

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK



# CITY OF PORTLAND BUILDING PERMIT

This is to certify that JOHN POMPEO

Located At 208 HICKS ST

Job ID: 2011-06-1475-NEWCOM

CBL: 296- C-014-001

has permission to Build a new 3 unit townhouse, 2 story, 42'x 32' with 3 bulkhead access. No decks or garage provided that the person or persons, firm or corporation accepting this permit shall comply with all of the provisions of the Statues of Maine and of the Ordinances of the City of Portland regulating the construction, maintenance and use of the buildings and structures, and of the application on file in the department.

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

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

\_\_\_\_\_  
Fire Prevention Officer

*[Signature]* 3/19/12  
Code Enforcement Officer / Plan Reviewer

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

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, FAX: (207) 8716

Job No: 2011-06-1475-NEWCOM	Date Applied: 6/17/2011	CBL: 296 - - C - 014 - 001 - - - - -	
Location of Construction: 208 - 212 HICKS ST	Owner Name: John Pompeo	Owner Address: PO BOX 321 Gorham, ME 04038	Phone: 207-776-8130
Business Name:	Contractor Name: Owner	Contractor Address:	Phone:
Lessee/Buyer's Name:	Phone:	Permit Type: BLDG - Building	Zone: R-5
Past Use: Vacant Land	Proposed Use: 2 Build new 2 story three family dwelling - 42' x 32'	Cost of Work: 200000.00	CEO District:
		Fire Dept: <input checked="" type="checkbox"/> Approved w/conditions <input type="checkbox"/> Denied <input type="checkbox"/> N/A	Inspection: Use Group: R-3 Type: 5B IRC 2009 Signature: JMB 3/19/12
Proposed Project Description: new two story 3 family building		Pedestrian Activities District (P.A.D.)	

Permit Taken By:	<b>Zoning Approval</b>		
<p>1. This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules.</p> <p>2. Building Permits do not include plumbing, septic or electrical work.</p> <p>3. Building permits are void if work is not started within six (6) months of the date of issuance. False informatin may invalidate a building permit and stop all work.</p>	<b>Special Zone or Reviews</b> <input type="checkbox"/> Shoreland N/A <input type="checkbox"/> Wetlands N/A <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input checked="" type="checkbox"/> Site Plan 10-99700005 <input checked="" type="checkbox"/> Maj <input type="checkbox"/> Min <input type="checkbox"/> MM Date: OK w/condition 12/6/11 ABM	<b>Zoning Appeal</b> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	<b>Historic Preservation</b> <input checked="" type="checkbox"/> Not in Dist or Landmark <input type="checkbox"/> Does not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date: ABM
	<b>CERTIFICATION</b>		

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the appication is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHON

## BUILDING PERMIT INSPECTION PROCEDURES

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

or email: [buildinginspections@portlandmaine.gov](mailto:buildinginspections@portlandmaine.gov)

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

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

Footings/Setbacks prior to pouring concrete

Foundation/Backfill

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

Certificate of Occupancy Inspection

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

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



# PORTLAND MAINE

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Acting Director of Planning and Urban Development  
Gregory Mitchell

Job ID: 2011-06-1475-NEWCOM

Located At: 208 HICKS ST

CBL: 296- C-014-001

## **Conditions of Approval:**

### **Zoning**

1. 6 This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.
2. This property shall remain a three family dwelling. Any change of use shall require a separate permit application for review and approval.

### **Building**

1. Application approval based upon information provided by applicant, including revisions received 1/12/12. Any deviation from approved plans requires separate review and approval prior to work.
2. All penetrations through rated assemblies must be protected by an approved firestop system installed in accordance with ASTM E 814 or UL 1479, per IRC Sec. R302.4.1.2.
3. Those building new residential dwelling shall install a CO detector in each area within or giving access to bedrooms. That detection must be powered by the electrical service in the building and battery.
4. Hardwired photoelectric interconnected battery backup smoke detectors shall be installed in all bedrooms, protecting the bedrooms, and on every level.
5. Separate permits are required for any electrical, plumbing, sprinkler, fire alarm, HVAC systems, heating appliances, including pellet/wood stoves, commercial hood exhaust systems and fuel tanks. Separate plans may need to be submitted for approval as a part of this process.
6. Ventilation of this space is required per ASHRAE 62.1, 2007 edition.
7. The chosen roof sheathing design, which extends 4' beyond the fire rated walls, in lieu of parapets, shall be submitted to this office for the record.
8. Per IRC Section 302, the fire rated walls shall extend the full length of the wall, tight to the exterior sheathing, and continuous to the underside of the roof sheathing. Penetrations are not allowed except for Electrical installations.
9. NOTE: THE WINDOW NEAREST THE FRONT ENTRY DOORS IS REQUIRED TO BE TEMPERED IF THE NEAREST VERTICAL EDGE OF THE GLAZING IS WITHIN A 24" ARC OF THE DOOR.
10. In dwellings, window sills located more than 72" above the exterior grade shall be a minimum of 24" above the finished floor. Operable sashes shall open less than 4" where the opening is located within 24" of the finished floor. Window fall prevention or opening limiting devices may be required per IRC 2009 section 612.

## **Fire**

1. All construction shall comply with City Code Chapter 10.
2. A sprinkler system shall be installed.
3. All smoke detectors and smoke alarms shall be photoelectric.
4. Hardwired Carbon Monoxide alarms with battery back up are required on each floor.
5. Install a supervised NFPA 13 or 13R automatic sprinkler system.
6. Fire extinguishers are required per NFPA 10.
7. Notification: Two means of egress are required from every story. "MRSA Title 25 § 2453"
8. Installation of a sprinkler or fire alarm system requires a Knox Box to be installed per city ordinance.

## **DRC**

3-15-12

1. See Planning Conditions of Approval.

R.S. 2011 06 1475 6/22/11



# General Building Permit Application

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

dan anders zwimg fair point net

208

Location/Address of Construction: <u>212 Hicks St</u>		
Total Square Footage of Proposed Structure/Area	Square Footage of Lot <u>18045</u>	Number of Stories <u>2</u>
Tax Assessor's Chart, Block & Lot Chart# <u>296</u> Block# <u>C</u> Lot# <u>14, 15, 16</u>	Applicant *must be owner, Lessee or Buyer* Name <u>John Pompeo</u> Address <u>P.O. Box 321</u> City, State & Zip <u>Garhan Me. 04038</u>	Telephone: <u>776-8130</u>
Lessee/DBA (If Applicable)	Owner (if different from Applicant) Name Address City, State & Zip	Cost Of Work: \$ <u>200.00</u> C of O Fee: \$ <u>75.00</u> Total Fee: \$ <u>2075.00</u>
<p>RECEIVED JUN 17 2011 Dept. of Building Inspections City of Portland Maine</p>		
Current legal use (i.e. single family) <u>multi</u>	Number of Residential Units <u>3</u>	
If vacant, what was the previous use? _____		
Proposed Specific use: <u>multi</u>		
Is property part of a subdivision? _____ If yes, please name _____		
Project description: <u>New 3 units construction / gone thru site plan</u>		
Contractor's name: <u>John Pompeo</u>		
Address: <u>P.O. Box 321</u>		
City, State & Zip: <u>Garhan Me. 04038</u>		Telephone: <u>776-8130</u>
Who should we contact when the permit is ready: <u>John Pompeo</u>		Telephone: <u>776-8130</u>
Mailing address: <u>P.O. Box 321 Garhan Me.</u>		Fax <u>929-8013</u>

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

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

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: John Pompeo Date: 6-16-11

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

Applicant: John Pampas

Date: 6/22/11

Address: 208 Hicks St.

C-B-L: 296-C-14, 15, 16

3 unit - 208, 210, 214

permit # 2011-06 -

CHECK-LIST AGAINST ZONING ORDINANCE

Date - new

Zone Location - R-5

Interior or corner lot -

Proposed Use/Work - build 2 story - 3 unit building - 42' x 32'

Sevage Disposal - city

Lot Street Frontage - 50' min - 40' given & scaled (OK)

Front Yard - 20' (or average) min - 40' scaled to front porch (OK)

Rear Yard - 20' min - 90' scaled (OK)

Side Yard - 2 stripes - 12' min - 34' on right (OK)  
- 14' on left (OK)

Projections -

Width of Lot - 60' min - 90' scaled (OK)

Height - 35' max - 24' scaled (OK)

Lot Area - 6,000 sq ft - 180 x 45 ft

Lot Coverage/Impervious Surface - 40% = 7,218 sq ft

Area per Family - 1,000 sq ft for multifamily (OK)

Off-street Parking - 6 spaces required - 6 shown (OK)

Loading Bays - N/A

Site Plan - ~~sub~~ major - 10-99700005

Shoreland Zoning/Stream Protection - N/A

Flood Plains - panel 6 - zone X

42 x 32 = 1,344

front steps - 75 (3)(5x5)

rear steps - 90 (5)(5x11)

back steps - 90 (3)(5x11)

## Jeanie Bourke - 208-212 Hicks Street, Pompeo 3 Unit - BP Issuance

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**From:** Philip DiPierro  
**To:** Code Enforcement & Inspections  
**Date:** 3/15/2012 4:16 PM  
**Subject:** 208-212 Hicks Street, Pompeo 3 Unit - BP Issuance

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Hi all, this project, site plan #10-99700005, the 3 unit multiplex project at 208-212 Hicks Street being built by John Pompeo, meets minimum DRC site plan requirements for the issuance of the building permit.

The PG has been accepted, site inspection fees paid, and preconstruction meeting held.

Feel free to contact me with any questions. Thanks.

Phil

Philip DiPierro  
Development Review Coordinator  
City of Portland Planning Division  
389 Congress Street  
Portland, Maine 04101

Phone 207 874-8632  
Fax 207 756-8258



STATUTORY WARRANTY DEED

W.A. ONE, a Maine Corporation with a principal place of business in Portland, in the County of Cumberland and State of Maine, whose mailing address of P.O. Box 10127, Portland, Maine 04104

For Consideration Paid, GRANT with WARRANTY COVENANTS TO:

JOHN M. POMPEO, whose mailing address is P.O. Box 321, Gorham, Maine 04038

MAINE REAL ESTATE TAX PAID

A certain lot or parcel of land with any improvements thereon situated on the easterly side of Hicks Street in the City of Portland, County of Cumberland and State of Maine, and being depicted as Parcel 2A (more specifically designated as "Parcel 2A per plan ref. 5") on a plan entitled "Plan of Subdivision at 208-212 Hicks Street" made for Diversified Properties by Titcomb Associates dated September 15, 2010, approved by the City of Portland Planning Board and recorded at the Cumberland County Registry of Deeds in Plan Book 211, Page 76 ("the Plan"), containing 18,046 square feet.

Together with a proportionate interest in common in the fee, insofar as the Grantor has the right to convey, in all streets and ways shown on said Plan, including Plan of Frost Villa Sites dated August 15, 1919 and recorded at said Registry of Deeds in Plan Book 14, Page 25, in common with the other owners of said lots, and subject to the right of all of said lot owners to make any customary use of said streets and ways.

Being a portion of the premises conveyed to Grantor herein by deed from Mount Sinai Cemetery Association, Inc. dated September 24, 2009 and recorded at the Cumberland County Registry of Deeds in Book 27311, Page 172.

As part consideration of this conveyance, Grantee covenants and agrees that this conveyance is together with and subject to the rights of Parcel 1A and Parcel 2A as depicted on said Plan recorded in Plan Book 209, Page 399 to install and maintain drainage and utility easements for the benefit of said Parcels 1A and 2A.

