

May 22, 2015

Ms. Nell Donaldson, Planner
and Planning Board Members
City of Portland
389 Congress Street
Portland, Maine 04101

RE: 72 Bishop Street

Dear Nell and Planning Board Members,

The following documentation and supporting information have been prepared in response to staff review comments received on May 12, 2015 and May 13, 2015, responses are in **Italic**.

Woodard & Curran Memorandum: David Senus, P.E. (Dated May 11, 2015)

Comments

1. Stamped Boundary Survey: Stamped boundary survey is required before the public hearing.

The survey has been stamped by a Maine licensed professional surveyor and is included in this submission. We received additional comments from William Clark on May 20, 2015 requesting the applicant to confirm the location of an existing City storm water line that crosses the UNE and the proposed development parcel and provide information regarding an easement. We are in the process of scheduling additional survey field work. We are requesting that this information be provided as a condition of approval.

2. Temporary Waiver for photometric plan and construction management plan.

The construction management plan has been submitted and the photometric plan will be submitted under separate cover.

3. The applicant should note that electrical/communications service to the project site will be required to be underground.

The applicant is proposing underground electric/communication service. This has been noted on the Grading, Drainage and Utilities Plan, Sheet L3. Final



location of the services are being explored. The most direct connection to the building will require an easement from the adjacent Masonic Lodge which is being pursued, the other options include a new pole set along Bishop Street in front of the building or extending service conduit underground within the public right of way from the existing pole to the west of the site. All of these options are being considered. We are requesting that final location of these services be a condition of approval.

4. b. General Standards: The project will result in a net increase in impervious area of approximately 17,382 square feet. As such, the project is required to include stormwater management features for Stormwater quality control. The following comments should be addressed:

i) From the HydroCAD model, it appears that the Applicant has proposed to treat sufficient amount of impervious area with a paver drain system and filter cartridges for roof runoff: however, the area proposed to receive treatment should be identified on a plan and tabulated/calculated to show compliance with the General Standards (95% of new impervious area treated, 80% of new developed area treated).

The General Standards have been addressed. 96% of new impervious surface and 91% of the developed area has been treated using MDEP approved methods. This exceeds Maine DEP Chapter 500. The calculations have been included on the drawings as well as I Appendix C of the Stormwater Report. The roof drip edge is being used as a treatment method as suggested. Additionally, vegetated underdrain filters are proposed as treatment methods for some of the landscaped areas including the swale in the rear (westerly side). [includes responses to comments ii) and iv)]

Roof Filter System: The treatment associated with the in-line filter system requires coordination with the manufacture to determine the treatment being provided. This is subject to final roof and internal drain design. Given that this is providing additional treatment above the required treatment we are requesting that this information be provided as a condition of approval. Attached is a copy of the manufactures product documentation.

5. Urban Impair Stream Standard: The Applicant has noted that the project will adhere to the Urban Impaired Stream Standard for development; however, it is unclear how the Applicant is proposing to meet the Standard. The Applicant should provide calculations of the in-lieu fee compensation amount or identify mitigation measures in accordance with the Urban Impaired Stream Standard.

The Urban Impaired Stream Standard is addressed in the stormwater report. The in-lieu compensation calculations have been included. The fee in-lieu for compensation is \$1,927, refer to Appendix C of the stormwater report for calculations.

6. The Bishop Street Stormwater Management Narrative prepared by Ransom Consulting, Inc., dated April 10, 2015, refers to Appendices A and B, which include a Post-Construction Stormwater Management Plan and Stormwater BMP Inspection and Maintenance Requirements; however, it does not appear that these appendices have been received at this time.

Appendices A and B were erroneously not included with the previous submission, and are included in this submission.

7. The Applicant has proposed a porous paver strip along the proposed retaining wall, which exceeds five feet in height. A geotechnical report has been provided that specifies the parameters for the wall design engineer; however, at this time, the geotechnical report does not appear to include an evaluation of the impact of the porous pavement and associated R-Tank storage system on the wall design. The Applicant should clarify whether infiltration from the porous pavers adjacent to the proposed retaining wall and the adjacent below grade stormwater storage has been evaluated/considered by the geotechnical engineer.

