

July 30, 2015

Ms. Marybeth Richardson
Maine Department of Environmental Protection
312 Canco Road
Portland, Maine 04103

**RE: NRPA Permit by Rule Notification
Wetland Alteration
72 Bishop Street
Portland, ME 04101**

Dear Marybeth:

On behalf of Avesta Housing, we are submitting the following NRPA Permit by Rule Notification Application for development of a "Housing First" residential project for the chronically homeless. Avesta Housing, in association with Preble Street Resource, is proposing a 30 unit single resident occupancy (SRO) three story apartment with common areas and facilities for medical assistance. We initially submitted an NRPA Tier I permit application and were advised by Bob Green that the reduced project impacts only required a PBR application.

The parcel is a 52,383 SF or 1.203 acre, residential lot, with approximately 13,000 SF of mowed meadow, 14,203 SF of a mix scrub-shrub and forested wetland and the balance of 24,000+/- SF as forested woodland. During a zoning amendment process with the City, we met with Bob Green to review the proposed concept design and discuss how we intended to minimize wetland impact and stream protection. C.E.S., Inc., who conducted the Natural Resource Investigation met with Bob on-site to review the wetland conditions. The initial concept developed during the zoning process estimated a permanent an impact of approximately 3,800 +/- SF. At that time Bob Green indicated that the project would qualify for a Tier 1 permit.

Site Conditions

A Natural Resource Survey was completed by C.E.S., Inc., engineers, environmental scientist and surveyors on July 8, 2014. The parcel is presently developed with a single family residence including driveway, with the remainder of the parcel undeveloped. Approximately 13,000 SF of the parcel is a mowed field with approximately 24,000 SF +/- of forested woodland and 14,203 SF of a palustrine, forested, and scrub-shrub wetland (PFO1 & PSS1), identified and delineated along the southern (rear) property line. A short section (approximately 50 LF) of a tributary stream (begins on site) connecting to the Capisic Brook is located in the southwest corner of the property flowing to the southwest. This tributary stream has been identified by the Maine Department of Environmental Protection (MDEP) as an urban impaired stream administered by the City of Portland. Wetland boundary and stream location was flagged by C.E.S., Inc. and field located by Owen Haskell, Inc. surveyors.

Avoidance and Minimization

The proposed 72 Bishop Street Apartments development is a "Housing First" initiative promoted by the City of Portland. Avesta and Preble Street Resource Center are proposing to develop a 30 unit single resident occupancy (SRO) housing for the chronically homeless, specifically catering to the older population with chronic health issues.

The property is located in the Deering section of the city. Site selection was based upon affordability, location near public transportation and services. To address and minimize environmental impacts, the building design and associated site improvements were developed to take up as minimal a footprint as possible with the site constraints and city zoning. The population for this housing is one that car ownership is very limited to non-existent and staffing, including support services, demand few parking spaces. Twelve parking spaces were proposed and approved by the planning board.

In order to provide accessibility, parking and emergency access, 3,105 SF of wetland will be permanently impacted and 1,024 SF of wetland will be temporarily impacted to construct a retaining wall. The proposed retaining wall that ranges in height from 2FT to 6 FT has been designed to minimize the wetland impact to the greatest extent practical. Temporary impacts will be restored using salvaged wetland soil, seed with wetland seed mix and supplemented with wetland tolerant shrub plantings.

In regards to the sites position in the Capisic Brook watershed, stormwater measures will be constructed to address quantity and quality in accordance with Chapter 500 standards for urban impaired streams. Impervious surface runoff will be treated using an R-Tank system, two vegetated soil under drain filters on the east and west sides of the building that discharge toward the wetland. In addition, inline roof drain filters will be incorporated into the roof design that will further treat runoff before being discharged. The level of treatment without the roof drain filter system exceeds the minimum Chapter 500 requirements.

Enclosed for review are the following:

- NRPA Permit by Rule Notification Application
- Deed for the property
- Application Fee
- Site Plan Exhibits
- Site Photographs

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

Sincerely

Mitchell & Associates



Robert B. Metcalf, Principal

Maine Licensed Landscape Architect

Enclosure

cc: Greg Payne
Brooks More
Ben Walter

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
NRPA PERMIT BY RULE NOTIFICATION FORM**

(For use with DEP Regulation, Natural Resources Protection Act-Permit by Rule Standards, Chapter 305)

PLEASE TYPE OR PRINT IN **BLACK INK ONLY**

Name of Applicant: (owner)	Avesta Bishop Street LP	Name of Agent:	Bob Metcalf-Mitchell & Associates		
Applicant Mailing Address:	307 Cumberland Avenue	Agent Phone # (include area code):	207-774-4427 rmetcalf@mitchellassociates.biz		
Town/City:	Portland	PROJECT Information Name of Town/City:	Maine		
State and Zip code:	04101	Name of Wetland or Waterbody:	Capisic Brook Watershed		
Daytime Phone # (include area code):	207-553-7777	Map #:	293- C	Lot #:	2&3
Detailed Directions to Site:	From I-95 take exit 48 to Riverside Street, turn right on to Riverside, at the second traffic signal turn right on to Warren Avenue, approximately 1 mile turn right on to Bishop ST, parcel adjacent to Masonic Lodge				
Description of Project:	See attached description				
Part of a larger project? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After the Fact? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Check one → This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).	

NRPA PERMIT BY RULE (PBR) SECTIONS: (Check at least one)

I am filing notice of my intent to carry out work which meets the requirements for Permit By Rule (PBR) under DEP Rules, Chapter 305. I and my agents, if any, **have read** and will comply with all of the standards in the Sections checked below.