The first easement area is depicted between Parcels 1A and 2A and is a twenty (20) foot easement area extending from the northerly sideline of Parcel 1A along the westerly boundary 1A in a southerly direction and extending into Parcel 2A, all as shown on said

Plan recorded in Plan Book 209, Page 399. The owner of Parcel 1A shall cooperate with the owner of Parcel 2A for said purposes including access for personnel and equipment on Parcel 1A to construct, install and maintain said easement area for drainage and utility purposes. This easement right is not exclusive to Parcel 1A, and said right shall be exercised in common with the same rights which are reserved to Parcel 2A. Said easements being further described on the Plan.

The second easement area is depicted as ten (10) foot easement area between Parcel 1A and Parcel 2A on the Plan. The owner of Parcel 1A shall cooperate with the owner of Parcel 2A for including access for personnel and equipment to construct, install and maintain said easement area for drainage purposes.

This conveyance is subject to Notes 1 through 16 set forth on the Plan recorded at said Registry of Deeds.

The premises herein are further conveyed together with and subject to the following:

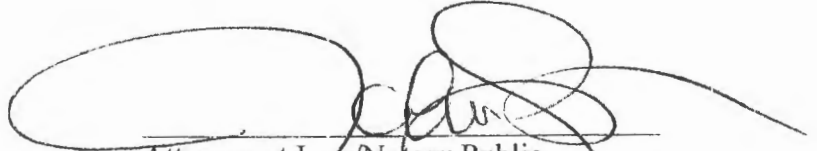
1. Those matters shown on a certain plan entitled Frost Villa Sites, Portland, Cumberland Co., Maine owned by Everett C. Wells, formerly owned by Arthur C. Frost, dated August 15, 1919 and prepared by Ernest W. Branch, C.E. and recorded in the Cumberland County Registry of Deeds in Plan Book 14, Page 25.
2. Those matters shown on a certain plan entitled Plan of Standard Boundary Survey, Hicks Street, Portland, Maine made for Diversified Properties dated June 29, 2009, revised through October 20, 2009, prepared by Titcomb Associates and recorded in the Cumberland County Registry of Deeds in Plan Book 209, Page 399.
3. Appurtenant drainage easement rights and obligations described and created in a warranty deed from W.A. One to John M. Pompeo dated December 3, 2009 and recorded in the Cumberland County Registry of Deeds in Book 27445, Page 65.
4. Appurtenant drainage easement rights described and created in an easement deed from Scott A. Baker and Karen M. Baker to W.A. One and John M. Pompeo dated March 17, 2010 and recorded in the Cumberland County Registry of Deeds in Book 27658, Page 259.
5. The within conveyed property is served by a bio-retention cell in the location described and depicted on the Plan. The Grantee is the owner of said bio-retention cell, must ensure its continued operation and is responsible for its maintenance, replacement and repair. The City of

STATE OF MAINE  
CUMBERLAND, SS.

MARCH 16, 2011

Then personally appeared the above-named JAMES M. WOLF, President of W.A. ONE as aforesaid and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,



Attorney at Law/Notary Public

Print Name: JOHN W. SAWYER

My Commission Expires:

MAINE BAR 2806

157 MAIN STREET  
GORHAM, MAINE 04038  
P.O. BOX 58  
(207) 839-6771

Received  
Recorded Register of Deeds  
Mar 18, 2011 03:23:41P  
Cumberland County  
Pamela E. Lovley

**SAWYER, SAWYER & MINOTT, P.A.**  
157 MAIN STREET  
P.O. BOX 58  
GORHAM, MAINE 04038  
(207) 839-6771

City of Portland  
 Development Review Application  
 Planning Division Transmittal form

rec'd 10/20/10

**Application Number:** 10-99700005      **Application Date:** (Minor) Revisions  
 8-11-10      rec'd 10.18.2010

**Project Name:** 7 LOT SUBDIVISION

**Address:** 208 Hicks St      **CBL:** 296 - C-014-001

**Project Description:** Hicks Street - 212; 7 Lot Subdivision;  
 Diversified Properties, Applicant.

**Zoning:** R5

**Review Type:** MAJOR SITE PLAN WITH SUBDIVISION

**Applicant:**  
 Diversified Properties, Inc.  
 PO Box 10127  
 Portland Me 04104

**Applicant:**  
 Gorrill Palmer Engineers  
 PO Box 1237, 15 Shaker Road  
 Gray Me 04039

**Distribution List: (distributed 10.6.2010 ; mixed size plans as agreed with JF)**

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

**Final minor design changes to address review comments were circulated by /email pdf on 10.18.2010 and these are scaled copies as needed for reviewers to complete final reviews - COMMENTS NEEDED THURS 10.21.2010 LATES FOR HEARING REPORT**

Thanks  
 Jean

# CITY OF PORTLAND, MAINE

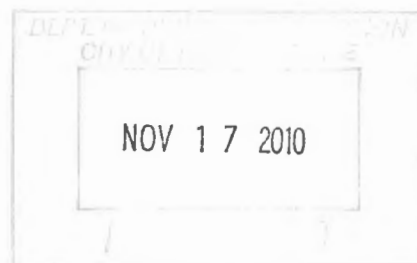
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## PLANNING BOARD

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

November 9, 2010

James M. Wolf  
Diversified Properties, Inc.  
Post Office Box 10127  
Portland, Maine 04104



**Project Name:** Hicks Street Subdivision  
2 lots plus 3 unit multiplex  
**Project ID:** 10-99700005  
**Project Address:** 208-212 Hicks Street, Portland  
CBL: 296 - C-014-001  
**Planner:** Jean Fraser

Dear Mr Wolf:

On October 26, 2010, the Portland Planning Board considered a proposal to subdivide a 25,246 sq ft parcel on Hicks Street into two (2) lots and to build a two story three-unit multiplex residence on the newly created lot. The duplex on the first lot was approved administratively on October 15, 2009 prior to the subdivision of the lot.

The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 6 to 0 (Lewis absent) to approve the application with the following motions and conditions as presented below.

### SUBDIVISION REVIEW

The Planning Board voted 6-0 (Lewis absent) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following four (4) conditions of approval:

- i. That the Subdivision Plat shall be finalized to the satisfaction of the Corporation Counsel and shall include detailed references to approval dates, easements, and relevant conditions; and
- ii. That the applicant must comply with the conditions of Chapter 32 Stormwater including Article III, Post-Construction Stormwater Management, which specifies the annual inspections and reporting requirements. The developer /contractor /subcontractor must

comply with conditions of the construction stormwater management plan and sediment & erosion control plan based on City standards and state guidelines, and shall work with staff to develop and install suitable permanent monumentation to mark the boundaries of the bio-retention cell to discourage encroachment. A maintenance agreement for the stormwater drainage system (including bio retention cell) as included in Attachment 6 of Report #42-10, or in substantially the same form with any changes to be approved by Corporation Counsel, shall be submitted and signed prior to the issuance of a certificate of occupancy; and

- iii. That the 'tree save' area shall be marked and measures taken to protect root zones prior to site clearance; these to be reviewed by the City Arborist prior to any work (including site clearance) on the site; and
- iv. That the applicant shall include in the individual lot deed(s) a detailed description of the location of bio-cell and stormwater systems, swale protection, and tree-saves and associated requirements and restrictions.

#### **SITE PLAN REVIEW**

The Planning Board voted 6-0 (Lewis absent) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following three (3) conditions of approval:

- i. That the ground conditions in the location of the proposed row of arborvitae along the parking aisle shall be reviewed with the City Arborist prior to the purchase of planting to ensure the arborvitae will grow in the site conditions and to determine if other plant types are needed; and
- ii. That in the event that one or more of these units are intended to be sold off as condominiums, the conversion shall meet the City's Ordinance (currently 14-565 to 14-571), and that condominium documents (clarifying responsibilities for maintenance of the sewer lateral, stormwater drainage system, landscaping and common areas) shall be submitted for review and approval by the Planning Authority prior to the sale of the first unit; and
- iii. The applicant is advised to use the current details for Local Street repair, curbing installation, pipe trench, bituminous sidewalk and any other related details when working within the road right of way. These details may be obtained from: <http://www.portlandmaine.gov/planning/sections/section1.pdf>

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report #42-10 for application 10-99700005 which is attached. The standard conditions of approval are listed below.

## Standard Conditions of Approval

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

1. A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a building permit.
2. The site shall be developed and maintained as depicted in the site plan and the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the planning authority pursuant to the terms of the Site Plan Ordinance of Portland's Land Use Code.
3. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
4. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. prior to the release of the subdivision plat for recording at the Registry of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans.
5. 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.
6. The subdivision approval is valid for three (3) years.
7. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.
8. Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.
9. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
10. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
11. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

Philip DiPierro, Development Review Coordinator, must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at 874-8632.

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

If you have any questions, please contact Jean Fraser at 874 8728 or [jfr@portlandmaine.gov](mailto:jfr@portlandmaine.gov).

Sincerely,



Bill Hall, Chair  
Portland Planning Board

**Attachments:**

1. Planning Board Report #42-10
2. Performance Guarantee Packet

**Electronic Distribution:**

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





# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life* [www.portlandmaine.gov](http://www.portlandmaine.gov)

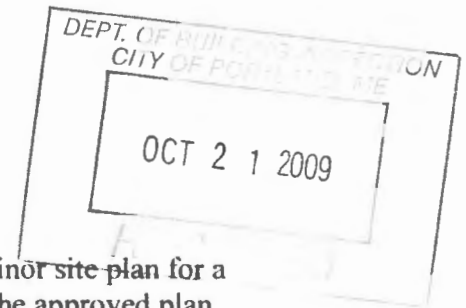
Planning & Urban Development Department  
Penny St. Louis Littell, Director

**OCTOBER 15, 2009**

**Project Name:** Hicks Street-204; 28x32 Duplex Construction; Diversified Properties, Applicant  
**Project ID:** 09-79900007  
**Project Address:** 204 HICKS STREET  
**Planner:** Shukria Wiar

Dear Applicant:

On October 15, 2009, the Portland Planning Authority approved a minor site plan for a duplex at 204 Hicks Street as submitted by Jim Wolf and shown on the approved plan prepared by Gorrill-Palmer Consulting Engineers, Inc. and dated 10.02.2009 with the following conditions:



1. If icing of the Hicks Street sidewalk occurs due to the drainage from the proposed foundation drain as determined by the Department of Public Services, the applicant shall submit an amended plan for review and approval by the Planning Authority and the Department of Public Services. The plan shall mitigate the drainage problem by means of a drywell or other acceptable measures and connect the foundation drain into the existing storm drain system within Hicks Street. The estimated cost of potential mitigation measures shall be included within the performance guarantee for the project and shall be held for one year after issuance of a certificate of occupancy.
2. Construction of any other dwelling unit on the remaining lot (Parcel 2A) shall undergo a subdivision review by the City.
3. The applicant shall submit copies of the casements with the book and page number as shown on the revised plan dated 10.02.2009 prior to the issuance of certificate of occupancy.

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.

8. 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 Shukria Wiar at 756-8083 or [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Sincerely,



Alexander Jaegerman  
Planning Division Director

**Attachments:**

1. Performance Guarantee Packet

**Electronic Distribution:**

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

**Zoning Administrator Marge Schmuckal**  
September 17, 2010

10-99700005  
Huck St Subd.