The Applicant requested SW Cole Engineering, the project geotechnical engineer review the details and they provided the following recommendations. To address potential impacts from frost conditions on the wall, they have recommended that the R-Tank system be located a minimum of 4.5 feet from the back of the retaining wall. We have revised the plans and details accordingly.

8. The R-Tank system does not appear to be lined with a water tight liner.

Detail 1 Sheet L7 has been revised to show the use of 20 mil poly liner that extends along the back of the retaining wall and wraps the R-Tank system.

9. Outlet Control Structure outlet protection and J-drain connection.

The stormwater design has been modified to construct a vegetated soil filter with a perforated 6 inch drain pipe that will connect to the Outlet Control structure. Refer to detail 8/L7.

10. Bituminous sidewalk detail.

The bituminous sidewalk detail (Detail 4/L5) has been modified to reflect the City of Portland Standard.

11. Sidewalk ramp detail:

A sidewalk ramp detail (Detail 1/L9) has been added to Sheet L9, Bishop Street Sidewalk Extension Plan. Note: The final detail for the crosswalk ramps at Mayfield Street will be coordinated with City Staff.

12. Required Details:

The following details have been provided:

- *Detectable Warning Strip (Detail 2/L9 & Detail 15/L5)*
- *Catch Basin (Detail 3/L7)*
- *Storm Drain Trench (Detail 13/L6)*
- *Vegetated Soil Filter (Detail 8/L7)*

13. Beehive grate for recommendation for field inlet

Detail 9/L6 'NDS 12'' Sq. Shallow Catch basin' has been modified to reflect a beehive grate. A second NDS structure is proposed along the easterly side of the building and will be provided with the Beehive grate as recommended.

14. Utility letters.

An ability to serve letter from Portland Water District has been included in this submission.

A wastewater capacity application was submitted to Frank Brancley, City of Portland, on 4-10-15 and we are awaiting a response.

15. The Applicant should provide a written summary of their assessment of state and federal wetland regulations relative to the proposed plan (types of wetlands present on the site, setback requirements, acceptable amount of wetland disturbance/fill).

The Applicant had the wetland assessment complete by CES, Inc. Engineers-Environmental Scientist-Surveyors. Their assessment identified the undeveloped area of the site as a palustrine, forested and shrub-scrub wetland (PF01 7 PSS1) along the southern rear property line. A stream begins in the southwest corner of the parcel that follows to the southwest and is identified as a tributary stream to Capisic Brook, and identified by MDEP as an Urban Impaired Stream.

The Applicant met with Bob Green, MDEP to review the impact and was advised that the project is eligible for a NRPA Tier 1 permit review. Of note, Mr. Green was very positive about how the applicant took great efforts to minimize impact to the wetland. In addition, ACOE advised that the project is eligible for streamlined Category 1 review process that is a review of the NRPA Permit documentation submitted to MDEP. A copy of the application will be submitted under separate cover.

Traffic Review

TY Lin: Tom Errico comments dated May 13, 2015

- A sidewalk is being constructed on Bishop Street, as identified during the zoning amendment process. I find it acceptable although the sidewalk should be extended to the corner at Forest Avenue and Stevens Avenue. I would suggest that the applicant develop a concept plan for review and approval. I can work with the applicant in the development of the plan from a traffic perspective, particularly how it interfaces with the existing parking lot.

*The Applicant during the zone map change process discussed with the Planning Board the willingness to extend public sidewalk along Bishop Street up to the existing sidewalk that terminates approximately **XX** feet from Mayfield Street. The extent of the sidewalk discussed was 500 linear feet +/- from the site to the existing sidewalk and is what the design submitted includes. The applicant will meet with staff to discuss this further.*

- The applicant has requested a waiver from the City's Technical Design Standards as it relates to off-street parking requirements. Gorrill-Palmer has provided a summary of the parking needs based primarily on staffing requirements. According to the analysis, 12 spaces will be sufficient for the demand needs. This demand calculation assumes that none of the proposed tenants will be allowed to have vehicles. In general I find the estimate to be reasonable, but I would suggest that a condition of approval note that if automobile ownership is permitted for residents, the project shall return to the Planning Board for review.

