af
Subcatchment 2S: Subarea 2	Runoff Area=0.661 ac Runoff Depth>3.70" Flow Length=410' Tc=15.1 min CN=86 Runoff=2.26 cfs 0.204 af
Subcatchment 3S: Subarea 3	Runoff Area=0.487 ac Runoff Depth>3.82" Flow Length=360' Tc=1.0 min CN=87 Runoff=2.51 cfs 0.155 af
Subcatchment 4S: Subarea 4	Runoff Area=0.913 ac Runoff Depth>3.09" Flow Length=290' Tc=33.2 min CN=80 Runoff=1.92 cfs 0.235 af
Subcatchment 5S: Subarea 5	Runoff Area=0.143 ac Runoff Depth>2.56" Flow Length=200' Tc=16.0 min CN=74 Runoff=0.34 cfs 0.031 af
Subcatchment 6S: Subarea 6	Runoff Area=0.310 ac Runoff Depth>2.39" Flow Length=210' Tc=14.7 min CN=72 Runoff=0.71 cfs 0.062 af
Reach 2R: Outlet A	Peak Depth=0.08' Max Vel=0.9 fps Inflow=1.05 cfs 0.092 af n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=1.04 cfs 0.092 af
Reach 6R: Proposed Stormdrain	Peak Depth=0.97' Max Vel=11.7 fps Inflow=11.27 cfs 1.045 af D=15.0" n=0.010 L=197.0' S=0.0225 '/' Capacity=12.59 cfs Outflow=11.74 cfs 1.044 af
Reach 7R: Field Inlet	Peak Depth=0.45' Max Vel=5.6 fps Inflow=1.92 cfs 0.235 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=1.92 cfs 0.235 af
Reach 8R: Flow down street	Peak Depth=0.56' Max Vel=7.3 fps Inflow=8.88 cfs 0.451 af n=0.013 L=120.0' S=0.0220 '/' Capacity=7.27 cfs Outflow=6.86 cfs 0.451 af
Pond 9P: Existing Detention	Peak Elev=67.31' Storage=0.189 af Inflow=7.12 cfs 0.637 af Outflow=8.88 cfs 0.451 af
Total Runoff Area = 4.900 ac Runoff Volume = 1.324 af Average Runoff Depth = 3.24"	

Subcatchment 1S: Subarea 1

Runoff = 7.12 cfs @ 12.21 hrs, Volume= 0.637 af, Depth> 3.21"

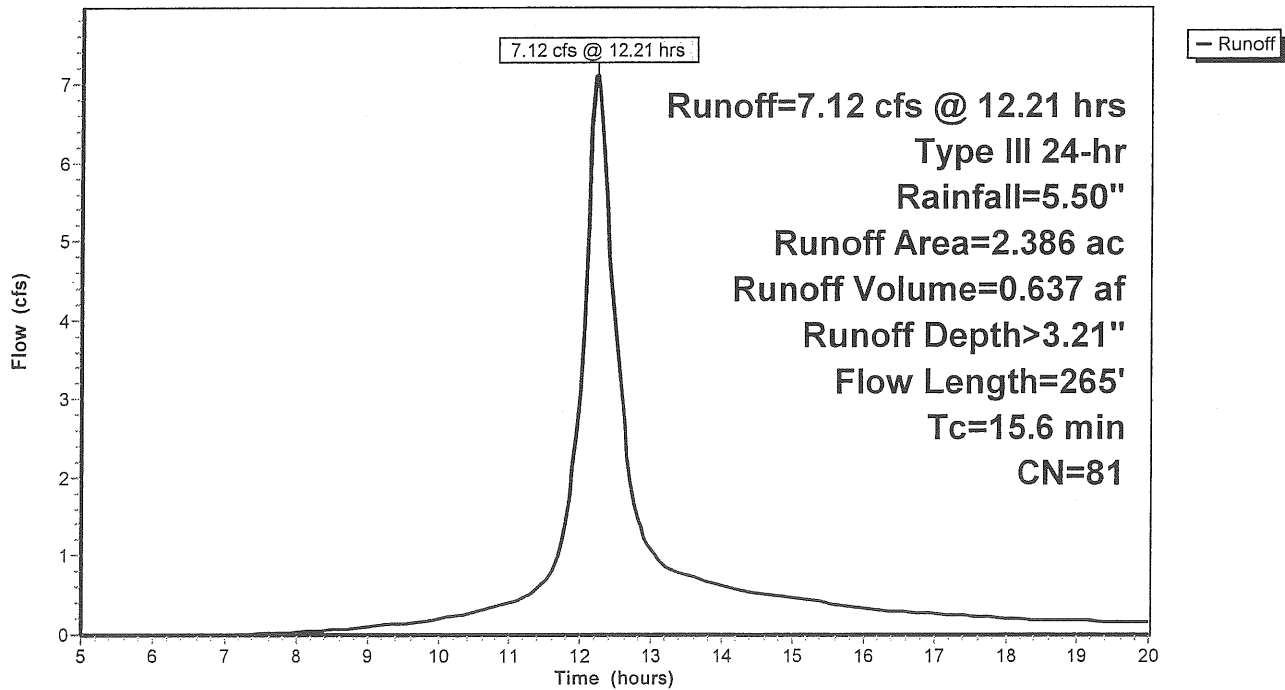
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.801	98	Paved parking & roofs
0.723	74	>75% Grass cover, Good, HSG C
0.646	70	Woods, Good, HSG C
0.174	77	Woods, Good, HSG D
0.042	80	>75% Grass cover, Good, HSG D
2.386	81	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265	Total			

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 2.26 cfs @ 12.20 hrs, Volume= 0.204 af, Depth > 3.70"

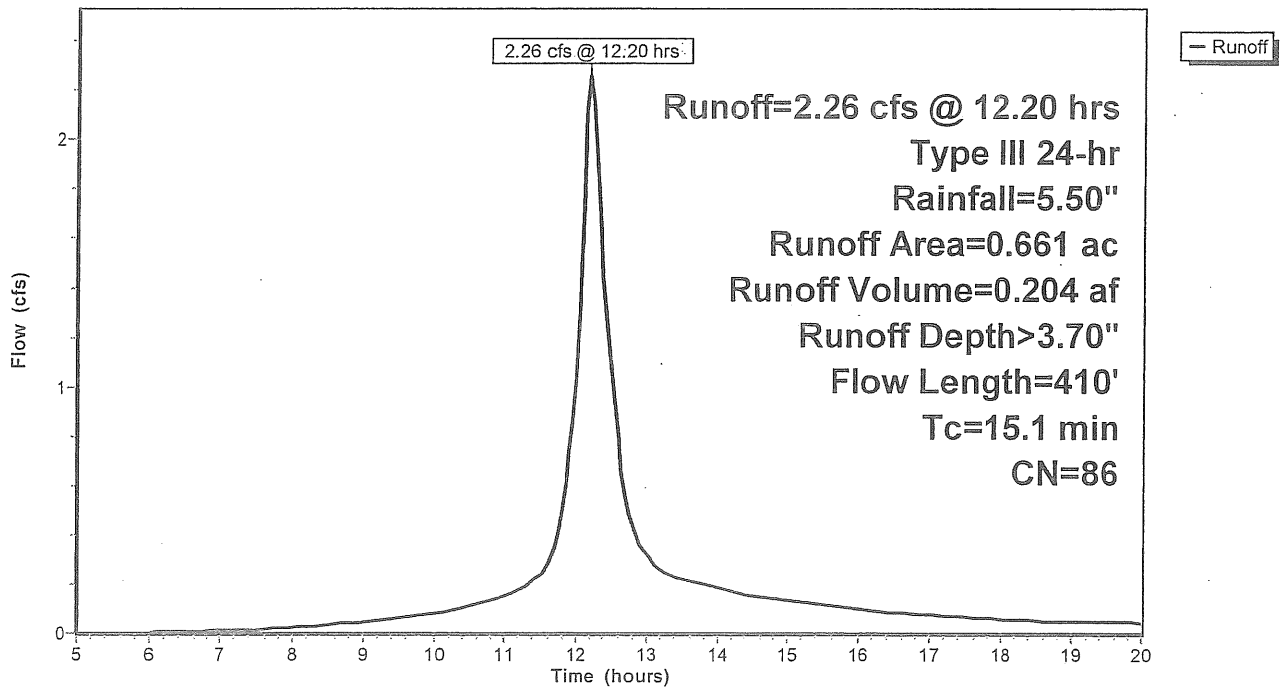
Runoff by SCS TR 20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.346	98	Paved parking & roofs
0.062	70	Woods, Good, HSG C
0.253	74	> 75% Grass cover, Good, HSG C
0.661	86	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.5	80	0.0370	0.1		Sheet Flow, AB
					Woods: Light underbrush n= 0.400 P2= 3.00"
0.4	190	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00'
					n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50'
					n= 0.011 Concrete pipe, straight & clean
15.1	410	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Subcatchment 3S: Subarea 3

Runoff = 2.51 cfs @ 12.01 hrs, Volume= 0.155 af, Depth > 3.82"

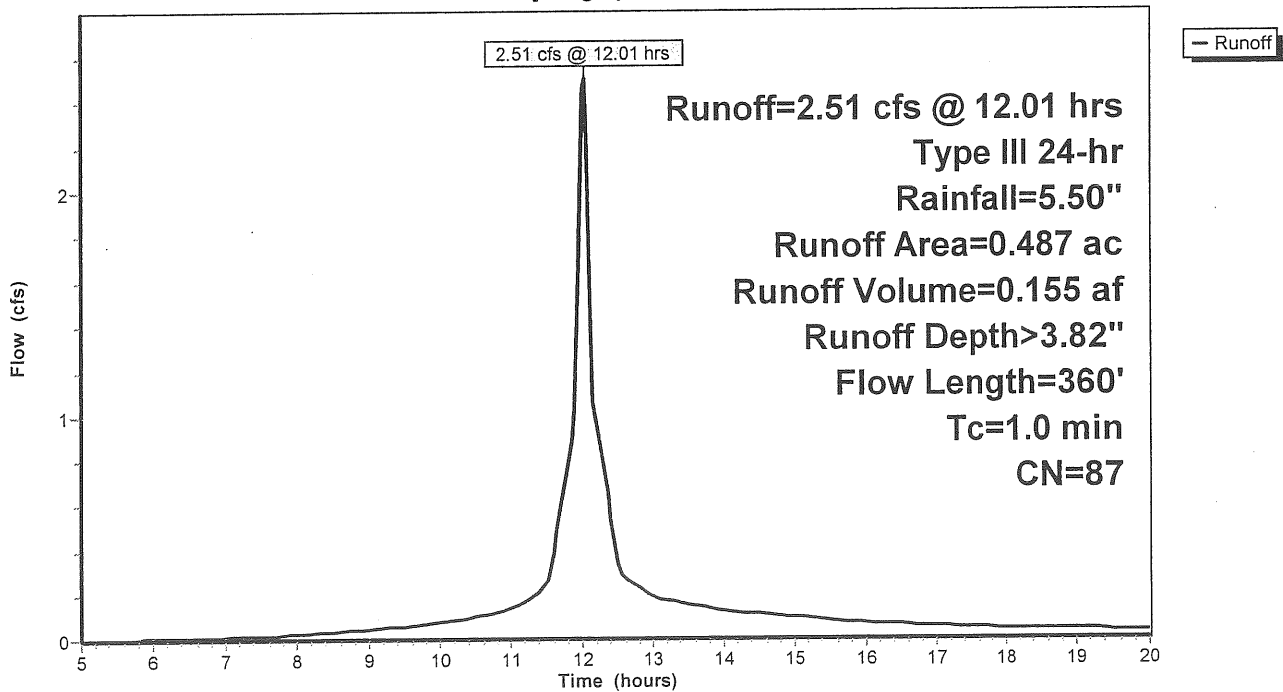
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.267	98	Paved parking & roofs
0.073	70	Woods, Good, HSG C
0.147	74	> 75% Grass cover, Good, HSG C
0.487	87	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	90	0.0220	3.0		Shallow Concentrated Flow, AB Paved Kv= 20.3 fps
0.3	130	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
1.0	360	Total			

Subcatchment 3S: Subarea 3

Hydrograph



Subcatchment 4S: Subarea 4

Runoff = 1.92 cfs @ 12.46 hrs, Volume= 0.235 af, Depth > 3.09"

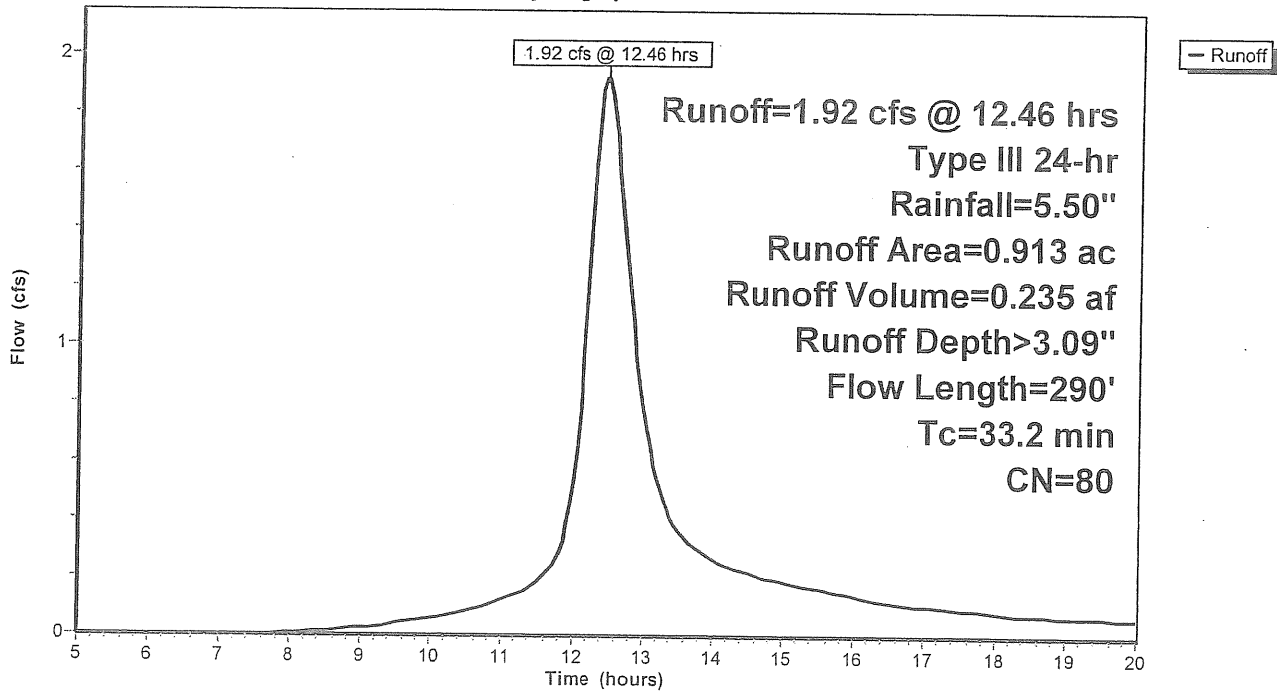
Runoff by SCS TR 20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.300	98	Paved parking & roofs
0.466	70	Woods, Good, HSG C
0.125	74	>75% Grass cover, Good, HSG C
0.022	77	Woods, Good, HSG D
0.913	80	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.7	150	0.0200	0.1		Sheet Flow, AB
2.5	140	0.0350	0.9		Woods: Light underbrush n= 0.400 P2= 3.00" Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
33.2	290	Total			

Subcatchment 4S: Subarea 4

Hydrograph



Subcatchment 5S: Subarea 5

Runoff = 0.34 cfs @ 12.22 hrs, Volume= 0.031 af, Depth > 2.56"

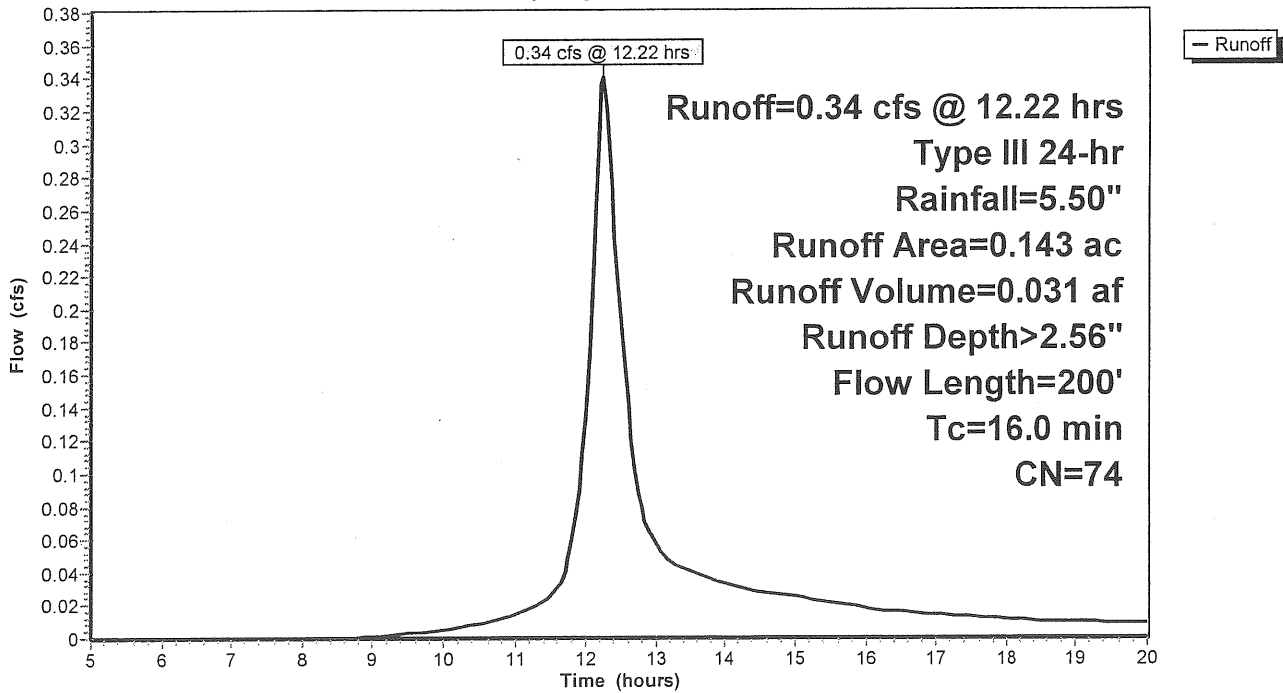
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.143	74	>75% Grass cover, Good, HSG C

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.4	140	0.0350	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
0.6	60	0.0500	1.6		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
16.0	200	Total			

Subcatchment 5S: Subarea 5

Hydrograph



Subcatchment 6S: Subarea 6

Runoff = 0.71 cfs @ 12.21 hrs, Volume= 0.062 af; Depth > 2.39"

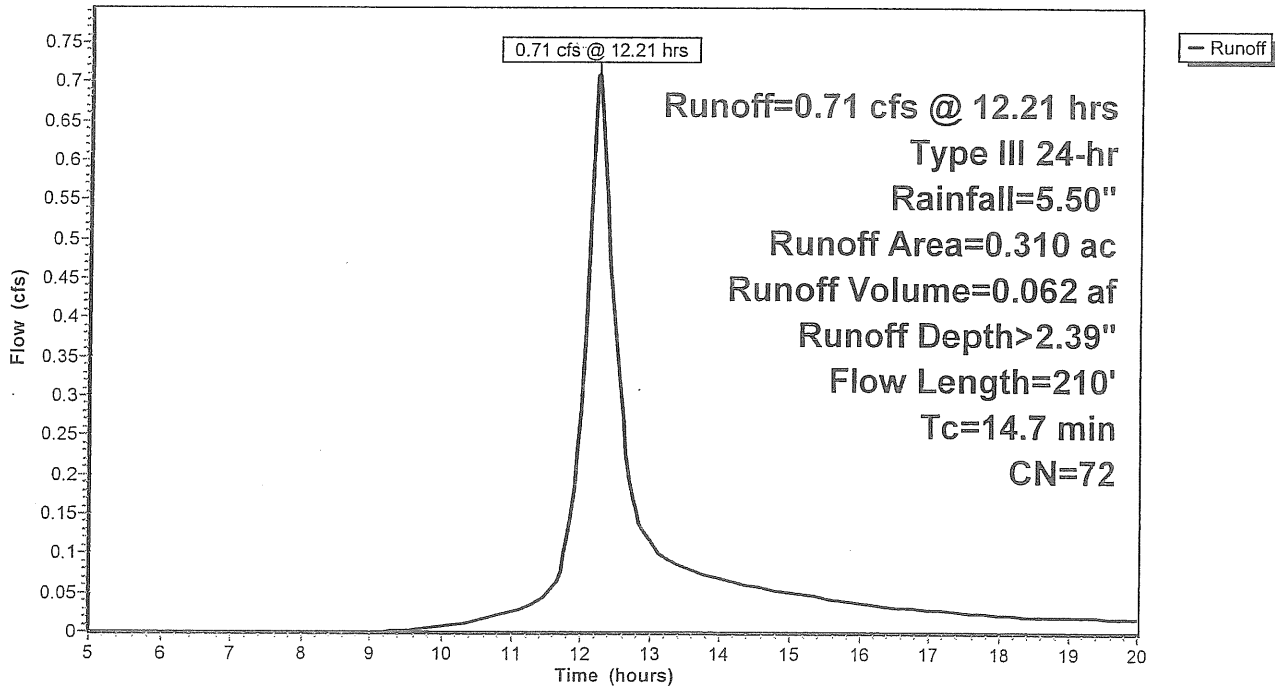
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.155	74	> 75% Grass cover, Good, HSG C
0.155	70	Woods, Good, HSG C
0.310	72	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
12.4	70	0.0420	0.1		Sheet Flow, AB
2.3	140	0.0210	1.0		Woods: Light underbrush n= 0.400 P2= 3.00" Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
14.7	210	Total			

