

325-C-1

2009-0010

125 Auburn St.

CVS Expansion

Northgate Plaza

on Spreadsheet

add to file on G: Drive

Jean Fraser - Fwd: as sent to Thelma DiPhillipo UPDATE Re: Northgate Plaza fence

From: Jean Fraser
To: Smith, Nathaniel
Date: 9/30/2010 1:33 PM
Subject: Fwd: as sent to Thelma DiPhillipo UPDATE Re: Northgate Plaza fence
Attachments: UPDATE Re: Northgate Plaza fence

Nathaniel,

Attached is the e-mail I sent her in which I mention you!!!!

She phoned me back this morning and says she understands and seemed almost glad that if its necessary to do this project that it will be done over the winter when she has her storm windows in- I guess one of her main concerns is the amount of dirt and dust that comes into her house from the CVS rear yard.

She was wondering about the timetable but I said that I didn't know for sure and that you would be able to update her on that- I indicated that the permanent fencing and trees would probably not go in until the spring. She was relieved that money had been set aside for that and that it definitely would still happen.

I gave her your phone # as being the contact on this.

So I think its over to you and thanks again for help with some "customer care".

Jean

Jean Fraser - UPDATE Re: Northgate Plaza fence

From: Jean Fraser
To: Thelma
Date: 9/30/2010 11:16 AM
Subject: UPDATE Re: Northgate Plaza fence

Good morning Thelma,

On Sept 20th I e-mailed you a reply, but I am not sure if you received it.

I tried to telephone you this morning but there was no answer and if convenient I would appreciate it if you could call me today so I can update you on this.

As you may know, the City's Department of Public Services needs to install some pipes along the brook area between you and the CVS to reduce flooding and water quality problems along that brook (its part of a major project funded with public funds which the City has to do by law to reduce pollution). This pipe project was not known about by this Department nor by the applicant at the time the CVS project was reviewed or started on site.

When this was learned, it was decided that to install a brand new fence and trees and then take them out within a short time for this other urgent and necessary pipe project did not make sense (as the trees would die and the fence would be damaged).

So as part of the piping project a temporary fence will be installed now to protect you as best as possible from the CVS back yard activities and from the pipe construction. When the pipe project is finished there is money set aside for installing the permanent fence and all of the trees.

A Project Engineer in Public Services named Nathaniel Smith is trying to coordinate and oversee the pipe project. (He and the Director of Public Services have been advised by us of the commitment to you re fencing and trees). I think DPS are doing the best they can to get some temporary fencing installed now and also will ensure the permanent fencing and treeplanting is completed asap when the contract for the pipe finishes.

We all appreciate that you have waited a long time for the fencing and trees and I apologize for the delay. I hope that the temporary fencing can help deal with some of your concerns for the next few months- Mr Smith would like to speak to you asap about the type and location of a temporary fence so it helps as much as possible.

Again, I would be happy to explain further - I am on **874 8728...**

Jean

Jean Fraser, Planner
City of Portland

>>> Thelma <tdiphilippo@me.com> 9/16/2010 9:29 AM >>>
Jean,

I understand from Jon Smith that the city has been given the money necessary to finish the Northgate Plaza project..

I would like to know how much longer we have to wait for that fence to be put up and the trees planted...

We've had to live with the daily noise, dirt, & smell of diesel fumes from delivery trucks for too long now and it's time this project was completed!

When the project first started, we certainly were not told that it would take this long.

Please let us know when the city plans to start installing that fence. We've waited long enough!

Thelma DiPhilippo

Jean Fraser - Re: Progress re Northgate (temp) Fence?????

From: Jean Fraser
To: Smith, Nathaniel
Date: 9/30/2010 1:23 PM
Subject: Re: Progress re Northgate (temp) Fence?????

Nathaniel,

Thanks for this- I have not conveyed any of this to Ms DiPhillipo as I think its best if you deal with her directly as you suggested- I just wanted to know so I could avoid giving her the wrong expectation.

I really appreciate that you are going to speak to her as it makes sense to do the "best" you can within the budget.

See my next e-mail which is a copy of what I sent to Ms DiPhillipo and a summary of my conversation with her this morning - just so you have that background.

Her contact details are:

Thelma DiPhillipo
96 Brook Road
797 6221

Could you please make sure that an invitation to the Neighborhood meeting also goes to Julie Cyr on Brook Road as she also requested the Planning Board increase the height of the fencing as she is affected by the Shaws servicing area farther to the south; however, she does not get as much of the new CVS impacts.

Many thanks
Jean

>>> Nathaniel Smith 9/30/2010 11:49 AM >>>

Jean,

What I was going to ask her if she would be satisfied with a 6' tall chain link fence which would have a privacy screen attached before I go ahead and rent it. I don't want to install it and then have her say that its not good enough.

It is a typical construction type temporary fence which has been used on other projects throughout the city. I'm thinking that the privacy screen would block some of the head light action. Not sure how much though.

I would need to get the fence approved by the SRF and by the city financing before I can order it. I would think that would take at least a week.

Once ordered I would expect they could have it installed within another week or so.

I am planning on having a neighborhood meeting on October 28th at 6pm. It will be held at Lyseth Moore Elementary School.

I am sending out a letter to all of the residents tomorrow. The project will probably start sometime in January.

Thanks,
Nathaniel

>>> Jean Fraser 9/30/2010 10:38 AM >>>

Nathaniel

I think it might be best for me to speak to Ms DiPhillipo first as this Division has spoken to her many times during the review and during the CVS construction and that might be better than having you call her out of the blue. I will try to reach her today and then send you an update.

It would be helpful if I knew:

If you ordered the temp fence tomorrow (say), how long would it take to get to you and be installed?

When is the sewer work now going to start and when is the neighborhood meeting on that going to take place?

Bear in mind that the approved permanent fence was 8 feet high and opaque (to stop headlights) and that she also wanted more coniferous trees alongside the fence (which Planning Board did require).

thanks
Jean

>>> Barbara Barhydt 9/30/2010 8:14 AM >>>
Hi Nathaniel:

I don't have the contact information, but Jean does. I am adding Jean to this e-mail.

Thanks.

Barbara

>>> Nathaniel Smith Thursday, September 30, 2010 8:09 AM >>>
Barbara,
Do you have the contact info for Ms DiPhillipo. I would like to speak with her about the fence before I purchase one.
Thanks,
Nathaniel

>>> Barbara Barhydt 9/29/2010 5:23 PM >>>
Hi Mike:

I spoke with Penny and showed her the documentation. She agrees that the funds must be used for the final installation.

Sorry for the lack of flexibility on this one.

Barbara

>>> Michael Bobinsky Monday, September 27, 2010 5:14 PM >>>
I learned today that DEP/SRF funds will allow the added cost of a temp fence for this location. While we are still evaluating the size of the fence, (8'-10" temp fence), looks like our loan funds can be used for this purchase, which appears to be less then \$2,000. Why I was asking is to learn if the funds set aside by the CVS developers could be tapped by this fund rather than having the rate payers pay for this. I was also curious to learn how much if there would be an adverse impact on the final fence /landscape material, if we used a small portion of the funds set aside for the temp fence.

>>> Barbara Barhydt 9/27/2010 1:13 PM >>>
Hi Mike:

The description of the infrastructure account is for the final installation of the fence and the landscaping. This amount was deposited based upon the cost estimates to complete the project at that time. There is \$18,000 for the final work that is to be done by the City.

If the state will approve the use of the funds for this, why do you ask about the use of these funds again? Is a match required? I can pursue this question again, but I need to understand the reason and amount that are needed.

Thanks.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

>>> Michael Bobinsky Monday, September 20, 2010 10:44 PM >>>

Hi Jean, Nathaniel will be in a position to give you an update here shortly...I spoke with him about our direction today at our weekly projects meeting and we are confirming that our DEP partners will approve use of SRF monies for this temp fence. Cost appears to be under \$2,000. It is my understanding that you and Barbara have reviewed the language of the developers contribution agreement, and report that it is specific to permanent landscape and fence; Is there any flex with that, and can you advise us how much of contribution was originally made?

>>> Jean Fraser 9/20/2010 2:32 PM >>>

Nathaniel,

I attach our last correspondence (8/30) re this and it would be helpful to know where things stand from your viewpoint since Ms DiPhillipo (neighbor most affected by drive thru lights etc) has e-mailed me to ask why the trees and fencing are not in place as promised?

Barbara indicated that there seemed to be little room for us to use the Site Plan funds, but if you have some new info we can review that.

As Barbara explained when she met with you all, the Planning Board heard Ms DiPhillipo's concerns during the review and asked for the condition re the fencing being raised to 8 ft plus added trees....the CVS project was finished in March so the fence and trees should have been installed in April. The delay in installing the permanent fence and trees is as a result of the sewer project.

Could you please clarify:

1. Is there some temporary construction fencing (that would shield from headlight glare) in DPS somewhere that could be installed immediately?
2. If there is but you don't have \$\$ to install, what would that cost be?
3. When is the contract likely to start- if it is delayed further, perhaps we should have the permanent fencing installed now and have the contract pay for its temporary removal and re-installation?
4. When will you be having a public meeting re the sewer project? (So I can advise Ms diPhillipo)

Thank you
Jean

Infrastructure Financial Contribution Form

Obtain an Account Number from Paul Colpitts, Chief Acct.,
(ext. 8665) prior to the distribution of this form.

Amount \$ 18,000.00

City Account Number: 710-0000-236-98-00 *prj. code: IN1101*

Project Name: Northgate Plaza

Application ID #: 2009-0010
(from Site Plan Application Form)

Project Location: 125 Auburn Street

Project Description: CVS pharmacy with drive-thru service, and the refurbishment of the
H&R Block building.

Funds intended for: Planting of trees & installation of fencing according to the approved
Site plan, upon completion of the City's sewer separation project.
Work to be completed by the City of Portland.

Applicant's Name: A&D Realty, LLC c/o Frank Normandin

Applicant's Address: Winslow Property Management, 5 Militia Dr., Lexington, MA 02421

Expiration:

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

Funds shall be permanently retained by the City.

Other (describe in detail) _____

Form of Contribution:

Escrow Account

Cash Contribution

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

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

Date of Form: 7/21/10

Planner: Jean Fraser

Person Completing Form: Philip DiPierro

-
- Attach the approval letter, condition of approval or other documentation of the required contribution.
 - One copy sent to the Applicant.
- Electronic Distribution to:** Peggy Axelsen, Michael Bobinsky, Michael Farmer, Kathi Earley, Betsy Beety, David Margolis-Pineo, Jeff Tarling, Alex Jaegerman, Barbara Barhydt, Phil DiPierro, Deb Marquis and Planner for project.

Jean Fraser - Re: Progress re Northgate (temp) Fence?????

From: Michael Bobinsky
To: Jean Fraser; Nathaniel Smith
Date: 9/20/2010 10:44 PM
Subject: Re: Progress re Northgate (temp) Fence?????
CC: Barbara Barhydt; David Margolis-Pineo

Hi Jean, Nathaniel will be in a position to give you an update here shortly,...I spoke with him about our direction today at our weekly projects meeting and we are confirming that our DEP partners will approve use of SRF monies for this temp fence. Cost appears to be under \$2,000. It is my understanding that you and Barbara have reviewed the language of the developers contribution agreement, and report that it is specific to permanent landscape and fence; Is there any flex with that, and can you advise us how much of contribution was originally made?

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Barbara indicated that there seemed to be little room for us to use the Site Plan funds, but if you have some new info we can review that.

As Barbara explained when she met with you all, the Planning Board heard Ms DiPhillipo's concerns during the review and asked for the condition re the fencing being raised to 8 ft plus added trees....the CVS project was finished in March so the fence and trees should have been installed in April. The delay in installing the permanent fence and trees is as a result of the sewer project.

Could you please clarify:

1. Is there some temporary construction fencing (that would shield from headlight glare) in DPS somewhere that could be installed immediately?
2. If there is but you don't have \$\$ to install, what would that cost be?
3. When is the contract likely to start- if it is delayed further, perhaps we should have the permanent fencing installed now and have the contract pay for its temporary removal and re-installation?
4. When will you be having a public meeting re the sewer project? (So I can advise Ms diPhillipo)

Thank you
Jean

Jean Fraser - Progress re Northgate (temp) Fence?????

From: Jean Fraser
To: Smith, Nathaniel
Date: 9/20/2010 2:32 PM
Subject: Progress re Northgate (temp) Fence?????
CC: Barhydt, Barbara; Bobinsky, Michael; Margolis-Pineo, David
Attachments: Northgate Fence

Nathaniel,

I attach our last correspondence (8/30) re this and it would be helpful to know where things stand from your viewpoint since Ms DiPhillipo (neighbor most affected by drive thru lights etc) has e-mailed me to ask why the trees and fencing are not in place as promised?

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4. When will you be having a public meeting re the sewer project? (So I can advise Ms diPhillipo)

Thank you
Jean

From: Thelma <tdiphilippo@me.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 9/16/2010 9:35 AM
Subject: Northgate Plaza fence

Jean,

I understand from Jon Smith that the city has been given the money necessary to finish the Northgate Plaza project..

I would like to know how much longer we have to wait for that fence to be put up and the trees planted... We've had to live with the daily noise, dirt, & smell of diesel fumes from delivery trucks for too long now and it's time this project was completed!
When the project first started, we certainly were not told that it would take this long.

Please let us know when the city plans to start installing that fence. We've waited long enough!

Thelma DiPhilippo

CITY OF PORTLAND, MAINE

PLANNING BOARD

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

June 23, 2009

A & D Realty LLC
c/o Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, MA 02421

Bradlee Mezquita
Appledore Engineering, Inc
177 Corporate Drive
Portsmouth, NH 03801

**RE: Northgate Plaza/CVS Expansion with Pharmacy Drive-thru/H&R Block Refurbishment
Vicinity of 125 Auburn Street
Application # 2009-0010
CBL 325 C001 and C023**

Dear Mr. Normandin and Mr. Mezquita:

On June 9, 2009, the Portland Planning Board considered the proposal for a 12,900 sq ft CVS Pharmacy with drive-thru service at the north end of Northgate Plaza, and the refurbishment of the existing building at 125 Auburn Street for H&R Block. The Planning Board reviewed the proposal for conformance with the B2 Conditional Use Standards and Site Plan Ordinance. The Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent) to approve the application with the following motions and conditions as presented below.

CONDITIONAL USE AND SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings, the Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent):

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources Drive Through Survey* took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and

- iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict; and
- iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and
- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include raising the fence along the rear of the site to 8 feet and extending it 60-75 feet in an easterly direction to screen the Cyr property; tree and other planting along the proposed fencing; and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- vii. That the applicant shall install wooden guard rails around the rain gardens. The wooden guard rails may allow a reasonable number of openings to allow pedestrian access; and
- viii. All signage, whether included in the approved plan set or not (both free standing and wall mounted) shall be subject to separate sign permits and approvals; and
- ix. That the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following conditions:

- i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and
- ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iii. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

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

- 1. 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation

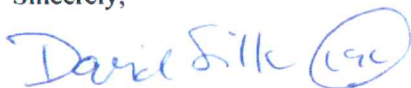
and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. 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 a building permit, street opening permit or certificate of occupancy for site plans.
4. 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.
5. 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, prior to the issuance of a building permit. At the conclusion of the project, the digital as built plans shall be submitted prior to the issuance of a certificate of occupancy.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. 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.
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.)

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 there are any questions, please contact Jean Fraser, Planner at (207) 874- 8728.

Sincerely,



David Silk, Chair
Portland Planning Board

Attachments:
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
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

Jean Fraser - Fwd: RE: Northgate Plaza fence

From: Jean Fraser
To: Smith, Nathaniel
Date: 8/20/2010 2:26 PM
Subject: Fwd: RE: Northgate Plaza fence

8/24/10
 to Barbara
 for DPS
 discussions

a temp fence was
 what I asked for
 all along but now
 not in January.
 SP approval letter +
 plans attached too

Nathaniel

This fence is directly related to your project since it is only necessary because your project has delayed the installation of the permanent fence; even if no fence was there or should be there, if your project causes disturbance to local residents (which it surely will given the size of the vehicles and proximity to residents) then I would suggest the fence is required as part of the project.

Please also note that the residents were also promised the tree planting that you are also delaying; so I think there is some obligation on DPS to address this concern. Your project has been saved the cost of removing the fence and planting and then reinstating/replacing them and in my view those savings should be used to put in a temporary fence for at least some of the distance.

I would like to set up a meeting with whoever in DPS has overall responsibility for these contracts plus other folks here- who should be invited from DPS?

Thanks

Jean

>>> Nathaniel Smith 8/20/2010 1:42 PM >>>

Jean,

The funding for this project is through the State of Maine Clean Water State Revolving Fund (CWSRF) which is set up for our CSO projects that are mandated to be complete by a consent decree.

It is not something that I can just charge the installation of a fence to without going through a bid process and approval by them first. The only way I believe I can get a fence installed would be through the project bid contract as part of the construction of the project deeming it necessary for the construction.

I also wouldn't know if there are other funds available through Mike Bobinsky's budget that can be used now but those charges would not be able to be charged to my project account later unless they are pre-approved and have gone through a bid process.

The SRF are very stringent on what gets approved and what doesn't. Just as an example I can not even put curb or a sidewalk on my projects since they are not directly involved with separating storm water from our sewer system.

The only option that I have is to do it in January or have someone else fund and install it in some other manner.

Nathaniel

>>> Jean Fraser 8/20/2010 11:46 AM >>>

Nathaniel,

I appreciate the timing issues. Is there any way that a temporary fence could be installed now (using other funding sources and then paying it back from the contract)?- it would avoid a very uncomfortable discussion at the Neighborhood Meeting and allow the CVS project to meet their site plan requirements.

If you as project manager for this section can not arrange for that I would like to raise it with Mike Bobinsky, as it is the sewer project that is delaying the compliance with a site plan condition.

Before either of us responds to Ms DiPhillio I would like to at least explore the option of getting the temporary fence installed now.

Thanks

Jean

>>> Nathaniel Smith 8/20/2010 11:25 AM >>>

Jean,

I'm the project manager for the next phase of the project and will be holding a neighborhood meeting. Due to easements the project has been delayed by months. One of the issues was the overhead line issue which we have resolved now.

We still need to file the NRPA permit which will take 3-4 months to get approval. Hopefully sooner.

I am hoping to have a neighborhood meeting either mid to late September.

The project will probably be bid in December with construction during the winter starting in January.

As far as the fence goes we have asked Winslow Property Management to not install the fence now since we would be just tearing it down again this winter.

A temporary fence could be included in the project bid as part of my project if so desired. If it is included than the fence would not be installed until mid January the earliest if even possible due to frozen ground.

I can reply to Thelma directly if you want stating this fact that the there will be a neighborhood meeting this fall with construction to start in January in which a temporary fence would be installed.

Thanks,

Nathaniel

>>> Jean Fraser 8/20/2010 10:13 AM >>>

Nathaniel,

Please confirm to Thelma that a temporary fence (and when) will be constructed as part of the Sewer Separation Project (cc'd to me) - or give me a contact in your Department that Thelma can contact /time and place of the neighborhood meeting.

I believe my division was helpful regarding the issue of the overhead lines etc and I would appreciate your assistance in honoring a Planning Board commitment to Ms DiPhillipo (as it is your project that is delaying her getting that fence).

Thanks

Jean

>>> "Jon Smith" <jons@winslowpropertymanagement.com> 8/19/2010 10:27 PM >>>

Thelma,

As you know, the City has a Storm Water Separation project that is scheduled to run between our respective properties. Since this would negatively impact any fence and trees planted in the back of our property we have given the City the money necessary to complete this portion of the project. At this point, the matter is out of our hands and you will need to speak to them.

I have heard that the City plans on having a public meeting to discuss the project with the neighborhood, however, I do not know when. Perhaps someone from the City can provide further details.

Thank you,

Jon

Jonathan Smith
Winslow Property Management
Summit Realty Partners
5 Militia Drive
Lexington, MA 02421
(781) 674-2020 x214
(781) 862-9070 fax
js@winslowpm.com
jons@winslowpropertymanagement.com

This message is intended for the use of the addressee only and may contain information that is privileged and confidential. If you are not the intended recipient of this message, be notified that any dissemination or use of this message is strictly prohibited. If you have received this message in error, please delete all copies of the message and its attachments and notify the sender immediately. Thank you.

From: Thelma [mailto:tdiphilippo@me.com]
Sent: Tuesday, August 17, 2010 1:44 PM
To: Jon Smith
Cc: Jean Fraser
Subject: Northgate Plaza fence

Good afternoon Jon,

It's been over 2 months since I wrote to you about the fence in the back... You told me then you were working out the details with the city... Why is it taking so long to decide when that fence can be installed?? That project was started over a year ago and we've been living with the constant noise, dirt, and smell of diesel fuel from delivery trucks all night long! That fence needs to be put up as promised...

There's absolutely no good reason why we should have to put up with this much longer....
We were promised a fence and I think it's about time it was installed...

Let me know what steps are being taken to complete this project.

Sincerely,
Thelma DiPhilippo

Jean Fraser - Northgate Plaza Redevelopment

From: "ThelmaD" <thelmadi@maine.rr.com>
To: <jf@portlandmaine.gov>
Date: 6/4/2009 12:13 PM
Subject: Northgate Plaza Redevelopment

Dear Ms. Fraser,

I am the owner of the lot directly behind Hollywood Video. The property description is 375-C-31 376-D-14.

I am concerned about the proposed 'buffer' between the residential properties and the commercial site. I assumed after looking at the site plan that trees would be planted as an additional buffer and screening to the fence... I found out after attending the neighborhood meeting on June 2nd that I had assumed wrong!

An 8 ft fence is not adequate to buffer the noise and pollution from the numerous tractor trailers making deliveries throughout the night and early morning hours. (that includes trash removal by the commercial waste companies)

I'm suggesting that tall evergreens be planted on the residential side of the fence and away from the wetlands. The trees would serve as an additional buffer and provide a natural screen for the fence as seen from the residential side..

My husband and I have lived in this house for 36 years and have enjoyed living in this neighborhood but the peace and quiet we previously enjoyed is not there anymore. I've resorted to leaving the windows closed year round on the back side of the house to keep out the noise and dirt. We don't enjoy our back yard anymore of the view. Even now, given the slope of the land, I have a direct and clear view of the parking lot and everything that goes on there. The trees in the wetlands have died over the years and the shrubs that grow in the spring/summer do nothing to hide or obstruct the ugly view of the parking lot. And there is no longer a buffer for the noise from cars and commercial trucks..

So I am hoping that you will consider planting trees tall enough to sufficiently shield us from the noise, dust, and pollution. The trees would also serve as a natural screen for the back of the fence and improve the visual aspect of the landscaping. This would also greatly improve the quality of our lives for the rest of our 'golden years' !!!!

Respectfully,

Thelma DiPhilippo
Anthony DiPhilippo
96 Brook Road
Portland, ME 04103

Phone# 797-6221



Strengthening a Remarkable City. Building a Community for Life

www.portlandmaine.gov

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

Planning Division
Alexander Jaegerman, Director

April 27, 2010

Frank Normandin
A & D Realty LLC
5 Militia Drive
Lexington, MA 02421

Kevin Paton
142 Crescent Street
Brockton, MA 02301

**RE: Northgate Plaza/CVS Expansion with Pharmacy Drive Thru
Amendment to Approved Site Plan
Dimension changes to drive – thru area and modifications to roof design
Vicinity of 91- 125 Auburn Street
Application No (HTE) 10-99600003
CBL 325 C 023 001**

Dear Mr. Normandin and Mr. Paton:

On April 27, 2010 the Portland Planning Authority approved the amended site plan for the Northgate Plaza CVS Expansion originally approved on June 9, 2009 to allow for a 4 foot narrowing and associated adjustments of the drive thru area opening (between the wall of the new CVS and the wall of the existing plaza structure) and modifications to the roof design and canopies in the vicinity of the drive thru and nearby Plaza structures. The amendments are shown in Appledore Engineering Inc Plans C-2 Rev dated 3.31.2010 and C-2A Rev dated 3.31.2010; BKA Architects Inc Proposed Drive-thru/Crosswalk Sheet 2 (color) dated 3.24.2010, Exterior View (CVS front elevation; color) dated 3.26.2010, and Roof Plan Sheet A2.1 Rev 3.11.2010.

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

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

1. The above approval does not constitute approval for building plans, which must be reviewed and approved the City of Portland's Inspection Division.
2. Where submission drawings are available in electronic form, 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.

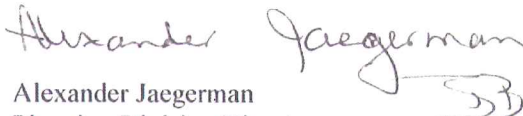
2.

3. Five (5) paper copies (at scale) of Appledore Engineering Inc Plan C-2A, Rev dated 3.31.2010 shall be submitted to the Planning Division prior to any Certificate of Occupancy.
4. 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.
5. 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 Jean Fraser at (207) 874 8728.

Sincerely,


Alexander Jaegerman
Planning Division Director

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
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
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

Sent: Tuesday, August 25, 2009 12:18 PM
To: Gretchen Young, P.E.
Subject: H&R Block

Gretchen

Just to let you know that our Fire Prevention folks are a little concerned about the drive being narrowed at the rear of the H&R Block building- I am pretty sure they will allow it to be 20 feet but the concern is that staff or customers (or delivery vehicles) will stop/park in the drive and cut off potential fire access.

I am meeting with them tomorrow morning with Tom Errico; I am fairly sure they will be OK with it as its shown but thought I would give you a heads up.....

This would have come up during Building Permit stage anyway so good to resolve now.

Jean

CC: Normandin, Frank; P.E., Bradlee Mezquita,; Smith, Jon

DW Rev
8-26-09
Keith Gauthreau
Confirmed he was
OK with drive
at 22' (as shown
on final plan)

From: "Tom Errico" <thomas.errico@tylin.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 8/20/2009 10:21:08 AM
Subject: CVS Pharmacy - Northgate Shopping Center

Jean -

I have reviewed the Seasonal Drive-Through data provided in a memorandum prepared by Vanasse Hangen Brustlin, Inc. dated August 3, 2009. According to the data provided, prescription activity at the proposed store is expected to be consistent on a monthly basis, while drive-through activity is also expected to be consistent. The analysis concludes that the traffic data collected by Maine Traffic Resources in May 2009 is representative of average seasonal activity and therefore the traffic analysis conducted during the Planning Board approval process is reasonable. I concur with this conclusion and accordingly the applicant has met the condition of approval.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.

T.Y. Lin International

12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

CC: "Katherine Earley" <KAS@portlandmaine.gov>, "David Margolis-Pineo" <DMP@portlandmaine.gov>



PORTLAND MAINE

Planning Division
Jean Fraser, Planner

8-20-09

Phil

Northgate - H+R Block +
CVS Expansion

Pl. see email dated 8/24/09 to
Cretchen Young.

The attached are approved subject
to minor pts in that e-mail and
are OK as basis for Perf Guarantee.
(Yellow highlighting where revisions
awaited).

Marge also has this set re
progressing B.P.

Jan

PS Full Scale set folded in file; rest
of "approved" plan set on CD drive
under 125 Auburn Post Approved/
2042 C SITE PLAN REVIEW 8-18-09



PORTLAND MAINE

Planning Division
Jean Fraser, Planner

8-20-2009

Marge

Re: Northgate - H+R Block +
CVS Expansion.
2009-0010

Further to my update at Bw Re
yesterday,

① Attached are the key drawings a
approved + OK to use to review
Building Permit(s) (one landscape
is missing - rest of this "approved
is in '0' drive 125 Auburn Post app
2042 C SITE PLAN REVIEW 8-18-09

② You will see from the attached
to the applicant's engineers that
lighting seems to be problematic
Planning sign-offs for the H+R B1
Add permit will depend on getting
Photometric + final elevations for
neighbors (proposed windows to be c

③ when they submit for CVS New
Building Permit (after a demo per
Planning sign-offs will also def
the lighting proposals being appon

Infrastructure Financial Contribution Form

Obtain an Account Number from Paul Colpitts, Chief Acct.,
(ext. 8665) prior to the distribution of this form.

Amount \$ 2500

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

Project Name:

Northgate Plaza/ CVS Expansion

Application ID #:

2009 - 0010

(from Site Plan Application Form)

Project Location:

Vic. 125 Auburn Street

Project Description:

New construction of 12,900 sqft CVS w/
drive thru + refurbishment H+R Block

Funds intended for:

"towards installation of pedestrian "count-down" signal heads for the shopping center

Applicant's Name:

driveway at the Auburn St/Site Drive intersection"

Applicant's Address:

Frank Normandin, A+D Realty LLC

Expiration:

Winslow Property Management

5 Militia Drive, Lexington, MA 02421

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

Funds shall be permanently retained by the City.

Other (describe in detail) _____

Form of Contribution:

Escrow Account

Cash Contribution check # 2038 dated July 23, 2009, rec'd 8.19.09.

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

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

Date of Form: Aug 19, 2009

Planner: Jean Fraser

Person Completing Form: Jean Fraser

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

Electronic Distribution to:

Peggy Axelsen, Michael Bobinsky, Michael Farmer, Kathi Earley, Betsy Beety, David Margolis-Pineo, Jeff Tarling, Alex Jaegerman, Barbara Barhydt, Phil DiPierro, Deb Marquis and Planner for project.

2038

A & D REALTY, LLC

REFERENCE NO.	DESCRIPTION	INVOICE DATE	INVOICE AMOUNT	DISCOUNT TAKEN	AMOUNT PAID
7/23/09		7/23/09	2,500.00		2,500.00
CHECK DATE	CHECK NO.	PAYEE	DISCOUNTS TAKEN	CHECK AMOUNT	
7/23/09	2038	City of Portland		\$2,500.00	

THIS DOCUMENT IS PROTECTED BY MULTIPLE SECURITY FEATURES. DETAILS ON BACK



RIGHT

SECURITY FEATURES

DETAILS ON BACK

2038



53-7054
2113

A & D REALTY, LLC
 C/O WINSLOW PROPERTY MANAGEMENT, INC.
 5 MILITIA DRIVE
 LEXINGTON, MA 02421

Memo:

CHECK NO.
2038

DATE
Jul 23, 2009

*****AMOUNT
\$2,500.00

Two Thousand Five Hundred and 00/100 Dollars

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ORDER
OF:

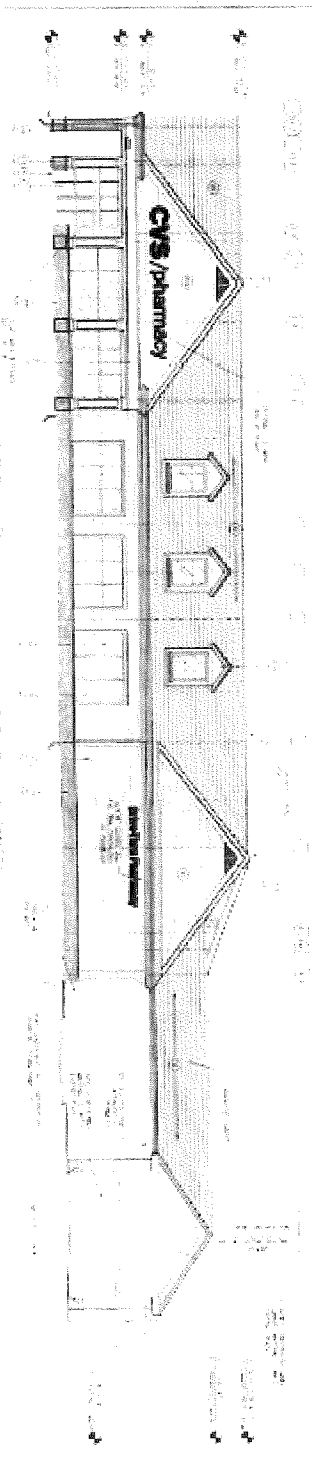
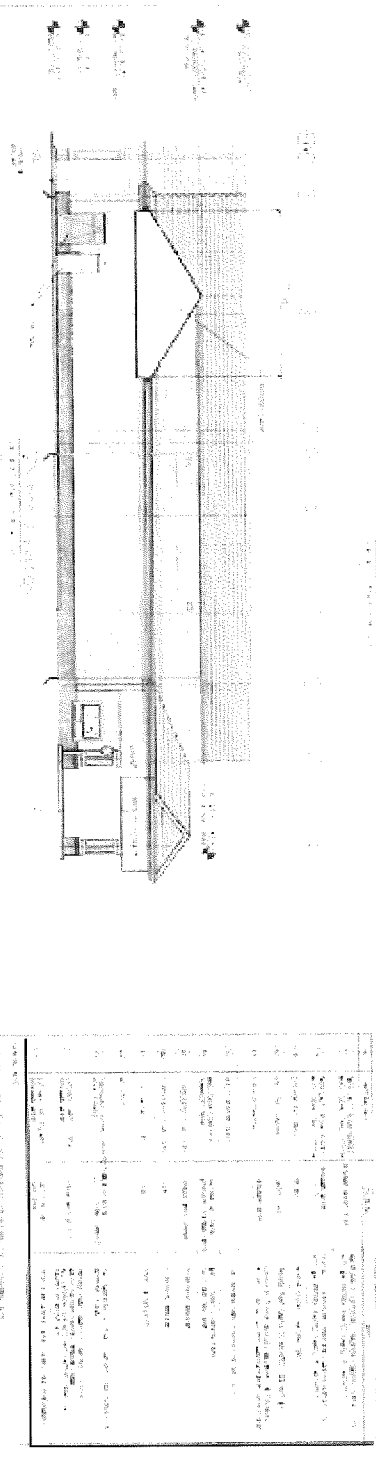
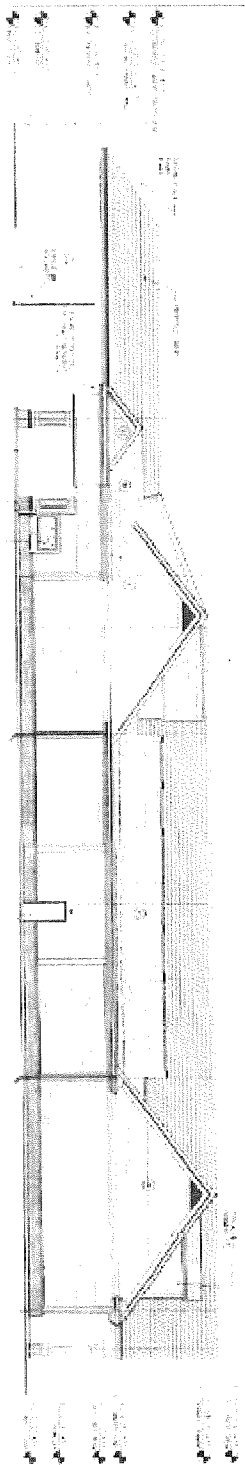
City of Portland
 Attn: Jennifer Dorr, 4th Floor
 389 Congress Street
 Portland, ME 04101

AUTHORIZED SIGNATURE

SECURITY FEATURES
INCLUDED
ON ALL BANKNOTES

⑈002038⑈ ⑆21137054518243487598⑈





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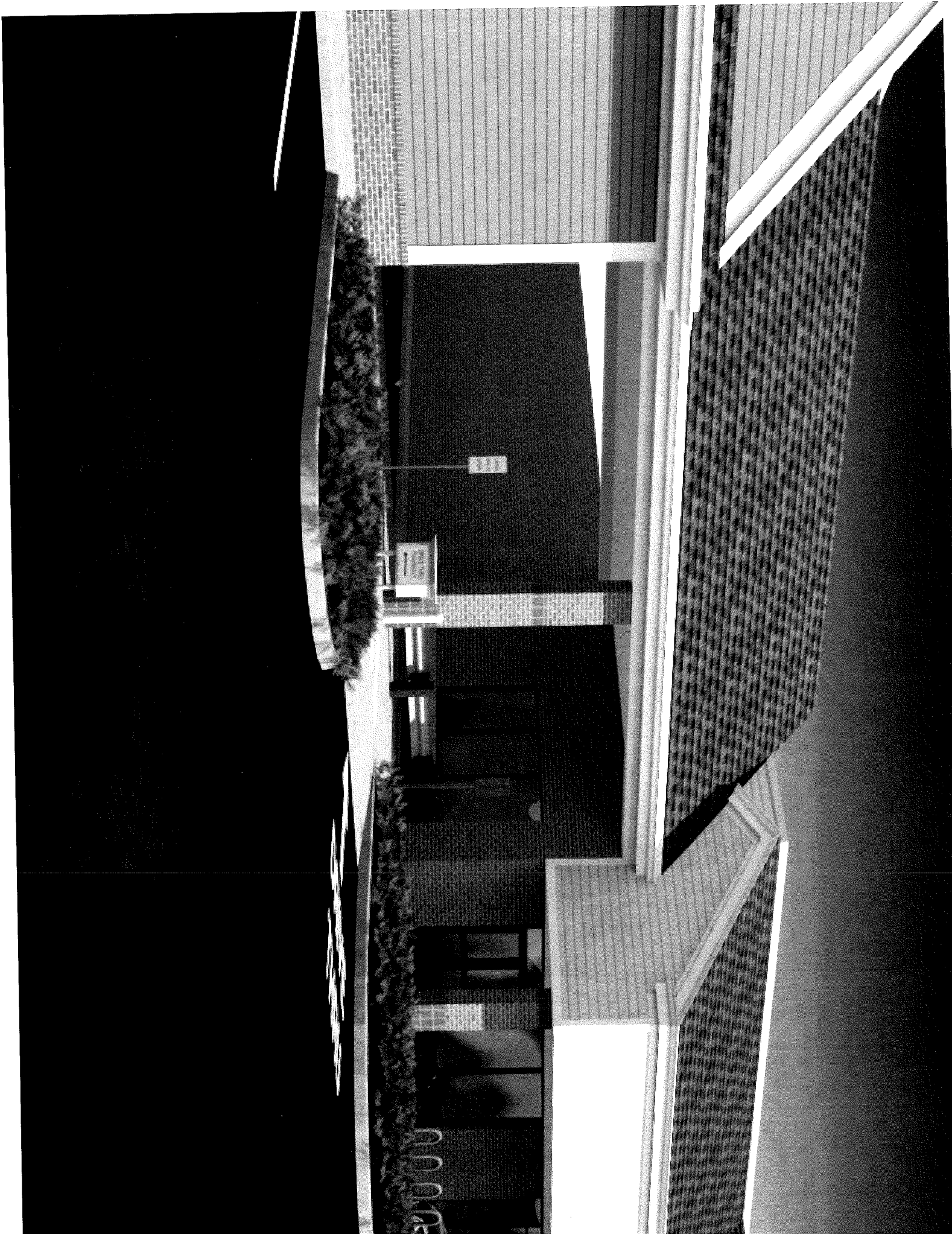
BGA Architects Inc
143 Crescent Street
Boulder, CO 80503

APP C-22
Date: 9/2/03

CVS/

NEW
2-DIMENSIONAL
DRAWING

DATE: 09/02/03



Jean Fraser - RE: CVS Drive thru Portland

From: "Kevin Paton" <kpaton@bkaarchs.com>
 To: "Frank Normandin" <frankn@summitrealtypartners.com>, "Jean Fraser" <...>
 Date: 3/12/2010 2:15 PM
 Subject: RE: CVS Drive thru Portland
 CC: "Roland Pothier" <rpothier@tb-group.com>

The original permitted distance was 23'-8", the constructed distance is 19'-6" however both maintain the original 15'-0" wide drive way.

Kevin Paton
 Senior Associate

B K A Architects, Inc.
 142 Crescent Street
 Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
 fax: 508 . 584 . 2914
www.bkaarchs.com

and "arranged at 38'0" clear
 between the two buildings.
 max truck width from TE 8 1/2'

From: Frank Normandin [mailto:frankn@summitrealtypartners.com]
Sent: Friday, March 12, 2010 2:08 PM
To: Jean Fraser
Cc: Kevin Paton; Roland Pothier
Subject: RE: CVS Drive thru
 Kevin / Roland:

Can you provide Jean with the information she is requesting ...

Thank you.

Frank

From: Jean Fraser [mailto:JF@portandmaine.gov]
Sent: Friday, March 12, 2010 1:57 PM

Thanks
Jean

I need this to determine if the Traffic Engineering Reviewer also needs to attend the meeting on Tuesday.

I attach a picture of the width I am referring to.

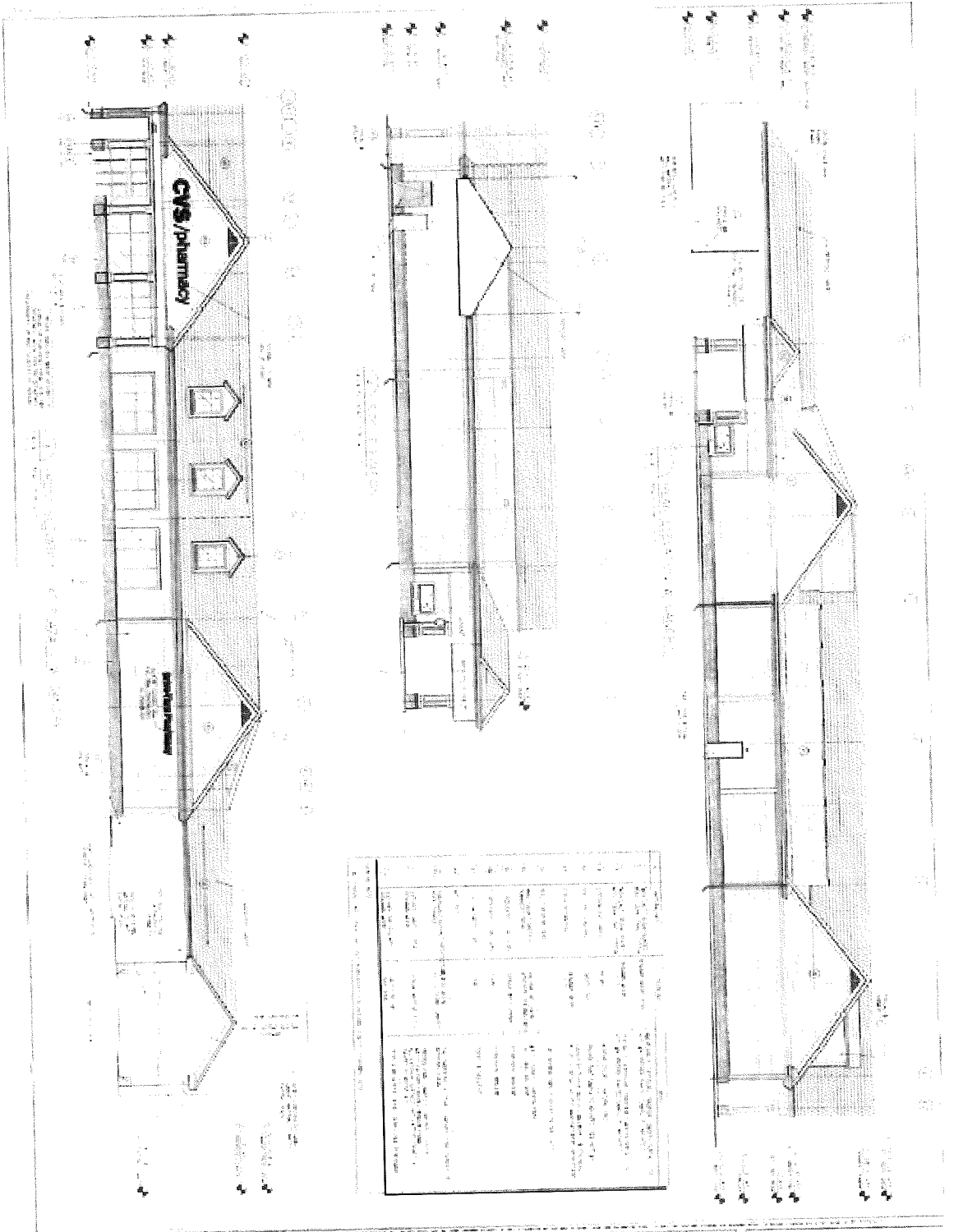
Could you please ask the architect or the contractor to let me have the actual dimension (as built) between the wall of the CVS facing the drive thru and the 2 columns nearest that edge ie I would like to know the exact width of the space between the wall and the nearest part of the columns facing the wall.


Frank,

To: Frank Normandin
Subject: CVS Drive thru









BKA Architects PC
 142 Crescent Street
 Brewster, MA 02603

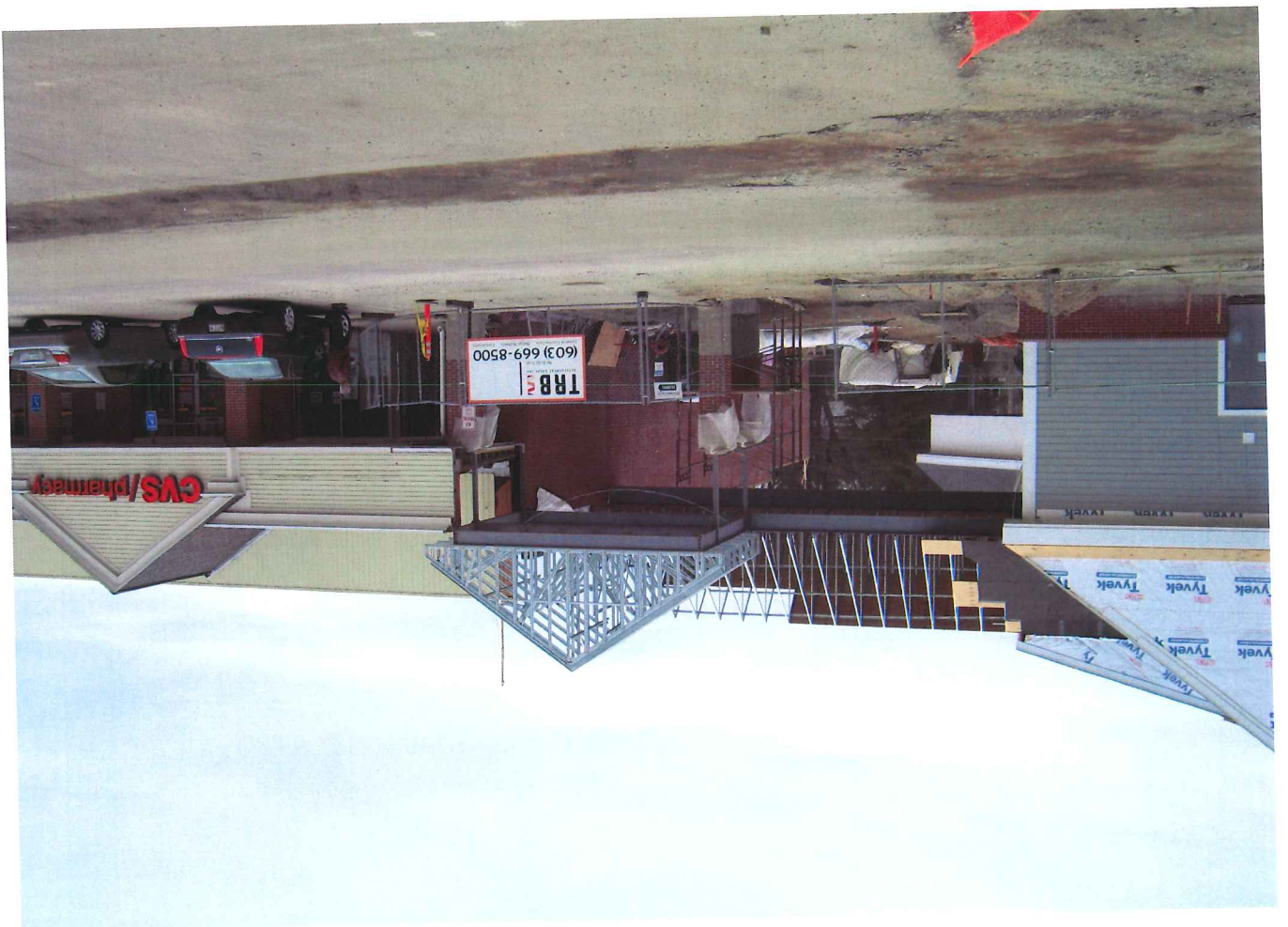
1st C-22
 Date: 9


CVS
 NEW
 5700 Rte 201
 Springfield, MA 01111

SHEET 01 OF 01

- between CVS + column: 30'
 - drive thru + walkway by CVS: 20'
 - between bldg: 43'
 from Elevation

- drive thru + walkway by CVS: 20'
 - between bldg: 42'
 from site plans:



Where cut in

781-862-9700 x212

Frank

Thank you.

Call or email when you have a moment.

I will be coming with Kevin Paton (CVS architect) and a representative of the contractor.

I am writing to see if I can arrange a time to meet with you next week (Tuesday anytime between 11-3 would be great) or later in the week to discuss our proposed revisions on our facade (see enclosed), CVS window graphics and a dimension issue with our building which differs from the approved plan.

Good morning.....Hope all is well with you.

Jean:

From: "Frank Normandin" <frankn@summitrealtypartners.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 3/11/2010 9:37 AM
Subject: FW: CVS Portland rendering
Attachments: CVS Portland-nogable.jpg

From: "Frank Normandin" <frankn@summitrealtypartners.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 3/11/2010 9:37 AM
Subject: FW: CVS Portland rendering
Attachments: CVS Portland-nogable.jpg

Jean:

Good morning.....Hope all is well with you.

I am writing to see if I can arrange a time to meet with you next week (Tuesday anytime between 11-3 would be great) or later in the week to discuss our proposed revisions on our facade (see enclosed), CVS window graphics and a dimension issue with our building which differs from the approved plan. I will be coming with Kevin Paton (CVS architect) and a representative of the contractor.

Call or email when you have a moment.

Thank you.

Frank

781-862-9700 x212

3.12.10.

Requested dimension
between CVS + column.



TRB
DEVELOPMENT GROUP, INC.
We Build Trust
(603) 669-8500
General Contractors | Design Builders | Consultants

NO PARKING
FIRE LANE

TRB Development Group, Inc.
DELIVERIES

NOTICE

WVEK

CONTRACTOR

Home Depot

NORTHGATE PLAZA/CVS MEETING

March 4, 2009 2pm

Attendees from the Applicant:

Frank Normandin from A&D Realty
Bradlee Mezquita, Appledore Engineering
Gretchen Young, Appledore Engineering

Attendees from the City:

Alex Jaegerman, Director of Planning
Barbara Barhydt, Development Services Review Manager David
Margolis-Pineo, Deputy City Engineer
Marge Schmuckal, Zoning Administrator
Dan Goyette, Peer Reviewing Engineer (from Woodard & Curran)
Jean Fraser, Planner

Suggested discussion topics:

1. **Summary/clarification of proposals by applicant** (it would be helpful to have confirmation of loading areas, further parking demand information, and drive thru trip generation available for the meeting - Traffic Engineering comments were forwarded to you last week and included a request for this and other information; also please confirm size of existing plaza as stated to be 105,940SF in one place and 109,204SF in another)

2. Review issues re CVS building and drive thru:

- a. Clarification re the framework for the review: MeDEP and Chapter 500 interpretations and applicability;
- b. Drainage into Fall Brook - Parking, travel lane, building and snow storage are within the 75' stream protection zone and require a waiver from city requirements. By constructing a building and adding a drive through lane, the land use within the 75' stream setback is intensified. Significant improvements re impervious surface area and treatment of storm water are needed eg LID techniques;
- c. The Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP. An alternative stormwater treatment approach is required;
- d. There appear to be 63 more parking spaces than what is required by code; why can't the parking within the 75 foot setback be eliminated so that this area can be vegetated; snow storage area could be relocated so that drive lanes can be pulled away from Fall Brook;
- e. Pedestrian footpath (from Brook Rd to Plaza which comes out in travel lanes from drive-thru) and proposed relocation/safety treatment (currently uses existing sidewalk along side of existing Plaza building);
- f. Landscaping and Lighting; Sanitary waste flow calculations and lighting photometrics need to be submitted; also details of the ATM.

3. Review issues re 125 Auburn (Boy Scout Building)

- a. Site boundaries not consistent (as between survey and site plan);
- b. Impacts of the newly proposed (not shown in pre-application plans) parking area at side of the building, including loss of trees; absence of buffer; topography and drainage; impact on residential abutter re noise, glare, loss of trees etc (see letter from Scotts forwarded previously);
- c. Alternative ways to provide parking? Some in Plaza parking area?
- d. If this scale of parking remains part of proposal, need information for Planning Board on lighting levels, location of parking in relation to steep slope across site and in relation to abutter's property; plans showing trees to be removed; details of landscaped buffer etc.

4. Other issues not covered above

5. Way forward

- a. Confirm information and revisions to be submitted;
- b. Timetable vis a vis Planning Board.

Sidewalk flow plan.



between
82 Brook Rd (84)
and 88 Knott Rd.

lyseth

DRAINAGE STUDY

FOR

**Proposed Redevelopment
Northgate Shopping Center
Auburn Street
Portland, Maine**

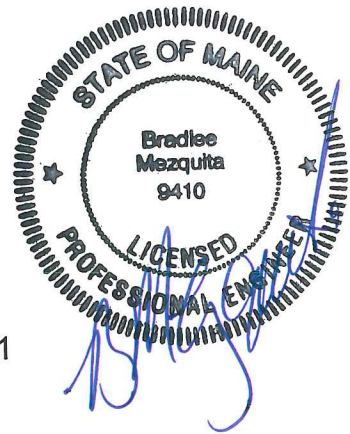
**January 30, 2009
(Revised March 13, 2009)**

Prepared For:

A & D Realty Inc.
5 Militia Drive
Lexington, Massachusetts 02421

Prepared By:

Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, New Hampshire 03801



**Proposed Redevelopment
Northgate Shopping Center
Auburn Street
Portland, Maine**

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- 2.0 Calculation Methods
- 3.0 Pre-Development Condition
- 4.0 Post-Development Condition
- 5.0 Discharge Point Peak Rate Comparisons
- 6.0 Pipe Design
- 7.0 Best Management Practices
- 8.0 Operation and Maintenance Plan
 - Appendix A - Supporting Calculations:
 - Pre-Development Calculations
 - Post-Development Calculations
 - Pipe Design
 - Appendix B:
 - Charts

1.0 - SUMMARY

The proposed project involves the redevelopment of the Northgate Shopping Center and adjacent Lot C-23. The shopping center (Lot C-1) property is approximately 13.20 acres located in the Community Business District (B-2). The adjacent Lot, C-23, is approximately 0.54 acres located in the Residential Professional District (R-P). The overall project site (includes both lots) is bound by Auburn Street to the south, Allen Avenue to the east, the Mercy Care property to the northwest and Fall Brook with jurisdictional wetlands to the north (see Figure 1 – Site Location Map). The existing developed plaza (Lot C-1) consists of approximately 105,940 sf of retail and restaurant area. The property also supports a Town and Country Credit Union, as well as parking (by easement) for Mercy Care. The adjacent Lot-23 includes a 2,600 sf, two (2) story vacant building. See Existing Conditions Plan for further information concerning the existing site. For the purpose of this drainage analysis both projects are considered to be part of the same redevelopment and from here on, the “site” will refer to both redevelopment projects.

The proposed redevelopment will include demolishing approximately 12,715 sf of the northern part of the existing retail plaza and the construction of a new 12,900 sf stand-alone CVS building with a drive-thru facility within the limits of the existing pavement. The structure of the existing vacant building will remain but will receive substantial façade and site improvements. Parking, landscaping and utility improvements are also proposed throughout the site (see Sheet C-3, Overall Site Plan). Approximately 2.81 acres of the previously developed site will be disturbed.

The site drains from the south along Auburn Street towards Fall Brook and the jurisdictional wetlands located at the rear of the existing parking lot. Fall Brook has been designated as an Urban Impaired Stream by the Maine Department of Environmental Protection. As part of the redevelopment of this site we have reduced the existing impervious area on the site, which will in turn reduce the contributing stormwater runoff and potential for pollutants entering Fall Brook. In addition we are proposing an upgrade of the existing closed drainage system, including catchbasins with sumps and grease hoods as well as two (2) rain gardens to treat the stormwater prior to discharging to the stream.

Based on the Flood Insurance Rate Map for this area, the portion of Fall Brook directly down stream of the site appears to have flooding concerns and is designated within the 100-year flood zone. The reduction of impervious area on this site will help to reduce the contributing volume of runoff entering Fall Brook and help to minimize flooding down stream.

The proposed redevelopment has been designed based on the regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction to the maximum extent practical.