These affected lots are located in an R-5 Zone which allows single families, two families and multiplexes. The minimum lot size for the R-5 Zone is 6,000 sq ft. The area per dwelling unit rises to 6,000 sq ft per dwelling unit. The lot on which the 3 unit multiplex is located shows 18,045 sq ft compared to the minimum 18,000 sq ft required. Parcel 2A is meeting the minimum lot size. Parcel 1A shows 7,200 sq ft compared to the minimum 6,000 sq ft for the existing use. Parcel 1A is meeting the minimum lot size.

The plans go on to show that both lots are meeting the minimum dimensional standards for setbacks and the applicable lot width for both. Parcel 2A has a lot width of 90' which is the minimum lot width for a multiplex. Parcel 2A is also showing that the required 6 parking spaces will be provided as required.

Based upon the submitted plans, all the R-5 Zoning standards are being met.

It is understood that this analysis is not permission to build. Separate building permits shall be required for review and approvals after the site plan review process is completed.

October 22, 2010

The latest plans show no significant changes to Zoning. As stated previously, all the R-5 Zoning standards are being met or can be met when building permits are applied for,



*Gorrill-Palmer  
Consulting  
Engineers, Inc.*



**City of Portland, Maine  
Hicks Street Subdivision &  
Site Plan Application**

Prepared For:  
**Diversified Properties, Inc.**  
**August 2010**

**Traffic Engineering**

- Impact Studies
- Corridor Studies
- Parking Studies
- Pedestrian Studies
- Roadway Design
- Peer Review
- Traffic Calming

**Civil Engineering**

- Site Plan Design
- Stormwater Management
- Erosion Control
- Utility Design
- Permitting
- Feasibility Studies

15 Shaker Rd.  
PO Box 1237  
Gray, ME 04039  
207-657-6910



August 3, 2010

Ms. Barbara Barhydt, Development Review Services Manager  
Department of Planning and Development  
Portland City Hall  
389 Congress Street  
Portland, ME 04101-2503

Subject: Subdivision and Site Plan Submission  
Hicks Street, Portland, Maine

Dear Barbara,

Enclosed please find a complete subdivision and site plan application and supporting information for a property located on Hicks Street in Portland, Maine. Gorrill-Palmer Consulting Engineers, Inc. has been retained by Diversified Properties, Inc. to prepare plans and permit application for the proposed subdivision and site plan application.

The site is located on the City of Portland's Tax Map 296-C-12 through 16. This parcel was previously divided into two lots. The recorded survey for this division is included within this package and is depicted as Lots 1A and 2A. A duplex has been constructed on Lot 1A. At this time, Diversified Properties, Inc. is proposing the construction of a three unit multiplex on Lot 2A. Based upon discussions with City staff, the previous division of land and the proposal of the three unit building, will require a subdivision approval of five units.

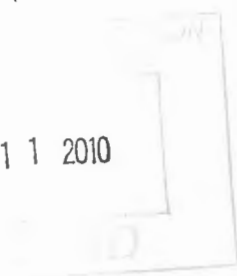
Based upon the fact that the lot was divided previously the following discussion in this letter discusses the development of the three unit multiplex proposed on Lot 2A. Lot 2A is currently owned by W.A. One, Inc. The lot area is approximately 0.41 acres of land. The property is undeveloped. A list of abutters for the project is included in Attachment 4. The site has requested the ability to be served with public water, sewer and electricity. Work is planned to start in the fall of 2010.

This application package describes the applicant's plans to develop the above-referenced parcel. We look forward to discussing this project with you during your review.

- Attachment 1: Subdivision Review Application
- Attachment 2: Location Map
- Attachment 3: Title, Right & Interest
- Attachment 4: Abutters List
- Attachment 5: Financial Letter
- Attachment 6: Ability to Serve
- Attachment 7: FEMA Flood Map
- Attachment 8: Soils Map
- Attachment 9: Stormwater
- Attachment 10: Building Plan
- Full and reduced plan sets.

8/11/10

AUG 11 2010



*Ms. Barbara Barhydt  
August 3, 2010  
Page 2 of 4*

### **Site Description**

The site is located on Hicks Street, approximately 300 feet from Warren Avenue. The property is abutted by a single family residence on the right and on the left by a duplex currently under construction. The rear of the property is abutted by a portion of the Kennebec Rentals parking lot. Mount Sinai Cemetery is on the opposite side of Hick Street from the lot. Currently, the topography slopes from rear to front, ranging in elevation from 91 to 85 at the roadway. The lot is partially wooded and partially lawn.

Hicks Street is a city accepted road with granite curbing and overhead power. Sidewalks do not exist along the frontage of the lot. The proposed driveway is located approximately 80 feet from the duplex to the left of the site and approximately 70 from the driveway of the residence to the right.

### **Proposed Use**

This proposal includes the construction of a three unit attached residential dwelling units. The building will be 42 x 32 feet or 1,344 s.f. Each unit will be two stories and two bedrooms with a total square footage of 896. Building plans are included with this package.

Based upon preliminary discussions with City Staff, the building has been located toward the front of the lot. 6 parking spaces to serve the units have been located to the rear of the site with an access drive to the parking lot. It is noted on the plans that during construction the City Arborist will be contacted to coordinate proposed street tree locations, as well as potential existing trees to remain.

A stormwater treatment feature in the form of a rain garden has been included in front of the proposed building to treat the stormwater runoff associated with the construction of this building. The design details and narrative for the rain garden are described further in this package.

A five foot paved sidewalk with a four esplanade has been included in the design of this lot.

### **Zoning**

The location of the site is in zoning district R-5. Residential homes are a permitted use within this zone, space and bulk requirements for this zone are provided on the plans.

### **Title Right & Interest**

The quitclaim deed for the property recorded in Book 27311, Page 172 is included in attachment 3 as well as a letter from W.A. One Inc., owner of the land, granting Diversified Properties permission to seek subdivision approval.

### **Financial Capacity**

A letter of financial capacity from TD Banknorth has been included in Attachment 5 which indicates the applicant's ability to undertake this project.

*Ms. Barbara Barhydt  
August 3, 2010  
Page 3 of 4*

### **Utilities**

Lots will have water service from the Portland Water District and City sewer via connection to the existing utilities in Hicks Street. A hydrant is located within 300 feet of the site at the intersection of Hick Street and Warren Avenue. Central Maine Power will serve the sites, via over head service. Ability to serve letters have been sent to the appropriate utilities. Responses are included in Attachment 6. Where a response hasn't been received, the original letter is attached. Responses will be forwarded upon receipt.

### **Flood Plain Mapping**

Included in this package is a FEMA insurance rate map showing the property to not be in any Flood Zone. The FEMA map is included in Attachment 7.

### **Soils**

Soils types for the site were determined using the SCS Medium Intensity Soils Map for Cumberland County. The map designates the onsite soil as Buxton silt loam. A map showing the existing soil conditions has been included in Attachment 8.

### **Stormwater**

Currently, the project site is partially wooded and partially lawn. The entire site is tributary to the roadside ditch along the frontage of the site. The ditch flows in a northerly direction to a recently constructed culvert, then ultimately to the existing municipal storm drain system.

Based upon the City Ordinance, a rain garden has been designed to treat the runoff from the proposed development for water quality. The proposed design meets the Basic, General and Flooding Standards, as required by Chapter 500 requirements of the Maine Department of Environmental Protection. Additional information on the design is included within this package.

### **Erosion Control**

The plans provide Erosion and Sedimentation measures in accordance with the Maine Erosion and Sedimentation Control BMP's. We do not anticipate that the project will require a Maine Construction General Permit or SWPPP because the disturbed area for the subdivision will be less than 1 acre.

### **Waste Disposal**

Solid waste disposal will be carried out through city trash collection.

### **Wetlands**

*Ms. Barbara Barhydt  
August 3, 2010  
Page 4 of 4*

The site was reviewed by Sweet Associates of Falmouth, Maine. Wetlands are not located onsite.

**Conclusion**

As proposed, the development will provide additional residential opportunities within the city. Gorrill-Palmer Consulting Engineers, Inc. and the applicant look forward to discussing this project with the Planning Department. Please contact us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Alton M. Palmer, PE  
Senior Vice President

Copy: Jim Wolf, Diversified Properties





Development Review Application  
PORTLAND, MAINE

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

PROJECT NAME: Hicks Street - Three (3) Unit Multiplex

PROPOSED DEVELOPMENT ADDRESS:

212 Hicks Street

PROJECT DESCRIPTION:

Construction of three (3) attached residential units.

CHART/BLOCK/LOT: 296/C/12-16

CONTACT INFORMATION:

APPLICANT

Name: Diversified Properties, Inc.

Address: P.O. Box 10127

Portland, ME

Zip Code: 04104

Work #: 207-773-4988

Cell #: 207-831-4988

Fax #: 207-773-6875

Home: N/A

E-mail: JMW1@maine.rr.com

PROPERTY OWNER

Name: W.A. One, Inc.

Address: \_\_\_\_\_

Zip Code: \_\_\_\_\_

Work #: \_\_\_\_\_

Cell #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Home: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Same As  
Applicant**

BILLING ADDRESS

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Zip: \_\_\_\_\_

Work #: \_\_\_\_\_

Cell #: \_\_\_\_\_

Fax #: \_\_\_\_\_

Home: \_\_\_\_\_

E-mail: \_\_\_\_\_

**Same As  
Applicant**

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

AGENT/REPRESENTATIVE

Name: Gorrill-Palmer Consulting Engineers, Inc.  
Address: P.O. Box 1237, 15 Shaker Road  
Gray, ME  
Zip Code: 04039  
Work #: 207-657-6910  
Cell #: N/A  
Fax #: 207-657-6912  
Home: N/A  
E-mail: apalmer@gorrillpalmer.com

ENGINEER

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Zip Code: Same As  
Agent  
Work #: \_\_\_\_\_  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: \_\_\_\_\_

ARCHITECT

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_  
Work #: N/A  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: \_\_\_\_\_

CONSULTANT

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_  
Work #: N/A  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: \_\_\_\_\_

SURVEYOR

Name: Titcomb Associates  
Address: 133 Gray Road  
Falmouth, ME  
Zip Code: 04105  
Work #: 207-791-9199  
Cell #: N/A  
Fax #: N/A  
Home: N/A  
E-mail: N/A

ATTORNEY

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_  
Work #: N/A  
Cell #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
Home: \_\_\_\_\_  
E-mail: \_\_\_\_\_

# PROJECT DATA

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

Total Site Area	18,045	sq. ft.
Proposed Total Disturbed Area of the Site	8,716	sq. ft.

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

**IMPERVIOUS SURFACE AREA**

Proposed Total Paved Area	4,240	sq. ft.
Existing Total Impervious Area	0	sq. ft.
Proposed Total Impervious Area	5,584	sq. ft.
Proposed Impervious Net Change	+5,584	sq. ft.