Subcatchment 6S: Subarea 6

Hydrograph



Reach 2R: Outlet A

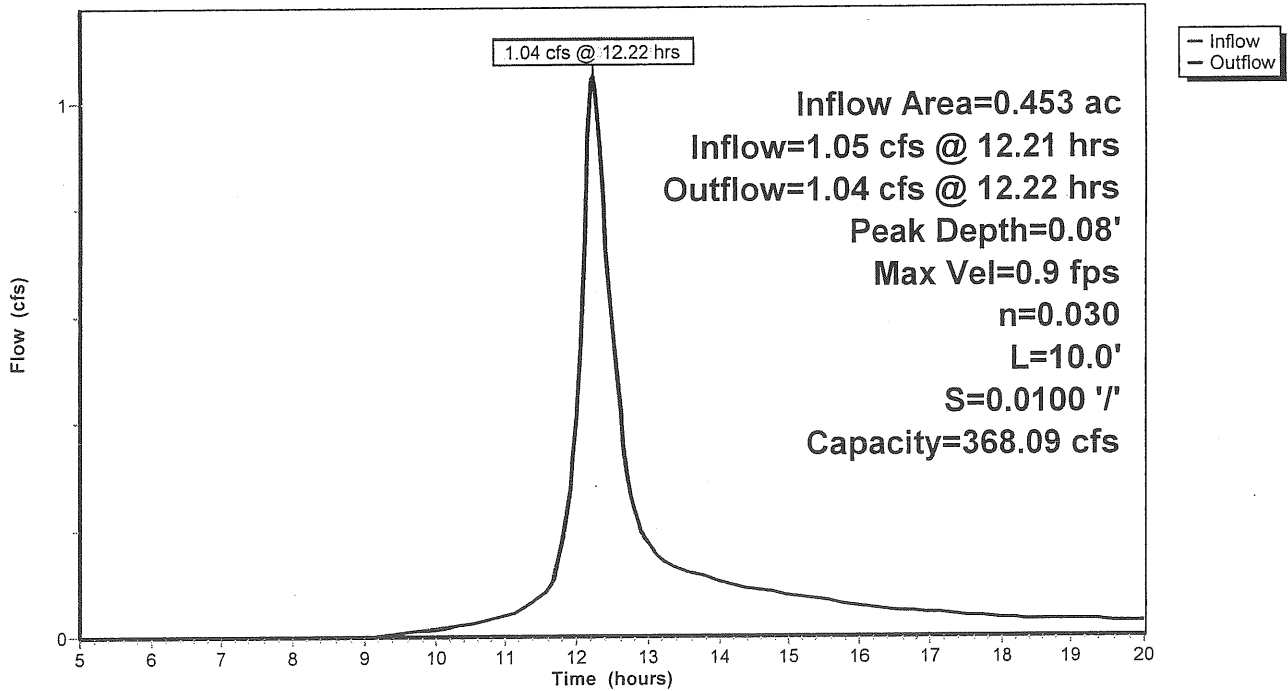
Inflow Area = 0.453 ac, Inflow Depth > 2.45"
Inflow = 1.05 cfs @ 12.21 hrs, Volume= 0.092 af
Outflow = 1.04 cfs @ 12.22 hrs, Volume= 0.092 af, Atten= 0%, Lag= 0.3 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 0.9 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 0.4 fps, Avg. Travel Time= 0.4 min

Peak Depth= 0.08' @ 12.22 hrs
Capacity at bank full= 368.09 cfs
15.00' x 2.00' deep channel, n= 0.030
Side Slope Z-value= 8.0 '/' Top Width= 47.00'
Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Reach 6R: Proposed Stormdrain

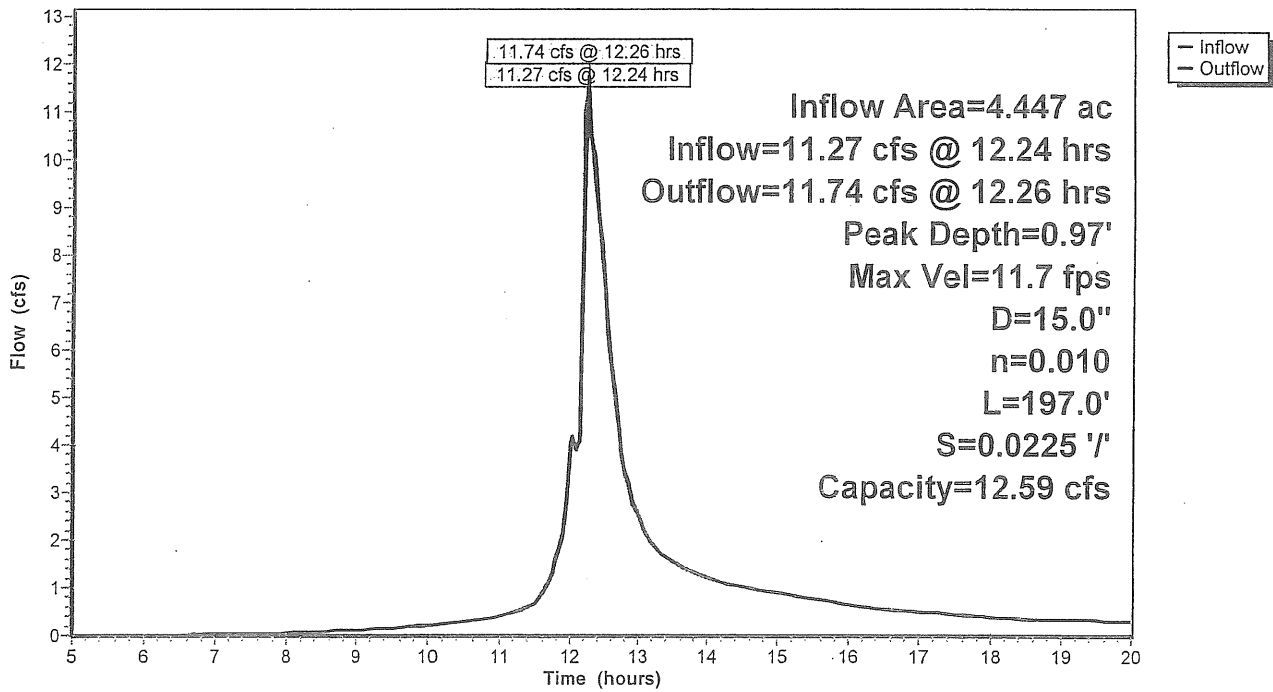
Inflow Area = 4.447 ac, Inflow Depth > 2.82"
Inflow = 11.27 cfs @ 12.24 hrs, Volume= 1.045 af
Outflow = 11.74 cfs @ 12.26 hrs, Volume= 1.044 af, Atten= 0%, Lag= 0.9 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 11.7 fps, Min. Travel Time= 0.3 min
Avg. Velocity = 4.6 fps, Avg. Travel Time= 0.7 min

Peak Depth= 0.97' @ 12.25 hrs
Capacity at bank full= 12.59 cfs
15.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 197.0' Slope= 0.0225 '/'

Reach 6R: Proposed Stormdrain

Hydrograph



Reach 7R: Field Inlet

Inflow Area = 0.913 ac, Inflow Depth > 3.09"
Inflow = 1.92 cfs @ 12.46 hrs, Volume= 0.235 af
Outflow = 1.92 cfs @ 12.46 hrs, Volume= 0.235 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Max. Velocity= 5.6 fps, Min. Travel Time= 0.1 min

Avg. Velocity = 2.5 fps, Avg. Travel Time= 0.2 min

Peak Depth= 0.45' @ 12.46 hrs

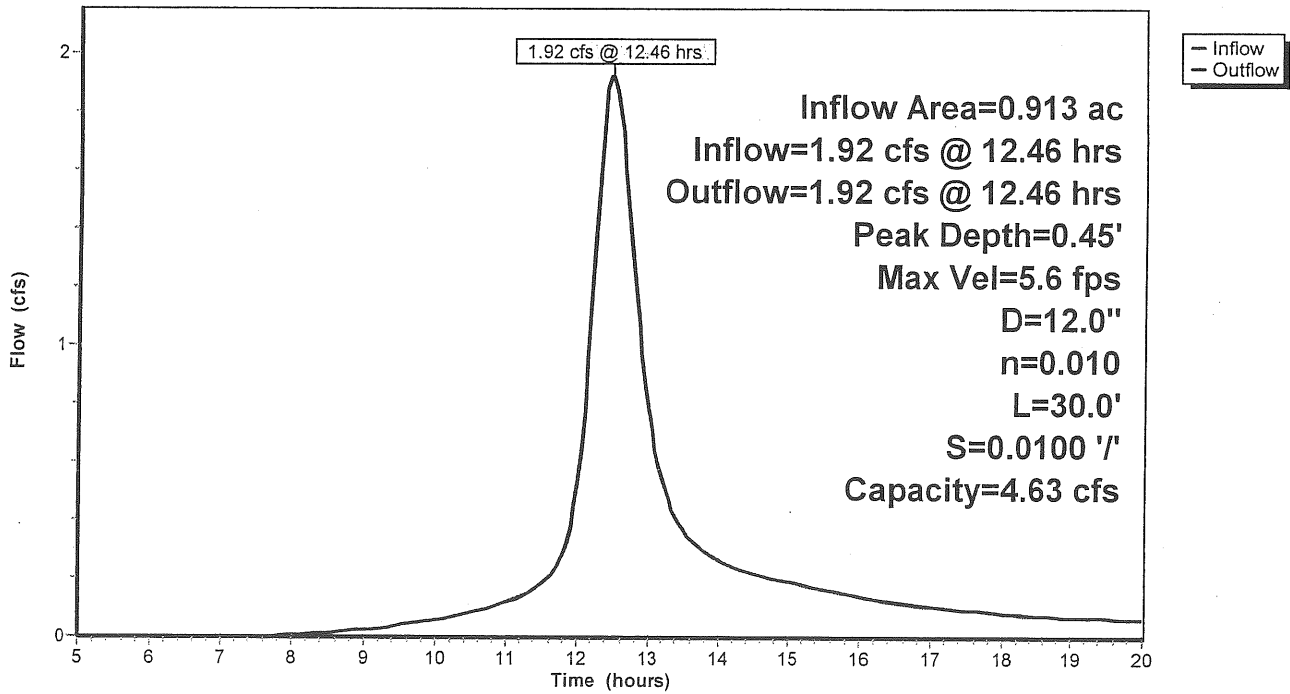
Capacity at bank full= 4.63 cfs

12.0" Diameter Pipe, n= 0.010 PVC, smooth interior

Length= 30.0' Slope= 0.0100 '/'

Reach 7R: Field Inlet

Hydrograph



Reach 8R: Flow down street

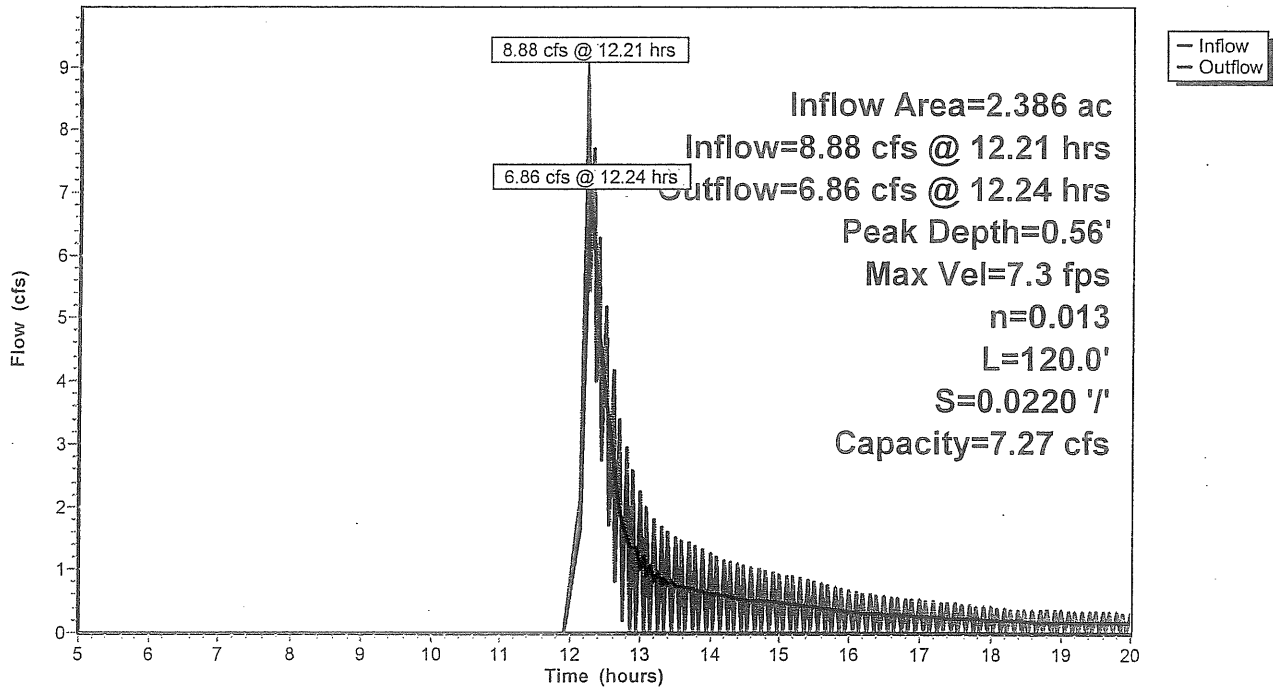
Inflow Area = 2.386 ac, Inflow Depth > 2.27"
Inflow = 8.88 cfs @ 12.21 hrs, Volume= 0.451 af
Outflow = 6.86 cfs @ 12.24 hrs, Volume= 0.451 af, Atten= 23%, Lag= 2.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 7.3 fps, Min. Travel Time= 0.3 min
Avg. Velocity = 3.3 fps, Avg. Travel Time= 0.6 min

Peak Depth= 0.56' @ 12.22 hrs
Capacity at bank full= 7.27 cfs
1.00' x 0.50' deep channel, n= 0.013 Asphalt, smooth
Side Slope Z-value= 4.0 0.0 '/' Top Width= 3.00'
Length= 120.0' Slope= 0.0220 '/'

Reach 8R: Flow down street

Hydrograph



Pond 9P: Existing Detention

Inflow Area = 2.386 ac, Inflow Depth > 3.21"
 Inflow = 7.12 cfs @ 12.21 hrs, Volume= 0.637 af
 Outflow = 8.88 cfs @ 12.21 hrs, Volume= 0.451 af, Atten= 0%, Lag= 0.0 min
 Primary = 8.88 cfs @ 12.21 hrs, Volume= 0.451 af

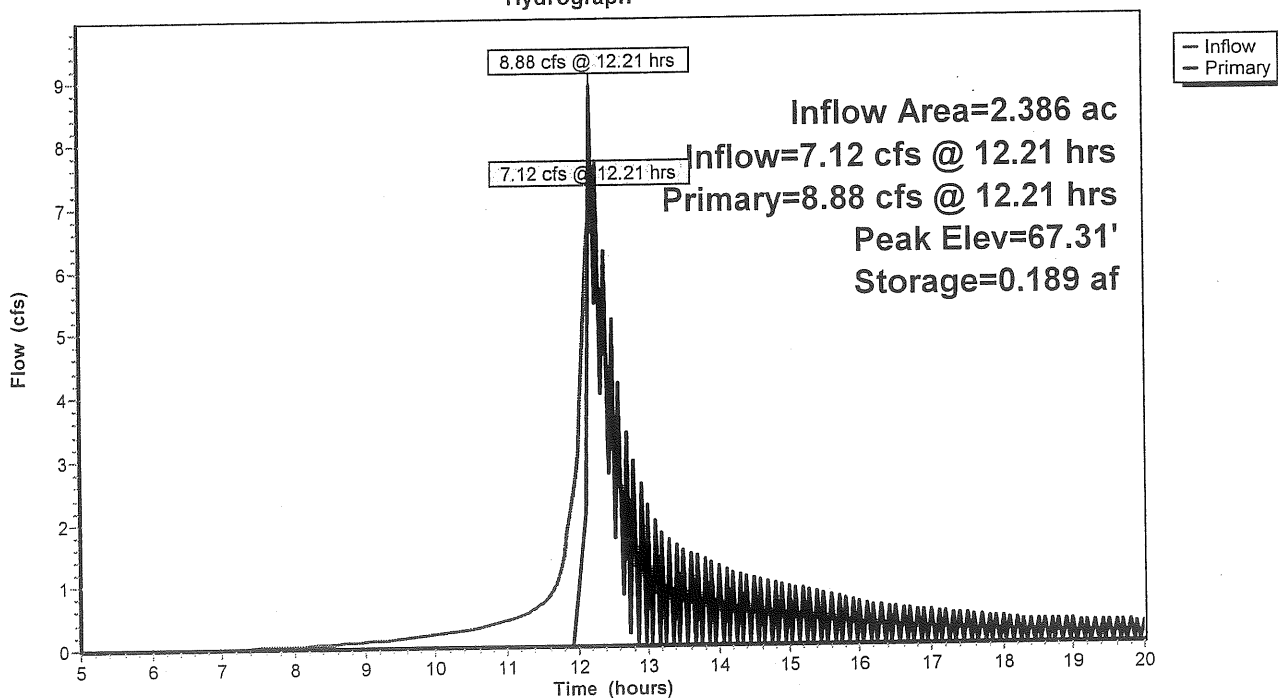
Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 67.31' @ 12.20 hrs Surf.Area= 0.178 ac Storage= 0.189 af
 Plug-Flow detention time= 106.9 min calculated for 0.450 af (71% of inflow)
 Center-of-Mass det. time= 43.5 min (832.6 - 789.1)

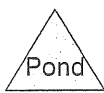
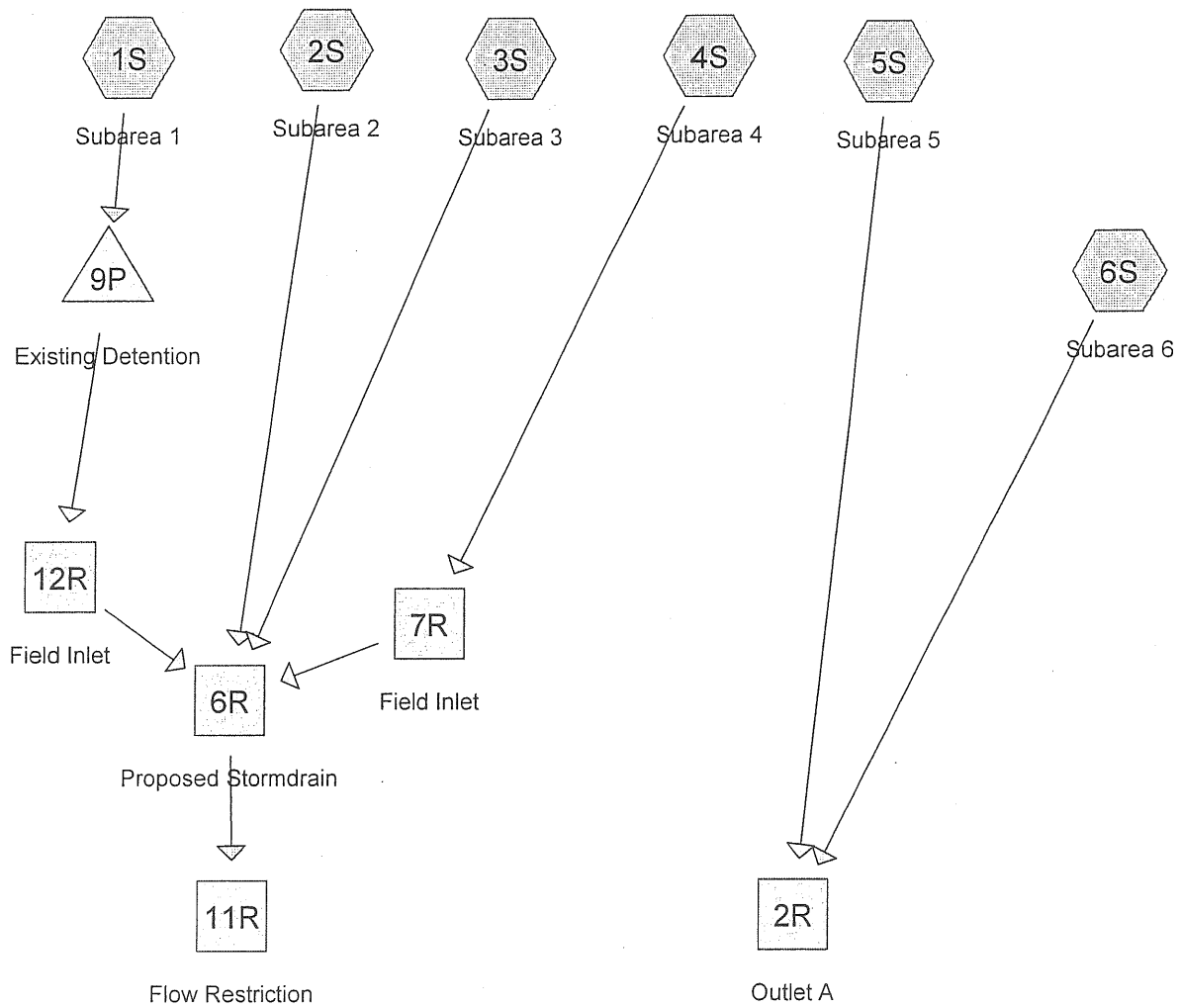
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.189 af	Custom Stage Data (Prismatic) Listed below (Recalc)
	Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)
	65.00	0.000	0.000
	66.00	0.100	0.050
	67.00	0.178	0.139

Device	Routing	Invert	Outlet Devices
#1	Primary	67.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir
			Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50
			5.00 5.50
			Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79
			2.88 3.07 3.32

Primary OutFlow Max=7.78 cfs @ 12.21 hrs HW=67.29' (Free Discharge)
 ↑1=Broad-Crested Rectangular Weir (Weir Controls 7.78 cfs @ 1.3 fps)

Pond 9P: Existing Detention
Hydrograph





Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
 Runoff by SCS TR-20 method, UH=SCS
 Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1	Runoff Area=2.386 ac Runoff Depth> 1.21" Flow Length=265' Tc=15.6 min CN=81 Runoff=2.69 cfs 0.240 af
Subcatchment 2S: Subarea 2	Runoff Area=0.661 ac Runoff Depth> 1.55" Flow Length=410' Tc=15.1 min CN=86 Runoff=0.97 cfs 0.085 af
Subcatchment 3S: Subarea 3	Runoff Area=0.487 ac Runoff Depth> 1.63" Flow Length=360' Tc=1.0 min CN=87 Runoff=1.10 cfs 0.066 af
Subcatchment 4S: Subarea 4	Runoff Area=0.913 ac Runoff Depth> 1.14" Flow Length=290' Tc=33.2 min CN=80 Runoff=0.71 cfs 0.087 af
Subcatchment 5S: Subarea 5	Runoff Area=0.143 ac Runoff Depth> 0.82" Flow Length=200' Tc=16.0 min CN=74 Runoff=0.10 cfs 0.010 af
Subcatchment 6S: Subarea 6	Runoff Area=0.310 ac Runoff Depth> 0.73" Flow Length=210' Tc=14.7 min CN=72 Runoff=0.20 cfs 0.019 af
Reach 2R: Outlet A	Peak Depth=0.04' Max Vel=0.5 fps Inflow=0.30 cfs 0.029 af n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=0.30 cfs 0.029 af
Reach 6R: Proposed Stormdrain	Peak Depth=0.35' Max Vel=7.4 fps Inflow=1.81 cfs 0.289 af D=12.0" n=0.010 L=197.0' S=0.0225 '/' Capacity=6.95 cfs Outflow=1.80 cfs 0.289 af
Reach 7R: Field Inlet	Peak Depth=0.26' Max Vel=4.3 fps Inflow=0.71 cfs 0.087 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=0.71 cfs 0.087 af
Reach 11R: Flow Restriction	Peak Depth=0.50' Max Vel=3.0 fps Inflow=1.80 cfs 0.289 af D=6.0" n=0.010 L=2.0' S=0.0050 '/' Capacity=0.52 cfs Outflow=0.55 cfs 0.289 af
Reach 12R: Field Inlet	Peak Depth=0.17' Max Vel=3.2 fps Inflow=0.31 cfs 0.051 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=0.26 cfs 0.051 af
Pond 9P: Existing Detention	Peak Elev=67.03' Storage=0.189 af Inflow=2.69 cfs 0.240 af Outflow=0.31 cfs 0.051 af
Total Runoff Area = 4.900 ac Runoff Volume = 0.507 af Average Runoff Depth = 1.24"	