APPLEDORE
ENGINEERING INC

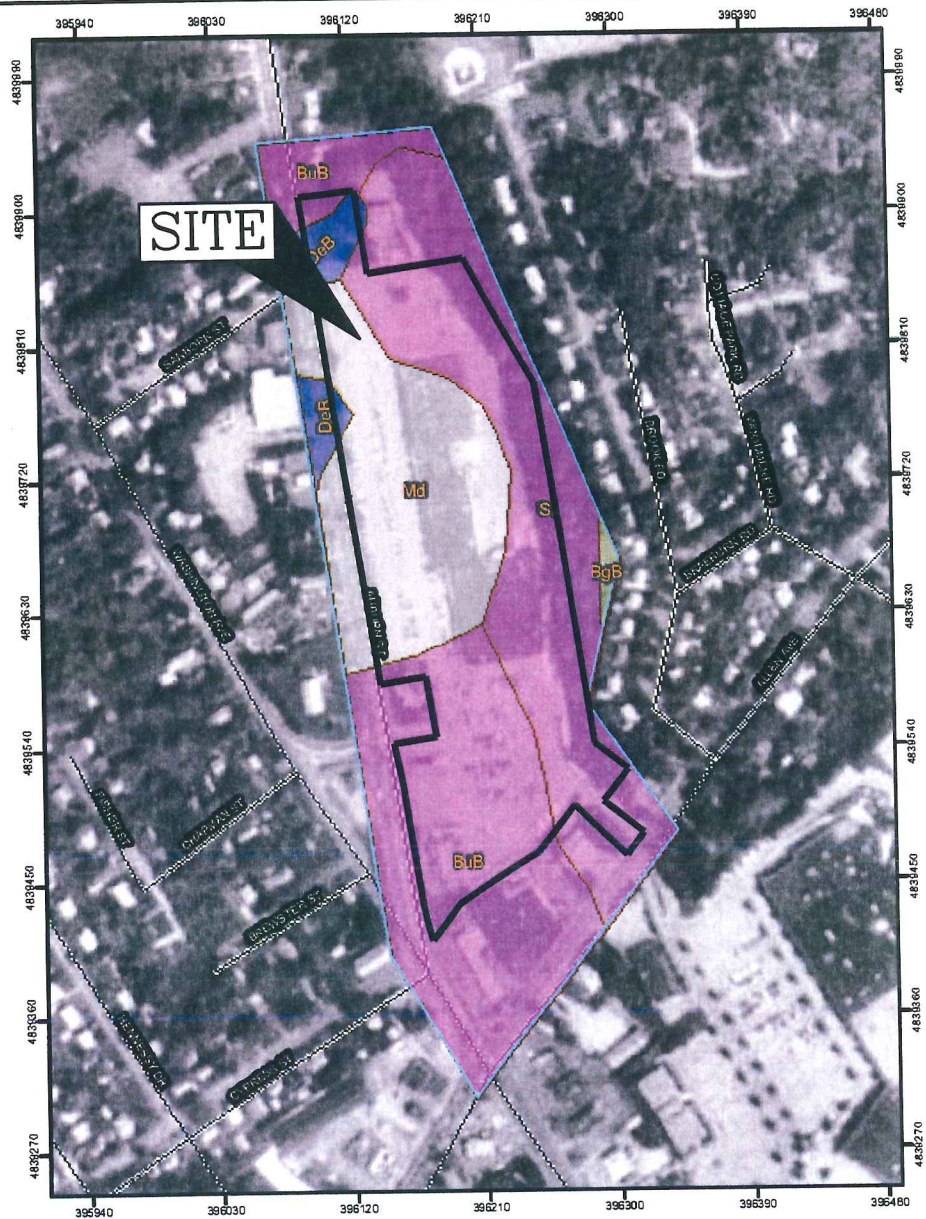
177 Corporate Drive
Portsmouth, New Hampshire 03801
(603) 433-8818

aei@appledoreeng.com

FIGURE 1: SITE LOCATION MAP
Proposed Redevelopment

Northgate Shopping Center
Auburn Street
Portland, Maine

SOURCE: USGS, PORTLAND WEST QUADRANGLE
SCALE: 1:1200



SYMBOL	NAME	RATING
BgB	BELGRADE VERY FINE SANDY LOAM	C
BuB	BUXTON SILT LOAM	D
DeB	DEEFIELD LOAMY SAND	B
Md	MADE LAND	C (ASSUMED)
Sn	SCANTIC SILT LOAM	D

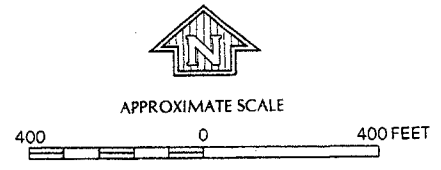
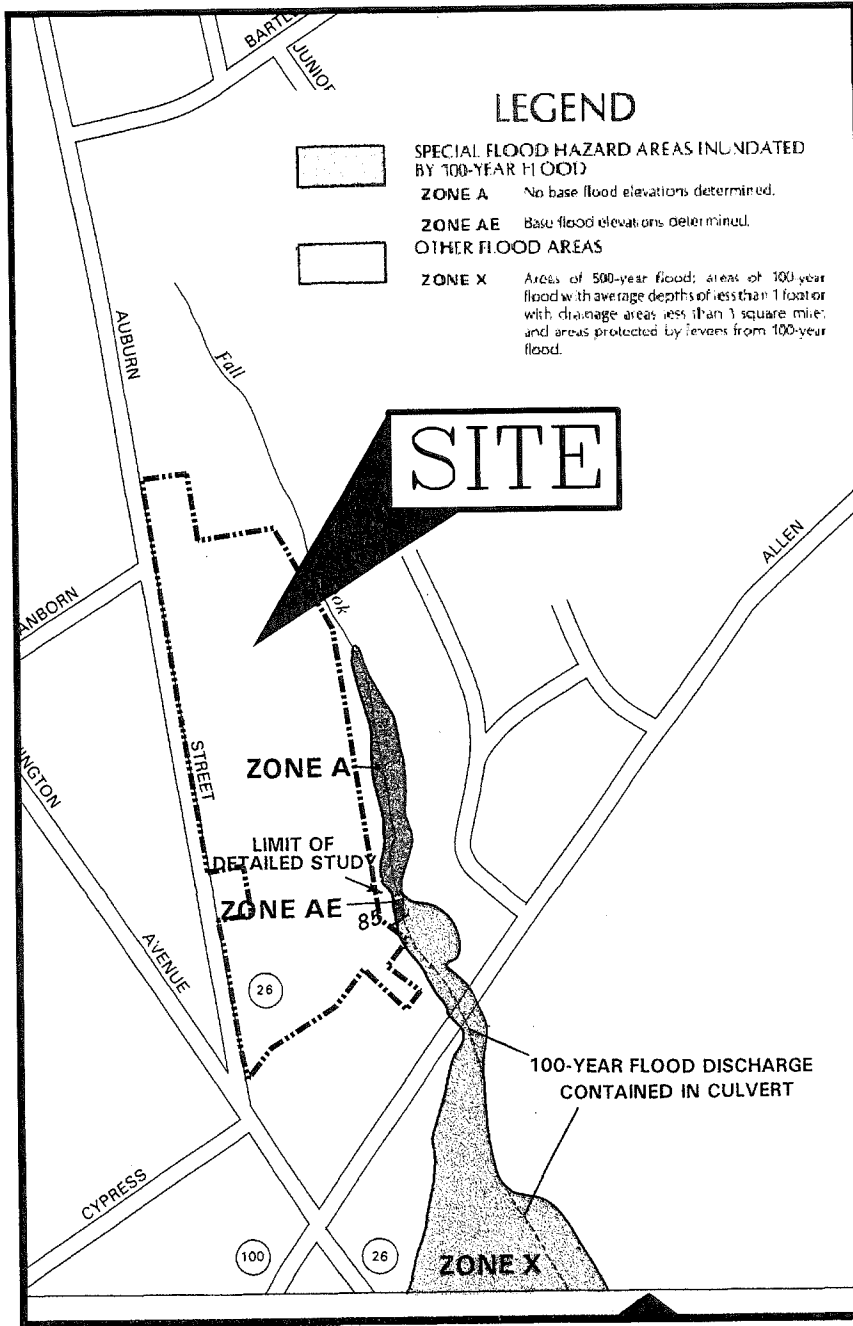


177 Corporate Drive
 Portsmouth, New Hampshire 03801
 (603) 433-8818 aei@appledoreeng.com

FIGURE 2: SCS SOILS SURVEY

Northgate Shopping Center
 Auburn Street
 Portland, Maine

SOURCE: SOIL SURVEY OF CUMBERLAND COUNTY
 NOT TO SCALE



NATIONAL FLOOD INSURANCE PROGRAM


FIRM
FLOOD INSURANCE RATE MAP

CITY OF
PORTLAND,
MAINE
CUMBERLAND COUNTY

PANEL 2 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0002 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

AEI APPLIEDORE ENGINEERING INC.
177 Corporate Drive
Portsmouth, New Hampshire 03801
(603) 433-8818 aei@appledoreeng.com

**NORTHGATE
SHOPPING CENTER
AUBURN STREET
PORTLAND, MAINE**

REFERENCE:
FLOOD INSURANCE RATE MAP
CITY OF PORTLAND
CUMBERLAND COUNTY
COMMUNITY PANEL #230051-0002 C
REVISED: DECEMBER 8, 1998

DATE: JANUARY 9, 2009
PROJECT No.: 2042B

**FLOOD INSURANCE RATE MAP
NOT TO SCALE**

FIGURE 3

2.0 - CALCULATION METHODS

The design storms analyzed in this study are the 2-year, 10-year and 25-year 24-hour duration storm events. The stormwater modeling system, HydroCAD 8.0⁽¹⁾ was utilized to predict the peak runoff rates from these storm events. A Type III storm pattern was used in this model.

The time of concentration was computed using the TR-55 method, which provides a means of determining the time for an entire watershed to contribute runoff to a specific location via sheet flows, shallow concentrated flows and channel flow. Runoff curve numbers were calculated by estimating the coverage areas and then summing the curve number for the coverage areas as a percent of the entire watershed. The appendix to this report contains a full description of the time of concentration methodology utilized in this report.

Drainage structures were sized for the 25-year storm using peak runoff rates generated from HydroCAD. Structure sub-catchments were identified and stormwater flows were routed through the system in general accordance with standard engineering practice. Hydraulics calculations for the drainage structures were analyzed for inlet and outlet control, maximum headwater and discharge velocity during the 25-year storm event using the HydroCAD 8.0⁽¹⁾.

⁽¹⁾ *HydroCAD 8.0, by HydroCAD Software Solutions, LLC, P.O. Box 350, Chocorua, New Hampshire 03817.*

3.0 - PRE-DEVELOPMENT CONDITION

The runoff from the overall site in the pre-development condition was modeled at three (3) discharge points with three (3) contributing watershed areas (see Appendix A for the Pre-Development Watershed Plan, WS-1).

Discharge Point 1

Discharge Point 1 (DP 1) is located at the inlet of two (2) twenty-two (2) (22) inch culverts that convey Fall Brook under an existing pedestrian walkway. Watershed Area 1 (WS-1) includes a portion of the front parking lot and roof runoff that is collected in a closed drainage system and discharged just upstream of the two (2) culverts. The remainder of WS-1 includes sheet runoff from the plaza parking lot and adjacent lot, which travels via overland flow directly into the wetlands and Fall Brook, located at the rear of the site.

Discharge Point 2

Discharge Point 2 (DP 2) is located in Fall Brook, downstream from the twenty-two (2) (22) inch culverts. Watershed Area 2 (WS-2) includes area from the existing building and rear of the plaza that travels via overland flow towards the wetland.

Discharge Point 3

Discharge Point 3 (DP 3) is located within an existing catchbasin to the east of the proposed project area. This catchbasin is connected to the closed drainage system serving the remainder of the Northgate Plaza. Watershed Area 3 (WS-3) includes a portion of the front parking lot.

Table 1 summarizes the watershed's characteristics. The appendix to this Drainage Study fully documents these computations.

WATERSHED NUMBER	AREA (ACRES)	CN	TIME OF CONCENTRATION (MIN)
WS-1	3.02	93	7.2
WS-2	1.01	97	3.1
WS-3	0.20	98	3.2
Total	4.23		

4.0 - POST-DEVELOPMENT CONDITION

The runoff from the overall site in the post-development condition was modeled at the same three (3) discharge points as in the pre-development condition. The post-development site is comprised of three (3) contributing watershed areas (see Appendix A for the Post-Development Watershed Plan, WS-2).

Post-Discharge Point 1

As in the pre-development condition Post-Discharge Point 1 (PDP 1) is located at the inlet of two (2) twenty-two (22) inch culverts that convey to Fall Brook. Post-Watershed Area 1 (PWS 1) includes the rear drive aisle, as well as a small portion of the parking area and the large green space area behind the proposed CVS. Runoff from this area travels via overland flow towards Fall Brook. As part of this redevelopment, the portion of the site discharging directly to Fall Brook has been substantially decreased. New impervious areas have been included in this watershed resulting in a reduction in stormwater volume and improved stormwater quality.

Post-Discharge Point 2

Post-Discharge Point 2 (PDP 2) is located in Fall Brook, downstream from the twenty-two (22) inch culverts. Post-Watershed Area 2 (PWS 2) includes area from the existing building and rear of the plaza that travels via overland flow towards Fall Brook.

Post-Watershed Area 2A (PWS 2A) includes portions of the front parking area, the proposed drive thru area, the roof runoff from the proposed building and Lot C-23. As part of the redevelopment the existing closed drainage system will be redesigned to collect the runoff from these areas, and discharge to a rip rap section downstream of the twenty-two (22) inch culverts. Treatment for this area will come from two (2) new rain gardens located within the limits of the parking lot, as well as from new catchbasins, which are equipped with four (4) foot sumps and hoods.

Post-Discharge Point 3

Post-Discharge Point 3 (PDP 3) is located within an existing catchbasin to the east of the proposed project area. This catchbasin is connected to the closed drainage system serving the remainder of the Northgate Plaza. Post-Watershed Area 3 (PWS 3) includes a portion of the front parking lot. As part of the redevelopment, a new raised island has been designed with a portion of the new associated open space discharging to this discharge point.

Table 2 summarizes the watershed's characteristics. The appendix to this Drainage Study fully documents these computations.

**TABLE 2
POST-DEVELOPMENT WATERSHED CHARACTERISTICS**

WATERSHED NUMBER	AREA (ACRES)	CN	TIME OF CONCENTRATION (MIN)
PWS 1	0.58	92	2.9
PWS 2	0.71	97	2.3
PWS 2A	2.76	93	6.7
PWS 3	0.18	96	4.4
Total	4.23		

5.0 - DISCHARGE POINT PEAK RATE COMPARISONS

Table 3 summarizes and compares the pre- and post-development peak runoff rates for the 2-year, 10-year and 25-year storm events. The post-development peak rate of runoff for each discharge point has been determined to be less than or equal to the peak rate of runoff for the pre-development condition.

TABLE 3 COMPARISON OF PRE- AND POST-DEVELOPMENT FLOWS STORM EVENT (cfs)			
	2-Year Storm	10-Year Storm	25-Year Storm
Pre-Development Condition			
DP 1	5.93	11.34	13.87
DP 2	7.99	15.00	18.28
DP 3	0.44	0.78	0.94
Post-Development Condition			
PDP 1	1.10	2.16	2.66
PDP 2	7.85	14.84	18.11
PDP 3	0.40	0.72	0.87

6.0 - PIPE DESIGN

The closed drainage system was analyzed for capacity using the 25-year, Type III storm event. A separate model depicting subcatchment areas for each of the catchbasins and roof drain areas was created. These subcatchment areas are depicted on the plan entitled "Subcatchment Plan", Sheet WS-3 found in the appendix to this study. The drainage system is anticipated to operate without ponding or flooding on-site during the 25-year storm event.

Table 4 details the results of the capacity analysis for the 25-year storm event in the individual catchbasins and drain manholes.

TABLE 4 SUMMARY OF STRUCTURE PERFORMANCE 25-YEAR STORM		
STRUCTURE NUMBER	TOP OF FRAME ELEVATION	WATER SURFACE ELEVATION
PDMH 1	90.6	89.17
PDMH 2	93.2	89.73
PCB1	93.4	91.25
PCB2	92.3	91.27
PCB3	92.85	90.53
PCB4	93.15	90.53
CB5319	93.35	91.4
CB5304	93.2	91.53

7.0 - BEST MANAGEMENT PRACTICES

All soil erosion and sediment control measures shall be in accordance with regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction. The intent of the outlined measures is to minimize erosion and sedimentation during construction, stabilize and protect the site from erosion after construction is complete and improve stormwater quality from the site. Best Management Practices for this project include:

- Temporary practices to be implemented during construction.
- Permanent practices to be implemented after construction.
- Stormwater treatment devices.

TEMPORARY PRACTICES

Sequencing:

1. Cut and clear trees.
2. Construct temporary and permanent sediment, erosion and detention control facilities. Erosion, sediment and detention measures shall be installed prior to any earth moving operations that will influence stormwater runoff such as
 - new construction
 - stream channel modifications
 - control of dust
 - construction of access road
 - nearness of construction site to receiving waters
 - construction during late winter and early spring
3. All permanent ditches, swales, detention, retention and sedimentation basins to be stabilized using the vegetative and non-structural BMPs prior to directing runoff to them.
4. Clear and dispose of debris.
5. Construct temporary culverts and diversion channels as required.
6. Grade parking areas - all parking areas shall be paved immediately after their construction.
7. Begin permanent and temporary seeding and mulching. All cut and fill slopes shall be seeded and mulched immediately after their construction.
8. Daily, or as required, construct temporary berms, drains, ditches, silt fences, sediment traps, etc.; mulch and seed as required.
9. Finish paving all roadways and parking lots.
10. Inspect and maintain all erosion and sediment control measures.
11. Complete permanent seeding and landscaping.
12. Remove trapped sediments from collector devices as appropriate and then remove temporary erosion control measures.

Stabilization Practices:

1. Stabilization shall be initiated on all loam stockpiles and disturbed areas where construction activity will not occur for more than twenty one (21) calendar days by the fourteenth (14th) day after construction activity has permanently or temporarily ceased in that area. Stabilization measures to be used include:
 - a. Temporary seeding
 - b. Mulching
2. During construction, runoff will be diverted around the site with earth dikes, piping or stabilized channels where possible. Sheet runoff from the site will be filtered through hay bale barriers and silt fences. The site shall be stabilized for the winter by November 15th.
3. An area shall be considered stable when one (1) of the following has occurred:
 - a. Base course gravels have been installed in areas to be paved.
 - b. A minimum of 85% vegetated growth has been established.
 - c. A minimum of three (3) inches of non-erosive material such as stone or riprap has been installed.
 - d. Erosion control blankets have been properly installed.
4. Winter stabilization practices:
 - a. All proposed post-development vegetated areas which do not exhibit a minimum of 85% vegetated growth by November 15th, or which are disturbed after November 15th, shall be stabilized by seeding and installing erosion control blankets on slopes greater than 4:1 and seeding and placing three (3) to four (4) tons of mulch per acre, secure with anchor netting, elsewhere.
 - b. All ditches or swales which do not exhibit a minimum of 85% vegetative growth by October 15th, or which are disturbed after October 15th, shall be stabilized with stone or erosion control blankets appropriate for the design flow condition.

- c. After November 15th, incomplete road or parking surfaces shall be protected with a minimum of three (3) inches of crushed gravel, or if construction is to continue through the winter season be cleared of any accumulated snow after each storm event.

PERMANENT PRACTICES

The objectives for developing permanent Best Management Practices for this site include the following:

- Develop a plan that provides the best hydrologic condition both on site and downstream.
- Provide a higher level of removal of pollutants from stormwater runoff.
- Have a minimal impact on the natural environment.
- Have minimal future maintenance.

Post-Development Hydrological Conditions:

The proposed re-development will increase open space and provide more pervious area. As a result, the volume and peak rate of runoff exiting the site will decrease.

Provide Level of Pollutant Removal:

The proposed site will increase pervious area and therefore reduce the level of pollutants in the runoff. In addition two (2) rain gardens are proposed, as well as catch basins with hoods and sumps. The proposed rain gardens have been designed based on the guidelines in the Stormwater Management for Maine: Best Management Practices.

In conjunction with the proposed upgrades, a rigorous street sweeping plan will be implemented ensuring water quality leaving the site is better than in the existing conditions.

Future Maintenance Burden:

The site will be maintained in accordance with the requirements of the State of Maine DEP Regulations for maintaining erosion and sediment control measures. This program requires inspections of all drainage devices, training and specified maintenance schedules. A record of all inspections and maintenance is kept on site and is available for inspection. A copy of this document will be provided to the city upon request.

STORMWATER TREATMENT DEVICES

The following Best Management Practices (BMP) have been incorporated into the proposed design:

Street Sweeping

The proposed site will undergo regular street sweeping. Street sweeping generally reduces pollutants such as sediment, some nutrients, oxygen demanding substances and non-biodegradable trash and can lessen the delivery rate of these substances to other BMP's, thus making downstream BMP's more effective.

Deep Sump Catch Basins

Proposed catchbasins for the project will be equipped with deep sumps. The deep sump in the proposed catchbasins provides additional volume to the basin below the invert of the outlet. This volume, when filled with runoff, will allow suspended solids to naturally settle out of the runoff prior to being discharged to the detention basin and ultimately to downstream resources.

Oil/Water Separator Hoods

Catchbasin hoods will be constructed on the outlet pipe of all catchbasins to prevent any collected oils from leaving the catchbasin and entering downstream resources.

Rain Gardens

Two (2) rain gardens are proposed within islands within the parking lot. A rain garden is a filtration BMP designed to collect and filter runoff using a planted bed within a shallow depression and a section of filter media. Rain gardens are capable of reducing sediment, nutrients, oils and grease.

8.0 - OPERATION AND MAINTENANCE PLAN

It is the intent of this Operation and Maintenance Plan to identify the areas of this site that need special attention and consideration, as well as implementing a plan to assure routine maintenance. By identifying the areas of concern as well as implementing a frequent and routine maintenance schedule, the site will maintain a high quality stormwater runoff.

Contact/Responsible Party

A & D Realty, Inc.
C/O Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, Massachusetts 02421
781-862-9700 x 212

Maintenance Items

Maintenance of the following items shall be recorded:

- Parking Lot Sweeping
- Litter/Debris Removal
- Landscaping
- Catchbasin Cleaning
- Rain garden Inspection and Cleaning

Operation and Maintenance Schedule

Maintenance Item	Frequency of Maintenance (Mins)	Operation
Parking Lot Sweeping - Lot swept to remove sand and litter.	Once Yearly in Spring and additional 3-4 times as needed	Parking Lot Sweeper
Litter/Debris Removal	Seven days a week	Management Company
Catchbasin (CB) Cleaning - CB to be cleaned of solids and oils.	Twice Yearly - Spring/Fall	Vacuum Truck
Landscaping - Landscaped islands to be maintained and mulched. - Islands with rain gardens shall only be mowed twice during a growing season.	Maintained as required and mulched each Spring	Management Company

<p>Rain Garden</p> <ul style="list-style-type: none"> - Visual inspection and cleaning after a major rain event to ensure that the system is draining within 24 to 48 hours - Replacement of top several inches of filter material when ponding occurs. 	<p>Twice Yearly*</p>	<p>Management Company</p>
---	----------------------	---------------------------

*The rain gardens shall be inspected after every major rain event for the first six (6) months of operation.

The maintenance items and schedule represent the minimum action required. Periodic site inspections shall be conducted and all measures must be maintained in effective operating condition. The following items shall be observed during site inspection and maintenance:

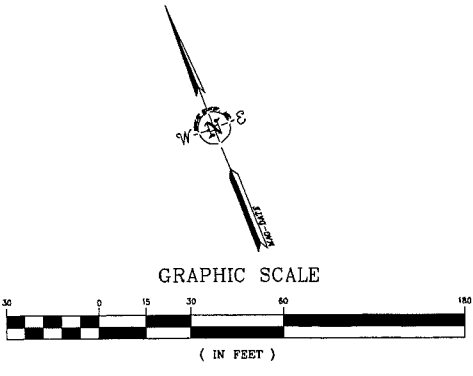
- Inspect vegetated areas, particularly slopes and embankments, for areas of erosion, replant as necessary.
- Inspect catchbasins for sediment buildup.
- Inspect site for trash and debris.

Snow Removal

Snow from the parking areas will be stored in areas designated on the Site Plan, C-3. All snow that cannot be accommodated in the locations shown shall be taken off-site.

APPENDIX A

PRE-DEVELOPMENT CALCULATIONS



LEGEND

	PRE-DEVELOPMENT WATERSHED BOUNDARY
	LONGEST FLOWPATH
	PRE-DEVELOPMENT WATERSHED DESIGNATION
	DISCHARGE POINT
	BELGRADE VERY FINE SANDY LOAM
	BUXTON SILT LOAM
	DEEFIELD LOAMY SAND
	MADE LAND
	SCANTIC SILT LOAM
	APPROX. SOIL BOUNDARY

No.	Description	Appd	Date
1.	REVISED PER STAFF COMMENTS	BLM	3/13/08

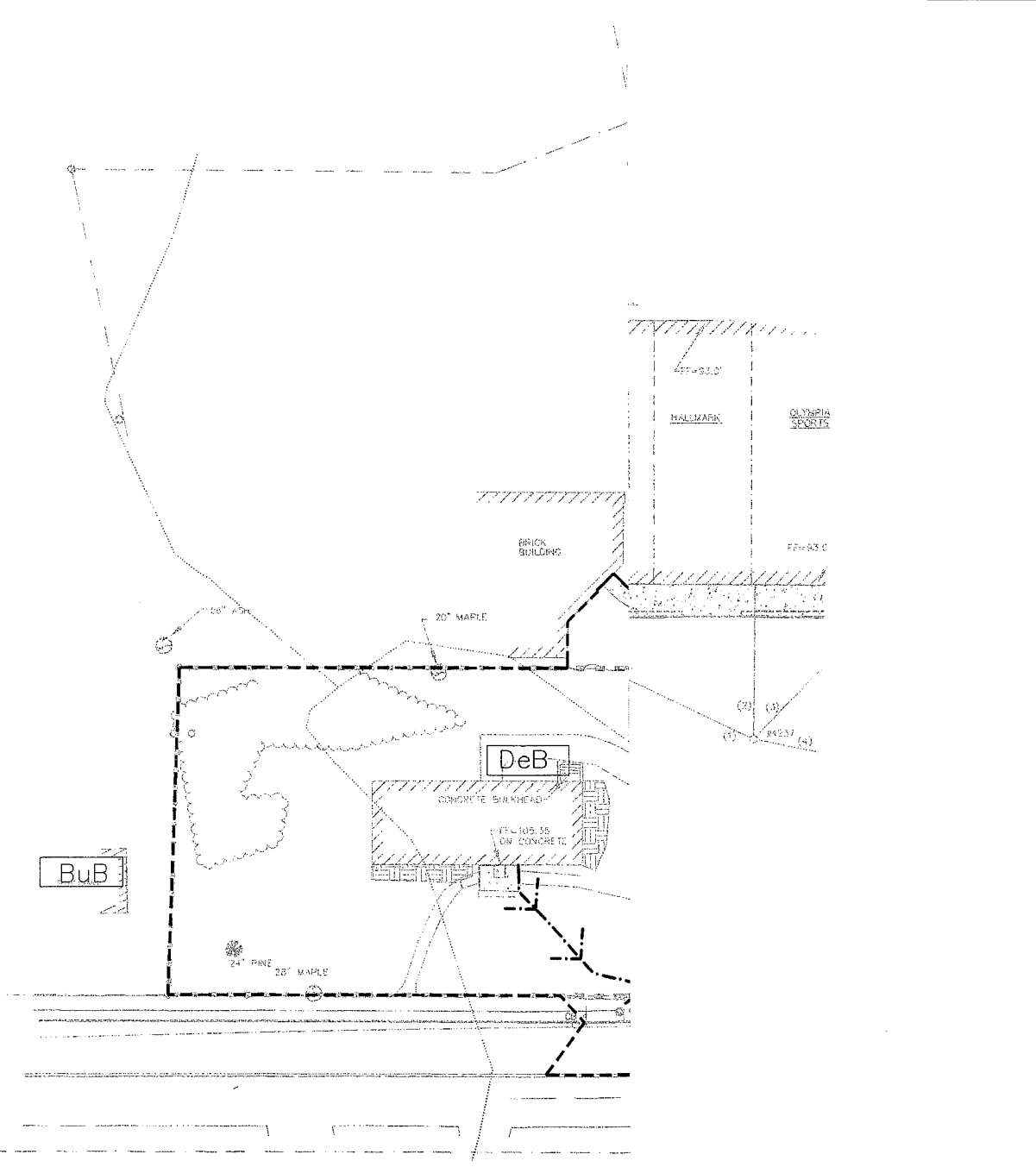
REVISIONS

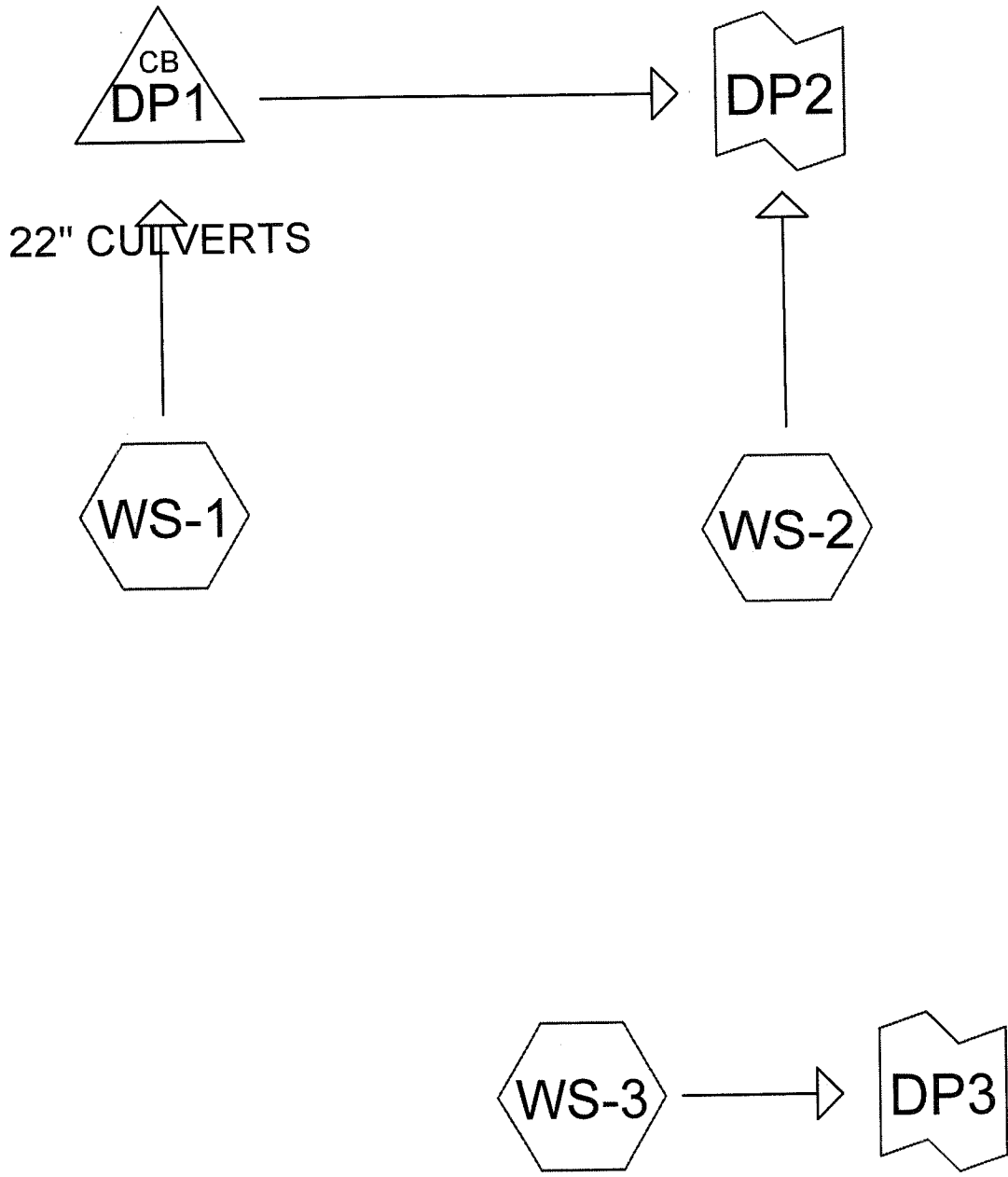
No.	Description	Appd	Date

DATE: JANUARY 9, 2009
 SCALE: AS SHOWN
 DESIGNED BY: SAM
 DRAWN BY: SAM
 APPROVED BY: GY/BLM
 PROJECT NO: 2042B
 FILE NO: 2042B-SITE.DWG

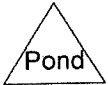
**NORTHGATE PLAZA
 AUBURN STREET
 PORTLAND, MAINE**

**AE APPLIEDORE
 ENGINEERING**
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 03801
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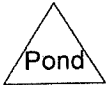




Subcat



Reach



Pond



Link

2042B-PRE

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Type III 24-hr 2-Year Rainfall=2.60"

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Page 2

Time span=5.00-20.00 hrs, dt=0.10 hrs, 151 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1:

Runoff Area=131,564 sf 76.97% Impervious Runoff Depth>1.77"
Flow Length=615' Tc=7.2 min CN=93 Runoff=5.93 cfs 0.445 af

Subcatchment WS-2:

Runoff Area=43,999 sf 95.14% Impervious Runoff Depth>2.13"
Flow Length=325' Tc=3.1 min CN=97 Runoff=2.25 cfs 0.180 af

Subcatchment WS-3:

Runoff Area=8,545 sf 99.80% Impervious Runoff Depth>2.22"
Flow Length=129' Tc=3.2 min CN=98 Runoff=0.44 cfs 0.036 af

Pond DP1: 22" CULVERTS

Peak Elev=47.75' Inflow=5.93 cfs 0.445 af
22.0" x 39.0' Culvert Outflow=5.93 cfs 0.445 af

Link DP2:

Inflow=7.99 cfs 0.624 af
Primary=7.99 cfs 0.624 af

Link DP3:

Inflow=0.44 cfs 0.036 af
Primary=0.44 cfs 0.036 af

Total Runoff Area = 4.227 ac Runoff Volume = 0.661 af Average Runoff Depth = 1.88"
17.62% Pervious = 0.745 ac 82.38% Impervious = 3.482 ac

Summary for Subcatchment WS-1:

Runoff = 5.93 cfs @ 12.11 hrs, Volume= 0.445 af, Depth> 1.77"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
2,601	82	Woods/grass comb., Fair, HSG D
12,879	84	50-75% Grass cover, Fair, HSG D
4,037	79	50-75% Grass cover, Fair, HSG C
7,529	69	50-75% Grass cover, Fair, HSG B
873	60	Woods, Fair, HSG B
2,376	79	Woods, Fair, HSG D
101,269	98	Paved parking & roofs
131,564	93	Weighted Average
30,295		Pervious Area
101,269		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	38	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	288	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.4	200	0.0226	2.42		Shallow Concentrated Flow, Unpaved Kv= 16.1 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.2	615	Total			

Summary for Subcatchment WS-2:

Runoff = 2.25 cfs @ 12.04 hrs, Volume= 0.180 af, Depth> 2.13"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
2,137	82	Woods/grass comb., Fair, HSG D
41,862	98	Paved parking & roofs
43,999	97	Weighted Average
2,137		Pervious Area
41,862		Impervious Area

2042B-PRE

Type III 24-hr 2-Year Rainfall=2.60"

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Page 4

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.4	75	0.0100	0.89		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
1.7	250	0.0143	2.43		Shallow Concentrated Flow, Paved Kv= 20.3 fps
3.1	325	Total			

Summary for Subcatchment WS-3:

Runoff = 0.44 cfs @ 12.05 hrs, Volume= 0.036 af, Depth> 2.22"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
17	79	50-75% Grass cover, Fair, HSG C
8,528	98	Paved parking & roofs
8,545	98	Weighted Average
17		Pervious Area
8,528		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	40	0.0078	0.71		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
2.3	89	0.0010	0.64		Shallow Concentrated Flow, Paved Kv= 20.3 fps
3.2	129	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.020 ac, 76.97% Impervious, Inflow Depth > 1.77" for 2-Year event
 Inflow = 5.93 cfs @ 12.11 hrs, Volume= 0.445 af
 Outflow = 5.93 cfs @ 12.11 hrs, Volume= 0.445 af, Atten= 0%, Lag= 0.0 min
 Primary = 5.93 cfs @ 12.11 hrs, Volume= 0.445 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 47.75' @ 12.11 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 ' /' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=5.79 cfs @ 12.11 hrs HW=47.74' TW=0.00' (Dynamic Tailwater)
 ←1=Culvert (Inlet Controls 5.79 cfs @ 2.92 fps)

Summary for Link DP2:

Inflow Area = 4.030 ac, 81.53% Impervious, Inflow Depth > 1.86" for 2-Year event
Inflow = 7.99 cfs @ 12.10 hrs, Volume= 0.624 af
Primary = 7.99 cfs @ 12.10 hrs, Volume= 0.624 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Summary for Link DP3:

Inflow Area = 0.196 ac, 99.80% Impervious, Inflow Depth > 2.22" for 2-Year event
Inflow = 0.44 cfs @ 12.05 hrs, Volume= 0.036 af
Primary = 0.44 cfs @ 12.05 hrs, Volume= 0.036 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

2042B-PRE

Type III 24-hr 10-Year Rainfall=4.50"

Prepared by Appledore Engineering

Printed 3/13/2009

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Page 6

Time span=5.00-20.00 hrs, dt=0.10 hrs, 151 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1:

Runoff Area=131,564 sf 76.97% Impervious Runoff Depth>3.50"
Flow Length=615' Tc=7.2 min CN=93 Runoff=11.34 cfs 0.882 af

Subcatchment WS-2:

Runoff Area=43,999 sf 95.14% Impervious Runoff Depth>3.89"
Flow Length=325' Tc=3.1 min CN=97 Runoff=4.00 cfs 0.327 af

Subcatchment WS-3:

Runoff Area=8,545 sf 99.80% Impervious Runoff Depth>3.97"
Flow Length=129' Tc=3.2 min CN=98 Runoff=0.78 cfs 0.065 af

Pond DP1: 22" CULVERTS

Peak Elev=48.07' Inflow=11.34 cfs 0.882 af
22.0" x 39.0' Culvert Outflow=11.34 cfs 0.882 af

Link DP2:

Inflow=15.00 cfs 1.209 af
Primary=15.00 cfs 1.209 af

Link DP3:

Inflow=0.78 cfs 0.065 af
Primary=0.78 cfs 0.065 af

Total Runoff Area = 4.227 ac Runoff Volume = 1.274 af Average Runoff Depth = 3.62"
17.62% Pervious = 0.745 ac 82.38% Impervious = 3.482 ac

Summary for Subcatchment WS-1:

Runoff = 11.34 cfs @ 12.11 hrs, Volume= 0.882 af, Depth> 3.50"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
2,601	82	Woods/grass comb., Fair, HSG D
12,879	84	50-75% Grass cover, Fair, HSG D
4,037	79	50-75% Grass cover, Fair, HSG C
7,529	69	50-75% Grass cover, Fair, HSG B
873	60	Woods, Fair, HSG B
2,376	79	Woods, Fair, HSG D
101,269	98	Paved parking & roofs
131,564	93	Weighted Average
30,295		Pervious Area
101,269		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	38	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	288	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.4	200	0.0226	2.42		Shallow Concentrated Flow, Unpaved Kv= 16.1 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.2	615	Total			

Summary for Subcatchment WS-2:

Runoff = 4.00 cfs @ 12.04 hrs, Volume= 0.327 af, Depth> 3.89"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
2,137	82	Woods/grass comb., Fair, HSG D
41,862	98	Paved parking & roofs
43,999	97	Weighted Average
2,137		Pervious Area
41,862		Impervious Area

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Type III 24-hr 10-Year Rainfall=4.50"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.4	75	0.0100	0.89		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
1.7	250	0.0143	2.43		Shallow Concentrated Flow, Paved Kv= 20.3 fps
3.1	325	Total			

Summary for Subcatchment WS-3:

Runoff = 0.78 cfs @ 12.04 hrs, Volume= 0.065 af, Depth> 3.97"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
17	79	50-75% Grass cover, Fair, HSG C
8,528	98	Paved parking & roofs
8,545	98	Weighted Average
17		Pervious Area
8,528		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	40	0.0078	0.71		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
2.3	89	0.0010	0.64		Shallow Concentrated Flow, Paved Kv= 20.3 fps
3.2	129	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.020 ac, 76.97% Impervious, Inflow Depth > 3.50" for 10-Year event
 Inflow = 11.34 cfs @ 12.11 hrs, Volume= 0.882 af
 Outflow = 11.34 cfs @ 12.11 hrs, Volume= 0.882 af, Atten= 0%, Lag= 0.0 min
 Primary = 11.34 cfs @ 12.11 hrs, Volume= 0.882 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 48.07' @ 12.11 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=11.14 cfs @ 12.11 hrs HW=48.06' TW=0.00' (Dynamic Tailwater)
 ↑ **1=Culvert** (Inlet Controls 11.14 cfs @ 3.51 fps)

Summary for Link DP2:

Inflow Area = 4.030 ac, 81.53% Impervious, Inflow Depth > 3.60" for 10-Year event
Inflow = 15.00 cfs @ 12.09 hrs, Volume= 1.209 af
Primary = 15.00 cfs @ 12.09 hrs, Volume= 1.209 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Summary for Link DP3:

Inflow Area = 0.196 ac, 99.80% Impervious, Inflow Depth > 3.97" for 10-Year event
Inflow = 0.78 cfs @ 12.04 hrs, Volume= 0.065 af
Primary = 0.78 cfs @ 12.04 hrs, Volume= 0.065 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

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Type III 24-hr 25-Year Rainfall=5.40"

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Time span=5.00-20.00 hrs, dt=0.10 hrs, 151 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1:

Runoff Area=131,564 sf 76.97% Impervious Runoff Depth>4.34"
Flow Length=615' Tc=7.2 min CN=93 Runoff=13.87 cfs 1.091 af

Subcatchment WS-2:

Runoff Area=43,999 sf 95.14% Impervious Runoff Depth>4.71"
Flow Length=325' Tc=3.1 min CN=97 Runoff=4.82 cfs 0.397 af

Subcatchment WS-3:

Runoff Area=8,545 sf 99.80% Impervious Runoff Depth>4.79"
Flow Length=129' Tc=3.2 min CN=98 Runoff=0.94 cfs 0.078 af

Pond DP1: 22" CULVERTS

Peak Elev=48.21' Inflow=13.87 cfs 1.091 af
22.0" x 39.0' Culvert Outflow=13.87 cfs 1.091 af

Link DP2:

Inflow=18.28 cfs 1.488 af
Primary=18.28 cfs 1.488 af

Link DP3:

Inflow=0.94 cfs 0.078 af
Primary=0.94 cfs 0.078 af

Total Runoff Area = 4.227 ac Runoff Volume = 1.566 af Average Runoff Depth = 4.45"
17.62% Pervious = 0.745 ac 82.38% Impervious = 3.482 ac

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Type III 24-hr 25-Year Rainfall=5.40"

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Summary for Subcatchment WS-1:

Runoff = 13.87 cfs @ 12.10 hrs, Volume= 1.091 af, Depth> 4.34"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
2,601	82	Woods/grass comb., Fair, HSG D
12,879	84	50-75% Grass cover, Fair, HSG D
4,037	79	50-75% Grass cover, Fair, HSG C
7,529	69	50-75% Grass cover, Fair, HSG B
873	60	Woods, Fair, HSG B
2,376	79	Woods, Fair, HSG D
101,269	98	Paved parking & roofs
131,564	93	Weighted Average
30,295		Pervious Area
101,269		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	38	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	288	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.4	200	0.0226	2.42		Shallow Concentrated Flow, Unpaved Kv= 16.1 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.2	615	Total			

Summary for Subcatchment WS-2:

Runoff = 4.82 cfs @ 12.04 hrs, Volume= 0.397 af, Depth> 4.71"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
2,137	82	Woods/grass comb., Fair, HSG D
41,862	98	Paved parking & roofs
43,999	97	Weighted Average
2,137		Pervious Area
41,862		Impervious Area

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Type III 24-hr 25-Year Rainfall=5.40"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.4	75	0.0100	0.89		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
1.7	250	0.0143	2.43		Shallow Concentrated Flow, Paved Kv= 20.3 fps
3.1	325	Total			

Summary for Subcatchment WS-3:

Runoff = 0.94 cfs @ 12.04 hrs, Volume= 0.078 af, Depth> 4.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
17	79	50-75% Grass cover, Fair, HSG C
8,528	98	Paved parking & roofs
8,545	98	Weighted Average
17		Pervious Area
8,528		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	40	0.0078	0.71		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
2.3	89	0.0010	0.64		Shallow Concentrated Flow, Paved Kv= 20.3 fps
3.2	129	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.020 ac, 76.97% Impervious, Inflow Depth > 4.34" for 25-Year event
 Inflow = 13.87 cfs @ 12.10 hrs, Volume= 1.091 af
 Outflow = 13.87 cfs @ 12.10 hrs, Volume= 1.091 af, Atten= 0%, Lag= 0.0 min
 Primary = 13.87 cfs @ 12.10 hrs, Volume= 1.091 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 48.21' @ 12.11 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=13.65 cfs @ 12.10 hrs HW=48.20' TW=0.00' (Dynamic Tailwater)
 ←**1=Culvert** (Inlet Controls 13.65 cfs @ 3.73 fps)

Summary for Link DP2:

Inflow Area = 4.030 ac, 81.53% Impervious, Inflow Depth > 4.43" for 25-Year event
Inflow = 18.28 cfs @ 12.09 hrs, Volume= 1.488 af
Primary = 18.28 cfs @ 12.09 hrs, Volume= 1.488 af, Atten= 0%, Lag= 0.0 min

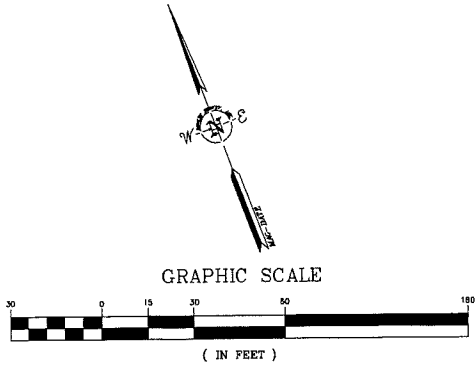
Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Summary for Link DP3:

Inflow Area = 0.196 ac, 99.80% Impervious, Inflow Depth > 4.79" for 25-Year event
Inflow = 0.94 cfs @ 12.04 hrs, Volume= 0.078 af
Primary = 0.94 cfs @ 12.04 hrs, Volume= 0.078 af, Atten= 0%, Lag= 0.0 min

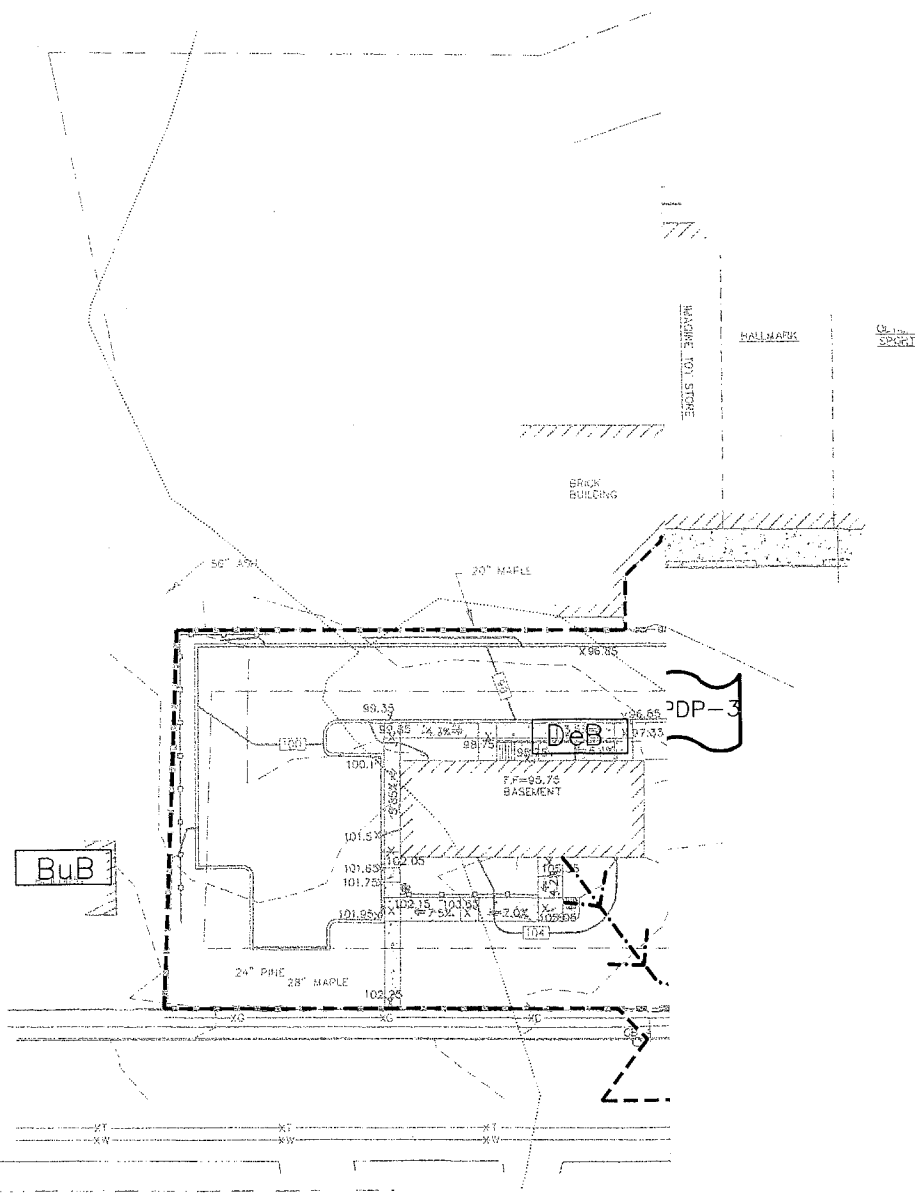
Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

POST-DEVELOPMENT CALCULATIONS



LEGEND

	POST WATERSHED DELINEATION LINE
	LONGEST FLOWPATH
	POST-DEVELOPMENT WATERSHED DESIGNATION
	DISCHARGE POINT
	BELGRADE VERY FINE SANDY LOAM
	BUXTON SILT LOAM
	DEEFIELD LOAMY SAND
	MADE LAND
	SCANTIC SILT LOAM
	APPROX. SOIL BOUNDARY



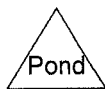
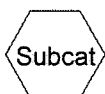
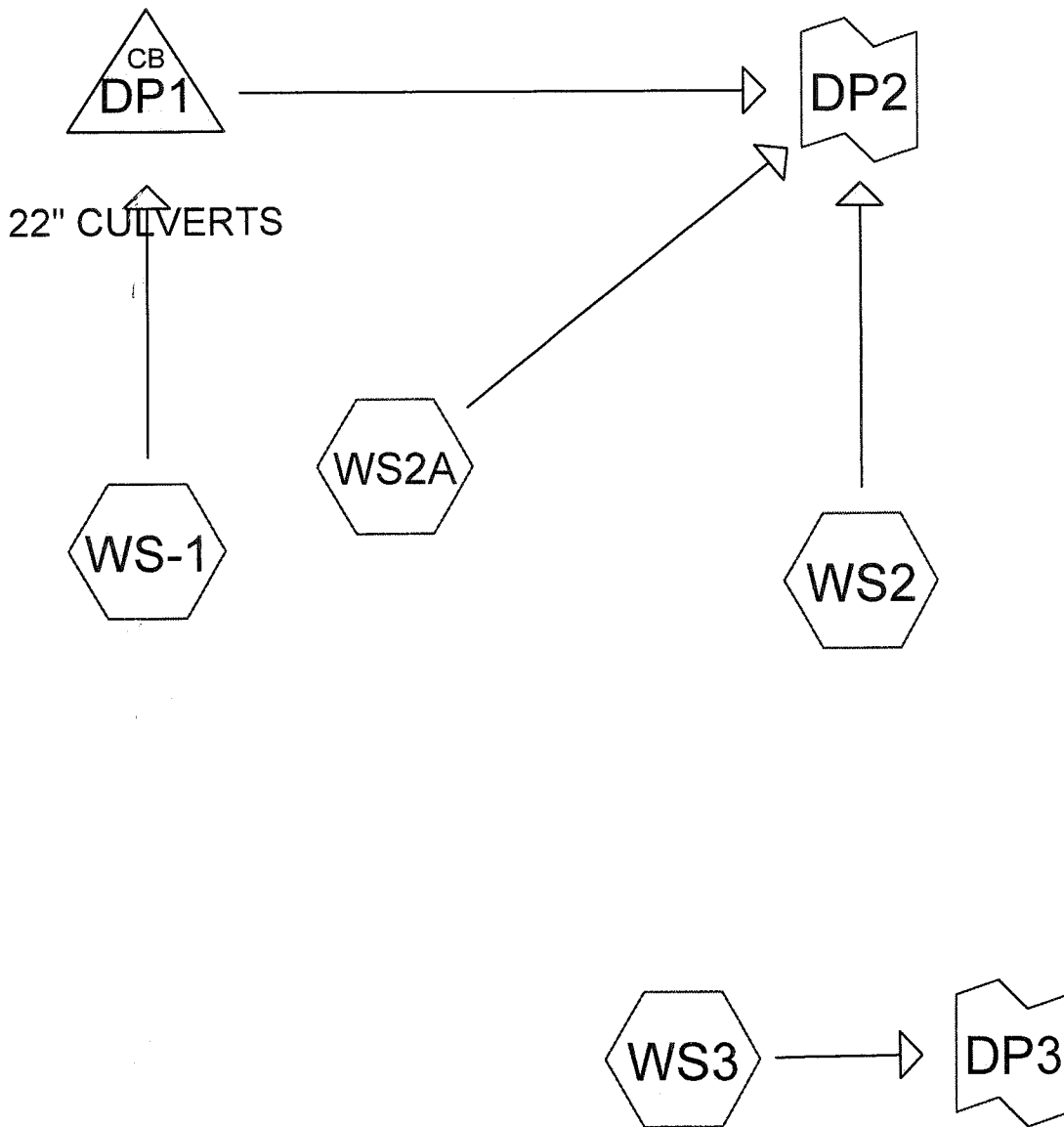
DATE: JANUARY 9, 2009
 SCALE: AS SHOWN
 DESIGNED BY: SAM
 DRAWN BY: SAM
 APPROVED BY: CY/BLM
 PROJECT NO: 2042B
 FILE NO: 2042B-SITE.DWG

**NORTHGATE PLAZA
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No.	Description	Appd.	Date
1.	REVISED PER STAFF COMMENTS	BLM	3/13/08

REVISIONS



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Type III 24-hr 2-Year Rainfall=2.60"

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Time span=5.00-20.00 hrs, dt=0.10 hrs, 151 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1: Runoff Area=25,426 sf 65.56% Impervious Runoff Depth>1.68"
Flow Length=347' Tc=2.9 min CN=92 Runoff=1.10 cfs 0.082 af

Subcatchment WS2: Runoff Area=30,755 sf 92.43% Impervious Runoff Depth>2.14"
Flow Length=225' Tc=2.3 min CN=97 Runoff=1.65 cfs 0.126 af

Subcatchment WS2A: Runoff Area=120,022 sf 78.54% Impervious Runoff Depth>1.77"
Flow Length=558' Tc=6.7 min CN=93 Runoff=5.48 cfs 0.406 af

Subcatchment WS3: Runoff Area=7,904 sf 90.90% Impervious Runoff Depth>2.04"
Flow Length=93' Tc=4.4 min CN=96 Runoff=0.40 cfs 0.031 af

Pond DP1: 22" CULVERTS Peak Elev=47.31' Inflow=1.10 cfs 0.082 af
22.0" x 39.0' Culvert Outflow=1.10 cfs 0.082 af

Link DP2: Inflow=7.85 cfs 0.613 af
Primary=7.85 cfs 0.613 af

Link DP3: Inflow=0.40 cfs 0.031 af
Primary=0.40 cfs 0.031 af

Total Runoff Area = 4.227 ac Runoff Volume = 0.644 af Average Runoff Depth = 1.83"
20.40% Pervious = 0.862 ac 79.60% Impervious = 3.364 ac

Summary for Subcatchment WS-1:

Runoff = 1.10 cfs @ 12.04 hrs, Volume= 0.082 af, Depth> 1.68"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
8,757	80	>75% Grass cover, Good, HSG D
16,669	98	Paved parking & roofs
25,426	92	Weighted Average
8,757		Pervious Area
16,669		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	10	0.1000	0.18		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.4	99	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.6	238	0.0226	2.42		Shallow Concentrated Flow, Unpaved Kv= 16.1 fps
2.9	347	Total			

Summary for Subcatchment WS2:

Runoff = 1.65 cfs @ 12.02 hrs, Volume= 0.126 af, Depth> 2.14"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
2,053	82	Woods/grass comb., Fair, HSG D
221	84	50-75% Grass cover, Fair, HSG D
53	74	>75% Grass cover, Good, HSG C
28,428	98	Paved parking & roofs
30,755	97	Weighted Average
2,327		Pervious Area
28,428		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.4	75	0.0100	0.89		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.9	150	0.0187	2.78		Shallow Concentrated Flow, Paved Kv= 20.3 fps
2.3	225	Total			

Summary for Subcatchment WS2A:

Runoff = 5.48 cfs @ 12.10 hrs, Volume= 0.406 af, Depth> 1.77"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
3,551	82	Woods/grass comb., Fair, HSG D
6,682	80	>75% Grass cover, Good, HSG D
7,285	61	>75% Grass cover, Good, HSG B
8,242	74	>75% Grass cover, Good, HSG C
94,262	98	Paved parking & roofs
120,022	93	Weighted Average
25,760		Pervious Area
94,262		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	39	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
0.8	196	0.0400	4.06		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.6	64	0.0160	1.90		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.9	209	0.0050	4.03	4.95	Circular Channel (pipe), Diam= 15.0" Area= 1.2 sf Perim= 3.9' r= 0.31' n= 0.012
6.7	558	Total			

Summary for Subcatchment WS3:

Runoff = 0.40 cfs @ 12.08 hrs, Volume= 0.031 af, Depth> 2.04"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
719	74	>75% Grass cover, Good, HSG C
7,185	98	Paved parking & roofs
7,904	96	Weighted Average
719		Pervious Area
7,185		Impervious Area

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Type III 24-hr 2-Year Rainfall=2.60"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
4.0	25	0.0150	0.10		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.4	68	0.0200	2.87		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.4	93	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 0.584 ac, 65.56% Impervious, Inflow Depth > 1.68" for 2-Year event
 Inflow = 1.10 cfs @ 12.04 hrs, Volume= 0.082 af
 Outflow = 1.10 cfs @ 12.04 hrs, Volume= 0.082 af, Atten= 0%, Lag= 0.0 min
 Primary = 1.10 cfs @ 12.04 hrs, Volume= 0.082 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 47.31' @ 12.04 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=1.03 cfs @ 12.04 hrs HW=47.30' TW=0.00' (Dynamic Tailwater)
 ↑**1=Culvert** (Inlet Controls 1.03 cfs @ 1.86 fps)

Summary for Link DP2:

Inflow Area = 4.045 ac, 79.09% Impervious, Inflow Depth > 1.82" for 2-Year event
 Inflow = 7.85 cfs @ 12.09 hrs, Volume= 0.613 af
 Primary = 7.85 cfs @ 12.09 hrs, Volume= 0.613 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Summary for Link DP3:

Inflow Area = 0.181 ac, 90.90% Impervious, Inflow Depth > 2.04" for 2-Year event
 Inflow = 0.40 cfs @ 12.08 hrs, Volume= 0.031 af
 Primary = 0.40 cfs @ 12.08 hrs, Volume= 0.031 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

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Type III 24-hr 10-Year Rainfall=4.50"

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Time span=5.00-20.00 hrs, dt=0.10 hrs, 151 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1: Runoff Area=25,426 sf 65.56% Impervious Runoff Depth>3.41"
Flow Length=347' Tc=2.9 min CN=92 Runoff=2.16 cfs 0.166 af