**BUILDING AREA**

Existing Building Footprint	0	sq. ft.
Proposed Building Footprint	1,344	sq. ft.
Proposed Building Footprint Net change	+1,344	sq. ft.
Existing Total Building Floor Area	0	sq. ft.
Proposed Total Building Floor Area	2,688	sq. ft.
Proposed Building Floor Area Net Change	+2,688	sq. ft.
New Building	Yes	(yes or no)

**ZONING**

Existing	R-5
Proposed, if applicable	N/A

**LAND USE**

Existing	Vacant
Proposed	Residential

**RESIDENTIAL, IF APPLICABLE**

Proposed Number of Affordable Housing Units	0
Proposed Number of Residential Units to be Demolished	0
Existing Number of Residential Units	0
Proposed Number of Residential Units	3
Subdivision, Proposed Number of Lots	2

**PARKING SPACES**

Existing Number of Parking Spaces	0
Proposed Number of Parking Spaces	6
Number of Handicapped Parking Spaces	0
Proposed Total Parking Spaces	6

**BICYCLE PARKING SPACES**

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

**ESTIMATED COST OF PROJECT**

\$210,000

**Please check all reviews that apply to the proposed development**

Design Review	X	Stormwater Quality	_____
Flood Plain Review	_____	Traffic Movement	_____
Historic Preservation	_____	Zoning Variance	_____
Housing Replacement	_____	Historic District/Landmark	_____
14-403 Street Review	_____	Off Site Parking	_____
Shoreland	_____	Multi-Family Dwelling	X
Site Location Act Local Review	_____	B-3 Pedestrian Activity Review	_____
Single Family Dwelling	_____	Change of Use	_____
2 Family Dwelling	_____		

**APPLICATION FEE:**

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

<p><b>Major Development (more than 10,000 sq. ft.)</b></p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p><b>Plan Amendments</b></p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p><b>Subdivision</b></p> <p><input checked="" type="checkbox"/> Subdivision (\$500.00) + amount of lots <u>2</u> (\$25.00 per lot) \$ <u>50</u> + (applicable Major site plan fee)</p>
<p><b>Minor Site Plan Review</b></p> <p><input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p><b>Other Reviews</b></p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____)</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00)</p> <p><input type="checkbox"/> Storm water Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other _____</p>

**DEVELOPMENT REVIEW APPLICATION SUBMISSION**

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

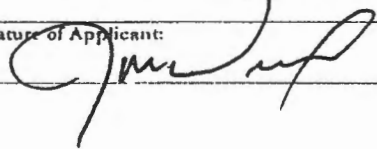
1. Seven (7) full size site plans that must be folded.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All Written Submittals (Sec. 14-525.2 (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

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

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

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

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

<p>Signature of Applicant: </p>	<p>Date: <u>8-4-2010</u></p>
--	------------------------------

# Site Plan Checklist

Portland, Maine

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

212 Hicks Street

**Project Name, Address of Project**

**Application Number**

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

Check Submitted		Required Information	Section 14-525 (b,c)
Applicant	Staff		
✓		Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	f
✓		Name and address of applicant and name of proposed development:	a
✓		• Scale and north points	b
✓		• Boundaries of the site	c
✓		• Total land area of site	d
✓		• Topography - existing and proposed (2 feet intervals or less	e
✓		Plans based on the boundary survey including:	2
✓		• Existing soil conditions	a
✓		• Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
✓		• Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
✓		• Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example, page 11 of packet)	d
✓		• Location of on-site waste receptacles	e
✓		• Public utilities	
✓		• Water and sewer mains	e
✓		• Culverts, drains, existing and proposed, showing size and directions of flows	e
✓		• Location and dimensions, and ownership of easements, public or private rights of way, both existing and proposed	f
✓		• Location and dimensions of on-site pedestrian and vehicular access ways	g
✓		• Parking areas	
✓		• Loading facilities	g
✓		• Design of ingress and egress of vehicles to and from the site onto public streets	g
✓		• Curb and sidewalks	g
✓		Landscape plan showing:	h
✓		• Location of existing vegetation and proposed vegetation	h
✓		• Type of vegetation	h
✓		• Quantity of plantings	h
✓		• Size of proposed landscaping	h
✓		• Existing areas to be preserved	h
✓		• Preservation measures to be employed	h
✓		• Details of planting and preservation specifications	h
✓		• Location and dimensions of all fencing and screening	i
✓		Location and intensity of outdoor lighting system	i
✓		Location of fire hydrants, existing and proposed (refer to City Department checklist - page 11)	k
✓		Written statements to include:	e
✓		• Description of proposed uses to be located on site	d
✓		• Quantity and type of residential, if any	d
✓		• Total land area of the site	e2
✓		• Total floor area, total disturbed area and ground coverage of each proposed Building and structure	e2
✓		• General summary of existing and proposed easements or other burdens	e3
✓		• Type, quantity and method of handling solid waste disposal	e4
✓		• Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets (refer to the wastewater capacity application - page 12)	e5
✓		• Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff	e6

- \_\_\_\_\_ \* An estimate of the time period required for completion of the development 7
- \_\_\_\_\_ \* A list of all state and federal regulatory approvals to which the development may be subject to, the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction. 8
- \_\_\_\_\_ \* Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.
- \_\_\_\_\_ \* Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation
- \_\_\_\_\_ \* A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.
- \_\_\_\_\_ \_\_\_\_\_ A jpeg or pdf of the proposed site plan, if available.
- \_\_\_\_\_ \_\_\_\_\_ Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater

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

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

# Location Map

Figure No. 1



212 HICKS STREET, DIVERSIFIED PROPERTIES, INC., PORTLAND, MAINE

**GP** Gorrill-Palmer Consulting Engineers, Inc.

*Engineering Excellence Since 1998*

PO Box 1237  
15 Shaker Road  
Gray, ME 04039

207-657-6910  
Fax: 207-657-6912  
mailbox@gorrillpalmer.com  
www.gorrillpalmer.com



JN: 2277  
DATE: JAN 2010  
FILE: 2277\_LOCMAP.MXD  
SOURCE: MAINE GIS WEBSITE

W.A. ONE

P.O. BOX 10127, PORTLAND, ME 04104

TEL 207-773-4988 FAX 207-773-6875

TOLL FREE: 866-773-4988

EMAIL: [jmw1@maine.rr.com](mailto:jmw1@maine.rr.com)

OFFICE HOURS

Monday – Friday 8:30am to 5 pm

PHYSICAL ADDRESS

449 Forest Ave., Portland, ME 04101

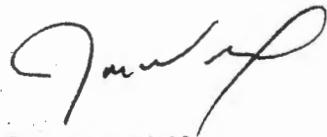
January 13, 2010

Barbara Barhydt  
City of Portland  
Building Inspections Rm 115  
389 Congress Street  
Portland, ME 04101

Dear Barbara:

W.A. One, Inc. gives permission for Diversified Properties, Inc. to make application to the City of Portland for the development of a 3 unit building on its property located a 212 Hicks Street. A copy of the deed of ownership to the property is attached to this letter. If additional is needed please do not hesitate to contact me.

Yours truly,



James M. Wolf

JMW/lp



QUITCLAIM DEED WITH COVENANT  
Statutory Short Form

MAINE REAL ESTATE TAX PAID

Mount Sinai Cemetery Association, Inc., a Maine corporation having a place of business in Portland, Maine, for consideration paid, the receipt whereof is hereby acknowledged, does hereby GRANT, to W.A. ONE, a Maine corporation having a place of business in Portland, Maine, and having a mailing address of P.O. Box 10127, Portland, Maine 04104, WITH QUITCLAIM COVENANT, the following described real estate located in Portland, Maine:

Certain lots of parcels of unimproved land located on the easterly side of Hicks Street in said Portland, and being Lots 105, 106, 107, 108 and 109 as shown on a recorded plan entitled "Plan of Frost Villa Sites belonging to Everett C. Walls" said plan being made by Ernest W. Branch, surveyor, dated August 15, 1919 and recorded in the Cumberland County Registry of Deeds in Plan Book 14, Page 25.

Together with a proportionate interest in common in the fee, insofar as the grantor has the right to convey, in all streets and ways shown on said Plan, in common with the other owners of said lots, and subject to the right of all of said lot owners to make any customary use of said streets and ways.

For reference, see deeds recorded in said Registry in Book 2724, Page 425.

IN WITNESS WHEREOF, the said Mount Sinai Cemetery Association, Inc. has caused this instrument to be signed and sealed in its corporate name by Harvey Elowitch, its President, on September 24, 2009.

WITNESS:

*Michael D. Drake*

Mount Sinai Cemetery Association, Inc.

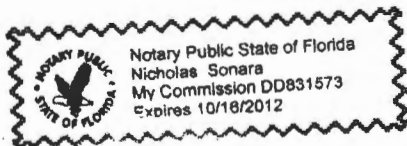
By: *Harvey Elowitch*  
Harvey Elowitch, its President

STATE OF FLORIDA  
COUNTY OF Palm Beach, ss.

September 24, 2009

Then personally appeared the above-named Harvey Elowitch, as President of Mount Sinai Cemetery Association, Inc. and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said corporation.

Before me,



*Nicholas Sonara*  
Notary Public/Attorney-at-Law

Print name: *Nicholas Sonara*

Received  
Recorded Register of Deeds  
Oct 07, 2009 03:17:58P  
Cumberland County  
Pamela E. Lovley

**Proposed 3-Unit Hicks Street – Portland, ME**  
**Abutters List**

<b>Map/Lot</b>	<b>Abutter</b>
296/C009001	BAKER SCOTT A & KAREN M TUTTLE JTS 198 HICKS ST PORTLAND ME 04103
296 B005001	BETH HACNESES ANSHE SFARD & MICHAEL MOSCOWITZ PO BOX 8524 PORTLAND ME 04101
296 B010001	MOUNT SINAI CEMETERY ASSOC INC 185 HICKS ST PORTLAND ME 04103
296 C017001	BAKER DWIGHT P 336 WARREN AVE PORTLAND ME 04103
296 C025001	WILSON DAVID W 249 RIVER RD BOOTHBAY ME 04537



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Portland, ME 04112-9540  
T: 207-761-8600 F: 207-761-8660  
www.tdbank.com

January 15, 2010

**RE: Diversified Properties, Inc. - Financing Approval**

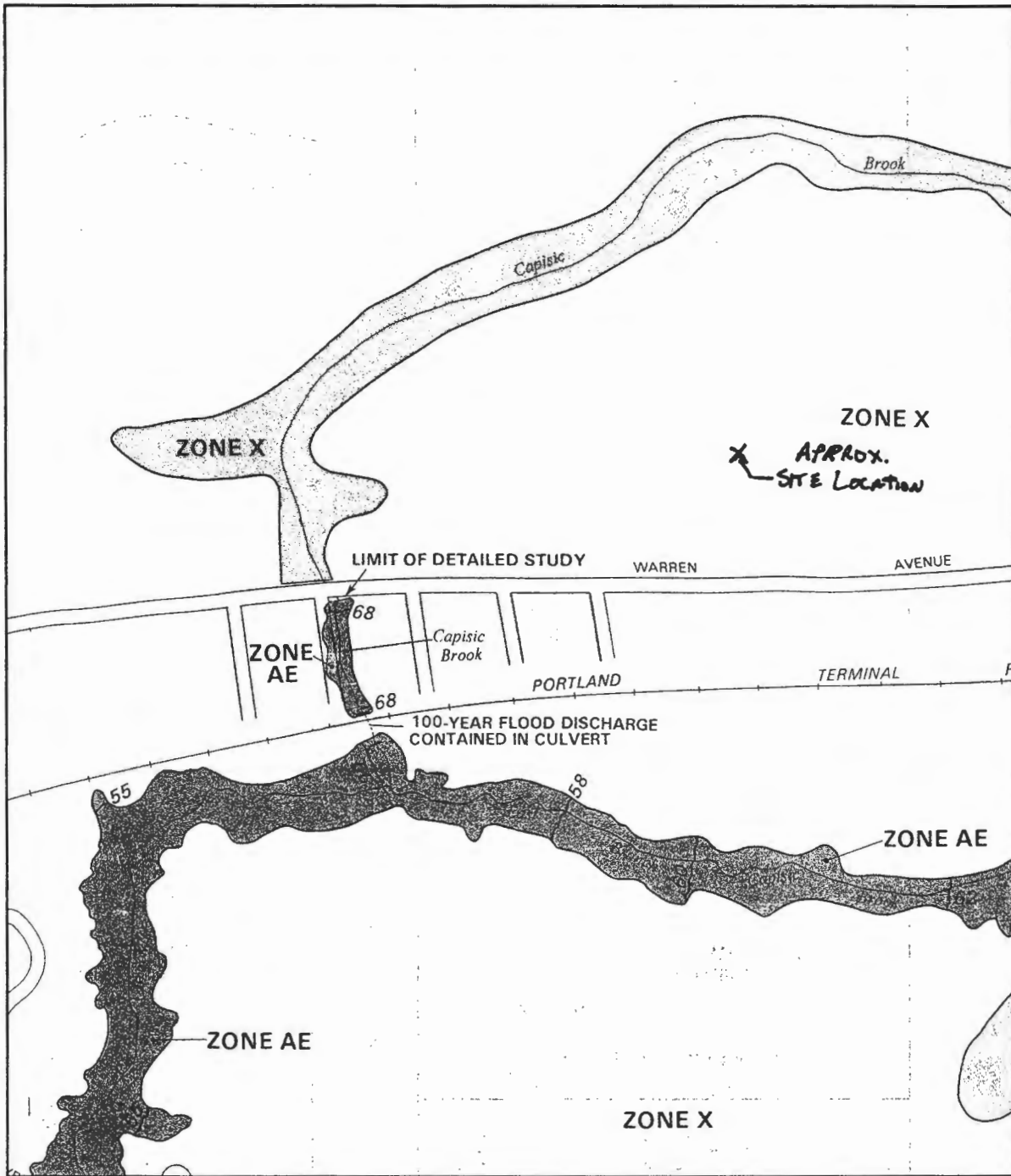
To Whom It May Concern:

Diversified Properties, Inc. has a long standing relationship with TD Bank, N.A. and has the financial capability to fund the construction of a three (3) unit building on property located at 212 Hicks Street, Portland, Maine.

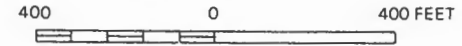
If you have any further questions, I can be reached at 27-756-6842.

Sincerely,

Kimberly A. Donnelly  
Vice President of Commercial Lending  
TD Bank, N.A.



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

**FIRM**  
FLOOD INSURANCE RATE MAP

CITY OF  
PORTLAND,  
MAINE  
CUMBERLAND COUNTY

PANEL 6 OF 17  
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER  
230051 0006 C

MAP REVISED:  
DECEMBER 8, 1998

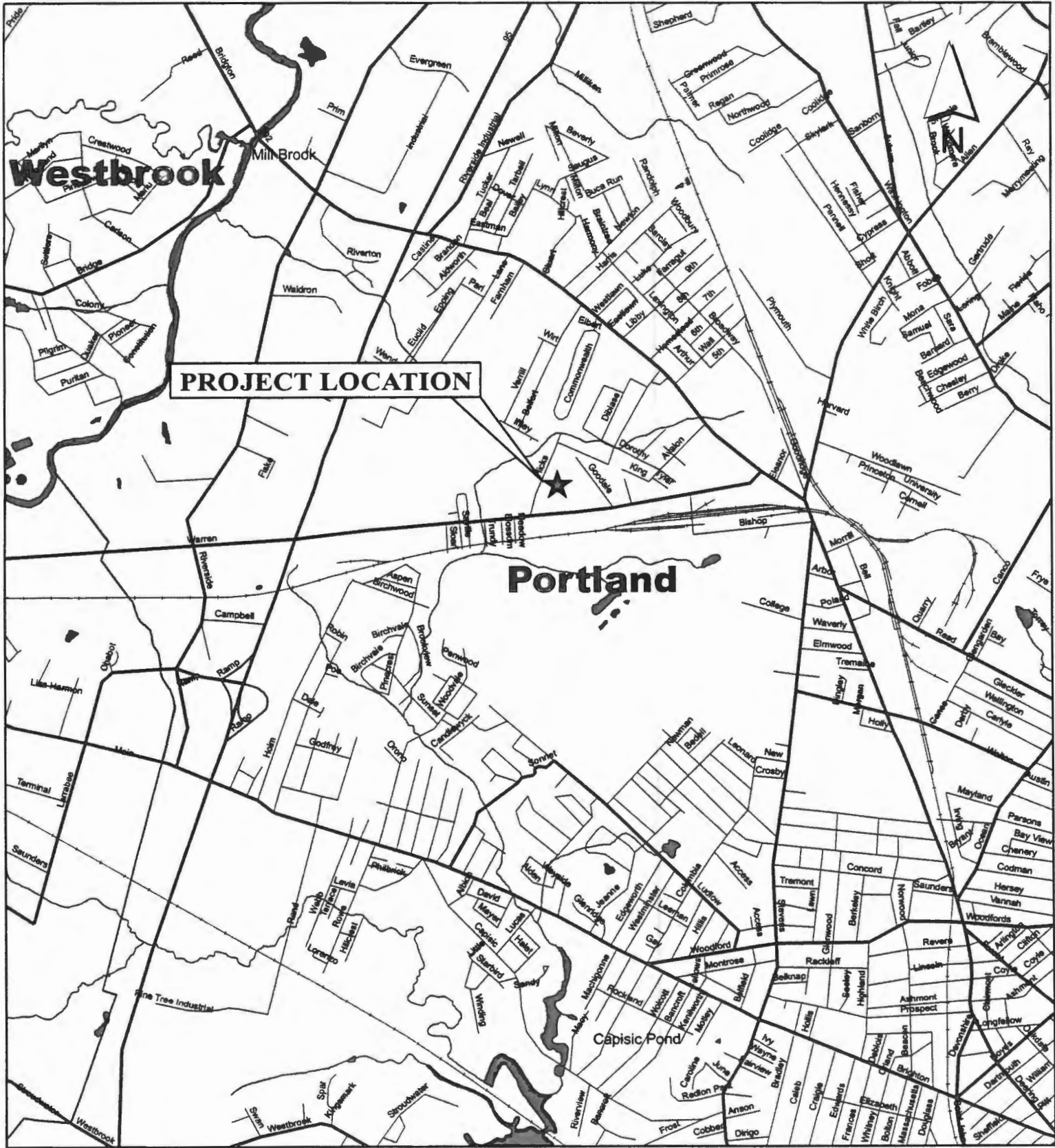


Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)

# Location Map

Figure No. 1



212 HICKS STREET, DIVERSIFIED PROPERTIES, INC., PORTLAND, MAINE

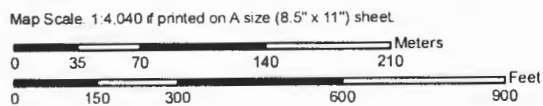
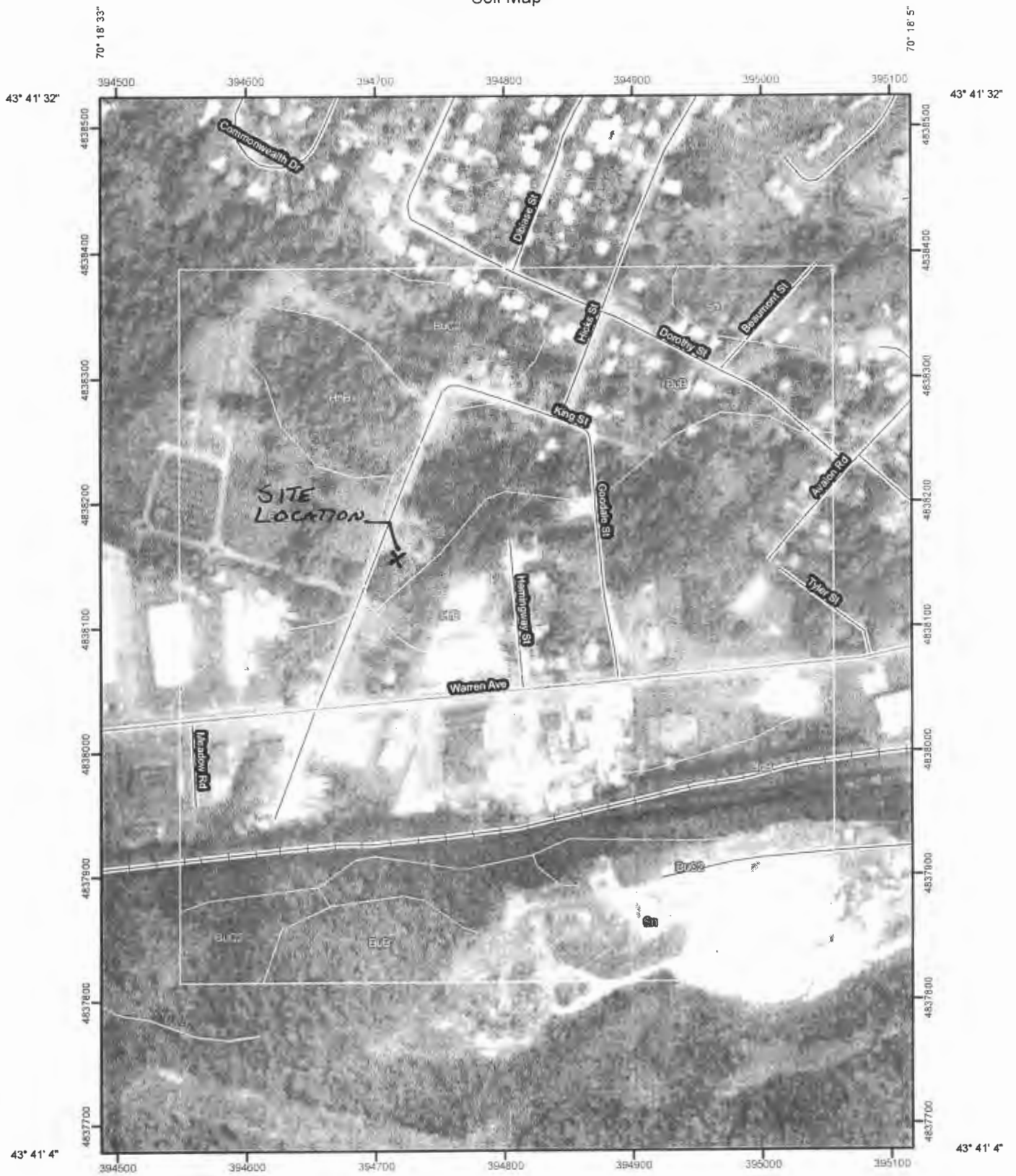
**GP** Gorrill-Palmer Consulting Engineers, Inc.

Engineering Excellence Since 1998  
PO Box 1237  
15 Shaker Road  
Gray, ME 04039  
207-657-6910  
Fax: 207-657-6912  
mailbox@gorrillpalmer.com  
www.gorrillpalmer.com






































JN: 2277  
DATE: JAN 2010  
FILE: 2277\_LOCMAP.MXD  
SOURCE: MAINE GIS WEBSITE

Custom Soil Resource Report  
Soil Map



# Custom Soil Resource Report

## MAP LEGEND

<b>Area of Interest (AOI)</b>		Very Stony Spot
Area of Interest (AOI)		Wet Spot
<b>Soils</b>		Other
Soil Map Units	<b>Special Line Features</b>	
<b>Special Point Features</b>		Gully
		Short Steep Slope
		Other
	<b>Political Features</b>	
		Cities
	<b>Water Features</b>	
		Oceans
		Streams and Canals
	<b>Transportation</b>	
		Rails
		Interstate Highways
		US Routes
		Major Roads
		Local Roads
		
		
		
		
		
		
		
		

## MAP INFORMATION

Map Scale: 1:4,040 if printed on A size (8.5" x 11") sheet.