Subcatchment 1S: Subarea 1

Runoff = 2.69 cfs @ 12.22 hrs, Volume= 0.240 af, Depth > 1.21"

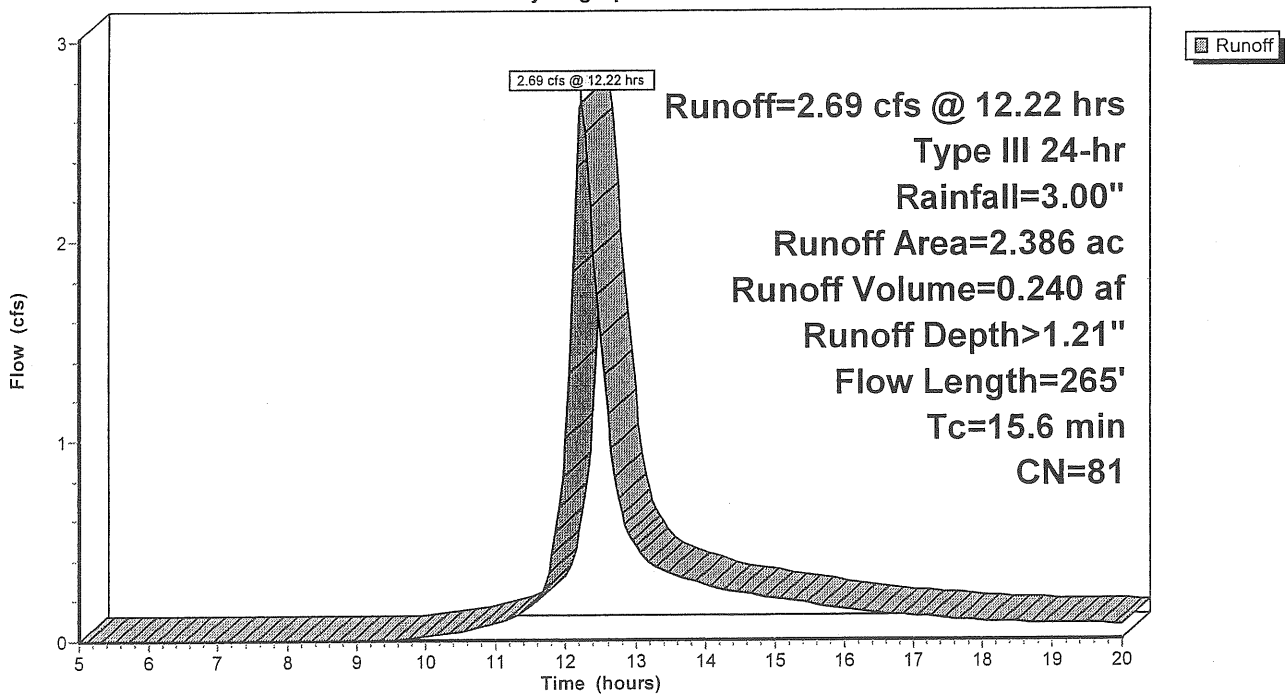
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.801	98	Paved parking & roofs
0.723	74	> 75% Grass cover, Good, HSG C
0.646	70	Woods, Good, HSG C
0.174	77	Woods, Good, HSG D
0.042	80	> 75% Grass cover, Good, HSG D
2.386	81	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265	Total			

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 0.97 cfs @ 12.21 hrs, Volume= 0.085 af, Depth > 1.55"

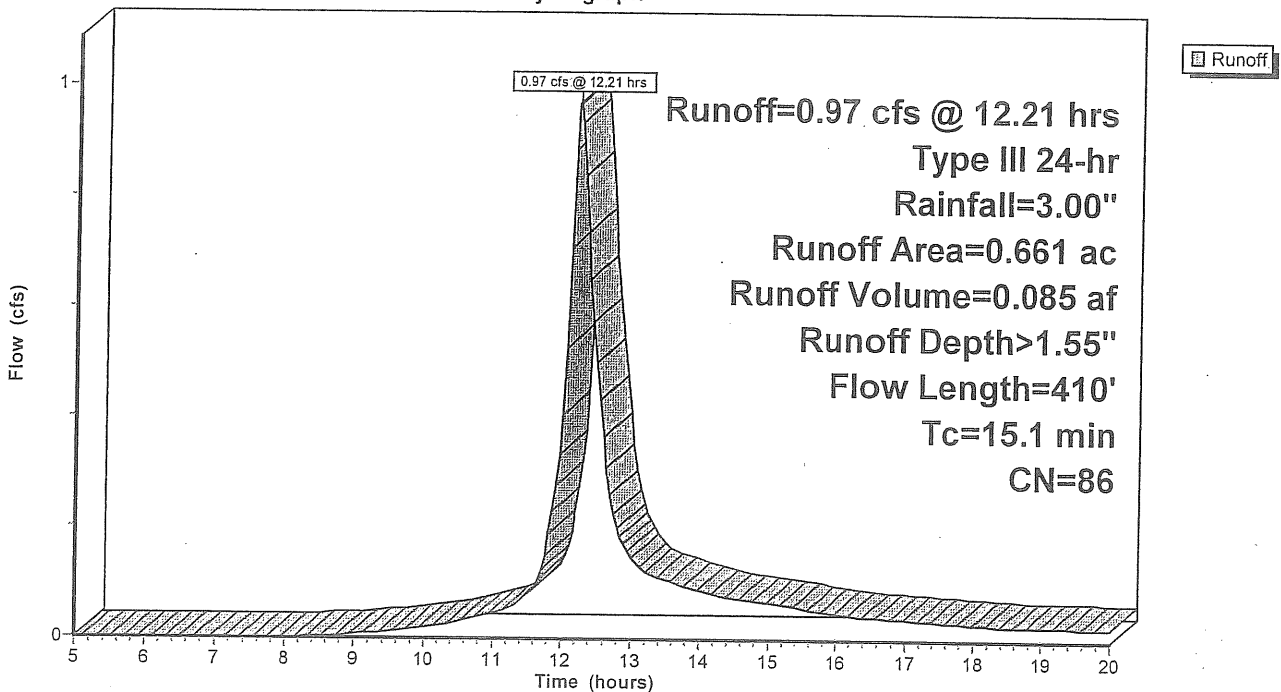
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.346	98	Paved parking & roofs
0.062	70	Woods, Good, HSG C
0.253	74	>75% Grass cover, Good, HSG C
0.661	86	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.5	80	0.0370	0.1		Sheet Flow, AB
0.4	190	0.0220	7.3	7.27	Woods: Light underbrush n= 0.400 P2= 3.00" Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
15.1	410	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Subcatchment 3S: Subarea 3

Runoff = 1.10 cfs @ 12.02 hrs, Volume= 0.066 af, Depth> 1.63"

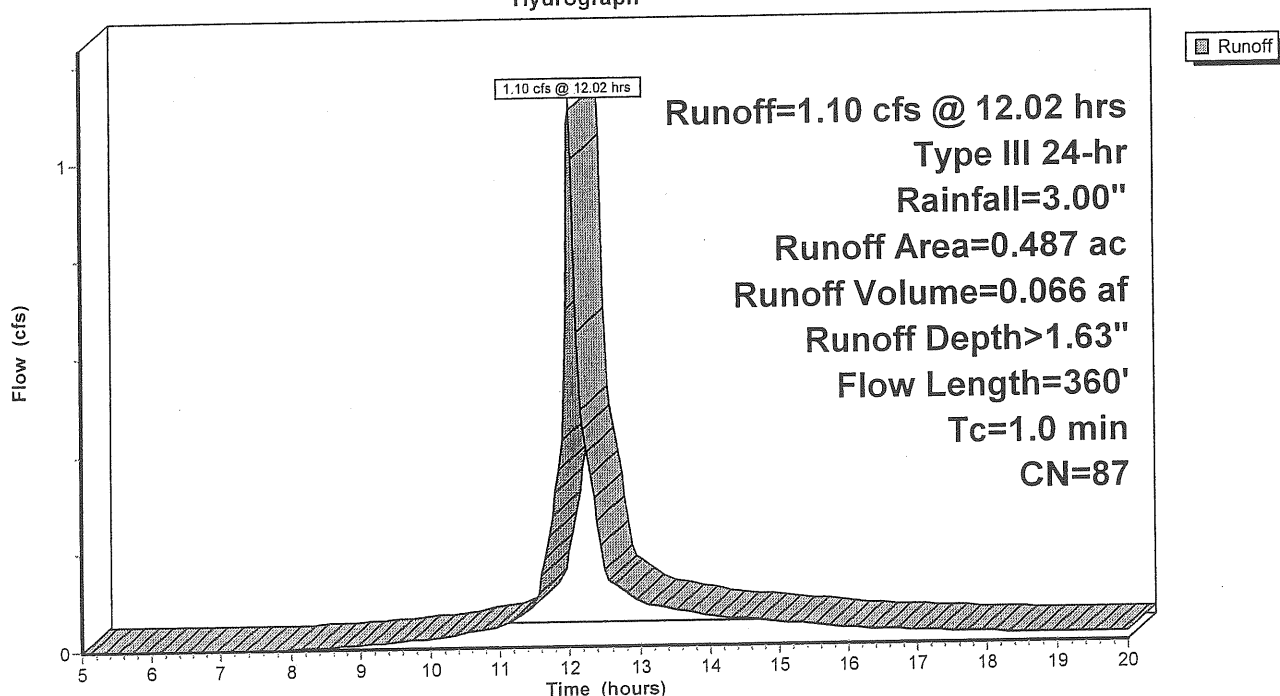
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.267	98	Paved parking & roofs
0.073	70	Woods, Good, HSG C
0.147	74	>75% Grass cover, Good, HSG C
0.487	87	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	90	0.0220	3.0		Shallow Concentrated Flow, AB Paved Kv= 20.3 fps
0.3	130	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
1.0	360				Total

Subcatchment 3S: Subarea 3

Hydrograph



Subcatchment 4S: Subarea 4

Runoff = 0.71 cfs @ 12.48 hrs, Volume= 0.087 af, Depth > 1.14"

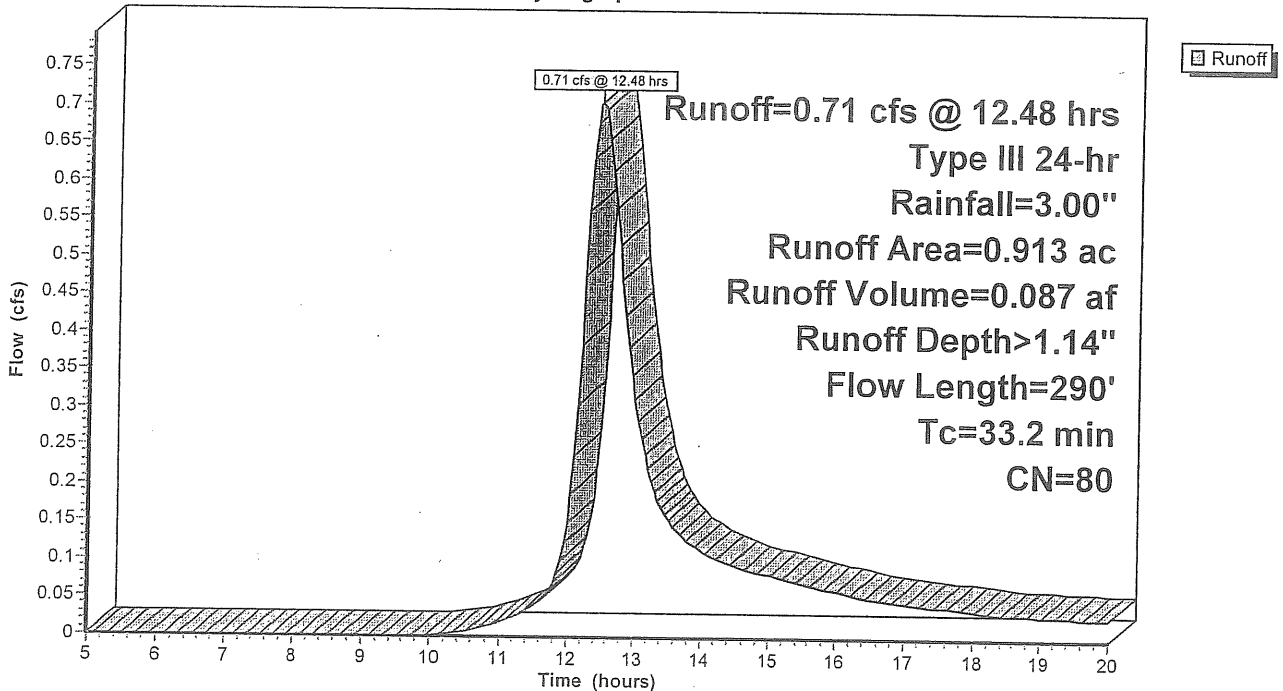
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.300	98	Paved parking & roofs
0.466	70	Woods, Good, HSG C
0.125	74	> 75% Grass cover, Good, HSG C
0.022	77	Woods, Good, HSG D
0.913	80	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.7	150	0.0200	0.1		Sheet Flow, AB
2.5	140	0.0350	0.9		Woods: Light underbrush n= 0.400 P2= 3.00" Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
33.2	290	Total			

Subcatchment 4S: Subarea 4

Hydrograph



Bay Street Ext (1018) Post-Development (2 year)

Type III 24-hr Rainfall=3.00"

Prepared by Aquarion Engineering Services

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Subcatchment 5S: Subarea 5

Runoff = 0.10 cfs @ 12.24 hrs, Volume= 0.010 af, Depth> 0.82"

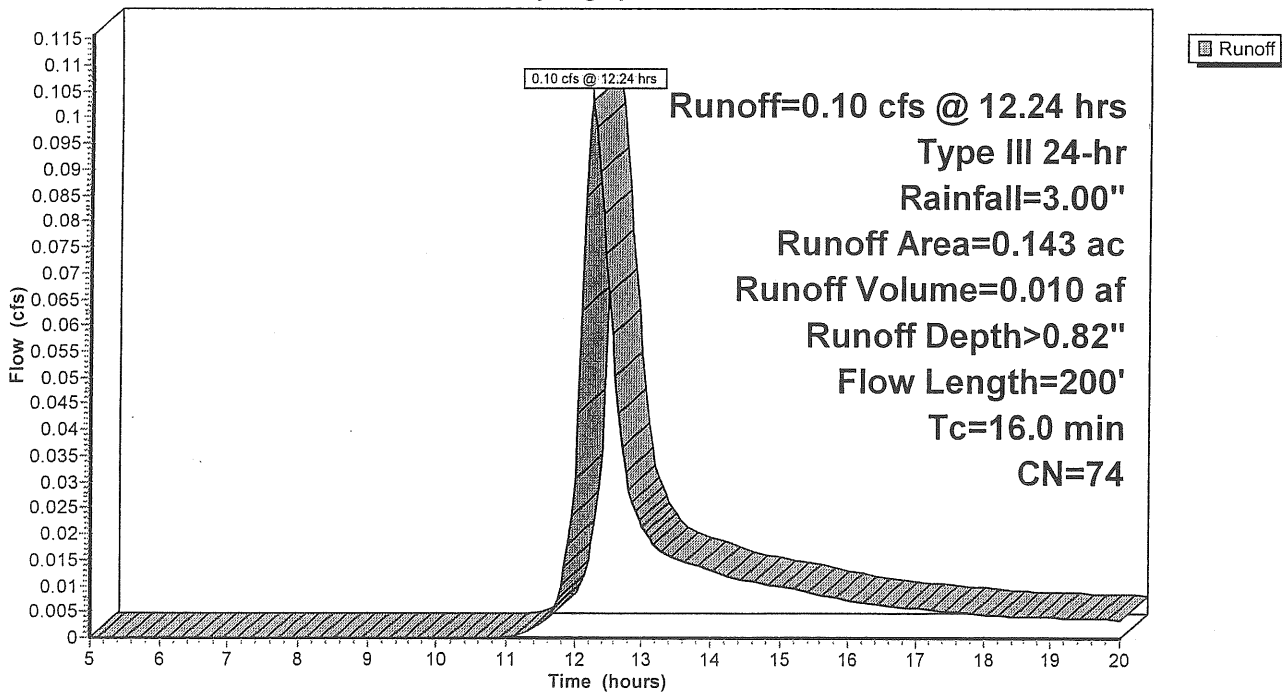
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.143	74	>75% Grass cover, Good, HSG C

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.4	140	0.0350	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
0.6	60	0.0500	1.6		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
16.0	200	Total			

Subcatchment 5S: Subarea 5

Hydrograph



Subcatchment 6S: Subarea 6

Runoff = 0.20 cfs @ 12.23 hrs, Volume= 0.019 af, Depth > 0.73"

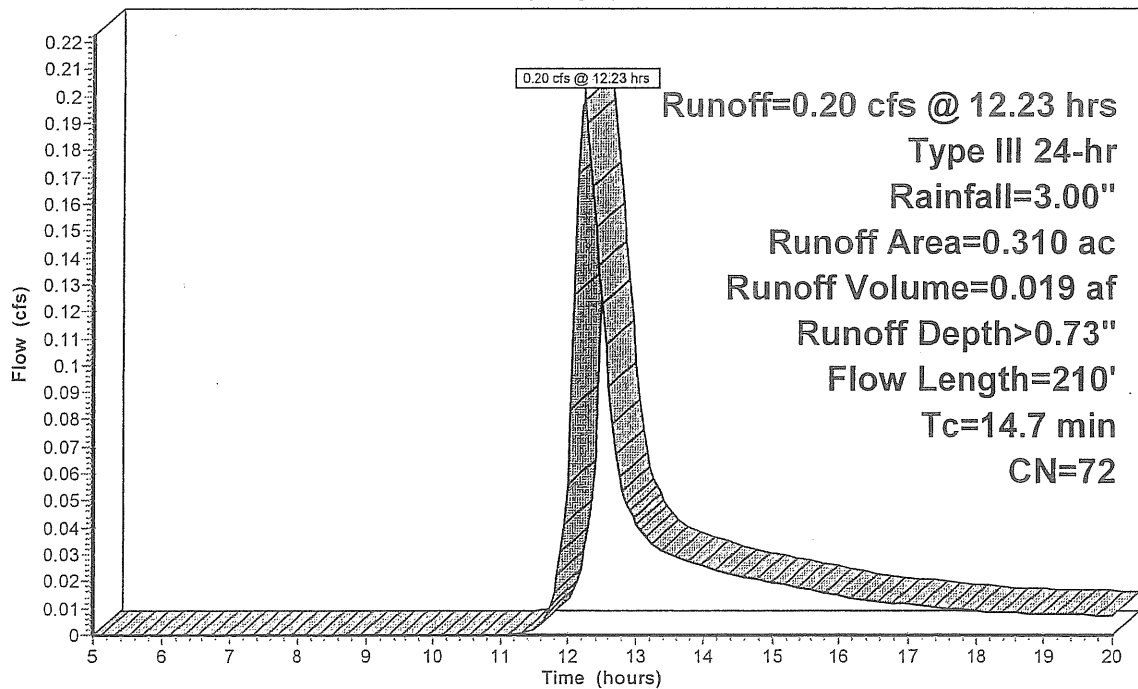
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=3.00"

Area (ac)	CN	Description
0.155	74	>75% Grass cover, Good, HSG C
0.155	70	Woods, Good, HSG C
0.310	72	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
12.4	70	0.0420	0.1		Sheet Flow, AB Woods: Light underbrush n= 0.400 P2= 3.00"
2.3	140	0.0210	1.0		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
14.7	210	Total			

Subcatchment 6S: Subarea 6

Hydrograph



Reach 2R: Outlet A

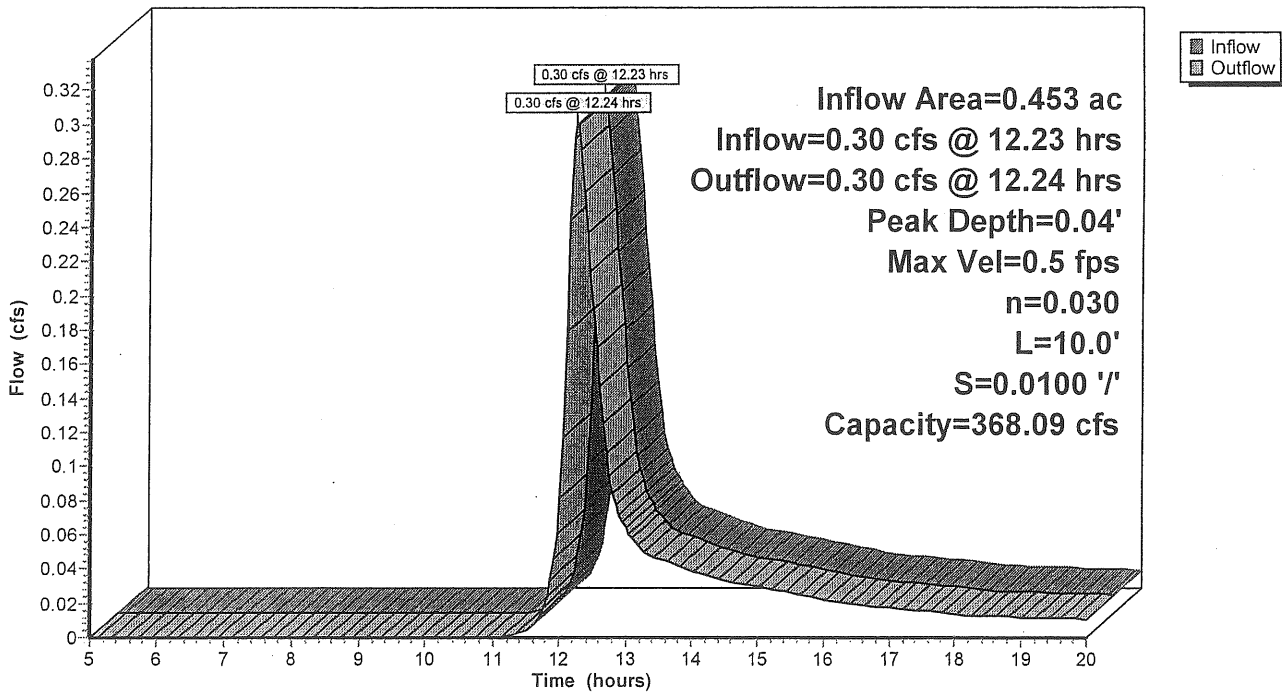
Inflow Area = 0.453 ac, Inflow Depth > 0.76"
 Inflow = 0.30 cfs @ 12.23 hrs, Volume= 0.029 af
 Outflow = 0.30 cfs @ 12.24 hrs, Volume= 0.029 af, Atten= 1%, Lag= 0.6 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Max. Velocity= 0.5 fps, Min. Travel Time= 0.3 min
 Avg. Velocity = 0.4 fps, Avg. Travel Time= 0.4 min