Subcatchment WS2: Runoff Area=30,755 sf 92.43% Impervious Runoff Depth>3.89"
Flow Length=225' Tc=2.3 min CN=97 Runoff=2.94 cfs 0.229 af

Subcatchment WS2A: Runoff Area=120,022 sf 78.54% Impervious Runoff Depth>3.50"
Flow Length=558' Tc=6.7 min CN=93 Runoff=10.47 cfs 0.805 af

Subcatchment WS3: Runoff Area=7,904 sf 90.90% Impervious Runoff Depth>3.80"
Flow Length=93' Tc=4.4 min CN=96 Runoff=0.72 cfs 0.057 af

Pond DP1: 22" CULVERTS Peak Elev=47.44' Inflow=2.16 cfs 0.166 af
22.0" x 39.0' Culvert Outflow=2.16 cfs 0.166 af

Link DP2: Inflow=14.84 cfs 1.199 af
Primary=14.84 cfs 1.199 af

Link DP3: Inflow=0.72 cfs 0.057 af
Primary=0.72 cfs 0.057 af

Total Runoff Area = 4.227 ac Runoff Volume = 1.257 af Average Runoff Depth = 3.57"
20.40% Pervious = 0.862 ac 79.60% Impervious = 3.364 ac

Summary for Subcatchment WS-1:

Runoff = 2.16 cfs @ 12.04 hrs, Volume= 0.166 af, Depth> 3.41"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
8,757	80	>75% Grass cover, Good, HSG D
16,669	98	Paved parking & roofs
25,426	92	Weighted Average
8,757		Pervious Area
16,669		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	10	0.1000	0.18		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.4	99	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.6	238	0.0226	2.42		Shallow Concentrated Flow, Unpaved Kv= 16.1 fps
2.9	347	Total			

Summary for Subcatchment WS2:

Runoff = 2.94 cfs @ 12.02 hrs, Volume= 0.229 af, Depth> 3.89"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
2,053	82	Woods/grass comb., Fair, HSG D
221	84	50-75% Grass cover, Fair, HSG D
53	74	>75% Grass cover, Good, HSG C
28,428	98	Paved parking & roofs
30,755	97	Weighted Average
2,327		Pervious Area
28,428		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.4	75	0.0100	0.89		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.9	150	0.0187	2.78		Shallow Concentrated Flow, Paved Kv= 20.3 fps
2.3	225	Total			

Summary for Subcatchment WS2A:

Runoff = 10.47 cfs @ 12.10 hrs, Volume= 0.805 af, Depth> 3.50"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
3,551	82	Woods/grass comb., Fair, HSG D
6,682	80	>75% Grass cover, Good, HSG D
7,285	61	>75% Grass cover, Good, HSG B
8,242	74	>75% Grass cover, Good, HSG C
94,262	98	Paved parking & roofs
120,022	93	Weighted Average
25,760		Pervious Area
94,262		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	39	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
0.8	196	0.0400	4.06		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.6	64	0.0160	1.90		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.9	209	0.0050	4.03	4.95	Circular Channel (pipe), Diam= 15.0" Area= 1.2 sf Perim= 3.9' r= 0.31' n= 0.012
6.7	558	Total			

Summary for Subcatchment WS3:

Runoff = 0.72 cfs @ 12.08 hrs, Volume= 0.057 af, Depth> 3.80"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
719	74	>75% Grass cover, Good, HSG C
7,185	98	Paved parking & roofs
7,904	96	Weighted Average
719		Pervious Area
7,185		Impervious Area

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Type III 24-hr 10-Year Rainfall=4.50"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
4.0	25	0.0150	0.10		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.4	68	0.0200	2.87		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.4	93	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 0.584 ac, 65.56% Impervious, Inflow Depth > 3.41" for 10-Year event
 Inflow = 2.16 cfs @ 12.04 hrs, Volume= 0.166 af
 Outflow = 2.16 cfs @ 12.04 hrs, Volume= 0.166 af, Atten= 0%, Lag= 0.0 min
 Primary = 2.16 cfs @ 12.04 hrs, Volume= 0.166 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 47.44' @ 12.04 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=2.02 cfs @ 12.04 hrs HW=47.42' TW=0.00' (Dynamic Tailwater)
 ↑**1=Culvert** (Inlet Controls 2.02 cfs @ 2.21 fps)

Summary for Link DP2:

Inflow Area = 4.045 ac, 79.09% Impervious, Inflow Depth > 3.56" for 10-Year event
 Inflow = 14.84 cfs @ 12.09 hrs, Volume= 1.199 af
 Primary = 14.84 cfs @ 12.09 hrs, Volume= 1.199 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Summary for Link DP3:

Inflow Area = 0.181 ac, 90.90% Impervious, Inflow Depth > 3.80" for 10-Year event
 Inflow = 0.72 cfs @ 12.08 hrs, Volume= 0.057 af
 Primary = 0.72 cfs @ 12.08 hrs, Volume= 0.057 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

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Type III 24-hr 25-Year Rainfall=5.40"

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Time span=5.00-20.00 hrs, dt=0.10 hrs, 151 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1: Runoff Area=25,426 sf 65.56% Impervious Runoff Depth>4.24"
Flow Length=347' Tc=2.9 min CN=92 Runoff=2.66 cfs 0.206 af

Subcatchment WS2: Runoff Area=30,755 sf 92.43% Impervious Runoff Depth>4.71"
Flow Length=225' Tc=2.3 min CN=97 Runoff=3.55 cfs 0.277 af

Subcatchment WS2A: Runoff Area=120,022 sf 78.54% Impervious Runoff Depth>4.34"
Flow Length=558' Tc=6.7 min CN=93 Runoff=12.80 cfs 0.996 af

Subcatchment WS3: Runoff Area=7,904 sf 90.90% Impervious Runoff Depth>4.63"
Flow Length=93' Tc=4.4 min CN=96 Runoff=0.87 cfs 0.070 af

Pond DP1: 22" CULVERTS Peak Elev=47.49' Inflow=2.66 cfs 0.206 af
22.0" x 39.0' Culvert Outflow=2.66 cfs 0.206 af

Link DP2: Inflow=18.11 cfs 1.479 af
Primary=18.11 cfs 1.479 af

Link DP3: Inflow=0.87 cfs 0.070 af
Primary=0.87 cfs 0.070 af

Total Runoff Area = 4.227 ac Runoff Volume = 1.549 af Average Runoff Depth = 4.40"
20.40% Pervious = 0.862 ac 79.60% Impervious = 3.364 ac

Summary for Subcatchment WS-1:

Runoff = 2.66 cfs @ 12.04 hrs, Volume= 0.206 af, Depth> 4.24"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
8,757	80	>75% Grass cover, Good, HSG D
16,669	98	Paved parking & roofs
25,426	92	Weighted Average
8,757		Pervious Area
16,669		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	10	0.1000	0.18		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.4	99	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.6	238	0.0226	2.42		Shallow Concentrated Flow, Unpaved Kv= 16.1 fps
2.9	347	Total			

Summary for Subcatchment WS2:

Runoff = 3.55 cfs @ 12.02 hrs, Volume= 0.277 af, Depth> 4.71"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
2,053	82	Woods/grass comb., Fair, HSG D
221	84	50-75% Grass cover, Fair, HSG D
53	74	>75% Grass cover, Good, HSG C
28,428	98	Paved parking & roofs
30,755	97	Weighted Average
2,327		Pervious Area
28,428		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.4	75	0.0100	0.89		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.9	150	0.0187	2.78		Shallow Concentrated Flow, Paved Kv= 20.3 fps
2.3	225	Total			

Summary for Subcatchment WS2A:

Runoff = 12.80 cfs @ 12.10 hrs, Volume= 0.996 af, Depth> 4.34"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
3,551	82	Woods/grass comb., Fair, HSG D
6,682	80	>75% Grass cover, Good, HSG D
7,285	61	>75% Grass cover, Good, HSG B
8,242	74	>75% Grass cover, Good, HSG C
94,262	98	Paved parking & roofs
120,022	93	Weighted Average
25,760		Pervious Area
94,262		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	39	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
0.8	196	0.0400	4.06		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.6	64	0.0160	1.90		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.9	209	0.0050	4.03	4.95	Circular Channel (pipe), Diam= 15.0" Area= 1.2 sf Perim= 3.9' r= 0.31' n= 0.012
6.7	558	Total			

Summary for Subcatchment WS3:

Runoff = 0.87 cfs @ 12.08 hrs, Volume= 0.070 af, Depth> 4.63"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
719	74	>75% Grass cover, Good, HSG C
7,185	98	Paved parking & roofs
7,904	96	Weighted Average
719		Pervious Area
7,185		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
4.0	25	0.0150	0.10		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.4	68	0.0200	2.87		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.4	93	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 0.584 ac, 65.56% Impervious, Inflow Depth > 4.24" for 25-Year event
 Inflow = 2.66 cfs @ 12.04 hrs, Volume= 0.206 af
 Outflow = 2.66 cfs @ 12.04 hrs, Volume= 0.206 af, Atten= 0%, Lag= 0.0 min
 Primary = 2.66 cfs @ 12.04 hrs, Volume= 0.206 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 47.49' @ 12.04 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/ Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=2.48 cfs @ 12.04 hrs HW=47.47' TW=0.00' (Dynamic Tailwater)
 ↑1=Culvert (Inlet Controls 2.48 cfs @ 2.33 fps)

Summary for Link DP2:

Inflow Area = 4.045 ac, 79.09% Impervious, Inflow Depth > 4.39" for 25-Year event
 Inflow = 18.11 cfs @ 12.09 hrs, Volume= 1.479 af
 Primary = 18.11 cfs @ 12.09 hrs, Volume= 1.479 af, Atten= 0%, Lag= 0.0 min

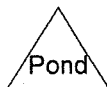
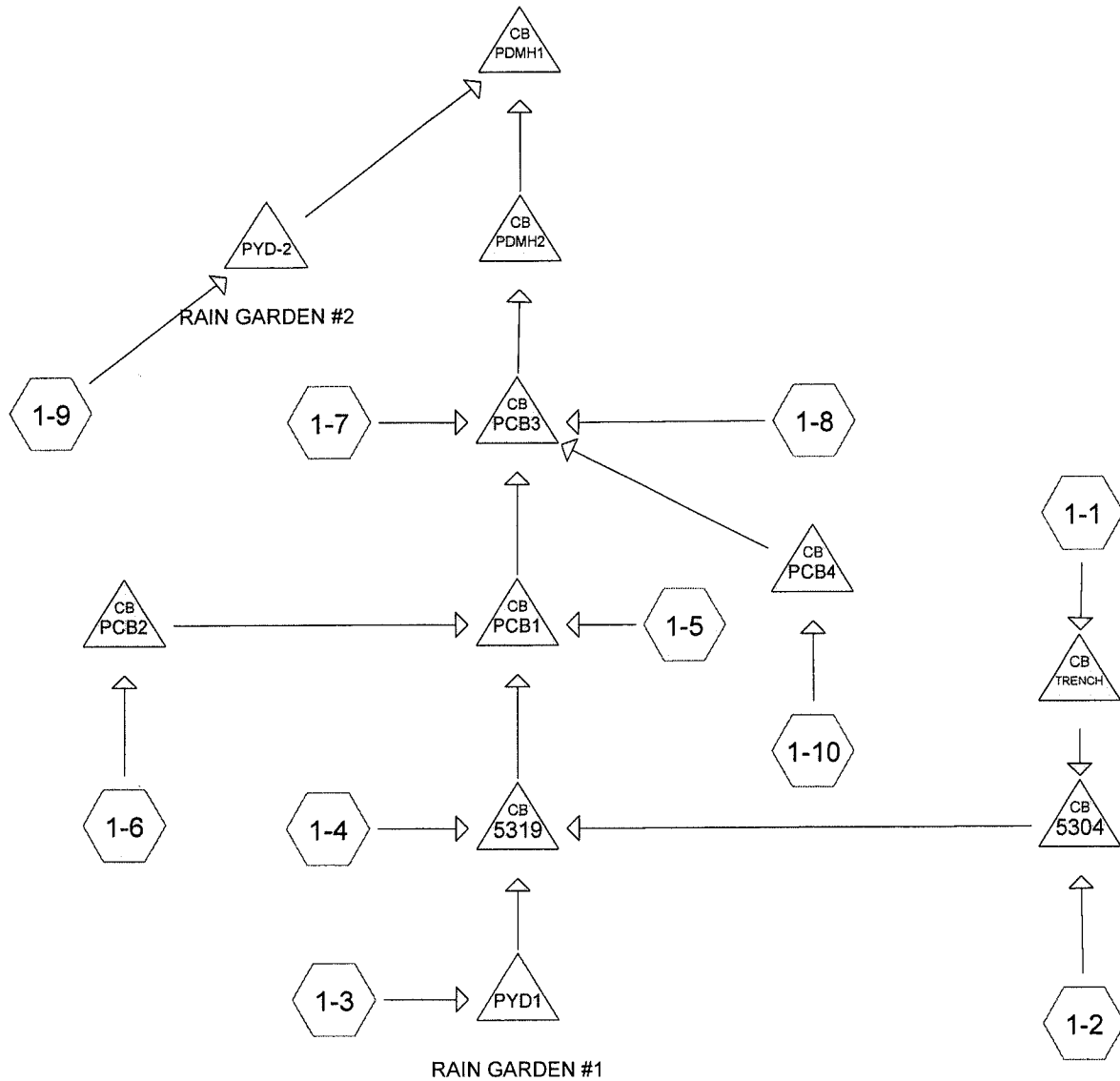
Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Summary for Link DP3:

Inflow Area = 0.181 ac, 90.90% Impervious, Inflow Depth > 4.63" for 25-Year event
 Inflow = 0.87 cfs @ 12.08 hrs, Volume= 0.070 af
 Primary = 0.87 cfs @ 12.08 hrs, Volume= 0.070 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

PIPE DESIGN



Drainage Diagram for 2042B-SUBS_3-13-09
 Prepared by Appledore Engineering, Printed 3/16/2009
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Time span=5.00-20.00 hrs, dt=0.10 hrs, 151 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1-1: Runoff Area=2,004 sf 100.00% Impervious Runoff Depth>4.79"
Flow Length=34' Slope=0.0200 '/' Tc=0.6 min CN=98 Runoff=0.25 cfs 0.018 af

Subcatchment 1-10: Runoff Area=1,734 sf 100.00% Impervious Runoff Depth>4.79"
Flow Length=103' Tc=0.9 min CN=98 Runoff=0.22 cfs 0.016 af

Subcatchment 1-2: Runoff Area=21,039 sf 92.57% Impervious Runoff Depth>4.63"
Flow Length=139' Tc=1.7 min CN=96 Runoff=2.50 cfs 0.186 af

Subcatchment 1-3: Runoff Area=24,296 sf 80.16% Impervious Runoff Depth>4.34"
Flow Length=228' Tc=2.5 min CN=93 Runoff=2.64 cfs 0.202 af

Subcatchment 1-4: Runoff Area=998 sf 100.00% Impervious Runoff Depth>4.79"
Flow Length=30' Slope=0.0150 '/' Tc=0.6 min CN=98 Runoff=0.13 cfs 0.009 af

Subcatchment 1-5: Runoff Area=4,061 sf 86.14% Impervious Runoff Depth>4.54"
Flow Length=65' Slope=0.0150 '/' Tc=0.9 min CN=95 Runoff=0.50 cfs 0.035 af

Subcatchment 1-6: Runoff Area=10,370 sf 96.60% Impervious Runoff Depth>4.71"
Flow Length=113' Tc=0.9 min CN=97 Runoff=1.29 cfs 0.093 af

Subcatchment 1-7: Runoff Area=7,228 sf 100.00% Impervious Runoff Depth>4.79"
Flow Length=100' Slope=0.0100 '/' Tc=1.8 min CN=98 Runoff=0.87 cfs 0.066 af

Subcatchment 1-8: Runoff Area=6,471 sf 100.00% Impervious Runoff Depth>4.79"
Flow Length=63' Slope=0.0150 '/' Tc=1.0 min CN=98 Runoff=0.81 cfs 0.059 af

Subcatchment 1-9: Runoff Area=53,478 sf 71.40% Impervious Runoff Depth>4.13"
Flow Length=377' Tc=5.2 min CN=91 Runoff=5.60 cfs 0.423 af

Pond 5304: Peak Elev=91.53' Inflow=2.75 cfs 0.205 af
12.0" x 169.0' Culvert Outflow=2.75 cfs 0.205 af

Pond 5319: Peak Elev=91.40' Inflow=5.37 cfs 0.415 af
15.0" x 65.0' Culvert Outflow=5.37 cfs 0.415 af

Pond PCB1: Peak Elev=91.25' Inflow=7.14 cfs 0.544 af
15.0" x 72.0' Culvert Outflow=7.14 cfs 0.544 af

Pond PCB2: Peak Elev=91.27' Inflow=1.29 cfs 0.093 af
12.0" x 64.0' Culvert Outflow=1.29 cfs 0.093 af

Pond PCB3: Peak Elev=90.53' Inflow=9.02 cfs 0.685 af
15.0" x 41.0' Culvert Outflow=9.02 cfs 0.685 af

Pond PCB4: Peak Elev=90.53' Inflow=0.22 cfs 0.016 af
12.0" x 39.0' Culvert Outflow=0.22 cfs 0.016 af

Pond PDMH1:

Peak Elev=89.17' Inflow=13.10 cfs 1.095 af
18.0" x 10.0' Culvert Outflow=13.10 cfs 1.095 af

Pond PDMH2:

Peak Elev=89.73' Inflow=9.02 cfs 0.685 af
18.0" x 91.0' Culvert Outflow=9.02 cfs 0.685 af

Pond PYD-2: RAIN GARDEN #2

Peak Elev=91.40' Storage=1,124 cf Inflow=5.60 cfs 0.423 af
Outflow=5.34 cfs 0.410 af

Pond PYD1: RAIN GARDEN #1

Peak Elev=93.25' Storage=99 cf Inflow=2.64 cfs 0.202 af
Outflow=2.54 cfs 0.202 af

Pond TRENCH:

Peak Elev=91.54' Inflow=0.25 cfs 0.018 af
6.0" x 80.0' Culvert Outflow=0.25 cfs 0.018 af

Total Runoff Area = 3.023 ac Runoff Volume = 1.108 af Average Runoff Depth = 4.40"
17.16% Pervious = 0.519 ac 82.84% Impervious = 2.504 ac

Summary for Subcatchment 1-1:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.25 cfs @ 12.00 hrs, Volume= 0.018 af, Depth> 4.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
2,004	98	Paved parking & roofs
2,004		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.6	34	0.0200	1.00		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"

Summary for Subcatchment 1-10:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 0.22 cfs @ 12.01 hrs, Volume= 0.016 af, Depth> 4.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
1,734	98	Paved parking & roofs
1,734		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.6	40	0.0200	1.03		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.3	63	0.0270	3.34		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.9	103	Total			

Summary for Subcatchment 1-2:

[49] Hint: $T_c < 2dt$ may require smaller dt

Runoff = 2.50 cfs @ 12.01 hrs, Volume= 0.186 af, Depth> 4.63"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
1,428	74	>75% Grass cover, Good, HSG C
135	61	>75% Grass cover, Good, HSG B
19,476	98	Paved parking & roofs
21,039	96	Weighted Average
1,563		Pervious Area
19,476		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.1	13	0.1000	0.19		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.6	126	0.0270	3.34		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.7	139	Total			

Summary for Subcatchment 1-3:

[49] Hint: Tc<2dt may require smaller dt

Runoff = 2.64 cfs @ 12.03 hrs, Volume= 0.202 af, Depth> 4.34"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
3,972	74	>75% Grass cover, Good, HSG C
848	61	>75% Grass cover, Good, HSG B
19,476	98	Paved parking & roofs
24,296	93	Weighted Average
4,820		Pervious Area
19,476		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.0	12	0.1000	0.19		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	105	0.0257	3.25		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.0	111	0.0150	1.84		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
2.5	228	Total			

Summary for Subcatchment 1-4:

[49] Hint: Tc<2dt may require smaller dt

Runoff = 0.13 cfs @ 12.00 hrs, Volume= 0.009 af, Depth> 4.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
998	98	Paved parking & roofs
998		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.6	30	0.0150	0.87		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"

Summary for Subcatchment 1-5:

[49] Hint: Tc<2dt may require smaller dt

Runoff = 0.50 cfs @ 12.01 hrs, Volume= 0.035 af, Depth> 4.54"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
563	74	>75% Grass cover, Good, HSG C
3,498	98	Paved parking & roofs
4,061	95	Weighted Average
563		Pervious Area
3,498		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.8	45	0.0150	0.94		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.1	20	0.0150	2.49		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.9	65	Total			

Summary for Subcatchment 1-6:

[49] Hint: Tc<2dt may require smaller dt

Runoff = 1.29 cfs @ 12.01 hrs, Volume= 0.093 af, Depth> 4.71"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
10,017	98	Paved parking & roofs
353	74	>75% Grass cover, Good, HSG C
10,370	97	Weighted Average
353		Pervious Area
10,017		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.6	50	0.0330	1.32		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.3	63	0.0270	3.34		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.9	113	Total			

Summary for Subcatchment 1-7:

[49] Hint: Tc<2dt may require smaller dt

Runoff = 0.87 cfs @ 12.02 hrs, Volume= 0.066 af, Depth> 4.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
7,228	98	Paved parking & roofs
7,228		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.8	100	0.0100	0.94		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"

Summary for Subcatchment 1-8:

[49] Hint: Tc<2dt may require smaller dt

Runoff = 0.81 cfs @ 12.01 hrs, Volume= 0.059 af, Depth> 4.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
6,471	98	Paved parking & roofs
6,471		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.0	63	0.0150	1.01		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"

Summary for Subcatchment 1-9:

[49] Hint: Tc<2dt may require smaller dt

Runoff = 5.60 cfs @ 12.09 hrs, Volume= 0.423 af, Depth> 4.13"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
38,181	98	Water Surface
7,854	80	>75% Grass cover, Good, HSG D
2,130	74	>75% Grass cover, Good, HSG C
5,313	61	>75% Grass cover, Good, HSG B
53,478	91	Weighted Average
15,297		Pervious Area
38,181		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.7	47	0.0660	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
1.5	318	0.0300	3.52		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.0	12	0.1250	5.30		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
5.2	377				Total

Summary for Pond 5304:

[82] Warning: Early inflow requires earlier time span

[80] Warning: Exceeded Pond TRENCH by 0.87' @ 12.30 hrs (0.52 cfs 0.005 af)

Inflow Area = 0.529 ac, 93.22% Impervious, Inflow Depth > 4.64" for 25-Year event
 Inflow = 2.75 cfs @ 12.01 hrs, Volume= 0.205 af
 Outflow = 2.75 cfs @ 12.01 hrs, Volume= 0.205 af, Atten= 0%, Lag= 0.0 min
 Primary = 2.75 cfs @ 12.01 hrs, Volume= 0.205 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 91.53' @ 12.30 hrs
 Flood Elev= 93.20'

Device	Routing	Invert	Outlet Devices
#1	Primary	89.40'	12.0" x 169.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 88.20' S= 0.0071 '/ Cc= 0.900 n= 0.013 Clay tile

Primary OutFlow Max=1.96 cfs @ 12.01 hrs HW=90.46' TW=89.72' (Dynamic Tailwater)

↑1=Culvert (Outlet Controls 1.96 cfs @ 2.92 fps)

Summary for Pond 5319:

[82] Warning: Early inflow requires earlier time span

[80] Warning: Exceeded Pond 5304 by 0.78' @ 12.20 hrs (2.14 cfs 0.018 af)

Inflow Area = 1.110 ac, 86.79% Impervious, Inflow Depth > 4.49" for 25-Year event
 Inflow = 5.37 cfs @ 12.03 hrs, Volume= 0.415 af
 Outflow = 5.37 cfs @ 12.03 hrs, Volume= 0.415 af, Atten= 0%, Lag= 0.0 min
 Primary = 5.37 cfs @ 12.03 hrs, Volume= 0.415 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Peak Elev= 91.40' @ 12.21 hrs

Flood Elev= 93.35'

Device	Routing	Invert	Outlet Devices
#1	Primary	88.20'	15.0" x 65.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.25' S= 0.0146 '/' Cc= 0.900 n= 0.012

Primary OutFlow Max=0.00 cfs @ 12.03 hrs HW=89.81' TW=90.19' (Dynamic Tailwater)

↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB1:

[82] Warning: Early inflow requires earlier time span

[80] Warning: Exceeded Pond 5319 by 0.82' @ 12.10 hrs (5.35 cfs 0.067 af)

[80] Warning: Exceeded Pond PCB2 by 1.33' @ 12.10 hrs (4.05 cfs 0.083 af)

Inflow Area = 1.441 ac, 88.37% Impervious, Inflow Depth > 4.53" for 25-Year event
 Inflow = 7.14 cfs @ 12.02 hrs, Volume= 0.544 af
 Outflow = 7.14 cfs @ 12.02 hrs, Volume= 0.544 af, Atten= 0%, Lag= 0.0 min
 Primary = 7.14 cfs @ 12.02 hrs, Volume= 0.544 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Peak Elev= 91.25' @ 12.12 hrs

Flood Elev= 93.40'

Device	Routing	Invert	Outlet Devices
#1	Primary	87.25'	15.0" x 72.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 86.90' S= 0.0049 '/' Cc= 0.900 n= 0.012

Primary OutFlow Max=0.00 cfs @ 12.02 hrs HW=90.11' TW=90.30' (Dynamic Tailwater)

↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB2:

[82] Warning: Early inflow requires earlier time span

Inflow Area = 0.238 ac, 96.60% Impervious, Inflow Depth > 4.71" for 25-Year event
 Inflow = 1.29 cfs @ 12.01 hrs, Volume= 0.093 af
 Outflow = 1.29 cfs @ 12.01 hrs, Volume= 0.093 af, Atten= 0%, Lag= 0.0 min
 Primary = 1.29 cfs @ 12.01 hrs, Volume= 0.093 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 91.27' @ 12.22 hrs
 Flood Elev= 92.30'

Device	Routing	Invert	Outlet Devices
#1	Primary	87.55'	12.0" x 64.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.25' S= 0.0047 '/' Cc= 0.900 n= 0.012

Primary OutFlow Max=0.00 cfs @ 12.01 hrs HW=88.76' TW=89.93' (Dynamic Tailwater)
 ↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB3:

[82] Warning: Early inflow requires earlier time span
 [80] Warning: Exceeded Pond PCB1 by 0.47' @ 12.00 hrs (3.93 cfs 0.032 af)
 [80] Warning: Exceeded Pond PCB4 by 1.96' @ 12.00 hrs (5.30 cfs 0.093 af)

Inflow Area = 1.795 ac, 90.67% Impervious, Inflow Depth > 4.58" for 25-Year event
 Inflow = 9.02 cfs @ 12.02 hrs, Volume= 0.685 af
 Outflow = 9.02 cfs @ 12.02 hrs, Volume= 0.685 af, Atten= 0%, Lag= 0.0 min
 Primary = 9.02 cfs @ 12.02 hrs, Volume= 0.685 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 90.53' @ 12.05 hrs
 Flood Elev= 92.85'

Device	Routing	Invert	Outlet Devices
#1	Primary	86.90'	15.0" x 41.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 86.70' S= 0.0049 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=6.51 cfs @ 12.02 hrs HW=90.30' TW=89.08' (Dynamic Tailwater)
 ↑1=Culvert (Inlet Controls 6.51 cfs @ 5.31 fps)

Summary for Pond PCB4:

[82] Warning: Early inflow requires earlier time span

Inflow Area = 0.040 ac, 100.00% Impervious, Inflow Depth > 4.79" for 25-Year event
 Inflow = 0.22 cfs @ 12.01 hrs, Volume= 0.016 af
 Outflow = 0.22 cfs @ 12.01 hrs, Volume= 0.016 af, Atten= 0%, Lag= 0.0 min
 Primary = 0.22 cfs @ 12.01 hrs, Volume= 0.016 af

Primary OutFlow Max=1.76 cfs @ 12.02 hrs HW=89.08' TW=89.04' (Dynamic Tailwater)

1=Culvert (Outlet Controls 1.76 cfs @ 1.00 fps)

Summary for Pond PYD-2: RAIN GARDEN #2

[82] Warning: Early inflow requires earlier time span

Inflow Area = 1.228 ac, 71.40% Impervious, Inflow Depth > 4.13" for 25-Year event
 Inflow = 5.60 cfs @ 12.09 hrs, Volume= 0.423 af
 Outflow = 5.34 cfs @ 12.11 hrs, Volume= 0.410 af, Atten= 5%, Lag= 1.2 min
 Primary = 5.34 cfs @ 12.11 hrs, Volume= 0.410 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 91.40' @ 12.11 hrs Surf.Area= 1,526 sf Storage= 1,124 cf
 Flood Elev= 91.60' Surf.Area= 1,648 sf Storage= 1,438 cf

Plug-Flow detention time= 20.6 min calculated for 0.407 af (96% of inflow)
 Center-of-Mass det. time= 8.7 min (764.1 - 755.4)

Volume	Invert	Avail.Storage	Storage Description
#1	90.50'	2,147 cf	Custom Stage Data (Prismatic) Listed below (Recalc)
Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
90.50	967	0	0
92.00	1,896	2,147	2,147

Device	Routing	Invert	Outlet Devices
#1	Primary	87.25'	15.0" x 209.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 86.25' S= 0.0048 '/' Cc= 0.900 n= 0.012
#2	Device 1	87.90'	6.0" Vert. Orifice/Grate C= 0.600
#3	Device 2	90.50'	3.000 in/hr Exfiltration over Surface area
#4	Device 1	91.00'	24.0" Horiz. Orifice/Grate Limited to weir flow C= 0.600

Primary OutFlow Max=5.23 cfs @ 12.11 hrs HW=91.40' TW=88.85' (Dynamic Tailwater)

1=Culvert (Passes 5.23 cfs of 6.61 cfs potential flow)

2=Orifice/Grate (Passes 0.11 cfs of 1.51 cfs potential flow)

3=Exfiltration (Exfiltration Controls 0.11 cfs)

4=Orifice/Grate (Weir Controls 5.12 cfs @ 2.06 fps)

Summary for Pond PYD1: RAIN GARDEN #1

[82] Warning: Early inflow requires earlier time span

Inflow Area = 0.558 ac, 80.16% Impervious, Inflow Depth > 4.34" for 25-Year event
 Inflow = 2.64 cfs @ 12.03 hrs, Volume= 0.202 af
 Outflow = 2.54 cfs @ 12.05 hrs, Volume= 0.202 af, Atten= 4%, Lag= 1.3 min
 Primary = 2.54 cfs @ 12.05 hrs, Volume= 0.202 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs

Peak Elev= 93.25' @ 12.05 hrs Surf.Area= 485 sf Storage= 99 cf
 Flood Elev= 93.50' Surf.Area= 660 sf Storage= 244 cf

Plug-Flow detention time= 1.0 min calculated for 0.202 af (100% of inflow)
 Center-of-Mass det. time= 0.8 min (748.1 - 747.3)

Volume	Invert	Avail.Storage	Storage Description
#1	93.00'	244 cf	Custom Stage Data (Prismatic) Listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
93.00	314	0	0
93.50	660	244	244

Device	Routing	Invert	Outlet Devices
#1	Primary	88.40'	12.0" x 6.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 88.30' S= 0.0167 '/' Cc= 0.900 n= 0.012
#2	Device 1	90.55'	4.0" Vert. Orifice/Grate C= 0.600
#3	Device 2	93.00'	3.000 in/hr Exfiltration over Surface area
#4	Device 1	93.00'	24.0" Horiz. Orifice/Grate Limited to weir flow C= 0.600

Primary OutFlow Max=2.39 cfs @ 12.05 hrs HW=93.24' TW=90.00' (Dynamic Tailwater)

- ↑1=Culvert (Passes 2.39 cfs of 6.80 cfs potential flow)
- ↑2=Orifice/Grate (Passes 0.03 cfs of 0.67 cfs potential flow)
- ↑3=Exfiltration (Exfiltration Controls 0.03 cfs)
- ↑4=Orifice/Grate (Weir Controls 2.36 cfs @ 1.59 fps)

Summary for Pond TRENCH:

[82] Warning: Early inflow requires earlier time span

Inflow Area = 0.046 ac, 100.00% Impervious, Inflow Depth > 4.79" for 25-Year event
 Inflow = 0.25 cfs @ 12.00 hrs, Volume= 0.018 af
 Outflow = 0.25 cfs @ 12.00 hrs, Volume= 0.018 af, Atten= 0%, Lag= 0.0 min
 Primary = 0.25 cfs @ 12.00 hrs, Volume= 0.018 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.10 hrs
 Peak Elev= 91.54' @ 12.40 hrs
 Flood Elev= 93.37'

Device	Routing	Invert	Outlet Devices
#1	Primary	90.30'	6.0" x 80.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 89.50' S= 0.0100 '/' Cc= 0.900 n= 0.013 Clay tile

Primary OutFlow Max=0.15 cfs @ 12.00 hrs HW=90.67' TW=90.47' (Dynamic Tailwater)

- ↑1=Culvert (Outlet Controls 0.15 cfs @ 1.33 fps)

APPENDIX B

CHARTS

and III (SCS NEH-4, SCS TR-55) included in Table 3-5. The type II and type III storm distributions as shown in Figure 3.5, are applicable within Maine.

Rainfall is also spatially distributed during a given event. However, for design of most stormwater management facilities, common practice assumes that rainfall is uniformly distributed over the entire contributing watershed. This assumption does not necessarily apply to large, complex watersheds, for which SCS TR-20 or an equivalent model allowing this flexibility should be used.

Table 3-4 24 Hour Duration Rainfalls For Various Return Periods.
Natural Resources Conservation Service County Rainfall Data

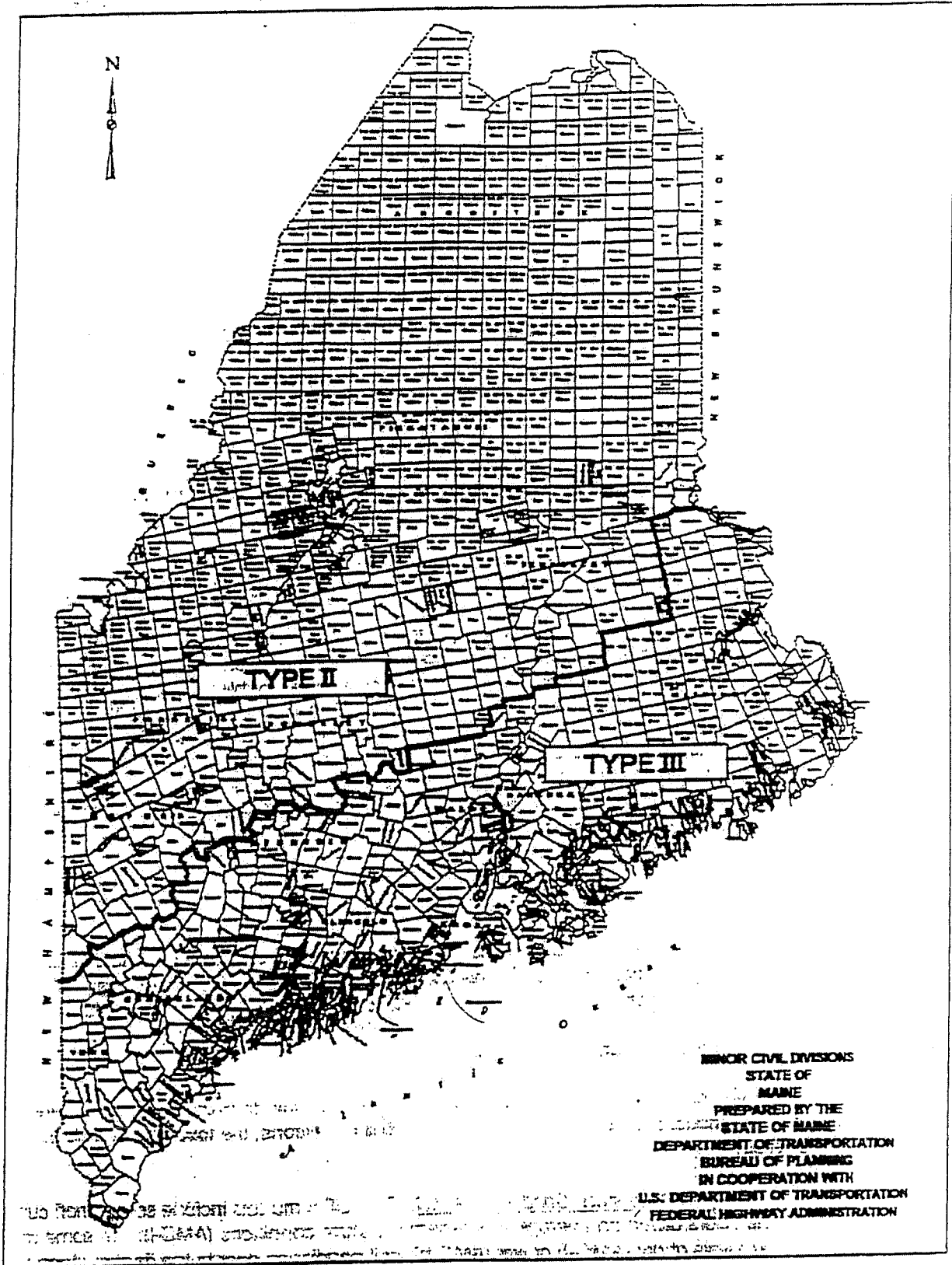
County	Storm Type	Return Interval or Frequency							Annual	
		1-Yr	2-Yr	5-Yr	10-Yr	25-Yr	100-Yr	500-Yr		
Androscoggin		2.5	3.0	3.9	4.6	5.4	6.5	7.8	45.3	
Aroostook C		2.1	2.1	3.2	3.6	4.2	5.0	5.9	38.1	(Presque Isle Area)
Aroostook N		2.0	2.3	3.0	3.5	4.0	4.8	5.7	36.1	(Fort Kent Area)
Aroostook S	S	2.2	2.5	3.3	3.8	4.4	5.3	6.4	39.0	(Houlton Area)
Cumberland NW	E	2.8	3.3	4.3	5.0	5.8	6.9	8.3	43.4	(NW of St. Route 11)
Cumberland SE	E	2.5	3.0	4.0	4.7	5.5	6.7	8.1	44.4	(SE of St. Route 11)
Franklin		2.4	2.9	3.7	4.2	4.9	5.8	7.0	45.8	
Hancock		2.4	2.7	3.6	4.2	4.9	6.0	7.2	45.2	
Kennebec	N	2.4	3.0	3.8	4.4	5.1	6.1	7.2	41.7	
Knox-Lincoln	O	2.5	2.9	3.8	4.4	5.1	6.2	7.4	48.1	
Oxford E	T	2.5	3.0	4.0	4.6	5.3	6.4	7.6	43.0	(E of St. Route 26)
Oxford W	E	3.0	3.5	4.5	5.2	6.0	7.1	8.4	43.8	(W of St. Route 26)
Penobscot N	S	2.2	2.5	3.3	3.8	4.4	5.4	6.4	41.5	(N of Can.-Atl. Rwy)
Penobscot S		2.4	2.7	3.5	4.1	4.8	5.8	6.9	39.5	(S of Can.-Atl. Rwy)
Piscataquis N	1	2.2	2.5	3.3	3.8	4.4	5.3	6.3	38.5	(N of Can.-Atl. Rwy)
Piscataquis S		2.3	2.6	3.4	4.0	4.6	5.5	6.6	41.0	(S of Can.-Atl. Rwy)
Sagadahoc	A	2.5	3.0	3.9	4.6	5.4	6.5	7.8	45.3	
Somerset N	N	2.2	2.5	3.3	3.8	4.4	5.3	6.3	37.3	(N of Can.-Atl. Rwy)
Somerset S	D	2.4	2.7	3.5	4.1	4.7	5.7	6.8	39.5	(S of Can.-Atl. Rwy)
Waldo		2.5	2.8	3.7	4.3	4.9	6.0	7.1	47.2	
Washington	2	2.4	2.5	3.4	4.0	4.8	5.9	7.1	44.2	
York		2.5	3.0	4.0	4.6	5.4	6.5	7.8	48.7	

NOTES: REVISED 4/10/82 Lew P. Crosby
24-HR. DURATION RAINFALL

SOURCES: 24-HR. DATA — TP-40
ANNUAL DATA — CDAN

Note 1: ¹Use Type # for Oxford County (with the exception of towns listed below) and Penobscot County (with the exception of towns listed below) and all Maine counties not listed below.

Note 2: ²Use Type # for York, Cumberland, Androscoggin, Sagadahoc, Kennebec, Waldo, Knox, Piscataquis, Somerset, Franklin, Aroostook, Lincoln, Hancock, Washington Counties; the following Oxford County Towns: Porter, Brownfield, Hiram, Denmark, Oxford, Hebron, Buckfield, and Hartford; and the following Penobscot County towns: Dixmont, Newburgh, Hampden, Bangor, Vassie, Orono, Bradley, Githon, Eddington, Holden, Brewer, Orrington, Plymouth, Etna, Carmel, Harmon, Glenburn, Old Town, Millford, and Greenfield.



MINOR CIVIL DIVISIONS
 STATE OF
 MAINE
 PREPARED BY THE
 DEPARTMENT OF TRANSPORTATION
 BUREAU OF PLANNING
 IN COOPERATION WITH
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION

Figure 3.5. Rainfall distribution types for Maine.

**Proposed Redevelopment
Northgate Shopping Center
Auburn Street
Portland, Maine**

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 - Figure 1 - Site Location Map
 - Figure 2 - Soil Survey Map
 - Figure 3 - Flood Insurance Rate Map
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- 3.0 Pre-Development Condition
- 4.0 Post-Development Condition
- 5.0 Discharge Point Peak Rate Comparisons
- 6.0 Pipe Design
- 7.0 Best Management Practices
- 8.0 Operation and Maintenance Plan
 - Appendix A - Supporting Calculations:
 - Pre-Development Calculations
 - Post-Development Calculations
 - Pipe Design
 - Downstream Defender
 - Appendix B:
 - Charts

1.0 - SUMMARY

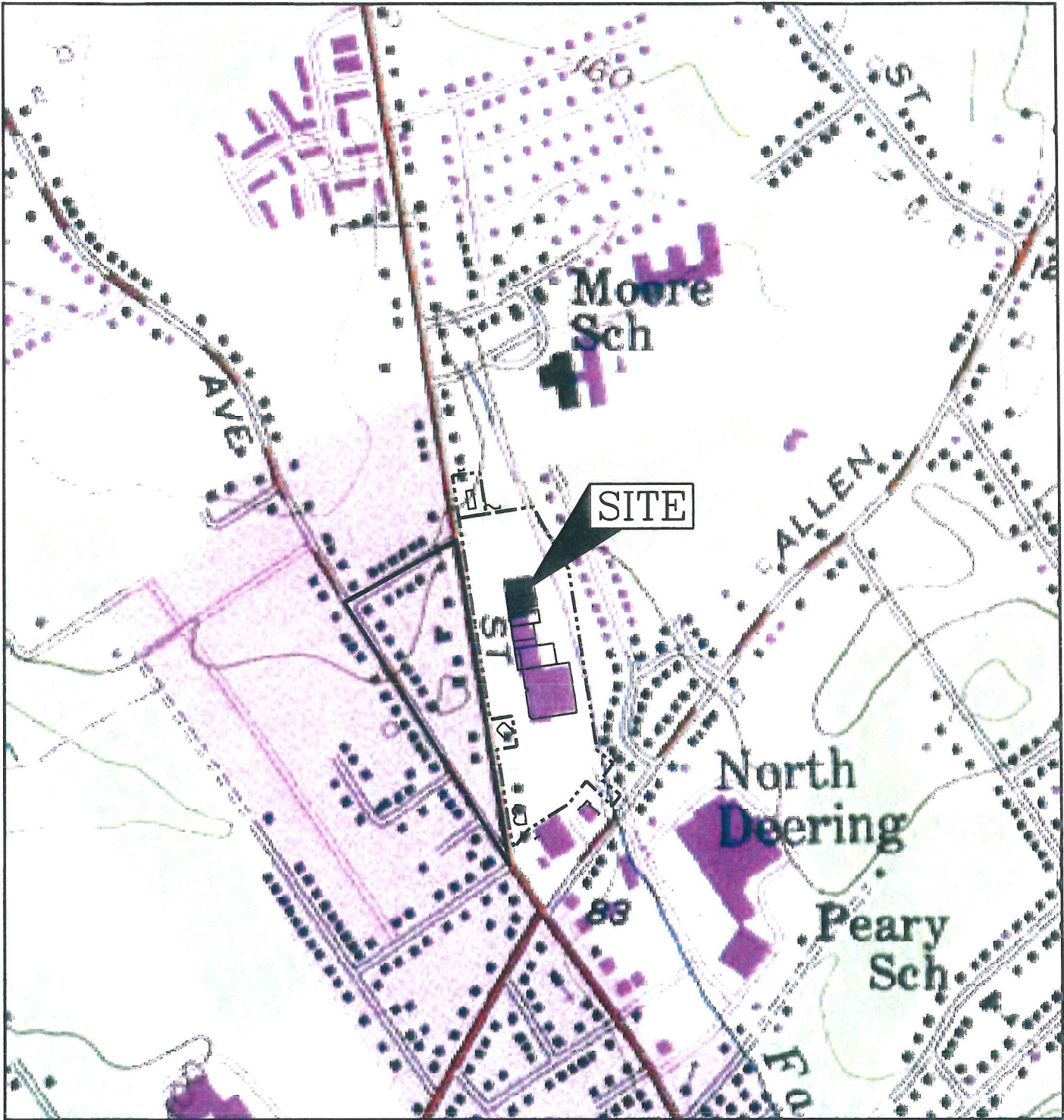
The proposed projects involve the redevelopment of the Northgate Shopping Center and adjacent Lot C-23. The shopping center (Lot C-1) property is approximately 13.20 acres located in the Community Business District (B-2). The adjacent Lot, C-23, is approximately 0.54 acres located in the Residential Professional District (R-P). The overall project site (includes both lots) is bound by Auburn Street to the south, Allen Avenue to the east, the Mercy Care property to the northwest and Fall Brook with jurisdictional wetlands to the north (see Figure 1 – Site Location Map). The existing developed plaza (Lot C-1) consists of approximately 105,940 sf of retail and restaurant area. The property also supports a Town and Country Credit Union, as well as parking (by easement) for Mercy Care. The adjacent Lot-23 includes a 2,600 sf, two (2) story vacant building. See Existing Conditions Plan for further information concerning the existing site. For the purpose of this drainage analysis both projects are considered to be part of the same redevelopment and from here on, the “site” will refer to both redevelopment projects.

The proposed redevelopment will include demolishing approximately 12,715 sf of the northern part of the existing retail plaza and the construction of a new 12,900 sf stand-alone CVS building with a drive-thru facility within the limits of the existing pavement. The structure of the existing vacant building will remain but will receive substantial façade and site improvements. Parking, landscaping and utility improvements are also proposed throughout the site (see Sheet C-3, Overall Site Plan). Approximately 2.65 acres of the previously developed site will be disturbed.

The site drains from the south along Auburn Street towards Fall Brook and the jurisdictional wetlands located at the rear of the existing parking lot. Fall Brook has been designated as an Urban Impaired Stream by the Maine Department of Environmental Protection. As part of the redevelopment of this site we have reduced the existing impervious area on the site, which will in turn reduce the contributing stormwater runoff and potential for pollutants entering Fall Brook. In addition we are proposing an upgrade of the existing closed drainage system, including catchbasins with sumps and grease hoods as well as a water quality unit to treat the stormwater prior to discharging to the stream.

Based on the Flood Insurance Rate Map for this area, the portion of Fall Brook directly down stream of the site appears to have flooding concerns and is designated within the 100-year flood zone. The reduction of impervious area on this site will help to reduce the contributing volume of runoff entering Fall Brook and help to minimize flooding down stream.

The proposed redevelopment has been designed to meet the regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction to the maximum extent practical.

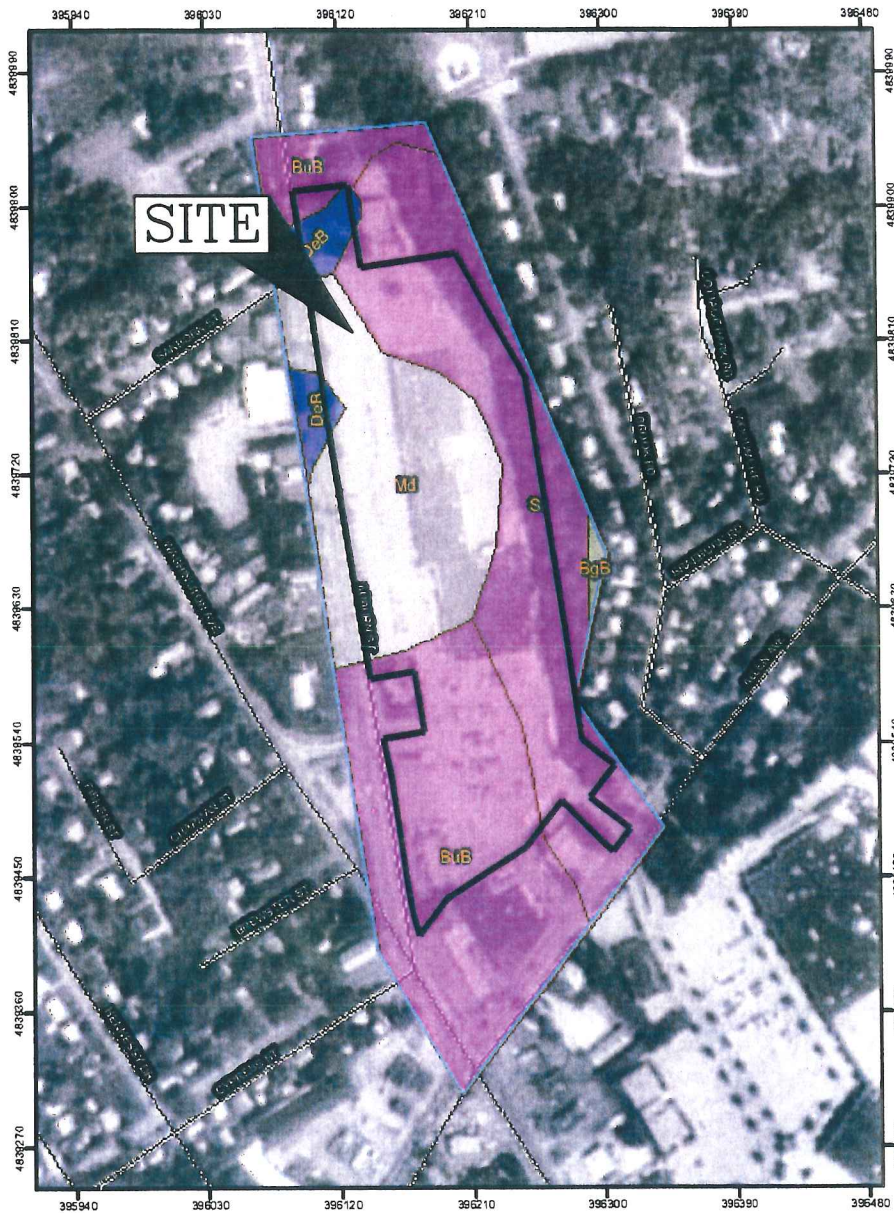


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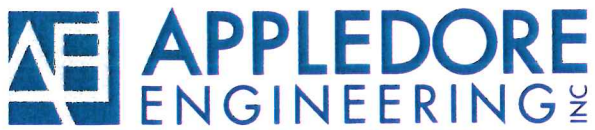
FIGURE 1: SITE LOCATION MAP
Proposed Redevelopment

Northgate Shopping Center
 Auburn Street
 Portland, Maine

SOURCE: USGS, PORTLAND WEST QUADRANGLE
 SCALE: 1:1200



SYMBOL	NAME	RATING
BgB	BELGRADE VERY FINE SANDY LOAM	C
BuB	BUXTON SILT LOAM	D
DeB	DEEFIELD LOAMY SAND	B
Md	MADE LAND	C (ASSUMED)
Sn	SCANTIC SILT LOAM	D

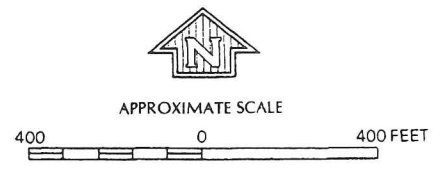
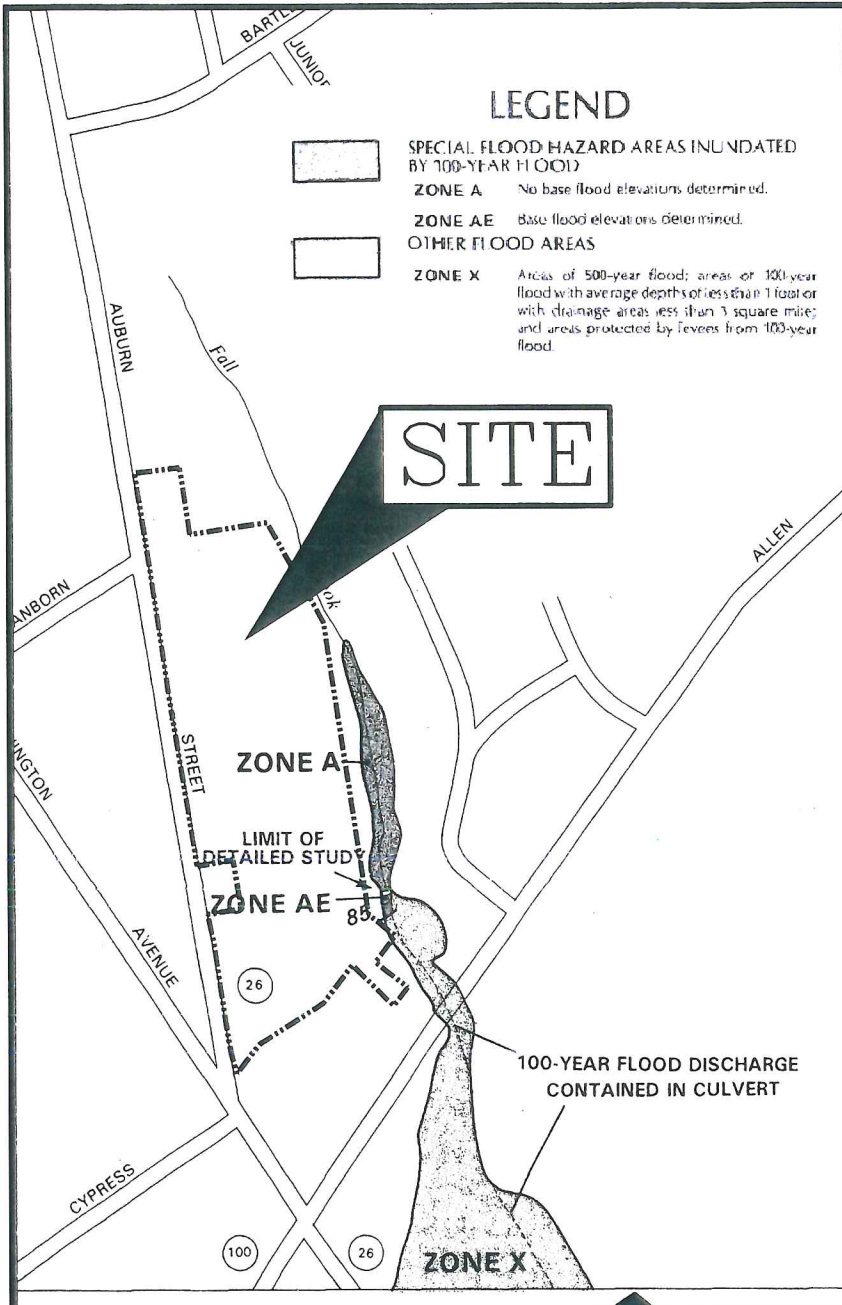


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FIGURE 2: SCS SOILS SURVEY

Northgate Shopping Center
 Auburn Street
 Portland, Maine

SOURCE: SOIL SURVEY OF CUMBERLAND COUNTY
 NOT TO SCALE



NATIONAL FLOOD INSURANCE PROGRAM


FIRM FLOOD INSURANCE RATE MAP

CITY OF PORTLAND, MAINE
CUMBERLAND COUNTY

PANEL 2 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0002 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

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**NORTHGATE SHOPPING CENTER
AUBURN STREET
PORTLAND, MAINE**

REFERENCE:
FLOOD INSURANCE RATE MAP
CITY OF PORTLAND
CUMBERLAND COUNTY
COMMUNITY PANEL #230051-0002 C
REVISED: DECEMBER 8, 1998

DATE: JANUARY 9, 2009
PROJECT No.: 2042B

FLOOD INSURANCE RATE MAP
NOT TO SCALE

FIGURE 3

2.0 - CALCULATION METHODS

The design storms analyzed in this study are the 2-year, 10-year and 25-year 24-hour duration storm events. The stormwater modeling system, HydroCAD 8.0⁽¹⁾ was utilized to predict the peak runoff rates from these storm events. A Type III storm pattern was used in this model.

The time of concentration was computed using the TR-55 method, which provides a means of determining the time for an entire watershed to contribute runoff to a specific location via sheet flows, shallow concentrated flows and channel flow. Runoff curve numbers were calculated by estimating the coverage areas and then summing the curve number for the coverage areas as a percent of the entire watershed. The appendix to this report contains a full description of the time of concentration methodology utilized in this report.

Drainage structures were sized for the 25-year storm using peak runoff rates generated from HydroCAD. Structure sub-catchments were identified and stormwater flows were routed through the system in general accordance with standard engineering practice. Hydraulics calculations for the drainage structures were analyzed for inlet and outlet control, maximum headwater and discharge velocity during the 25-year storm event using the HydroCAD 8.0⁽¹⁾.

⁽¹⁾ HydroCAD 8.0, by HydroCAD Software Solutions, LLC, P.O. Box 350, Chocorua, New Hampshire 03817.

3.0 - PRE-DEVELOPMENT CONDITION

The runoff from the overall site in the pre-development condition was modeled at three (3) discharge points with three (3) contributing watershed areas (see Appendix A for the Pre-Development Watershed Plan, WS-1)

Discharge Point 1

Discharge Point 1 (DP 1) is located at the outlet of two (2) twenty-two (22) inch culverts that convey Fall Brook under an existing pedestrian walkway. Watershed Area 1 (WS-1) includes a portion of the front parking lot and roof runoff that is collected in a closed drainage system and discharged just upstream of the two (2) culverts. The remainder of WS-1 includes sheet runoff from the plaza parking lot and adjacent lot, which travels via overland flow directly into the wetlands and Fall Brook, located at the rear of the site.