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Sec. (2) Act. Adj. to Protected Natural Res. | <input type="checkbox"/> Sec. (10) Stream Crossing | <input type="checkbox"/> Sec. (17) Transfers/Permit Extension |
| <input type="checkbox"/> Sec. (3) Intake Pipes | <input type="checkbox"/> Sec. (11) State Transportation Facil. | <input type="checkbox"/> Sec. (18) Maintenance Dredging |
| <input type="checkbox"/> Sec. (4) Replacement of Structures | <input type="checkbox"/> Sec. (12) Restoration of Natural Areas | <input type="checkbox"/> Sec. (19) Activities in/on/over significant vernal pool habitat |
| <input type="checkbox"/> Sec. (5) REPEALED | <input type="checkbox"/> Sec. (13) F&W Creation/Enhance/Water Quality Improvement | <input type="checkbox"/> Sec. (20) Activities located in/on/over high or moderate value inland water-fowl & wading bird habitat or shore-bird feeding & roosting areas |
| <input type="checkbox"/> Sec. (6) Movement of Rocks or Vegetation | <input type="checkbox"/> Sec. (14) REPEALED | |
| <input type="checkbox"/> Sec. (7) Outfall Pipes | <input type="checkbox"/> Sec. (15) Public Boat Ramps | |
| <input type="checkbox"/> Sec. (8) Shoreline stabilization | <input type="checkbox"/> Sec. (16) Coastal Sand Dune Projects | |
| <input type="checkbox"/> Sec. (9) Utility Crossing | | |

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:

- Attach** a check for the correct fee, payable to: "Treasurer, State of Maine". The current fee for NRPA PBR Notifications can be found at the Department's website: <http://www.maine.gov/dep/feesched.pdf>
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach** Proof of Legal Name if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>). Individuals and municipalities are **not** required to provide any proof of identity.
- Attach** photos of the proposed site where activity will take place as required in PBR Sections checked above.
- Attach** all other required submissions as outlined in the PBR Sections checked above.

I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. I also understand that **this permit is not valid until approved by the Department or 14 days after receipt by the Department, whichever is less.**

By signing this Notification Form, I represent that the project meets all applicability requirements and standards in the rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.

Signature of Agent or Applicant:		Date:	July 30, 2015
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Keep a copy as a record of permit. Send the form with attachments via certified mail or hand deliver to the Maine Dept. of Environmental Protection at the appropriate regional office listed below. The DEP will send a copy to the Town Office as evidence of the DEP's receipt of notification. No further authorization by DEP will be issued after receipt of notice. Permits are valid for two years. **Work carried out in violation of any standard is subject to enforcement action.**

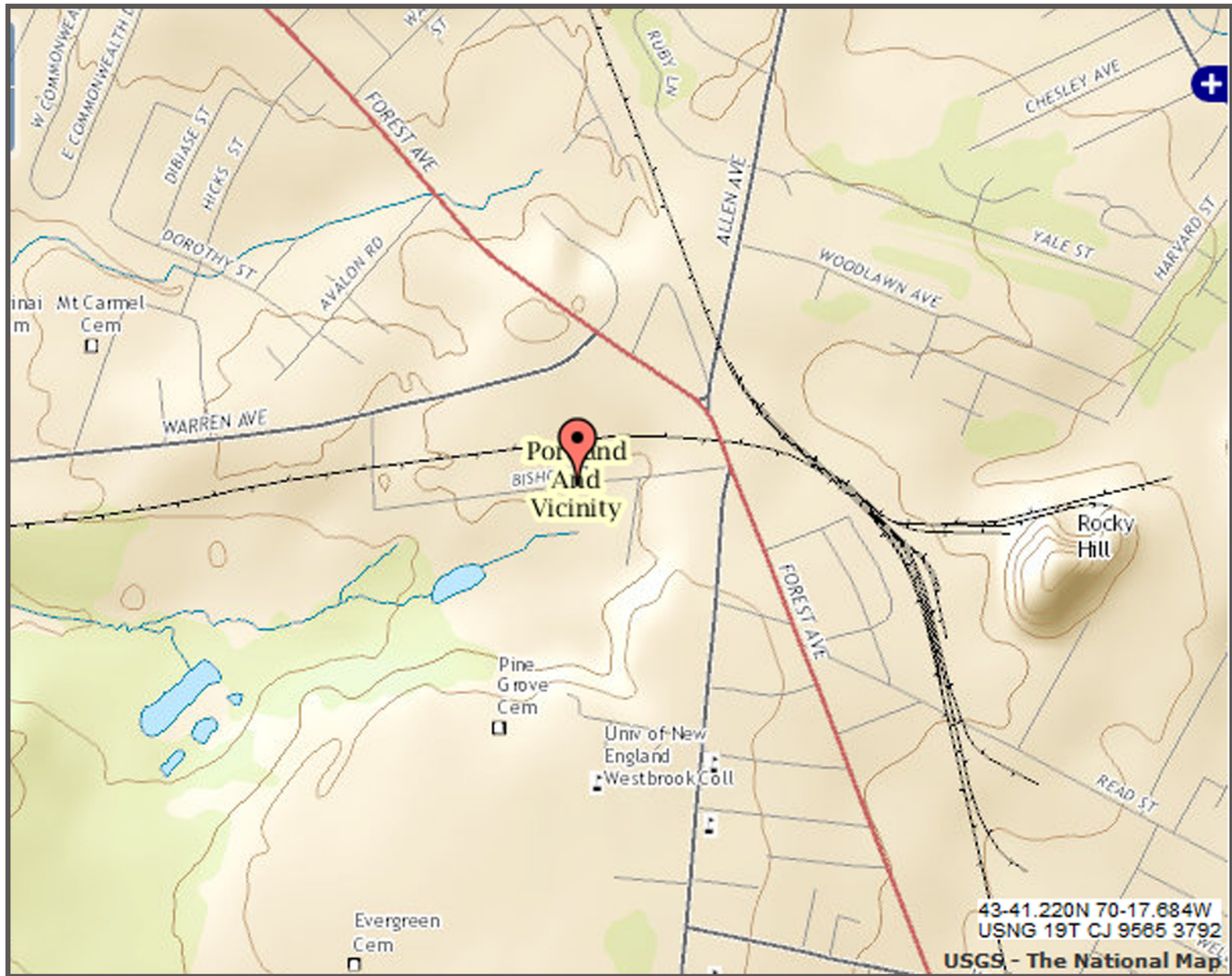
AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901

PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207)822-6300

BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570

PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04769
(207)764-0477

OFFICE USE ONLY	Ck.#	Date	Staff	Staff	After Photos
PBR #	FP		Acc. Date	Def. Date	



43-41.220N 70-17.684W
USNG 19T CJ 9565 3792
USGS - The National Map

**72 Bishop Street
Portland, Maine**

Avesta Bishop Street LP
72 Bishop Street, Portland ME
Date taken: July 2, 2015

Scrub/Shrub



Avesta Bishop Street LP
72 Bishop Street, Portland ME
Date taken: July 2, 2015

Wooded/ Forested



MA Selinger

J. Wesley Wright, Jr. individually and as
Partner of Hed/Way Development

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

October 6, 2014

Personally appeared the above-named William F. Dixon, in his said capacities as aforesaid, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said Hed/Way Development.

Before me,

MA Selinger
~~Notary Public~~/Attorney-at-Law
Print name: **MA SELINGER**

STATE OF MAINE
COUNTY OF CUMBERLAND, SS.

October 6, 2014

Personally appeared the above-named J. Wesley Wright, in his said capacities as aforesaid, and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of said Hed/Way Development.

Before me,

MA Selinger
~~Notary Public~~/Attorney-at-Law
Print name: **MA SELINGER**

O:\MAS\99475 Avesta\Bishop Street\Transfer documents\Quitclaim Deed With Covenant-Short.docx

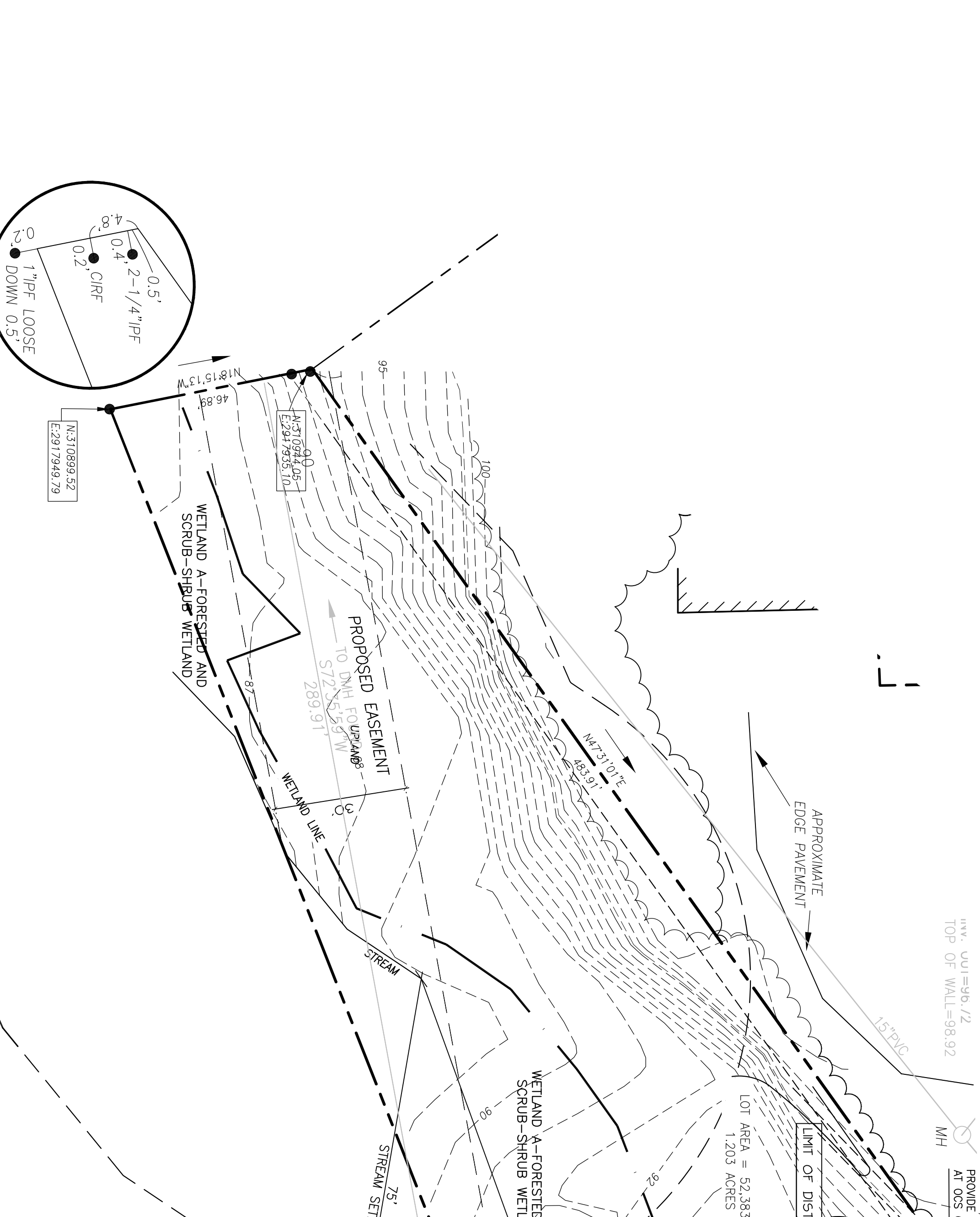
Received
Recorded Register of Deeds
Oct 06, 2014 11:58:25A
Cumberland County
Pamela E. Lovley