Peak Depth= 0.04' @ 12.24 hrs
 Capacity at bank full= 368.09 cfs
 15.00' x 2.00' deep channel, n= 0.030
 Side Slope Z-value= 8.0 '/' Top Width= 47.00'
 Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Reach 6R: Proposed Stormdrain

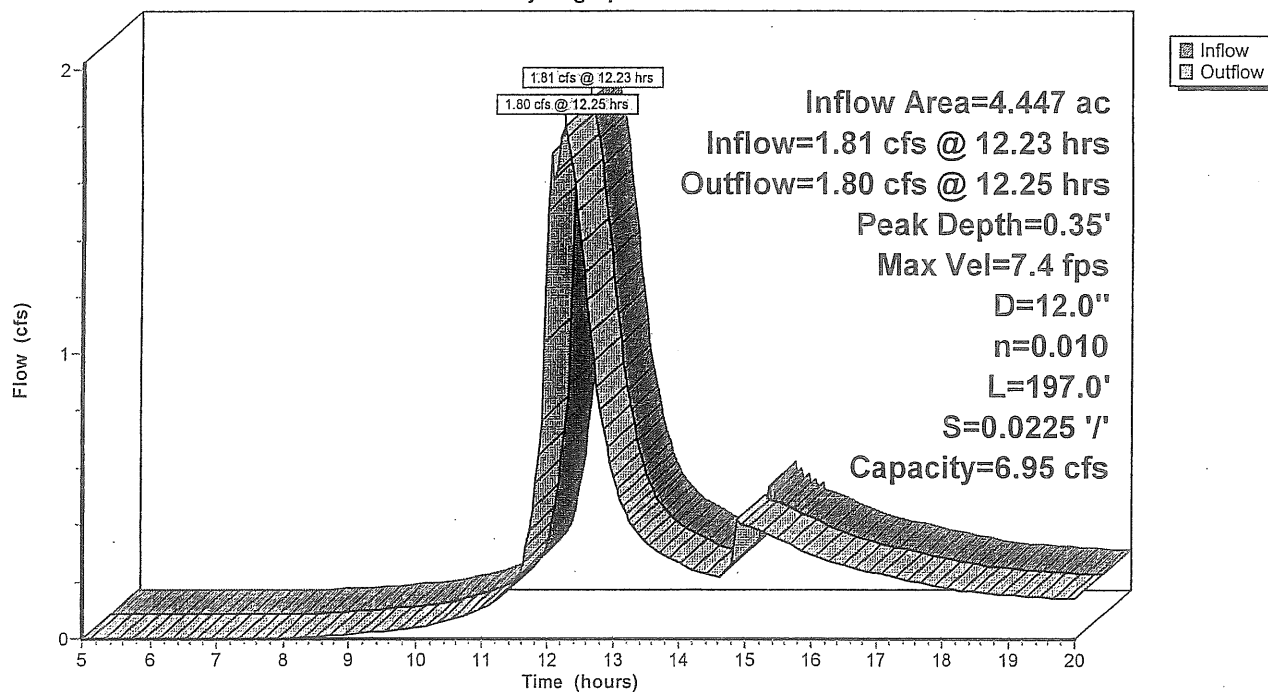
Inflow Area = 4.447 ac, Inflow Depth > 0.78"
Inflow = 1.81 cfs @ 12.23 hrs, Volume= 0.289 af
Outflow = 1.80 cfs @ 12.25 hrs, Volume= 0.289 af, Atten= 0%, Lag= 0.9 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 7.4 fps, Min. Travel Time= 0.4 min
Avg. Velocity = 3.7 fps, Avg. Travel Time= 0.9 min

Peak Depth= 0.35' @ 12.24 hrs
Capacity at bank full= 6.95 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 197.0' Slope= 0.0225 '/'

Reach 6R: Proposed Stormdrain

Hydrograph



Bay Street Ext (1018) Post-Development (2 year)

Type III 24-hr Rainfall=3.00"

Prepared by Aquarion Engineering Services

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Reach 7R: Field Inlet

Inflow Area = 0.913 ac, Inflow Depth > 1.14"
Inflow = 0.71 cfs @ 12.48 hrs, Volume= 0.087 af
Outflow = 0.71 cfs @ 12.49 hrs, Volume= 0.087 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span = 5.00-20.00 hrs, dt= 0.05 hrs

Max. Velocity= 4.3 fps, Min. Travel Time= 0.1 min

Avg. Velocity = 2.1 fps, Avg. Travel Time= 0.2 min

Peak Depth= 0.26' @ 12.48 hrs

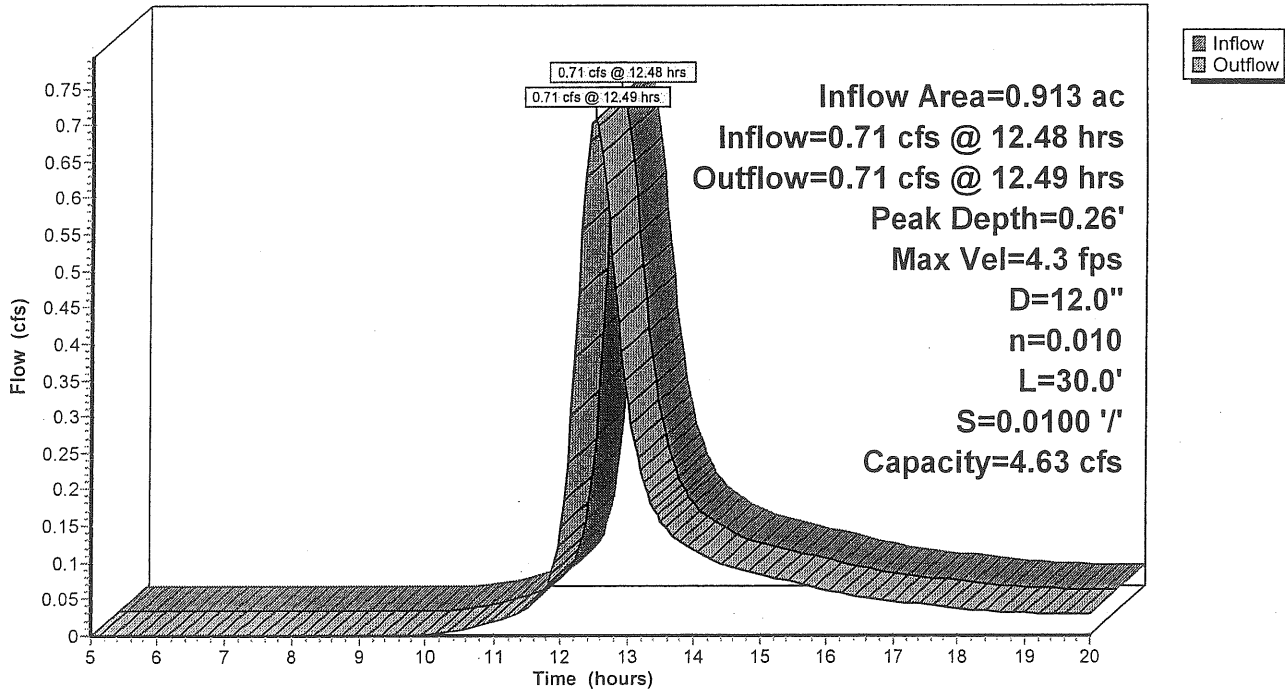
Capacity at bank full= 4.63 cfs

12.0" Diameter Pipe, n= 0.010 PVC, smooth interior

Length= 30.0' Slope= 0.0100 '/'

Reach 7R: Field Inlet

Hydrograph



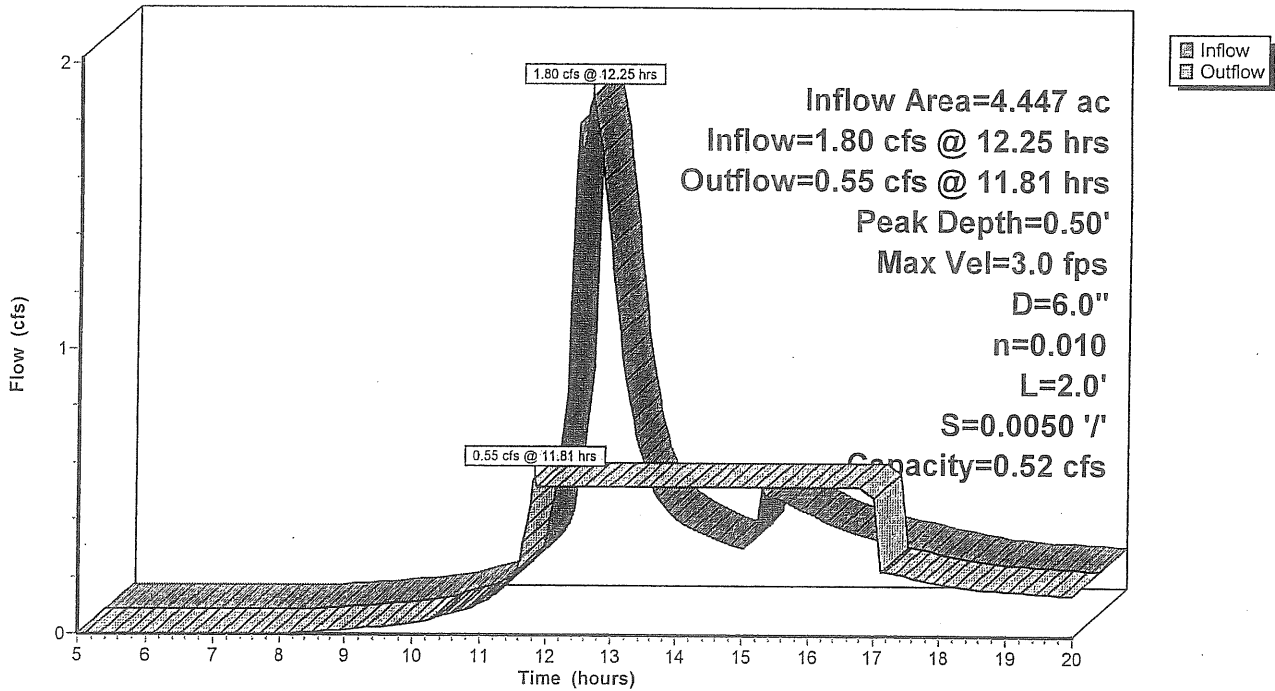
Reach 11R: Flow Restriction

Inflow Area = 4.447 ac, Inflow Depth > 0.78"
Inflow = 1.80 cfs @ 12.25 hrs, Volume= 0.289 af
Outflow = 0.55 cfs @ 11.81 hrs, Volume= 0.209 af, Atten= 70%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 3.0 fps, Min. Travel Time= 0.0 min
Avg. Velocity = 2.2 fps, Avg. Travel Time= 0.0 min

Peak Depth= 0.50' @ 11.85 hrs
Capacity at bank full= 0.52 cfs
6.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 2.0' Slope= 0.0050 '/'

Reach 11R: Flow Restriction Hydrograph



Reach 12R: Field Inlet

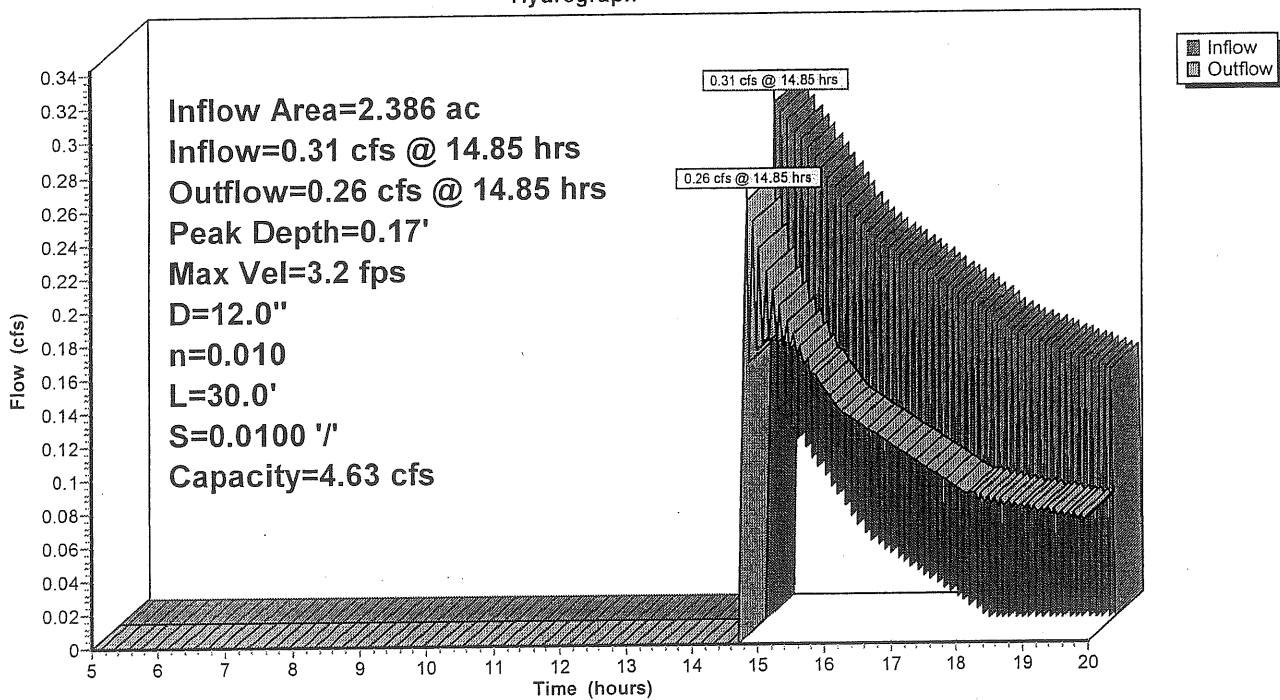
Inflow Area = 2.386 ac, Inflow Depth > 0.26"
Inflow = 0.31 cfs @ 14.85 hrs, Volume= 0.051 af
Outflow = 0.26 cfs @ 14.85 hrs, Volume= 0.051 af, Atten= 14%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 3.2 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 2.5 fps, Avg. Travel Time= 0.2 min

Peak Depth= 0.17' @ 14.85 hrs
Capacity at bank full= 4.63 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 30.0' Slope= 0.0100 '/'

Reach 12R: Field Inlet

Hydrograph



Pond 9P: Existing Detention

Inflow Area = 2.386 ac, Inflow Depth > 1.21"
 Inflow = 2.69 cfs @ 12.22 hrs, Volume = 0.240 af
 Outflow = 0.31 cfs @ 14.85 hrs, Volume = 0.051 af, Atten = 69%, Lag = 157.6 min
 Primary = 0.31 cfs @ 14.85 hrs, Volume = 0.051 af

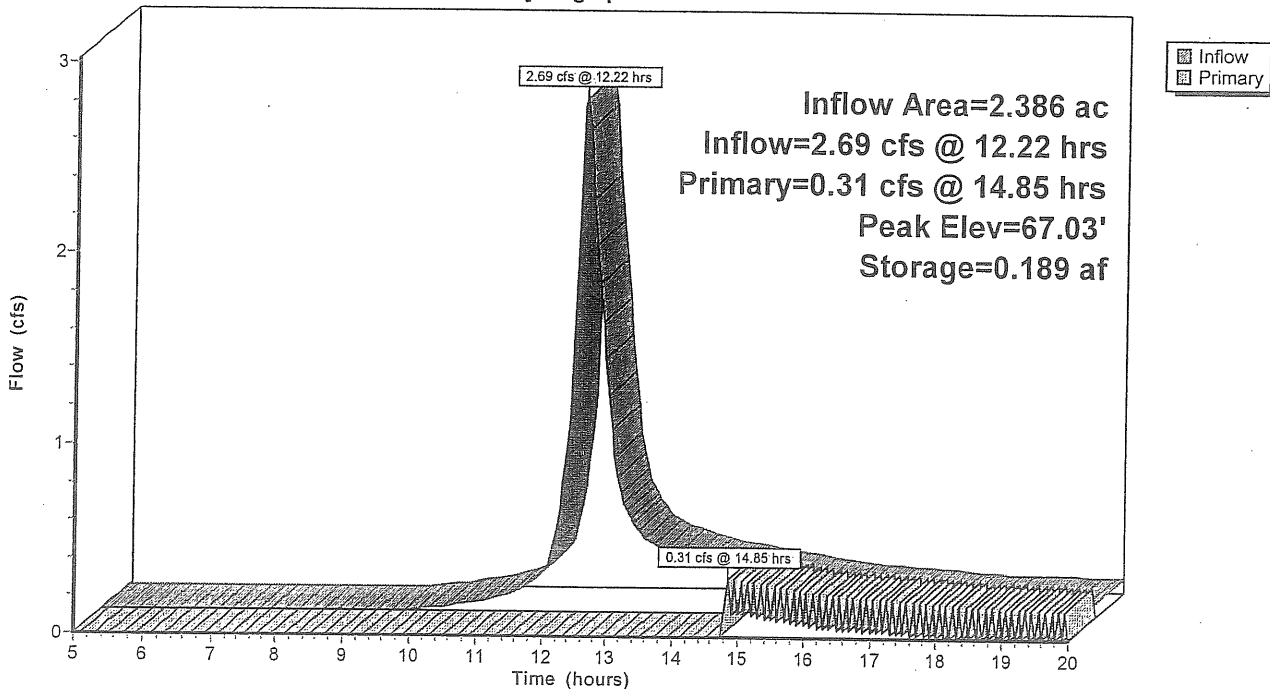
Routing by Stor-Ind method, Time Span = 5.00-20.00 hrs, dt = 0.05 hrs
 Peak Elev = 67.03' @ 14.85 hrs Surf.Area = 0.178 ac Storage = 0.189 af
 Plug-Flow detention time = 305.2 min calculated for 0.051 af (21% of inflow)
 Center-of-Mass det. time = 203.3 min (1,014.4 - 811.2)

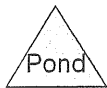
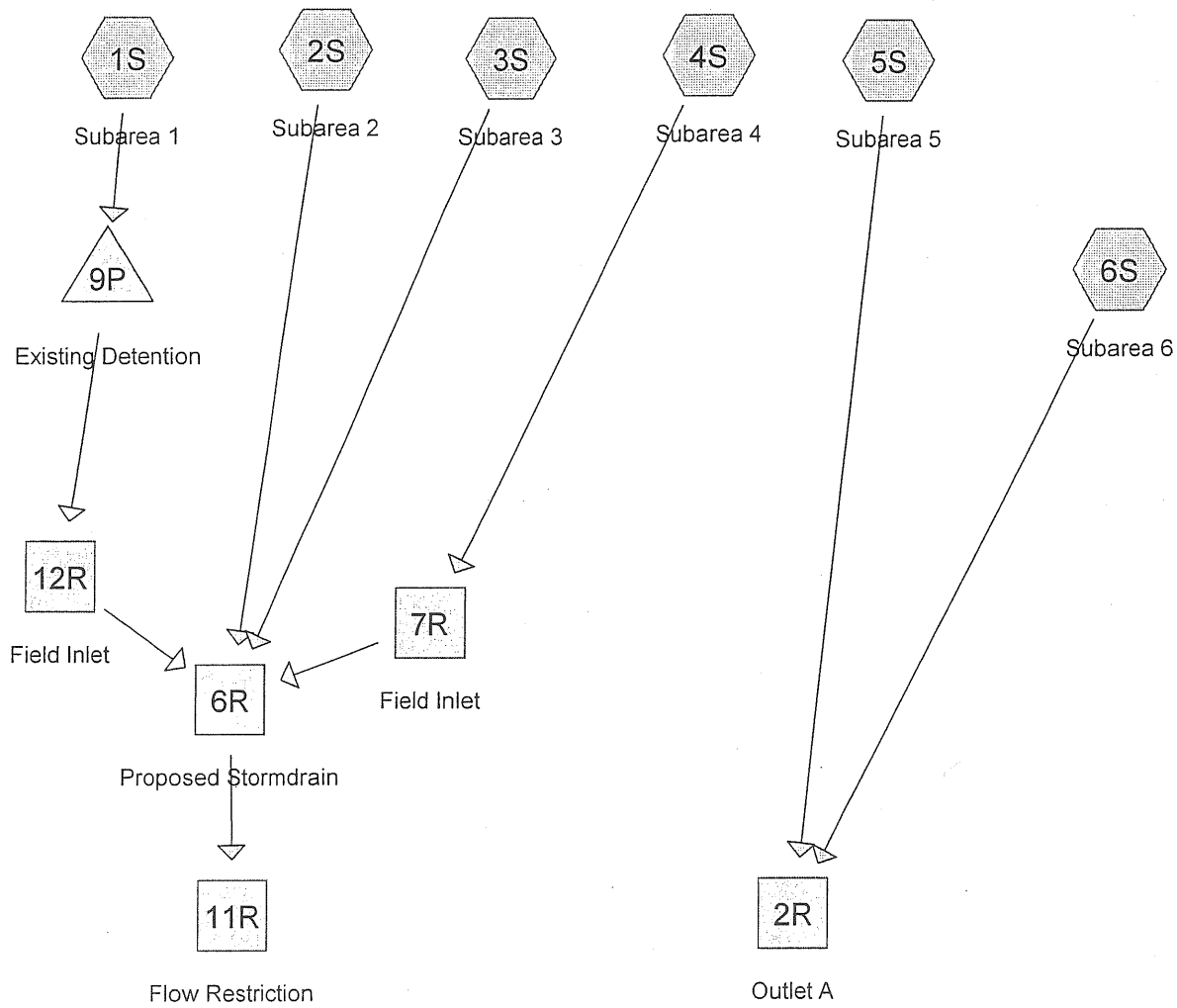
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.189 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
65.00	0.000	0.000	0.000
66.00	0.100	0.050	0.050
67.00	0.178	0.139	0.189

Device	Routing	Invert	Outlet Devices
#1	Primary	67.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir
Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50			
5.00 5.50			
Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79			
2.88 3.07 3.32			