Randy Dunton, Gorrill-Palmer, has reviewed comment with and provides the following response:

The 11 parking spaces identified as needed in the traffic evaluation letter from Gorrill Palmer to Mitchell & Associates dated April 7, 2015, was a preliminary assessment based on the operations of Logan's Place. Logan's place has only had one vehicle associated with a resident of the facility. Since that initial assessment, we have further refined the anticipated residence of the proposed Bishop Street facility, and they are anticipated to be more elderly and medically confined and would therefore be even less likely to have a vehicle of their own. However, in the unlikely event that a resident have a vehicle, there would be a space available for them on-site with only 11 parking spaces identified as needed to accommodate non-residents, and 12 on site spaces available. Therefore, we respectfully request that the applicant not be required to return to the Planning Board if a resident should own a vehicle.

- The applicant should provide general details as it relates to a construction management plan. I do not support a waiver for this request.

The applicant is requesting that the Construction Management Plan be a condition of approval. Currently the Applicant does not have a contractor selected for the project.

Public Services: David-Margolis-Pineo dated May 12, 2015

1. Stamped Boundary Survey Required:

The boundary survey has been stamped by a Maine Licensed Professional Surveyor and is included in this submission. See responses to William Clark's comments below.

2. The applicant has agreed to extend a sidewalk to Forest Avenue. The plans show the sidewalk terminating at the parking lot prior to Forest Avenue. It is desirable to have the sidewalk continued through this parking lot area to Forest Ave. Drive cut location(s) will need to be determined with the parking lot owner.

The Applicant during the zone map change process discussed with the Planning Board the willingness to extend public sidewalk along Bishop Street up to the existing sidewalk that terminates approximately 145+/- feet from Mayfield Street. The extent of the sidewalk discussed was 500 linear feet +/- from the site to the existing sidewalk and is what the design submitted includes.

3. Please show the sidewalk being constructed along the street right of way. It is realized that several trees impeded the alignment. As indicated on the plan, grading and construction easements will need to be executed by the applicant for construction of the sidewalk.

The sidewalk is shown as close to the right of way line with minimal deviations to reduce impact to established street trees. The sidewalk extension along Bishop Street is a city amenity that the applicant has been asked to pay to construct. Grading and construction easements are for the city and should be the responsibility of the City to obtain.

4. An existing stormwater drain is shown crossing the applicant's property. An easement will need to be shown on the survey plan for this utility. For an accurate easement, the cross-country drain manholes will need to be located. If necessary, the City can assist with locating.

We have coordinated with William Clark who has provided city records for locating the cross-country storm drain and manholes. This information has been provided to Owen Haskell, Inc. to update the plan. This will require additional field survey documentation to the location of buried structure and topographic data.

Regarding the easement area, we discussed with Mr. Clark that the easement area associated with the Bishop Street property will be limited to the area of the site impacted by the 15 FT off-set from the storm drain line. The extent of the easement on abutting properties will be the City's responsible to obtain.

5. The grading plan needs to show the existing stormwater drainage system. Show all field inlets, rim elevation, pipe size and pipe invert elevations.

The existing stormwater drain pipe that cuts across the southerly edge of the property has been added to the grading plan. All field inlets, rim elevations, pipe size and pipe invert elevations have been noted on Sheet L3, including information off-site on abutting property.

7. This department has concerns regarding the wetland impacts and encroachment on the stream. We would like to see the wetland delineation line shown on the post-construction site plan to more clearly define the area of impact. A comparison of pre and post wetlands delineation is requested. Please show the limits of temporary construction activity on the wetlands area.

The project is sited 135 feet from the stream which is well beyond the required 75 foot stream setback. The applicant has minimized disturbance to the adjacent wetlands. A plan has been prepared to reflect the pre and post wetland areas as well as the temporary wetland impacts. The total permanent wetland disturbance is 3,105 square feet. We had reviewed the wetland impact with MDEP during the zone map amendment process and were informed that based on the preliminary assessment of impact, that was greater than what is proposed appeared to meet the criteria under the NRPA Tier1 process.

9. All catchbasins capturing stormwater discharging into an urban impaired watershed, the applicant is requested to install four foot diameter catchbasins with three foot sumps.

Catch basin Detail 3/L7 has been added to the site details.