Discharge Point 2

Discharge Point 2 (DP 2) is located at the edge of the wetlands associated with Fall Brook, located downstream from the twenty-two (22) inch culverts. Watershed Area 2 (WS-2) includes area from the rear of the plaza that travels via overland flow towards the wetland.

Discharge Point 3

Discharge Point 3 (DP 3) is located within an existing catchbasin to the east of the proposed project area. This catchbasin is connected to the closed drainage system serving the remainder of the Northgate Plaza. Watershed Area 3 (WS-3) includes a portion of the front parking lot.

Table 1 summarizes the watershed's characteristics. The appendix to this Drainage Study fully documents these computations.

TABLE 1 PRE-DEVELOPMENT WATERSHED CHARACTERISTICS			
WATERSHED NUMBER	AREA (ACRES)	CN	TIME OF CONCENTRATION (MIN)
WS-1	3.48	94	7.3
WS-2	0.44	96	6.0
WS-3	0.22	98	6.0
Total	4.14		

4.0 - POST-DEVELOPMENT CONDITION

The runoff from the overall site in the post-development condition was modeled at the same three (3) discharge points as in the pre-development condition. The post-development site is comprised of three (3) contributing watershed areas (see Appendix A for the Post-Development Watershed Plan, WS-2).

Post-Discharge Point 1

As in the pre-development condition Post-Discharge Point 1 (PDP 1) is located at the outlet of two (2) twenty-two (22) inch culverts that convey Fall Brook. Post-Watershed Area 1 (PWS 1) includes the majority of the proposed redevelopment area. As part of the redevelopment the existing closed drainage system will be redesigned to collect the portions of the front parking area, the proposed drive thru area and the roof runoff from the proposed building. Runoff will be treated using a downstream defender (water quality unit) prior to connecting to the two (2) twenty-two (22) inch culverts. This connection to the culverts will replace the existing discharge point directly upstream of the culverts, eliminating a potential area for erosion. As in the existing conditions, the remainder of the project area, including parking on the plaza and the adjacent site, will be conveyed via overland flow directly into the wetlands and Fall Brook located at the rear of the site.

Post-Discharge Point 2

Post-Discharge Point 2 (PDP 2) is located at the edge of the wetlands associated with Fall Brook, located downstream from the twenty-two (22) inch culverts. Post-Watershed Area 2 (PWS 2) includes area from the rear of the plaza that travels via overland flow towards the wetland. As part of the redevelopment, new open space has been designed between the wetland and drive aisle.

Post-Discharge Point 3

Post-Discharge Point 3 (PDP 3) is located within an existing catchbasin to the east of the proposed project area. This catch basin is connected to the closed drainage system serving the remainder of the Northgate Plaza. Post-Watershed Area 3 (PWS 3) includes a portion of the front parking lot. As part of the redevelopment, a new raised island has been designed with a portion of the new associated open space discharging to this discharge point.

Table 2 summarizes the watershed's characteristics. The appendix to this Drainage Study fully documents these computations.

**TABLE 2
POST-DEVELOPMENT WATERSHED CHARACTERISTICS**

WATERSHED NUMBER	AREA (ACRES)	CN	TIME OF CONCENTRATION (MIN)
PWS 1	3.49	93	7.3
PWS 2	0.43	96	6.0
PWS 3	0.22	98	6.0
Total	4.14		

5.0 - DISCHARGE POINT PEAK RATE COMPARISONS

Table 3 summarizes and compares the pre- and post-development peak runoff rates for the 2-year, 10-year and 25-year storm events. The post-development peak rate of runoff for each discharge point has been determined to be less than or equal to the peak rate of runoff for the pre-development condition.

TABLE 3 COMPARISON OF PRE- AND POST-DEVELOPMENT FLOWS STORM EVENT (cfs)			
	2-Year Storm	10-Year Storm	25-Year Storm
Pre-Development Condition			
DP 1	7.35	13.76	16.76
DP 2	1.03	1.86	2.24
DP 3	0.54	0.95	1.15
Post-Development Condition			
PDP 1	7.09	13.56	16.59
PDP 2	1.00	1.81	2.19
PDP 3	0.54	0.95	1.15

6.0 - PIPE DESIGN

The closed drainage system was analyzed for capacity using the 25-year, Type III storm event. A separate model depicting subcatchment areas for each of the catchbasins and roof drain areas was created. These subcatchment areas are depicted on the plan entitled "Subcatchment Plan", Sheet WS-3 found in the appendix to this study. The drainage system is anticipated to operate without ponding or flooding on-site during the 25-year storm event.

Table 4 details the results of the capacity analysis for the 25-year storm event in the individual catchbasins and drain manholes.

TABLE 4 SUMMARY OF STRUCTURE PERFORMANCE 25-Year Storm		
STRUCTURE NUMBER	TOP OF FRAME ELEVATION	WATER SURFACE ELEVATION
PDMH 1	89.85	88.17
PDMH 2	93.20	89.17
PCB1	92.95	90.31
PCB2	92.95	90.15
PCB3	93.2	89.84
PCB4	92.3	90.31
CB5319	92.7	90.39
CB5304	92.7	90.48

7.0 - BEST MANAGEMENT PRACTICES

All soil erosion and sediment control measures shall be in accordance with regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction. The intent of the outlined measures is to minimize erosion and sedimentation during construction, stabilize and protect the site from erosion after construction is complete and improve stormwater quality from the site. Best Management Practices for this project include:

- Temporary practices to be implemented during construction.
- Permanent practices to be implemented after construction.
- Stormwater treatment devices.

TEMPORARY PRACTICES

Sequencing:

1. Cut and clear trees.
2. Construct temporary and permanent sediment, erosion and detention control facilities. Erosion, sediment and detention measures shall be installed prior to any earth moving operations that will influence stormwater runoff such as
 - new construction
 - stream channel modifications
 - control of dust
 - construction of access road
 - nearness of construction site to receiving waters
 - construction during late winter and early spring
3. All permanent ditches, swales, detention, retention and sedimentation basins to be stabilized using the vegetative and non-structural BMPs prior to directing runoff to them.
4. Clear and dispose of debris.
5. Construct temporary culverts and diversion channels as required.
6. Grade parking areas - all parking areas shall be paved immediately after their construction.
7. Begin permanent and temporary seeding and mulching. All cut and fill slopes shall be seeded and mulched immediately after their construction.
8. Daily, or as required, construct temporary berms, drains, ditches, silt fences, sediment traps, etc.; mulch and seed as required.
9. Finish paving all roadways and parking lots.
10. Inspect and maintain all erosion and sediment control measures.
11. Complete permanent seeding and landscaping.
12. Remove trapped sediments from collector devices as appropriate and then remove temporary erosion control measures.

Stabilization Practices:

1. Stabilization shall be initiated on all loam stockpiles and disturbed areas where construction activity will not occur for more than twenty one (21) calendar days by the fourteenth (14th) day after construction activity has permanently or temporarily ceased in that area. Stabilization measures to be used include:
 - a. Temporary seeding
 - b. Mulching
2. During construction, runoff will be diverted around the site with earth dikes, piping or stabilized channels where possible. Sheet runoff from the site will be filtered through hay bale barriers and silt fences. The site shall be stabilized for the winter by November 15th.
3. An area shall be considered stable when one (1) of the following has occurred:
 - a. Base course gravels have been installed in areas to be paved.
 - b. A minimum of 85% vegetated growth has been established.
 - c. A minimum of three (3) inches of non-erosive material such as stone or riprap has been installed.
 - d. Erosion control blankets have been properly installed.
4. Winter stabilization practices:
 - a. All proposed post-development vegetated areas which do not exhibit a minimum of 85% vegetated growth by November 15th, or which are disturbed after November 15th, shall be stabilized by seeding and installing erosion control blankets on slopes greater than 4:1 and seeding and placing three (3) to four (4) tons of mulch per acre, secure with anchor netting, elsewhere.
 - b. All ditches or swales which do not exhibit a minimum of 85% vegetative growth by October 15th, or which are disturbed after October 15th, shall be stabilized with stone or erosion control blankets appropriate for the design flow condition.

- c. After November 15th, incomplete road or parking surfaces shall be protected with a minimum of three (3) inches of crushed gravel, or if construction is to continue through the winter season be cleared of any accumulated snow after each storm event.

PERMANENT PRACTICES

The objectives for developing permanent Best Management Practices for this site include the following:

- Develop a plan that provides the best hydrologic condition both on site and downstream.
- Provide a higher level of removal of pollutants from stormwater runoff.
- Have a minimal impact on the natural environment.
- Have minimal future maintenance.

Post-Development Hydrological Conditions:

The proposed re-development will increase open space and provide more pervious area. As a result, the volume and peak rate of runoff exiting the site will decrease.

Provide Level of Pollutant Removal:

The proposed site will increase pervious area and therefore reduce the level of pollutants in the runoff. In addition a water quality unit (Downstream Defender) will be provided on site as well as catch basins with hoods and sumps. The upgraded closed drainage system with sumps/hoods and the water quality unit will capture and treat approximately 1.16 acres of impervious area. As a result of the upgraded system and reduction in impervious area approximately 35% of the existing untreated impervious area within the limits of work will now receive treatment.

In conjunction with the proposed upgrades, a rigorous street sweeping plan will be implemented ensuring water quality leaving the site is better than in the existing conditions.

Future Maintenance Burden:

The site will be maintained in accordance with the requirements of the State of Maine DEP Regulations for maintaining erosion and sediment control measures. This program requires inspections of all drainage devices, training and specified maintenance schedules. A record of all inspections and maintenance is kept on site and is available for inspection. A copy of this document will be provided to the city upon request.

STORMWATER TREATMENT DEVICES

The following Best Management Practices (BMP) have been incorporated into the proposed design:

Street Sweeping

The proposed site will undergo regular street sweeping. Street sweeping generally reduces pollutants such as sediment, some nutrients, oxygen demanding substances and non-biodegradable trash and can lessen the delivery rate of these substances to other BMP's, thus making downstream BMP's more effective.

Deep Sump Catch Basins

Proposed catch basins for the project will be equipped with deep sumps. The deep sump in the proposed catch basins provide additional volume to the basin below the invert of the outlet. This volume, when filled with runoff, will allow suspended solids to naturally settle out of the runoff prior to being discharged to the detention basin and ultimately to downstream resources.

Oil/Water Separator Hoods

Catch basin hoods will be constructed on the outlet pipe of all catch basins to prevent any collected oils from leaving the catch basin and entering downstream resources.

Downstream Defender (Water Quality Unit)

The Downstream Defender is a vortex separator unit. The system is designed to remove settleable solids, grits and silts, oil and floatables from stormwater runoff. The proposed Downstream Defender unit has been designed to treat the first one (1) inch of rainfall runoff (first flush). During the one (1) inch storm event, the peak flow rate through the unit will be approximately 0.92 cfs; this unit is designed to treat up to 3 cfs.

8.0 - OPERATION AND MAINTENANCE PLAN

It is the intent of this Operation and Maintenance Plan to identify the areas of this site that need special attention and consideration, as well as implementing a plan to assure routine maintenance. By identifying the areas of concern as well as implementing a frequent and routine maintenance schedule, the site will maintain a high quality stormwater runoff.

Contact/Responsible Party

A & D Realty, Inc.
C/O Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, Massachusetts 02421
781-862-9700 x 212

Maintenance Items

Maintenance of the following items shall be recorded

- Parking Lot Sweeping
- Litter/Debris Removal
- Landscaping
- Catch Basin Cleaning
- Water Quality Unit Inspection and Cleaning

Operation and Maintenance Schedule

Maintenance Item	Frequency of Maintenance (Mins)	Operation
Parking Lot Sweeping - Lot swept to remove sand and litter.	Once Yearly in Spring and additional 3-4 times as needed	Parking Lot Sweeper
Litter/Debris Removal	Seven days a week	Management Company
Catch Basin (CB) Cleaning - CB to be cleaned of solids and oils.	Twice Yearly - Spring/Fall	Vacuum Truck
Landscaping - Landscaped islands to be maintained and mulched.	Maintained as required and mulched each Spring	Management Company
Water Quality Unit (Downstream Defender) - Visual inspection and cleaning	Twice Yearly	Management Company

The maintenance items and schedule represent the minimum action required. Periodic site inspections shall be conducted and all measures must be maintained in effective operating condition. The following items shall be observed during site inspection and maintenance:

- Inspect vegetated areas, particularly slopes and embankments, for areas of erosion, replant as necessary.
- Inspect catch basins for sediment buildup.
- Inspect site for trash and debris.











Snow Removal

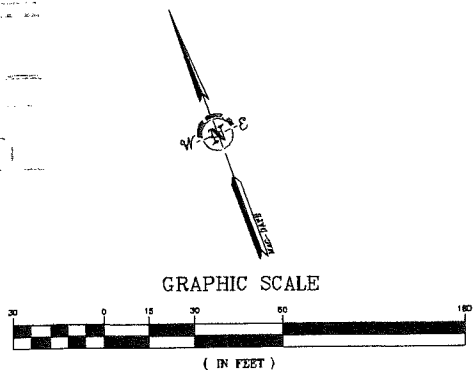
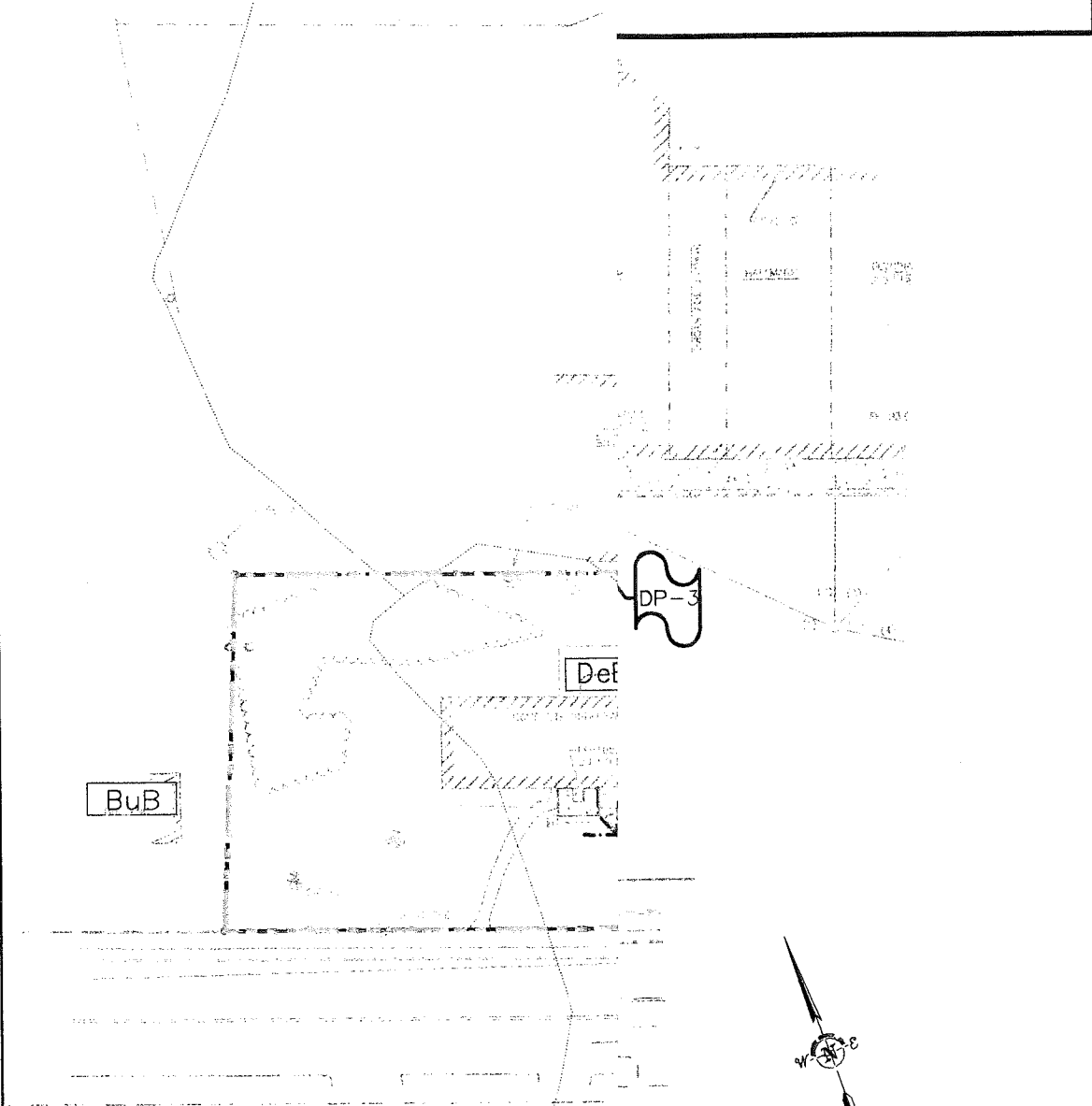
Snow from the parking areas will be stored in areas designated on the Site Plan, C-3. All snow that cannot be accommodated in the locations shown shall be taken off-site.

APPENDIX A

PRE-DEVELOPMENT CALCULATIONS

LEGEND

-  PRE-DEVELOPMENT WATERSHED BOUNDARY
-  LONGEST FLOWPATH
-  PRE-DEVELOPMENT WATERSHED DESIGNATION
-  DISCHARGE POINT
-  BELGRADE VERY FINE SANDY LOAM
-  BUXTON SILT LOAM
-  DEEFIELD LOAMY SAND
-  MADE LAND
-  SCANTIC SILT LOAM
-  APPROX. SOIL BOUNDARY



No.	Description	Appd	Date
	REVISIONS		

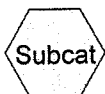
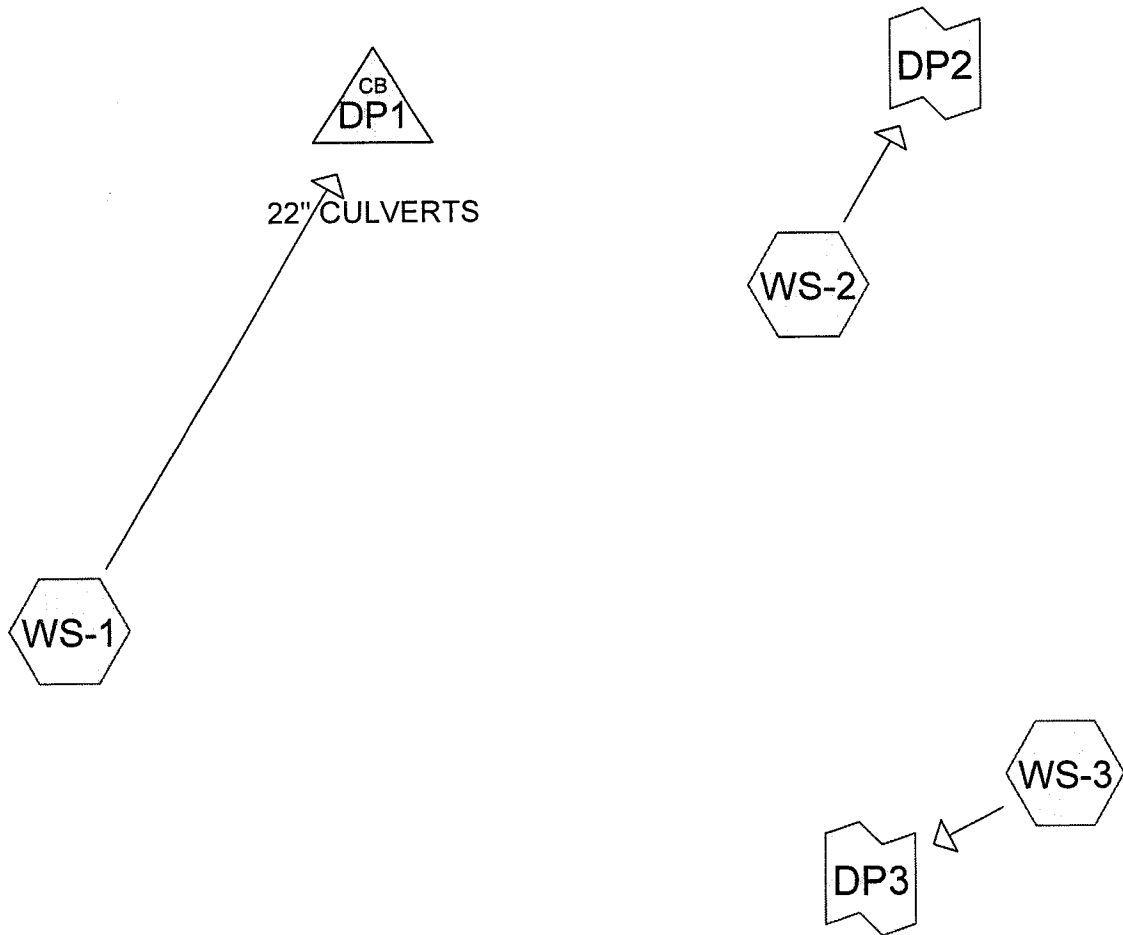
DATE: JANUARY 9, 2009
 SCALE: AS SHOWN
 DESIGNED BY: SAM
 DRAWN BY: SAM
 APPROVED BY: GY/BLM
 PROJECT NO.: 2042B
 FILE NO.: 2042B-SITE.DWG

**NORTHGATE PLAZA
 AUBURN STREET
 PORTLAND, MAINE**

APPLEDORE ENGINEERING ONE
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 03801
 (603) 433-8818
 aei@appledoreeng.com

MENT WATERSHED PLAN

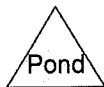
WS-1



Subcat



Reach



Pond



Link

Drainage Diagram for 2042B-PRE

Prepared by Appledore Engineering, Printed 1/7/2009

HydroCAD® 8.50 s/n 003436 © 2007 HydroCAD Software Solutions LLC

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1: Runoff Area=151,506 sf 80.73% Impervious Runoff Depth>1.85"
Flow Length=615' Tc=7.3 min CN=94 Runoff=7.35 cfs 0.538 af

Subcatchment WS-2: Runoff Area=19,193 sf 88.87% Impervious Runoff Depth>2.04"
Flow Length=150' Tc=6.0 min CN=96 Runoff=1.03 cfs 0.075 af

Subcatchment WS-3: Runoff Area=9,670 sf 99.82% Impervious Runoff Depth>2.22"
Flow Length=129' Tc=6.0 min CN=98 Runoff=0.54 cfs 0.041 af

Pond DP1: 22" CULVERTS Peak Elev=47.84' Inflow=7.35 cfs 0.538 af
22.0" x 39.0' Culvert Outflow=7.35 cfs 0.538 af

Link DP2: Inflow=1.03 cfs 0.075 af
Primary=1.03 cfs 0.075 af

Link DP3: Inflow=0.54 cfs 0.041 af
Primary=0.54 cfs 0.041 af

Total Runoff Area = 4.141 ac Runoff Volume = 0.654 af Average Runoff Depth = 1.89"
17.38% Pervious = 0.720 ac 82.62% Impervious = 3.421 ac

Summary for Subcatchment WS-1:

Runoff = 7.35 cfs @ 12.10 hrs, Volume= 0.538 af, Depth> 1.85"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
2,601	82	Woods/grass comb., Fair, HSG D
11,949	84	50-75% Grass cover, Fair, HSG D
4,019	79	50-75% Grass cover, Fair, HSG C
7,379	69	50-75% Grass cover, Fair, HSG B
873	60	Woods, Fair, HSG B
2,376	79	Woods, Fair, HSG D
122,309	98	Paved parking & roofs
151,506	94	Weighted Average
29,197		Pervious Area
122,309		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	38	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	288	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.5	200	0.0226	2.25		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.3	615	Total			

Summary for Subcatchment WS-2:

Runoff = 1.03 cfs @ 12.09 hrs, Volume= 0.075 af, Depth> 2.04"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
2,137	82	Woods/grass comb., Fair, HSG D
17,056	98	Paved parking & roofs
19,193	96	Weighted Average
2,137		Pervious Area
17,056		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	50	0.0143	0.94		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.6	90	0.0143	2.43		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.0	10	0.0740	4.08		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
4.5					Direct Entry, Minimum Tc = 6 Mins
6.0	150	Total			

Summary for Subcatchment WS-3:

Runoff = 0.54 cfs @ 12.09 hrs, Volume= 0.041 af, Depth> 2.22"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
17	79	50-75% Grass cover, Fair, HSG C
9,653	98	Paved parking & roofs
9,670	98	Weighted Average
17		Pervious Area
9,653		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	40	0.0078	0.71		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
2.3	89	0.0010	0.64		Shallow Concentrated Flow, Paved Kv= 20.3 fps
2.8					Direct Entry, Minimum Tc = 6 Mins
6.0	129	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.478 ac, 80.73% Impervious, Inflow Depth > 1.85" for 2-Year event
 Inflow = 7.35 cfs @ 12.10 hrs, Volume= 0.538 af
 Outflow = 7.35 cfs @ 12.10 hrs, Volume= 0.538 af, Atten= 0%, Lag= 0.0 min
 Primary = 7.35 cfs @ 12.10 hrs, Volume= 0.538 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 47.84' @ 12.10 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=7.27 cfs @ 12.10 hrs HW=47.83' (Free Discharge)
↑1=Culvert (Inlet Controls 7.27 cfs @ 3.11 fps)

Summary for Link DP2:

Inflow Area = 0.441 ac, 88.87% Impervious, Inflow Depth > 2.04" for 2-Year event
Inflow = 1.03 cfs @ 12.09 hrs, Volume= 0.075 af
Primary = 1.03 cfs @ 12.09 hrs, Volume= 0.075 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Summary for Link DP3:

Inflow Area = 0.222 ac, 99.82% Impervious, Inflow Depth > 2.22" for 2-Year event
Inflow = 0.54 cfs @ 12.09 hrs, Volume= 0.041 af
Primary = 0.54 cfs @ 12.09 hrs, Volume= 0.041 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1: Runoff Area=151,506 sf 80.73% Impervious Runoff Depth>3.60"
Flow Length=615' Tc=7.3 min CN=94 Runoff=13.76 cfs 1.044 af

Subcatchment WS-2: Runoff Area=19,193 sf 88.87% Impervious Runoff Depth>3.79"
Flow Length=150' Tc=6.0 min CN=96 Runoff=1.86 cfs 0.139 af

Subcatchment WS-3: Runoff Area=9,670 sf 99.82% Impervious Runoff Depth>3.96"
Flow Length=129' Tc=6.0 min CN=98 Runoff=0.95 cfs 0.073 af

Pond DP1: 22" CULVERTS Peak Elev=48.21' Inflow=13.76 cfs 1.044 af
22.0" x 39.0' Culvert Outflow=13.76 cfs 1.044 af

Link DP2: Inflow=1.86 cfs 0.139 af
Primary=1.86 cfs 0.139 af

Link DP3: Inflow=0.95 cfs 0.073 af
Primary=0.95 cfs 0.073 af

Total Runoff Area = 4.141 ac Runoff Volume = 1.256 af Average Runoff Depth = 3.64"
17.38% Pervious = 0.720 ac 82.62% Impervious = 3.421 ac

Summary for Subcatchment WS-1:

Runoff = 13.76 cfs @ 12.10 hrs, Volume= 1.044 af, Depth> 3.60"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
2,601	82	Woods/grass comb., Fair, HSG D
11,949	84	50-75% Grass cover, Fair, HSG D
4,019	79	50-75% Grass cover, Fair, HSG C
7,379	69	50-75% Grass cover, Fair, HSG B
873	60	Woods, Fair, HSG B
2,376	79	Woods, Fair, HSG D
122,309	98	Paved parking & roofs
151,506	94	Weighted Average
29,197		Pervious Area
122,309		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	38	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	288	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.5	200	0.0226	2.25		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.3	615	Total			

Summary for Subcatchment WS-2:

Runoff = 1.86 cfs @ 12.09 hrs, Volume= 0.139 af, Depth> 3.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
2,137	82	Woods/grass comb., Fair, HSG D
17,056	98	Paved parking & roofs
19,193	96	Weighted Average
2,137		Pervious Area
17,056		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	50	0.0143	0.94		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.6	90	0.0143	2.43		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.0	10	0.0740	4.08		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
4.5					Direct Entry, Minimum Tc = 6 Mins
6.0	150	Total			

Summary for Subcatchment WS-3:

Runoff = 0.95 cfs @ 12.09 hrs, Volume= 0.073 af, Depth> 3.96"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
17	79	50-75% Grass cover, Fair, HSG C
9,653	98	Paved parking & roofs
9,670	98	Weighted Average
17		Pervious Area
9,653		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	40	0.0078	0.71		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
2.3	89	0.0010	0.64		Shallow Concentrated Flow, Paved Kv= 20.3 fps
2.8					Direct Entry, Minimum Tc = 6 Mins
6.0	129	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.478 ac, 80.73% Impervious, Inflow Depth > 3.60" for 10-Year event
 Inflow = 13.76 cfs @ 12.10 hrs, Volume= 1.044 af
 Outflow = 13.76 cfs @ 12.10 hrs, Volume= 1.044 af, Atten= 0%, Lag= 0.0 min
 Primary = 13.76 cfs @ 12.10 hrs, Volume= 1.044 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 48.21' @ 12.10 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=13.67 cfs @ 12.10 hrs HW=48.20' (Free Discharge)
←1=Culvert (Inlet Controls 13.67 cfs @ 3.73 fps)

Summary for Link DP2:

Inflow Area = 0.441 ac, 88.87% Impervious, Inflow Depth > 3.79" for 10-Year event
Inflow = 1.86 cfs @ 12.09 hrs, Volume= 0.139 af
Primary = 1.86 cfs @ 12.09 hrs, Volume= 0.139 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Summary for Link DP3:

Inflow Area = 0.222 ac, 99.82% Impervious, Inflow Depth > 3.96" for 10-Year event
Inflow = 0.95 cfs @ 12.09 hrs, Volume= 0.073 af
Primary = 0.95 cfs @ 12.09 hrs, Volume= 0.073 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS-1: Runoff Area=151,506 sf 80.73% Impervious Runoff Depth>4.43"
Flow Length=615' Tc=7.3 min CN=94 Runoff=16.76 cfs 1.285 af

Subcatchment WS-2: Runoff Area=19,193 sf 88.87% Impervious Runoff Depth>4.62"
Flow Length=150' Tc=6.0 min CN=96 Runoff=2.24 cfs 0.170 af

Subcatchment WS-3: Runoff Area=9,670 sf 99.82% Impervious Runoff Depth>4.78"
Flow Length=129' Tc=6.0 min CN=98 Runoff=1.15 cfs 0.088 af

Pond DP1: 22" CULVERTS Peak Elev=48.36' Inflow=16.76 cfs 1.285 af
22.0" x 39.0' Culvert Outflow=16.76 cfs 1.285 af

Link DP2: Inflow=2.24 cfs 0.170 af
Primary=2.24 cfs 0.170 af

Link DP3: Inflow=1.15 cfs 0.088 af
Primary=1.15 cfs 0.088 af

Total Runoff Area = 4.141 ac Runoff Volume = 1.543 af Average Runoff Depth = 4.47"
17.38% Pervious = 0.720 ac 82.62% Impervious = 3.421 ac

Summary for Subcatchment WS-1:

Runoff = 16.76 cfs @ 12.10 hrs, Volume= 1.285 af, Depth> 4.43"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
2,601	82	Woods/grass comb., Fair, HSG D
11,949	84	50-75% Grass cover, Fair, HSG D
4,019	79	50-75% Grass cover, Fair, HSG C
7,379	69	50-75% Grass cover, Fair, HSG B
873	60	Woods, Fair, HSG B
2,376	79	Woods, Fair, HSG D
122,309	98	Paved parking & roofs
151,506	94	Weighted Average
29,197		Pervious Area
122,309		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	38	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	288	0.0350	3.80		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.5	200	0.0226	2.25		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.3	615	Total			

Summary for Subcatchment WS-2:

Runoff = 2.24 cfs @ 12.09 hrs, Volume= 0.170 af, Depth> 4.62"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
2,137	82	Woods/grass comb., Fair, HSG D
17,056	98	Paved parking & roofs
19,193	96	Weighted Average
2,137		Pervious Area
17,056		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	50	0.0143	0.94		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.6	90	0.0143	2.43		Shallow Concentrated Flow, Paved Kv= 20.3 fps
0.0	10	0.0740	4.08		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
4.5					Direct Entry, Minimum Tc = 6 Mins
6.0	150	Total			

Summary for Subcatchment WS-3:

Runoff = 1.15 cfs @ 12.09 hrs, Volume= 0.088 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
17	79	50-75% Grass cover, Fair, HSG C
9,653	98	Paved parking & roofs
9,670	98	Weighted Average
17		Pervious Area
9,653		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	40	0.0078	0.71		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
2.3	89	0.0010	0.64		Shallow Concentrated Flow, Paved Kv= 20.3 fps
2.8					Direct Entry, Minimum Tc = 6 Mins
6.0	129	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.478 ac, 80.73% Impervious, Inflow Depth > 4.43" for 25-Year event
 Inflow = 16.76 cfs @ 12.10 hrs, Volume= 1.285 af
 Outflow = 16.76 cfs @ 12.10 hrs, Volume= 1.285 af, Atten= 0%, Lag= 0.0 min
 Primary = 16.76 cfs @ 12.10 hrs, Volume= 1.285 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 48.36' @ 12.10 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=16.66 cfs @ 12.10 hrs HW=48.36' (Free Discharge)
↳1=Culvert (Inlet Controls 16.66 cfs @ 3.97 fps)

Summary for Link DP2:

Inflow Area = 0.441 ac, 88.87% Impervious, Inflow Depth > 4.62" for 25-Year event
Inflow = 2.24 cfs @ 12.09 hrs, Volume= 0.170 af
Primary = 2.24 cfs @ 12.09 hrs, Volume= 0.170 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs











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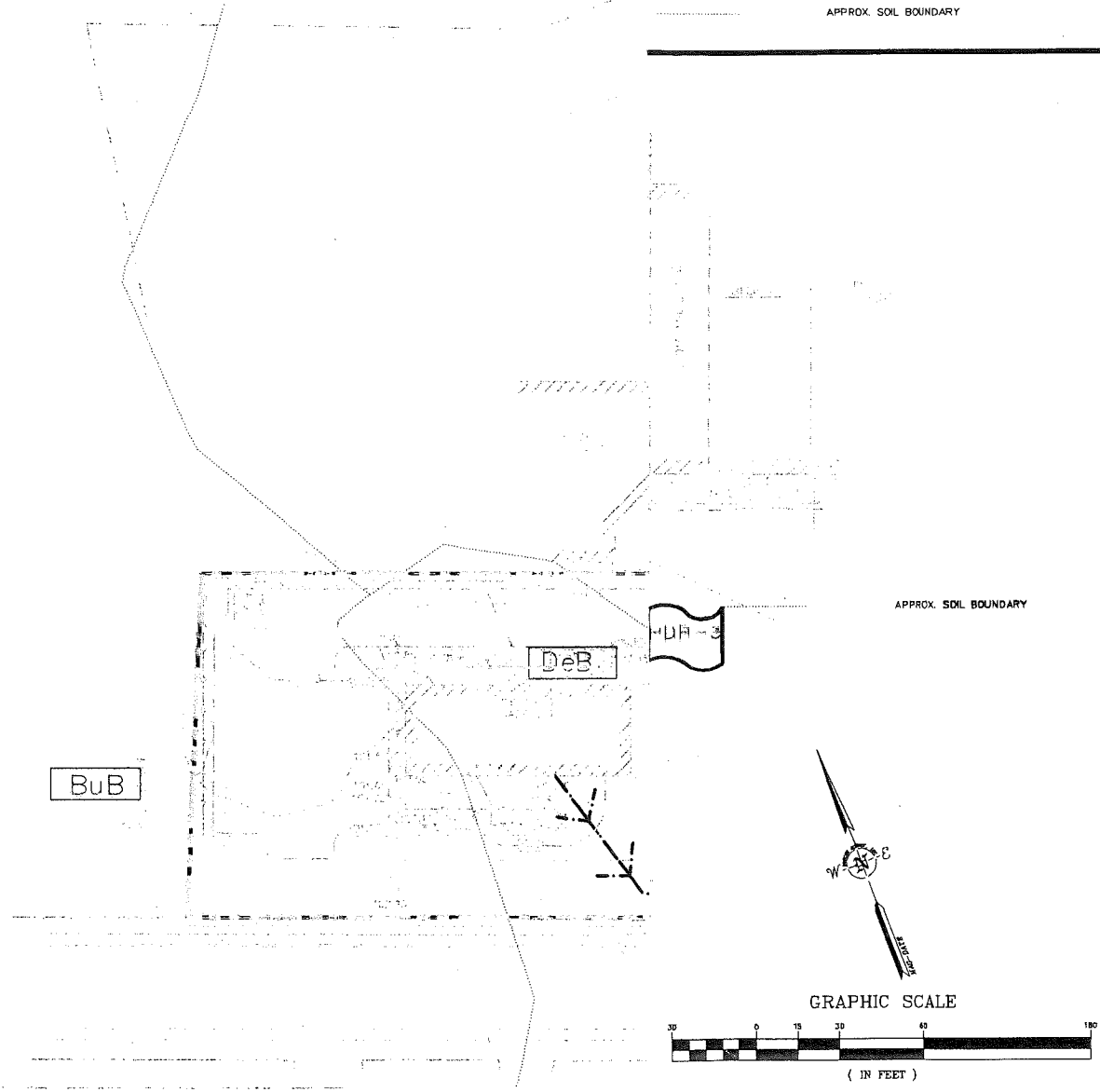
Inflow Area = 0.222 ac, 99.82% Impervious, Inflow Depth > 4.78" for 25-Year event
Inflow = 1.15 cfs @ 12.09 hrs, Volume= 0.088 af
Primary = 1.15 cfs @ 12.09 hrs, Volume= 0.088 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

POST-DEVELOPMENT CALCULATIONS

LEGEND

-  POST WATERSHED DELINEATION LINE
-  LONGEST FLOWPATH
-  POST-DEVELOPMENT WATERSHED DESIGNATION
-  DISCHARGE POINT
-  BELGRADE VERY FINE SANDY LOAM
-  BUXTON SILT LOAM
-  DEEFIELD LDAMY SAND
-  MADE LAND
-  SCANTIC SILT LDAM
-  APPROX. SOIL BOUNDARY

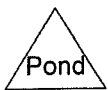
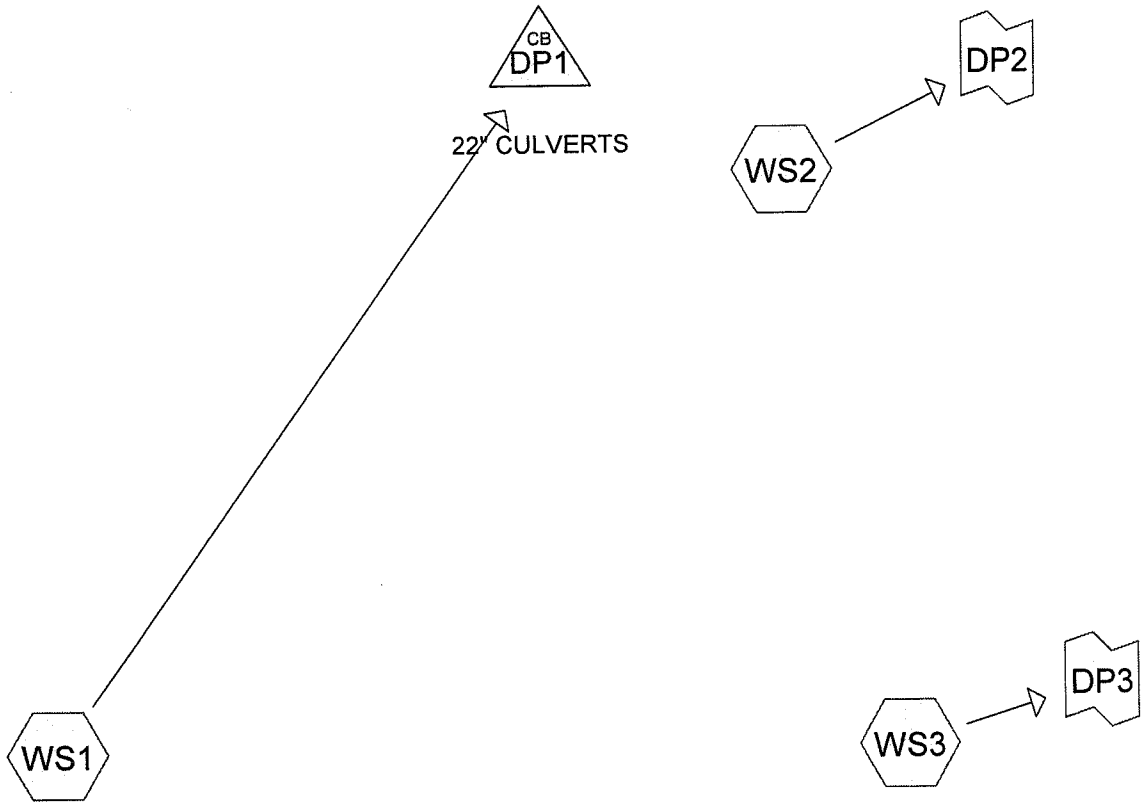


DATE: JANUARY 9, 2009
 SCALE: AS SHOWN
 DESIGNED BY: SAM
 DRAWN BY: SAM
 APPROVED BY: CY/BLM
 PROJECT NO.: 2042B
 FILE NO.: 2042B-SITE.DWG

**NORTHGATE PLAZA
 AUBURN STREET
 PORTLAND, MAINE**

**AEI APPLIEDORE
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 177 CORPORATE DRIVE
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No.	Description	Appd	Date



Drainage Diagram for 2042B-POST
Prepared by Appledore Engineering, Printed 1/7/2009
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2042B-POST

Type III 24-hr 2-Year Rainfall=2.60"

Prepared by Appledore Engineering

Printed 1/7/2009

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS1: Runoff Area=151,957 sf 79.33% Impervious Runoff Depth>1.77"
Flow Length=607' Tc=7.3 min CN=93 Runoff=7.09 cfs 0.513 af

Subcatchment WS2: Runoff Area=18,742 sf 87.58% Impervious Runoff Depth>2.04"
Flow Length=150' Slope=0.0187 '/' Tc=6.0 min CN=96 Runoff=1.00 cfs 0.073 af

Subcatchment WS3: Runoff Area=9,670 sf 99.70% Impervious Runoff Depth>2.22"
Flow Length=124' Slope=0.0225 '/' Tc=6.0 min CN=98 Runoff=0.54 cfs 0.041 af

Pond DP1: 22" CULVERTS Peak Elev=47.82' Inflow=7.09 cfs 0.513 af
22.0" x 39.0' Culvert Outflow=7.09 cfs 0.513 af

Link DP2: Inflow=1.00 cfs 0.073 af
Primary=1.00 cfs 0.073 af

Link DP3: Inflow=0.54 cfs 0.041 af
Primary=0.54 cfs 0.041 af

Total Runoff Area = 4.141 ac Runoff Volume = 0.627 af Average Runoff Depth = 1.82"
18.72% Pervious = 0.775 ac 81.28% Impervious = 3.366 ac

2042B-POST

Type III 24-hr 2-Year Rainfall=2.60"

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Summary for Subcatchment WS1:

Runoff = 7.09 cfs @ 12.10 hrs, Volume= 0.513 af, Depth> 1.77"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
3,551	82	Woods/grass comb., Fair, HSG D
14,509	80	>75% Grass cover, Good, HSG D
7,135	61	>75% Grass cover, Good, HSG B
6,208	74	>75% Grass cover, Good, HSG C
120,554	98	Paved parking & roofs
151,957	93	Weighted Average
31,403		Pervious Area
120,554		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	39	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	279	0.0330	3.69		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.5	200	0.0226	2.25		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.3	607	Total			

Summary for Subcatchment WS2:

Runoff = 1.00 cfs @ 12.09 hrs, Volume= 0.073 af, Depth> 2.04"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
2,053	82	Woods/grass comb., Fair, HSG D
221	84	50-75% Grass cover, Fair, HSG D
53	74	>75% Grass cover, Good, HSG C
16,415	98	Paved parking & roofs
18,742	96	Weighted Average
2,327		Pervious Area
16,415		Impervious Area

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Type III 24-hr 2-Year Rainfall=2.60"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.8	50	0.0187	1.05		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.6	100	0.0187	2.78		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.6					Direct Entry, Minimum Tc = 6 mins
6.0	150	Total			

Summary for Subcatchment WS3:

Runoff = 0.54 cfs @ 12.09 hrs, Volume= 0.041 af, Depth> 2.22"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 2-Year Rainfall=2.60"

Area (sf)	CN	Description
29	74	>75% Grass cover, Good, HSG C
9,641	98	Paved parking & roofs
9,670	98	Weighted Average
29		Pervious Area
9,641		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.7	50	0.0225	1.13		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.4	74	0.0225	3.04		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.9					Direct Entry, Minimum Tc = 6 mins
6.0	124	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.488 ac, 79.33% Impervious, Inflow Depth > 1.77" for 2-Year event
 Inflow = 7.09 cfs @ 12.10 hrs, Volume= 0.513 af
 Outflow = 7.09 cfs @ 12.10 hrs, Volume= 0.513 af, Atten= 0%, Lag= 0.0 min
 Primary = 7.09 cfs @ 12.10 hrs, Volume= 0.513 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 47.82' @ 12.10 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 ' /' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=7.01 cfs @ 12.10 hrs HW=47.82' (Free Discharge)
 ↑1=Culvert (Inlet Controls 7.01 cfs @ 3.08 fps)

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Type III 24-hr 2-Year Rainfall=2.60"

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Summary for Link DP2:

Inflow Area = 0.430 ac, 87.58% Impervious, Inflow Depth > 2.04" for 2-Year event
Inflow = 1.00 cfs @ 12.09 hrs, Volume= 0.073 af
Primary = 1.00 cfs @ 12.09 hrs, Volume= 0.073 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Summary for Link DP3:

Inflow Area = 0.222 ac, 99.70% Impervious, Inflow Depth > 2.22" for 2-Year event
Inflow = 0.54 cfs @ 12.09 hrs, Volume= 0.041 af
Primary = 0.54 cfs @ 12.09 hrs, Volume= 0.041 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

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Type III 24-hr 10-Year Rainfall=4.50"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS1:

Runoff Area=151,957 sf 79.33% Impervious Runoff Depth>3.50"
Flow Length=607' Tc=7.3 min CN=93 Runoff=13.56 cfs 1.018 af

Subcatchment WS2:

Runoff Area=18,742 sf 87.58% Impervious Runoff Depth>3.79"
Flow Length=150' Slope=0.0187 '/' Tc=6.0 min CN=96 Runoff=1.81 cfs 0.136 af

Subcatchment WS3:

Runoff Area=9,670 sf 99.70% Impervious Runoff Depth>3.96"
Flow Length=124' Slope=0.0225 '/' Tc=6.0 min CN=98 Runoff=0.95 cfs 0.073 af

Pond DP1: 22" CULVERTS

Peak Elev=48.19' Inflow=13.56 cfs 1.018 af
22.0" x 39.0' Culvert Outflow=13.56 cfs 1.018 af

Link DP2:

Inflow=1.81 cfs 0.136 af
Primary=1.81 cfs 0.136 af

Link DP3:

Inflow=0.95 cfs 0.073 af
Primary=0.95 cfs 0.073 af

Total Runoff Area = 4.141 ac Runoff Volume = 1.228 af Average Runoff Depth = 3.56"
18.72% Pervious = 0.775 ac 81.28% Impervious = 3.366 ac

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Type III 24-hr 10-Year Rainfall=4.50"

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Summary for Subcatchment WS1:

Runoff = 13.56 cfs @ 12.10 hrs, Volume= 1.018 af, Depth> 3.50"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
3,551	82	Woods/grass comb., Fair, HSG D
14,509	80	>75% Grass cover, Good, HSG D
7,135	61	>75% Grass cover, Good, HSG B
6,208	74	>75% Grass cover, Good, HSG C
120,554	98	Paved parking & roofs
151,957	93	Weighted Average
31,403		Pervious Area
120,554		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	39	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	279	0.0330	3.69		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.5	200	0.0226	2.25		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.3	607	Total			

Summary for Subcatchment WS2:

Runoff = 1.81 cfs @ 12.09 hrs, Volume= 0.136 af, Depth> 3.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
2,053	82	Woods/grass comb., Fair, HSG D
221	84	50-75% Grass cover, Fair, HSG D
53	74	>75% Grass cover, Good, HSG C
16,415	98	Paved parking & roofs
18,742	96	Weighted Average
2,327		Pervious Area
16,415		Impervious Area

Summary for Subcatchment WS1:

Runoff = 13.56 cfs @ 12.10 hrs, Volume= 1.018 af, Depth> 3.50"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
3,551	82	Woods/grass comb., Fair, HSG D
14,509	80	>75% Grass cover, Good, HSG D
7,135	61	>75% Grass cover, Good, HSG B
6,208	74	>75% Grass cover, Good, HSG C
120,554	98	Paved parking & roofs
151,957	93	Weighted Average
31,403		Pervious Area
120,554		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	39	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	279	0.0330	3.69		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.5	200	0.0226	2.25		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.3	607	Total			

Summary for Subcatchment WS2:

Runoff = 1.81 cfs @ 12.09 hrs, Volume= 0.136 af, Depth> 3.79"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
2,053	82	Woods/grass comb., Fair, HSG D
221	84	50-75% Grass cover, Fair, HSG D
53	74	>75% Grass cover, Good, HSG C
16,415	98	Paved parking & roofs
18,742	96	Weighted Average
2,327		Pervious Area
16,415		Impervious Area

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Type III 24-hr 10-Year Rainfall=4.50"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.8	50	0.0187	1.05		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.6	100	0.0187	2.78		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.6					Direct Entry, Minimum Tc = 6 mins
6.0	150	Total			

Summary for Subcatchment WS3:

Runoff = 0.95 cfs @ 12.09 hrs, Volume= 0.073 af, Depth> 3.96"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 10-Year Rainfall=4.50"

Area (sf)	CN	Description
29	74	>75% Grass cover, Good, HSG C
9,641	98	Paved parking & roofs
9,670	98	Weighted Average
29		Pervious Area
9,641		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.7	50	0.0225	1.13		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.4	74	0.0225	3.04		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.9					Direct Entry, Minimum Tc = 6 mins
6.0	124	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.488 ac, 79.33% Impervious, Inflow Depth > 3.50" for 10-Year event
 Inflow = 13.56 cfs @ 12.10 hrs, Volume= 1.018 af
 Outflow = 13.56 cfs @ 12.10 hrs, Volume= 1.018 af, Atten= 0%, Lag= 0.0 min
 Primary = 13.56 cfs @ 12.10 hrs, Volume= 1.018 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 48.19' @ 12.10 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=13.46 cfs @ 12.10 hrs HW=48.19' (Free Discharge)
 ↑1=Culvert (Inlet Controls 13.46 cfs @ 3.71 fps)

Summary for Link DP2:

Inflow Area = 0.430 ac, 87.58% Impervious, Inflow Depth > 3.79" for 10-Year event
Inflow = 1.81 cfs @ 12.09 hrs, Volume= 0.136 af
Primary = 1.81 cfs @ 12.09 hrs, Volume= 0.136 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Summary for Link DP3:

Inflow Area = 0.222 ac, 99.70% Impervious, Inflow Depth > 3.96" for 10-Year event
Inflow = 0.95 cfs @ 12.09 hrs, Volume= 0.073 af
Primary = 0.95 cfs @ 12.09 hrs, Volume= 0.073 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

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Type III 24-hr 25-Year Rainfall=5.40"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points
Runoff by SCS TR-20 method, UH=SCS
Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment WS1:

Runoff Area=151,957 sf 79.33% Impervious Runoff Depth>4.33"
Flow Length=607' Tc=7.3 min CN=93 Runoff=16.59 cfs 1.260 af

Subcatchment WS2:

Runoff Area=18,742 sf 87.58% Impervious Runoff Depth>4.62"
Flow Length=150' Slope=0.0187 '/' Tc=6.0 min CN=96 Runoff=2.19 cfs 0.166 af

Subcatchment WS3:

Runoff Area=9,670 sf 99.70% Impervious Runoff Depth>4.78"
Flow Length=124' Slope=0.0225 '/' Tc=6.0 min CN=98 Runoff=1.15 cfs 0.088 af

Pond DP1: 22" CULVERTS

Peak Elev=48.36' Inflow=16.59 cfs 1.260 af
22.0" x 39.0' Culvert Outflow=16.59 cfs 1.260 af

Link DP2:

Inflow=2.19 cfs 0.166 af
Primary=2.19 cfs 0.166 af

Link DP3:

Inflow=1.15 cfs 0.088 af
Primary=1.15 cfs 0.088 af

Total Runoff Area = 4.141 ac Runoff Volume = 1.514 af Average Runoff Depth = 4.39"
18.72% Pervious = 0.775 ac 81.28% Impervious = 3.366 ac

Summary for Subcatchment WS1:

Runoff = 16.59 cfs @ 12.10 hrs, Volume= 1.260 af, Depth> 4.33"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
3,551	82	Woods/grass comb., Fair, HSG D
14,509	80	>75% Grass cover, Good, HSG D
7,135	61	>75% Grass cover, Good, HSG B
6,208	74	>75% Grass cover, Good, HSG C
120,554	98	Paved parking & roofs
151,957	93	Weighted Average
31,403		Pervious Area
120,554		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
3.9	50	0.0645	0.21		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.5	39	0.0399	1.40		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.3	279	0.0330	3.69		Shallow Concentrated Flow, Paved Kv= 20.3 fps
1.5	200	0.0226	2.25		Shallow Concentrated Flow, Grassed Waterway Kv= 15.0 fps
0.1	39	0.0250	10.74	28.36	Circular Channel (pipe), Diam= 22.0" Area= 2.6 sf Perim= 5.8' r= 0.46' n= 0.013 Corrugated PE, smooth interior
7.3	607	Total			

Summary for Subcatchment WS2:

Runoff = 2.19 cfs @ 12.09 hrs, Volume= 0.166 af, Depth> 4.62"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
2,053	82	Woods/grass comb., Fair, HSG D
221	84	50-75% Grass cover, Fair, HSG D
53	74	>75% Grass cover, Good, HSG C
16,415	98	Paved parking & roofs
18,742	96	Weighted Average
2,327		Pervious Area
16,415		Impervious Area

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Type III 24-hr 25-Year Rainfall=5.40"

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Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.8	50	0.0187	1.05		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.6	100	0.0187	2.78		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.6					Direct Entry, Minimum Tc = 6 mins
6.0	150	Total			

Summary for Subcatchment WS3:

Runoff = 1.15 cfs @ 12.09 hrs, Volume= 0.088 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
29	74	>75% Grass cover, Good, HSG C
9,641	98	Paved parking & roofs
9,670	98	Weighted Average
29		Pervious Area
9,641		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.7	50	0.0225	1.13		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.4	74	0.0225	3.04		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.9					Direct Entry, Minimum Tc = 6 mins
6.0	124	Total			

Summary for Pond DP1: 22" CULVERTS

Inflow Area = 3.488 ac, 79.33% Impervious, Inflow Depth > 4.33" for 25-Year event
 Inflow = 16.59 cfs @ 12.10 hrs, Volume= 1.260 af
 Outflow = 16.59 cfs @ 12.10 hrs, Volume= 1.260 af, Atten= 0%, Lag= 0.0 min
 Primary = 16.59 cfs @ 12.10 hrs, Volume= 1.260 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 48.36' @ 12.10 hrs

Device	Routing	Invert	Outlet Devices
#1	Primary	47.00'	22.0" x 39.0' long Culvert X 2.00 Square-edged headwall, Ke= 0.500 Outlet Invert= 46.00' S= 0.0256 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=16.48 cfs @ 12.10 hrs HW=48.35' (Free Discharge)

↑1=Culvert (Inlet Controls 16.48 cfs @ 3.96 fps)

Summary for Link DP2:

Inflow Area = 0.430 ac, 87.58% Impervious, Inflow Depth > 4.62" for 25-Year event
Inflow = 2.19 cfs @ 12.09 hrs, Volume= 0.166 af
Primary = 2.19 cfs @ 12.09 hrs, Volume= 0.166 af, Atten= 0%, Lag= 0.0 min

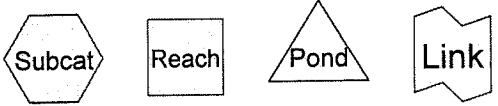
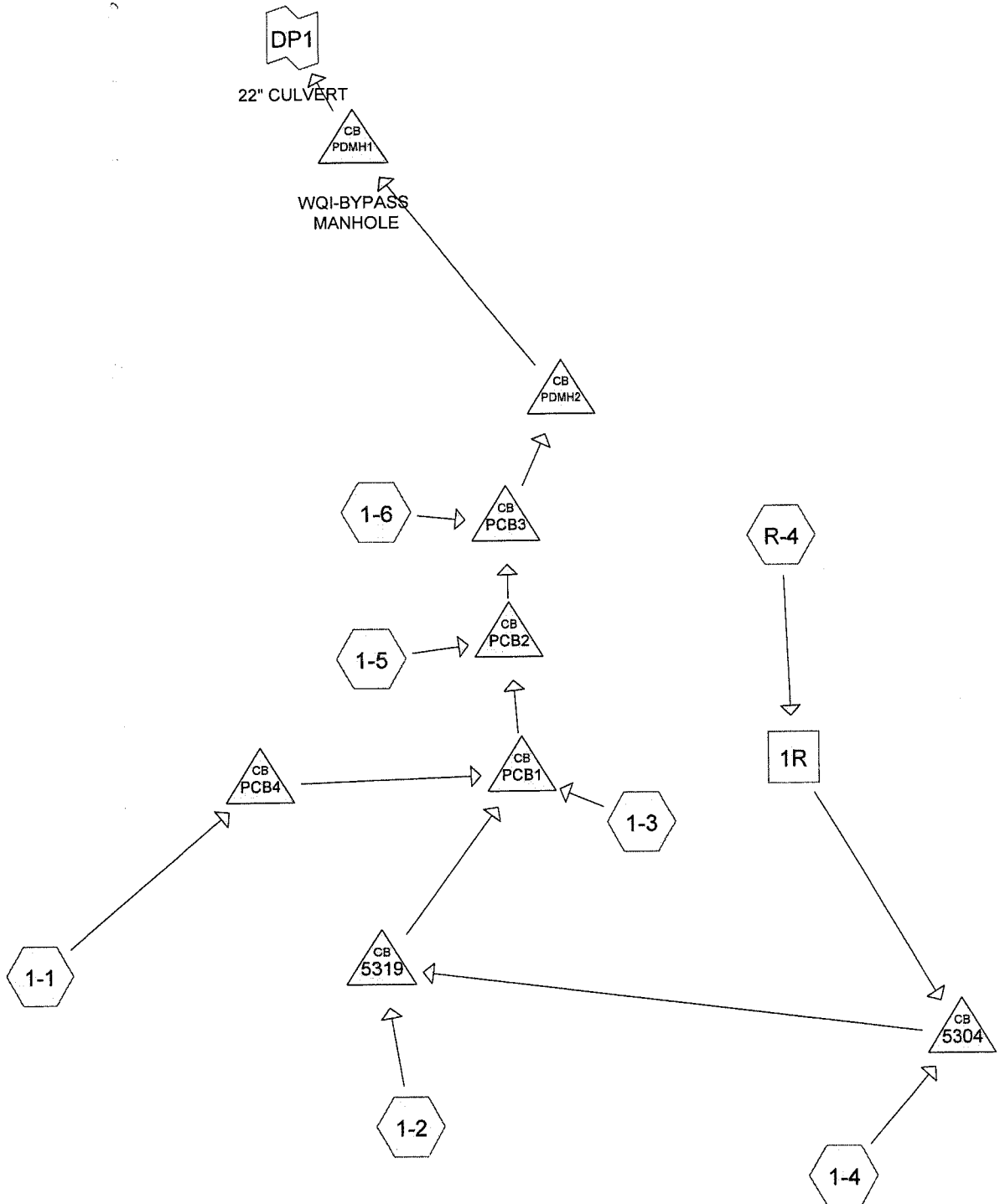
Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Summary for Link DP3:

Inflow Area = 0.222 ac, 99.70% Impervious, Inflow Depth > 4.78" for 25-Year event
Inflow = 1.15 cfs @ 12.09 hrs, Volume= 0.088 af
Primary = 1.15 cfs @ 12.09 hrs, Volume= 0.088 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

PIPE DESIGN



Drainage Diagram for 2042B-SUBS
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Type III 24-hr 25-Year Rainfall=5.40"

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Time span=5.00-20.00 hrs, dt=0.05 hrs, 301 points

Runoff by SCS TR-20 method, UH=SCS

Reach routing by Dyn-Stor-Ind method - Pond routing by Dyn-Stor-Ind method

Subcatchment 1-1:	Runoff Area=4,553 sf 0.00% Impervious Runoff Depth>2.58" Flow Length=250' Tc=7.5 min CN=75 Runoff=0.32 cfs 0.022 af
Subcatchment 1-2:	Runoff Area=15,445 sf 90.26% Impervious Runoff Depth>4.53" Flow Length=130' Tc=6.0 min CN=95 Runoff=1.79 cfs 0.134 af
Subcatchment 1-3:	Runoff Area=5,819 sf 90.39% Impervious Runoff Depth>4.53" Flow Length=170' Tc=6.0 min CN=95 Runoff=0.67 cfs 0.050 af
Subcatchment 1-4:	Runoff Area=6,574 sf 78.14% Impervious Runoff Depth>4.33" Flow Length=111' Tc=6.0 min CN=93 Runoff=0.74 cfs 0.055 af
Subcatchment 1-5:	Runoff Area=4,494 sf 98.98% Impervious Runoff Depth>4.78" Flow Length=27' Slope=0.0404 '/' Tc=6.0 min CN=98 Runoff=0.53 cfs 0.041 af
Subcatchment 1-6:	Runoff Area=9,346 sf 98.51% Impervious Runoff Depth>4.78" Flow Length=53' Slope=0.0133 '/' Tc=6.0 min CN=98 Runoff=1.11 cfs 0.086 af
Subcatchment R-4:	Runoff Area=12,500 sf 100.00% Impervious Runoff Depth>4.78" Flow Length=130' Slope=0.0150 '/' Tc=6.0 min CN=98 Runoff=1.48 cfs 0.114 af
Reach 1R:	Avg. Depth=0.50' Max Vel=2.31 fps Inflow=1.48 cfs 0.114 af D=6.0" n=0.013 L=99.0' S=0.0051 '/' Capacity=0.40 cfs Outflow=0.40 cfs 0.114 af
Pond 5304:	Peak Elev=90.48' Inflow=1.14 cfs 0.169 af 12.0" x 169.0' Culvert Outflow=1.14 cfs 0.169 af
Pond 5319:	Peak Elev=90.39' Inflow=2.93 cfs 0.303 af 15.0" x 65.0' Culvert Outflow=2.93 cfs 0.303 af
Pond PCB1:	Peak Elev=90.31' Inflow=3.91 cfs 0.376 af 15.0" x 35.0' Culvert Outflow=3.91 cfs 0.376 af
Pond PCB2:	Peak Elev=90.15' Inflow=4.44 cfs 0.417 af 15.0" x 35.0' Culvert Outflow=4.44 cfs 0.417 af
Pond PCB3:	Peak Elev=89.84' Inflow=5.55 cfs 0.502 af 15.0" x 41.0' Culvert Outflow=5.55 cfs 0.502 af
Pond PCB4:	Peak Elev=90.31' Inflow=0.32 cfs 0.022 af 12.0" x 64.0' Culvert Outflow=0.32 cfs 0.022 af
Pond PDMH1: WQI-BYPASS MANHOLE	Peak Elev=88.17' Inflow=5.55 cfs 0.502 af 15.0" x 26.0' Culvert Outflow=5.55 cfs 0.502 af
Pond PDMH2:	Peak Elev=89.17' Inflow=5.55 cfs 0.502 af 15.0" x 91.0' Culvert Outflow=5.55 cfs 0.502 af

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Type III 24-hr 25-Year Rainfall=5.40"

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Link DP1: 22" CULVERT

Inflow=5.55 cfs 0.502 af
Primary=5.55 cfs 0.502 af

Total Runoff Area = 1.348 ac Runoff Volume = 0.502 af Average Runoff Depth = 4.47"
14.03% Pervious = 0.189 ac 85.97% Impervious = 1.159 ac

Summary for Subcatchment 1-1:

Runoff = 0.32 cfs @ 12.11 hrs, Volume= 0.022 af, Depth> 2.58"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
1,054	80	>75% Grass cover, Good, HSG D
3,477	74	>75% Grass cover, Good, HSG C
22	61	>75% Grass cover, Good, HSG B
4,553	75	Weighted Average
4,553		Pervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
6.3	50	0.0196	0.13		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.1	6	0.0196	0.98		Shallow Concentrated Flow, Short Grass Pasture Kv= 7.0 fps
1.1	194	0.0224	3.04		Shallow Concentrated Flow, Paved Kv= 20.3 fps
7.5	250	Total			

Summary for Subcatchment 1-2:

Runoff = 1.79 cfs @ 12.09 hrs, Volume= 0.134 af, Depth> 4.53"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
890	74	>75% Grass cover, Good, HSG C
615	61	>75% Grass cover, Good, HSG B
13,940	98	Paved parking & roofs
15,445	95	Weighted Average
1,505		Pervious Area
13,940		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	12	0.1568	0.23		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.6	118	0.0289	3.45		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.5					Direct Entry, Minimum Tc = 6 Mins
6.0	130	Total			

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Type III 24-hr 25-Year Rainfall=5.40"

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Summary for Subcatchment 1-3:

Runoff = 0.67 cfs @ 12.09 hrs, Volume= 0.050 af, Depth> 4.53"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
263	74	>75% Grass cover, Good, HSG C
296	61	>75% Grass cover, Good, HSG B
5,260	98	Paved parking & roofs
5,819	95	Weighted Average
559		Pervious Area
5,260		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	12	0.1568	0.23		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.9	158	0.0203	2.89		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.2					Direct Entry, Minimum Tc = 6 Mins
6.0	170	Total			

Summary for Subcatchment 1-4:

Runoff = 0.74 cfs @ 12.09 hrs, Volume= 0.055 af, Depth> 4.33"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
1,401	74	>75% Grass cover, Good, HSG C
36	61	>75% Grass cover, Good, HSG B
5,137	98	Paved parking & roofs
6,574	93	Weighted Average
1,437		Pervious Area
5,137		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	12	0.1568	0.23		Sheet Flow, Grass: Short n= 0.150 P2= 2.60"
0.4	99	0.0349	3.79		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.7					Direct Entry, Minimum Tc = 6 Mins
6.0	111	Total			

Summary for Subcatchment 1-5:

Runoff = 0.53 cfs @ 12.09 hrs, Volume= 0.041 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
46	74	>75% Grass cover, Good, HSG C
4,448	98	Paved parking & roofs
4,494	98	Weighted Average
46		Pervious Area
4,448		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.4	27	0.0404	1.26		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
5.6					Direct Entry, Minimum Tc = 6 Mins
6.0	27	Total			

Summary for Subcatchment 1-6:

Runoff = 1.11 cfs @ 12.09 hrs, Volume= 0.086 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
139	74	>75% Grass cover, Good, HSG C
9,207	98	Paved parking & roofs
9,346	98	Weighted Average
139		Pervious Area
9,207		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.0	53	0.0133	0.93		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
5.0					Direct Entry, Minimum Tc = 6 Mins
6.0	53	Total			

Summary for Subcatchment R-4:

Runoff = 1.48 cfs @ 12.09 hrs, Volume= 0.114 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

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Type III 24-hr 25-Year Rainfall=5.40"

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Summary for Subcatchment 1-5:

Runoff = 0.53 cfs @ 12.09 hrs, Volume= 0.041 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
46	74	>75% Grass cover, Good, HSG C
4,448	98	Paved parking & roofs
4,494	98	Weighted Average
46		Pervious Area
4,448		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.4	27	0.0404	1.26		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
5.6					Direct Entry, Minimum Tc = 6 Mins
6.0	27	Total			

Summary for Subcatchment 1-6:

Runoff = 1.11 cfs @ 12.09 hrs, Volume= 0.086 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

Area (sf)	CN	Description
139	74	>75% Grass cover, Good, HSG C
9,207	98	Paved parking & roofs
9,346	98	Weighted Average
139		Pervious Area
9,207		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.0	53	0.0133	0.93		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
5.0					Direct Entry, Minimum Tc = 6 Mins
6.0	53	Total			

Summary for Subcatchment R-4:

Runoff = 1.48 cfs @ 12.09 hrs, Volume= 0.114 af, Depth> 4.78"

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr 25-Year Rainfall=5.40"

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Type III 24-hr 25-Year Rainfall=5.40"

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Area (sf)	CN	Description
12,500	98	Paved parking & roofs
12,500		Impervious Area

Tc (min)	Length (feet)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
0.9	50	0.0150	0.96		Sheet Flow, Smooth surfaces n= 0.011 P2= 2.60"
0.5	80	0.0150	2.49		Shallow Concentrated Flow, Paved Kv= 20.3 fps
4.6					Direct Entry, Minimum Tc = 6 Mins
6.0	130	Total			

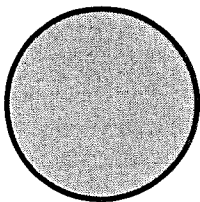
Summary for Reach 1R:

Inflow Area = 0.287 ac, 100.00% Impervious, Inflow Depth > 4.78" for 25-Year event
 Inflow = 1.48 cfs @ 12.09 hrs, Volume= 0.114 af
 Outflow = 0.40 cfs @ 11.80 hrs, Volume= 0.114 af, Atten= 73%, Lag= 0.0 min

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Max. Velocity= 2.31 fps, Min. Travel Time= 0.7 min
 Avg. Velocity = 1.42 fps, Avg. Travel Time= 1.2 min

Peak Storage= 19 cf @ 11.80 hrs, Average Depth at Peak Storage= 0.50'
 Bank-Full Depth= 0.50', Capacity at Bank-Full= 0.40 cfs

6.0" Diameter Pipe, n= 0.013 Concrete pipe, bends & connections
 Length= 99.0' Slope= 0.0051 '/'
 Inlet Invert= 98.40', Outlet Invert= 97.90'



Summary for Pond 5304:

Inflow Area = 0.438 ac, 92.47% Impervious, Inflow Depth > 4.63" for 25-Year event
 Inflow = 1.14 cfs @ 12.09 hrs, Volume= 0.169 af
 Outflow = 1.14 cfs @ 12.09 hrs, Volume= 0.169 af, Atten= 0%, Lag= 0.0 min
 Primary = 1.14 cfs @ 12.09 hrs, Volume= 0.169 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 90.48' @ 12.30 hrs
 Flood Elev= 92.70'

Device	Routing	Invert	Outlet Devices
#1	Primary	89.40'	12.0" x 169.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 88.20' S= 0.0071 '/' Cc= 0.900 n= 0.013 Clay tile

2042B-SUBS

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Type III 24-hr 25-Year Rainfall=5.40"

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Primary OutFlow Max=1.00 cfs @ 12.09 hrs HW=90.08' TW=89.42' (Dynamic Tailwater)
 ↑1=Culvert (Outlet Controls 1.00 cfs @ 2.51 fps)

Summary for Pond 5319:

Inflow Area = 0.792 ac, 91.48% Impervious, Inflow Depth > 4.58" for 25-Year event
 Inflow = 2.93 cfs @ 12.09 hrs, Volume= 0.303 af
 Outflow = 2.93 cfs @ 12.09 hrs, Volume= 0.303 af, Atten= 0%, Lag= 0.0 min
 Primary = 2.93 cfs @ 12.09 hrs, Volume= 0.303 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 90.39' @ 12.26 hrs
 Flood Elev= 92.95'

Device	Routing	Invert	Outlet Devices
#1	Primary	88.15'	15.0" x 65.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.75' S= 0.0062 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.00 cfs @ 12.09 hrs HW=89.42' TW=89.42' (Dynamic Tailwater)
 ↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB1:

Inflow Area = 1.031 ac, 82.06% Impervious, Inflow Depth > 4.37" for 25-Year event
 Inflow = 3.91 cfs @ 12.09 hrs, Volume= 0.376 af
 Outflow = 3.91 cfs @ 12.09 hrs, Volume= 0.376 af, Atten= 0%, Lag= 0.0 min
 Primary = 3.91 cfs @ 12.09 hrs, Volume= 0.376 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 90.31' @ 12.21 hrs
 Flood Elev= 92.95'

Device	Routing	Invert	Outlet Devices
#1	Primary	87.75'	15.0" x 35.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.55' S= 0.0057 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.00 cfs @ 12.09 hrs HW=89.44' TW=89.52' (Dynamic Tailwater)
 ↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB2:

Inflow Area = 1.134 ac, 83.60% Impervious, Inflow Depth > 4.41" for 25-Year event
 Inflow = 4.44 cfs @ 12.09 hrs, Volume= 0.417 af
 Outflow = 4.44 cfs @ 12.09 hrs, Volume= 0.417 af, Atten= 0%, Lag= 0.0 min
 Primary = 4.44 cfs @ 12.09 hrs, Volume= 0.417 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

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Type III 24-hr 25-Year Rainfall=5.40"

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Primary OutFlow Max=1.00 cfs @ 12.09 hrs HW=90.08' TW=89.42' (Dynamic Tailwater)

↑1=Culvert (Outlet Controls 1.00 cfs @ 2.51 fps)

Summary for Pond 5319:

Inflow Area = 0.792 ac, 91.48% Impervious, Inflow Depth > 4.58" for 25-Year event
 Inflow = 2.93 cfs @ 12.09 hrs, Volume= 0.303 af
 Outflow = 2.93 cfs @ 12.09 hrs, Volume= 0.303 af, Atten= 0%, Lag= 0.0 min
 Primary = 2.93 cfs @ 12.09 hrs, Volume= 0.303 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Peak Elev= 90.39' @ 12.26 hrs

Flood Elev= 92.95'

Device	Routing	Invert	Outlet Devices
#1	Primary	88.15'	15.0" x 65.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.75' S= 0.0062 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.00 cfs @ 12.09 hrs HW=89.42' TW=89.42' (Dynamic Tailwater)

↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB1:

Inflow Area = 1.031 ac, 82.06% Impervious, Inflow Depth > 4.37" for 25-Year event
 Inflow = 3.91 cfs @ 12.09 hrs, Volume= 0.376 af
 Outflow = 3.91 cfs @ 12.09 hrs, Volume= 0.376 af, Atten= 0%, Lag= 0.0 min
 Primary = 3.91 cfs @ 12.09 hrs, Volume= 0.376 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Peak Elev= 90.31' @ 12.21 hrs

Flood Elev= 92.95'

Device	Routing	Invert	Outlet Devices
#1	Primary	87.75'	15.0" x 35.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.55' S= 0.0057 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.00 cfs @ 12.09 hrs HW=89.44' TW=89.52' (Dynamic Tailwater)

↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB2:

Inflow Area = 1.134 ac, 83.60% Impervious, Inflow Depth > 4.41" for 25-Year event
 Inflow = 4.44 cfs @ 12.09 hrs, Volume= 0.417 af
 Outflow = 4.44 cfs @ 12.09 hrs, Volume= 0.417 af, Atten= 0%, Lag= 0.0 min
 Primary = 4.44 cfs @ 12.09 hrs, Volume= 0.417 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

2042B-SUBS

Type III 24-hr 25-Year Rainfall=5.40"

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Peak Elev= 90.15' @ 12.16 hrs
 Flood Elev= 92.85'

Device	Routing	Invert	Outlet Devices
#1	Primary	87.55'	15.0" x 35.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.35' S= 0.0057 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.00 cfs @ 12.09 hrs HW=89.52' TW=89.60' (Dynamic Tailwater)
 ↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PCB3:

Inflow Area = 1.348 ac, 85.97% Impervious, Inflow Depth > 4.47" for 25-Year event
 Inflow = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af
 Outflow = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af, Atten= 0%, Lag= 0.0 min
 Primary = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 89.84' @ 12.12 hrs
 Flood Elev= 92.85'

Device	Routing	Invert	Outlet Devices
#1	Primary	87.35'	15.0" x 41.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.15' S= 0.0049 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=4.14 cfs @ 12.09 hrs HW=89.60' TW=89.11' (Dynamic Tailwater)
 ↑1=Culvert (Inlet Controls 4.14 cfs @ 3.37 fps)

Summary for Pond PCB4:

Inflow Area = 0.105 ac, 0.00% Impervious, Inflow Depth > 2.58" for 25-Year event
 Inflow = 0.32 cfs @ 12.11 hrs, Volume= 0.022 af
 Outflow = 0.32 cfs @ 12.11 hrs, Volume= 0.022 af, Atten= 0%, Lag= 0.0 min
 Primary = 0.32 cfs @ 12.11 hrs, Volume= 0.022 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 90.31' @ 12.26 hrs
 Flood Elev= 92.30'

Device	Routing	Invert	Outlet Devices
#1	Primary	88.15'	12.0" x 64.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 87.75' S= 0.0063 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.00 cfs @ 12.11 hrs HW=89.23' TW=89.61' (Dynamic Tailwater)
 ↑1=Culvert (Controls 0.00 cfs)

Summary for Pond PDMH1: WQI-BYPASS MANHOLE

Inflow Area = 1.348 ac, 85.97% Impervious, Inflow Depth > 4.47" for 25-Year event
 Inflow = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af
 Outflow = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af, Atten= 0%, Lag= 0.0 min
 Primary = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 88.17' @ 12.09 hrs
 Flood Elev= 89.85'

Device	Routing	Invert	Outlet Devices
#1	Primary	86.40'	15.0" x 26.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 86.25' S= 0.0058 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=5.39 cfs @ 12.09 hrs HW=88.13' TW=86.25' (Dynamic Tailwater)
 ←1=Culvert (Barrel Controls 5.39 cfs @ 4.39 fps)

Summary for Pond PDMH2:

Inflow Area = 1.348 ac, 85.97% Impervious, Inflow Depth > 4.47" for 25-Year event
 Inflow = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af
 Outflow = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af, Atten= 0%, Lag= 0.0 min
 Primary = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 89.17' @ 12.10 hrs
 Flood Elev= 93.20'

Device	Routing	Invert	Outlet Devices
#1	Primary	87.15'	15.0" x 91.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 86.65' S= 0.0055 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=5.11 cfs @ 12.09 hrs HW=89.11' TW=88.13' (Dynamic Tailwater)
 ←1=Culvert (Outlet Controls 5.11 cfs @ 4.16 fps)

Summary for Link DP1: 22" CULVERT

Inflow Area = 1.348 ac, 85.97% Impervious, Inflow Depth > 4.47" for 25-Year event
 Inflow = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af
 Primary = 5.55 cfs @ 12.09 hrs, Volume= 0.502 af, Atten= 0%, Lag= 0.0 min

Primary outflow = Inflow, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs

Fixed water surface Elevation= 86.25'

DOWNSTREAM DEFENDER

2042B-SUBS

Type III 24-hr 1" Rainfall=1.00"

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Summary for Pond PDMH1: WQI-BYPASS MANHOLE

Inflow Area = 1.348 ac, 85.97% Impervious, Inflow Depth > 0.57" for 1" event
 Inflow = 0.92 cfs @ 12.09 hrs, Volume= 0.064 af
 Outflow = 0.92 cfs @ 12.09 hrs, Volume= 0.064 af, Atten= 0%, Lag= 0.0 min
 Primary = 0.92 cfs @ 12.09 hrs, Volume= 0.064 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 86.93' @ 12.09 hrs
 Flood Elev= 89.85'

Device	Routing	Invert	Outlet Devices
#1	Primary	86.40'	15.0" x 26.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 86.25' S= 0.0058 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.90 cfs @ 12.09 hrs HW=86.93' TW=86.25' (Dynamic Tailwater)
 ↑1=Culvert (Barrel Controls 0.90 cfs @ 2.72 fps)

2042B-SUBS

Type III 24-hr 1" Rainfall=1.00"

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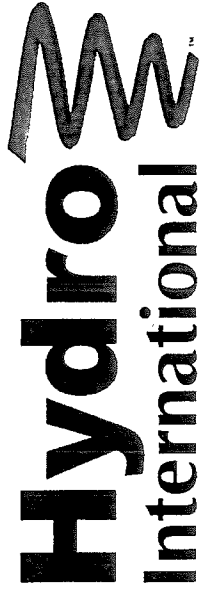
Summary for Pond PDMH1: WQI-BYPASS MANHOLE

Inflow Area = 1.348 ac, 85.97% Impervious, Inflow Depth > 0.57" for 1" event
 Inflow = 0.92 cfs @ 12.09 hrs, Volume= 0.064 af
 Outflow = 0.92 cfs @ 12.09 hrs, Volume= 0.064 af, Atten= 0%, Lag= 0.0 min
 Primary = 0.92 cfs @ 12.09 hrs, Volume= 0.064 af

Routing by Dyn-Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Peak Elev= 86.93' @ 12.09 hrs
 Flood Elev= 89.85'

Device	Routing	Invert	Outlet Devices
#1	Primary	86.40'	15.0" x 26.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 86.25' S= 0.0058 '/' Cc= 0.900 n= 0.013 Corrugated PE, smooth interior

Primary OutFlow Max=0.90 cfs @ 12.09 hrs HW=86.93' TW=86.25' (Dynamic Tailwater)
 ←1=Culvert (Barrel Controls 0.90 cfs @ 2.72 fps)



Downstream Defender® Design Chart (Imperial) Standard Inlet Pipe Diameters

UNIT DIAMETER (feet)	DESIGN FLOW/ CAPACITY ¹		INLET PIPE DIAMETER (inches)	OUTLET PIPE DIAMETER (inches)	HEADLOSS ³ @ DESIGN FLOW (inches)	HEADLOSS @ CAPACITY (inches)	WEIGHT FULL (lbs)	WEIGHT EMPTY ⁴ (lbs)	OIL STORAGE CAPACITY (gallons)	SEDIMENT STORAGE CAPACITY (cubic yards)	UNIT DIAMETER (feet)
	(cfs)	(gpm)									
4	0.75/3.0	330/1,350	8	12	<2	28	13,200	10,000	70	0.70	4
6	3.00/8.0	1,350/3,590	12	18	5	39	40,350	30,000	230	2.10	6
8	7.00/15.0	3,140/6,730	18	24	6	27	79,100	55,000	525	4.65	8
10	13.0/25.0	5,830/11,220	24	30	6	24	146,300	100,000	1,050	8.70	10

NOTES:

1. Design flow is based on 90% removal of all particles with specific gravity of 2.65 down to 150 microns, 84% overall removal efficiency based on an influent sediment gradation similar to typical Department of Transportation road sand.
2. Capacity flow rate is based on keeping headloss and removal efficiencies within a desirable range with a standard inlet pipe. Higher flow rates are possible if lower removal efficiencies and higher headlosses are acceptable.
3. Headloss is defined as the difference between the top water level upstream and the top water level downstream of the unit. Headlosses can be minimized by increasing the inlet pipe diameter up to the standard outlet pipe diameter.
4. Weights are calculated with internal components.
 - ◆ AutoCAD drawings and Microsoft Word specifications available on disk.
 - ◆ For pricing, delivery, and custom design, please call Hydro International's Proposal Engineering Department.

NOTES:
 1. THIS DRAWING IS A LEADERS SIZE
 2. OVERALL DIMENSIONS ARE GIVEN UNLESS INDICATED OTHERWISE
 3. THE CONSTRUCTION OF ALL PIPE SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF THE SPECIFICATIONS FOR PRECAST MANHOLE L.A. #8
 4. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS OTHERWISE NOTED
 5. OVERFLOW PIPE SHALL BE 12" DIA. UNLESS OTHERWISE NOTED
 6. ALL DIMENSIONS SHALL BE TO THE CENTERLINE UNLESS OTHERWISE NOTED
 7. ALL DIMENSIONS UNLESS OTHERWISE NOTED

Rev	By	Date	Description	Scale
F	JDC	10/25/02	NEW HD./PERF.	
E	MPW	10/01/01	NEW LOGO/TB	
D	MPW	3/27/01	MOLDED COMPONE	
C	MPW	1/25/01	ANN BAFFLE PL. R	
B	MPW	11/19/00	CENTER SHAFT W/	
A	RVB	5/96	FIRST ISSUE	

Date	10/01/01	Scale	NTS
Drawn by	MPW	Checked Eng.	
Checked Prod.		Approved by	

Title
 4 ft. dia.
 Downstream Defender

General Arrangement

Hydro
 International

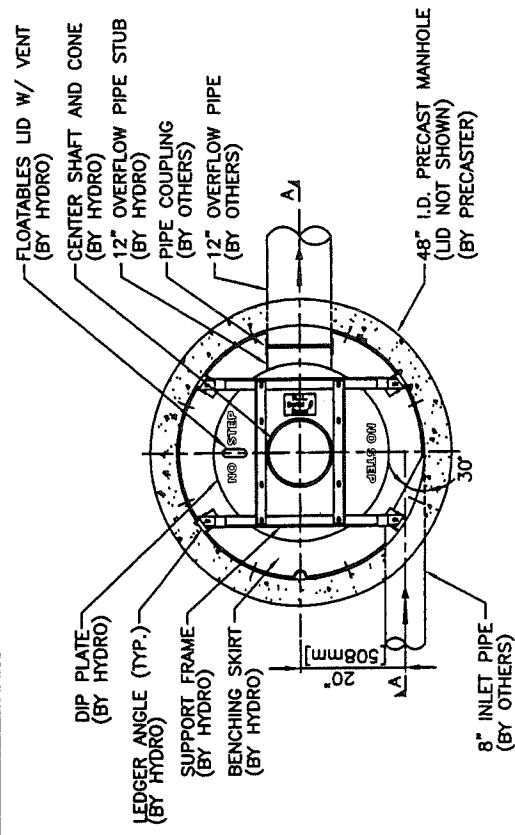
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 email: hittech@hil-tech.ca

CAD Ref:	4g01e
Project No.	
Drawing No.	A.A.1

EQUIPMENT PERFORMANCE

The stormwater treatment unit shall adhere to the hydraulic parameters given in the chart below and provide the removal efficiencies and storage capacities as follows:

1. Performance objectives: To remove 90% of all particles greater than 150 micron (100 mesh) with specific gravity of 2.65 at the design flow listed below, based on a particle size gradation similar to typical D.O.T. road sand having greater than 20% of all particles finer than 300 microns. Additionally, the treatment chamber must be capable of removing greater than 50% of all particles in the range of 300-425 microns at the peak capacity flow rate listed below.
 - Design flow: .75 cfs
 - Sediment Storage capacity: 70 Cu. yd.
 - Oil storage capacity: 70 Gal.
2. Design flow: .75 cfs
3. Peak capacity: 3.0 cfs
4. Sediment Storage capacity: 70 Gal.
5. Oil storage capacity: 70 Gal.
6. Sediment shall be stored in a zone that is isolated from the main flow path and protected from reentrainment by a benching skirt.

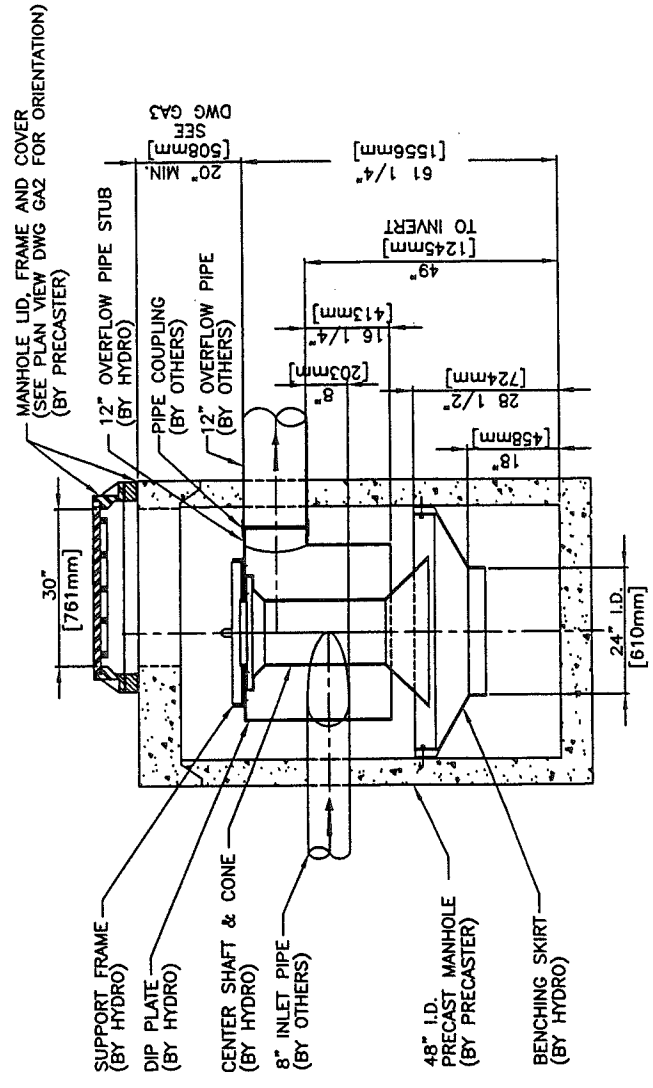


PLAN VIEW

HYDRAULIC PARAMETERS

DEPTH OF FLOW IN OVERFLOW PIPE AT .75 cfs	3.5	INCHES
DEPTH OF FLOW IN OVERFLOW PIPE AT 3.0 cfs	8	INCHES
ESTIMATED HEADLOSS* AT .75 cfs	3	INCHES
ESTIMATED HEADLOSS* AT 3.0 cfs	23	INCHES

* HEADLOSS IS DEFINED AS THE DIFFERENCE BETWEEN STATIC WATER LEVEL AT THE INLET OF THE DOWNSTREAM DEFENDER TO THE FREE WATER SURFACE IN THE OVERFLOW PIPE, ASSUMING FREE DISCHARGE.



SECTION A-A

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CHARTS

and III (SCS NEH-4, SCS TR-55) included in Table 3-5. The type II and type III storm distributions as shown in Figure 3.5, are applicable within Maine.

Rainfall is also spatially distributed during a given event. However, for design of most stormwater management facilities, common practice assumes that rainfall is uniformly distributed over the entire contributing watershed. This assumption does not necessarily apply to large, complex watersheds, for which SCS TR-20 or an equivalent model allowing this flexibility should be used.

Table 3-4 24 Hour Duration Rainfalls For Various Return Periods.
Natural Resources Conservation Service County Rainfall Data

County	Storm Type	Return Interval or Frequency								
		1-Yr	2-Yr	5-Yr	10-Yr	25-Yr	100-Yr	500-Yr	Annual	
Androscoggin		2.5	3.0	3.9	4.6	5.4	6.5	7.8	45.3	
Aroostook C		2.1	2.1	3.2	3.6	4.2	5.0	5.9	36.1	(Presque Isle Area)
Aroostook N		2.0	2.3	3.0	3.5	4.0	4.8	5.7	36.1	(Fort Kent Area)
Aroostook S	S	2.2	2.5	3.3	3.8	4.4	5.3	6.4	39.0	(Houlton Area)
Cumberland NW	E	2.8	3.3	4.3	5.0	5.8	6.9	8.3	43.4	(NW of St. Route 11)
Cumberland SE	E	2.5	3.0	4.0	4.7	5.5	6.7	8.1	44.4	(SE of St. Route 11)
Franklin		2.4	2.9	3.7	4.2	4.9	5.8	7.0	45.6	
Hancock		2.4	2.7	3.6	4.2	4.9	6.0	7.2	45.2	
Kennebec	N	2.4	3.0	3.8	4.4	5.1	6.1	7.2	41.7	
Knox-Lincoln	O	2.5	2.9	3.8	4.4	5.1	6.2	7.4	46.1	
Oxford E	T	2.5	3.0	4.0	4.6	5.3	6.4	7.6	43.0	(E of St. Route 26)
Oxford W	E	3.0	3.5	4.5	5.2	6.0	7.1	8.4	43.8	(W of St. Route 26)
Penobscot N	S	2.2	2.5	3.3	3.8	4.4	5.4	6.4	41.5	(N of Can.-Atl. Rwy)
Penobscot S		2.4	2.7	3.5	4.1	4.8	5.8	6.8	39.5	(S of Can.-Atl. Rwy)
Piscataquis N	1	2.2	2.5	3.3	3.8	4.4	5.3	6.3	38.5	(N of Can.-Atl. Rwy)
Piscataquis S		2.3	2.6	3.4	4.0	4.6	5.5	6.6	41.0	(S of Can.-Atl. Rwy)
Sagadahoc	A	2.5	3.0	3.9	4.6	5.4	6.5	7.8	45.3	
Somerset N	N	2.2	2.5	3.3	3.8	4.4	5.3	6.3	37.3	(N of Can.-Atl. Rwy)
Somerset S	D	2.4	2.7	3.5	4.1	4.7	5.7	6.8	39.5	(S of Can.-Atl. Rwy)
Waldo		2.5	2.8	3.7	4.3	4.9	6.0	7.1	47.2	
Washington	2	2.4	2.5	3.4	4.0	4.8	5.9	7.1	44.2	
York		2.5	3.0	4.0	4.8	5.4	6.6	7.8	46.7	

NOTES: REVISED 4/10/82 Lew P. Crosby

24-HR. DURATION RAINFALL

SOURCES: 24-HR. DATA — TP 40

ANNUAL DATA — CDAN

Note 1: ¹Use Type # for Oxford County (with the exception of towns listed below) and Penobscot County (with the exception of towns listed below) and all Maine counties not listed below.

Note 2: ²Use Type # for York, Cumberland, Androscoggin, Sagadahoc, Kennebec, Waldo, Knox, Piscataquis, Somerset, Franklin, Aroostook, Lincoln, Hancock, Washington Counties; the following Oxford County Towns: Porter, Brownfield, Hiram, Denmark, Oxford, Hebron, Buckfield, and Hartford; and the following Penobscot County towns: Dismont, Newburgh, Hampden, Bangor, Veazie, Orono, Bradley, Clifton, Eddington, Holden, Brewer, Orrington, Plymouth, Etna, Carmel, Harmon, Glenburn, Old Town, Milford, and Greenfield.

CITY OF PORTLAND, MAINE

PLANNING BOARD

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

June 23, 2009

A & D Realty LLC
c/o Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, MA 02421

Bradlee Mezquita
Appledore Engineering, Inc
177 Corporate Drive
Portsmouth, NH 03801

**RE: Northgate Plaza/CVS Expansion with Pharmacy Drive-thru/H&R Block Refurbishment
Vicinity of 125 Auburn Street
Application # 2009-0010
CBL 325 C001 and C023**

Dear Mr. Normandin and Mr. Mezquita:

On June 9, 2009, the Portland Planning Board considered the proposal for a 12,900 sq ft CVS Pharmacy with drive-thru service at the north end of Northgate Plaza, and the refurbishment of the existing building at 125 Auburn Street for H&R Block. The Planning Board reviewed the proposal for conformance with the B2 Conditional Use Standards and Site Plan Ordinance. The Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent) to approve the application with the following motions and conditions as presented below.

CONDITIONAL USE AND SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings, the Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent):

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources Drive Through Survey* took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and

- iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict; and
- iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and
- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include raising the fence along the rear of the site to 8 feet and extending it 60-75 feet in an easterly direction to screen the Cyr property; tree and other planting along the proposed fencing; and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- vii. That the applicant shall install wooden guard rails around the rain gardens. The wooden guard rails may allow a reasonable number of openings to allow pedestrian access; and
- viii. All signage, whether included in the approved plan set or not (both free standing and wall mounted) shall be subject to separate sign permits and approvals; and
- ix. That the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following conditions:

- i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and
- ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iii. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

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

- I. 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation

and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. 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 a building permit, street opening permit or certificate of occupancy for site plans.
4. 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.
5. 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, prior to the issuance of a building permit. At the conclusion of the project, the digital as built plans shall be submitted prior to the issuance of a certificate of occupancy.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. 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.
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.)

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 there are any questions, please contact Jean Fraser, Planner at (207) 874- 8728.

Sincerely,



David Silk, Chair
Portland Planning Board

Attachments:
Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development

Alexander Jaggerman, 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

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

Northgate Plaza/CVS Exp/H+R Block
PB Hearing
6.9.09.

① Brad M - described proposal.

- comments on condition

- Permit from MDEP given

- Drive thru data -

- Drive-thru details = ^{ped-sized table} raised table for cars.

- Ped heads - one lot of \$2500

- OK going to 8' + OK 50' south.

- fine re landscape.

- lighting - OK/tweaking.

- hours - existing center not

7-10
OK for
drive-thru bound by these eg shows
Creates conflict loading + drive thru

LL? re dels/trash removal

Frank Normandi - ex tenants have
agreements - trying to chg trash pickup.
each tenant contracts separately.

DP - doesn't
old already
incl. units

② PUBSUC COMMENTS

no comments.

Board comments

Bull Hall - ack. addressed concerns
app. rev. to pkg to HR Block

Mike Patterson - appl has listened, appreciated.
mc. re fence good.
60' ext. of fence req.

Lee Lowry: none

David Silk: reiterate Bull Halls
app. work to preserve tree/buffer
etc. re HR Block
" " to drive-thru
" " " help imp. stream

Mike Patterson - guard-rails / snow storage
- Frank Normandini - can make
snow plowers (contract) can
prevent

Lee Lowry - what plantings in linear reingarden
wouldn't guard rail protect plantings

if clar. re guard rails relat

Jean Fraser - RE: CVS windows

From: Jean Fraser
To: Paton, Kevin
Date: 4/30/2010 11:18 AM
Subject: RE: CVS windows

Kevin,

The staff view is that the red with white lettering (for side elevation only) is preferable in the context of this particular building.

These need a sign permit to Marge Schmuckal, Zoning Administrator (the sign permit involves a form and some info- I think CVS have already spoken to Marge about that).

Also please separately write me a confirmation e-mail (confirming the red color, white letters, area of window being covered and what windows- I know you have already said that in a number of separate e-mails but just summarize) and I will confirm it is a de minimus site plan amendment- just for the record since the plans on file are different.

Jean

>>> "Kevin Paton" <kpaton@bkaarchs.com> 4/28/2010 5:32 PM >>>

It is what they want but I can push them differently. Should I suggest the original red program?

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Wednesday, April 28, 2010 5:05 PM
To: Kevin Paton
Cc: Frank Normandin
Subject: CVS windows

Kevin

The approved plan A-4.1.1 dated 02-19-09 appears to show all clear glass along that "side" frontage.

I need to discuss this further with my colleagues before being able to give you a clear answer re what review- if any- is appropriate- but is the rainbow coloring with "CVS Pharmacy" in white letters what they really want?

PLANNING BOARD HEARING 06.09.2009

Northgate Plaza/CVS/H&R Block

Planners Presentation:

1. Note the circulation of a PB Memo with revised suggested conditions and updated comments from three staff; apologies for numbering errors on this. No further public comments have been received since sending out the Hearing Report. (3 in total to date)
2. Review: Site Plan Review and Conditional Use review within B2 Zone because of the proposed drive thru feature.
3. Proposal: The applicant proposes:
 - Demolition of 12, 715 sq ft of the existing plaza at the north end, replaced with a new CVS building of 12, 900 sq ft with drive thru pharmacy ;
 - Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street for an H&R Block office (including new 8 space parking area);
 - Construction of a new ATM in the parking lot on the west side of the Plaza/new CVS; and
 - Associated infrastructure, drainage and landscape improvements to the northern part of the Plaza.
4. This project has been discussed at 2 Workshops and the applicant has revised the proposals to address the comments from Planning Board, neighbors and staff. In summary:
 - a The Traffic Engineering Reviewer has confirmed the project is acceptable subject to confirmation that the submitted drive thru data represents the peak situation, and to a condition requesting the applicant contribute \$2500 to the installation of pedestrian countdown heads at the main Plaza access drive; he has seen and reviewed additional detailed proposals to warn pedestrian of the drive thru access drive where it crosses the sidewalk along the front of the Plaza (just circulated).
 - b Engineering reviewers comments have been addressed except that staff still recommend that a wooden guardrail be installed around the parking area raingardens instead of the proposed concrete stops;
 - c The Zoning Administrator has confirmed that the stream setbacks are appropriate (new Attachment 2 to Addendum);
 - d Regarding Landscape, the project has been improved by the addition of buffering and retention of existing vegetation between the H&R Block building and neighbors, and by the increase in pervious/infiltration areas and planting. Both the two neighbors on Brook Road and the City Arborist consider additional planting is needed along Fall Brook; The City Arborist also suggest additional trees in the linear raingarden in the parking lot;
 - e The Drive thru conditional use standards are generally met, but the screening of neighbors and limits on the hours of operation, deliveries and trash removal are suggested to better address impacts on neighbors; Ms Cyr of Brook Road has requested an extension of the fencing; staff suggest that a revised landscape plan be submitted for review and approval;
 - f Lighting proposals are incomplete, though the photometrics plan submitted generally meets city standards.
5. Suggested CONDITIONS OF APPROVAL: Note the revisions based on updated comments:
 - a. Details of drive thru submitted and acceptable to Tom Errico
 - b. Requirement for pedestrian countdown heads at the access intersection converted to a contribution;
 - c. Easement for the 5 parking spaces technically not needed as H&R Block building is part of a single development - so revised to address situation where it is split off;
 - d. Lighting condition.

annotated by JF at mtg



ADDENDUM TO HEARING REPORT#24-09

**Department of Planning and Urban Development
Planning Division**

To: Chair Silk and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: June 9, 2009

Re: June 9, 2009 Planning Board Hearing
Northgate Plaza/CVS expansion with Pharmacy Drive -thru/ H&R Block Refurbishment
Vicinity of 91 and 125 Auburn Street
A&D Realty Inc, Applicant

ADDENDUM #1 Revised Potential Conditions of Approval

1. The suggested conditions under Motion #2 in Report #24-09 have been modified to reflect the recent staff comments from the Traffic Engineering Reviewer and Zoning Administrator and to include a condition regarding lighting.
2. Suggested condition **Aiii** originally required the applicant to provide details of additional measures and elements to warn pedestrians in the vicinity of the drive thru. The applicant has submitted revised details (Attachment 4) which are acceptable to the Traffic Engineering Reviewer (Attachment 1). The condition has been revised to ensure these details are part of the approved Plan Set.
3. Suggested condition **Bi** has been revised to reflect the comments from Marge Schmuckal, Zoning Administrator, confirming that from a zoning viewpoint, the parking requirement for Lot C23 is met by the existence of parking in the Plaza area because it is considered part of that lot (Attachment 2).
4. Suggested conditions **Aiv** and **Bii**, which required the applicant to install pedestrian countdown heads, have been revised (on the advice of the Traffic Engineering Reviewer, Attachment 1) to require a contribution to this provision so that the applicants financial liability is clear and implementation can be coordinated by the City.
5. A new condition has been suggested for both parts of the site requiring submission of lighting information (as discussed in the Report) for review and approval.
6. The following shows the entire Motion as revised, with new or revised language underlined:

VII. MOTIONS FOR THE BOARD TO CONSIDER

1. **SETBACK REDUCTION**
On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09 relevant to the Stream Protection Standards of the Land Use Code and the testimony presented at the Planning Board Hearing:

Board don't
think this is
reg'd

LL
not a waiver

The Planning Board **waives / does not waive** the requirements of Section Sec. 14-453 (**Stream Protection Standards**) to allow a reduction in the setback for the CVS building and the setback for the Plaza parking, both as shown on Plan C-2A (Attachment C7 of this Report).

- 2. On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings:

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following condition(s):

Suggested conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources Drive Through Survey* took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and
- iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict.; and
- iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and
- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include a higher and extended buffer fencing, tree and other planting along the proposed fencing, and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- vii. That the applicant shall install wooden guard rails around the rain gardens; and
- viii. All signage, whether included in the approved plan set or not (both free standing or wall mounted) shall be subject to separate sign permits and approvals; and

LC
amend.
Plan to be

8' high 60-75 easterly

the w. q. r. may allow a rear # of openings to allow ped access

Passed
in
ad/Lewis/
for about
B.

LI suggest strike?

ix. That deliveries to the site and trash removal shall be restricted to between the hours of 8am and 8pm everyday, and that the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following condition(s):

Suggested conditions:

- i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and
- ii. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection prior to the issuance of a Certificate of Occupancy; and remove
- iii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iv. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

Passed

Attachments:

- 1. Marge Schmuckal, Zoning Administrator, UI comments of June 8, 2009
- 2. Tom Errico, Traffic Engineering Reviewer, e-mail, June 9, 2009
- 3. David Margolis-Pineo, Deputy City Engineer, Memo of June 8, 2009
- 4. (from applicant) Drive-thru/Crosswalk Plan dated June 8, 2009

Attachment 1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 6/9/2009 10:37:52 AM
Subject: Northgate Shopping Center - CVS

Jean -

Based upon discussions with DPS, I would suggest that the applicant be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway as part of addressing my prior comment on this issue.

Additionally, I have reviewed the proposed plan emailed to me today regarding the conflict area between the drive-through lane and the shopping center sidewalk. I find the plan to be acceptable.

If you have any questions, please call me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>, "Gretchen Young, P.E." <GYoung@appledoreeng.com>, "Bradlee Mezquita, P.E." <BMezquita@appledoreeng.com>

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2009-0010

Date: 6/8/2009

I have again reviewed the revised submitted plans received on May 20, 2009. The section of the lot which will house H & R Block is meeting all the R-P residential zone requirements. Please remember that the H & R Bock building and Northgate shopping center is all one lot. There is no proposal to divide the lot with this project. Parking as required under Zoning is being met for H & R Block and Northgate. The Northgate portion of the property is meeting all the Zoning requirements of the B-2 Zone.

Please note that my comments from 03/30/2009 support the reduction of the setback and floor area and volume within the Stream Protection area. Because this is a highly developed site, any reduction of setback and area are appropriate.

Separate permits shall be required for any new signage.

Marge Schmuckal
Zoning Administrator

June 8, 2009

To: Jean Fraser
From: David Margolis-Pineo - Public Services Review Comments
Re: CVS - Northgate

The following comments were sent to the applicant from this department on March 27, 2009. The applicant has responded as stated.

Note: This project resides in the Urban Impaired Stream Watershed of Fall Brook and that Northgate Plaza, as a whole represents nearly 11 acres of impervious surface area which discharges untreated stormwater to Fall Brook.

1. The City recognizes that the applicant has made a tremendous effort to protect and treat some of the stormwater generated on site. However, it appears the drive thru lane could be designed to move the roadway several feet from the stream to allow for five to eight foot vegetated buffer from edge of pavement to the stream. The installation of a guard rail is strongly recommended along the edge of pavement in this area to prohibit snow from being plowed or placed in Fall Brook. **A guard rail/fence has been shown on the plans as requested.**
2. Again, the City recognizes the applicant's effort in placing a six foot island the length of the front parking lot. However, the potential exist to widen this island by another six feet to decrease imperious area and increase vegetation and allow better growing conditions for vegetation. **The applicant has made other modifications adding green space to satisfy this comment.**
3. The applicant needs to submit a manhole channel detail showing their proposed C.V.S. building sewer lateral coming into the City manhole showing the crown of the lateral matching the crown elevation of the out going pipe. The shelf area shall be rebuilt to accommodate the new lateral connection so that the flow sweeps into the channel. **This issue has been addressed/**
4. The capacity letter was completed on 3/13/09.

This department has not further comments.



ADDENDUM TO HEARING REPORT#24-09

Department of Planning and Urban Development Planning Division

To: Chair Silk and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: June 9, 2009

Re: June 9, 2009 Planning Board Hearing
Northgate Plaza/CVS expansion with Pharmacy Drive –thru/ H&R Block Refurbishment
Vicinity of 91 and 125 Auburn Street
A&D Realty Inc, Applicant

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5. A new condition has been suggested for both parts of the site requiring submission of lighting information (as discussed in the Report) for review and approval.
6. The following shows the entire Motion as revised, with new or revised language underlined:

VIII. MOTIONS FOR THE BOARD TO CONSIDER

1. **SETBACK REDUCTION**
On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09 relevant to the Stream Protection Standards of the Land Use Code and the testimony presented at the Planning Board Hearing:

The Planning Board **waives / does not waive** the requirements of Section **Sec. 14-453 (Stream Protection Standards)** to allow a reduction in the setback for the CVS building and the setback for the Plaza parking, both as shown on Plan C-2A (Attachment C7 of this Report).

2. On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings:

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

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- iii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iv. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

Attachments:

- 1. Marge Schmuckal, Zoning Administrator, UI comments of June 8, 2009
- 2. Tom Errico, Traffic Engineering Reviewer, e-mail, June 9, 2009
- 3. David Margolis-Pineo, Deputy City Engineer, Memo of June 8, 2009
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To: Jean Fraser <JF@portlandmaine.gov>
Date: 6/9/2009 10:37:52 AM
Subject: Northgate Shopping Center - CVS

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Based upon discussions with DPS, I would suggest that the applicant be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway as part of addressing my prior comment on this issue.

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MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2009-0010

Date: 6/8/2009

I have again reviewed the revised submitted plans received on May 20, 2009. The section of the lot which will house H & R Block is meeting all the R-P residential zone requirements. Please remember that the H & R Bock building and Northgate shopping center is all one lot. There is no proposal to divide the lot with this project. Parking as required under Zoning is being met for H & R Block and Northgate. The Northgate portion of the property is meeting all the Zoning requirements of the B-2 Zone.

Please note that my comments from 03/30/2009 support the reduction of the setback and floor area and volume within the Stream Protection area. Because this is a highly developed site, any reduction of setback and area are appropriate.

Separate permits shall be required for any new signage.

Marge Schmuckal
Zoning Administrator

June 8, 2009

To: Jean Fraser
From: David Margolis-Pineo - Public Services Review Comments
Re: CVS - Northgate

The following comments were sent to the applicant from this department on March 27, 2009. The applicant has responded as stated.

Note: This project resides in the Urban Impaired Stream Watershed of Fall Brook and that Northgate Plaza, as a whole represents nearly 11 acres of impervious surface area which discharges untreated stormwater to Fall Brook.

1. The City recognizes that the applicant has made a tremendous effort to protect and treat some of the stormwater generated on site. However, it appears the drive thru lane could be designed to move the roadway several feet from the stream to allow for five to eight foot vegetated buffer from edge of pavement to the stream. The installation of a guard rail is strongly recommended along the edge of pavement in this area to prohibit snow from being plowed or placed in Fall Brook. **A guard rail/fence has been shown on the plans as requested.**
2. Again, the City recognizes the applicant's effort in placing a six foot island the length of the front parking lot. However, the potential exist to widen this island by another six feet to decrease imperious area and increase vegetation and allow better growing conditions for vegetation. **The applicant has made other modifications adding green space to satisfy this comment.**
3. The applicant needs to submit a manhole channel detail showing their proposed C.V.S. building sewer lateral coming into the City manhole showing the crown of the lateral matching the crown elevation of the out going pipe. The shelf area shall be rebuilt to accommodate the new lateral connection so that the flow sweeps into the channel. **This issue has been addressed/**
4. The capacity letter was completed on 3/13/09.

This department has not further comments.



ADDENDUM TO HEARING REPORT#24-09

Department of Planning and Urban Development Planning Division

To: Chair Silk and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: June 9, 2009

Re: June 9, 2009 Planning Board Hearing
Northgate Plaza/CVS expansion with Pharmacy Drive –thru/ H&R Block Refurbishment
Vicinity of 91 and 125 Auburn Street
A&D Realty Inc, Applicant

ADDENDUM #1 Revised Potential Conditions of Approval

1. The suggested conditions under Motion #2 in Report #24-09 have been modified to reflect the recent staff comments from the Traffic Engineering Reviewer and Zoning Administrator and to include a condition regarding lighting.
2. Suggested condition **Aiii** originally required the applicant to provide details of additional measures and elements to warn pedestrians in the vicinity of the drive thru. The applicant has submitted revised details (Attachment 4) which are acceptable to the Traffic Engineering Reviewer (Attachment 1). The condition has been revised to ensure these details are part of the approved Plan Set.
3. Suggested condition **Bi** has been revised to reflect the comments from Marge Schmuckal, Zoning Administrator, confirming that from a zoning viewpoint, the parking requirement for Lot C23 is met by the existence of parking in the Plaza area because it is considered part of that lot (Attachment 2).
4. Suggested conditions **Aiv** and **Bii**, which required the applicant to install pedestrian countdown heads, have been revised (on the advice of the Traffic Engineering Reviewer, Attachment 1) to require a contribution to this provision so that the applicants financial liability is clear and implementation can be coordinated by the City.
5. A new condition has been suggested for both parts of the site requiring submission of lighting information (as discussed in the Report) for review and approval.
6. The following shows the entire Motion as revised, with new or revised language underlined:

VIII. MOTIONS FOR THE BOARD TO CONSIDER

1. **SETBACK REDUCTION**
On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09 relevant to the Stream Protection Standards of the Land Use Code and the testimony presented at the Planning Board Hearing:

The Planning Board **waives / does not waive** the requirements of Section **Sec. 14-453 (Stream Protection Standards)** to allow a reduction in the setback for the CVS building and the setback for the Plaza parking, both as shown on Plan C-2A (Attachment C7 of this Report).

2. On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings:

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following condition(s):

Suggested conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources Drive Through Survey* took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and
- iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict.; and
- iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and
- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include a higher and extended buffer fencing, tree and other planting along the proposed fencing, and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- vii. That the applicant shall install wooden guard rails around the rain gardens; and
- viii. All signage, whether included in the approved plan set or not (both free standing or wall mounted) shall be subject to separate sign permits and approvals; and

- ix. That deliveries to the site and trash removal shall be restricted to between the hours of 8am and 8pm everyday, and that the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following condition(s):

Suggested conditions:

- i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and
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Subject: Application ID: 2009-0010

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Zoning Administrator

June 8, 2009

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To: Jean Fraser <JF@portlandmaine.gov>
Date: 6/4/2009 3:30:04 PM
Subject: Northgate Shopping Center/CVS

Jean -

The following summarizes the status of prior comments as it relates to the Final plans and supplemental information submitted by Appledore Engineering, Inc.

May 7, 2009 Comments

1. Based on the fact that some parking for the "H&R Block" building will be provided within the main shopping center parking area, the applicant shall revise the plans to provide appropriate sidewalks and crosswalk connections between the building and the parking spaces anticipated or designated for use.

Status: The applicant should upgrade the pedestrian signal equipment at the Auburn Street/Site Drive intersection for movements across the driveway approach to ensure that safe crossings will be provided between the H&R Block Building and the parking spaces designated for use.

1. While my expectation is that little traffic uses pharmacy drive-through facilities, the applicant should provide documentation on the number of vehicles that are expected to use the drive-through on a peak hour basis and back-up data on the maximum queue length estimates noted in their submission.

Status: Per the Planning Board's request the applicant has provided supplemental information that documents traffic activity at similar type pharmacy's in Maine. The data indicated that a maximum queue of four vehicles was observed during the survey period (This queue length would be accommodated without blockage of the crosswalk). The applicant should provide documentation that the survey period occurred during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation justifies the queue estimate noted, I find conditions to be acceptable.

1. A "Do Not Enter" sign shall be installed on the back side of the STOP sign at the terminus of the drive-through.

Status: The plans have been revised and I have no further comment.

1. I continue to review the request to narrow the parking lot aisle nearest Auburn Street. The applicant has requested that discussion take place at the Planning Board workshop. I plan on being in attendance. I have not been convinced that a safe solution can't be implemented.

Status: The plans have been revised and I have no further comment.

1. I have reviewed the crosswalk design at the entrance to the drive-through lane and believe it to be safe. I would note that this is premised on a maximum queue from the drive-through of 5 vehicles and low traffic usage. Following provision of the requested data in Item #2, I will render a final decision.

Status: See Item #2. I would further note that the Planning Board expressed a desire for implementation of design elements along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict. The plans do not address this comment and I would suggest that a condition of approval

be drafted that requires the applicant to provide details of measures (e.g. signage, sidewalk material, bollards, etc.) that would address this issue for implementation.

March 31, 2009 Comments.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Status: The applicant has provided a trip generation analysis and I concur that a Traffic Movement Permit is not required.

1. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

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1. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.

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If you have any questions, please contact me.

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PLANNING BOARD REPORT #24-09

**NORTHGATE PLAZA/CVS EXPANSION WITH PHARMACY DRIVE -THRU/
H&R BLOCK REFURBISHMENT**

VICINITY OF 91 AND 125 AUBURN STREET

CONDITIONAL USE AND SITE PLAN REVIEW

A&D REALTY INC., APPLICANT

Submitted to:

Portland Planning Board
Portland, Maine
June 9, 2009

Submitted by Jean Fraser, Planner

I. INTRODUCTION

A&D Realty Inc. is proposing to relocate and expand the CVS and add a drive-thru pharmacy at the north end of the Northgate Plaza, and to refurbish existing, vacant former Boy Scout building at 125 Auburn Street for an H&R Block office. Appledore Engineering Inc is the consultant for this project.