Primary OutFlow Max=0.30 cfs @ 14.85 hrs HW=67.03' (Free Discharge)
 ←1 = Broad-Crested Rectangular Weir (Weir Controls 0.30 cfs @ 0.4 fps)

Pond 9P: Existing Detention
Hydrograph





Drainage Diagram for Bay Street Ext (1018) Post-Development (10 year)
 Prepared by Aquarion Engineering Services 10/26/2005
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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
 Runoff by SCS TR-20 method, UH=SCS
 Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1	Runoff Area=2.386 ac Runoff Depth>2.53" Flow Length=265' Tc=15.6 min CN=81 Runoff=5.66 cfs 0.504 af
Subcatchment 2S: Subarea 2	Runoff Area=0.661 ac Runoff Depth>2.99" Flow Length=410' Tc=15.1 min CN=86 Runoff=1.84 cfs 0.165 af
Subcatchment 3S: Subarea 3	Runoff Area=0.487 ac Runoff Depth>3.10" Flow Length=360' Tc=1.0 min CN=87 Runoff=2.06 cfs 0.126 af
Subcatchment 4S: Subarea 4	Runoff Area=0.913 ac Runoff Depth>2.43" Flow Length=290' Tc=33.2 min CN=80 Runoff=1.52 cfs 0.185 af
Subcatchment 5S: Subarea 5	Runoff Area=0.143 ac Runoff Depth>1.96" Flow Length=200' Tc=16.0 min CN=74 Runoff=0.26 cfs 0.023 af
Subcatchment 6S: Subarea 6	Runoff Area=0.310 ac Runoff Depth>1.81" Flow Length=210' Tc=14.7 min CN=72 Runoff=0.53 cfs 0.047 af
Reach 2R: Outlet A	Peak Depth=0.06' Max Vel=0.8 fps Inflow=0.79 cfs 0.070 af n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=0.79 cfs 0.070 af
Reach 6R: Proposed Stormdrain	Peak Depth=1.00' Max Vel=10.1 fps Inflow=7.95 cfs 0.791 af D=12.0" n=0.010 L=197.0' S=0.0225 '/' Capacity=6.95 cfs Outflow=6.95 cfs 0.791 af
Reach 7R: Field Inlet	Peak Depth=0.39' Max Vel=5.3 fps Inflow=1.52 cfs 0.185 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=1.52 cfs 0.185 af
Reach 11R: Flow Restriction	Peak Depth=0.50' Max Vel=3.0 fps Inflow=6.95 cfs 0.791 af D=6.0" n=0.010 L=2.0' S=0.0050 '/' Capacity=0.52 cfs Outflow=0.55 cfs 0.412 af
Reach 12R: Field Inlet	Peak Depth=1.00' Max Vel=6.7 fps Inflow=5.08 cfs 0.316 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=4.63 cfs 0.316 af
Pond 9P: Existing Detention	Peak Elev=67.22' Storage=0.189 af Inflow=5.66 cfs 0.504 af Outflow=5.08 cfs 0.316 af
Total Runoff Area = 4.900 ac Runoff Volume = 1.050 af Average Runoff Depth = 2.57"	

Subcatchment 1S: Subarea 1

Runoff = 5.66 cfs @ 12.22 hrs, Volume= 0.504 af, Depth > 2.53"

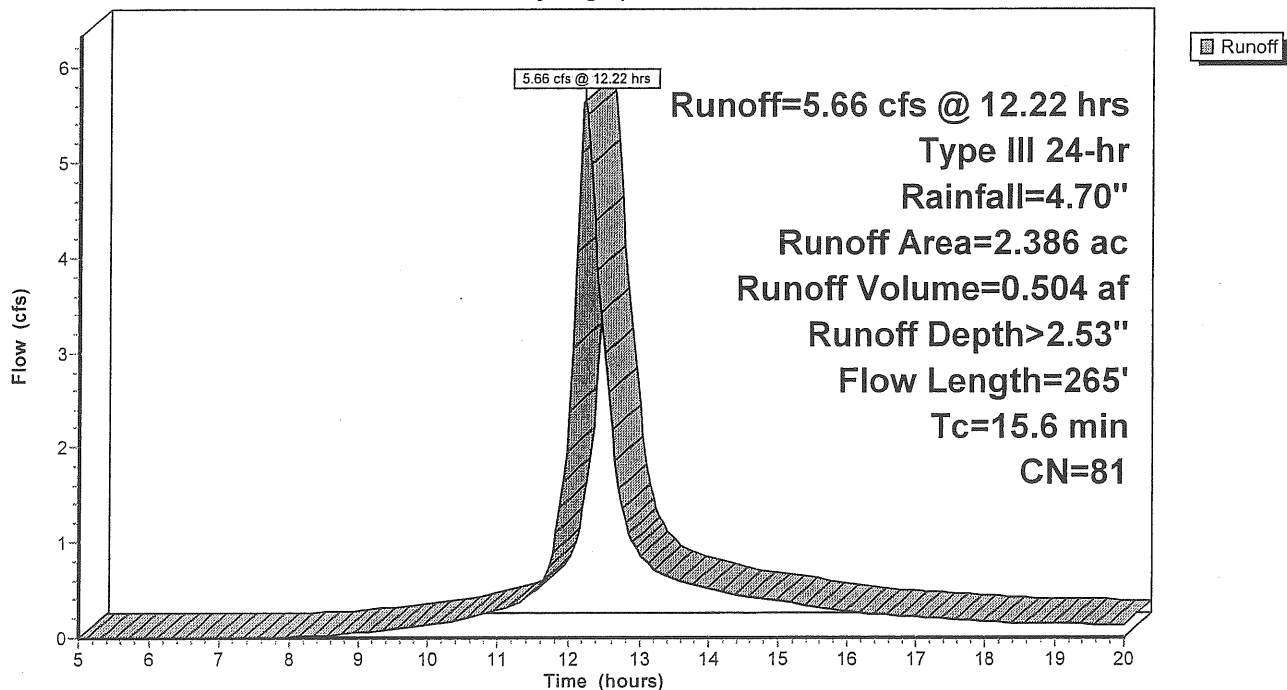
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.801	98	Paved parking & roofs
0.723	74	> 75% Grass cover, Good, HSG C
0.646	70	Woods, Good, HSG C
0.174	77	Woods, Good, HSG D
0.042	80	> 75% Grass cover, Good, HSG D
2.386	81	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265	Total			

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 1.84 cfs @ 12.21 hrs, Volume= 0.165 af, Depth> 2.99"

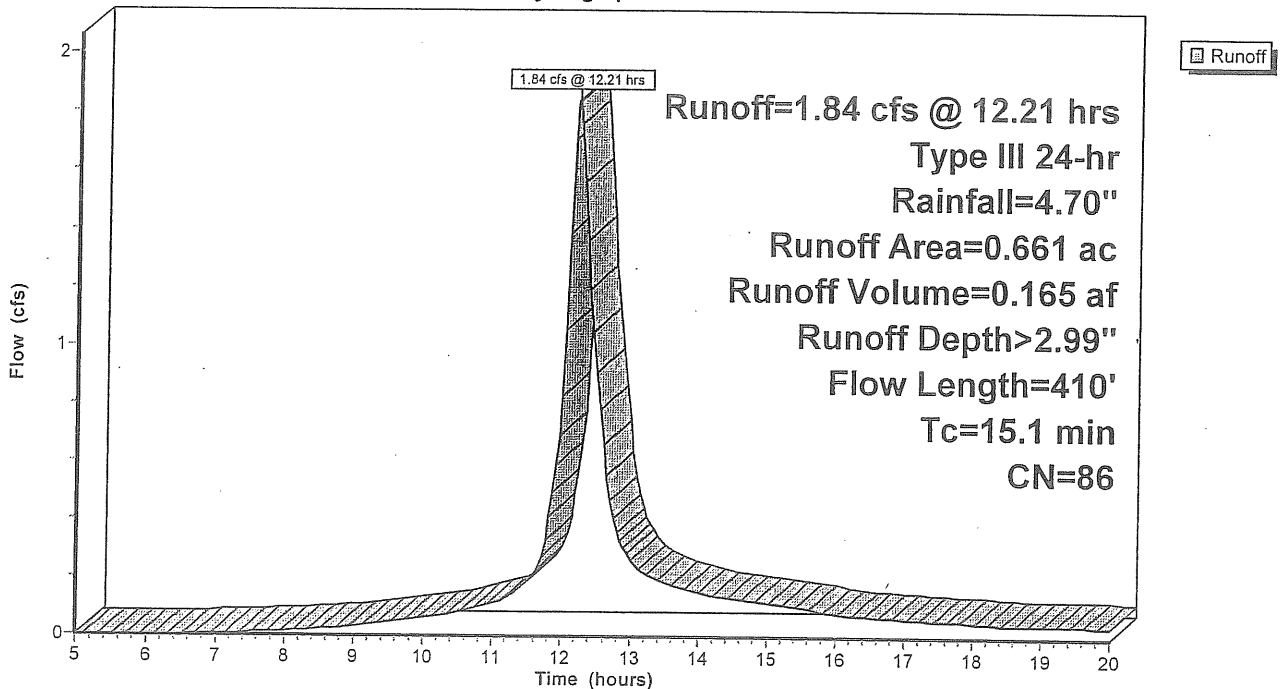
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.346	98	Paved parking & roofs
0.062	70	Woods, Good, HSG C
0.253	74	>75% Grass cover, Good, HSG C
0.661	86	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.5	80	0.0370	0.1		Sheet Flow, AB
0.4	190	0.0220	7.3	7.27	Woods: Light underbrush n= 0.400 P2= 3.00" Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
15.1	410	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Subcatchment 3S: Subarea 3

Runoff = 2.06 cfs @ 12.01 hrs, Volume= 0.126 af, Depth > 3.10"

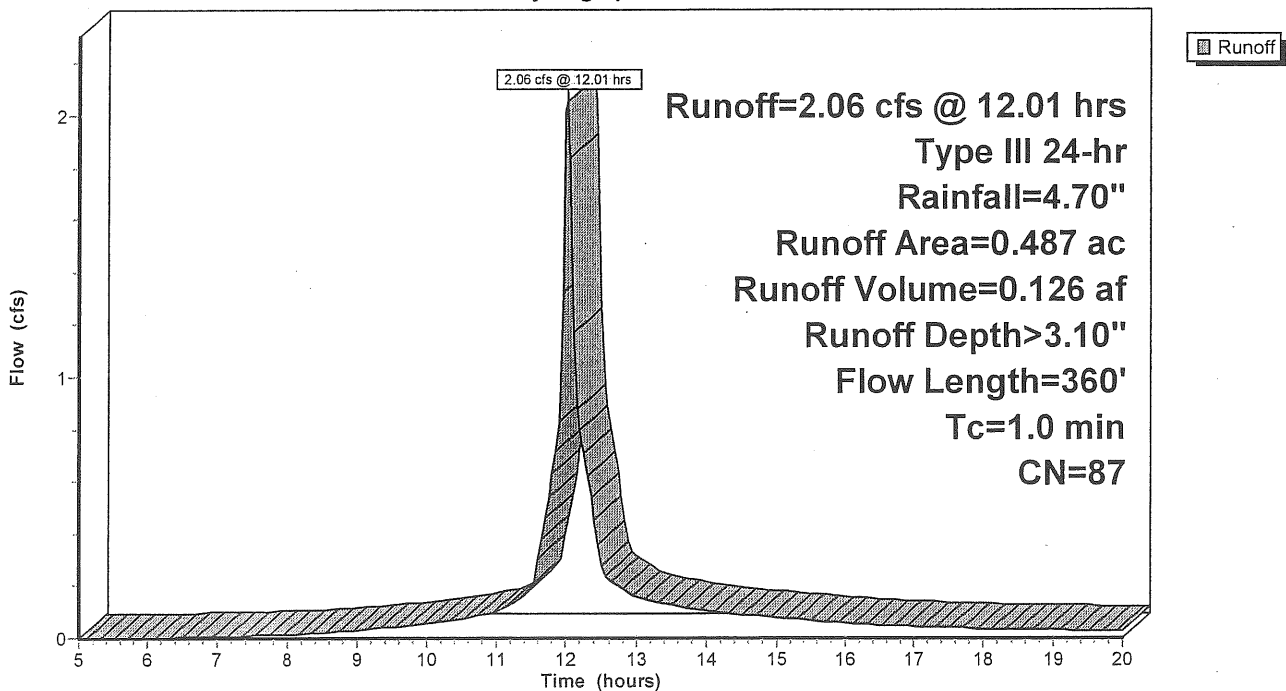
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.267	98	Paved parking & roofs
0.073	70	Woods, Good, HSG C
0.147	74	> 75% Grass cover, Good, HSG C
0.487	87	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	90	0.0220	3.0		Shallow Concentrated Flow, AB Paved Kv= 20.3 fps
0.3	130	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
1.0	360	Total			

Subcatchment 3S: Subarea 3

Hydrograph



Subcatchment 4S: Subarea 4

Runoff = 1.52 cfs @ 12.46 hrs, Volume= 0.185 af, Depth > 2.43"

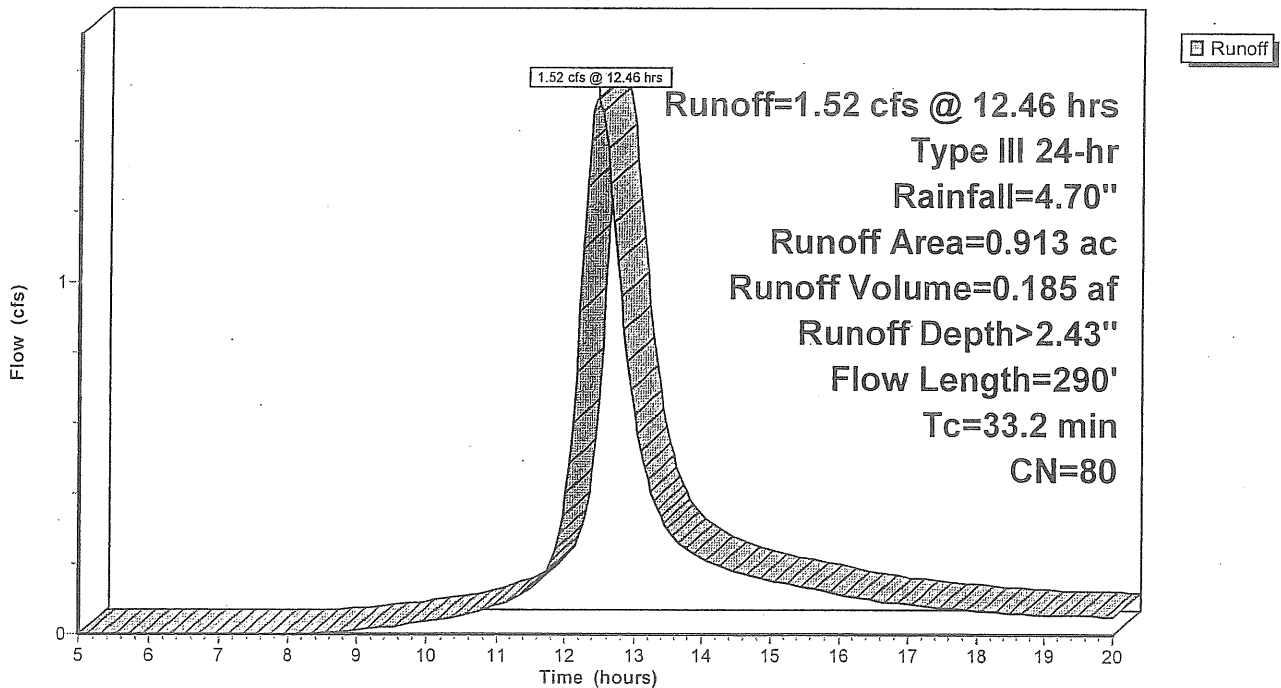
Runoff by SCS TR-20 method, LH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.300	98	Paved parking & roofs
0.466	70	Woods, Good, HSG C
0.125	74	> 75% Grass cover, Good, HSG C
0.022	77	Woods, Good, HSG D
0.913	80	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.7	150	0.0200	0.1		Sheet Flow, AB
2.5	140	0.0350	0.9		Woods: Light underbrush n= 0.400 P2= 3.00"
					Shallow Concentrated Flow, BC
					Woodland Kv= 5.0 fps
33.2	290	Total			

Subcatchment 4S: Subarea 4

Hydrograph



Subcatchment 5S: Subarea 5

Runoff = 0.26 cfs @ 12.23 hrs, Volume= 0.023 af, Depth > 1.96"

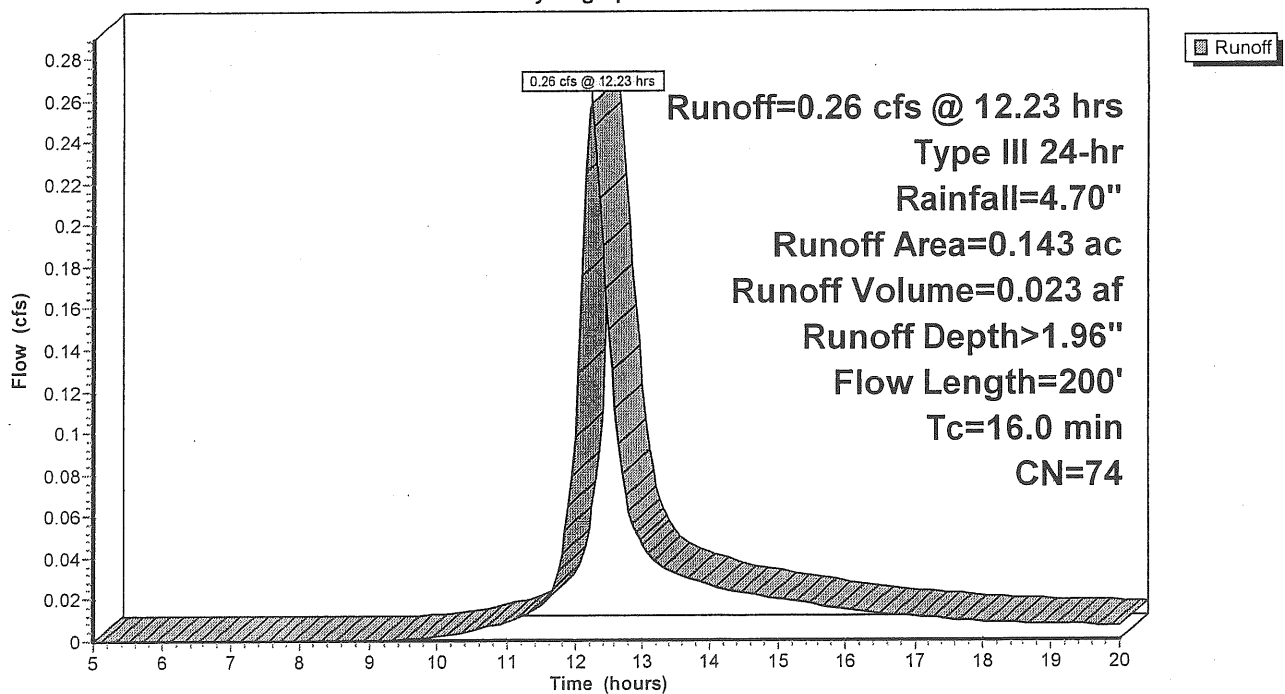
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.143	74	>75% Grass cover, Good, HSG C

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.4	140	0.0350	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
0.6	60	0.0500	1.6		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
16.0	200	Total			

Subcatchment 5S: Subarea 5

Hydrograph



Subcatchment 6S: Subarea 6

Runoff = 0.53 cfs @ 12.21 hrs, Volume= 0.047 af, Depth > 1.81"

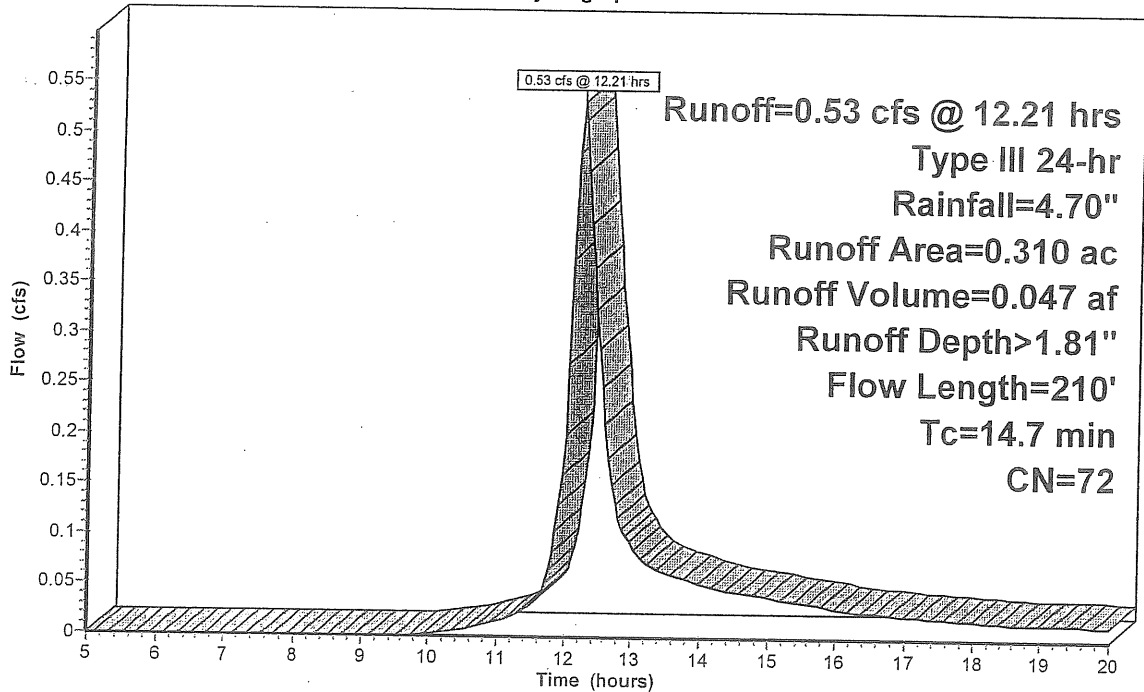
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=4.70"

Area (ac)	CN	Description
0.155	74	> 75% Grass cover, Good, HSG C
0.155	70	Woods, Good, HSG C
0.310	72	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
12.4	70	0.0420	0.1		Sheet Flow, AB
2.3	140	0.0210	1.0		Woods: Light underbrush n= 0.400 P2= 3.00" Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
14.7	210	Total			