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

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

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

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Cumberland County and Part of Oxford County, Maine  
 Survey Area Data: Version 7, Jan 8, 2009

Date(s) aerial images were photographed: 6/7/1997

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Cumberland County and Part of Oxford County, Maine (ME005)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BgB	Belgrade very fine sandy loam, 0 to 8 percent slopes	16.7	23.3%
BuB	Buxton silt loam, 3 to 8 percent slopes	13.0	18.0%
BuC2	Buxton silt loam, 8 to 15 percent slopes, eroded	8.4	11.6%
EmB	Elmwood fine sandy loam, 0 to 8 percent slopes	6.8	9.5%
HnB	Hinckley-Suffield complex, 3 to 8 percent slopes	3.2	4.5%
HrB	Hollis fine sandy loam, 3 to 8 percent slopes	16.7	23.2%
Sn	Scantic silt loam	7.1	9.9%
<b>Totals for Area of Interest</b>		<b>71.9</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

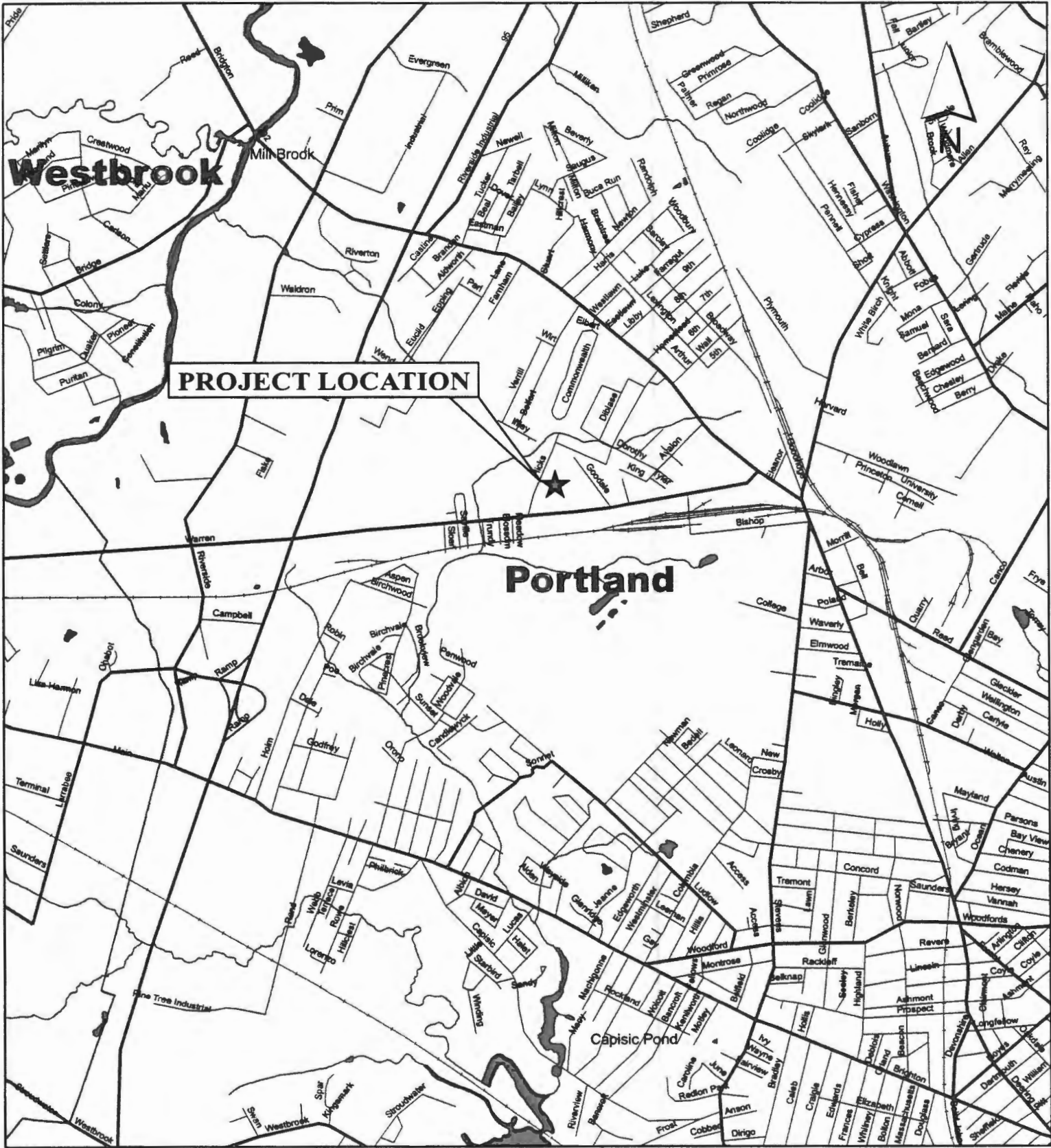
A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially



# Location Map

Figure No. 1



**212 HICKS STREET, DIVERSIFIED PROPERTIES, INC., PORTLAND, MAINE**

**GP** Gorrill-Palmer Consulting Engineers, Inc.

*Engineering Excellence Since 1998*

PO Box 1237  
15 Shaker Road  
Gray, ME 04039

207-657-6910  
Fax: 207-657-6912  
mailbox@gorrillpalmer.com  
www.gorrillpalmer.com



JN: 2277  
DATE: JAN 2010  
FILE: 2277\_LOCMAP.MXD  
SOURCE: MAINE GIS WEBSITE



February 8, 2010

## Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

Diversified Properties, Inc.  
P.O. Box 10127  
Portland, ME 04104

Attn: James M. Wolf  
Re: 212 Hicks Street, Portland  
Ability to serve with PWD water

Dear Mr. Wolf:

This letter is to confirm that there should be an adequate supply of clean and healthful water to serve the needs of the proposed triplex housing units located at 212 Hicks Street in Portland. According to District records, there is an 8-inch ductile iron water main on the west side of the street as well as a hydrant located 300' from the site.

The current data from the nearest hydrant indicates there should be adequate capacity of water to serve the domestic water needs of your proposed project, as stated in your e-mail, dated January 6, 2010.

Hydrant Location: Hicks Street at Warren Avenue  
Hydrant Number: POD-HYD01610  
Static Pressure: 67 PSI  
Residual Pressure: 60 PSI  
Flow: 1186 GPM  
Last Tested: 7/20/1990

With regard to your fire protection needs, please notify your mechanical engineer of these results so that they can design your system to best fit the noted conditions. Also, please contact your local fire department to determine if the fire service capacity is sufficient for their needs. If residential sprinkler systems are anticipated PWD will require additional information regarding water usage needs at the time of service application.

If you so choose, it will be possible to serve each unit of the proposed triplex with one tap at the main, splitting to three services via a one-piece brass fitting located within the public right-of-way. Consult with PWD on acceptable fittings prior to installation. Each service will then have its own control valve at the property line and its own meter, accessible through the unit served. We will work with you to properly size the services.

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

Sincerely,  
Portland Water District

Rico Spugnardi, P.E.  
Business Development Engineer



# STORMWATER MANAGEMENT

## **I. Overview**

Pursuant to SECTION V PORTLAND STORMWATER MANAGEMENT STANDARDS, of the Technical Standards, Paragraph II Applicability, Subparagraph C,

*“The following development proposals shall be required to submit a Stormwater Management Plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management rules, including Basic, General, and Flooding Standards.*

*c. Subdivisions as defined in the Land Use Code – Section 14-493 except for those projects which do not involve significant new construction.”*

This report addresses the General and Flooding Standards. The General Standard requires applicants to provide water quality treatment of the runoff from no less than 95% of the project’s impervious area and no less than 80% of the project’s developed area that is impervious or landscaped. The Flooding Standard requires the project to detain, retain, or result in the infiltration of stormwater from 24-hour storms of the 2-year, 10-year, and 25-year frequencies such that the peak flows of stormwater from the project site do not exceed the peak flows of stormwater prior to undertaking the project.

The project is located within the watershed of Capisic Brook which is classified by the MDEP as an urban impaired stream. The proposed project is not required to meet the Urban Impaired Stream Standards since it does not result in 3 acres or more of impervious area or 20 acres or more of developed area.

## **II. Introduction**

Diversified Properties has retained Gorrill-Palmer Consulting Engineers, Inc. to prepare development plans and permit applications for a proposed three unit multiplex. The proposed residence will be located on Hicks Street in Portland.

The developer is currently seeking Subdivision Plan Approval from the City of Portland for the proposed three unit development.

This narrative contains the general stormwater management measures, which are appropriate for the infrastructure and lot construction required to develop this site.

## **III. Development Description**

The project area consists of approximately 0.41 acres of undeveloped land on the southerly end of Hicks Street. The proposed development includes the construction of a 32’ by 42’ two story structure which will be a three-family residence.

The existing parcel slopes from east to west, with the majority of the site being tributary to an existing culvert on the abutting parcel to the north. The existing low point on the property is located adjacent to the Hicks Street right-of-way and drains via culverts to a ditch parallel to Hicks Street and is then tributary to the Hicks Street storm drain system.

Figure 1 is a map showing the project location.

Abutting land uses include:

- North – Residential
- West – Cemetary
- South – Rresidential
- East – Residential

#### **IV. Surface Water**

There are no lakes located on, adjacent to or downstream of the project site.

#### **V. General Topography**

The parcel slopes from east to west. The site is steep in the east and relatively flat in the center, with slopes ranging from 0.6% - 10% across the site. Elevations on-site range from 92' at the easterly corner of the lot to 85' along the western portion of the lot.

#### **VI. Floodplain**

Based on the FEMA Firm Map the site is not located in a Flood Zone.

#### **VII. Natural Drainage Ways**

The project as currently proposed does not include alteration of any natural drainage ways.

#### **VIII. Alterations to Land Cover**

Overall changes in land cover will include the removal of vegetation and the addition of impervious areas.

#### **IX. Basic Standards**

The Basic Standard will be met as shown on the plans. The erosion control standards for this project shall be in accordance with the Maine Erosion and Sediment Control BMP'S.