Planting/Landscape Review

City Arborist; Jeff Tarling, dated May 12, 2015

1. Tree & habitat protection measures.

Note 22 on the Sheet L2, Layout and Lighting Plan has been added to address Mr. Tarling' comment to assure additional protections to trees and defining the work zone. Note 22 states "PRIOR TO SITE CLEARING, CONTRACTOR SHALL COORDINATE WITH PROJECT LANDSCAPE ARCHITECT TO DEMARCATÉ TREES FOR PROTECTION AND WETLAND AREAS TO BE PROTECTED. EXISTING TREES TO BE PRESERVED SHALL BE PROTECTED DURING CONSTRUCTION AND SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR. In addition, this has been added as note 10 on the Planting Plan

2. Native Plants: The landscape plant material selected for the UNE edge should be exclusively native plants to New England

The area along the UNE edge is within the wetland area. The planting plan has been revised to provide native plantings. We have substituted the proposed arborvitae varieties with wetland tolerant native Atlantic White Cedar and Hemlock for the evergreen buffer. The plant schedule has been revised to specify 5FT – 6FT trees.

3. Bishop Street buffering/landscape tree planting- The project currently is wide open visually on the Bishop Street side near the Deering Lodge. Landscape buffering is recommended. This can be on the narrow strip of project land or on Deering Lodge property by agreement. Larger shade trees would be ideal. Planting trees along or within the Bishop Street right of way would be acceptable as well. This would also be a landscape condition.

The B-2c Zone does not require a side yard setback. The building is offset from the property line to address building code requirements for fenestration as well as for construction, drainage and access for building maintenance. A grass vegetated (drainage) soil filter is proposed within the narrow strip along the west side of the building. No plantings are proposed along this side of the building. Understory street trees are proposed within the Bishop Street right of way, under the existing overhead utilities along the Masonic Lodge frontage. In addition, we have proposed additional plant material along the Bishop Street frontage to respond to the requirement for an "attractive street frontage".

Planning Staff Review

Urban Designer; Caitlin Cameron, dated April 29, 2015

Standard 1: Building 'Bay' elements.

Responses to architectural comments shall be provided by CWS Architects under separate cover.

Standard 5: More detail is requested regarding fence heights and material around the property- visual and sound screening is desirable between the parking and neighboring property as well as between the outdoor seating area and neighboring property. What will be the landscape treatment at the northeast face of the building?

As stated on Sheet L2, Site Layout & Lighting Plan, the following fences are shown:

- ***A 6' height solid wood fence was provided along the south west side of building to screen the seating area in the rear of the building.***
- ***A 42'' height wood picket fence along the rear retaining wall between the forested wetland and the landscaped seating area.***
- ***A wood post and guardrail are shown along the top of the retaining wall within the parking lot area. The detail for this is shown on Sheet L6 (Detail 1/L6).***
- ***Regarding visual and sound screening of the parking lot, the brunt of the parking area is abutting University of New England (UNE) property which is used for sporting fields. Fencing along this property line would offer little in protection due to the grade change and the height of fence that would be required to screen the parking. Extensive evergreen plantings have been used in this location to provide year round visual and sound buffering. A row of large canopy trees have been proposed along the driveway into the parking lot to buffer the rear wall of the adjacent commercial property building.***
- ***The northeast face of the building has a row of flowering cherry trees and shrub plantings along the building face to reinforce the base of the building architecture. The northwest side of the building has been maintained as a grass strip to allow for drainage and construction. Plantings have been added along the road frontage and between the ROW line and the building.***

Comments from Public Services

William Clark: email dated May 20, 2015

1. Contours and elevations shown on structures need to be corrected to NGVD29 prior to approval.

The topographic survey will be revised and adjustments to the Grading, Drainage and Utility Plan will be corrected as necessary.

2. The plan states “Based on the City of Portland GIS, there is a sewer line that crosses this property. The GIS sewer mapping is not considered a completed product as field verification needs to be performed and if no easements exist, one is needed.

We have coordinated with William Clark who has provided city records for locating the cross-country storm drain and manholes. This information has been provided to Owen Haskell, Inc. to update the plan. This will require additional field survey documentation to the location of buried structure and topographic data.

Regarding the easement area, we discussed with Mr. Clark that the easement area associated with the Bishop Street property will be limited to the area of the site impacted by the 15 FT off-set from the storm drain line. The extent of the easement on abutting properties will be the City’s responsible to obtain.