Subcatchment 6S: Subarea 6

Hydrograph



Reach 2R: Outlet A

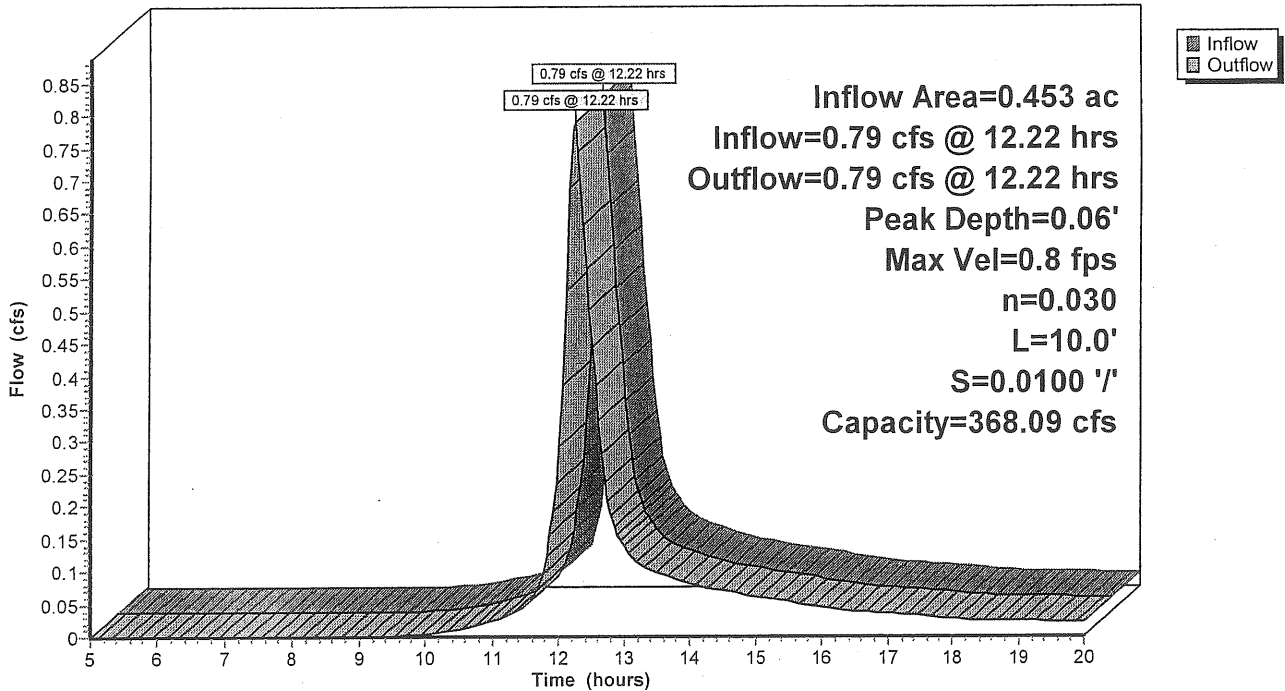
Inflow Area = 0.453 ac, Inflow Depth > 1.86"
Inflow = 0.79 cfs @ 12.22 hrs, Volume= 0.070 af
Outflow = 0.79 cfs @ 12.22 hrs, Volume= 0.070 af, Atten= 0%, Lag= 0.3 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 0.8 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 0.4 fps, Avg. Travel Time= 0.4 min

Peak Depth= 0.06' @ 12.22 hrs
Capacity at bank full= 368.09 cfs
15.00' x 2.00' deep channel, n= 0.030
Side Slope Z-value= 8.0 '/' Top Width= 47.00'
Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Reach 6R: Proposed Stormdrain

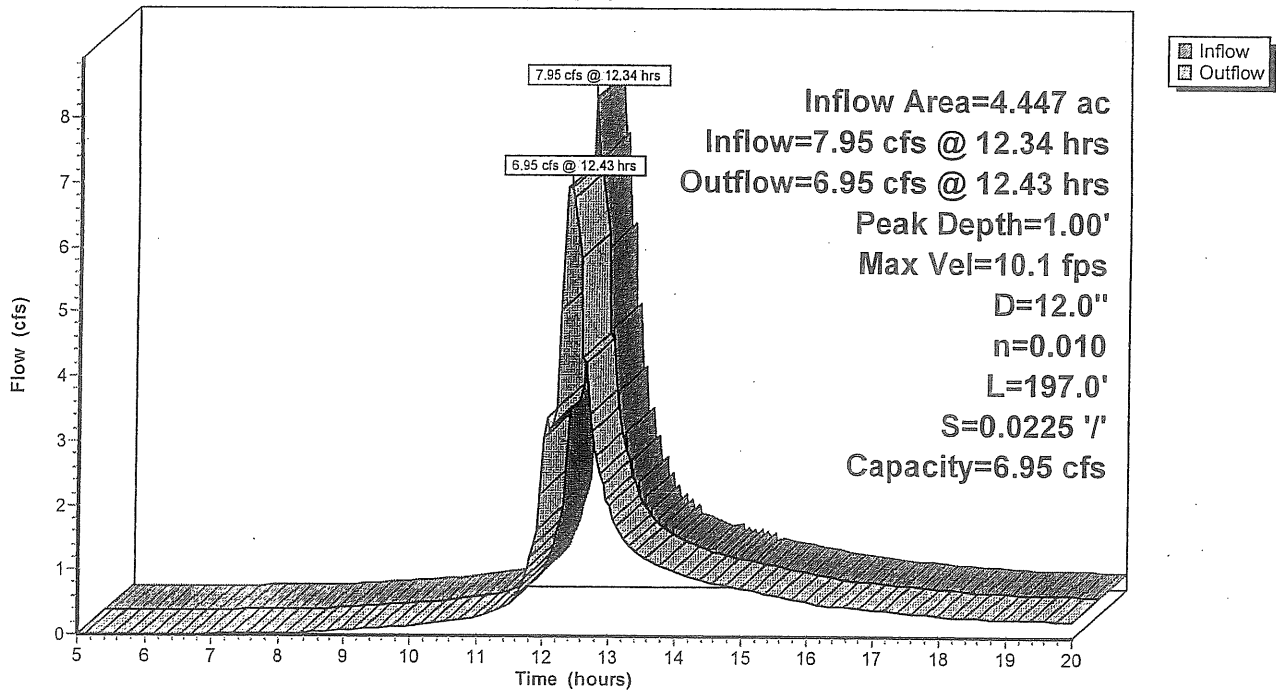
Inflow Area = 4.447 ac, Inflow Depth > 2.14"
Inflow = 7.95 cfs @ 12.34 hrs, Volume= 0.791 af
Outflow = 6.95 cfs @ 12.43 hrs, Volume= 0.791 af, Atten= 13%, Lag= 5.2 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 10.1 fps, Min. Travel Time= 0.3 min
Avg. Velocity = 4.5 fps, Avg. Travel Time= 0.7 min

Peak Depth= 1.00' @ 12.35 hrs
Capacity at bank full= 6.95 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 197.0' Slope= 0.0225 '/'

Reach 6R: Proposed Stormdrain

Hydrograph



Reach 7R: Field Inlet

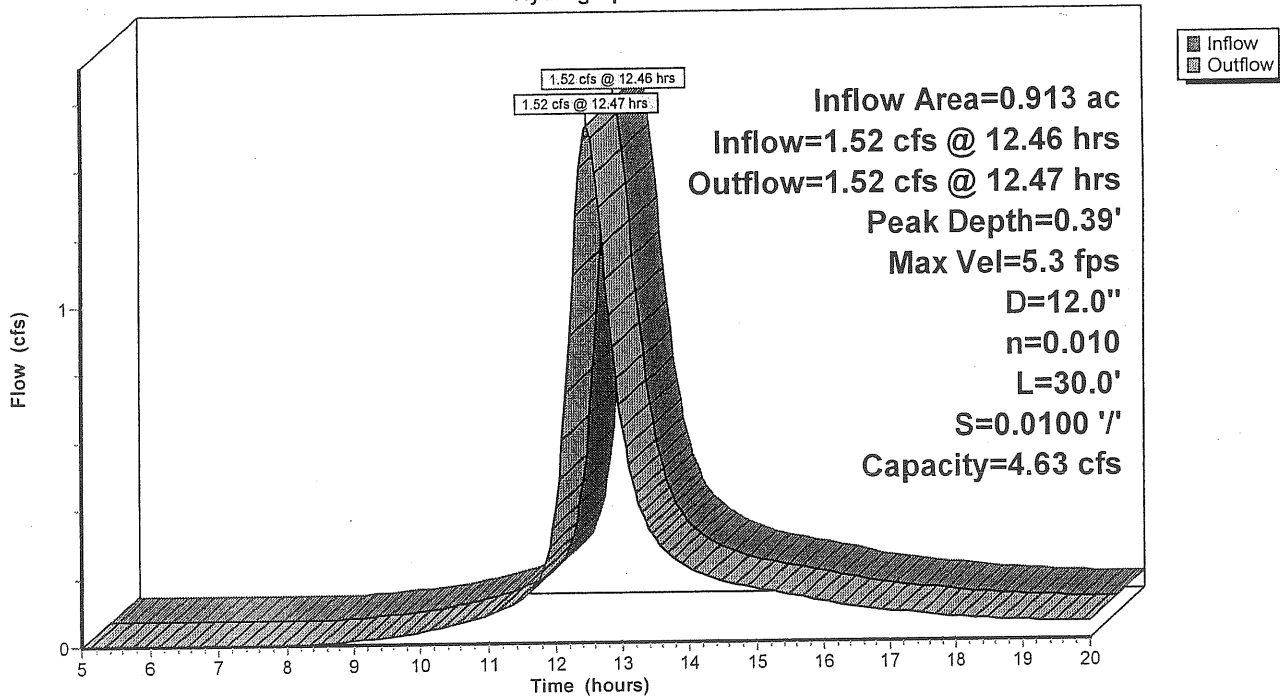
Inflow Area = 0.913 ac, Inflow Depth > 2.43"
Inflow = 1.52 cfs @ 12.46 hrs, Volume = 0.185 af
Outflow = 1.52 cfs @ 12.47 hrs, Volume = 0.185 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 5.3 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 2.4 fps, Avg. Travel Time= 0.2 min

Peak Depth= 0.39' @ 12.46 hrs
Capacity at bank full= 4.63 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 30.0' Slope= 0.0100 '/'

Reach 7R: Field Inlet

Hydrograph



Reach 11R: Flow Restriction

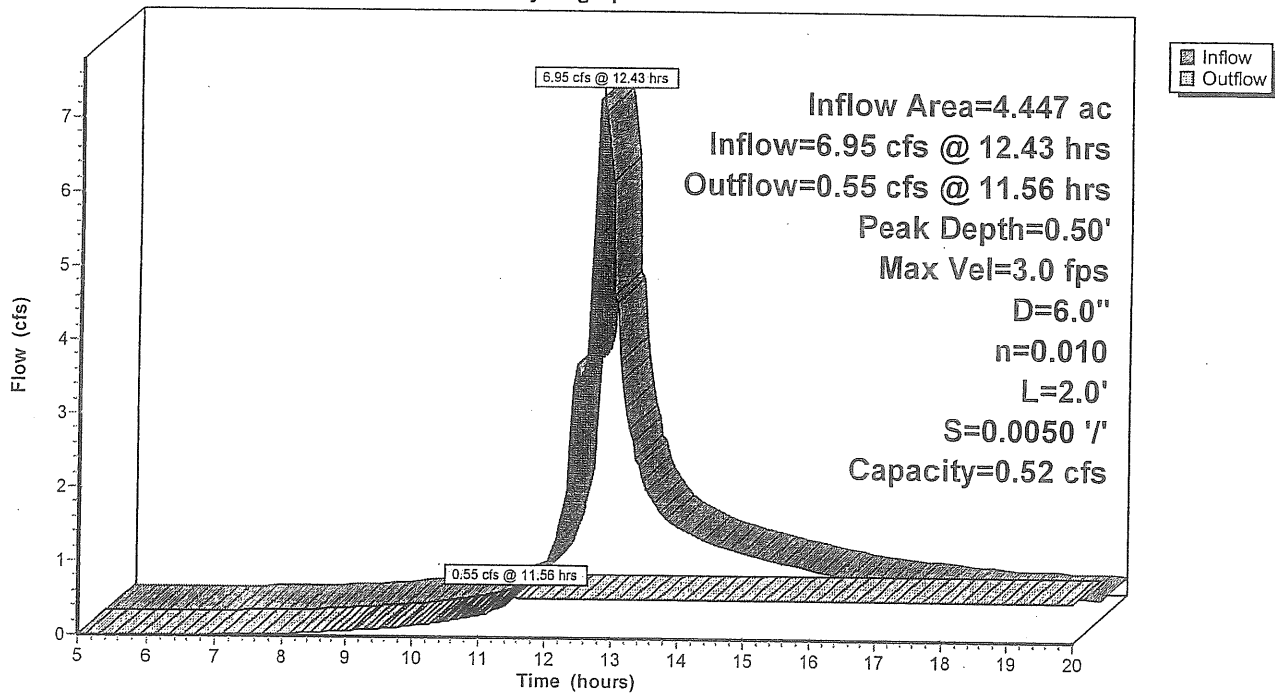
Inflow Area = 4.447 ac, Inflow Depth > 2.13"
Inflow = 6.95 cfs @ 12.43 hrs, Volume= 0.791 af
Outflow = 0.55 cfs @ 11.56 hrs, Volume= 0.412 af, Atten= 92%, Lag= 0.0 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 3.0 fps, Min. Travel Time= 0.0 min
Avg. Velocity = 2.2 fps, Avg. Travel Time= 0.0 min

Peak Depth= 0.50' @ 11.60 hrs
Capacity at bank full= 0.52 cfs
6.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 2.0' Slope= 0.0050 '/'

Reach 11R: Flow Restriction

Hydrograph



Reach 12R: Field Inlet

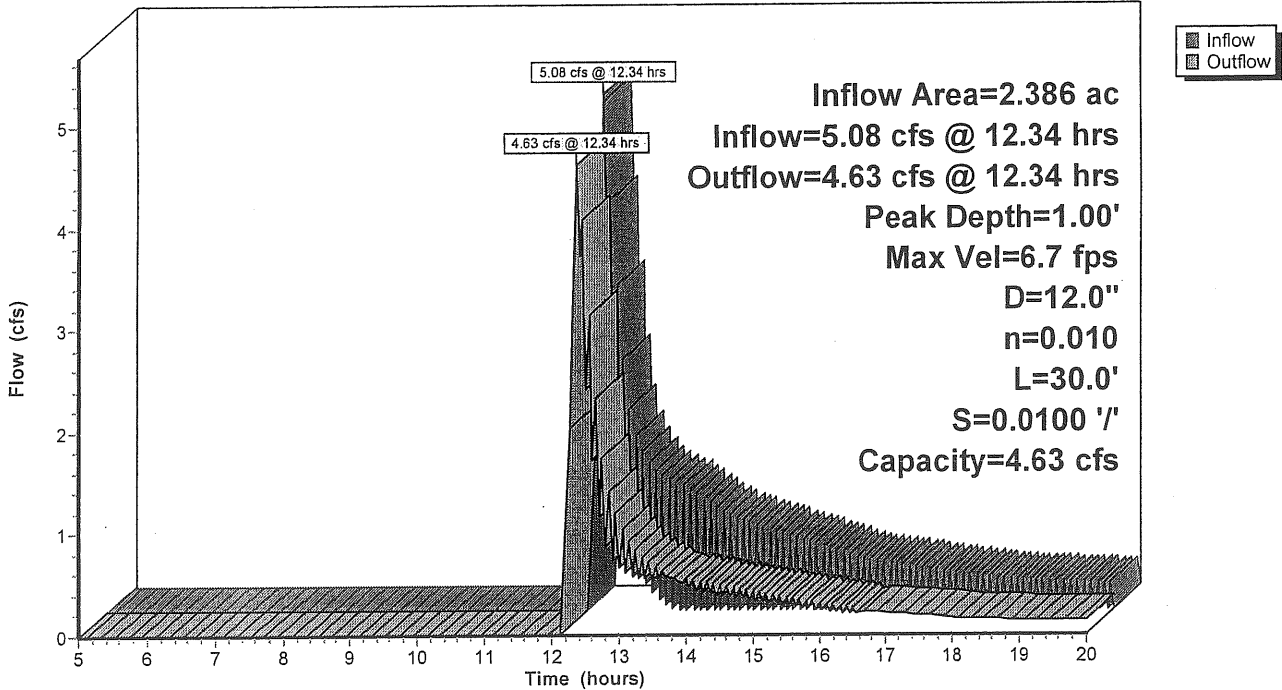
Inflow Area = 2.386 ac, Inflow Depth > 1.59"
Inflow = 5.08 cfs @ 12.34 hrs, Volume= 0.316 af
Outflow = 4.63 cfs @ 12.34 hrs, Volume= 0.316 af, Atten= 9%, Lag= 0.4 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 6.7 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 3.4 fps, Avg. Travel Time= 0.1 min

Peak Depth= 1.00' @ 12.35 hrs
Capacity at bank full= 4.63 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 30.0' Slope= 0.0100 '/'

Reach 12R: Field Inlet

Hydrograph



Pond 9P: Existing Detention

Inflow Area = 2.386 ac, Inflow Depth > 2.53"
 Inflow = 5.66 cfs @ 12.22 hrs, Volume= 0.504 af
 Outflow = 5.08 cfs @ 12.34 hrs, Volume= 0.316 af, Atten= 10%, Lag= 7.4 min
 Primary = 5.08 cfs @ 12.34 hrs, Volume= 0.316 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 67.22' @ 12.34 hrs Surf.Area= 0.178 ac Storage= 0.189 af
 Plug-Flow detention time= 127.2 min calculated for 0.316 af (63% of inflow)
 Center-of-Mass det. time= 54.7 min (849.3 - 794.5)

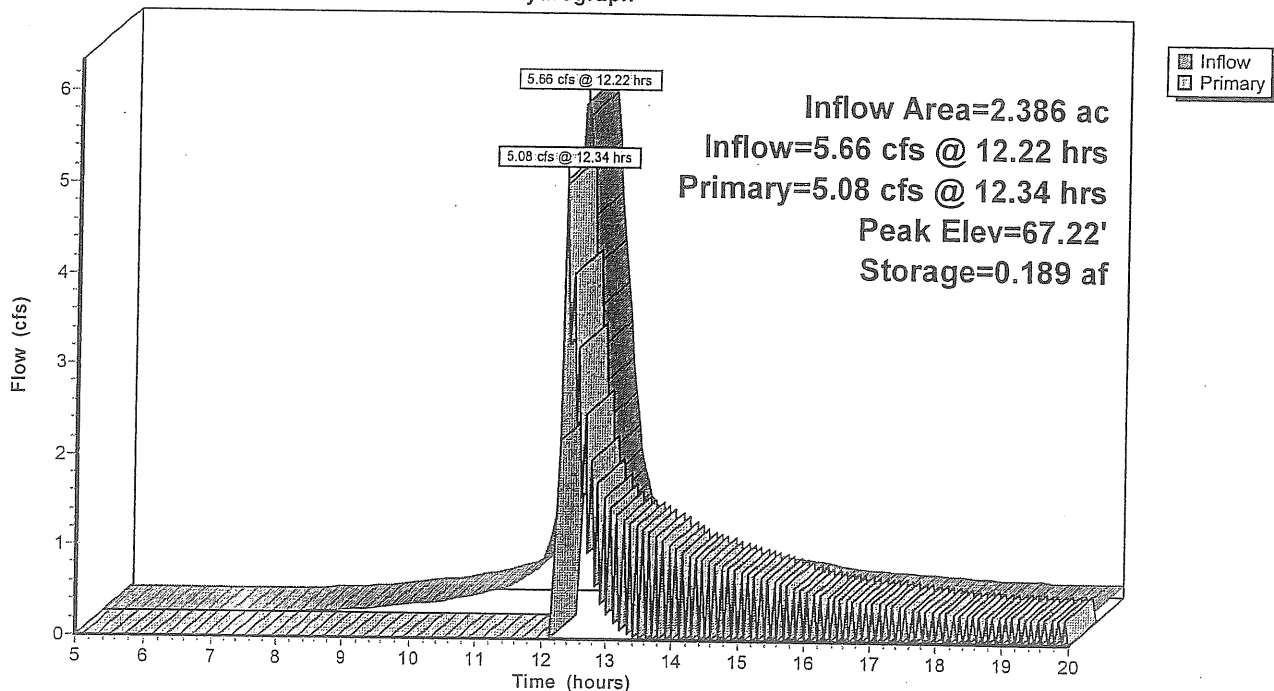
Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.189 af	Custom Stage Data (Prismatic) Listed below (Recalc)

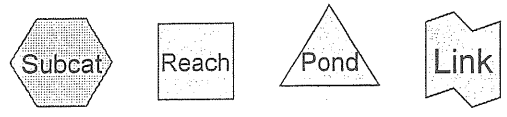
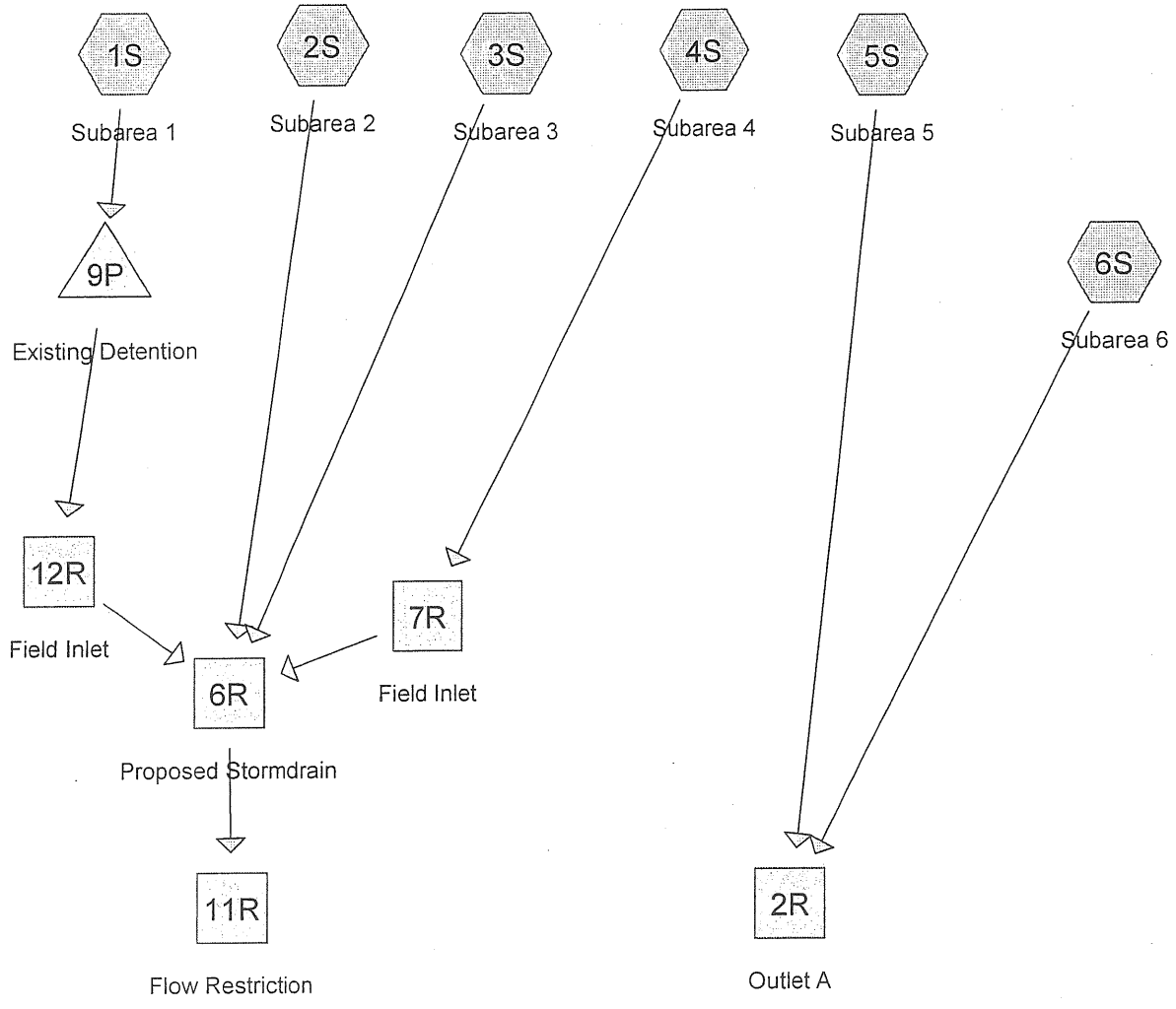
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
65.00	0.000	0.000	0.000
66.00	0.100	0.050	0.050
67.00	0.178	0.139	0.189