#### **X. General Standards**

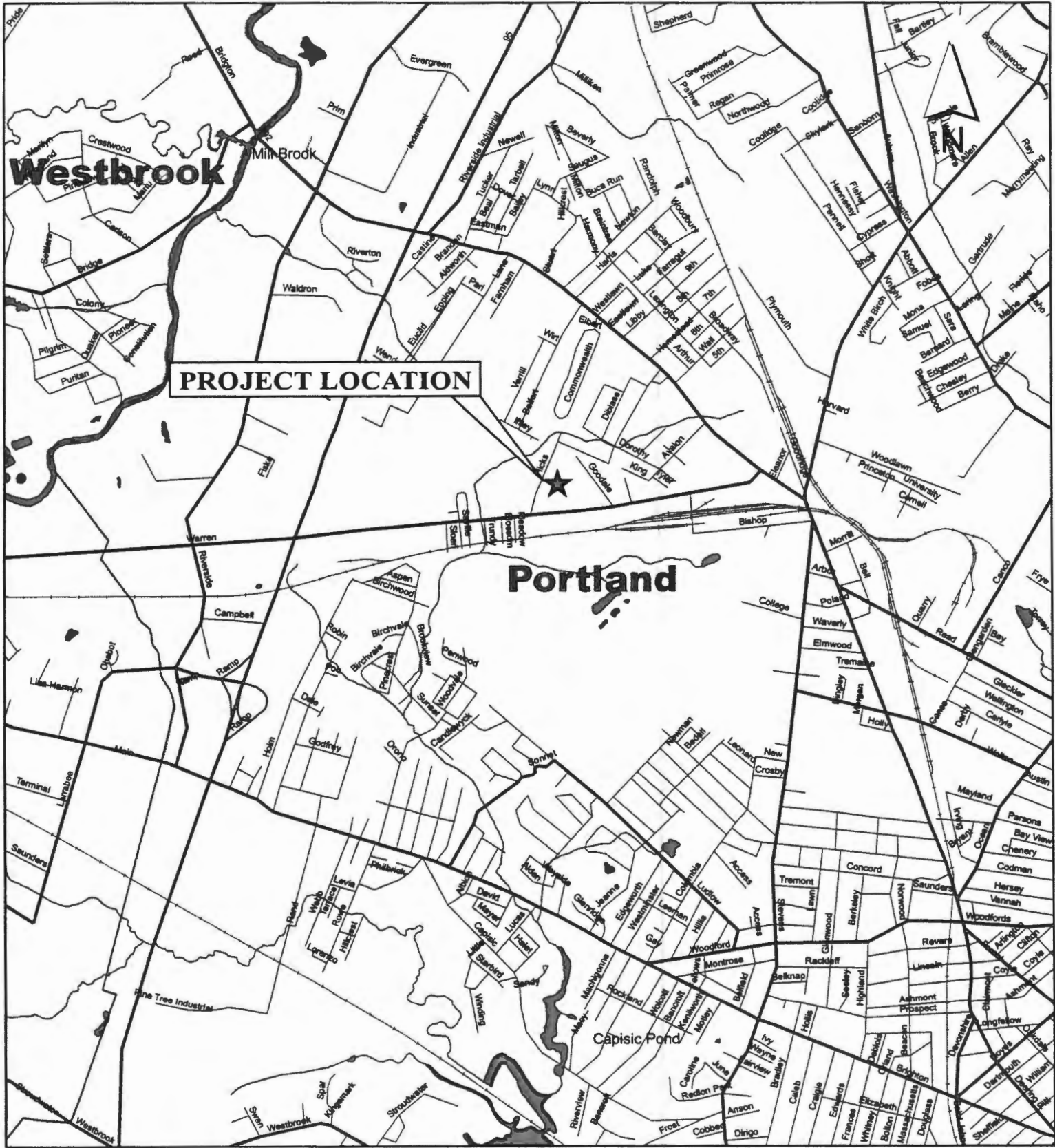
The City of Portland Stormwater Management Standards concentrate on four stormwater management objectives:

- Effective Pollutant Removal
- Cooling
- Channel Protection
- Flood Control

These objectives may be met either directly by providing BMP's that manage and treat the runoff after it has been created, or indirectly by incorporating low impact development site planning concepts to minimize production and contamination of runoff by maximizing infiltration and evapotranspiration.

# Location Map

Figure No. 1



212 HICKS STREET, DIVERSIFIED PROPERTIES, INC., PORTLAND, MAINE

**GP** Gorrill-Palmer Consulting Engineers, Inc.

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JN: 2277  
DATE: JAN 2010  
FILE: 2277 LOCMAP.MXD  
SOURCE: MAINE GIS WEBSITE

## X.1 Current Treatment Methods

Under the General Standard, the project is required to meet the BMP Standards as the development site is not tributary to a lake watershed. The BMP Standard requires that runoff from no less than 95% of the impervious area and no less than 80% of the developed area associated with a project be controlled. The four treatment measures listed in Chapter 500 and described in Volume III of the Stormwater BMP Manual are:

- Wetpond with detention above the permanent pool
- Filters
- Infiltration
- Buffers

Below is a brief description of each treatment method.

### Wetpond with detention above the permanent pool:

Wet ponds are stormwater detention impoundments that have a permanent pool of water and have the capacity to temporarily store storm water runoff while it is released at a controlled rate. They can be designed to provide flood control as well as water quality treatment. Properly sized and maintained, wet ponds can achieve high rates of removal for a number of urban pollutants, including sediment and the pollutants associated with sediment, such as trace metals, hydrocarbons, BOD, nutrients, and pesticides. The addition of an underdrained gravel trench in the bench area around the permanent pool allows for slow, extended release of stormwater without risk of blockage and effective cooling to avoid thermal impacts. This BMP treatment method is generally used to treat runoff from large drainage areas.

### Filters

Filtration BMPs, particularly organic soil filter medias, have shown to be very effective at removing a wide range of pollutants from stormwater runoff. They can be constructed in combination with infiltration practices, or with an underdrain filter, where infiltration is not feasible. Soil filters can be designed and constructed using common materials. Underdrained soil filters control stormwater quality by capturing and retaining runoff and passing it through a filter bed comprised of a specific soil media. Various filter medias may be used, the most common including sand filters and organic filters. Once through the soil media, the runoff is collected in a perforated underdrain pipe and discharged to the receiving water. The filter and underdrain provides for slow release of smaller storm events, minimizing stream channel erosion, as well as cooling the discharge.

A bioretention cell is a type of underdrained filter designed to collect, infiltrate/filter, and treat moderate amounts of stormwater runoff using conditioned planting soil beds, gravel beds and vegetation within shallow depressions. The major difference between an underdrained soil filter and bioretention cell is the vegetation. A typical underdrained soil filter may be planted with grass, whereas a bioretention cell is planted with a variety of shrubs and perennials whose roots assist with the passing of water and uptake of pollutants. Studies have shown that bioretention cells are capable of reducing sediment, nutrients, oil and grease, and trace metals. Bioretention cells are usually located in close proximity to the origin of the stormwater runoff and it is anticipated that these facilities would most often be scattered throughout a residential area, along the downhill edge of parking areas, or below the down spouts of roof drains. Bioretention cells

can be designed to infiltrate water into the groundwater below, or to filter the water through the bioretention soil media and collect it in an underdrain located beneath the soil media.

### Infiltration

Infiltration measures control stormwater quantity and quality, by retaining all or part of runoff on-site and discharging it into the ground. Infiltration is designed to occur at the surface (as in infiltration basins and to a degree vegetated swales and buffers), or in subsurface systems (e.g., infiltration trenches and infiltrators). The basic function of an infiltration system is to remove a portion of runoff from the total runoff volume of the site and treatment comes about through absorption, straining, microbial decomposition in the soil and trapping of particulate matter within pretreatment areas. Pretreatment to remove sediments, grease and oils is required prior to discharge to the infiltration measure. Possible pretreatment measures include filter strips, swales with check dams, sand filters, sediment traps, grease and oil traps, and sediment basins.

### Buffers

Buffer strips are natural, undisturbed strips of natural vegetation or planted strips of close growing vegetation adjacent to and downslope of developed areas. As stormwater runoff travels over the buffer area, vegetation slows the runoff and traps particulate pollutants. They are also effective for phosphorus removal when designed in accordance with the volume III BMP technical design manual. The effectiveness of buffers for pollutant removal depends on the flow path length and slope, the buffer berm length, the soil permeability, the size of drainage area, and the type and density of vegetation. Buffers are used to treat runoff from relatively small amounts of impervious area, as typically found in residential developments and small commercial and industrial sites. This type of BMP requires minimal maintenance and provides an aesthetically pleasing area.

## **X.2 Approach and Analysis for Quality**

The proposed development will be required to meet the Basic Standard and the BMP Standard under the General Standard of the City of Portland Stormwater Regulations. Based upon review of the four recommended and approved methods for mitigating the increased frequency and duration of channel erosive flows, as required by the BMP Standards, the developer is proposing to use a bioretention pond. The filtration methodology was selected due the availability of area within the project site.

## **X.3 Stormwater Treatment**

Attachment A contains the water quality map for this project.

The proposed Bioretention Cell, is shown on the detail sheet contained within the plan set. Bioretention Cells are defined in Volume III, Section 7 of the Stormwater Management Best Management Practices Manual published by the Maine Department of Environmental Protection. The development will be required to provide the treatment volume for 1.0 inch times the subcatchment's impervious area plus 0.4 inch times the subcatchment's landscaped developed area, for areas associated with bioretention cells. The surface area of the filter is required to be no less than the sum of 5% of the impervious area and 2% of the landscaped area draining to the filter. The available treatment volume includes 6" of storage above the soil media and one third of the soil filter volume. The water quality volume will be filtered through the soil media and captured by the underdrain system below the media. The underdrain will discharge to the inlet of

the existing culvert at the northwest corner of the lot. Runoff from larger storms will be discharged adjacent to the proposed driveway and will flow overland to the existing stormdrain system within Hicks Street.

A valve will be placed on the bioretention cell underdrain to regulate the outflow through the soil media. The valve will be field adjusted to maintain the outflow time between 24 and 48 hours. Yearly maintenance of the bioretention cell will include monitoring the cell outflow after a rainfall event to ensure the outflow time is within the required parameters.

The following tables present the bioretention cell information:

<b>Table 1</b>		
<b>Proposed Bioretention Cell</b>		
	<b>Required</b>	<b>Provided</b>
Impervious Area		5,584 sq. ft.
Developed Area (non-impervious)		3,132 sq. ft.
Treatment Volume	569.7 cu. ft.	581 cu. ft.
Filter Surface Area		656 sq. ft.
5%(imp. Area) +2%(landscaped Area)	341.8 sq. ft.	656 sq. ft.
Cell Base Elevation		85.2 ft.
Overflow Elevation		85.7 ft.

#### **X.4 Conclusion – Overall Treatment**

As shown on the treatment map within the plan set, the proposed Bioretention cell treats 97.6% of the site's impervious area and 80% of the landscaped developed area. The treatment provided is equal to or greater than the General Standard's required treatment of 95% of the impervious area and 80% of the landscaped developed area.

#### **X.5 Construction BMPs**

Additional water quality treatment will be provided during construction by best management practices (BMP). Standard BMPs to be employed include siltation fencing around the downslope construction perimeter and erosion control fabrics applied to slopes prior to revegetation.

### **XI. Flooding Standard**

The Flooding Standard as proposed by MDEP is intended for projects which result in three acres or more of impervious area or 20 acres or more of developed area. The changes in runoff from the predevelopment condition to the post development condition for a 0.41 acre site are generally beyond the scope of the TR-20 stormwater runoff calculations. The proposed project will result in the construction of a Bioretention cell which will detain and treat the runoff from a 1" storm, which is on the order of 80% of the rain events for the year. During larger storms, the first 1" of runoff (581 cubic feet) will be retained in the Bioretention cell. The filtration of this 1" of runoff will attenuate the peak flow from every storm. Due to the attenuation provided by the Bioretention cell and the small areas involved, the increase in runoff from the less frequent larger storms is believed to be insignificant for this project.

### **XII. Urban Impaired Stream Standard**



The project site is tributary to the storm drain system that eventually discharges to Capisic Brook, which is identified as an Urban Impaired Stream. Based on the City of Portland Stormwater Management Standards, the project will not be required to comply with the Urban Impaired Stream Standard as the project does not result in 3 acres of impervious area or 20 acres of developed area.

As the project results in the treatment of 97.6% of the projects impervious area and 80% of the projects developed area, it is our opinion that the new use is not likely to increase stormwater impacts from the proposed project's stormwater runoff beyond the levels already present in the runoff from the existing site.

### **XIII. Maintenance of Facilities**

The stormwater facilities will be maintained by the homeowners association or their assigned heirs. The contract documents will require the contractor to designate a person responsible for maintenance of the sedimentation control features during construction as required by the Erosion Control Report. Long-term operation/maintenance recommended for the stormwater facilities is presented below. A standard maintenance log, to be used for the development, is provided in Attachment B.