The Northgate Plaza site at 91 Auburn Street totals 13.2 acres and is located in the B-2 (Community Business Zone) and abuts the R-3 Residential Zone. Section 14-183 of the City Code lists drive-thrus in the B-2 zone as a conditional use when they are adjacent to a residential zone. The former Boy Scout building is located on a .54 acre just north of the Plaza which is zoned R-P (Residence-Professional) and abuts the R-3 zone to the north. The expanded CVS building abuts Fall Brook (an urban impaired stream), which runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City's Zoning Map.

The Northgate Plaza was developed in the 1970's and Shaw's supermarket expanded by almost 11,000 sq ft in 2000 with associated modifications to the south side of the plaza at that time.

Fall Brook (an urban impaired stream with associated wetlands) runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City's Zoning Map. The project will require MDEP permits under NRPA but the City has delegated storm water review.

Notices were sent to 136 neighbors/interested parties on May 29, 2009 and this project was included in the Legal Advertisement for this Hearing; two public comments have been received from residents of Brook Road.

II. PROJECT DATA

Northgate/CVS Lot (91 Auburn Street)

Total area of Lot: 13.2 acres (575,009 sq ft)
Zone: B2 Community Business
Existing Uses: Retail & restaurant (105,940 sq ft); Credit Union (3030 sq ft)
Proposed Use: Retail & restaurant (106,125 sq ft); Credit Union (3030sq ft); ATM (49 sq ft)
Proposed bldg height: New CVS Building: 31.5 ft approx.
Proposed floorspace: New CVS; 12,900 sq ft (net 185 sq ft larger than CVS being demolished)
Existing parking: 625 spaces
Proposed parking: 583 spaces
Proposed bicycle pkg.: 22 spaces (2 racks)
Existing Impervious surface ratio: 80%
Proposed Impervious surface ratio: 77% (max allowed is 80%)

Boy Scout Building Lot (125 Auburn Street)

Site area: 23,480 sq ft
Zone: R-P Residence Professional
Existing Use: Vacant; formerly offices for Boy Scouts
Existing floorspace: 5200 sq ft over 2 floors
Existing parking: none
Proposed parking: 8 spaces on site (plus 5 in proposed easement in Plaza)
Proposed bicycle pkg: 5 spaces
Existing Impervious surface ratio: 19%
Proposed Impervious surface ratio: 48% (max allowed is 70%)

III. EXISTING CONDITIONS

Photographs and an aerial photograph (prepared by staff) are included in Attachments 23 and 24 for both of the development lots included in this application:

One known as **Lot C-1** is the Northgate Shopping Plaza at 91 Auburn which comprises 13.2 acres and 11 retail units of various sizes plus the credit union building; the Bank of America and Mercy Healthcare buildings are not within this lot. The plaza was developed before the B2 design guidelines and current storm water regulations were in place, so the plaza building is set back with parking to the front and sides and storm water largely sheet flows into the Fall Brook. Some drainage upgrades and contributions were required when Shaw's expanded in 2000.

Fall Brook is within the site along the eastern boundary, which directly abuts residential properties located on Brook Road. Nine residential properties are abutters to the proposed CVS expansion and associated modifications to the site; these homes are uphill from the site and currently have a view of the rear servicing area and a number of randomly located dumpsters. A well used pedestrian path cuts through from Brook Road to the rear of the site (See Staff Photographs in Attachment 12.2).

Lot C-23 comprises the former Boy Scout building which is set into the hill to the north of the plaza and has a small access drive which is accessed from the main Plaza access, set in a grassed area with trees to the rear and sides. It abuts the Mercy 2-story medical building on the east and a single family home that is 15 feet from its north boundary.(see Staff photographs in Attachment 12.1).

IV. PROPOSED DEVELOPMENT

The application was originally submitted in January 2009 and the original Site Plan is included at Attachment A-15 for information. The applicant has revised the proposals to address neighbor, staff and Planning Board comments and the final plan set is included in Attachment C (as part of the Application Submittal in a separate document with blue cover).

The final proposal includes the following elements:

- Demolition of 12, 715 sq ft (4 existing units) of the north end of the existing Plaza;
- Construction of a new CVS building of 12, 900 sq ft as an extension of the Plaza;
- Location of the pharmacy drive thru lane/ window and loading area in a central "gap" under the continuous roof that connects to the existing Plaza;
- Construction of a new ATM within the row of parking nearest to the Plaza on the side towards Auburn Street;
- Revised layout of the Plaza parking and circulation;
- Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street with new pitched roof and architectural treatment;
- New 8 space parking area between the refurbished Boy Scout building and the adjacent single family home;
- Introduction of two new rain garden areas within the parking lot;
- Increased pervious buffer along Fall Brook and Auburn Street, and a new landscaped pervious area immediately to the rear of the new CVS building;
- Landscaping and fencing to buffer/screen residents from the drive thru and service area.

Parking, lighting and other layout features will remain as existing to the south of the existing CVS.

IV. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-525)

The submission is complete and comprehensive, with the exception of the easement information for the 5 parking spaces in the Plaza area that will be serving the H&R Block building.

VI. PUBLIC COMMENT AND WORKSHOP SUMMARY

The original proposals were of concern to the abutters immediately next door to the Boy Scout building who were adversely affected by the introduction of a parking lot for 13 spaces plus a dumpster (see Attachment 14). Since then the applicant has revised the proposal so that this area only provides for 8 parking spaces, which allows the retention of the bulk of existing vegetation and provides a deep buffer (see discussion below). These abutters have not commented in writing on the final plans but will be attending the Hearing.

The required Neighborhood Meeting was held on June 2, 2009 and attended by seven neighbors /interested parties and the notes are included in Attachment B4. Two abutters with property on Brook Road near the path leading to the existing Video Store (nearest to the proposed drive thru) have recently commented (Attachments 20 & 21) to request an improved buffer between the proposed CVS Building/Drive thru and the residential properties backing onto this part of the site.

There have been two Workshops on this project and the applicant was requested to supply further information and give further consideration to:

- Incorporation of increased filtration in the Plaza area around the expanded CVS, particularly in view of the excessive drive aisles in the existing parking areas;
- Ensuring safety for pedestrians where the drive thru lane access crosses the sidewalk at the front of the Plaza;
- Providing adequate buffering and screening within the layout and design of the parking area between the Boy Scout building and the abutting home at 137 Auburn Street.

VII. STAFF REVIEW

A. ZONING ASSESSMENT

The City's Zoning Administrator, Marge Schmuckal, has reviewed the proposal and her comments regarding the earlier submissions are included in Attachments 3, 4, and 5. In those summaries she has determined:

- That the proposals meet all use and dimensional zoning requirements;
- That the impact of the proposals on Fall Brook are less than existing;
- That the impervious surface ratios are acceptable in terms of zoning requirements;
- The H&R block use for the former Boy Scout building is a professional office use and therefore permitted on this site as it is within the R-P zone;
- That the indicative signage on three sides of the proposed building refurbishment for H&R Block is not allowed in the R-P zone.

Marge Schmuckal has done a preliminary review of the most recent submissions and has not identified any zoning issues, however her final written review will be available at the Planning Board Hearing.

The abutters to the north of the Boy Scout Building had questioned the Zoning Administrator's determination that the H& R Block building is a professional office (Attachment 11b) but have decided not to pursue this to the ZBA for a formal determination.

The applicant has requested, in Attachment A1, waivers from the Stream Protection Zone standards in 14-453 (see below). The applicant has submitted a Stream Protection Zone Impacts analysis in Attachment A11 which, together with Attachment A1, clarifies that the encroachment of the new CVS building will be 430 sq ft (the existing CVS encroaches by 519 sq ft); that the volume of building encroachment is reduced; that the impervious area within the Stream Protection Zone is reduced by 6,545 sq ft.

The Stream protection standards are:

Sec. 14-453.

(a) *Minimum building setback from normal high water line of stream: Seventy-five (75) feet. Notwithstanding this requirement, when a lot is a lot of record as defined in section 14-433 or cannot otherwise meet the setback requirement of this section due to physical limitations of the site, the Planning Board may approve a reduction of the setback requirement for a principal structure to the least amount necessary to achieve a building dimension of twenty-eight (28) feet, provided that the setback is not reduced to less than forty (40) feet. Structures in existence on June 15, 1992, may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent.*

(c) *Minimum parking setback from normal high water line of stream: Seventy-five (75) feet. Notwithstanding this requirement, the Planning Board may reduce the parking setback where the required setback cannot be met to the least extent necessary, provided that such setback shall not be less than the setback of the principal structure from the stream.*

C. SITE PLAN STANDARDS

The final revised proposals have been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. Traffic (Section 14-526 (a) 1), Vehicle and Bicycle Parking (Section 14-526 (a) 2a, b and c), and Bayside B-7 Transportation Demand Management (Section 14-526 (a) 30)

The proposals utilize the existing signalized access from Auburn Street with an improved traffic pattern, so that the vehicle and pedestrian movements are more clearly directed. Along the northern part of the Plaza site, pedestrian circulation has been improved by the provision of improved pedestrian links from Auburn Street to the Plaza and better definition of pedestrian routes and crossings within the site.

The proposed drive thru is located at the side/rear of the proposed CVS, but it is accessed via a one way single lane that crosses the sidewalk that runs along the front of the Plaza from the new CVS entrance (north end) to Shaw's (south end). The original proposals included a 2-lane drive thru and a loading bay in the central gap (between the existing retail units and the new CVS building); the revised proposals show a single lane drive thru with the opening and window location located to the rear leaving room for 4 vehicles to stack inside the sidewalk (see Attachment B1).

The delivery loading area is through a loading door located on the side elevation and within the "gap"; the "Truck Access Plan" (Attachment A14) shows that a delivery truck would reach this location by going around the rear of the Plaza (where other service vehicles enter for Shaw's and other units) and then back alongside the internal sidewalk (leading to the rear path) and park opposite this door.

The City's Traffic Engineer Reviewer, Tom Errico, had requested additional information related to traffic generation and the servicing flows/routes resulting from the proposals. He also noted that the original proposals did not modify the existing layout of the parking rows nearest Auburn Street, which include long aisles of over 30 feet wide (the City's maximum is 24 feet) (Attachment 9, 13 and 17). The applicant has provided additional traffic generation information and reduced the parking drive aisles to meet City standards and this has created an enlarged pervious area along Auburn Street. Tom Errico has confirmed that the applicant does not require a TMP and has addressed his concerns and Mr Errico has no further comments regarding the traffic issues (Attachment 17).

The introduction of the drive thru in the center of the Plaza frontage creates two potential pedestrian /vehicle conflict areas, one at the front and one to the rear. Along the frontage the proposals have addressed this issue through the incorporation of landscaped bump-outs and a marked pedestrian crossing (see Attachment B1). To the rear the vehicles exiting the drive thru cut across a well used pedestrian "desire line" across the rear servicing area which connects the Brook Road path to the sidewalk along the existing Video Store. The proposals relocate that link and connect it to a sidewalk within the "gap"

opening, introducing a striped pedestrian crossing across the open pavement of the servicing and drive thru exit area.

At the first Workshop the Planning Board were concerned that potential stacking for the drive-thru could impact the sidewalk along the front of the Plaza and requested additional information regarding the volume of drive thru vehicles; confirmation re the stacking area; explanation for the location of the drive-thru; and submission of details to illustrate the proposed traffic management and how it is designed to ensure safety/protection for pedestrians/children using the principal route along the front of the Plaza.

The applicant had submitted a letter dated May 8, 2009 providing information about a Massachusetts CVS (Attachment B2.a) but this referred to data from 2006 related to a two-lane drive thru and further information was requested. The applicant submitted a memorandum from *Maine Traffic Resources* on 5.29.09 (Attachment B2b) which confirms that the maximum queue would be four vehicles at one time. This information has been reviewed by Tom Errico and he has commented:

Status: Per the Planning Board's request the applicant has provided supplemental information that documents traffic activity at similar type pharmacy's in Maine. The data indicated that a maximum queue of four vehicles was observed during the survey period (This queue length would be accommodated without blockage of the crosswalk). The applicant should provide documentation that the survey period occurred during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation justifies the queue estimate noted, I find conditions to be acceptable.

The design and signing for the drive-thru was also a concern at the Workshops and is specifically addressed in the applicant's letter of 5.1.09 (Attachment B1) and Tom Errico's comments of 5.7.2009 (Attachment 13). The requested "Do Not Enter" sign has been installed but other improvements have not been included in the final Site Plan (Attachment C6). Tom Errico has commented:

" I would further note that the Planning Board expressed a desire for implementation of design elements along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict. The plans do not address this comment and I would suggest that a condition of approval be drafted that requires the applicant to provide details of measures (e.g. signage, sidewalk material, bollards, etc.) that would address this issue for implementation."

Two suggested conditions of approval have been included to reflect Mr Errico's recommendations.

Parking

Plaza

The proposal now includes a total of 583 parking spaces on this part of the site, as compared with the 625 spaces existing and 528 spaces required by zoning (Attachment C6). Staff had questioned the need for more parking than what was required under zoning regulations. This scale of the proposed parking appears acceptable bearing in mind it includes parking for the Mercy Medical building and the H&R Block building as well as the enlarged CVS and that the layout now incorporates significant parking lot layout modifications that reduce pavement area (see Attachment 17).

H&R Block

The proposal includes a new parking area for 8 vehicles as part of the refurbishment of the Boy Scout Building for H&R Block, with the remaining 5 spaces required by zoning provided in the Plaza parking area immediately opposite the H&R block building - identified on the Site Plan in Attachment C6. The easement for these 5 spaces has not been submitted and is the subject of a suggested condition.

During the review staff raised concerns regarding the pedestrian safety as they are separated from the H&R Block building by the main entrance drive to the Plaza. The final layout has incorporated sidewalk connections from this off-lot parking area to the H&R block building via the Auburn Street signal at the main entrance drive. Tom Errico has recommended : *" The applicant should upgrade the pedestrian*

signal equipment at the Auburn Street/Site Drive intersection for movements across the driveway approach to ensure that safe crossings will be provided between the H&R Block Building and the parking spaces designated for use.” This recommendation is included as a suggested condition of approval.

The proposed bicycle parking meets the City standards and a waiver is not required (as requested in Attachment A1).

2. Bulk, Location, Health, Safety Air (Section 14-526 (a) 3) and Bulk, Location, Height of Proposed Buildings (Section 14-526 (a) 4)

Elevations of the new CVS building and refurbished Boy Scout building are shown in Attachments C21-C26. The proposed height of the new CVS building is just under 32 feet and is in keeping with the rest of the Plaza. The Drive thru is roofed over so that it reads as part of the plaza.

3. Sewers, Storm drains, Water (Section 14-526 (a) 5), Soils and Drainage (Section 14-526 (a) 8), and Consistent with City Infrastructure (Section 14-526 (a) 11)

Fall Brook is an urban impaired stream and currently receives most of the storm water from the parking lot associated with the Plaza and 125 Auburn Street (and the adjacent existing Mercy Medical building). Flooding also occurs near the site. Fall Brook (an urban impaired stream) runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City’s Zoning Map. The proposed CVS building is 63 feet from the stream at the closest point (Attachment A11), with 430 sq ft of the building within the 75 foot setback zone.

Staff has discussed the project with the MDEP although the City has delegated review authority. The proposals largely constitute redevelopment and therefore are deemed exempt from the most stringent Chapter 500 requirements. However, staff concluded that the increased intensity of the use and snow storage issues warranted requesting the applicant to revise their original approach to storm water management and recommended maximizing landscaped areas in the parking lot to achieve infiltration.

The revised proposals introduce two small “rain garden” areas into the parking lot of the Plaza, convert part of the existing paved servicing area to pervious area (lawn behind the proposed CVS building and increased buffer along part of the adjacent Fall Brook) and widen the pervious area along Auburn Street at the north end of the plaza (Attachment C8). The project team has responded positively to staff and Planning Board suggestions on this issue and reviewers consider that previous comments have been addressed (see Attachment 16) with the exception of the proposals to protect the raingardens.

Staff had previously (Attachment 6) recommended the use of wooden guardrails instead of concrete curb stops to protect the raingarden areas. The applicant has argued that the curb stops are considered friendlier in appearance and if damaged will be reset/ replaced (Attachment B2), but staff continue to recommend wooden guardrails (Attachment 16): *“The applicant prefers the use of curb stops because they feel it provides a friendlier appearance. We would encourage the applicant to use wooden guardrail. The guardrail could be installed with gaps so as to not be an obstruction.”* A suggested condition of approval has been included for the Board’s consideration.

4. Landscaping and Buffering (Section 14-526 (a) 6) and Minimizes Disturbance or Destruction of Existing Vegetation (Section 14-526 (a) 7)

The original proposal for 125 Auburn Street (Boy Scout building) included the construction of a 13-space parking area within the northerly part of the site, resulting in the loss of existing mature trees and other vegetation and the introduction of noise, light and activity very close to the abutting single family home at 137 Auburn Street (see Attachment A15). The abutters at 137 Auburn Street (Pamela and Charles Scott) sent comments strongly objecting to the impacts of the original proposals (Attachment 14a). The applicant relocated and widened the buffer several feet but both the abutters (Attachment 14c) and staff considered this still did not meet the R-P standards (see Attachments 1 and 10).

The Planning Board asked the applicant to reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn Street, including a reduction in the number of parking spaces. The revised proposals are described in the letter and plans of 5.1.09 (Attachment B1) and are included in the final Landscape Plan in Attachment C10. The parking has been reduced to 8 spaces on one side of the drive aisle, thus leaving a 14-15 foot wide buffer between the parking and the property line (approximately 25 feet between the house and the parking lot). The revisions allow the retention of the 32 inch DBA Pine Tree at the corner of the existing building (previously shown as removed) and more of the existing vegetation along the boundary.

The northern end of the Plaza has been reorganized with new planting and additional pervious areas along Fall Brook, along the back of the new CVS building, within the parking islands and along Auburn Street. The applicant has proposed 6 foot high wood screening fence (detail on Plan in Attachment C16) along the service area paving along Fall Brook. These improvements will improve the Plaza but there are two areas where staff suggests additional planting:

- Center traffic island between the rows of parking (rain garden area): The City Arborist recommends that while *“the large center island works to achieve both traffic control and stormwater retention. ‘Ideally’ this island would contain two to three trees if compatible to the stormwater plan. This would add some shade to the parking lot.”* (Attachment 15);
- Along Fall Brook: The two public comments (Cyr and DiPhillippo- Attachments 20 and 21) both raise concerns about the buffer and screening between their homes (both immediately behind the proposed new CVS and drive thru) on Brook Road and the CVS building/drive thru. Ms DiPhillippo requests a higher fence and tall evergreens on the residential side of the proposed fencing to help shield residents from noise, dust and pollution and screen the drive thru and service area. Ms Cyr requests that the fencing be extended 60-75 feet towards Shaw’s Supermarket to better buffer her property from the relocated dumpsters and pedestrian path as well as the drive thru traffic. The City Arborist comments: *“the landscape plan shows a couple of new trees in this area, it is unknown what is planned in the way of plantings or seeding for this area that is shown as inside the bollards or on the stream side of the pavement. Options would be to plant additional trees / shrubs or ‘conservation mix’ seed.”* (Attachment 15)

It should be noted that the drive-thru is a conditional use in the B2 zone and the impacts of the proposals *“must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impact.”*

The houses on Brook Road are higher than the site and look down and into the service and drive thru exit areas. A suggested condition for the plaza part of the project is that a revised landscape plan be submitted for review and approval to enhance the buffer between the development and the residential properties on Brook Road, subject to any wetland and stream requirements.

5. Exterior Lighting (Section 14-526 (a) 9)

The applicant’s letter of 5.19.2009 (Attachment B2.b, page 4) indicates that the existing lighting will remain along Auburn Street and elsewhere in the north part of the site lighting would be revised to meet City standards and address concerns raised by the abutter to the H&R Block.

The applicant submitted a preliminary Photometric Plan which required further work (see staff e-mail of 3.26.09, Attachment 7) and a revised lighting plan was received on 5.29.2009 (Attachment C17). The recently submitted Photometric Plan is broadly in line with the City’s Technical Standards regarding illumination of the site, though there are many (approximately 27 ‘points’) where the maximum of 5.0 foot candles is exceeded (along the front of the new CVS, within the parking area nearest the abutters at 137 Auburn Street, within the parking area north of the CVS and within the drive thru). While some of

these illumination levels may be acceptable and possibly desirable once reviewed by a lighting engineer, there has not been an opportunity to complete the review and obtain professional advice on these proposals. In addition it has not been possible to complete the review as information regarding the wattage, location and height of proposed lighting fixtures is incomplete.

Staff suggest a condition that requires the illumination levels to be revised to meet City standards and also requires submission of catalog cuts and other information in order to complete the review of this aspect of the project.

6. Fire and Emergency Access (Section 14-526 (a) 10)

The Fire Department has confirmed that this project is approved (Attachment 2).

7. Existing Natural Resources (Section 14-526 (a) 20) and Significant Groundwater Aquifer (Section 14-526 (a) 21)

This Site Plan requirement states:

“ The proposed development shall have no adverse impact upon the existing natural resources including groundwater quantity and quality, surface water quantity and quality, wetlands, unusual natural areas, and wildlife and fisheries habitats. Stormwater runoff from paved areas shall be treated to the extent practicable to minimize contaminants; ”

The applicant has reduced the impervious area and increased the level of filtration and detention and therefore has improved the conditions in respect of this standard.

D. DESIGN STANDARDS IN THE SITE PLAN ORDINANCE

8. Residence Professional Zone – Design Standard (Section 14-526 (a) 13)

This standard states:

“For development within the R-P zone, where there is a consistent established architectural style or character to the existing structures in the immediate vicinity in which the development is proposed, that the concurrently visible architectural style or character of the proposed development would not be incongruous to that established style or character; ”

The proposed refurbishment of the Boy Scout building includes the addition of a pitched roof (no additional floor space), new entrance portico and other façade modifications (Attachments C23-C26). Staff suggests that these architectural features are consistent with the established character of structures in the vicinity.

9. Signage (Section 14-526 (a) 22 and 23)

The proposal shows that Shaw’s pylon sign near the access drive from Auburn Street will remain and there are no new free standing signs shown on the site plan (Attachment 6). The elevations for both the new CVS and the refurbished Boy Scout building suggest that building signage is envisaged.

The Zoning Administrator has commented (Attachment 5) *“It should be pointed out at this time that the R-P Residence-Professional Zone only allows free-standing signs. Building signs are not allowed, other than incidental and/or directory signs. Signage Table 2.3 regarding R-P zones allow a maximum area for free-standing signs to be no more than 30 square feet, with a maximum height of 8 feet, and a minimum 5 foot setback from property lines. Only one sign is allowed per lot. The depicted building signs shown on the submitted plans do not meet the criteria of the sign ordinance.”*

The applicant has confirmed that the CVS signs will meet the B2 sign standards (Attachment B1) but the CVS signs have not been reviewed or confirmed by staff and separate sign permits would be required.

Staff suggests that a condition be included to clarify that approval to the elevations included in the Plan Set does not include approval to any signs, and that separate permits and approvals are required for any new signage, whether free standing or wall mounted.

10. Design Standards for B-1, B-1b, B-2 and B-2b (Section 14-526 (a) 27)

This standard requires windows on buildings within the B2 Zone to be “*along the street frontage of a building. Windows shall be transparent and installed at a height to allow views into the building by passersby*” and facades to be “*located adjacent to the public sidewalk to create an active presence along the sidewalk*”. Commercial buildings “*shall be designed to be compatible with their residential and commercial neighbors*” and facade materials “*shall be compatible with those materials of surrounding residential and commercial uses*”.

The proposed CVS elevations are included in Attachments C21 & C22 and the applicant will have samples of materials at the PB Workshop.

Within the B2 Zone “*...buildings and associated parking areas must be screened to buffer abutting properties. A densely planted landscape buffer and/or fencing will be required to protect neighboring properties from the impacts associated with the development, including lighting, parking, traffic, noise, odor, smoke, or other incompatible uses. Where buildings are setback from the street, a landscaped area must be planted along the front yard street line.*”

The proposals introduce new plantings and screening and are a significant improvement over the existing Plaza which was approved prior to the adoption of the B2 Design Standards.

This standard also encourages development to meet Section XIV of the City's Technical and Design Standards and Guidelines, which includes references to buildings/entrances being located near the street. During pre-application discussion staff encouraged the applicant to locate the new CVS building and associated drive-thru nearer to Auburn Street. The applicant explored a number of options and these are included in Attachment A10. It was concluded that these were not feasible due to traffic circulation and safety issues.

E. CONDITIONAL USE STANDARDS (14-183)

Sec. 14-183 - Conditional Uses identifies drive-thrus in the B-2 zone that are adjacent to any residential use or zone as being a permitted conditional business use if they meet the following requirements. The applicant has outlined how the proposals meet these standards on the last 2 pages of their 5.1.2009 letter (Attachment B1). Staff comments are outlined below:

Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.

See discussion under Section 9 in **Staff Review- Site Plan Standards** above.

Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.

There are no issues in addition to those reviewed under **Staff Review- Site Plan Standards** above.

Drive-thrus, where permitted, shall also specifically comply with the following conditions:

Location of Drive-thrus: *Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such*

placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.

The proposed drive-thru (window) is about 180 feet from the nearest residential zone. The stacking capacity has been an issue during the review and has been discussed above under **Staff Review- Site Plan Standards** Section 1 Traffic.

Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.

The applicant has stated (letter of 5.1.09 in Attachment B1) that “the applicant agrees to provide all audible services at a level not to exceed 55 dB and agrees not to play a prerecorded message”.

Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.

See above under **Staff Review- Site Plan Standards** Section 5 Exterior Lighting.

Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and

The proposals include a 6 foot high screening fence (see Attachments C7 and C16) along the rear edge of pavement to screen nearby properties from glare from the waiting and exiting drive thru customers. This screening will also reduce any impacts from service vehicles. Two residents immediately opposite this area have raised concerns about these and related impacts and staff suggest the fencing and screening should be enhanced (see **Staff Review- Site Plan Standards** Section 4 Landscaping and Buffering and the suggested condition).

Pedestrian access: Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

The drive thru lane crosses a principal pedestrian sidewalk along the front of the Plaza and new CVS store. This has been the subject of intensive review and a suggested condition- as outlined above under **Staff Review- Site Plan Standards** Section 1 Traffic.

Hours of Operation: The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.

The applicant has not addressed this issue in their 5.1.09 letter (Attachment B1) which addressed the other conditional use requirements. While the properties on Brook Road are approximately 180 feet from the drive thru, they are uphill from the drive thru and rear servicing area and already are adversely affected by delivery and trash collection vehicles (Attachment 21). Therefore staff have suggested a condition restricting these activities in the same way as required for the Walgreens Pharmacy on Allen Avenue.

VIII. STAFF RECOMMENDATION

The applicant has been responsive to the concerns raised by staff, Planning Board and neighbors. The Planning staff recommends approval of this project with conditions. The applicant needs to address a few outstanding issues that are generally technical in nature or have been raised recently by neighbors.

IX. MOTIONS FOR THE BOARD TO CONSIDER

1. SETBACK REDUCTION

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09 relevant to the Stream Protection Standards of the Land Use Code and the testimony presented at the Planning Board Hearing:

The Planning Board **waives / does not waive** the requirements of Section **Sec. 14-453 (Stream Protection Standards)** to allow a reduction in the setback for the CVS building and the setback for the Plaza parking, both as shown on Plan C-2A (Attachment C7 of this Report).

2. On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings:

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following condition(s):

Suggested conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources* Drive Through Survey took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and
- iii. The applicant shall provide details, for review and approval prior to the issuance of a building permit, of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict.; and
- iv. The applicant shall install, prior to the issuance of a Certificate of Occupancy, pedestrian countdown heads at the Auburn Street/Site Drive intersection for pedestrian movements across the driveway approach to ensure that safe pedestrian crossings will be provided between the H&R Block Building and the parking spaces designated for use; and

- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include a higher and extended buffer fencing, tree and other planting along the proposed fencing, and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall install wooden guard rails around the rain gardens; and
- vii. All signage, whether included in the approved plan set or not (both free standing or wall mounted) shall be subject to separate sign permits and approvals; and
- viii. That deliveries to the site and trash removal shall be restricted to between the hours of 8am and 8pm everyday, and that the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following condition(s):

Suggested conditions:

- i. That the applicant shall submit, for the City's Associate Corporation Counsel review and approval prior to the issuance of a building permit, final easement documentation/ agreements that secure the five parking spaces located in the Plaza to serve the refurbished building on this lot; and
- ii. The applicant shall install, prior to the issuance of a Certificate of Occupancy, pedestrian countdown heads at the Auburn Street/Site Drive intersection for pedestrian movements across the driveway approach to ensure that safe pedestrian crossings will be provided between the H&R Block Building and the parking spaces designated for use; and
- iii. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

Attachments:

This PB Report and the PB Memos of April 14, 2009 and May 12, 2009 and all attachments are available on the City of Portland web-site at http://www.ci.portland.me.us/planning.htm#Current_Backup_Material

PLANNING BOARD MEMORANDUM ATTACHMENTS

AS IN PB MEMOS APRIL AND MAY

Staff comments

1. Planning review letter March 11, 2009
2. Keith Gautreau, Fire Prevention, Fire Department, March 3, 2009
3. Marge Schmuckal, Zoning Administrator, March 3, 2009 regarding the original site plan/submissions
4. Marge Schmuckal, Zoning Administrator, March 30, 2009 comments on revised Site Plan
5. Marge Schmuckal, Zoning Administrator, April 1, 2009 re signage and H&R Block use

6. Dan Goyette, PE, Woodard & Curran, memo, March 26, 2009
7. Jean Fraser, Planner e-mail regarding lighting March 26, 2009
8. David Margolis-Pineo, Deputy City Engineer, memo, March 27, 2009
9. Tom Errico, Traffic Engineering Reviewer, e-mail dated March 31, 2009 updating original comments of February 24, 2009
10. Jeff Tarling, City Arborist, e-mail, April 9, 2009
11. Staff letter confirming issues to be addressed at a second PB Workshop, April 16, 2009
12. Dan Goyette, PE, Woodard & Curran, Engineering Reviewer, Memo of May 6, 2009
13. Tom Errico, PE, Wilbur Smith Assoc., Traffic Engineer, e-mail of May 7, 2009

Public comments

14. From Pamela and Charles Scott, abutters at 137 auburn Street
 - a. Letter regarding original Site Plan (February 16, 2009)
 - b. Letter requesting ZBA determination of H&R Block use
 - c. Letter to Planning Board regarding current revised proposals (April 7, 2009)

SINCE SECOND PB WORKSHOP

Staff comments

15. Jeff Tarling, City Arborist, e-mail, June 3, 2009
16. Dan Goyette, PE, Woodard & Curran, memo, June 3, 2009
17. Tom Errico, Traffic Engineering Reviewer, e-mail, June 4, 2009
18. David Margolis-Pineo, Deputy City Engineer, (awaited)
19. Marge Schmuckal, Zoning Administrator, (awaited)

Public Comments

20. Ms Julie Cyr, e-mail dated June 3, 2009
21. Ms DiPhillippa, e-mail dated June 4, 2009
22. (reserve)

Photos

23. Site Photos (staff)
24. Aerial photograph (staff)

APPLICATION SUBMITTAL [separately bound with blue cover]

Attachment A: Application Submittal [dated March 13, 2009 unless otherwise indicated]

1. Appledore Engineering Application cover letter (revised submission) dated March 16, 2009 – addressing staff comments
2. Application forms and Checklist (dated January 9, 2009)
3. Site Plan Written statement
4. Capacity Letters (PWD dated December 12, 2008)
5. Letter of financial capability (dated January 23, 2009)
6. Right, Title and Interest
7. Design of ATM
8. Traffic Information dated March 12, 2009
9. Drainage Study (revised March 13, 2009) (appendices available at the PB meeting)
10. Recap of alternate CVS Plans (March 17, 2009) (incl. 4 conceptual plans)
11. Stream Protection Zone Impacts (Exhibit 1)
12. Existing Impervious Areas (Exhibit 2)
13. Proposed Impervious Area (Exhibit 3)
14. Delivery Truck Access Plan (Exhibit 4)
15. Original submitted Site Plan (now superseded)
16. Section between H&R Block Parking area and abutter at 137 Auburn St – Existing
17. Section between H&R Block Parking area and abutter at 137 Auburn St – Proposed (as at 4.14.09 - now superseded as buffer has been revised in final plan set)
18. Conceptual Reconfiguration for Drive Thru exit/rear drive aisle (as in 4.14.09 PB Memo and now incorporated into final site plan)

Attachment B: Application Submittal May, 2009

1. Appledore Engineering Inc., letter and plans (including detail of drive thru), May 1,2009 (as included in PB Memo of May 12, 2009)
2. Appledore Engineering Inc., letter of May 19, 2009, including:
 - a. Memo from developer dated May 8, 2009 as circulated to PB Workshop 5.12.2009
 - b. *Maine Traffic Resources* "Summary Memorandum" dated May 29, 2009
3. Neighborhood Meeting Invitation
4. Neighborhood Meeting Certificate received June 4, 2009

**Attachment C: Application Submittal Final Plan Set:
1-16 submitted May 19, 2009; 17-26 as in 4.14.09 PB Memo**

1. Cover sheet
2. Existing Conditions Plan (north part of Plaza)
3. Existing Conditions Plan (south part of Plaza)
4. Existing Conditions Notes
5. Demolition Plan C-1
6. Overall Site Plan C-2
7. Site Plan C-2A
8. Grading, Drainage & Erosion Control Plan C-3
9. Utilities Plan C-4
10. Landscape Plan C-5
11. Erosion Control Notes C-6
12. Erosion Control Details Sheet C-7
13. Details Sheet C-8
14. Details Sheet C-9
15. Details Sheet C-10
16. Details Sheet C-11
17. Photometric Plan (received 5.29.09)
18. Pre-Development Watershed Plan WS-1
19. Post-Development Watershed Plan WS-2
20. Subcatchment Plan WS-3
21. CVS Elevation - north side A-4.1.1
22. CVS Elevations - other 3 sides A-4.1
23. H&R Block building Refurbishment Elevation – Front onto Auburn St
24. H&R Block building Refurbishment Elevation – Rear
25. H&R Block building Refurbishment Elevation – Side towards Plaza
26. H&R Block building Refurbishment Elevation – Side towards 137 Auburn St



Strengthening a Remarkable City. Building a Community for Life.

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

Planning Division
Alexander Jaegerman, Director

March 11th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing with regard to the application for major site plan and conditional use approval for a proposed CVS expansion, H&R Block refurbishment and associated modifications to the Northgate Plaza.

This letter outlines preliminary review concerns, as discussed with you at a meeting on March 4th, 2009. The meeting also discussed the applicant's objectives for the proposals and possible revisions to address the staff concerns.

1. Please submit a corrected boundary survey and associated easements /restrictions (eg copies of recorded documents) to address the disparities in the survey and easement information.
2. Please submit plans and illustrations to clarify the scale of impact of the existing and proposed buildings, parking areas and snow storage within the 75 foot stream setback (eg an updated version of the pre-application submission entitled "Stream Protection Zone Exhibit"), showing new setback distances and addressing the question of volume increases as outlined by the Zoning Administrator at the meeting.
3. Please clarify the area of the existing plaza, as two figures are referred to in the submission (105,940SF in one place and 109,204SF in another).
4. Please illustrate the pervious surface areas on a plan along with impervious surface calculations for all parts of the site, both for the existing and the future lot configurations.

- 5. Please provide further information regarding the proposed ATM structure.
- 6. I confirm the receipt of photometric plans at the meeting on March 4, 2009 and they are under review.
- 7. Issues re the Fall Brook
 - a. It is noted that parking (13 spaces), travel lanes, new building and snow storage are proposed to be within the 75' stream protection zone and require a waiver from City requirements. The construction of a building and the addition of two drive through lanes could constitute an intensification of the land use within the 75' stream setback. Revisions to reduce this impact are requested.
 - b. The proposals are adjacent to an urban impaired stream and the City expects any development in this watershed to reduce the amounts of storm water and to increase quality of any storm water entering this Brook. At the meeting staff outlined options for your project to increase infiltration and permeable areas, including the use of islands in the parking area. We encourage you to incorporate the concept (suggested by Tom Errico during the March 6th, 2009 discussion of his comments on the excessive drive aisle widths) of a new linear island (potential vegetated "rain garden") between the current double row of parking spaces parallel to Auburn Street, as this appears to have a number of benefits.
 - c. Please note that the Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP.
 - d. Please clarify re snow storage arrangements as these should be located away from the Fall Brook.
 - e. The City requires a copy of the MDEP NRPA approvals prior to a final decision on this proposed site plan.
- 8. Issues re 125 Auburn Street (refurbishment of Boy Scout building for H&R Block)
 - a. I confirm that the proposed use for the Boy Scout building (H&R Block) is considered (in terms of Zoning) to be a professional office use and therefore allowable within the R-P zone.
 - b. Staff are concerned regarding the impacts of the parking area at the side of the building, which results in the loss of trees; altered topography and drainage; and impact on residential abutter re noise, glare, loss of trees etc (see the letter from the abutter, the Scotts, of 137 Auburn Street, dated February 16, 2009, as forwarded previously).
 - c. Staff considers that such impacts are inconsistent with the objectives of the R-P zone, and requests you consider relocation of some of the proposed parking into the plaza parking area; an effective and landscaped (trees) buffer is a minimum requirement.
 - d. The parking stall lengths may be reduced to 18 feet in this location if it assists in achieving an improved and satisfactory layout.

3.

- e. If this scale of parking remains part of the proposal, please submit information on lighting levels, location of parking in relation to existing buildings and trees on the site and on the abutter's property, and submit plans showing trees to be removed with details of landscaped buffer etc.

9. Traffic, Pedestrian Circulation and Parking

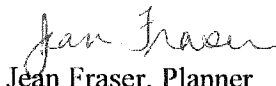
- a. Please note the comments of the City's Traffic Engineering consultant, Tom Errico, which were forwarded to you (also attached) and were the subject of a follow-up "conference call" with Tom Errico on March 6th, 2009.
- b. Please note that the recent Walgreen pharmacy approvals (340 Allen Avenue and 606 Forest Avenue) were for single drive thru lanes, and we request additional explanation as to why two drive thru lanes are required for the proposed CVS.
- c. Please provide more information regarding the provision of safe pedestrian circulation, including the link between the front of the Plaza and the existing path from Brook Road.
- d. We will clarify regarding the question of the scale of bicycle parking required.
- e. Please note that the signal at the access with Auburn Street may be part of this review.

10. I confirm that the proposals as submitted are acceptable to the Fire Department and that they require a 20 foot wide access to the rear of the retail buildings for fire access.

11. The landscaping proposals have not yet been formally reviewed, but please revise the Landscape Plan to show all existing trees (and whether they are to be removed), and show proposed trees with a different notation. Dumpster locations (existing and proposed) for all Plaza uses adjoining the rear service area near the proposed CVS should be identified on the plans and may need to be rationalized and screened.

Please feel free to contact me if you have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,



Jean Fraser, Planner

Attachment 1: Comments from Tom Errico, Traffic Engineering Reviewer of 2.24.2009

cc: Alex Jaegerman, Director, Planning division
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
David Margolis-Pineo, Deputy City Engineer
Keith Gautreau, Fire Department
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Engineering Reviewer
Frank Normandin, A& D Realty, LLC, 5 Militia Drive, Lexington, MA 02421

Att. 1.4

ATTACHMENT 1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 2/24/2009 4:37:06 PM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes my initial comments for the above project according to the January 30, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.
2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.
3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.
4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.
5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.
6. The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.
7. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Please note that these are my initial comments and additional comments can be expected. If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com
www.WilburSmith.com <<http://www.wilbursmith.com/>>

CC: "David Margolis-Pineo" <DMP@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>
O:\PLAN\Dev Rev\Auburn St. - 125 (Northgate Plaza renovations)\Correspondence\review letter 03.11.09 125 Auburn NorthgateCVS.doc

MEMORANDUM

To: FILE

From: Keith Gautreau

Dept: Fire

Subject: Application ID: 2009-0010

Date:

Access to site looks good on the plans. Must maintain min. 20' access road to rear of complex.

(he entered " approved w/ conditions 3-4-09)

MEMORANDUM

To: FILE**From:** Marge Schmuckal**Dept:** Zoning**Subject:** Application ID: 2009-0010**Date:** 3/4/2009

This project consists of two separate developments: 1) The H & R Block building on lot 375-C-23 and 2) The demolition of a couple of the existing buildings with the addition of a new CVS drive-thru building.

H&R Block Bldg located in the R-P Zone: The submittal shows a survey plan configuration and lot size which is different than what is shown on the site plan. The applicant stated that they will submit confirming information supporting what is shown on the site plan. This will change my final analysis. However, the H&R use is considered to be a professional office use and not a retail use. The professional office use is allowable in the R-P Zone. This lot is not located within a Stream Protection Zone. There is only superficial exterior work to the building that does not increase the existing floor area. There is a new 13 space parking lot which abuts a residential use. There is no parking within the required 20' front yard area. There is a 6' fence that is being proposed between the parking and the adjoining residential lot as required under 14-339. The impervious surface and floor area ratio is apparently being met. I await the revised plans.

Northgate Plaza - new CVS drive-thru: This project is within the B-2 Business Zone. The Northgate Plaza was originally building in 1970, prior to many current regulations. Because a double drive-thru is proposed, and the property abuts a residential zone in the rear, a conditional use approval by the Planning Board is required. All regular setbacks are being met. The applicant states that 78.6% of impervious surface will be created compared to 80% required in the B-2 Zone. The biggest concern is the location of this project abutting an Urban Impaired Stream (Fallbrook) in the rear. Currently the existing pavement abuts the stream. Currently part of their building is within the 75' required setback from the Stream. Currently 19 parking spaces are located within 75' of the stream. The new proposal reduces those 19 parking spaces to 13 parking spaces within 75' of the stream. The new building will have a smaller portion of their building within 75' of the stream. Under 14-453 The planning board may approve alterations to structures inexistence as of June 15, 1992. They may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent. The applicant has not submitted all this information at this time. The area of this portion of the lot is not located within a floodplain. (panel 2). The applicant has been asked to further mitigate influences on the impaired stream by not storing snow adjacent to the stream before trucking it out. The applicant has also been asked to consider a raingarden to reduce sheeting run-off to the stream.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2009-0010

Date: 3/30/2009

I have reviewed new plans dated March 13, 2009 and received on March 18, 2009.

Regarding the H & R lot: The survey has been revised to show the lot to be 23,478 square feet. This is the figure I have used instead of the rounded up figure that the applicant has used. The new submittal, by my measuring and calculation shows an impervious surface of 62% (38% pervious) which is under the maximum 70% allowed based upon the adjoining R-3 Zone. Section 14-339 States: Where off-street parking for more than six (6) vehicles is required or provided on a lot in any business zone, the project shall provide and maintain a fence not less than 48" height between such off-street parking and that part of the lot line involved. The applicant is proposing a 6' screened fence to meet this requirement as shown on the submitted plans. Any artificial lighting shall be shaded or screened. I am not seeing any such lighting proposed. The revised plans meet the R-P Zone requirements.

Northgate Plaza: The current submittal reduces the double drive-thru to a single drive-thru. The applicant is also stating that snow storage will no longer be stored along the edge of the Fallbrook, but instead will be stored elsewhere before trucking it from the site. The new submittal also addresses the square footage and volume pre and post development. Predevelopment shows an area of 519 sq feet and 10,380 cubic feet 59' from the edge of wetlands of the Fallbrook. The postdevelopment shows a reduction to 430 sq feet and 10,169 cubic feet which is 63 feet from the edge of wetlands of the Fallbrook. The new development has reduced the impact on the Fallbrook.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

Attachment 5

To: FILE
From: Marge Schmuckal **Dept:** Zoning
Subject: Application ID: 2009-0010
Date: 4/1/2009

I've been asked to further explain several previous comments.

First of all, separate permits and approvals are required for any new signage. It should be pointed out at this time that the R-P Residence-Professional Zone only allows free-standing signs. Building signs are not allowed, other than incidental and/or directory signs. Signage Table 2.3 regarding R-P zones allow a maximum area for free-standing signs to be no more than 30 square feet, with a maximum height of 8 feet, and a minimum 5 foot setback from property lines. Only one sign is allowed per lot. The depicted building signs shown on the submitted plans do not meet the criteria of the sign ordinance.

As stated previously, I have determined that H & R Block is a professional office. There is a definition in 14-47 that states that a professional office is "the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional.". The R-6 zone goes further in the definition. It is pointed out that it is valid to use the further description as written in the R-6 zone, because there is only one grouping of professional office. The term professional office does not change from zone to zone. The R-6 zone elaborates further by stating: "Professional offices of member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. The lustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent". I consider H & R Block to be a similar profession to an accountant. I do know for a fact that their agents must take courses and pass tests to be certified on a yearly basis in order to work for H & R Block. It is a professional office, not a retail use. The ordinance does not make any restrictions on professional offices for hours of operations, or numbers of clients. It is recognized that all businesses such as retail, professional offices, personal services and other types of uses are always trying to increase their customer service base. That is a standard of our economic system. If anything, with current home computer applications readily accessible, professional services such as H & R Block may be losing their customer base. If an abutter feels that my determination is flawed, they would have 30 days from the date of this memo to submitted an interpretation appeal to the Zoning Board of Appeals. Failure to appeal within the 30 days renders my decision final and binding and not subject to further appeals.

Marge Schmuckal
Zoning Administrator

Attachment 6.1

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: March 26, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project

Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated March 16, 2009 prepared by Appledore Engineering, Inc.
- Drainage Study, dated January 30, 2009 revised March 13, 2009 prepared by Appledore Engineering, Inc.
- Site Plan Sheets, C-1 thru C-11; dated January 30, revised March 13, 2009, by Appledore Engineering Inc.

Comments:

- The catch basins and manholes on the grading, drainage and erosion plan only show one invert in elevation regardless of the number of pipes entering the structure. It is not clear if this is meant to indicate that all invert ins are to be at the same elevation.
- It is not clear from the plans what is happening in terms of drainage in front of the UPS store. No grading information is shown and there appears to be a drain line leaving CB #5304 heading towards that area but it is not clear what it connects to. A curb bump out is being installed that will stop the runoff from following the curb line and flowing towards the rear of the property. Please clarify what is happening in this area.
- The plans indicate the use of precast concrete curb stops in the areas around the rain gardens. There installation is to allow stormwater runoff to flow between the curbs into the treatment areas. The City has not had good results with the use of these curbs. They tend to be moved during plowing and are constantly in need of being reset. In lieu of the precast curb stops, the applicant is encouraged to install a wooden guardrail in these areas. This would allow the runoff to enter the treatment areas unimpeded and would prevent snow from being plowed onto the treatment areas.
- A six foot high screening fence is being proposed along a portion of Fall Brook to help screen the lights from vehicles entering the drive thru. In the areas where no fencing is proposed, the applicant should install a wooden guardrail along the brook so that no snow is stored or plowed into the brook.
- It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the

6.2



center of the parking lot. Also, the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for the crosswalk to be shortened.

- An elevation drawing for the rear of the new H&R Block building should be submitted. The stairway as proposed will be below vehicle traffic. Bollards or a guardrail should be used to prevent a vehicle from falling into the stairwell.

DRG

203939.

cc: File

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 3/26/2009 12:30:30 PM
Subject: Northgate plaza - Lighting

Attachment 7

Gretchen,

I attach the City's Technical Standards for **Lighting** (Section 15) and you will see that the un-numbered Photometric Plan that you gave me in early March needs to be reconsidered and revised:

1. The Photometric Plan does not include the lighting levels at the property boundaries along the north side and around 125 Auburn St (which need to be .1 fc or less) ; we particularly requested details of lighting impacts near the residential zone/properties;
2. I need catalog cuts for the proposed lamp fixtures and the height of the poles for all parts of the site including up to the ATM and around 125 Auburn (they need to be full cut-off type)(please clarify if new or existing if any are being reused);
3. The standard specifies a max of 250 watts and the proposed lights appear to be 465 watts. While you may submit an explanation of why such high wattage lamps are being used, in my experience it is unlikely the Board will consider a waiver on this. Even 250 watt lamps have been avoided in most places as they are too bright; more smaller lamps are preferable.
4. The City's allowable max is 5.0 footcandles and the plan shows 11.2 fc as the max- the issue here is glare and again I believe the Board will not support this (a waiver would be required). I suggest a different approach needs to be taken to ensure better distribution of light and to avoid "hot spots" and glare.
5. Please note that the Conditional Use requirements for drive thrus in B2 (Section 14-183) specifically refers to lighting, as does 14-526 (Site Plan Standards para (9)).
6. The plan needs to show more clearly the location of the lights and whether there will be any wall-mounted lights on the CVS/refurbished Boy Scout building.
7. Since the area of the project includes the portion of the Plaza and parking lot up to and around the ATM and the drive thru/new pedestrian route/new truck access/turning area at the rear, the proposed lighting and the photometric plan need to include those areas as well (ie up to the "Limit of Work" shown in Sheet C-2).
8. The Plan needs to reflect the layout/site plan revisions submitted March 17, 2009.

On this review issue you can submit a revised plan (for inclusion in the PB Memo so it can be considered at the Planning Board Workshop 4.14.09) any time up to April 7th (11x17s that are readable and 1 full size paper copy please).

Please do not hesitate to call me if you have any questions regarding these comments.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

Attachment 9.1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 3/31/2009 8:07:07 AM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes a status report on my February 24, 2009 comments according to the March 16, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Status: The applicant has provided a trip generation analysis and I concur that a Traffic Movement Permit is not required. I would like to review conditions of approval for the prior expansion to ensure the project is in compliance.

2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

Status: I continue to review this issue.

3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.

Status: The requested information has been provided and I have no further comment.

4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.

Status: The site plan has been revised and I have no further comment.

5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.

Status: The site plan has been revised and I have no further comment.

6. The parking aisle widths in front of the shopping center are excessive at

9.2

30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.

Status: The parking aisle nearest the shopping center building has been reduced to 24 feet. The applicant shall provide conceptual plans that illustrate reducing the aisle width nearest Auburn Street to 24 feet for review and comment.

7. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Status: Information has been provided and I have no further comment.

In addition to the above the applicant shall explore redesigning the rear area such that the proposed crosswalk to the neighborhood trail is reduced in overall length. It is my understanding that there is a desire to shift green space such that it abuts the drainage area and this may provide opportunity for enhance this pedestrian crossing.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>

Att. 10

From: Jeff Tarling
To: Jean Fraser
Date: 4/9/2009 1:33:17 PM
Subject: Northgate

Jean -

I have reviewed the Northgate project landscape plan and offer the following comments:

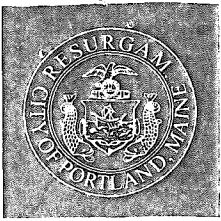
a) The long existing 'residential' to 'commercial' buffer between the adjacent residential property and the 'H&R Block' building is greatly diminished with the proposed scheme. The proposed landscape treatment does save a large 24" dbh White Pine and 25" dbh Maple along with additional 'to-be-planted' screening using a line of 15 'Emerald Sentinel' Red Cedar 6'-7' in height, 1 Amelanchier clump form tree along with a six foot wooden cedar fence. "Ideally" the buffer width between an adjacent residential property to commercial parking or use should be 10' in width with dense plantings. The landscape buffer at this site is compromised due to the increased parking and travel lane requirements. (Prior or existing parking was nearby concentrated away from residential use.) The landscape treatment proposed, although greatly reduced from the existing green buffer with mature trees, will in time provide adequate screening.

b) Parking lot landscape - The proposed CVS / parking lot landscape treatment places additional trees & shrub plantings to the existing parking lot. The center island landscape treatment combines landscape shrub planting with 'rain garden' stormwater treatment. The plan also plants 4 Red Maples at the rear of the project along the wetland.

Overall the landscape plan is acceptable as shown. It is unfortunate that long existing buffer between the adjacent residential properties is to be compromised due to this project. All options of 'shared' parking use, ie. the row closest to Auburn Street on the CVS side of the project should be explored before removing this valuable green area.

Jeff Tarling
City Arborist

CC: Barbara Barhydt



Attachment 11.1

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

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

Planning Division
Alexander Jaegerman, Director

file copy

April 16th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing to follow up the Planning Board Workshop held April 14, 2009 and to confirm the staff understanding of the issues that need to be addressed for a second Workshop.

The Planning Board requested:


1. 125 Auburn Street/H&R Block refurbishment: Reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn street, including a reduction in the number of parking spaces (the Board indicated some options for this), to reduce the impact on the existing buffer, and to achieve an adequate buffer along the boundary between the R-P zone and the abutting residential zone.
2. Drive-thru (note the specific review criteria, attached for information): Provide information on the volume of drive thru vehicles; confirmation re the stacking area; explanation for its location; and submission of details to illustrate the proposed traffic management and how it is designed to ensure safety/protection for pedestrians/children using the principal route along the front of the Plaza.

I would also note that lighting information is awaited by staff and the Board offered several comments on that issue.

Please note that you may hold the required Neighborhood Meeting any time as from now (and up to seven days prior to the final Hearing). The dates for the next two Planning Board Workshop meetings are May 12th and May 26th; the Workshop date will be confirmed once we know the timetable for any review meetings and/or further submittal dates.

Please let me know if you would like to arrange a meeting with reviewers or have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,


Jean Fraser
Planner

cc: [see next page]

- Alex Jaegerman, Director, Planning division
- Barbara Barhydt, Development Review Services Manager
- Marge Schmuckal, Zoning Administrator
- David Margolis-Pineo, Deputy City Engineer
- Jeff Tarling, City Arborist
- Tom Errico, Wilbur Smith Consulting Engineers
- Frank Normandin, A& D Realty, LLC, 5 Militia Drive, Lexington, MA 02421

Specific Standards re Drive Thrus (Extract from B2 Zoning Ordinance)

In addition to approval by the Planning Board with respect to the requirements of article V (site plan), these uses shall comply with the following conditions and standards in addition to the provisions of section 14-474:

a. Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.

b. Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.

6. Drive-throughs, where permitted, shall also specifically comply with the following conditions:

a. Location of Drive-throughs: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.

b. Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.

c. Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.

d. Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and

e. Pedestrian access: Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

f. Hours of Operation: The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.

**COMMITMENT & INTEGRITY
DRIVE RESULTS**

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

Attachment 12.1

MEMORANDUM

(for May 12, 2009
PB workshop)

TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: May 6, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project



Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated May 6, 2009 prepared by Appledore Engineering, Inc.

Comments:

None of the comments in the March 26 memo have been addressed. They were as follows:

- The catch basins and manholes on the grading, drainage and erosion plan only show one invert in elevation regardless of the number of pipes entering the structure. It is not clear if this is meant to indicate that all invert ins are to be at the same elevation.
- It is not clear from the plans what is happening in terms of drainage in front of the UPS store. No grading information is shown and there appears to be a drain line leaving CB #5304 heading towards that area but it is not clear what it connects to. A curb bump out is being installed that will stop the runoff from following the curb line and flowing towards the rear of the property. Please clarify what is happening in this area.
- The plans indicate the use of precast concrete curb stops in the areas around the rain gardens. There installation is to allow stormwater runoff to flow between the curbs into the treatment areas. The City has not had good results with the use of these curbs. They tend to be moved during plowing and are constantly in need of being reset. In lieu of the precast curb stops, the applicant is encouraged to install a wooden guardrail in these areas. This would allow the runoff to enter the treatment areas unimpeded and would prevent snow from being plowed onto the treatment areas.
- A six foot high screening fence is being proposed along a portion of Fall Brook to help screen the lights from vehicles entering the drive thru. In the areas where no fencing is proposed, the applicant should install a wooden guardrail along the brook so that no snow is stored or plowed into the brook.
- It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the center of the parking lot. Also, the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for the crosswalk to be shortened.

Att. 12.2



- An elevation drawing for the rear of the new H&R Block building should be submitted. The stairway as proposed will be below vehicle traffic. Bollards or a guardrail should be used to prevent a vehicle from falling into the stairwell.

DRG

203939.48

cc: File

Attachment 13

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 5/7/2009 10:10:18 AM
Subject: Northgate Shopping Center - CVS

(for may 12, 2009
PB workshop)

Jean -

The following summarizes my comments as it relates to the May 1, 2009 submission by Appledore Engineering, Inc.

1. Based on the fact that some parking for the "H&R Block" building will be provided within the main shopping center parking area, the applicant shall revise the plans to provide appropriate sidewalks and crosswalk connections between the building and the parking spaces anticipated or designated for use.

1. While my expectation is that little traffic uses pharmacy drive-through facilities, the applicant should provide documentation on the number of vehicles that are expected to use the drive-through on a peak hour basis and back-up data on the maximum queue length estimates noted in their submission.

1. A "Do Not Enter" sign shall be installed on the back side of the STOP sign at the terminus of the drive-through.

1. I continue to review the request to narrow the parking lot aisle nearest Auburn Street. The applicant has requested that discussion take place at the Planning Board workshop. I plan on being in attendance. I have not been convinced that a safe solution can't be implemented.

1. I have reviewed the crosswalk design at the entrance to the drive-through lane and believe it to be safe. I would note that this is premised on a maximum queue from the drive-through of 5 vehicles and low traffic usage. Following provision of the requested data in Item #2, I will render a final decision.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>

February 16, 2009

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Barbara Barhydt, *Development Review Services Manager*

Dear Ms. Barhydt:

We have visited your offices and viewed the major site plan application and other accompanying documents submitted on behalf of A & D Realty LLC for the redevelopment of the Northgate Plaza (Lot C-1; tax map 375; Zone B-2) on Auburn Street and the redevelopment of their adjacent property on Lot C-23 (Zone R-P). We ask that this letter be provided to the Planning Board Members and also to be included in the site plan application file.

We are the owners of the lot directly adjacent to Lot-23 (Lot B-4; tax map 374; Zone C-3), located at 137 Auburn Street. We oppose the planned redevelopment of Lot-23 on the basis that the redevelopment as described in the major site plan application will result in substantial diminution of the value and utility of our property.