GRADING AND DRAINAGE NOTES:

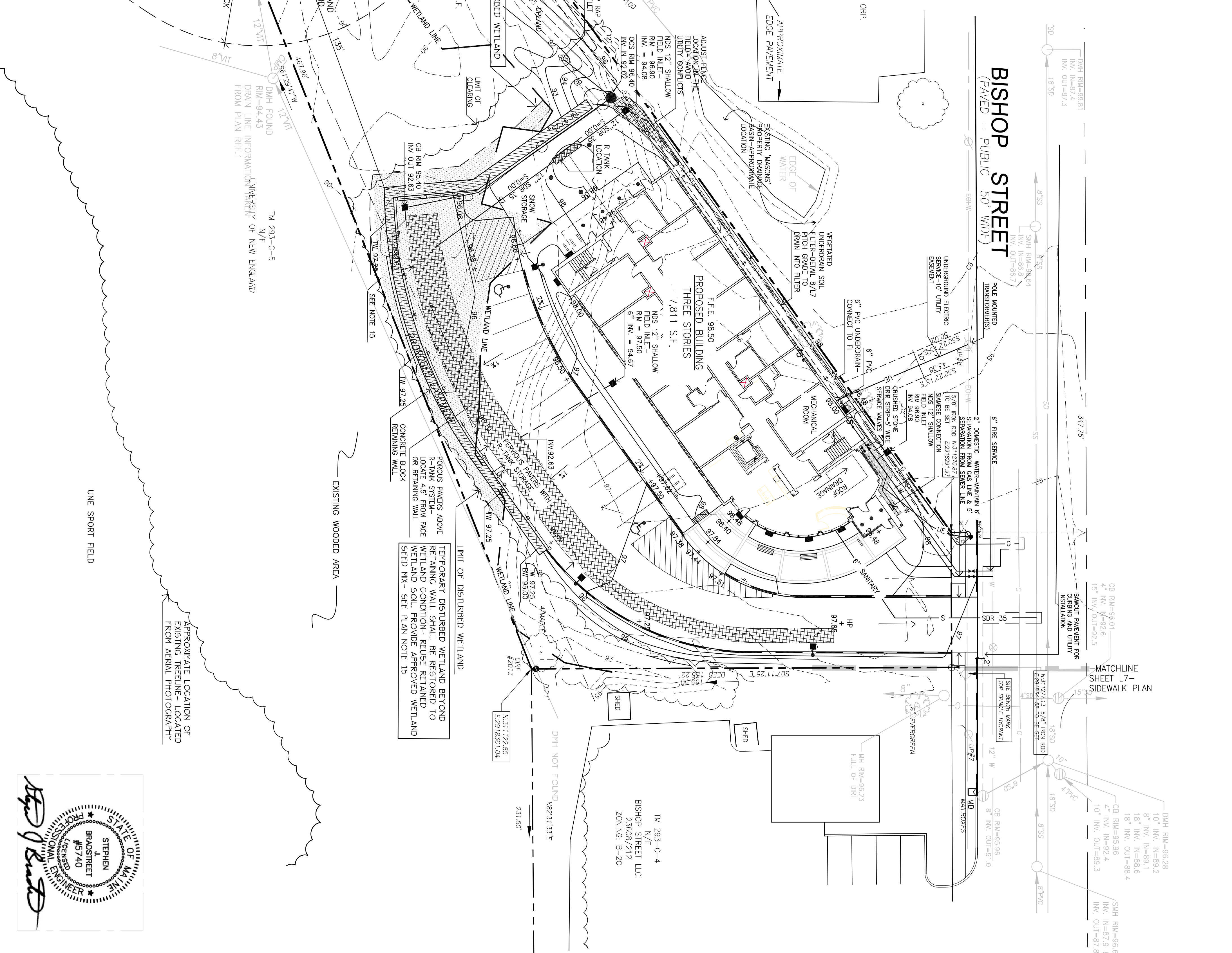
1. UNUSUAL SCALE TERRAIN GRADINGS AND DISCONTINUITIES BETWEEN DRAWINGS, DETAILS, NOTES AND SPECIFICATIONS SHALL BE IMMEDIATELY REPORTED TO THE LANDSCAPE ARCHITECT FOR FURTHER DIRECTION AND RESOLUTION BEFORE ADDITIONAL WORK PROCEEDS.
2. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND GRADES ON THE GROUND. ANY DISCREPANCIES SHALL BE REPORTED IMMEDIATELY TO THE LANDSCAPE ARCHITECT FOR DIRECTION AND RESOLUTION PRIOR TO ANY FURTHER WORK.
3. APPROPRIATE UTILITY COMPANIES PRIOR TO EXCAVATION OF OR INSTALLATION OF ANY PART OF THIS WORK.
4. CONTRACTOR SHALL AVOID ALL AREAS NOT REQUIRING GRADING. CONTRACTOR SHALL NOT DISTURB THESE AREAS.
5. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL DIGSAFE (1-888-344-7233) AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION.
6. CONTRACTOR SHALL CONDUCT TEST PIT EXCAVATION TO CONFIRM LOCATION OF EXISTING UTILITIES WHERE NEW BUILDING SANITARY SERVICE AND WATER SERVICE ARE PROPOSED.
7. WHERE STORM DRAINS OR SEWER MAINS HAVE LESS THAN FOUR (4) FEET OF COVER BETWEEN TOP OF PIPE AND FINISH GRADE, INSULATE PIPE USING TWO (2) INCH THICK STYROFOAM INSULATION BOARD OVER AND ALONG SIDES OF THE PIPE.
8. EXISTING DRAINAGE MANHOLES SHALL BE CORED TO ACCEPT NEW DRAINAGE PIPES AS NOTED.
9. PIPE LENGTH EQUALS THE CENTER TO CENTER DISTANCES BETWEEN CATCH BASINS AND/OR MANHOLES MINUS ONE-HALF OF THE DIAMETER OF EACH CATCH BASIN OR MANHOLE.
10. ALL UTILITIES SHALL BE INSTALLED IN CONFORMANCE WITH INDIVIDUAL UTILITY DISTRICT REQUIREMENTS. CONTRACTOR SHALL COORDINATE INSTALLATION WITH APPROPRIATE UTILITY DISTRICT BEFORE INSTALLATION.
11. ALL WORK WITHIN THE ROAD RIGHT-OF-WAY AND ALL UTILITIES CONNECTING TO INFRASTRUCTURE WITHIN THE ROAD SHALL MEET CITY OF PORTLAND TECHNICAL STANDARDS.
12. DISCONTINUED UTILITY SERVICES INCLUDING WATER, GAS AND SANITARY SEWER SHALL BE PERMANENTLY CAPPED CONFORMING TO UTILITY COMPANY AND CITY OF PORTLAND STANDARDS. CONTRACTOR SHALL COORDINATE WITH PUBLIC SERVICES AND/OR UTILITY COMPANY.
13. THE PROJECT BENCH MARK IS TOP OF HYDRANT SPINDLE AT THE CORNER OF EASTERN PROPERTY LINE AND BISHOP STREET.
14. BMP INSPECTIONS: THE OWNER SHALL HIRE A QUALIFIED POST-CONSTRUCTION STORMWATER INSPECTOR TO ANNUALLY INSPECT THE BMPs, INCLUDING CATCH BASIN DRYWELL, IN-LINE ROOF FILTERS, PIPES AND RELATED STRUCTURES, IN ACCORDANCE WITH ALL MUNICIPAL AND STATE INSPECTION, CLEANING AND MAINTENANCE REQUIREMENTS OF THE APPROVED POST-CONSTRUCTION STORMWATER MANAGEMENT PLAN PER SECTION 32 OF THE CITY OF PORTLAND CODE OF ORDINANCES.
15. WETLAND DISTURBANCE: CONTRACTOR SHALL STOCKPILE WETLAND SOIL IN AMOUNT SUFFICIENT TO RESTORE WETLAND IMPACTS ASSOCIATED WITH CONSTRUCTION OF RETAINING WALL, REPLACE A MINIMUM OF 12 INCHES OF WETLAND SOIL ALONG BASE OF RETAINING WALL TO RESTORE WETLAND CONDITION, SEED DISTURBED AREA WITH SPECIFIED WETLAND SEED MIX OR PLANTINGS- SEE PLAN SHEET L4- PLANNING PLAN.
16. EAVEMENT RESTORATION IN PUBLIC RIGHT OF WAY SHALL CONFORM TO CITY OF PORTLAND TECHNICAL STANDARDS FOR ROADWAY REPAIR.