The responsible party may contract with such professionals, as may be necessary in order to comply with this provision and may rely on the advice of such professionals in carrying out its duty hereunder, provided, that the following operation and maintenance procedures are hereby established as a minimum for compliance with this section.

#### **Inspection and Maintenance Frequency and Corrective Measures:**

The following areas, facilities, and measures will be inspected and the identified deficiencies will be corrected. Clean-out must include the removal and legal disposal of any accumulated sediments and debris.

#### **Soil Filter – Bio-Filtration:**

Inspect all upstream pre-treatment measures 2 times per year (preferably in Spring and Fall) for sediment and floatables accumulation. Remove and dispose of any sediments or debris.

#### **Surface (Underdrain Pond, Swale or Bio-Filter):**

The soil filter will be inspected within the first three months after construction; thereafter the filter will be inspected 2 times per year (preferably in Spring and Fall) to ensure that the filter is draining within 24 to 48 hours of a rain event equivalent to 1" or more. Adjustments will be made to the outlet valve to ensure that the Bioretention Cell drains within 24 to 48 hours. Failure to drain in 72 hours will require part or all of the soil filter media to be removed and replaced with new material meeting the soil filter gradation. The facilities will be inspected after major storms and any identified deficiencies will be corrected. Harvesting and weeding of excessive growth shall be performed as needed. Inspect for unwanted or invasive plants and remove as necessary. Add new mulch as needed.

#### **Vegetated Areas:**

Inspect slopes and embankments early in the growing season to identify active or potential erosion problems. Replant bare areas or areas with sparse growth. Where rill erosion is evident, armor the area with an appropriate lining or divert the erosive flows to on-site areas able to withstand the concentrated flows. The facilities will be inspected after major storms and any identified deficiencies will be corrected.

**Roadways and Parking Surfaces:** Clear accumulations of winter sand in parking lots and along roadways at least once a year, preferably in the spring. Accumulations on pavement may be removed by pavement sweeping. Accumulations of sand along road shoulders may be removed by grading excess sand to the pavement edge and removing it manually or by a front-end loader. Repair potholes and other roadway obstructions and hazards. Plowing and sanding of paved areas shall be performed as necessary to maintain vehicular traffic safety.

**XII. Conclusion**

The Applicant has provided Stormwater treatment measures as well as specifying a maintenance plan for all stormwater measures. As noted above, the project will meet the Basic and General Standards contained within the City of Portland Stormwater Management Standards. The spirit of the Flooding Standard will be met and it is believed that any increase in peak runoff will be insignificant. The Urban Impaired Stream Standard is not required for a development of this size.

**XIII. Attachments**

Attached to this section are the following items:

Attachment A – Water Quality Maps

Attachment B – Stormwater Maintenance Log

**ATTACHMENT A**

**WATER QUALITY TREATMENT MAP**

**ATTACHMENT B**

**STORMWATER MAINTENANCE LOG**

**STORMWATER MAINTENANCE LOG**

**INSPECTION REPORT**

**PROJECT INFORMATION**

Project Name: Three Unit Multiplex

Address: Hicks Street  
Portland, Maine

**CONTRACTOR/SUBCONTRACTOR INFORMATION**

Inspector Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Title: \_\_\_\_\_

Qualifications: \_\_\_\_\_

**INSPECTION SUMMARY**

Date of Inspection: \_\_\_\_\_

Major Observations: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

THE FACILITY IS IN COMPLIANCE WITH THE STORMWATER POLLUTION PREVENTION PLAN WITH THE FOLLOWING EXCEPTIONS:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

ACTIONS NECESSARY TO BRING FACILITY INTO COMPLIANCE:

---

---

REQUIRED MODIFICATIONS TO STORMWATER POLLUTION PREVENTION PLAN  
(MUST BE IMPLEMENTED WITHIN 7 DAYS OF INSPECTION):

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CERTIFICATION STATEMENT:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the systems, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

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Signature

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Typed Name

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Title

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Date

\* \* \* Communication Result Report ( Dec. 22. 2011 4:31PM ) \* \* \*

13

Date/Time: Dec. 22. 2011 4:30PM

File No.	Mode	Destination	Pg(s)	Result	Page Not Sent
0251	Memory TX	99298013	P. 2	OK	

Reason for error

1) Hang up or line fail	E. 2) Busy
2) No answer	E. 4) No facsimile connection
3) Exceeded max. E-mail size	

FAX



To: John Pompeo  
 Fax Number: 929-8013  
 From: Jeanie Bourke  
 Fax Number: 874-876  
 Date: 12/22/11  
 Regarding: 208-212 Hicks plan Renew  
 Total Number Of Pages Including Cover: 2  
 Phone Number For Follow-Up: 874-8715

Comments:

City Of Portland, Maine  
 Inspections Division Services  
 389 Congress St Room 315 Portland Me 04101-3509  
 Phone: (207) 874-8703 or (207)874-8693  
 Fax: (207) 874-8716  
<http://www.portlandmaine.gov/>

**FAX**



To: John Tompeo

Fax Number: 929-8013

From: Jeanie Bourke

Fax Number: 874-8716

Date: 12/22/11

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12/20/11 Left vcmmsg for John P. for the following details:

- Townhouse under IRC code, state law requires stamped plans
- Width of interior foundation at demising walls does not meet wall width
- Roof truss direction does not allow demising wall continuity
- Detail of demising walls extending to the exterior wall
- Demising wall design UL U305 is not as listed in the UL directory
- Shear walls shall be noted on plan and wall type given to show structural continuity or tie
- Parapets are required or as excepted per Sec. R302.2.2
- Roof insulation only R-38, need 49, walls/basement ceiling only R-19, no U-Factor given for windows
- Details on continuity of thermal barrier at basement stairwell & door
- Locate smokes and CO detectors per code
- Show where attic scuttle is and dimensions

12/22/11 Spoke with John P. faxed list of items.

**Jeanie Bourke - Re: Hicks Street Pompeo unit**

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**From:** Deirdre Pio <deirdrepio@yahoo.com>  
**To:** JMB@portlandmaine.gov; deirdrepio@yahoo.com  
**Date:** 1/12/2012 12:02 PM  
**Subject:** Re: Hicks Street Pompeo unit  
**CC:** dananderson2@myfairpoint.net  
**Attachments:** A1-POMPEO.pdf; A2-POMPEO.pdf; A3-POMPEO.pdf

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Hi Jeanie,

Thank you for your response. Below are my clarifications and the attached revised drawings.  
 Deirdre

1. I have changed the note in the chart to U341. Yes - we know it does not need to be a double wall but we are using this for an added sound barrier.
2. We are good
3. I have changed the drawings to reflect the basement ceiling being insulated - this will be the thermal barrier. I have removed the insulation at the walls and made the door at the bottom of the stairs insulated and the surrounding walls insulated
- 4-6. We are good

---

**From:** Jeanie Bourke <JMB@portlandmaine.gov>  
**To:** Deirdre Pio <deirdrepio@yahoo.com>  
**Cc:** "dananderson2@myfairpoint.net" <dananderson2@myfairpoint.net>  
**Sent:** Thursday, January 12, 2012 11:21 AM  
**Subject:** Re: Hicks Street Pompeo unit

Hi Deirdre,  
 Thanks for sending the revisions, I have reviewed them and have some comments, see below.  
 Let me know if you have any questions.  
 Jeanie

>>> Deirdre Pio <deirdrepio@yahoo.com> 1/11/2012 7:43 PM >>>  
 Hi Jeanie,

Attached are the revised plans incorporating your comments and written clarifications to your notes below.

1. The party wall is UL design 341. The only change is adding 5 1/2" studs and insulation so we can increase the stc rating. The full 1'-0" party wall is continuous to the underside of the roof deck. ***(Jeanie B.) OK, the only discrepancy is that in the plan review chart it still references U340. Are you aware that the party wall does not have to be a double wall, basically a common 1 hr. wall with no mechanical or plumbing penetrations, only electrical allowed? See Sec. R302.2 Exception.***
2. The parapet is not needed if you apply the conditions to the exception. Those notes have been added to the roof plan on sheet A2. ***(Jeanie B.) OK, I will put a condition that the method chosen is submitted to this office for the record.***
3. I have added rigid insulation to the inside face of the foundation walls with spray foam at the sill plate

condition and also added a door at the bottom of the bulkhead stairs. *(Jeanie B.) This is problematic for a couple of reasons, 1. If basement wall insulation is installed, it is required to be R-13, as amended by the State (formerly R-19), 2. Per Sec. R316.4 Foam plastic insulation requires a thermal barrier (ignition barrier), the only exception is the sill and header, see R316.5.11. The issue here is delineating where the thermal envelope is, at the foundation walls or the basement ceiling. The basement is not considered conditioned space unless the foundation walls are insulated. If the ceiling is insulated, this will be the thermal envelope, then the basement door needs to be insulated, and the surrounding stairwell walls, or walls need to be built to enclose the stairs and the insulated door is installed at the bottom. This is the option given by the technical staff at the State. If in the future the basement is finished, the insulation can be taken out of the ceiling and the walls will then be insulated per code.*

4. Yes - the lvl applies to all units. I added the call out to the other units on sheet A2. *(Jeanie B.) OK*

5. The bearing walls have been changed to 16" o.c. *(Jeanie B.) OK*

6. Smoke detectors have been added to the basement and relocated on the first floor out of the kitchen to the living areas.

*(Jeanie B.) OK*

Thanks, Deirdre

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**From:** Jeanie Bourke [mailto:JMB@portlandmaine.gov]

**Sent:** Tuesday, January 10, 2012 3:07 PM

**To:** Dan Anderson

**Subject:** Re: Hicks Street Poinpeo Duplex unit

Hi Dan, here are my comments on the revised plans:

1. The party wall drawing is not consistent with the UL design U340. Also, I do not understand the description of the continuity in the attic, it sounds like only the 2x4 wall will be continued, but this only has drywall on one side.

2. The parapet requirement has not been addressed.

3. The thermal barrier at the basement door and walls has not been addressed.

4. Please verify if the LVL in the 2nd floor framing applies to all units, it is not called out in the 2 end units at the front (Lv Rm).

5. Upon further code study, the bearing walls are not allowed to be 24" O.C. when supporting two floors plus a roof-ceiling per IRC Table R602.3(5).

6. Smoke detectors are required on every level including basements, I realize the electrician will install these with a permit to code, however we have always required these to be noted on residential plans. Just so you know, it is recommended that they are not installed in kitchens, and CO detection is only required on every occupiable level of the dwelling and in the vicinity of the bedrooms.

I am available to discuss any questions regarding these requirements.

Jeanie

*Jeanie Bourke  
CEO/LPI/Plan Reviewer*



# CITY OF PORTLAND, MAINE

Department of Building Inspections

## Original Receipt

June 17 / 2011

Received from John H. Poirer

Location of Work 219 Main St

Cost of Construction \$ \_\_\_\_\_ Building Fee: 4,070.00

Permit Fee \$ \_\_\_\_\_ Site Fee: \_\_\_\_\_

Certificate of Occupancy Fee: 75.00

Total: 2,095.00

Building (IL)  Plumbing (I5)  Electrical (I2)  Site Plan (U2)

Other \_\_\_\_\_

CBL: \_\_\_\_\_

Check #: 1168 Total Collected \$ 2,095.00

**No work is to be started until permit issued.  
Please keep original receipt for your records.**

Taken by: [Signature]

WHITE - Applicant's Copy  
YELLOW - Office Copy  
PINK - Permit Copy