3. Survey work is needed to locate the stormwater structures to prepare a 30 foot wide easement for the storm drain. Plans 431/30 and 247/10 in the Engineering Archives show the layout for the storm drain as tied into the lines of Bishop Street and will be helpful in creating the 30 foot wide easement. Drain manholes will need to be located along rim and pipe invert elevations.

We received engineering plans from Mr. Clark to assist in locating the storm drain in question. Note: Owen Haskell, Inc. performed a survey for Westbrook College, now UNE in 1974 and the manhole off-site to the easterly side line was located at that time. During field survey for the 72 Bishop Street development, the manhole could not be located, assumed to be buried. Based on the information provided by Mr. Clark, Owen Haskell, Inc. will try narrow down the search area to determine the location of the structure. Rim and invert information may not be available if the structure is substantially buried. Also it is located on an abutters’ property. Updated plans will be submitted upon completion.

4. Site Benchmark: DPS Engineering does not use the top of hydrant spindles as benchmarks. Please use the bonnet bolt over the main hydrant connection.

The benchmark shall be revised as requested.

Additional Staff Comments

- Will there be outside surveillance cameras.

There will be building mounted surveillance cameras to monitor the exterior area including the outdoor seating area.

- How does the site plan address crime prevention requirements.

The site design is a compact layout that has high visibility from the street, is well lit, meeting the city lighting standards as well as having a 24 hour surveillance program with 24/7 staff monitoring. The outdoor active space at the main entry is highly visible from the community room and front desk. The outdoor seating and activity area to the rear is enclosed by a 6 FT tall solid fence along the westerly side, wrapping around the seating area to a point along the retaining wall where the fence changes to a 4 FT high wood picket fence. The easterly side of the site is separated from abutting uses by a retaining wall that ranges from about 3FT to just over 5 FT tall with a dense landscaped buffer adjacent to an existing undisturbed woodland area. As stated above there will also be surveillance camera's monitoring the exterior of the building.

- Sewer Capacity Letter

We still have not received a letter from Public Services regarding sewer capacity.

- Provide details on location of HVAC/mechanical units

These elements are still being developed and will be provided as soon as they have been identified.

Planning Board Comments

- Provide context of the building within the Bishop Street neighborhood

CWS Architects will provide detailed information in response to this request under separate cover.

- Provide information regarding buffering adjacent to the Bishop Street development

We have revised the plans to reflect the depth of wooded area between the project site and the adjacent properties. As you will see, the major portion of the site where it abuts UNE is significantly wooded, the closest open area on the UNE property (athletic field) is approximately 110 FT away. The preserved woodland area is denoted by the limit of clearing line.

- A question was raised concerning the level of water quality treatment for site runoff.

Regarding water quality treatment, the proposed infrastructure to treat storm water quality exceeds the MDEP Chapter 500 standards for an Urban Impaired Stream as well as the expectation for preserving the Capisic Brook watershed.

- The Planning Board requested that the Applicant reach out to the neighbors, specifically the ones in attendance at the workshop meeting.

Avesta has had discussions with one of the Mayfield Street residents and has prepared and provided requested documentation that has also been provided for the Board in this submission. We are in the process of trying to schedule a meeting with the direct abutter to address his concerns.

- A question was raised about the bike rack being the city standard detail.

The proposed bike racks are located on the project site and are not within the public right of way and our understanding is that the city standard only applies to racks with in the public right of way.

Enclosed for your review are the following:

- Revised Site Plans, 24 x 36 and 11x17
- Revised Site Detail Sheets 24 x 36 and 11 x 17
- Photometric Plan to be submitted under separate cover
- Update Architectural information to be submitted under separate cover
- Revised Stormwater Report documentation prepared by Ransom Consulting
- Housing First for Homeless Individuals with Compromised Health statement prepared by Avesta.
- Light Fixture Cut Sheets

Should you or staff have any additional questions or comments, please do not hesitate to contact me.

Sincerely,
Mitchell & Associates

A handwritten signature in black ink, appearing to read "R. B. Metcalf", written in a cursive style.

Robert B. Metcalf, Principal
Maine Licensed Landscape Architect

Enclosure

cc: Greg Payne
Brooks More
Ben Walter
Steve Bradstreet
Randy Dunton