The following are our objections and concerns:

- I. **H & R Block¹ is a commercial retail operation that does not conform to the intended use and permitted business of the Residential-Professional Zone.**
 - a) Open seven days per week:
Hours according to their website are 8 a.m.-10 p.m., Monday through Friday, 9 a.m. - 9 p.m. on Saturday and 9 a.m. - 5 p.m. on Sunday.
 - b) Customer volume exceeds that of similar sized professional offices and the business goals of this corporation and its franchises is to further increase their customer volume.
 - c) H & R Block offices are “storefronts” with large neon corporate logos and signs and posters on their façade and windows advertising their services and special offers similar to those found on the storefronts of supermarkets, pet stores and other retail establishments.

- II. **Proposed plans will significantly change the topography of the lot.**
 - a) Plans suggest that all of the existing trees, bushes and shrubs and at least some of the lawn (if not all) will be removed.
 - b) A paved 13 space parking lot and associated driveway will be added.
 - c) Additional impervious materials in the form of concrete walkways, pads, retaining walls and stairs will be added in place of the current lawn.

¹**H&R Block** (NYSE: **HRB**) is a tax preparation company in the United States, claiming more than 22 million customers worldwide, with offices in Canada, Australia and the United Kingdom. The Kansas City, Mo.-based company also offers banking, personal finance and business consulting services. Founded in 1955 by brothers Henry W. and Richard Bloch, Block today operates 12,500 retail tax offices in the United States, plus another 1,400 abroad. In addition to Block's retail stores, they offer their own consumer tax software called TaxCut, as well as online tax preparation and electronic filing from their website.

14.a.2

III. Proposed plans will significantly alter the visual esthetics of the lot.

- a) The addition of a 13 space parking lot, driveway and concrete walkways.
- b) The parking lot will be visually exposed to Auburn Street.
- c) The loss of mature trees, shrubs and lawn area.
- d) The addition of a commercial waste dumpster.
- e) The addition of outdoor lighting and neon signage with the corporate logo.
- f) We assume that changes to the building façade will result in more of a retail store look.
- g) It is proposed that that the snow storage for this lot will be on the front setback facing Auburn Street.

IV. Proposed plans will significantly impact the enjoyment and value of our property.

- a) The removal of the trees, shrubs and bushes on Lot C-23 will remove the visual and noise barrier and expose us to the Lot C-1 plaza, the plaza entrance, the intersection and the other businesses located on Auburn Street across from the plaza. The removal of the mature trees will expose us to additional wind and dust and remove the natural shading and cooling they provide.
- b) The plaza entrance on Auburn Street is currently overused for its size and close proximity to a residential zone, especially by large and noisy trucks - including 18 wheeler tractor trailers - that deliver to the plaza businesses continually throughout the night and early morning hours. Accidents at this intersection are frequent.
- c) The CVS expansion, with the addition of a drive-thru and the proposed pattern of travel for cars exiting, combined with the absence of trees, shrubs and other natural screens, will expose us to even more direct car noise and headlights shining directly into our windows and continually moving across our property in a sweeping motion.
- d) The addition of a parking lot directly on our property line and so close to our home will further expose us to noise aggravation, outdoor lighting spilling over onto our property and house, pollution from car emissions and headlights seven days a week possibly as late as 11:00 p.m. on weekdays. In the winter months, there will also be snowplowing.
- e) The addition of a commercial dumpster directly on our property line and so close to our home will expose us to further noise aggravation as a result of the opening and closing of the dumpster and emptying of the dumpster by a commercial waste service.
- f) The addition and the grading of a parking lot, driveway and other impervious materials directly on our property line and so close to our home could cause water run-off and/or flooding.
- g) The additional proposed paved materials on this lot will encourage and aid trespassers on foot and bicycle going to and from the plaza and Auburn Street. This property and a portion of ours will become a new "cut-thru."
- h) Due to the sloping nature of the properties, the proposed 6 foot screening fence will not conceal the Lot C-23 parking lot, driveway, dumpster or the Lot C-1 plaza from the direct view out our 1st floor windows. The benefits of the proposed screening fence will be minimal and will in no way recreate the lost privacy or sufficiently shield us from noise and light pollution.
- i) Our property value will be significantly diminished by the proposed changes. When we purchased the property in August 2007, it was assessed at \$211,000. With the poor economy and the proposed changes and use of Lot C-23, (which essentially changes the use from Residential-Professional to a Business Zone), it is estimated that the market value of our property could drop to as low as \$100,000.

We would also like the Board to know of our objection to the manner in which A & D Realty and their representation has bundled two proposed redevelopments into one application thus placing the focus on the CVS building and other alleged improvements to the plaza. We consider this an attempt to circumvent the laws of the R-P zone and to draw the Board's attention away from this and the damages A & D Realty's plans will inflict on our well-being and property value.

The proposed redevelopment of Lot C-1 will offer little or no value to the community and could possibly impact negatively on the neighborhood due to the over-saturation of "Big-Box" pharmacies with a drive-thru, and the addition and redirection of traffic. Many homes on Brook Road will be exposed to additional and more direct car noise, headlights, dust and pollution.

The proposed redevelopment of Lot C-23 will result in the lack of a transition or buffer between our property located in a residential zone and the more intensive nonresidential zones. In addition to the above outlined objections and concerns, we will suffer a major loss of enjoyment of our yard, gardens and deck. These amenities are the reasons why we purchased this particular property.

The proposed redevelopment of Lot C-23 will inflict a disastrous financial hardship and burden on us. Our property will be significantly devalued. We will not be able to re-finance our mortgage due to a lowered assessed value. We will not be able to sell the property in the current or future market for the amount we paid for it and/or for the amount of our mortgage balance. We will be required to continue to pay a mortgage that could be almost twice the amount of the market value.

In conclusion, we are vehemently opposed to all of the proposed changes and redevelopment of Lot C-23 and we have concerns about the redevelopment of Lot C-1.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

April 7, 2009

Zoning Board of Appeals
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Marge Schmuckal, Zoning Administrator

Dear Ms. Schmuckal:

Please consider this letter an appeal to the zoning determination that H & R Block is a professional office and therefore complies with the R-P zone.

H&R Block (NYSE: HRB) - with revenues in excess of \$4 billion, is a publicly traded, multinational corporation with more than 22 million customers worldwide. The corporation provides tax, investment, retail banking, accounting and business consulting services and products. It operates in three segments: Tax Services, Consumer Financial Services and Business Services. H&R Block provides its products and services through a network of approximately 13,000 company-owned and franchised retail and office locations.

H & R Block Operating Segments:

- 1) The Tax Services segment provides tax and other related services and products. In addition to their own tax preparation offices, Block offers tax preparation through third-party retail stores such as Sears and Wal-Mart. Block is the maker/distributor of TaxCut[®] software (similar to TurboTax[®]). Block also has various online options, do-it-yourself tax preparation, tax review and tax advice. They offer their customers a variety of options for receiving an income tax refund. Options specific to Block's tax offices are a prepaid Block Emerald MasterCard and refund anticipation loans (RAL) and refund anticipation checks (RAC).
- 2) The Consumer Financial Services segment offers brokerage services, investment planning and related financial advice, as well as retail banking services. It provides annuities, insurance, fee-based accounts, online account access, equity research and focus lists, model portfolios, asset allocation strategies, and other investment tools and information. This segment also offers various banking services, including checking and savings accounts, lines of credit, individual retirement accounts, CDs and prepaid debit card accounts.
 - a) The H&R Block Bank (HRBB) a Federal Savings Bank and member FDIC, was chartered in 2006. Bank customers can establish accounts with their tax refund money and then access those funds with pre-paid Emerald MasterCards through ATM networks bearing the MasterCard brand. At this time, Block Bank accounts are available only to the company's tax clients in Block offices. Currently, the bank is primarily an online operation with one bricks-and-mortar office located in Kansas City.
- 3) The Business Services segment provides accounting, tax and business consulting services, wealth management and capital markets services to middle-market

companies primary through their wholly-owned subsidiary RSM McGladrey Business Services. A fortune 500 company on its own, RSM McGladrey Business Services was created in 1999 when H&R Block acquired the assets and business of the former McGladrey & Pullen, based in Bloomington, MN. McGladrey has 100 offices in 25 states and offers accounting, consulting, tax services, and international business services to mid-sized companies. Now two separate and independent legal entities work together through an alternative practice structure. RSM McGladrey (RSM) offers business and tax consulting, wealth management, retirement resources and corporate finance, while McGladrey & Pullen (M&P), a CPA firm, offers audit and attest services. Additionally, through an international alliance, this Block subsidiary also operates in 70 countries under the RSM International name.

As you say in your memo of 4/1/2009, there is a definition in 14-47 that states that a professional office is "the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional. You note that the R-6 zone further elaborates by stating: "Professional offices of members of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. The lustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent." You also state, "I consider H & R Block to be a similar profession to an accountant. I do know for a fact that their agents must take courses and pass tests to be certified on a yearly basis in order to work for H & R Block."

In their Tax Services segment, H & R Block offers training to prospective employees and current employees to work as 'tax preparers.' This training is specific to qualifying or continuing to work at H & R Block only. Students must be at least 18 years of age and some states (not Maine) require that they be high school graduates. They are not accountants or CPAs. Without outside training (a minimum of a BA and two years work, plus continuing education each year), testing and licensing and other requirements by the State of Maine, these individuals cannot be considered members of the accounting profession. Additionally, the State of Maine has not licensed any H&R Block tax office as any type of accounting firm or branch.

The operations of the Tax Services segment at H & R Block cannot be described as, nor should be confused for an accounting firm. Years ago, Richard Bloch once compared his company to Sears, and a journalist once called it "the McDonald's of tax preparation." Today, H & R Block is one of the most widely recognized brands in the U.S. The company is an innovative provider of diversified tax services, financial services and related products.

When customers of Block's tax offices arrange to have their tax refund, RAL or RAC deposited to a Block Emerald MasterCard or a Block Bank account, the office is operating as a financial institution under the auspices of The H&R Block Bank. The R-P zone does not allow financial institutions nor is there mention of similar financial services - neither described as professional offices in the 14-47 definition nor further described as professional offices in the R-6 zone.

If you reject our interpretation of H & R Block as a financial institution than you must also reject your own interpretation that H & R Block is an accounting office. To pigeon-hole this unusual corporation into one particular industry segment would be incorrect. While your interpretation

might be the most obvious at first glance, we believe it is less factual and less accurate than our interpretation.

For 50 years, H & R Block has evolved through mergers and acquisitions. One of their most noted accomplishments was the acquisition and later very lucrative divestiture of CompuServe. They have successfully entered into and exited the temporary personnel business, sub-prime mortgage and loan servicing, legal service business, business seminar services and computer information service businesses. To quote a recent press release, they will continue to "Block-on."

To allow a corporation such as H&R Block to establish offices in the R-P zone is inconsistent with the intended use of the zone designation. Should Block start selling their TaxCut[®] software or any new product or service from their tax offices or extend their hours to midnight, the Portland Planning Committee and the Zoning Board will have no knowledge and essentially no control over any changes that might additionally be inconsistent with R-P, unless a building or sign permit request is submitted.

To quote your memo of 4/1/2009 again, you state "The ordinance does not make any restrictions on professional offices for hours of operations, or numbers of clients." "It is recognized that all businesses such as retail, professional offices, personal services and other types of uses are always trying to increase their customer service base. That is a standard of our economic system." While Section 14-146 does not make mention of hours or operation it does give the purpose of the R-P zone as to provide a location for low-intensity office use and to also serve as a buffer zone between residential and more intensive nonresidential zones. In Sec. 14-147.5, it states that conditional uses of this zone should be no more objectionable than those associated with professional offices and noise levels and hours of operation shall also be considered. We believe that H & R Block is a retail business and therefore more objectionable than a professional office and that their hours of operation being 7 days a week and well into the evening each of those days has not been properly considered.

There is no H & R Block office in Portland currently located in an R-P zone. Of Block's 13,000 locations worldwide, it would be difficult to find many in an urban or suburban environment that are located in any zone other than a business-designated zone. There are many vacant business-zoned locations in Portland that need tenants, some of which are located nearby. From the plans the Northgate Plaza developers have submitted to the Portland Planning Committee, it appears that they also have a vacant space in the Plaza. The fact they choose to exclude H & R Block from their redevelopment plan within the Plaza and that they prefer to relocate H & R Block outside of the Plaza to an abutting lot that they also own, and thus far have been unsuccessful in securing a suitable tenant, should not influence the Zoning Board to uphold a decision that would in essence circumvent their own laws.

There is no benefit to the H & R Tax office in question to be located within an R-P zone. Should Block decide to establish retail bricks-and-mortar banking branches in conjunction with their tax offices, install RSM McGladrey or add any other new venture or new service, this particular office would be at a disadvantage as the R-P zone designation would prevent them from this type of business expansion.

Northgate Plaza purchased Lot C-23 from a non-profit institution approximately three years ago. We purchased the adjacent lot B-4 in September 2007. In February of 2008, we were formally

contacted by mail by Ryan Bishop of the Dunham Group as representative on the behalf of an unnamed business developer. They invited us to engage in discussions for the sale of our property. They stated their intention was to purchase our property and the adjoining two lots belonging to our neighbor, Lewis MacDonald. We engaged the services of Barschdorf & Cartmell Associates of Keller Williams Realty to represent us and negotiate on our behalf. The Dunham Group exited the discussions citing that they had been informed that the Portland Planning and Zoning Committees would not consider an application for re-zoning of these properties or a portion of the three properties for commercial use. We were informed by Barschdorf & Cartmell and by Mr. MacDonald who represented himself that the developer was Walgreen Pharmacy. At the time, we did not consider this informal decision by the City of Portland or by a representative(s) of the City to be in any way incorrect, unfair or partial to any other possibly concerned party.

We believe that by allowing the Northgate developers to put H & R Block in an R-P zone, you are not only essentially rezoning Lot C-23 to a business-use zone, but are unintentionally and inadvertently showing partiality to the Northgate Plaza developers and to their client CVS Pharmacy. We believe that you are also opening the floodgates for applications from other non-conforming businesses that may identify with H & R Block, to relocate to and further develop into an R-P zoned property.

By allowing H & R Block to use Lot-23 for their business, we would lose a major portion of the enjoyment of our property, but most importantly, our property will be devalued. It will not make a difference to a prospective buyer or a bank appraiser that the lot next door is technically R-P. H & R Block is not a professional office; it is not similar to a professional office and does not look or operate like a professional office as described in 14-47. The appraised value of our home will drop dramatically and we will be financially devastated. This combined with our current situation of the loss of one income due to a lay off by KeyBank and the lack of employment possibilities locally, could lead us to foreclosure and homelessness.

We respectfully request the Zoning Board of Appeals to consider the facts and information that we have presented and rescind the earlier decision to allow H & R Block to occupy the R-P Residence-Professional Zone.

Sincerely,

Pamela S. Scott
Charles M. Scott
137 Auburn Street
Portland, ME 04103
207-450-6580
781-710-4450

cc: Jean Fraser, Planner, City of Portland
Lewis MacDonald, 135 Auburn St., Portland, ME 04103

April 7, 2009

Attachment 14c.1

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Jean Fraser, Planner

Dear Ms. Fraser:

This letter is in response to Appledore Engineering's changes to the Site Plan Review that was submitted on 3/16/2009 on behalf of A & D, Realty Inc., concerning the Northgate Plaza and more specifically, the adjacent Lot C-23. We have reviewed their changes and have the following concerns in addition to those noted previously in our letter of February 16, 2009:

Parking:

- From the Overall Site Plan it appears that while the parking spaces closest to our property line have been pushed back a few feet away from Auburn Street, the row of parking closest to the proposed H & R Block building remains the same. This parking will be in complete view from our front yard and from looking out our living room windows. The row juts out from the building along the side setback and impacts the overall appearance of the sites from Auburn Street when viewing Lot C-23 and B-4 together.
- While the proposed fence and new landscaping between the edge of the parking area and the property line are to provide increased screening for us, we believe it will not provide sufficient screening owing to the natural slope of the two properties.
- We acknowledge that it is the developer's intention is to make Lot C-23 a conforming lot. There is sufficient space in the Plaza for parking and Sec. 14-334 allows for off-street parking to be located a reasonable distance from the principal building if the premises to be used for parking are held under the same ownership or lease. They have cited their decision to reject this possibility of parking on the adjacent Lot C-1 as safety reasons that "would force pedestrians to cross the main entrance drive to get to the office building". From their Overall Site Plan, it appears that pedestrians coming to the Plaza from the north on Auburn Street will also have to cross the main entrance drive and then cross on to a subsequent access sidewalk to get to the Plaza. We fail to see the difference in respect to safety.
- We would like to suggest that the developer could utilize the side setback adjacent to the Plaza and the rear setback for at least some, if not all, of their parking.

Landscaping:

- The Demolition Plan does not accurately depict all of the trees that currently exist on Lot C-23 and, therefore, the trees to be removed may not all be identified.
- The Demolition Plan does identify what is described as a 32 foot pine along the side setback closest to our property line to be removed. All of the three trees along this side which is adjacent to the front

14C.2

facing Auburn Street, especially the two pines,* are integral to providing a visual and noise barrier from the Plaza entrance drive. This particular tree is very essential.

**We believe they may have incorrectly identified/depicted the location the two pines in respect to size.*

Other:

- The Overall Plan and the Landscape Plan show a proposed concrete sidewalk pad that leads from Auburn Street along the side of the building (facing us) and then along the back of the building. At the corner of the front and side it adjoins a sidewalk that leads from the proposed parking lot to the front door. Because the sidewalk leading from Auburn Street does not directly lead to the front entrance, this will most definitely encourage/embolden pedestrians and bike riders to trespass and use this as a “short-cut” to the Plaza (because the building is vacant pedestrians do this already by walking through the lawn when weather permits). There appears to be no reason (other than choice) why the sidewalk leading from Auburn Street cannot be located directly in front of and leading to their front entrance along Auburn Street, or along the side setback closest to the Plaza and then leading to the front entrance.
- The proposed side elevation plan that faces our property depicts the installation of 1 new set of double windows on their first level, two new sets of double windows on their second level (which is at our first floor level) and an unidentified object that may be a window or a sign on the side of the proposed new pitched roof (at our second floor level). The addition of windows facing us will further destroy our overall privacy and the usability of our deck and hot tub. The spillage of light from these windows during the evening hours (all 7 days a week) will only further exacerbate the situation.
- Appledore’s letter of March 16th states that they no longer plan a dumpster for this lot, but a dumpster for this lot is still depicted on the Details Sheet.
- We have not seen a specific plan for lighting or signage.
- The Overall Plan, along with the Landscape Plan and other descriptions depict the developer’s intention to project the “best face” of this property to the front and side that is adjacent to the Plaza, while placing parking lots, driveways, pedestrian walkways, bicycle racks, outdoor lighting, additional windows, possible signage and limited landscaping on the side and the adjacent front that is closest to our home. The front and side of this property that faces the Plaza, as shown in the plans, depicts lawns and lush plantings of landscape materials.

We continue to believe that the proposal will significantly devalue our property and request that the Planning Board reject A & D Realty’s Site Plan application to redevelop Lot-23, at the very least, until they can show that they are willing to work with us as abutters of the property and submit plans that indicate that they are serious and will comply with the laws and the intentions of the Resident-Professional Zone.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

Attachment 15

Staff Comment

From: Jeff Tarling
To: Jean Fraser
Date: 6/3/2009 1:37:45 PM
Subject: North Gate Plaza

Jean -

I reviewed the latest revision of the North Gate Plaza landscape plan and find the plan acceptable with the following conditions:

- a) Center traffic island trees - the large center island works to achieve both traffic control and stormwater retention. "Ideally" this island would contain two to three trees if compatible to the stormwater plan. This would add some shade to the parking lot.
- b) Fall Brook - the landscape plan shows a couple of new trees in this area, it is unknown what is planned in the way of plantings or seeding for this area that is shown as inside the bollards or on the stream side of the pavement. Options would be to plant additional trees / shrubs or 'conservation mix' seed.

Overall the revised plan looks good and is improved with the larger 'tree-save' area.

Thanks,

Jeff Tarling
City Arborist

COMMITMENT & INTEGRITY
DRIVE RESULTS

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

Attachment 16

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: June 3, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project

Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated May 19, 2009 prepared by Appledore Engineering, Inc.

Comments:

- The applicant prefers the use of curb stops because they feel it provides a friendlier appearance. We would encourage the applicant to use wooden guardrail. The guardrail could be installed with gaps so as to not be an obstruction.

All other comments raised in previous memos have been adequately addressed.

DRG
203939.48
cc: File

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 6/4/2009 3:30:04 PM
Subject: Northgate Shopping Center/CVS

Jean -

The following summarizes the status of prior comments as it relates to the Final plans and supplemental information submitted by Appledore Engineering, Inc.

May 7, 2009 Comments

1. Based on the fact that some parking for the "H&R Block" building will be provided within the main shopping center parking area, the applicant shall revise the plans to provide appropriate sidewalks and crosswalk connections between the building and the parking spaces anticipated or designated for use.

Status: The applicant should upgrade the pedestrian signal equipment at the Auburn Street/Site Drive intersection for movements across the driveway approach to ensure that safe crossings will be provided between the H&R Block Building and the parking spaces designated for use.

1. While my expectation is that little traffic uses pharmacy drive-through facilities, the applicant should provide documentation on the number of vehicles that are expected to use the drive-through on a peak hour basis and back-up data on the maximum queue length estimates noted in their submission.

Status: Per the Planning Board's request the applicant has provided supplemental information that documents traffic activity at similar type pharmacy's in Maine. The data indicated that a maximum queue of four vehicles was observed during the survey period (This queue length would be accommodated without blockage of the crosswalk). The applicant should provide documentation that the survey period occurred during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation justifies the queue estimate noted, I find conditions to be acceptable.

1. A "Do Not Enter" sign shall be installed on the back side of the STOP sign at the terminus of the drive-through.

Status: The plans have been revised and I have no further comment.

1. I continue to review the request to narrow the parking lot aisle nearest Auburn Street. The applicant has requested that discussion take place at the Planning Board workshop. I plan on being in attendance. I have not been convinced that a safe solution can't be implemented.

Status: The plans have been revised and I have no further comment.

1. I have reviewed the crosswalk design at the entrance to the drive-through lane and believe it to be safe. I would note that this is premised on a maximum queue from the drive-through of 5 vehicles and low traffic usage. Following provision of the requested data in Item #2, I will render a final decision.

Status: See Item #2. I would further note that the Planning Board expressed a desire for implementation of design elements along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict. The plans do not address this comment and I would suggest that a condition of approval be drafted that requires the applicant to provide details of measures (e.g. signage, sidewalk material, bollards, etc.) that would address this issue for implementation.

March 31, 2009 Comments.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Status: The applicant has provided a trip generation analysis and I concur that a Traffic Movement Permit is not required.

1. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

Status: The applicant has incorporated significant parking lot layout modifications that reduce pavement area, and therefore I have no further comment.

1. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.

Status: The requested information has been provided and I have no further comment.

1. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.

Status: The site plan has been revised and I have no further comment.

1. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.

Status: The site plan has been revised and I have no further comment.

1. The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.

Status: The plans have been revised and I have no further comment.

1. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Status: Information has been provided and I have no further comment.

If you have any questions, please contact me.
Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>

Attachment 20
Public Comment

From: Julie Cyr <juliejcyr@yahoo.com>
To: <jf@portlandmaine.gov>
Date: 6/3/2009 3:58:53 PM
Subject: 125 Auburn Street

My name is Julie Cyr and I live at 76 Brook Rd, directly behind the current CVS store in the Northgate shopping center. I am writing this email to request that your planned 6 ft tall cedar fencing be extended 60-75 feet toward the Shaws supermarket. This will cover at least to the Shaw's side of the current Key Bank. I am requesting this extension for a few reasons.

*Because you are altering the service area, the dumpster will now be facing my house. Fencing will provide a visual screen and help aid with noise reduction.

*I have a concern that if the drive through is located at or near the current Hollywood video store, there will be a direct visual path into my backyard, as well as increased foot traffic near my home caused by the new pathway and crosswalk, creating a compromise to my privacy that did not exist before the construction. Additional fencing would ensure that there is a visual screen to prevent this.

* Cars driving through the new free standing CVS pharmacy will generate noise, lights and increased activity behind the plaza. The current length of proposed fencing will not ensure complete noise/visual reduction. Additional lengths of fencing would buffer this increase in activity and ensure my privacy, and our neighborhood's quality of life.

While I appreciate the visual screen/noise buffering efforts that you will be making, extending the fence the added length of my property will ensure essential noise control and visual reduction from your new construction. Please contact me at 797-6979, or 347-0676, or at juliejcyr@yahoo.com. Thank you, and I look forward to your help in this matter.

Attachment 21

From: "ThelmaD" <thelmadi@maine.rr.com>
To: <jf@portlandmaine.gov>
Date: 6/4/2009 12:13:45 PM
Subject: Northgate Plaza Redevelopment

Dear Ms. Fraser,

I am the owner of the lot directly behind Hollywood Video. The property description is 375-C-31 376-D-14.

I am concerned about the proposed 'buffer' between the residential properties and the commercial site. I assumed after looking at the site plan that trees would be planted as an additional buffer and screening to the fence... I found out after attending the neighborhood meeting on June 2nd that I had assumed wrong!

An 8 ft fence is not adequate to buffer the noise and pollution from the numerous tractor trailers making deliveries throughout the night and early morning hours. (that includes trash removal by the commercial waste companies)

I'm suggesting that tall evergreens be planted on the residential side of the fence and away from the wetlands. The trees would serve as an additional buffer and provide a natural screen for the fence as seen from the residential side..

My husband and I have lived in this house for 36 years and have enjoyed living in this neighborhood but the peace and quiet we previously enjoyed is not there anymore. I've resorted to leaving the windows closed year round on the back side of the house to keep out the noise and dirt. We don't enjoy our back yard anymore or the view. Even now, given the slope of the land, I have a direct and clear view of the parking lot and everything that goes on there. The trees in the wetlands have died over the years and the shrubs that grow in the spring/summer do nothing to hide or obstruct the ugly view of the parking lot. And there is no longer a buffer for the noise from cars and commercial trucks..

So I am hoping that you will consider planting trees tall enough to sufficiently shield us from the noise, dust, and pollution. The trees would also serve as a natural screen for the back of the fence and improve the visual aspect of the landscaping. This would also greatly improve the quality of our lives for the rest of our 'golden years' !!!!

Respectfully,

Thelma DiPhilippo
Anthony DiPhilippo
96 Brook Road
Portland, ME 04103

Phone# 797-6221

137 Auburn (abutter) in background c/o Boy Scout Bldg to right

Att. 23.1



Staff
Photo

Looking from Auburn St at vegetation between 125 + 137 Auburn



Staff
Photo

Rear service area behind CVS - Fall Brook to left

Att 23.2

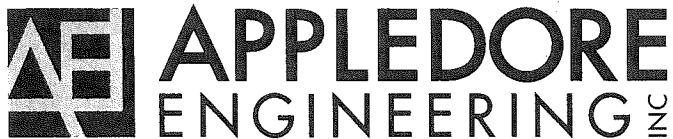
Staff
Photo



Looking from C/O Video Store towards Brook Rd + path.

Staff
Photo





Attachment A.1

177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
www.appledoreeng.com

March 16, 2009

Ms. Jean Fraser
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Fraser:

On behalf of A & D, Realty Inc., Appledore Engineering submitted a Site Plan Review and Conditional Use Application for the above referenced project on January 30, 2009. Based on the feedback and comments we have received from the planning staff and consulting engineers we have revised the original submission and have included additional information for review. Enclosed please find the following information relative to the Site Plan Review/Conditional Use Applications:

- Seven (7) complete packets including:
 - Cover Letter dated March 16, 2009
 - Development Review Application dated January 9, 2009
 - Conditional Use Application dated January 9, 2009
 - Site Plan Checklist
 - Site Plan Written Statement
 - Frank Brancely Capacity to Handle Wastewater Flows (proposed CVS) dated March 13, 2009
 - Frank Brancely Capacity to Handle Wastewater Flows (proposed H&R Block) dated March 13, 2009
 - Ability to Serve with PWD Water Letter dated December 12, 2008
 - Financial Capacity Letter from New England Realty Resources, LLC dated January 23, 2009
 - Copy of Deeds and Descriptions For Lots C-1 and C-23
 - Copy of Easements and Burdens For Lots C-1 and C-23
 - Exhibit 1: Stream Protection Zone dated March 13, 2009
 - Exhibit 2: Existing Impervious Area dated March 13, 2009
 - Exhibit 3: Proposed Impervious Area dated March 13, 2009
 - Exhibit 4: Delivery Truck Access Plan dated March 13, 2009
 - Exhibit 5: Recap of Alternate CVS Plans
 - Trip Generation Letter from Maine Traffic Recourses dated March 12, 2009
 - Typical Keybank ATM

- CVS/Pharmacy Exterior Elevations Plan provided by BKA Architects dated February 19, 2009
 - 125 Auburn Street Proposed Front Elevation provided by DeStefano Architects dated January 30, 2009
 - 125 Auburn Street Proposed Side Elevation provided by DeStefano Architects dated January 30, 2009
 - 24" x 36" Site Plan set dated March 13, 2009 including standard Boundary Survey provided by Doucet Survey dated March 4, 2009
- Three (3) copies of the Drainage Study dated March 13, 2009
 - One (1) 11" x 17" Site Plan set dated March 13, 2009
 - Electronic PDF of the proposed Site Plan will be provided to you via e-mail

As part of this submission, we are requesting the following waivers:

1. A waiver from the requirements of 14-526(c)(2) minimum off-street bicycle parking spaces for non-residential structures for Lot C-1.
 - Based on the parking for the overall shopping plaza a total of forty-two (42) bicycle parking spaces are required. Thirteen (13) bicycle parking spaces would be required for just the proposed CVS (based on the required 65 parking spaces). Twenty-two (22) bicycle parking spaces have been provided within the limit of work.
2. A waiver from the requirements of 14-453(a) minimum building setback from normal high water line of stream: seventy-five (75) feet.
 - As part of the redevelopment of this plaza a portion of the existing building, including 519 sf within the setback, will be removed. In its place a new CVS building is proposed. This building would include 430 sf within the setback. This is the first time this structure has been expanded into the setback.
 - See enclosed Exhibit 1: Stream Protection Zone
3. A waiver from the requirements of 14-453(c) minimum parking setback from normal high water line of stream: seventy-five (75) feet.
 - Currently parking exists within the setback. The proposed redevelopment will reduce the impervious area within the setback, however some parking within this setback will remain. The proposed condition will increase the green space within the seventy-five (75) foot Stream Protection Zone by 6,545 sf.
 - See enclosed Exhibit 1: Stream Protection Zone

The following are responses to the Planning Department Comment Letter dated March 11, 2009, which outlines preliminary review concerns as discussed at the March 4, 2009 meeting and our March 6, 2009 conference call. Planning Board Comments are in *italics* followed by our responses in **bold**:

Comment 1: Please submit a corrected boundary survey and associated easements/restrictions (e.g. copies of recorded documents) to address the disparities in the survey and easement information.

Response 1: The Boundary Survey provided by Doucet Survey dated March 4, 2009 has been included as part of the Site Plan set. We have included the relevant easements and deeds for Lot C-23.

Comment 2: Please submit plans and illustrations to clarify the scale of impact of the existing and proposed buildings, parking areas and snow storage within the 75 foot stream setback (e.g. an updated version of the pre-application submission entitled "Stream Protection Zone Exhibit"), showing new setback distances and addressing the question of volume increases as outlined by the Zoning Administrator at the meeting.

Response 2: Please see Exhibit 1: Stream Protection Zone for all impact information. The plaza currently stockpiles snow around the parking lot prior to trucking it off-site. The client agrees to limit stockpiling of snow adjacent to the stream.

Comment 3: Please clarify the area of the existing plaza, as two figures are referred to in the submission (105,940SF in one place and 109,204SF in another).

Response 3: 105,940 sf is the approximate size of the existing retail building located on Lot C-1, including Hollywood Video through the Shaw's Supermarket. 109,204 sf is the total proposed floor area of all buildings on Lot C-1, including the proposed CVS, the remaining portion of the retail building, the proposed ATM and the existing Credit Union building.

Comment 4: Please illustrate the pervious surface areas on a plan along with impervious surface calculations for all parts of the site, both for the existing and the future lot configurations.

Response 4: Please see Exhibits 2 and 3.

Comment 5: Please provide further information regarding the proposed ATM structure.

Response 5: Information on a typical Keybank ATM has been provided.

Comment 6: I confirm the receipt of photometric plans at the meeting on March 4, 2009 and they are under review.

Comment 7: Issues re the Fall Brook

Comment a: It is noted that parking (13 spaces), travel lanes, new building and snow storage are proposed to be within the 75' stream protection zone and require a waiver from City requirements. The construction of a building and the addition of two drive through lanes could constitute an intensification of the land use within the 75' stream setback. Revisions to reduce this impact are requested.

Response a:

- **The proposed project will reduce parking within the setback from eighteen (18) spaces to twelve (12) spaces.**
- **The proposed project will reduce the width of travel lanes within the seventy-five (75) foot setback.**
- **The proposed building encroachment will be a reduction from the existing encroachment (see Exhibit 1).**
- **The proposed project will reduce impervious area within the seventy-five (75) foot setback by 6,545 sf (see Exhibit 1).**
- **A second drive-thru lane is no longer proposed.**

Comment b: The proposals are adjacent to an urban impaired stream and the City expects any development in this watershed to reduce the amounts of storm water and to increase quality of any storm water entering this Brook. At the meeting staff outlined options for your project to increase infiltration and permeable areas, including the use of islands in the parking area. We encourage you to incorporate the concept (suggested by Tom Errico during the March 6th, 2009 discussion of his comments on the excessive drive aisle widths) of a new linear island (potential vegetated "rain garden") between the current double row of parking spaces parallel to Auburn Street, as this appears to have a number of benefits.

Response b: As part of this redevelopment, a net decrease of 5,618 sf of impervious area is proposed (See Exhibits 2 and 3). This will result in a reduction in stormwater runoff volume and an increase in stormwater quality. The site has been redesigned to incorporate the suggestions of Tom Errico, including the proposed island between the double row of parking stalls parallel to Auburn Street. Two (2) new rain gardens have been proposed within the islands in the parking lot. These rain gardens will provide additional treatment for the stormwater.

Comment c: Please note that the Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP.

Response c: The Downstream Defender is no longer proposed.

Comment d: Please clarify re snow storage arrangements as these should be located away from the Fall Brook.

Response d: Snow storage areas are no longer shown within the seventy-five (75) foot stream buffer. Snow that is not able to be stored on site is currently trucked off site. The plaza owner will instruct the plow trucks not to stockpile adjacent to the stream.

Comment e: The City requires a copy of the MDEP NRPA approvals prior to a final decision on this proposed site plan.

Response e: The applicant agrees to provide the city with documentation of MDEP NRPA approvals prior to final decision.

Comment 8: Issues re 125 Auburn Street (refurbishment of Boy Scout building for II&R Block)

Comment a: I confirm that the proposed use for the Boy Scout building (H&R Block) is considered (in terms of Zoning) to be a professional office use and therefore allowable within the R-P zone.

Comment b: Staff are concerned regarding the impacts of the parking area at the side of the building, which results in the loss of trees; altered topography and drainage; and impact on residential abutter re noise, glare, loss of trees etc (see the letter from the abutter, the Scotts, of 137 Auburn Street, dated February 16, 2009, as forwarded previously).

Response b: The proposed parking on Lot C-23 has been redesigned to provide additional screening and buffer between the edge of the parking lot and the property line. The parking spaces have been reduced to eighteen (18) feet long, providing additional buffer area. The previously proposed dumpster has been removed and the parking has been shifted toward the rear of the site, farther from Auburn Street. A fence and landscaping are proposed between the edge of the parking area and the property line, to provide increased screening for the abutter located at 137 Auburn Street.

Comment c: Staff considers that such impacts are inconsistent with the objectives of the R-P zone, and requests you consider relocation of some of the proposed parking into the plaza parking area; an effective and landscaped (trees) buffer is a minimum requirement.

Response c: It is the intention to make Lot C-23 a conforming lot, which requires thirteen (13) parking spaces per the City of Portland Zoning regulations.

A 1.6

Parking on the adjacent Lot C-1 would force pedestrians to cross the main entrance drive to get to the office building. We have incorporated staff suggestions into the revised design.

Comment d: The parking stall lengths may be reduced to 18 feet in this location if it assists in achieving an improved and satisfactory layout.

Response d: The parking stalls have been reduced to eighteen (18) feet. This is less than what is required in the City of Portland Technical and Design Standards and Guidelines.

Comment e: If this scale of parking remains part of the proposal, please submit information on lighting levels, location of parking in relation to existing buildings and trees on the site and on the abutter's property, and submit plans showing trees to be removed with details of landscaped buffer etc.

Response e:

- o **A Photometric Plan has been submitted to the city for review.**
- o **The location of trees to be removed is included on the Demolition Plan, C-1.**
- o **Information on the proposed landscaping along the buffer is included on the Landscaping Plan, Sheet C-5.**

Comment 9: Traffic, Pedestrian Circulation and Parking

Comment a: Please note the comments of the City's Traffic Engineering Consultant, Tom Errico, which were forwarded to you (also attached) and were the subject of a follow-up "conference call" with Tom Errico on March 6th, 2009.

Comment a1: The applicant shall provide a summary of the traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Response a1: This site was reviewed and approved in 2000 for traffic improvements relative to the Shaw's expansion. Past information, along with the proposed CVS changes have been reviewed. Please see the letter from Maine Traffic Recourses, dated March 12, 2009, for our determination regarding a Traffic Movement Permit.

A1.7

Comment a2: The parking analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

Response a2: Lot C-1 currently has 638 spaces; we have reduced the parking by 37 spaces. The existing tenants have restrictions to parking adjacent to their space and within the center.

Comment a3: It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto Turn" templates that illustrate how trucks will maneuver on and off the project site.

Response a3: See Exhibit 4: Delivery Truck Access Plan

Comment a4: The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.

Response a4: The drive aisle has been reduced to a twenty-four (24) foot width.

Comment a5: The applicant shall provide additional detail and justifications for what appears to be two drive-through lanes and a by-pass lane.

Response a5: One (1) drive-thru and one (1) by-pass are proposed.

Comment a6: The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.

Response a6: A new island is proposed between the two (2) rows of parking stalls. The aisle width in front of the CVS building is now twenty-four (24) feet. We have not reduced the aisle closest to Auburn Street due to safety concerns previously discussed with Tom Errico.

Comment a7: Parking information for the H&R Block does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Response a7: Parking information for the H&R Block is located on the Overall Site Plan, Sheet C-2 and the Site Plan, Sheet C-2A. The proposed H&R Block is located on Tax Map 375, Lot C-23.

A1.8

Comment b: Please note that the recent Walgreen pharmacy approvals (340 Allen Avenue and 606 Forest Avenue) were for single drive thru lanes and we request additional explanation as to why two drive thru lanes are required for the proposed CVS.

Response b: Only one (1) drive-thru lane is proposed.

Comment c: Please provide more information regarding the provision of safe pedestrian circulation, including the link between the front of the Plaza and the existing path from Brook Road.

Response c:

- **Two (2) new pedestrian access sidewalks with associated crosswalks and tip down ramps are proposed from Auburn Street to the front of the shopping plaza on Lot C-1.**
- **A new pedestrian connection is proposed between the shopping plaza on Lot C-1 and the existing Mercy Care building. The proposed connection will include associated tipdown ramps and crosswalks. This new connection will also provide safe passage for pedestrians between Auburn Street and the Medical building.**
- **A new crosswalk to a proposed raised sidewalk has been designed adjacent to the existing building to provide safe passage for pedestrians between the foot path from Brook Road to the front of the shopping plaza. As a result, this will provide a pedestrian walkway from the existing footpath all the way to Auburn Street.**

Comment d: We will clarify regarding the question of the scale of bicycle parking required.

Comment e: Please note that the signal at the access with Auburn Street may be part of this review.

Comment 10: I confirm that the proposals as submitted are acceptable to the Fire Department and that they require a 20 foot wide access to the rear of the retail buildings for fire access.

Comment 11: The landscaping proposals have not yet been formally reviewed, but please revise the Landscape Plan to show all existing trees (and whether they are to be removed), and show proposed trees with a different notation. Dumpster locations (existing and proposed) for all Plaza uses adjoining the rear service area near the proposed CVS should be identified on the plans and may need to be rationalized and screened.

A19


Response 11:

- Existing trees have been shown on the Demolition Plan, Sheet C-1. Trees that are to be removed have been identified.
- The Landscaping Plan, Sheet C-6, includes the existing landscaping that will remain and the proposed landscaping. Symbols for existing landscaping have been changed to further differentiate between the existing and proposed landscaping.
- The overall Site Plan, Sheet C-2, includes the locations of all dumpsters, both existing and proposed. The new dumpster and compactor for CVS will be enclosed and no other dumpsters will be affected as part of this project.

We respectfully request to be put on the agenda for the April 14, 2009 Planning Board Workshop.

Please feel free to call me if you have any questions.

Sincerely,



Bradlee Mezquita, P.E., LEED AP
Vice President

GY/maa
(2042c-006(comment & response letter).doc)

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.



A 2.1

Development Review Application
Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Address of Proposed Development:	Map 375 Lot C-1 91 Auburn Street	Map 375 Lot C-23 125 Auburn Street
Zone:	B-2 / R-P	
Project Name:	Northgate Plaza	

Existing Building Size: 114,170 (total) sq. ft.	Proposed Building Size: 114,404 (total) sq. ft.
Existing Acreage of Site: 598,489 (total) sq. ft.	Proposed Acreage of Site: Same sq. ft.

Proposed Total Disturbed Area of the Site: Approximately 115,434 sq. ft.*

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

Tax Assessor's Chart, Block & Lot: Chart # Block # 375 Lot # C-1; C-23	Property Owners Name/ Mailing address: Lot C-1: A & D Realty, LLC 5 Militia Drive Lexington, MA 02421 Lot C-23: 125 Auburn Street LLC 133 Massachusetts Avenue Lexington, MA 02420	Telephone #: (781) 862-9700 Cell Phone #:
Consultant/Agent Name, Mailing Address, Telephone #, Fax # and Cell Phone # : Bradlee Mezquita Appledore Engineering, Inc 177 Corporate Drive Portsmouth, New Hampshire 03801 (603) 433-8818 (p) (603) 433-8988 (f)	Applicant's Name/ Mailing Address: A & D Realty LLC c/o Frank Normandin Winslow Property Management 5 Militia Drive Lexington, MA 02421	Telephone #: (781) 674-2020 Ext 212 Cell Phone #: (781) 953-8552

Fee for Service Deposit (all applications) (\$200.00)

Proposed Development (check all that apply)

New Building Building Addition Change of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking lot
 Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable
 Site Location of Development (\$3,000.00)
 (except for residential projects which shall be \$200.00 per lot _____)
 Traffic Movement (\$1,000.00) Storm water Quality (\$250.00)
 Section 14-403 Review (\$400.00 + \$25.00 per lot)
 Other - Conditional Use Application (\$100)

~ Please see next page ~

A2.2

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

Billing Address: (name, address and contact information)

A & D Realty, LLC
 c/o Frank Normandin
 Winslow Property Management
 5 Militia Drive
 Lexington, MA 02421

Submittals shall include **seven (7) folded** packets containing of the following materials:

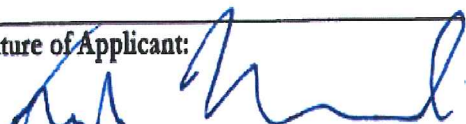
- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

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: xnvw.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.

Signature of Applicant:



January 9, 2009



Conditional Use Application

Department of Planning and Development
Portland Planning Board

A2.3

1. Applicant Information:

A & D Realty, LLC
Name

c/o Frank Normandin, Winslow Property Management
Address

5 Militia Drive, Lexington, MA 02421

(781) 862-9700
Phone

(781) 862-9070
Fax

2. Subject Property:

91 Auburn Street
Address

Portland, ME 04103

Map 375, Lot C-1
Assessor's Reference (Chart-Block-Lot)

3. Property Owner: Applicant Other

Name

Address

Phone

Fax

4. Current Zoning Designation(s):

B-2 Zone

5. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Owner, Deed

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

6. Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

See Existing Conditions Plan.

7. Existing Use:

Describe the existing use of the subject property: Shopping Center

8. Type of Conditional Use Proposed:

Drive thru window at proposed CVS.

9. **Sketch Plan:** On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'.)

10. **Conditional Use Authorized by:** Section 14- 183 (a) 4

11. **Standards - Criteria for Conditional Use Appeal**

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

12. **Application Fee:** A fee for must be submitted by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Workshop and Public Hearing notices as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

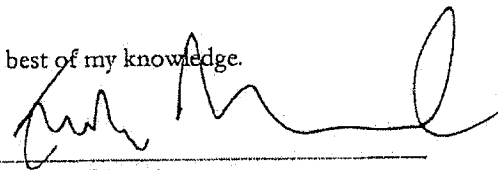
 X Fee for Service Deposit (\$200.00) (included with development review)
(Required for all applications in addition to the applicable application fee listed below)

<u> X </u> Conditional Use	\$100.00
Legal Advertisements	percent of total bill
Notices (workshop and public hearing)	.55 cents each

NOTE: Legal notices placed in the newspaper for the public hearing meeting are required by State Statue and local ordinance. The cost of any and all Newspaper advertisements, legal advertisements and Planning Board notices will be billed directly to the applicant.

13. **Signature:** The above information is true and accurate to the best of my knowledge.

January 9, 2009
Date of Filing


Signature of Applicant

Further Information: Please contact the Planning Division for further information regarding the conditional use process. Applicants are encouraged to make an appointment to discuss their conditional use before filing the application.

Applicants are encouraged to include a letter or narrative to accompany the conditional use application which can provide additional background or contextual information, and describe the proposed conditional use and reasons for the request in a manner that best suits the situation.

Portland Planning Board, Portland, Maine- Effective: July 6, 1998



A2.5

Site Plan Checklist Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Northgate Plaza, 91 & 125 Auburn Street
Project Name, Address of Project

Application Number

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

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
<u> X </u>	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
<u> X </u>	(2)	Name and address of applicant and name of proposed development	a
<u> X </u>	(3)	Scale and north points	b
<u> X </u>	(4)	Boundaries of the site	c
<u> X </u>	(5)	Total land area of site	d
<u> X </u>	(6)	Topography - existing and proposed (2 feet intervals or less)	e
<u> X </u>	(7)	Plans based on the boundary survey including:	2
<u> X </u>	(8)	Existing soil conditions	a
<u> X </u>	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
<u> X </u>	(10)	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
<u> X </u>	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
<u> X </u>	(12)	Location of on-site waste receptacles	e
<u> X </u>	(13)	Public utilities	e
<u> X </u>	(14)	Water and sewer mains	e
<u> X </u>	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
<u> X </u>	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
<u> X </u>	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
<u> X </u>	(18)	Parking areas	g
<u> X </u>	(19)	Loading facilities	g
<u> X </u>	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
<u> X </u>	(21)	Curb and sidewalks	g
<u> X </u>	(22)	Landscape plan showing:	h
<u> X </u>	(23)	Location of existing vegetation and proposed vegetation	h
<u> X </u>	(24)	Type of vegetation	h
<u> X </u>	(25)	Quantity of plantings	h
<u> X </u>	(26)	Size of proposed landscaping	h
<u> X </u>	(27)	Existing areas to be preserved	h
<u> X </u>	(28)	Preservation measures to be employed	h
<u> X </u>	(29)	Details of planting and preservation specifications	h
<u> X </u>	(30)	Location and dimensions of all fencing and screening	i
<u> X </u>	(31)	Location and intensity of outdoor lighting system	j
<u> * </u>	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
<u> X </u>	(33)	Written statements to include:	c
<u> X </u>	(34)	Description of proposed uses to be located on site	cl
<u> N/A </u>	(35)	Quantity and type of residential, if any	cl
<u> X </u>	(36)	Total land area of the site	c2
<u> X </u>	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
<u> X </u>	(38)	General summary of existing and proposed easements or other burdens	c3
<u> X </u>	(39)	Type, quantity and method of handling solid waste disposal	c4
<u> X </u>	(40)	Applicant's evaluation or evidence of availability of off-site public facilities,	c5

*Has been provided to Captain Greg Cass for review.

A2.6

X	(41)	including sewer, water and streets	c6
X	(42)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6
X	(43)	An estimate of the time period required for completion of the development	7
X	(47)	A list of all state and federal regulatory approvals to which the development may be subject to. Include the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8 h8
X	(48)	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.	
X	(49)	Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
Via Email	(50)	A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
Upon Approval	(51)	A jpeg or pdf of the proposed site plan, if available.	
Upon Approval	(51)	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
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious emissions
- a noise study

Other comments:

**Northgate Plaza
Auburn Street**

Site Plan Written Statement

1. Project Description/Proposed Use

The proposed projects involve the redevelopment of the Northgate Shopping Center (Lot C-1) and adjacent Lot C-23. The two (2) projects are located on Auburn Street in Portland, Maine. The shopping center's property (Lot C-1) is approximately 13.20 acres located in the Community Business District (B-2). The adjacent Lot C-23 is approximately 0.54 acres located in the Residential Professional District (R-P). The overall project site (includes both lots) is bound by Auburn Street to the south, Allen Avenue to the east, the Mercy Care property to the northwest and Fall Brook with jurisdictional wetlands to the north (see Figure 1 – Site Location Map). The existing developed plaza consists of approximately 105,940 sf of retail and restaurant area. The property also supports a 3,030 sf Town and Country Credit Union, as well as parking (by easement) for Mercy Care. The adjacent property includes a 5,200 sf building to be redeveloped.

The proposed redevelopment within Lot C-1 will include the demolition of approximately 12,715 sf of the existing shopping center at the northern end of the plaza. The existing portion of the building that will be demolished includes a bakery, office and retail spaces. The project will also include the construction of a new 12,900 sf stand-alone CVS building within the limits of the existing pavement. The new CVS building will have a drive-thru facility covered by a building overhang that will connect to the existing building. The purpose of the overhang is to visually connect the CVS building with the adjacent shopping plaza by providing a continuous roofline through the entire plaza. Parking, landscaping and utility improvements are also proposed throughout the existing center (see Sheet C-3 Overall Site Plan). Approximately 2.81 acres of the previously developed site will be disturbed.

Lot C-23 houses the former Boy Scouts of America building and is currently vacant. No parking for this facility exists on the lot. The redevelopment of this lot includes facade improvements and the construction of a thirteen (13) space parking lot with associated drive aisle to meet the requirements for an office building of this size.

The proposed location of the CVS building has come about after much analysis and numerous discussions with staff members from the City of Portland. We have worked with city staff to analyze several different layouts for this center. At the request of planning staff we looked at moving the proposed CVS building closer to the front of the site. It was initially thought this would better meet the intentions of the zoning regulations and bring the proposed building out of the Stream Protection Zone. Jim Carmody from the Public Works Department and Tom Errico, a traffic review consultant for the city have also had the opportunity to look at the conceptual layouts and felt that from a traffic standpoint these options were not practical (see Exhibit 5).

2. Project Area

Total land area of the site:

Tax Map 375 Lot C-1: ±13.20 acres

Tax Map 375 Lot C-23: ±0.54 acres

Total Floor Area:

Tax Map 375 Lot C-1: ± 109,204 sf

Tax Map 375 Lot C-23: ±5,200 acres

Total Disturbed Area:

± 2.65 acres (includes both lots)

Total Ground Coverage of proposed Building:

The proposed CVS will be ±12,900 sf

3. Existing or Proposed Easements or Other Burdens

There are a number of easements and restrictions on the property including three (3) sewer easements; a drainage easement; a number of electrical easements; a 25-foot ROW; a common area agreement; a grading, access, landscaping and drainage easement; an access, utility and parking easement and a notice of layout and taking by the MEDOT. See the boundary survey for locations and information regarding these easements and restrictions.

4. Solid Waste

At present the facility is under contract with Trojano Waste Services to haul away all solid waste. This contract covers any additional solid waste generated as a result of the new construction on both lots. Currently there are a number of dumpsters and one (1) compactor serving the shopping plaza. There is no waste receptacle existing on the former Boy Scout lot. One (1) enclosed dumpster and one (1) vertical compactor are proposed for the new CVS. Lot C-23 will include internal trash and recycling receptacles, these will be sufficient to service the proposed H&R Block.

5. Availability of Off-Site Facilities

Water, sewer, gas, electric and telephone are available to the existing plaza. These utilities will continue to be available to all existing and proposed buildings on site.

See enclosed Ability to Serve letter from the Portland Water District and Capacity to Handle Wastewater Flows from Frank Brancely.

6. Surface Drainage and Stormwater Management

The site drains from the south along Auburn Street towards Fall Brook and the jurisdictional wetlands located at the rear of the existing parking lot. Fall Brook has been designated as an Urban Impaired Stream by the Maine Department of Environmental Protection. As part of the redevelopment of this site we have reduced the existing impervious area by a net total of 5,618 sf, which will in turn reduce the contributing stormwater runoff and potential for pollutants entering Fall Brook. In addition we are proposing an upgrade of the existing closed drainage system, including catchbasins with sumps and grease hoods as well as two (2) rain gardens to provide treatment to the stormwater prior to discharging to the brook.

Based on the Flood Insurance Rate Map for this area, the portion of Fall Brook directly down stream of the site appears to have flooding concerns and is designated within the 100-year flood zone. The reduction on impervious area on this site will help to reduce the contributing volume of runoff entering Fall Brook and help to minimize flooding down stream.

The proposed redevelopment has been designed based on the regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction to the maximum extent practical. A full analysis of the existing and proposed stormwater conditions can be found in the Drainage Study Dated March 13, 2009.

7. Construction Plan

The following outlines the proposed construction sequencing for this project:

- A. Cut and clear trees.
- B. Construct temporary and permanent sediment, erosion and detention control facilities. Erosion, sediment and detention measures shall be installed prior to any earth moving operations that will influence stormwater runoff such as:
 - new construction
 - stream channel modifications
 - control of dust
 - construction of access road
 - nearness of construction site to receiving waters
 - construction during late winter and early spring
- C. All permanent ditches, swales, detention, retention and sedimentation basins to be stabilized using the vegetative and non-structural BMPs prior to directing runoff to them.
- D. Clear and dispose of debris.
- E. Construct temporary culverts and diversion channels as required.
- F. Grade parking areas – all parking areas shall be paved immediately after their construction.
- G. Begin permanent and temporary seeding and mulching. All cut and fill slopes shall be seeded and mulched immediately after their construction.
- H. Daily, or as required, construct temporary berms, drains, ditches, silt fences, sediment traps, etc.; mulch and seed as required.
- I. Finish paving all roadways and parking lots.
- J. Inspect and maintain all erosion and sediment control measures.
- K. Complete permanent seeding and landscaping.
- L. First remove trapped sediments from collector devices as appropriate and then remove temporary erosion control measures.

Construction is estimated to begin in June 2009 and be completed by November 2009.

8. State and Federal Agency Approvals

This project will be subject to the Maine Department of Environmental Protection Stormwater Permit By Rule. We will file for this permit prior to the Planning Board Workshop.

9. Evidence of Financial and Technical Capacity

See enclosed letter from New England Realty Resources, LLC regarding financial capacity.

Appledore Engineering, Inc (AEI) has the technical capacity to assist A&D Realty, LLC to undertake the design and permitting for this redevelopment. Appledore has worked successfully throughout Maine and specifically in Portland on several large scale projects. Appledore has eight (8) licensed Professional Civil Engineers on our staff and has been in business since 1987.

A3.4

10. Title, Right or Interest

See attached deeds and descriptions.

11. Unusual Natural Areas

There are no unusual natural areas, wildlife or fisheries habitats or archaeological sites located on or near the project site.

13 March 2009

Ms. Gretchen Young,
Appledore Engineering, Incorporated,
177 Corporate Drive,
Portsmouth, New Hampshire 03801

RE: The Capacity to Handle Wastewater Flows, from the Proposed CVS Stand Alone Pharmacy, at 91 Auburn Street.

Dear Ms. Young:

The existing forty-two inch diameter reinforced concrete cross country sewer pipe, known as the Fall Brook Sewer, located to the rear of the proposed pharmacy, has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat**, the total decreased wastewater flows of **(4,496) GPD**, from the proposed pharmacy building.

Anticipated Wastewater Flows from the Proposed CVS/Pharmacy Building:

10 Proposed Employees @ 15 GPD/Employee	=	150 GPD
65 Proposed Parking Spaces @ 1 GPD/Space	=	65 GPD
Less Flows, From Hollywood Video (Scheduled for demolition)	=	(568) GPD
Less Flows, From H & R Block (Scheduled for demolition)	=	(30) GPD
Less Flows, From Baker's Ice Cream (Scheduled for demolition)	=	(4,113) GPD
Total Proposed Net Decrease in Wastewater Flows for this Project	=	(4,496) GPD

If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

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

FJB

cc: Alexander Q. Jaegerman, Director, Planning Division, Department of Planning, and Urban Development, City of Portland
Jean Fraser, Planner, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
John Emerson, Waste Water Coordinator, City of Portland
Harold L. Downs, Senior Wastewater Technician, City of Portland
Jane Ward, Administrative Assistant, City of Portland

A4.2

13 March 2009

Ms. Gretchen Young,
Appledore Engineering, Incorporated,
177 Corporate Drive,
Portsmouth, New Hampshire 03801

RE: The Capacity to Handle Wastewater Flows, from the Proposed H & R Block Stand Alone Building, at 125 Auburn Street.

Dear Ms. Young:

The existing forty-two inch diameter reinforced concrete cross country sewer pipe, known as the Fall Brook Sewer, located to the rear of the proposed H & R Block building, has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat**, the total decreased wastewater flows of **(36) GPD**, from the proposed building.

Anticipated Wastewater Flows from the Proposed H & R Block Building:

20 Proposed Employees @ 15 GPD/Employee	=	300 GPD
13 Proposed Parking Spaces @ 1 GPD/Space	=	13 GPD
Less Flows, From Previous Tenant (Boy Scouts of America)	=	<u>(349) GPD</u>
Total Proposed Net Decrease in Wastewater Flows for this Project	=	(36) GPD

If the City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

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

FJB

cc: Alexander Q. Jaegerman, Director, Planning Division, Department of Planning, and Urban Development, City of Portland
Jean Fraser, Planner, Department of Planning, and Urban Development, City of Portland
David Margolis-Pineo, Deputy City Engineer, City of Portland
Michael Farmer, P.E., Project Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
John Emerson, Waste Water Coordinator, City of Portland
Harold L. Downs, Senior Wastewater Technician, City of Portland
Jane Ward, Administrative Assistant, City of Portland



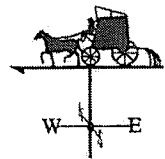
225 DOUGLASS STREET
P.O. BOX 3553
PORTLAND, ME 04104-3553
P: 207.774.5961
F: 207.761.8307
WWW.PWD.ORG

A4.3
RECEIVED
DEC 17 2008

20 20422

BY:-----

PORTLAND
WATER DISTRICT



December 12, 2008

Appledore Engineering
177 Corporate Drive
Portsmouth, NH 03801

Attn: Gretchen Young, P.E.
Re: 91 Auburn Street, Portland – Northgate Plaza CVS
Ability to serve with PWD water

Dear Ms. Young:

This letter is to confirm that there should be an adequate supply of clean and healthful water to serve the needs of the proposed CVS store at 91 Auburn Street in Portland. According to District records, there is a 12-inch cast iron water main on the east side of Auburn Street as well as two hydrants located adjacent to the site.