LEGEND

PROPERTY LINE	EXISTING	PROPOSED
IRON PIPE/MASS NAIL	○ IRP/MP	●
GRANITE MONUMENT	□	■
CATCHBASIN	▣	CB
FIELD INLET	○	FI
HYDRANT	⊙	
UTILITY POLE	⊙	
CONTOUR	--- 50 ---	2.5
SPOT GRADE	+22.26	+72.89
FENCE	—*—*	—*—*
DEC. TREE	⊙	⊙
EVERGREEN TREE	⊙	⊙
LIGHT POLE	⊙	⊙
CURB	—	—
OVERHEAD WIRES	EGHW	—
SOIL BORINGS	⊙	⊙
WATER VALVE	⊙	⊙
GAS VALVE	⊙	⊙
SANITARY SEWER	ES	S
STORM DRAIN	ESD	SD
WATER	EW	W
GAS	EG	G
UNDERGROUND ELECTRIC	UE	UE
VEGETATED SOIL FILTER	VF	VF
TELEPHONE LINE	ET	ET
WETLAND	WETLAND	WETLAND
QUILFT CONTROL STRUCTURE	QCS	QCS
WETLAND IMPACT	WETLAND IMPACT	WETLAND IMPACT



BISHOP STREET
(PAVED - PUBLIC 50' WIDE)



72 BISHOP STREET

Bishop Street Portland, Maine

Prepared For:
Owner:
AMVESTA BISHOP STREET LP
307 Commercial Avenue
Portland, Maine 04101
Tel: 207-553-7777