Device	Routing	Invert	Outlet Devices
#1	Primary	67.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79 2.88 3.07 3.32

Primary OutFlow Max=4.86 cfs @ 12.34 hrs HW=67.22' (Free Discharge)
 ↑1 = Broad-Crested Rectangular Weir (Weir Controls 4.86 cfs @ 1.1 fps)

Pond 9P: Existing Detention
 Hydrograph





Drainage Diagram for Bay Street Ext (1018) Post-Development (25 year)
 Prepared by Aquarion Engineering Services 10/26/2005
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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
 Runoff by SCS TR-20 method, UH=SCS
 Reach routing by Stor-Ind+Trans method - Pond routing by Stor-Ind method

Subcatchment 1S: Subarea 1	Runoff Area=2.386 ac Runoff Depth>3.21" Flow Length=265' Tc=15.6 min CN=81 Runoff=7.12 cfs 0.637 af
Subcatchment 2S: Subarea 2	Runoff Area=0.661 ac Runoff Depth>3.70" Flow Length=410' Tc=15.1 min CN=86 Runoff=2.26 cfs 0.204 af
Subcatchment 3S: Subarea 3	Runoff Area=0.487 ac Runoff Depth>3.82" Flow Length=360' Tc=1.0 min CN=87 Runoff=2.51 cfs 0.155 af
Subcatchment 4S: Subarea 4	Runoff Area=0.913 ac Runoff Depth>3.09" Flow Length=290' Tc=33.2 min CN=80 Runoff=1.92 cfs 0.235 af
Subcatchment 5S: Subarea 5	Runoff Area=0.143 ac Runoff Depth>2.56" Flow Length=200' Tc=16.0 min CN=74 Runoff=0.34 cfs 0.031 af
Subcatchment 6S: Subarea 6	Runoff Area=0.310 ac Runoff Depth>2.39" Flow Length=210' Tc=14.7 min CN=72 Runoff=0.71 cfs 0.062 af
Reach 2R: Outlet A	Peak Depth=0.08' Max Vel=0.9 fps Inflow=1.05 cfs 0.092 af n=0.030 L=10.0' S=0.0100 '/' Capacity=368.09 cfs Outflow=1.04 cfs 0.092 af
Reach 6R: Proposed Stormdrain	Peak Depth=1.00' Max Vel=9.9 fps Inflow=9.03 cfs 1.045 af D=12.0" n=0.010 L=197.0' S=0.0225 '/' Capacity=6.95 cfs Outflow=7.66 cfs 1.044 af
Reach 7R: Field Inlet	Peak Depth=0.45' Max Vel=5.6 fps Inflow=1.92 cfs 0.235 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=1.92 cfs 0.235 af
Reach 11R: Flow Restriction	Peak Depth=0.50' Max Vel=3.0 fps Inflow=7.66 cfs 1.044 af D=6.0" n=0.010 L=2.0' S=0.0050 '/' Capacity=0.52 cfs Outflow=0.54 cfs 0.432 af
Reach 12R: Field Inlet	Peak Depth=1.00' Max Vel=6.6 fps Inflow=8.88 cfs 0.451 af D=12.0" n=0.010 L=30.0' S=0.0100 '/' Capacity=4.63 cfs Outflow=5.06 cfs 0.451 af
Pond 9P: Existing Detention	Peak Elev=67.31' Storage=0.189 af Inflow=7.12 cfs 0.637 af Outflow=8.88 cfs 0.451 af

Total Runoff Area = 4.900 ac Runoff Volume = 1.324 af Average Runoff Depth = 3.24"

Bay Street Ext (1018) Post-Development (25 year)

Type III 24-hr Rainfall=5.50"

Prepared by Aquarion Engineering Services

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10/26/2005

Subcatchment 1S: Subarea 1

Runoff = 7.12 cfs @ 12.21 hrs, Volume= 0.637 af, Depth > 3.21"

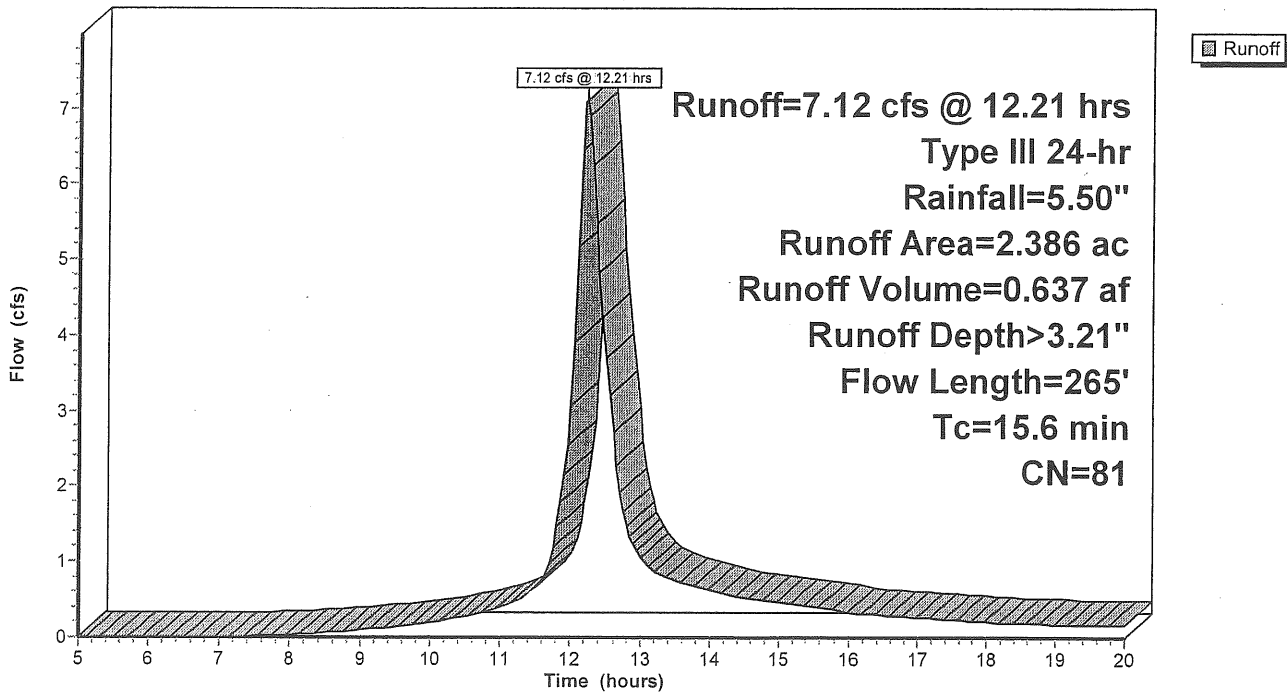
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.801	98	Paved parking & roofs
0.723	74	>75% Grass cover, Good, HSG C
0.646	70	Woods, Good, HSG C
0.174	77	Woods, Good, HSG D
0.042	80	>75% Grass cover, Good, HSG D
2.386	81	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
13.8	150	0.0530	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
1.8	115	0.0430	1.0		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
15.6	265	Total			

Subcatchment 1S: Subarea 1

Hydrograph



Subcatchment 2S: Subarea 2

Runoff = 2.26 cfs @ 12.20 hrs, Volume= 0.204 af, Depth > 3.70"

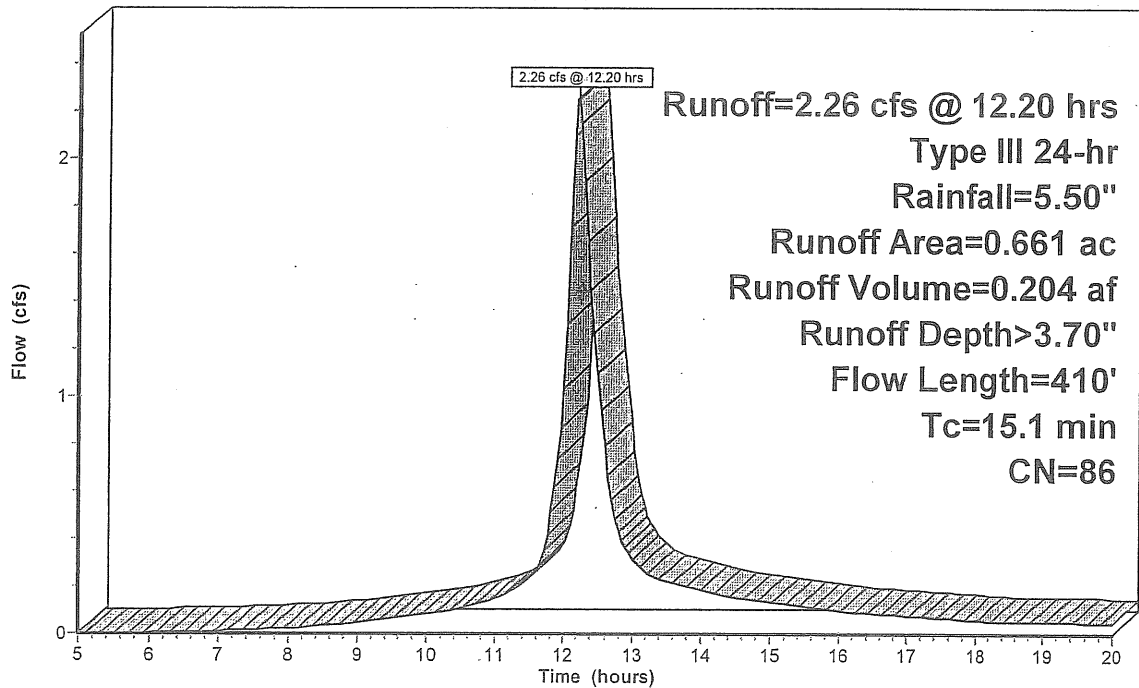
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.346	98	Paved parking & roofs
0.062	70	Woods, Good, HSG C
0.253	74	> 75% Grass cover, Good, HSG C
0.661	86	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
14.5	80	0.0370	0.1		Sheet Flow, AB Woods: Light underbrush n= 0.400 P2= 3.00"
0.4	190	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
15.1	410	Total			

Subcatchment 2S: Subarea 2

Hydrograph



Subcatchment 3S: Subarea 3

Runoff = 2.51 cfs @ 12.01 hrs, Volume= 0.155 af, Depth > 3.82"

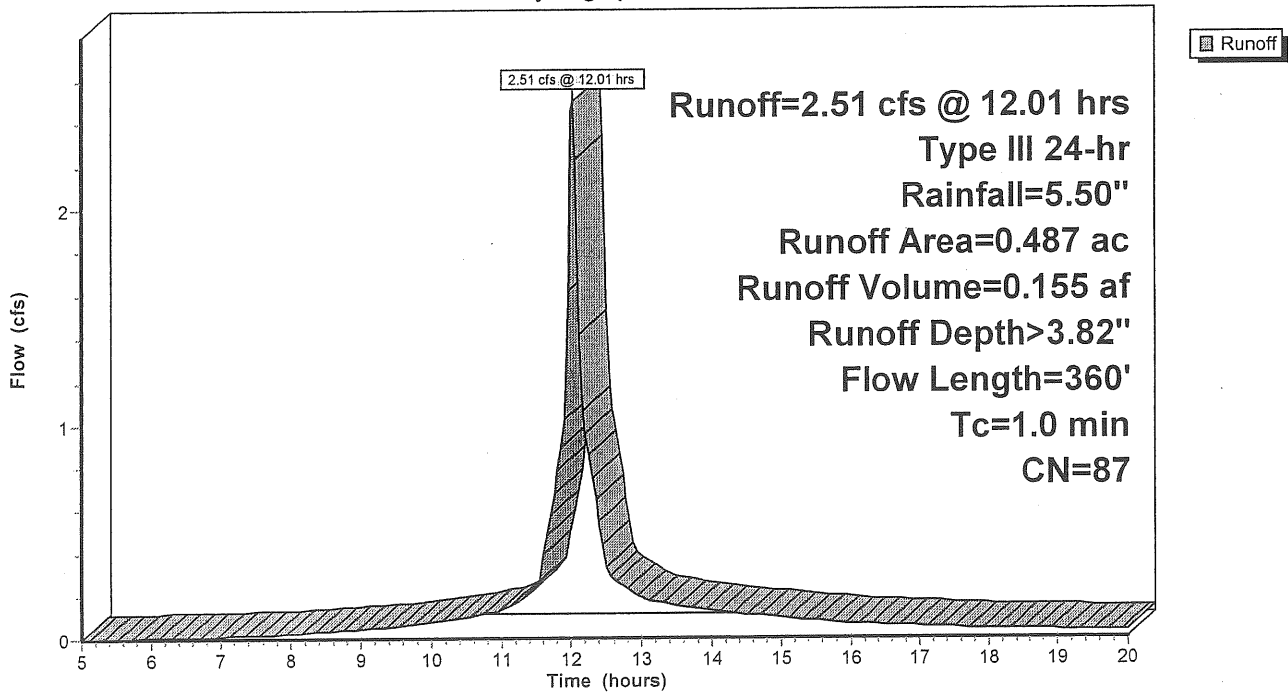
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.267	98	Paved parking & roofs
0.073	70	Woods, Good, HSG C
0.147	74	>75% Grass cover, Good, HSG C
0.487	87	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.5	90	0.0220	3.0		Shallow Concentrated Flow, AB Paved Kv= 20.3 fps
0.3	130	0.0220	7.3	7.27	Trap/Vee/Rect Channel Flow, BC Bot.W=1.00' D=0.50' Z= 4.0 & 0.0 '/' Top.W=3.00' n= 0.013 Asphalt, smooth
0.2	140	0.0225	12.8	40.10	Circular Channel (pipe), CD Diam= 24.0" Area= 3.1 sf Perim= 6.3' r= 0.50' n= 0.011 Concrete pipe, straight & clean
1.0	360	Total			

Subcatchment 3S: Subarea 3

Hydrograph



Subcatchment 4S: Subarea 4

Runoff = 1.92 cfs @ 12.46 hrs, Volume= 0.235 af, Depth> 3.09"

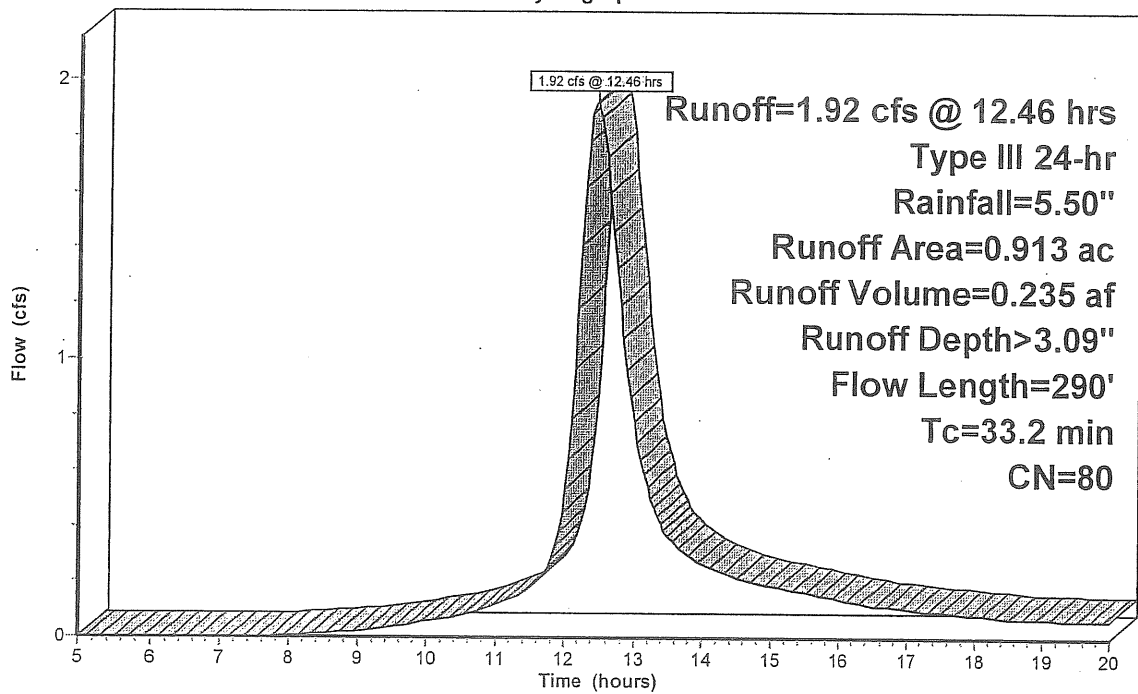
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.300	98	Paved parking & roofs
0.466	70	Woods, Good, HSG C
0.125	74	> 75% Grass cover, Good, HSG C
0.022	77	Woods, Good, HSG D
0.913	80	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
30.7	150	0.0200	0.1		Sheet Flow, AB Woods: Light underbrush n= 0.400 P2= 3.00"
2.5	140	0.0350	0.9		Shallow Concentrated Flow, BC Woodland Kv= 5.0 fps
33.2	290	Total			

Subcatchment 4S: Subarea 4

Hydrograph



Subcatchment 5S: Subarea 5

Runoff = 0.34 cfs @ 12.22 hrs, Volume= 0.031 af, Depth> 2.56"

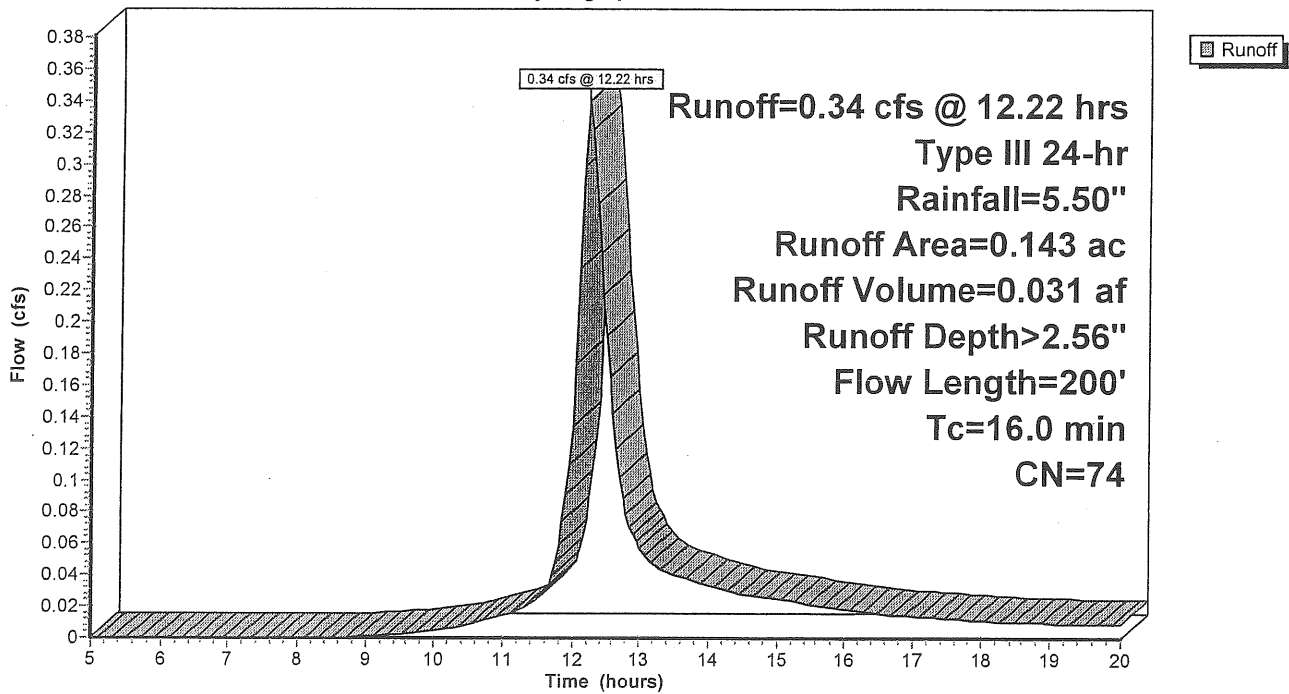
Runoff by SCS TR-20 method, UH=SCS, Time Span = 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.143	74	>75% Grass cover, Good, HSG C

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
15.4	140	0.0350	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 3.00"
0.6	60	0.0500	1.6		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
16.0	200	Total			

Subcatchment 5S: Subarea 5

Hydrograph



Subcatchment 6S: Subarea 6

Runoff = 0.71 cfs @ 12.21 hrs, Volume= 0.062 af, Depth > 2.39"