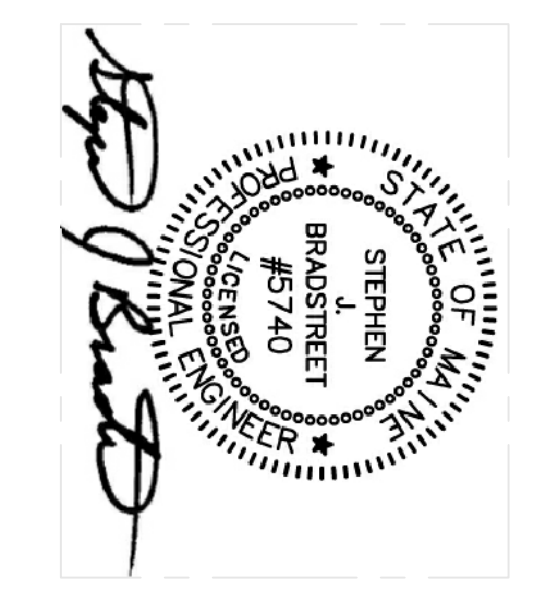
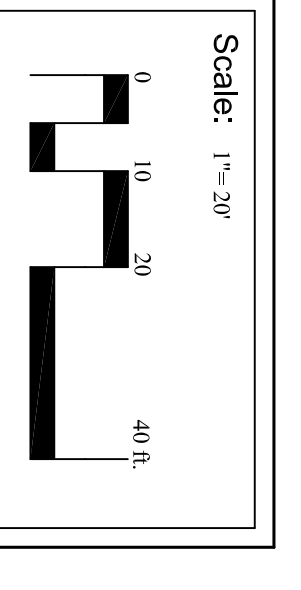
Prepared By:
MITCHELL & ASSOCIATES
Landscape Architects
700 State Street
Portland, Maine 04101
Tel: 207-734-4427

Date:
APRIL 10, 2015

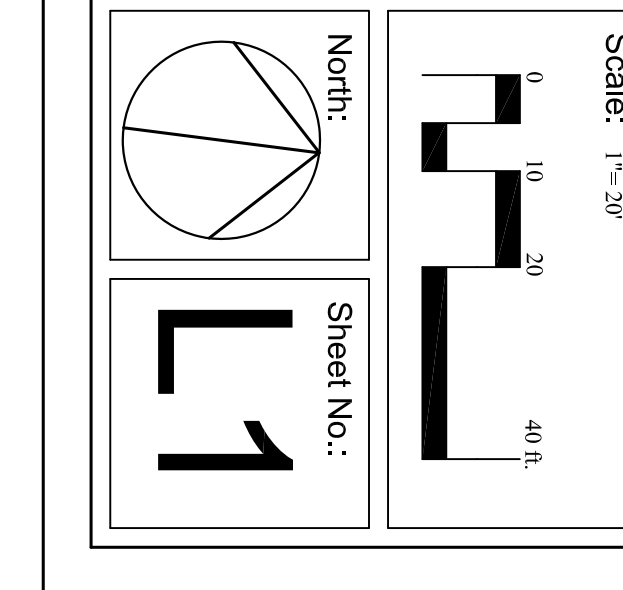
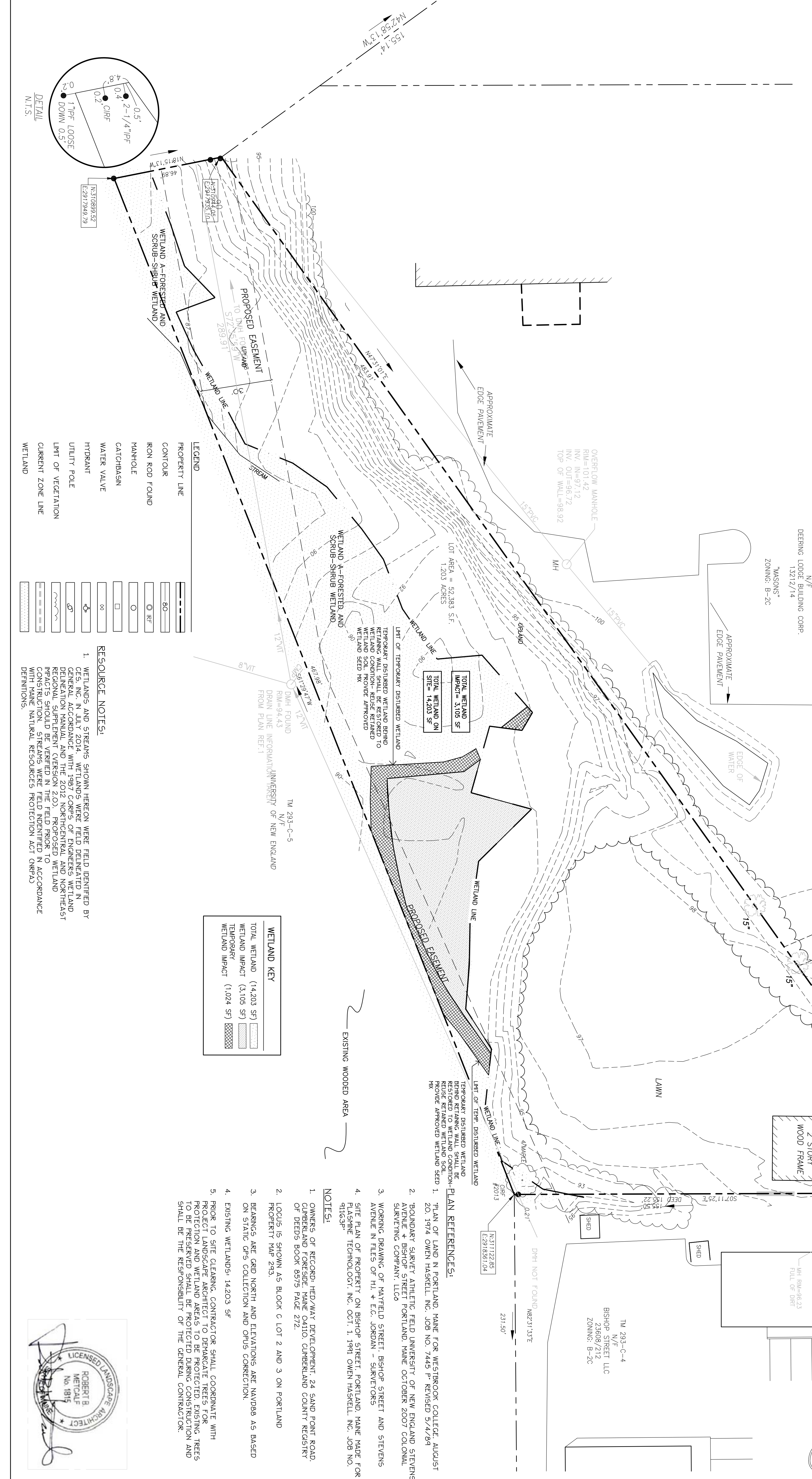
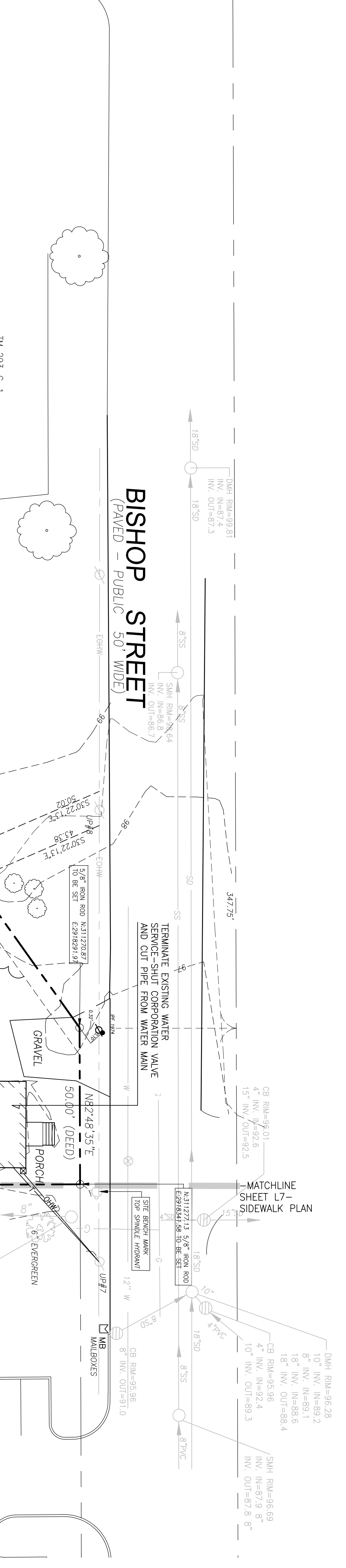
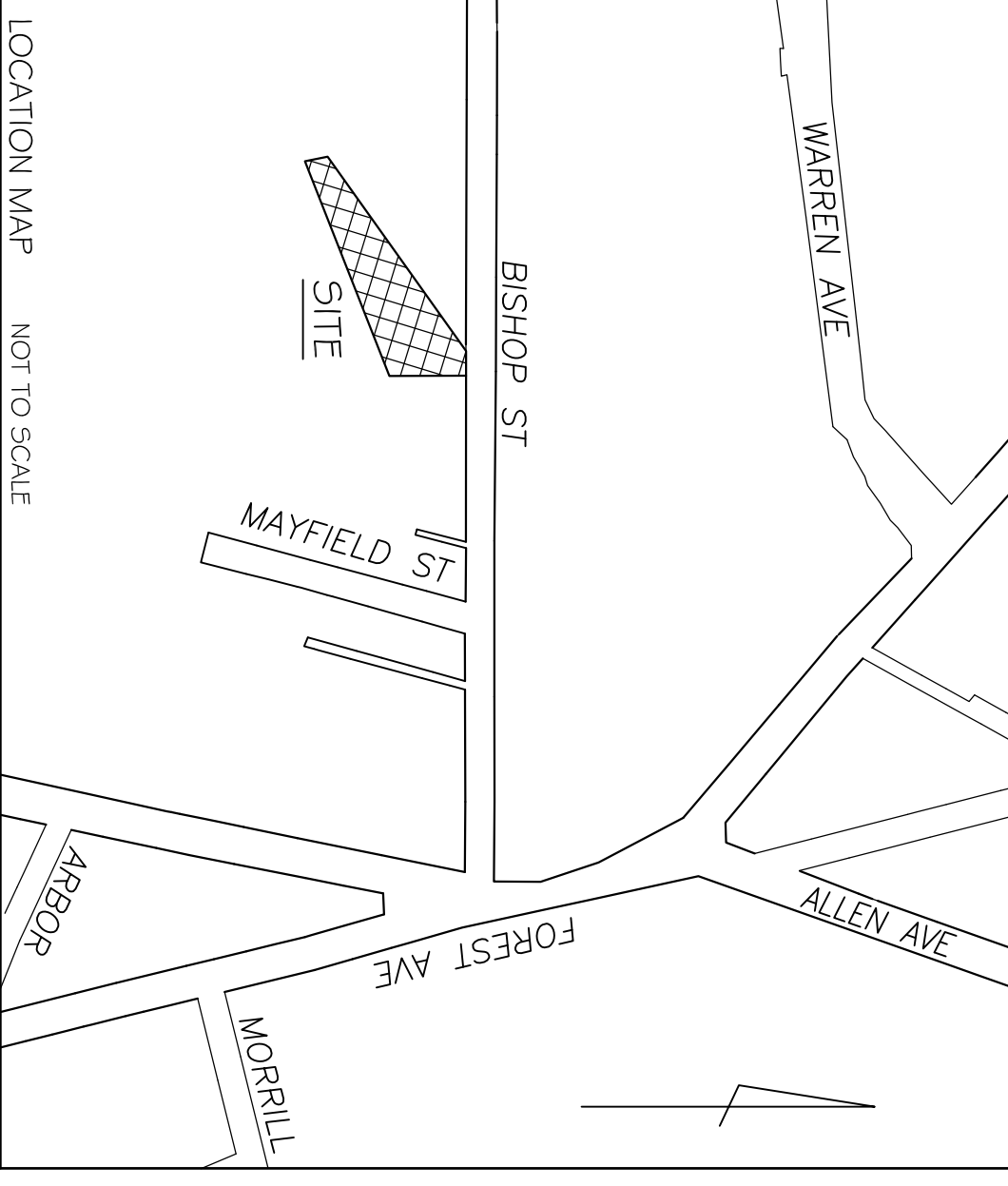
Issued For:
SITE PLAN AND SUBDIVISION
PLAN REVIEW