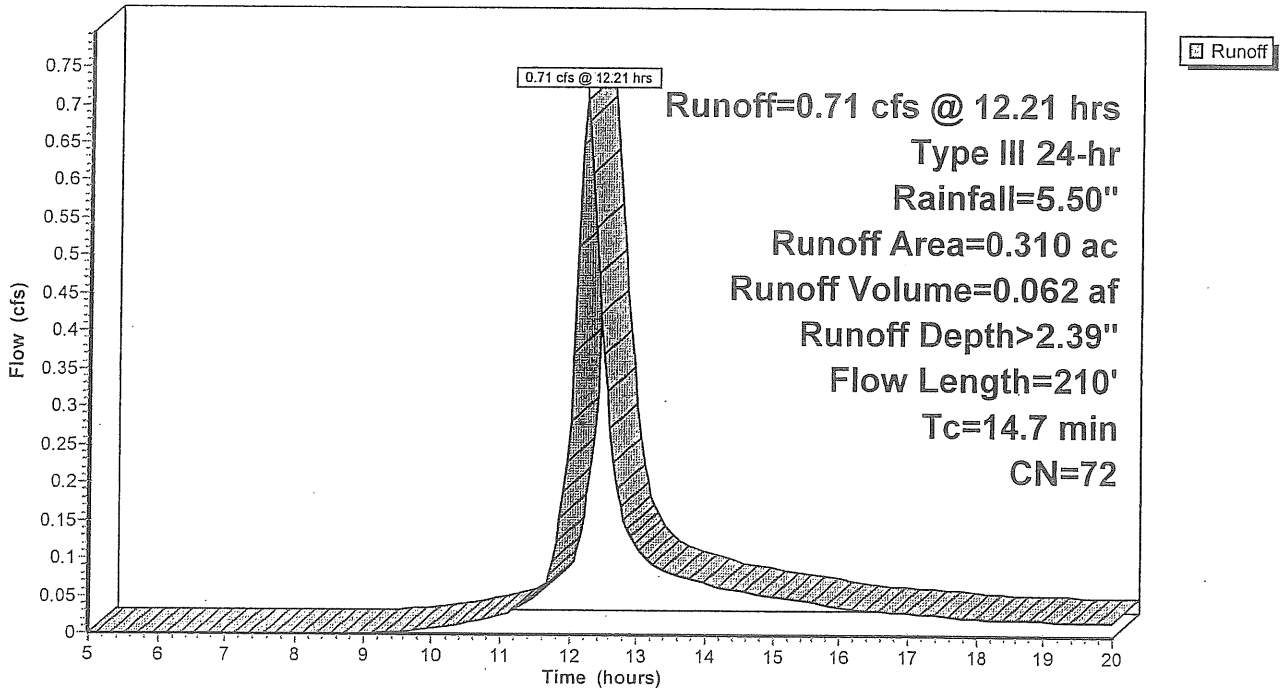
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.50"

Area (ac)	CN	Description
0.155	74	> 75% Grass cover, Good, HSG C
0.155	70	Woods, Good, HSG C
0.310	72	Weighted Average

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
12.4	70	0.0420	0.1		Sheet Flow, AB Woods: Light underbrush n= 0.400 P2= 3.00"
2.3	140	0.0210	1.0		Shallow Concentrated Flow, BC Short Grass Pasture Kv= 7.0 fps
14.7	210	Total			

Subcatchment 6S: Subarea 6

Hydrograph



Reach 2R: Outlet A

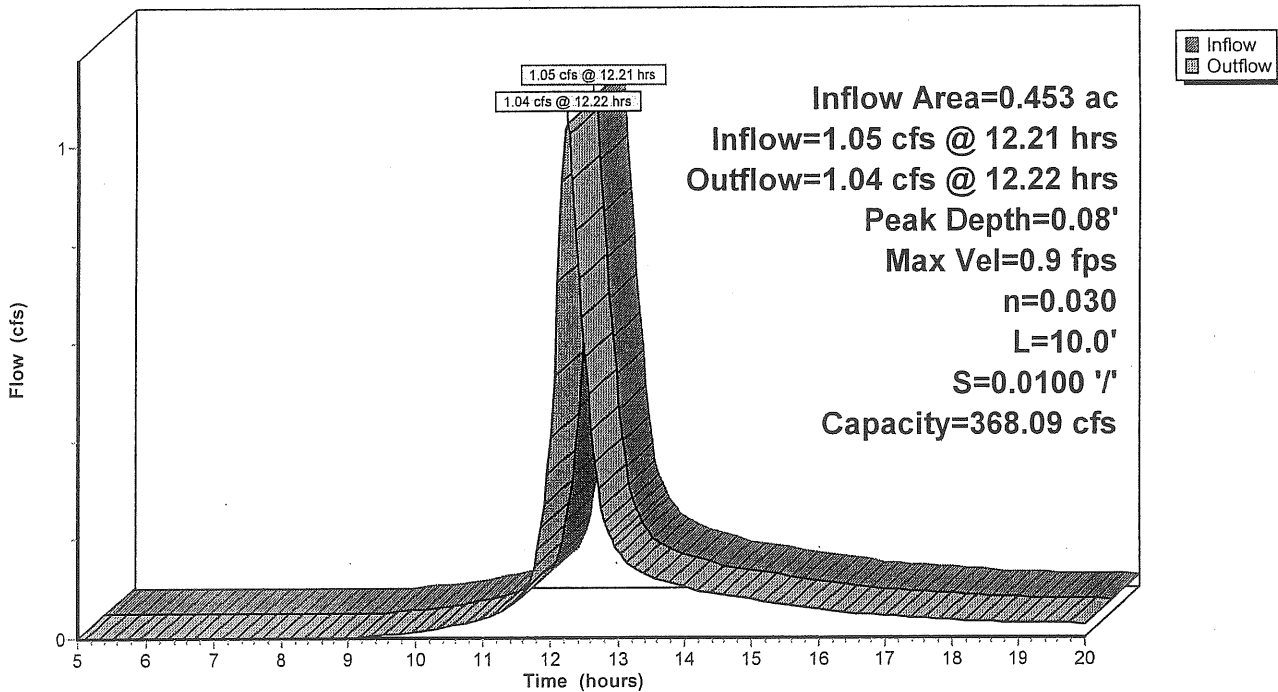
Inflow Area = 0.453 ac, Inflow Depth > 2.45"
Inflow = 1.05 cfs @ 12.21 hrs, Volume= 0.092 af
Outflow = 1.04 cfs @ 12.22 hrs, Volume= 0.092 af, Atten= 0%, Lag= 0.3 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 0.9 fps, Min. Travel Time= 0.2 min
Avg. Velocity = 0.4 fps, Avg. Travel Time= 0.4 min

Peak Depth= 0.08' @ 12.22 hrs
Capacity at bank full= 368.09 cfs
15.00' x 2.00' deep channel, n= 0.030
Side Slope Z-value= 8.0 '/' Top Width= 47.00'
Length= 10.0' Slope= 0.0100 '/'

Reach 2R: Outlet A

Hydrograph



Reach 6R: Proposed Stormdrain

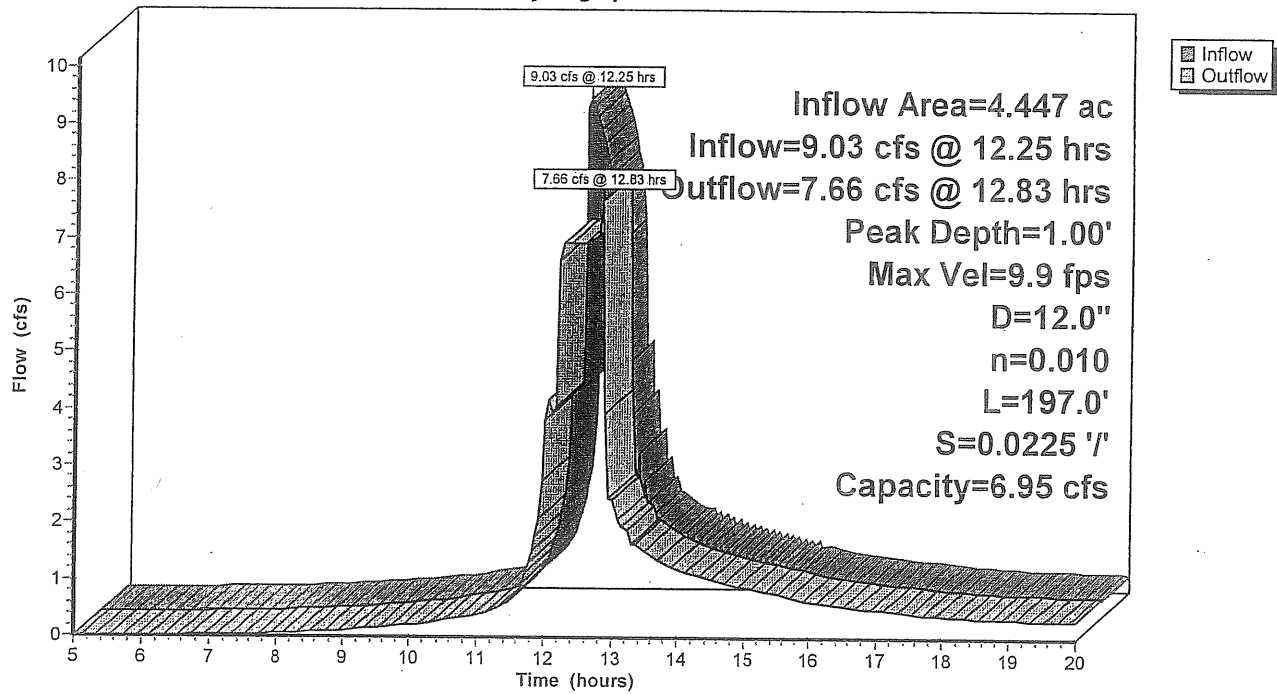
Inflow Area = 4.447 ac, Inflow Depth > 2.82"
 Inflow = 9.03 cfs @ 12.25 hrs, Volume= 1.045 af
 Outflow = 7.66 cfs @ 12.83 hrs, Volume= 1.044 af, Atten= 15%, Lag= 34.8 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Max. Velocity= 9.9 fps, Min. Travel Time= 0.3 min
 Avg. Velocity = 4.7 fps, Avg. Travel Time= 0.7 min

Peak Depth= 1.00' @ 12.20 hrs
 Capacity at bank full= 6.95 cfs
 12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
 Length= 197.0' Slope= 0.0225 '/'

Reach 6R: Proposed Stormdrain

Hydrograph



Bay Street Ext (1018) Post-Development (25 year)

Type III 24-hr Rainfall=5.50"

Prepared by Aquarion Engineering Services

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Reach 7R: Field Inlet

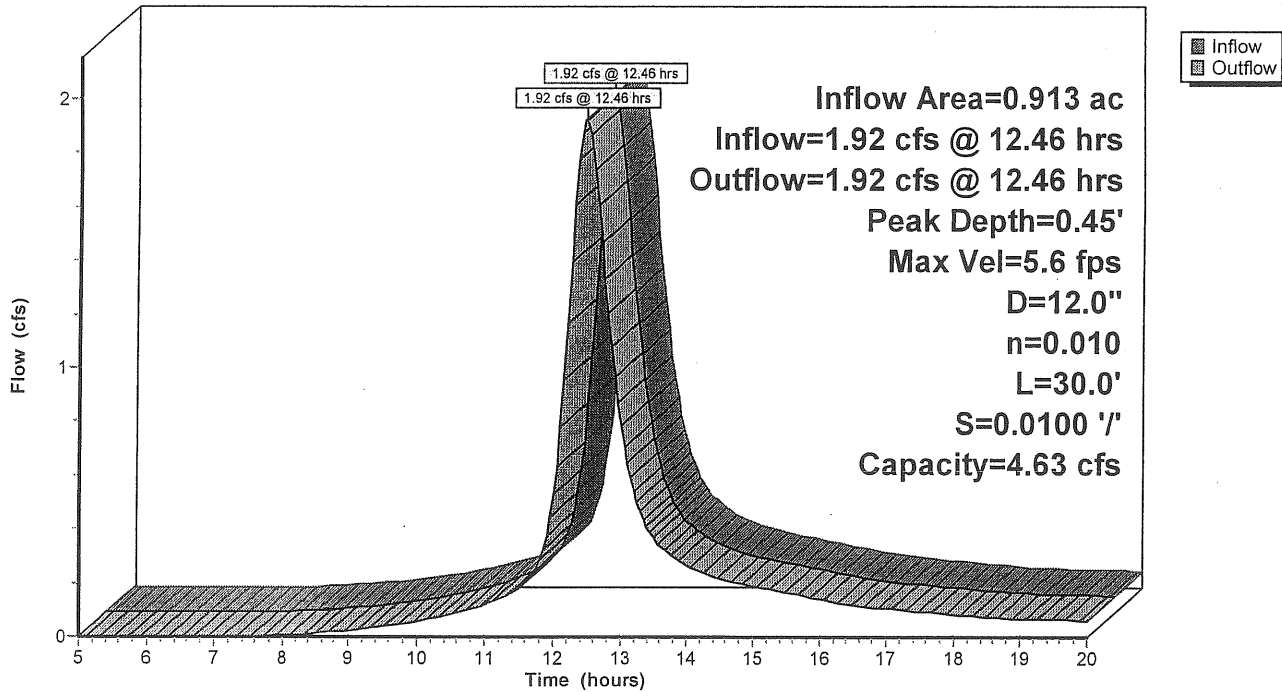
Inflow Area = 0.913 ac, Inflow Depth > 3.09"
Inflow = 1.92 cfs @ 12.46 hrs, Volume = 0.235 af
Outflow = 1.92 cfs @ 12.46 hrs, Volume = 0.235 af, Atten= 0%, Lag= 0.2 min

Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 5.6 fps, Min. Travel Time= 0.1 min
Avg. Velocity = 2.5 fps, Avg. Travel Time= 0.2 min

Peak Depth= 0.45' @ 12.46 hrs
Capacity at bank full= 4.63 cfs
12.0" Diameter Pipe, n= 0.010 PVC, smooth interior
Length= 30.0' Slope= 0.0100 '/'

Reach 7R: Field Inlet

Hydrograph



Reach 11R: Flow Restriction

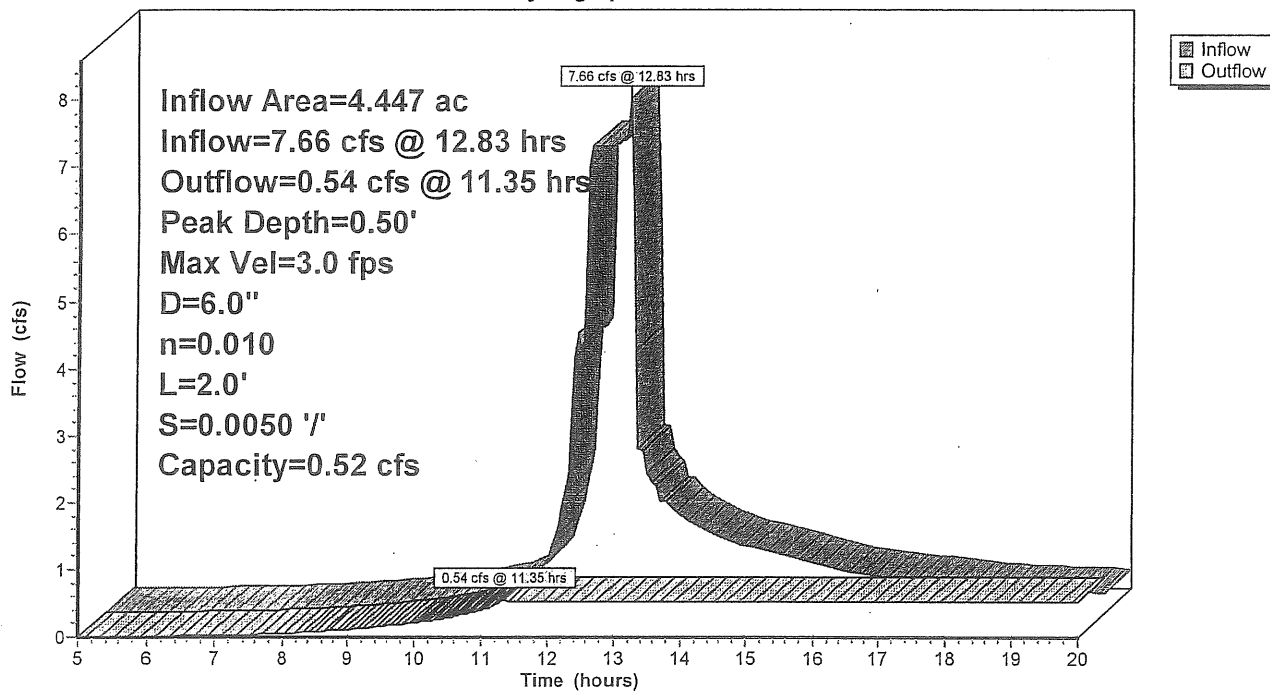
Inflow Area = 4.447 ac, Inflow Depth > 2.82"
Inflow = 7.66 cfs @ 12.83 hrs, Volume = 1.044 af
Outflow = 0.54 cfs @ 11.35 hrs, Volume = 0.432 af, Atten = 93%, Lag = 0.0 min

Routing by Stor-Ind+Trans method, Time Span = 5.00-20.00 hrs, dt = 0.05 hrs
Max. Velocity = 3.0 fps, Min. Travel Time = 0.0 min
Avg. Velocity = 2.3 fps, Avg. Travel Time = 0.0 min

Peak Depth = 0.50' @ 11.40 hrs
Capacity at bank full = 0.52 cfs
6.0" Diameter Pipe, n = 0.010 PVC, smooth interior
Length = 2.0' Slope = 0.0050 '/'

Reach 11R: Flow Restriction

Hydrograph



Pond 9P: Existing Detention

Inflow Area = 2.386 ac, Inflow Depth > 3.21"
 Inflow = 7.12 cfs @ 12.21 hrs, Volume= 0.637 af
 Outflow = 8.88 cfs @ 12.21 hrs, Volume= 0.451 af, Atten= 0%, Lag= 0.0 min
 Primary = 8.88 cfs @ 12.21 hrs, Volume= 0.451 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 67.31' @ 12.20 hrs Surf.Area= 0.178 ac Storage= 0.189 af
 Plug-Flow detention time= 106.9 min calculated for 0.450 af (71% of inflow)
 Center-of-Mass det. time= 43.5 min (832.6 - 789.1)

Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.189 af	Custom Stage Data (Prismatic) Listed below (Recalc)

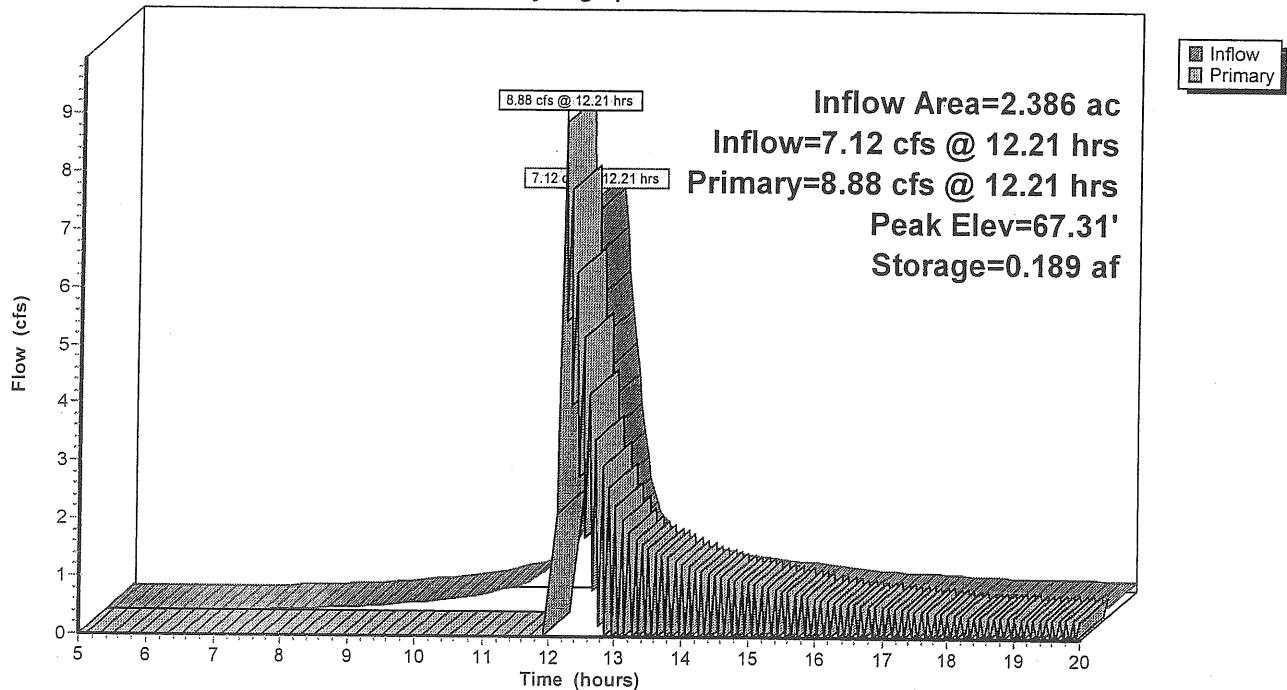
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
65.00	0.000	0.000	0.000
66.00	0.100	0.050	0.050
67.00	0.178	0.139	0.189

Device	Routing	Invert	Outlet Devices
#1	Primary	67.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50 5.00 5.50 Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79 2.88 3.07 3.32

Primary OutFlow Max=7.78 cfs @ 12.21 hrs HW=67.29' (Free Discharge)
 ↑ = Broad-Crested Rectangular Weir (Weir Controls 7.78 cfs @ 1.3 fps)

Pond 9P: Existing Detention

Hydrograph



Pond 9P: Existing Detention

Inflow Area = 2.386 ac, Inflow Depth > 3.21"
 Inflow = 7.12 cfs @ 12.21 hrs, Volume= 0.637 af
 Outflow = 8.88 cfs @ 12.21 hrs, Volume= 0.451 af, Atten= 0%, Lag= 0.0 min
 Primary = 8.88 cfs @ 12.21 hrs, Volume= 0.451 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 67.31' @ 12.20 hrs Surf.Area= 0.178 ac Storage= 0.189 af
 Plug-Flow detention time= 106.9 min calculated for 0.450 af (71% of inflow)
 Center-of-Mass det. time= 43.5 min (832.6 - 789.1)

Volume	Invert	Avail.Storage	Storage Description
#1	65.00'	0.189 af	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (acres)	Inc.Store (acre-feet)	Cum.Store (acre-feet)
65.00	0.000	0.000	0.000
66.00	0.100	0.050	0.050
67.00	0.178	0.139	0.189

Device	Routing	Invert	Outlet Devices
#1	Primary	67.00'	20.0' long x 4.0' breadth Broad-Crested Rectangular Weir
			Head (feet) 0.20 0.40 0.60 0.80 1.00 1.20 1.40 1.60 1.80 2.00 2.50 3.00 3.50 4.00 4.50
			5.00 5.50
			Coef. (English) 2.38 2.54 2.69 2.68 2.67 2.67 2.65 2.66 2.66 2.68 2.72 2.73 2.76 2.79
			2.88 3.07 3.32

Primary OutFlow Max=7.78 cfs @ 12.21 hrs HW=67.29' (Free Discharge)
 ↑-1 = Broad-Crested Rectangular Weir (Weir Controls 7.78 cfs @ 1.3 fps)

Pond 9P: Existing Detention
 Hydrograph