Revisions:
Rev: 5/22/15
Rev: 6/22/15

Title:
GRADING, DRAINAGE &
UTILITIES PLAN



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LEGEND

Property Line	---
Contour	---
Iron Rod Found	○
Manhole	□
Catchbasin	∞
Water Valve	⊕
Hydrant	⊙
Utility Pole	⊕
Limit of Vegetation	---
Current Zone Line	---
Wetland	---

RESOURCE NOTES:

1. WETLANDS AND STREAMS SHOWN HEREON WERE FIELD IDENTIFIED BY CES, INC. IN JULY 2014. WETLANDS WERE FIELD DELINEATED IN GENERAL ACCORDANCE WITH 4902 CMRS, CHAPTER 100, SUBCHAPTER 100-20, REGIONAL SUPPLEMENT (VERSION 2.0). PROPOSED WETLAND IMPACTS SHOULD BE VERIFIED IN THE FIELD PRIOR TO CONSTRUCTION. STREAMS WERE FIELD IDENTIFIED IN ACCORDANCE WITH MAINE NATURAL RESOURCES PROTECTION ACT (NRPA) DEFINITIONS.

WETLAND KEY

Wetland A-Forested and Scrub-Shrub Wetland	14,203 SF
Wetland Impact	3,105 SF
Temporary Wetland Impact	1,024 SF

- PLAN REFERENCES:**
1. PLAN OF LAND IN PORTLAND, MAINE FOR WESTBROOK COLLEGE, AUGUST 20, 1974 OWEN HASSELL, INC. JOB NO. 7445 P- REVISED 5/4/78
 2. 'BOUNDARY SURVEY ATHLETIC FIELD UNIVERSITY OF NEW ENGLAND STEVENS SURVEYING COMPANY, LLC
 3. WORKING DRAWING OF MAYFIELD STREET, BISHOP STREET AND STEVENS AVENUE IN FILES OF H.L. + E.C. JORDAN - SURVEYORS
 4. SITE PLAN OF PROPERTY ON BISHOP STREET, PORTLAND, MAINE MADE FOR FLASHING TECHNOLOGY, INC. OCT. 1, 1991 OWEN HASSELL, INC. JOB NO. 4163P
- NOTES:**
1. OWNERS OF RECORD: HED/WAY DEVELOPMENT, 24 SAND POINT ROAD, CUMBERLAND FORESIDE, MAINE 04110, CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 85/75 PAGE 272.
 2. LOCUS IS SHOWN AS BLOCK C LOT 2 AND 3 ON PORTLAND PROPERTY MAP 293.
 3. BEARINGS ARE GRID NORTH AND ELEVATIONS ARE NAVD88 AS BASED ON STATIC GPS COLLECTION AND OPUS CORRECTION.
 4. EXISTING WETLANDS: 14,203 SF
 5. PRIOR TO SITE CLEARING, CONTRACTOR SHALL COORDINATE WITH PROJECT LANDSCAPE ARCHITECT TO DEMARCATE 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.

Scale: 1" = 20'

North: [North Arrow]

Sheet No.: 71

Title:
EXISTING
CONDITIONS PLAN

Revisions:

Revised: 5-23-15
Revised: 6-23-15

Date:
APRIL 10, 2015

Issued For:
SITE PLAN AND SUBDIVISION
PLAN REVIEW

72 BISHOP STREET
Portland, Maine

Prepared For:
Owner:
AVESTIA BISHOP STREET LP
307 Cumberland Avenue
Portland, Maine 04101
Tel: 207-553-7777

Prepared By:
MITCHELL & ASSOCIATES
Landscape Architects
The Simeon School
70 Portland Avenue
Portland, Maine 04101
Tel: 207-774-4427