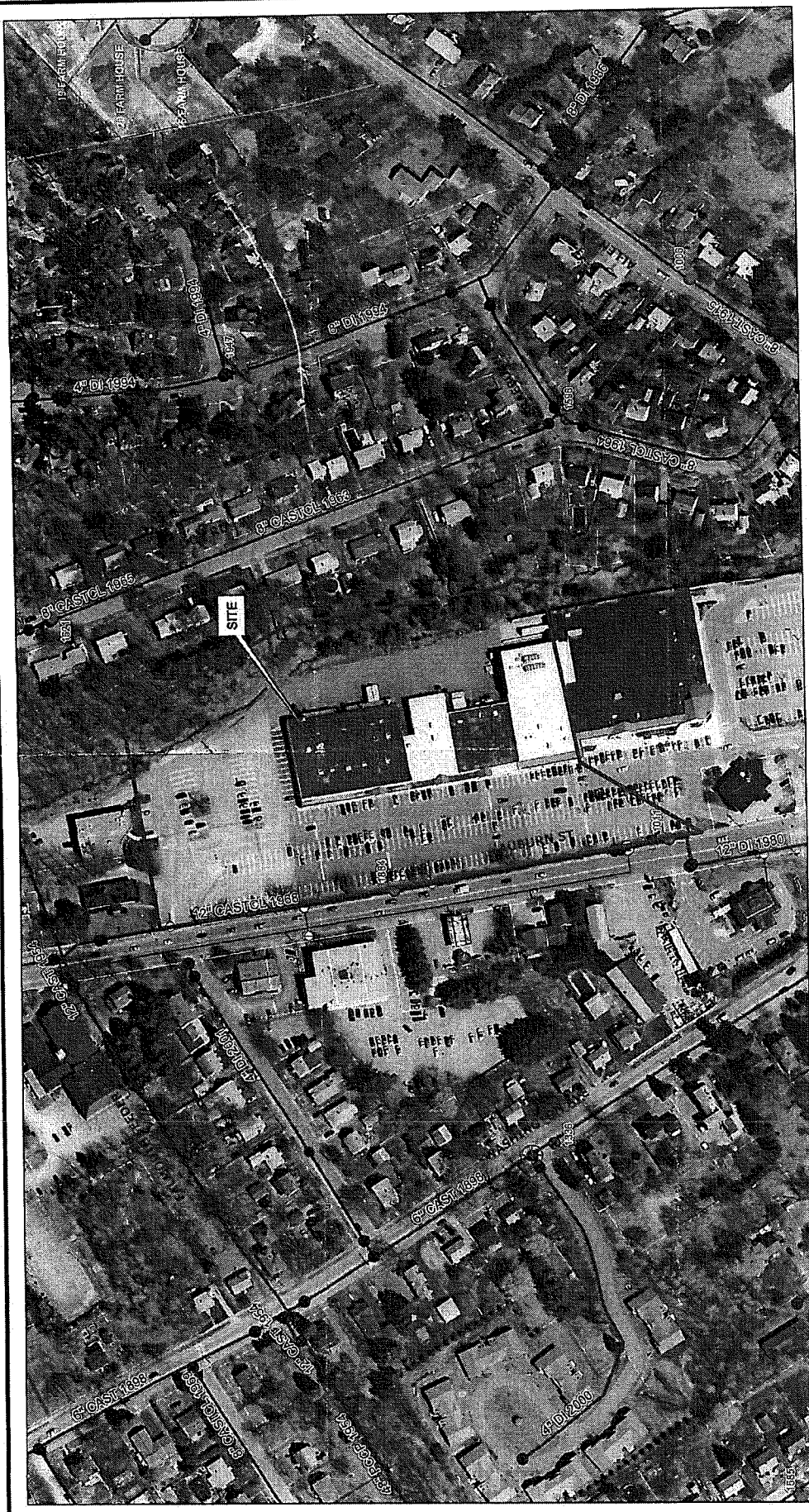
The current data from the nearest hydrant with valid flow test data indicates there should be adequate capacity of water to serve the needs of your proposed project, as stated in your e-mail, dated December 2, 2008.

Hydrant Location: Auburn Street, 200' north of Washington Avenue
Hydrant Number: POD-HYD01011
Static Pressure: 72 psi Residual Pressure: 71 psi
Flow: 963 gpm
Last Tested: 9/8/2003

Please notify your mechanical engineer of these results so that they can design your system to best fit the noted conditions. Please consult with the Portland Fire Department to determine if the fire service capacity is sufficient for your needs. Also, please note that we will require a calculation of the peak water demand in gallons per minute or a fixture count tabulation at the time of the service application. With regard to plan review, PWD is in the process of reviewing your site plan and will be sending comments to your attention. 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
rspugnardi@pwd.org



0 75 150 300 450 600 Feet
1 inch equals 150 feet

Legend

- River Off
- By Pass
- Distribution
- End of Main
- Fire Service
- Hydrant Control
- Service
- Transmission
- Air Valve
- Bulk Change
- Manual Change
- Reducer
- Valve
- Tee
- Hydrant

North Arrow

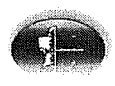
Disclaimer: This map is suitable for preliminary study and analysis and is based on the information provided. PWD is not liable for any errors or omissions resulting from the use of this data or from errors made in the location and marking of its infrastructure.

Prepared For: Appleton Engineering
Date: December 12, 2008

Drawn By: A. Noval
Scale: As Noted

91 Auburn Street
Portland

PORTLAND WATER DISTRICT
225 Douglass Street
Portland, ME 04104





**NEW ENGLAND REALTY
RESOURCES, LLC**
A Q10 CAPITAL LLC PARTNER

Attachment A5

January 23, 2009

Mr. Frank Normandin
Winslow Property Management, Inc
5 Militia Drive
Lexington, MA 02421

RE: Proposed 12,900 square foot CVS building, 91 Auburn Street, Portland, ME

Dear Frank:

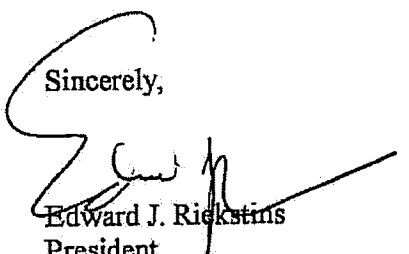
I am writing to follow up on your request to secure financing for your CVS project at the Northgate Shopping Center, 91 Auburn Street, Portland, ME.

As servicing agent for the current lender, ING Insurance Company, we would look forward to and anticipate looking favorably upon your formal loan request application. Based upon the current mortgage amount and the creditworthiness of your proposed Tenant, we feel confident financing could be obtained.

This letter cannot be considered a loan commitment of any kind and only an expression of interest based upon the plans and lease submitted.

We look forward to working with you on this project.

Sincerely,



Edward J. Rickstins
President

Q10 New England Realty Resources, LLC



Attachment A 6.1

**WARRANTY DEED – Short Deeds Act
33 M.R.S.A. S Section 761 et seq.**

KNOW ALL MEN BY THESE PRESENTS that **Shaw's Realty Co.**, a Maine corporation with an address c/o Shaw's Supermarkets, Inc., 750 West Center Street, West Bridgewater, Massachusetts 02379, for consideration of Nine Million Four Hundred Thousand and 00/100 Dollars (\$9,400,000.000) paid grants to **A&D Realty, LLC**, a Maine limited liability company whose address is 1739 Massachusetts Avenue
Lexington, MA
02421, with **warranty covenants**, that certain lot or parcel of land located in the City of Portland, in the County of Cumberland and State of Maine, as more fully described on Exhibit A attached hereto and incorporated herein by reference.

IN WITNESS WHEREOF, the said Shaw's Realty Co. has signed this instrument on this 7th day of October, 2002.

SHAW'S REALTY CO.

By: _____

Name: SCOTT W. RAMSAY

Title: VICE PRESIDENT

COMMONWEALTH OF MASSACHUSETTS

County of Plymouth, ss.

October 7th, 2002

Then personally appeared the above-named SCOTT W. RAMSAY the VICE PRESIDENT of Shaw's Realty Co., and acknowledged the foregoing instrument to be his/her free act in said capacity and the free act and deed of Shaw's Realty Co., before me,

Notary Public/Attorney at Law

Jonathan W. Harlow, Jr.
Notary Public

My Commission Expires Feb. 21, 2008

A6.2

EXHIBIT A
LEGAL DESCRIPTION
Northgate Shopping Center
Portland, Maine

Certain lots or parcels of land, with the any improvements thereon, situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Parcel One (Tax map 375-C-1)

1. A certain lot or parcel of land situated in said Portland and bounded and described as follows:

Beginning on the northwesterly side of Allen Avenue at the Easterly corner of land conveyed by Mary S. Burnham to Cornerstone Masonic Corporation by deed, dated November 25, 1947 and recorded in Cumberland County Registry of Deeds in Book 1897, Page 54; thence running Northeasterly by Allen Avenue to the thread of Fall Brook, so called, and land of George P. Merrill; thence running Northerly by the thread of said Brook and by land of said Merrill, land now or formerly of Deering Village Corporation and land now or formerly of Addie M. Lane to the Southeasterly corner of land conveyed by said Burnham to Addie M. Lane by deed, dated November 16, 1942 and recorded in said Registry of Deeds in Book 1700, Page 227; thence Westerly by said Lane land three hundred sixty-two and five tenths (362.5) feet, more or less, to Auburn Street; thence Southerly by Auburn Street to the Northwesterly corner of land conveyed by said Burnham to Claire W. Vintinner, et al by deed, dated May 24, 1950 and recorded in said Registry of Deeds in Book 2001, Page 100; thence Easterly by said Vintinner land one hundred (100) feet; thence Southerly by said Vintinner land and land conveyed by said Burnham to Margaret L. Profenno, et al by deed, dated May 24, 1950 and recorded in said Registry of Deeds in Book 2001, Page 101, two hundred five (205) feet; thence Westerly by said Profenno land one hundred (100) feet to Auburn Street; Thence Southerly by Auburn Street one hundred (100) feet to the Northwesterly corner of land conveyed by said Burnham to Leroy W. Beal by deed, dated March 22, 1950 and recorded in said Registry of Deeds in Book 1990, Page 313; thence Easterly said Beal land one hundred (100) feet; thence Southerly by said Beal land, by land conveyed by said Burnham to said Beal by deed, dated October 26, 1949 and recorded in said Registry of Deeds in Book 1976, Page 447 and to Frederick D. Call, et al, by deed, dated September 5, 1950 and recorded in said Registry of Deeds in Book 2014, Page 226, two hundred seven and seventy-eight hundredths (207.78) feet; thence Westerly by said Call land seven and sixty-five hundredths (7.65) feet to land conveyed by said Burnham to Nellie S. Cohen by deed, dated June 15, 1940 and recorded in said Registry of Deeds in Book 1609, Page 124; thence Southerly by said Cohen land and by land conveyed by said Burnham to Community Oil Company, Inc. by deed, dated March 23, 1939 and recorded in said Registry of Deeds in Book 1573, Page 162, two hundred eighty-seven and forty-one hundredths (287.41) feet to the westerly corner of said Cornerstone Masonic Corporation land; thence Northeasterly by said Corporation's land one hundred fifty (150) feet; thence Southeasterly by said Corporation's land two hundred forty-seven and five tenths (247.5) feet to the point of beginning.

2. Intentionally omitted.

3. A certain lot or parcel of land situated on the Easterly side of Auburn Street in said Portland, bounded and described as follows:

Beginning at a stake on said Easterly side of Auburn Street at a point distant one hundred (100) feet Northerly from the Northwestern corner of a lot of land conveyed by Mary E. Burnham to Leroy W. Beal by deed, dated March 22, 1950 and recorded in said Registry of Deeds in Book 1990, Page 313; thence Easterly parallel with the Northerly line of the lot conveyed to said Beal one hundred (100) feet to an iron set in the ground; thence Northerly parallel with said Easterly side line of Auburn Street seventy (70) feet to a stake; thence Westerly parallel with the first course one hundred (100) feet to said side line of Auburn Street and a stake set in the ground; thence Southerly by said side line of Auburn Street seventy (70) feet to the point of beginning.

4. A certain lot or parcel of land situated on the Easterly side of Auburn Street in said Portland, bounded and described as follows:

Beginning at a stake on said Easterly side of Auburn Street at the Northwestern corner of lot of land conveyed by Mary E. Burnham to Margaret L. Profenno and Anthony J. Profenno by deed duly recorded in the Cumberland County Registry of Deeds; thence Easterly by the Northerly line of said Profenno lot one hundred (100) feet to the Northeastly corner thereof and a stake set in the ground; thence Northerly, parallel with the Easterly side line of Auburn Street, one hundred thirty-five (135) feet to an iron set in the ground; thence Westerly parallel with the first course one hundred (100) feet to said side line of Auburn Street and a stake set in the ground; thence Southerly by said side line of Auburn Street one hundred thirty-five (135) feet to the point of beginning.

Also, a certain lot or parcel of land situated in Portland, County of Cumberland and State of Maine, northerly of Allen Avenue, bounded and described as follows:

Beginning at an iron pipe at the northeasterly corner of land conveyed by Lyneous J. Smith to Deering Village Corporation by deed dated April 24, 1941, recorded in the Cumberland County Registry of Deeds Book 1631, Page 305; thence running N 3°15' W eight hundred sixty eight and one-tenths (868.1) feet to a stone wall; thence by said stone wall westerly six hundred forty (640) feet more or less to a brook; thence southerly by said brook eight hundred sixty five (865) feet more or less to the northwesterly corner of said Deering Village Corporation land; thence easterly by said Deering Village Corporation land six hundred (600) feet to the point of beginning. Being the same premises conveyed to me by Addie M. Lane by deed dated October 3, 1942, recorded in said Registry of Deeds Book 1693, Page 261.

Also a certain lot or parcel of land situated in said Portland on the easterly side of Auburn Street bounded and described as follows:

Commencing at the southwesterly corner of land now formerly of Willey; thence southerly by said easterly side line of Auburn Street two hundred twenty six (226) feet to a stake; thence easterly on a line at right angles to a line on said Auburn Street three hundred sixty two and five-tenths (362.5) feet to the center of Fall Brook; thence northerly by the center of Fall Brook two hundred seventy five (275) feet more or less to said Willey Land and a stone wall; thence westerly by a stone wall and fence marking the southerly line of said Willey land three hundred fifty (350) feet more or less to said Auburn Street and point of beginning. Being the same premises conveyed to me by said Addie M. Lane by deed dated September 23, 1943 and recorded in said Registry of Deeds Book 1728, Page 90.

EXCEPTING from Parcel One such portions thereof as were conveyed by virtue of the following deeds from Shaw's Realty Co.:

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1. To Pine Tree Council, Inc., dated March 18, 1959 and recorded in the Cumberland County Registry of Deeds in Book 2462, Page 8;
2. To E. Woodard Payne, dated January 2, 1963 and recorded in the Cumberland County Registry of Deeds in Book 2728, Page 115;
3. To E. Woodard Payne, dated January 29, 1964 and recorded in the Cumberland County Registry of Deeds in Book 2835, Page 499;
4. To E. Woodard Payne, dated Mary 8, 1964 and recorded in the Cumberland County Registry of Deeds in Book 2920, Page 203 and rerecorded in Book 2929, Page 559;
5. To Pine Tree Council, Inc., dated November 1, 1968 and recorded in the Cumberland County Registry of Deeds in Book 3067, Page 292;
6. Stratos G. Demakis and Sharon A. Demakis, dated October 21, 1971 and recorded in the Cumberland County Registry of Deeds in Book 3197, Page 584;
7. To Carmine W. DiFilippo and Gertrude DiFilippo, dated October 7, 1971 and recorded in the Cumberland County Registry of Deeds in Book 3200, Page 110;
8. Ro Richard S. Harris, Jr. and Arnold Y. Brynes, dated June 18, 1984 and recorded in the Cumberland County Registry of Deeds in Book 6481, Page 207;
9. To Fall Brook Realty Co., dated July 14, 1986 and recorded in the Cumberland County Registry of Deeds in Book 7270, Page 165.

Parcel Two (Tax Map 375 - C - 15)

Lot 1

A certain lot or parcel of land with the buildings thereon situated on the northwesterly side of Allen Avenue and the easterly side of Auburn Street in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the northwesterly side of Allen Avenue at the easterly corner of land conveyed by Shaw's Realty Co. to the City of Portland by deed dated February 17, 1966, recorded in the Cumberland County Registry of Deeds, Book 2946, Page 450, said corner being distant five hundred twenty-eight and fifty-six hundredths (528.56) feet on a bearing of N 53° 29' 30" E from the intersection of the northwesterly side line of said Allen Avenue and the easterly side line of Washington Avenue; thence N 53° 29' 30" E by the northwesterly side of said Allen Avenue sixty-three and twenty-one hundredths (63.21) feet to the southerly corner of land now or formerly of Georgia P. Merrill; thence N 36° 30' 30" W by said Georgia P. Merrill land one hundred twelve and eighty-nine hundredths (112.89) feet to an iron pipe; thence N 53° 29' 30" E by said Georgia P. Merrill land ninety and sixty-eight hundredths (90.68) feet to an iron pipe on the southwesterly boundary of Lot 3 as shown on Plan of Deering Village made by Nisbet and Griffin Inc. for Deering Village Corp. dated February, 1941, and recorded in said Registry of Deeds in Plan Book 27, Page 12; thence N 36° 30' 30" W by said Deering Village one hundred thirty-seven and eleven hundredths (137.11) feet, more or less, to the former location of Fall Brook; thence northerly by the westerly boundary of said Deering Village, said boundary being the former meander course of said Fall Brook three hundred eighty-one (381) feet, more or less, to a point; thence N 83° 00' W by other land of Shaw's Realty Co. one hundred eighty-nine (189) feet to the southeasterly corner of the building now occupied by Wellwood Co.; thence continuing N 83° 00' W by said land of Shaw's Realty Co. and along the south face of said building now occupied by Wellwood Co. one hundred and five hundredths (100.05) feet to the southwesterly corner of said building; thence S 52° 39' 30" W by said land of Shaw's Realty Co. seventeen and thirty-four hundredths (17.34) feet to a drill hole in a corner

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of a granite sidewalk curb; thence S 47° 54' 30" W by said land of Shaw's Realty Co. two hundred twenty-three and thirty-eight hundredths (223.38) feet to an iron pipe on the easterly side of Auburn Street, said iron pipe being in the center of an existing paved entrance drive from Auburn Street, thence S 6° 29' 30" W by said Auburn Street thirty-four and forty-seven hundredths (34.47) feet to the northwesterly corner of land now or formerly of Dy Dee Service, Inc.; thence S 83° 38' 30" E by said Dy Dee Service, Inc. land one hundred and no hundredths (100.00) feet to a point; thence S 6° 29' 30" W by said Dy Dee Service, Inc. land one hundred and no hundredths (100.00) feet to a point; thence N 83° 38' 30" W along said Dy Dee Service, Inc. land one hundred and no hundredths (100.00) feet to said Auburn Street; thence S 6° 29' 30" W by said Auburn Street twenty-one and twelve hundredths (21.12) feet to an angle point; thence S 7° 00' W by said Auburn Street eighty-one and fifty-nine hundredths (81.59) feet to the northwesterly corner of land formerly of Nellie S. Cohen; thence S 83° 00' E by said Nellie S. Cohen land ninety-two and thirty-five hundredths (92.35) feet to an iron pipe; thence S 7° 00' W by said Nellie S. Cohen land and land now or formerly of Community Oil Company, Inc. two hundred eighty-seven and forty-one hundredths (287.41) feet to the northwesterly corner of the premises conveyed by Shaw's Realty Co. to the Portland Associates, Inc. by deed dated May 26, 1959, recorded in said Registry of Deeds in Book 2474, Page 164, thence N 73° 28' 30" E by said Portland Associates, Inc. land two hundred eleven and forty-six hundredths (211.46) feet to the northwest corner of said City of Portland land; thence N 53° 29' 30" E by said City of Portland land one hundred thirty and six hundredths (130.06) feet to an iron pipe; thence S 30° 30' 30" E along said City of Portland land one hundred sixty-one and twenty-one hundredths (161.21) feet to Allen Avenue and the point of beginning;

Lot 2

A certain lot or parcel of land, with any buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, on the Easterly side of the new Gray Road, so-called, leading from Allen's Corner, also known as North Deering to Gray, now known as Auburn Street, and bounded and described as follows:

Commencing at a point on said Easterly side of Auburn Street, at the Northwesterly corner of land conveyed to Community Oil Company, Inc., by deed dated March 23, 1939 and recorded in the Cumberland County Registry of Deeds in Book 1573, Page 162; thence Northerly by said Easterly side of Auburn Street one hundred and forty (140) feet to a point; thence Easterly at right angles to said last course ninety-two and thirty-five hundredths (92.35) feet to a point; thence Southerly at right angles to the last course and parallel with the Easterly side line of Auburn Street one hundred and forty (140) feet to the Northeasterly corner of said land conveyed to said Community Oil Company, Inc.; thence Westerly by said Community Oil Company, Inc. land, ninety-two and thirty-five hundredths (92.35) feet to the point of beginning.

EXCEPTING from Parcel Two such portion thereof as was conveyed to Maine Savings Bank by deed dated April 25, 1979 and recorded in the Cumberland County Registry of Deeds in Book 4205, page 261.

Parcel Three (Tax Map 375 - C - 17)

A certain lot or parcel of land, together with all buildings and improvements located on it, on the west side of Auburn Street in the City of Portland, Cumberland County, Maine, further described as follows:

Beginning on the east side of Auburn Avenue near its intersection with Washington Avenue, at the northwest corner of land now or formerly of Mobil Oil Corp. 2.06 feet from a 5/8" rebar with cap E.C. Jordan S 09", 2" underground:

Thence north, along Auburn Avenue, by a curve having a radius of 623 feet, 91.51 feet;

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Thence along Auburn Avenue, North $09^{\circ} 21' 46''$ West, 126.62 feet land formerly of Merrill Carlton 1.73 feet from a 1" iron pipe, 6" under pavement, bent loc. Base;

Thence N $89^{\circ} 38' 14''$ E, along the land formerly of Carlton, 81.26 feet to a nail in pavement under 1" coat of pavement;

Thence S $09^{\circ} 21' 46''$ E along the land formerly of Carlton, 147.15 feet to a 5/8" rebar with damaged cap in pavement at the land now or formerly of Mobil Oil Corp.;

Thence S $37^{\circ} 11' 03''$ W, along the land now or formerly of Mobil Oil Corporation, 102.70 feet to the point of beginning.

SAID PARCELS ONE, TWO AND THREE MAY ALSO COLLECTIVELY BE DESCRIBED AS FOLLOWS:

Beginning at a PK nail on the Easterly sideline of Auburn Street, in the City of Portland, County of Cumberland, and State of Maine, said point being at the Southwest corner of land now or formerly of the Pine Tree Council Inc., Boy Scouts of America;

thence running perpendicular to the aforementioned Auburn street, along the lines of said Pine Tree Council, and land now or formerly belonging to Owen B. Pinkus, and passing over a 5/8" rebar found flush with the ground, North $80^{\circ} 36' 52''$ East, a distance of 338.47' to a point in the southwesterly property line of land now or formerly belonging to Rose D. Loscarso;

thence along the land of said Loscarso, and continuing along the lands now or formerly of Thelma Diphilippo, Caron, and Abildgaard, South $30^{\circ} 21' 33''$ East, a distance of 317.00' to a point in the land of said Abildgaard;

thence continuing along the land of said Abildgaard, and continuing along the lands now or formerly of Cyr, Drummet, and O'Donnell, South $09^{\circ} 28' 33''$ East, a distance of 368.97' to a point in the property line of said O'Donnell and Drisco;

thence along the land of said Drisco South $69^{\circ} 21' 27''$ West, a distance of 10.49' to a point in a stream;

thence along the centerline of said stream to a point in the land now or formerly of Gauvin, as shown on the hereinafter referenced plan;

thence South $52^{\circ} 46' 54''$ East along the land of said Gauvin and passing over a 1" diameter pipe, and continuing along the land now or formerly of Nelson, a distance of 149.64' to another 1" diameter iron pipe at the corner of said Nelson and land now or formerly of North Gate Plaza Associates, L.L.C.;

thence along the land of said North Gate Plaza Associates, L.L.C., South $37^{\circ} 08' 35''$ West, a distance of 90.18' to a 1" diameter galvanized pipe;

thence, along the land of said North Gate Plaza Associates, L.L.C. South $52^{\circ} 43' 42''$ East, a distance of 112.81' to a in the westerly sideline of Allen Avenue;

thence continuing along the westerly sideline of said Allen Avenue South $37^{\circ} 08' 27''$ West, a distance of 63.14' to a 1" diameter iron pipe in the corner of land now or formerly of the City of Portland;

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thence continuing along the land of said City of Portland, North 46°51'28" West, a distance of 161.15' to a P-K nail found, in the corner of land of said City of Portland;

thence continuing along the land of said City of Portland, South 37°09'32" West, a distance of 130.46' to a re-bar at the corner of land of said City of Portland and land now or formerly of Citibank;

thence along the land of said Citibank South 57°08'44" West, a distance of 211.16' to a 5/8" re-bar at the corner of said Citibank and land now or formerly of Mobil Oil Corporation;

thence along the land of said Mobil Oil Corporation, South 37°08'24" West, a distance of 101.25' to a point in the Easterly sideline of the above mentioned Auburn Street;

thence along the Easterly sideline of said Auburn Street, a curve with a radius of 623.00', an arc length of 94.09', a delta of 08°39'13", a chord bearing of North 14°05'39" West, and a chord distance of 94.00' to a point;

thence continuing along the Easterly sideline of said Auburn Street, North 09°21'50" West, a distance of 123.15' to a point;

thence continuing along the Easterly sideline of said Auburn Street, North 09°21'50" West, a distance of 131.62' to a point;

thence continuing along the Easterly sideline of said Auburn Street, North 12°31'39" West, a distance of 90.48' to a point;

thence continuing along the Easterly sideline of said Auburn Street, North 12°42'26" West, a distance of 0.98' to a point, said point being the South Westerly corner of land now or formerly of Fleet Bank of Maine;

thence along the land of said Fleet Bank of Maine, North 80°07'52" East, a distance of 94.01' to a point;

thence continuing along the land of said Fleet Bank of Maine, North 09°52'08" West, a distance of 135.00' to a point;

thence continuing along the land of said Fleet Bank of Maine, South 80°07'52" West, a distance of 100.00' to a point in the Easterly Sideline of the aforementioned Auburn Street;

thence along the said sideline, North 09°52'08" West, a distance of 0.21' to a point in the same sideline;

thence continuing along said sideline, North 09°52'08" West, a distance of 482.43' to a point;

thence continuing along said sideline, North 09°23'08" West, a distance of 417.43' to the POINT OF BEGINNING.

Containing 570,534 square feet or 13.098 acres, more or less.

SAID PROPERTY ALSO INCLUDES THE FOLLOWING APPURTENANT RIGHTS:

1. Terms and conditions and rights and easements as set forth in a Common Area, Land Use and Restriction Agreement, dated April 25, 1978, recorded at Book 4205, Page 301;

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2. Sewer easement recorded with said Registry of Deeds in Book 2002, Page 156, insofar as the same may now be in force and effect.

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MAINE REAL ESTATE TAX PAID

QUITCLAIM DEED
(With Covenant)

KNOW ALL PERSONS BY THESE PRESENTS, that **PINE TREE COUNCIL, INC., BOY SCOUTS OF AMERICA**, a Maine corporation with a place of business at Portland, County of Cumberland and State of Maine, in consideration of One Dollar and other valuable consideration paid by **125 AUBURN STREET, LLC**, a Maine limited liability company, whose mailing address is 133 Massachusetts Avenue, Lexington, MA 02420, the receipt whereof is hereby acknowledged, do hereby REMISE, RELEASE, BARGAIN, SELL AND CONVEY and forever QUITCLAIM unto the said **125 AUBURN STREET, LLC**, its successors and assigns forever, the following described real estate:

Certain lots or parcels of land with the buildings thereon, situated in the City of Portland, County of Cumberland and State of Maine, as more fully described on Exhibit A attached hereto and incorporated herein by reference.

The aforesaid premises are conveyed subject to real estate taxes which the Grantee assumes and agrees to pay.

TO HAVE AND TO HOLD, the same, together with all the privileges and appurtenances thereunto belonging, to the said **125 AUBURN STREET, LLC**, its successors and assigns forever, to use and behoof forever.

AND it COVENANTS with the said Grantee, its successors and assigns forever, that it will **WARRANT AND FOREVER DEFEND** the premises to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons claiming by, through, or under it.

IN WITNESS WHEREOF, the said **PINE TREE COUNCIL, INC., BOY SCOUTS**

[Faint, illegible text, likely a signature or stamp area]

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OF AMERICA, has caused this instrument to be signed and sealed in its corporate name by J. T. Dabbs III, its Scout Executive, thereunto duly authorized, this 15 day of June, 2005.

WITNESS

**PINE TREE COUNCIL, INC.,
BOY SCOUTS OF AMERICA**

[Signature]

By: [Signature]
J. T. Dabbs III
Its Scout Executive

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

June 15, 2005

Then personally appeared the above-named J. T. Dabbs III, Executive Director of said **PINE TREE COUNCIL, INC., BOY SCOUTS OF AMERICA**, 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,

[Signature]
Notary Public/Attorney-at-Law
Print Name: ACORN ATKINS
My commission expires: _____

EXHIBIT A
TO DEED FROM PINE TREE COUNCIL, BOY SCOUTS OF AMERICA
TO A & D REALTY, LLC

Certain lots or parcels of land with the building thereon situated in the City of Portland, County of Cumberland and State of Maine, and being more particularly bounded and described as follows:

PARCEL ONE:

A certain lot or parcel of land with the building situated thereon on the easterly side of Auburn Street, in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows: Beginning at an iron on the easterly side of Auburn Street marking the southwest corner of the lot of land conveyed by Fred E. Lovejoy to Maurice E. Willey, et al. by deed dated August 2, 1938 and recorded in Cumberland County Registry of Deeds in Book 1556, Page 394; thence by Auburn Street South $7^{\circ} 23'$ West one hundred sixty (160) feet to an iron; thence by other land now or formerly of Shaw's Realty Co. South $52^{\circ} 37'$ East one hundred twenty-five (125) feet to a point; thence by other land now or formerly of Shaw's Realty Co. parallel with Auburn Street North $7^{\circ} 23'$ East one hundred eight-six and fifty-nine hundredths (186.59) feet to said Willey land; thence by said Willey land South $85^{\circ} 22 \frac{1}{2}'$ West one hundred twenty-seven and eight tenths (127.8) feet to the point of beginning.

The above-described courses are magnetic and of the date of 1950.

Being the same premises conveyed to the Grantor herein by Shaw's Realty Co. by warranty deed dated March 18, 1959 and recorded in the Cumberland County Registry of Deeds in Book 2462, Page 8.

PARCEL TWO:

A certain triangular parcel of land located on the easterly side of Auburn Street, in Portland, County of Cumberland and State of Maine, being bounded and described as follows:

Beginning at a point marked by an iron pipe on the Easterly side of Auburn Street at the Northwesterly corner of land conveyed by Shaw's Realty Co. to Pine Tree Council, Inc., Boy Scouts of America by deed dated March 18, 1959 as recorded in the Cumberland County Registry of Deeds in Book 2462, Page 8; thence N $84^{\circ} 57'$ E one hundred twenty-seven (127) feet, more or less, along the Northerly sideline of said land of Pine Tree Council, Inc., Boy Scouts of America to the Northeasterly (previously referred to as northwesterly) corner thereof as described in said deed; thence Westerly in a straight line one hundred twenty-five (125) feet, more or less, to Auburn Street at a point thirty (30) feet Northerly along the Easterly sideline of Auburn Street from the iron pipe at the point of beginning; thence Southerly along said Auburn Street thirty (30) feet to the point of beginning.

A. 6. 12

Said premises are hereby conveyed subject to a 25 foot wide water pipeline utility easement that runs along the southerly sideline of said parcel as conveyed to the Portland Water District by a deed dated December 2, 1953 and recorded in said Registry of Deeds in Book 2163, Page 274.

Being the same premises conveyed to the Grantor herein by Fall Brook Realty Co. by warranty deed dated November 18, 1987 and recorded in said Registry of Deeds in Book 8085, Page 39.

Also conveying all Grantor's right, title and interest in the right to construct and maintain a sewer under and across land now or formerly of Shaw's Realty Co. situated on the easterly side of Auburn Street, in the City of Portland, County of Cumberland and State of Maine, from land conveyed by Shaw's Realty Co. to Pine Tree Council, Inc. Boy Scouts of America to the sewer right of way of the City of Portland, commonly called the Fall Brook Interceptor, said land being described as follows: Beginning at the southeast corner of land conveyed by Shaw's Realty Co. to the Pine Tree Council, Inc. Boy Scouts of America by deed dated March 18, 1959, and recorded in Cumberland County Registry of Deeds in Book 2462, Page 8, said corner being distant South 82° 37' East one hundred twenty-five (125) feet from the easterly sideline of Auburn Street; thence continuing said course of South 82° 37' East one hundred five (105) feet, more or less, to said City of Portland Sewer right of way; thence northwesterly by said sewer right of way about ten (10) feet to a point which is ten (10) feet from, when measured at right angles with the last described course; thence North 82° 37' West about one hundred (100) feet to said land of the Pine Tree Council, Inc. Boy Scouts of America; thence by said Boy Scouts' land South 7° 23' West ten (10) feet to the point of beginning.

The above-described courses are magnetic and of the date of 1950.

Being the same premises conveyed to the Grantor herein by Shaw's Realty Co. by deed dated July 23, 1959 and recorded in said Registry of Deeds in Book 2486, Page 204.

Also conveying all Grantor's right, title and interest, if any, whether by license or otherwise, to use other property owned by Grantee abutting the premises herein conveyed for purposes of ingress, egress and the parking of motor vehicles as said rights were obtained from Shaw's Supermarkets, Inc. and the Grantee.

Received
Recorded Register of Deeds
Jun 15 2005 10:33:37A
Cumberland County
John B O'Brien

500 67
2820
141
141
441

A 6.13

to be his free act and deed, in his said capacity, and the free act and deed of said corporation. Before me, *[Signature]* 141

John T. Pratt III



REGISTRY OF DEEDS - CUMBERLAND COUNTY MAINE
Received MAY 13 1964
at 2:30 P.M. and recorded in BOOK 2820 PAGE 199
Attest: *[Signature]* Register

Know All Men by These Presents,

That SHAW'S REALTY CO., a corporation organized and existing under the laws of the State of Maine and having a place of business in Portland, County of Cumberland and State of Maine, in consideration of One Dollar (\$1.00) and other valuable considerations, the total being less than one hundred dollars,

Shaw's Realty Co

to

paid by the CITY OF PORTLAND, a body politic and corporate located in said County and State

Portland City of

the receipt whereof it ^{as} do hereby acknowledge, do hereby give, grant, bargain, sell and convey unto the said City of Portland, its successors

War

and assigns forever, ~~conveys and conveys~~ the right perpetually to enter upon the following described right-of-way for the purpose of constructing, maintaining, repairing, replacing, and removing a sewer line or lines known as the Auburn and Saphron Street Outlet Sewer:

Beginning at a point in the easterly side line of Auburn Street at the division line between land of the grantor and land of the Pine Tree Council, Inc., Boy Scouts of America, said point of beginning being distant 417.41 feet northerly along the said easterly side line of Auburn Street from the second angle in the said easterly side line of Auburn Street northerly of Washington Avenue; thence easterly at right angles to the said easterly side line of Auburn Street and by land of the Pine Tree Council Inc., Boy Scouts of America and through land of the Grantor, a total distance of 230 feet, more or less, to the westerly side line of the Fall Brook Branch Combined Sewer Right-of-Way as Laid out and accepted by order of the City Council, passed June 15, 1953.

Said right-of-way to be fifty (50) feet wide and to lie wholly on the southerly side of the above described line.

By acceptance of this deed, Grantee covenants and agrees that the Grantor shall not be subject to any assessment by reason of the construction of this outlet sewer line through and across its property.

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To have and to hold the aforegranted and bargained premises with all the privileges and appurtenances thereof, to the said City of Portland, its successors

heirs and assigns, to its and their use and behoof forever.

And it does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises, that they are free of all incumbrances;

that it has ~~have~~ good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors shall and will Warrant and Defend the same to the said Grantee, its successors and assigns forever, against the lawful claims and demands of all persons.

In Witness Whereof, the said SHAW'S REALTY CO. has caused this instrument to be sealed with its corporate seal and signed in its corporate name by H. Halsey Davis, its President, thereunto duly authorized, this 7th day of May in the year ~~one thousand nine hundred and sixty-four~~.

~~joining in this deed as Grantor and relinquishing and conveying right by descent and all other rights in the above described premises, have hereunto set hand and seal this day of May 1964 in the year of our Lord one thousand nine hundred and~~

Signed, Sealed and Delivered in presence of George M. Ford

SHAW'S REALTY CO. By H. Halsey Davis

State of Maine, CUMBERLAND, ME. May 7 19 64. Personally appeared the above named

H. Halsey Davis and acknowledged the foregoing instrument to be his free act and deed, in his said capacity and the free act and deed of the said corporation.

Before me, J. J. Foster Justice of the Peace, Notary Public, My Comm. Expires July 28, 1967

MAY 13 1964
REGISTRY OF DEEDS, CUMBERLAND COUNTY, MAINE
Received at 1 H 20 M PM and recorded in
BOOK 2820 PAGE 141 Local R. H. for Register

RIGHT OF WAY, TEL. PORTLAND

WATER DISTRICT

Bk. 21675, Pg. 274

A 6.15

274
277
Willey &

To
Portland
Water
Distr
War

KNOW ALL MEN BY THESE PRESENTS, THAT We, MAURICE E. WILLEY and E. WILLEY, both of Portland in the County of Cumberland and State of Maine in consideration of One Dollar (\$1.00) and other valuable considerations paid by PORTLAND WATER DISTRICT, a corporation duly organized and existing under the laws of the State of Maine and having its principal office in Portland in the County of Cumberland and State of Maine the receipt whereof we do hereby acknowledge, do hereby give, grant, bargain, sell and convey, unto the said PORTLAND WATER DISTRICT, its successors and Assigns forever, the right perpetually to enter upon and all times upon a strip of land situated on the Easterly side of Auburn Street in Portland, being a part of the land conveyed to the grantors by Fred E. Lovejoy by deed dated August 2, 1938, recorded in Cumberland County Registry of Deeds in Book 1888, Page 594, to which deed reference is hereby made for a more particular description of said strip being twenty-five (25) feet in width and more particularly bounded and described as follows, viz.: Beginning in the Easterly side line of said Auburn Street at the Easterly corner of said land conveyed to the grantors by Fred E. Lovejoy; thence in an Easterly direction along the dividing line between said grantors' land and land of James C. O'Brien two hundred twenty-four and nine tenths (224.9) feet, more or less, to land conveyed by the grantors to the City of Portland by deed dated March 27, 1951, recorded in said Cumberland County Registry of Deeds in Book 2037, Page 429; thence in a Northerly direction along the dividing line between said land of the grantors and said land of the City of Portland two feet five (25) feet to a point; thence in a Westerly direction parallel to and twenty-five (25) feet distant from said first described course, two hundred twenty-four and nine tenths (224.9) feet, more or less, to said Easterly side line of Auburn Street; thence in a Southerly direction along said Easterly side line of Auburn Street, twenty-five (25) feet to the point of beginning.

And to construct and perpetually maintain through and across said strip conduits or pipe lines for conveying water and to lay, relay, repair, maintain and remove water pipe or pipes upon or under said strip with all necessary fixtures and appurtenances together with the right at all times to make connections with said conduits or pipe lines to land adjoining said strip by means of pipes or services; to trim, cut down and remove bushes and trees and to remove grass and crops growing on said strip to such extent as in the judgment of the grantee is necessary for any of the above purposes and to enter upon said strip at any and all times for any of the foregoing purposes; reserving to the grantors, their heirs and assigns, the use and enjoyment of said strip for such purposes only as will in no way interfere with the perpetual use thereof by the grantee, its successors and assigns, for the purposes above mentioned, provided that no building or any kind of permanent structure shall be erected on said strip by the grantors, their heirs and assigns, and that the grantee

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273

their heirs and assigns, shall not remove earth from said strip or place fill thereon without the written permission of the grantee.

Together with the right, insofar as the grantors have the right to convey the same, perpetually to enter at any and all times for any of the foregoing purposes upon that portion of said Auburn Street adjacent to the above-described premises.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all privileges and appurtenances thereof to the said PORTLAND WATER DISTRICT, its successors and Assigns, to its and their use and behoof forever.

U.S.I.R.
\$0.55
M.E.W.
12/2/53

AND we do COVENANT with the said Grantee, its successors and Assigns, that we are lawfully seized in fee of the premises; that they are free of all incumbrances; that we have good right to sell and convey the same to the said Grantee to hold as aforesaid; and that we and our Heirs, shall and will WARRANT AND DEFEND the same to the said Grantee, its successors and Assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, We the said MAURICE E. WILLEY and ADA E. WILLEY, being husband and wife, each joining in this deed as grantor and each relinquishing and conveying our respective rights by descent and all other rights in the above described premises, have hereunto set our hands and seals this 2nd day of December in the year of our Lord one thousand nine hundred and fifty-three.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF

Edward J. Norris

Ada E. Willey Seal

to both

Maurice E. Willey Seal

STATE OF MAINE

Cumberland ss.

December 2, 1953.

Personally appeared the above named Maurice E. Willey and acknowledged the above instrument to be his free act and deed.

Before me, Edward J. Norris Justice of the Peace Notary Public
Notarial Seal My Commission Expires June 28, 1960

Received December 21, 1953 at 2h. 50m. P.M. and recorded according to the original

KNOW ALL MEN BY THESE PRESENTS THAT FEDERAL LOAN AND BUILDING ASSOCIATION a Corporation organized and existing under the laws of the State of Maine and located at Portland in the County of Cumberland and State of Maine in consideration of One Dollar (\$1.00) and other valuable considerations paid by PORTLAND WATER DISTRICT, a corporation duly organized and existing under the laws of the State of Maine and located at Portland in the County of Cumberland and State of Maine the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey, and forever

Fed La
& Bldg
Assn
To
Portland
Water
Dist
Q C

A 6. 17

33556

BK 7270 PG 0165

QUITCLAIM DEED
Without Covenant
Corporate Grantor

Know all Men by these Presents,

That SHAW'S REALTY CO.

a Corporation organized and existing under the laws of the State of Maine
and having a place of business at 220 Maine Mall Road, South Portland
in the County of Cumberland and State of Maine
in consideration of One (\$1.00) Dollar and other valuable considerations

paid by Fall Brook Realty Co., a Maine corporation

whose mailing address is 327 Allen Avenue
Portland, ME 04103

the receipt whereof it does hereby acknowledge, does hereby remise, release, bargain, sell and convey,
and forever quitclaim unto the said Fall Brook Realty Co.

successors
its ~~heirs~~ and assigns forever.

A certain lot or parcel of land situated in the City of
Portland, County of Cumberland, State of Maine, more
particularly described in Exhibit A attached hereto and
incorporated herein by reference.

See
Book 9163
Page 7172

BK 7270PG0166

A 6.18

To have and to hold the same, together with all the privileges and appurtenances thereunto belonging, to the said Fall Brook Realty Co.

its successors and assigns forever.

In Witness Whereof, the said Shaw's Realty Co.

has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Jack C. Thornton, Jr., its Vice President thereunto duly authorized, this 14th day of the month of July, A.D. 1986.

Signed, Sealed and Delivered in presence of

Mary J. Hoffman (Type or Print Name) Mary J. Hoffman

SEAL SHAW'S REALTY CO. (Corporate Name) By Jack C. Thornton, Jr. Vice President

State of Maine, County of Cumberland ss. July 19 86

Then personally appeared the above named Jack C. Thornton, Jr., Vice President of said Grantor Corporation 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, Notary Public (Type or Print Name) Seal

NOTARY PUBLIC STATE OF MAINE MY COMMISSION EXPIRES 0. 1990

A 6.19

BX7270PG0167

EXHIBIT A

A certain lot or parcel of land situated in the City of Portland, Maine, more particularly bounded and described as follows:

Commencing at the southeasterly corner of property now or formerly of the Pine Tree Council/Boy Scouts of America and which point of beginning is located 125 feet, more or less S 82° 37' E from the easterly sideline of Auburn Street in a Shopping Center of Grantor commonly known as "Northgate"; thence turning and running N 7° 23' E along property now or formerly of said Pine Tree Council/Boy Scouts of America 186.59 feet to a pipe set in the ground on the southerly sideline of a 25 foot right of way of the Portland Water District; thence turning and running N 85° 22' 30" E along said right of way of the Portland Water District 194.47 feet through a pipe set in the ground to a point marked by a square tube set in the ground at land now or formerly of one Stivaletti; thence turning and running S 8° 13' 30" W along said property now or formerly of one Stivaletti and other property now or formerly of one DiBiase 162.42 feet to a point marked by a pin set in the ground; thence turning and running S 11° 31' 34" E along said property now or formerly of DiBiase and property of others 68.35 feet to a point marked by a pipe set in the ground; thence turning and running N 82° 37' W along other property of Grantor through an iron stake set in the ground 210.03 feet to a point marked by a pipe set in the ground which is the point of beginning (hereafter sometimes referred to as "Premises").

Being a portion of the premises conveyed to Grantor by James C. Oliver by deed dated March 26, 1956 and recorded in the Cumberland County Registry of Deeds in Book 2280, Page 250.

Being the same Premises shown on a Survey prepared by Wells Engineering Inc. Civil Engineers of 482 Congress Street, Portland, Maine, entitled "Topo & Survey Plan for Dr. Maurice Hothem, 125 (Rear) Auburn Street, Portland, Maine" dated 3/25/85, last revised 11/1/85 (hereinafter "Survey").

The Premises are conveyed together with the non-exclusive right to use in common with others, for purposes of ingress and egress for pedestrian and vehicular traffic to and from the Premises from Auburn Street and the Northgate Shopping Center, the Entrance Way (i.e. the 50 foot wide Parcel B) as shown on the Plan attached hereto as Exhibit A-1 and incorporated herein by reference. The Premises are also conveyed together with a non-exclusive easement for installing, repairing and replacing a water line and other utilities in the northerly ten (10) feet of the said Parcel B Entrance Way running easterly from Auburn Street, provided, however, any such installation and use of said utilities shall not interfere with pedestrian and/or vehicle traffic in the said Entrance Way and the Grantee covenants and agrees not to install any utilities that interfere with any such pedestrian and/or vehicle traffic in the Entrance Way into said Northgate Shopping Center. The Premises are also conveyed together with an exclusive

A.6.20

BK7270PGO168

easement for parking, landscaping and a walkway over and across the 50 foot wide Parcel C as shown on said attached Exhibit A-1; and together with an exclusive easement for parking for the benefit of said Premises within the 20 foot wide Parcel D as shown on said attached Exhibit A-1; and also together with non-exclusive parking rights for the benefit of said Premises, in common with others, within the 20 foot wide Parcel E as shown on said attached Exhibit A-1. The foregoing easements and rights shall run with the Premises and shall be in effect for the maximum period allowed by law. These above-referred to easements and rights are granted subject to and upon the following terms and conditions:

1. Grantee covenants and agrees that Grantor, its successors and assigns may change and alter said Entrance Way in said Northgate Shopping Center, provided however, Grantor agrees not to unreasonably interfere with Grantee's access to said Premises, provided however, the Entrance Way shall not be voluntarily relocated by the Grantor. In the event said Entrance Way is required to be relocated by the appropriate governmental authority, said Entrance Way shall be located as close to the Premises as reasonably possible to provide reasonable access to the Premises.
2. The exclusive easements established relative to Parcels C and D as shown on said attached Exhibit A-1 shall be for the benefit of and restricted solely to the owners and tenants from time to time of said Premises provided Grantee, its successors and assigns pay the taxes assessed by the City of Portland attributable to Parcels C and D when due without penalty or interest. Said exclusivity shall cease in the event said taxes are not paid. If the taxes on Parcels C and D are not separately assessed from other property of Grantor, Grantor will provide Grantee with appropriate calculation to determine Grantee's pro rata share of said taxes attributable to Parcels C and D, which pro rata share Grantee covenants and agrees to pay within ten (10) days of written notice thereof from Grantor.
3. The non-exclusive easements and rights established relative to Parcels B and E as shown on said attached Exhibit A-1 shall be restricted solely to the said owners and tenants of the said Premises and to the said Northgate Shopping Center property and its tenants and to any other parties granted or allowed similar rights of way and easements by Grantor, its successors and assigns.

The Premises are conveyed subject to certain restrictions and conditions designed to encourage a broad range of diverse retail and service facilities and to enhance the over-all commercial potential and vitality of the Northgate Shopping area. Grantee agrees to develop the Premises as a Medical and Health Care Facility and the restrictions and conditions shall be covenants running with the Premises and which restrictions and conditions are as follows:

A 6.21

BK 7270 PGO 169

A. The Premises shall not be used for the operation of a supermarket, convenience food store, dairy store, nor for the sale of bakery products, fresh fruit and vegetables, fresh meat, delicatessens, frozen foods, including desserts, milk or other food products customarily sold for consumption off premises.

B. No business similar in product or services offered by the Tenants of the Grantor's Northgate Shopping Center shall be allowed on the Premises, without the prior written consent of Grantor. However, this provision shall not prevent the Grantee or its successor or assigns from developing and using the Premises as doctors' offices and facilities for the treatment of patients without the consent of the Grantor.

C. In the event Grantee desires to sell the Premises in whole or in part, with or without improvements thereon, Grantee shall give written notice to Grantor of the terms and conditions of all offers for same from third parties which it intends to accept, Grantor shall have the right of first refusal for thirty (30) days from the receipt of said notice to purchase same from Grantee at the price offered and upon the terms and conditions specified in such offer from third parties. However, this right of first refusal shall not apply to leases without option to purchase of all or part of the Premises nor improvements thereon, nor to sales to third parties in whom the Grantee, or its nominees, successors or assigns maintain an ownership interest, including the creation and use of a Medical and Health Care Condominium Facility, or mergers, consolidations, reorganizations, mortgages, or sales by mortgagees who foreclose or take a deed in lieu of foreclosure, or sales by their successors and assigns.

Said Premises easements and rights are conveyed subject to all rights and encumbrances including, but not limited to the following, if applicable:

1. Any conveyances or eminent domain proceeding by the Portland Water District with regard to its right of way of twenty-five (25) feet located on the northerly side of the Premises.
2. Any conveyance to or eminent domain proceeding by the City of Portland relating to the so-called Fall Brook Sewer line including for any sewer running from the so-called Fall Brook Sewer to Auburn Street.
3. Any sewer or right of way running along the southerly and/or westerly side of the Premises.
4. Any easements shown on said "Survey".

Grantee covenants and agrees to pay when due all costs associated with construction and improvements on Parcels B, C, D and E required by the City of Portland Planning Board in its Site

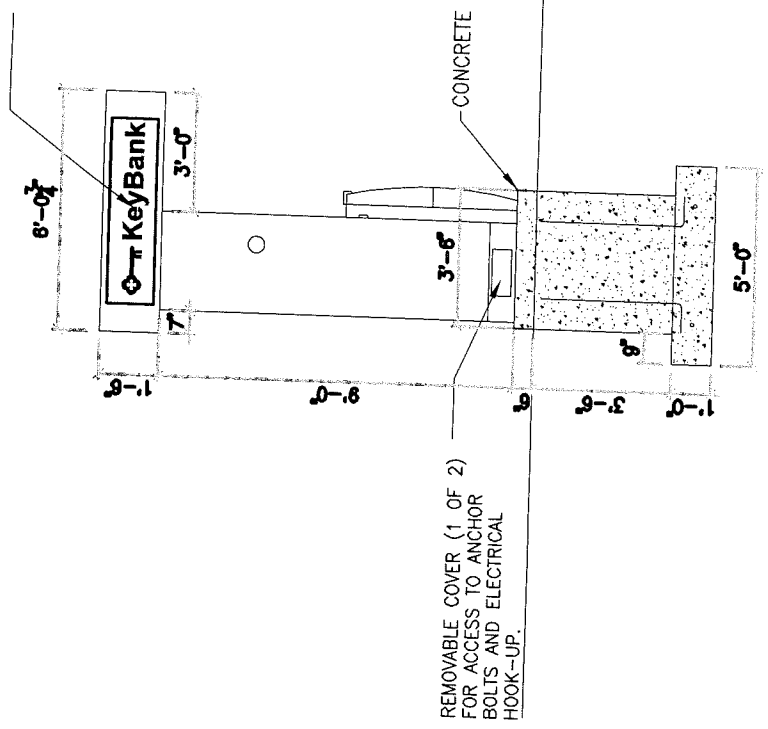
A 6.22

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Plan approval of the development proposed by Grantee on the Premises, including but not limited to traffic islands, restoration of the old parking area and stripping associated with the new parking area, all as shown on a Site Plan and Landscaping Plan, dated 1/14/86, prepared by Gregory K. Johnson, Architect, 519 Congress Street, Portland, Maine, entitled "Fall Brook Professional Building at Northgae, 117 Auburn Street for Dr. H. C. Hothem".

COORD. LOGO & VERBAGE
W/ BRILLIANT ELECTRIC
SIGN
4811 VAN EPPS RD.
CLEVELAND, OHIO 44131
(216) 741-3800

COORD. LOGO & VERBAGE
W/ BRILLIANT ELECTRIC
SIGN
4811 VAN EPPS RD.
CLEVELAND, OHIO 44131
(216) 741-3800



REMOVABLE COVER (1 OF 2)
FOR ACCESS TO ANCHOR
BOLTS AND ELECTRICAL
HOOK-UP.

COUVRETTE ATM SURROUND

6'-2"

5'-0"

ATM SECURED TO SLAB
BY ATM VENDOR

EXISTING CONCRETE CURB

(3) #5 CONTINUOUS

#5 @ 12" O.C.

TYPICAL KEYBANK ATM

March 12, 2009

Mr. Bradlee Mezquita, P.E.
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Proposed CVS Store in Northgate Plaza, Portland

Dear Brad,

This letter is written to summarize the trip generation analysis for a proposed new CVS store at the existing Northgate Plaza on Auburn Street in Portland and to determine any related traffic permit requirements. Current plans call for 12,712 square feet of the existing plaza to be removed. A freestanding 12,900 CVS store with drive-through facility will be constructed for a net increase of 188 square feet of space. It is understood that the plaza was previously expanded when a 10,910 square foot addition was constructed to the Shaw's store. Based upon the "Traffic Impact Study, Proposed Expansion of Northgate Plaza", prepared by Eaton Traffic Engineering and dated March 2000, this expansion generated 46 additional PM peak hour trips. This trip generation was determined using the Institute of Transportation Engineers (ITE) "Trip Generation, 6th Edition" report. Land Use Code 820 – Shopping Center was used on the basis of the additional square footage.

Trip Generation Analysis

The traffic to be generated by the proposed new CVS store, and the previous Shaw's expansion, were determined using the Institute of Transportation Engineers (ITE) "Trip Generation, 7th Edition" report. The 8th edition report has recently become available but the Maine Department of Transportation is still requiring use of the 7th edition for traffic permitting purposes. It is important to note that the rates in the 8th edition are slightly less than the rates in the 7th edition so use of the most current edition would yield lesser trip generation. Both the proposed CVS store and the existing retail uses generate the greatest number of trips during the PM and Saturday peak hour periods. Land use code (LUC) 820 – Shopping Center was used as the basis for the trip generation, as this was the approach used for the previous Shaw's expansion for the City of Portland approval process. The results are summarized in the following table:

<u>Time Period</u>	Projected Trip Generation (trip-ends)		
	<u>Previous Shaw's Exp.</u>	<u>Proposed CVS Exp.</u>	<u>Total New</u>
PM Peak Hour - Generator	41	1	42
Entering	20	0	20
Exiting	21	1	22
Saturday Peak Hour - Generator	54	1	55
Entering	28	1	29
Exiting	26	0	26

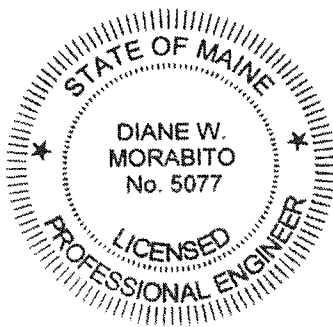
As can be seen above, based upon the newer 7th edition ITE report, the previous Shaw's expansion would be expected to generate 41 one-way trips during the PM peak hour and 54 during the Saturday peak hour. The currently proposed increase in square footage, to provide for the new CVS store, is expected to generate only 1 additional trip during both the PM and Saturday peak hours. This increase in trip generation is negligible and will have no impact on existing conditions. Since total trip generation for both projects is far less than the 100 trip threshold, a Traffic Movement Permit should not be required.

Please do not hesitate to contact me if you or the City of Portland have any questions or need any additional information.

Sincerely,

Diane W. Morabito

Diane W. Morabito, P.E. PTOE
President



Attachment A 9.1

DRAINAGE STUDY

FOR

Proposed Redevelopment
Northgate Shopping Center
Auburn Street
Portland, Maine

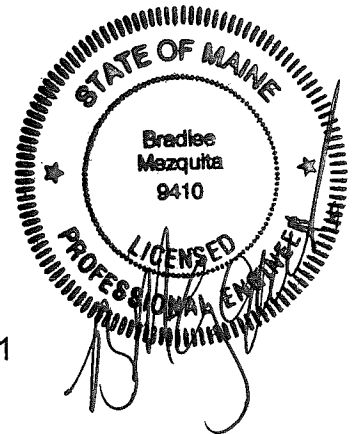
January 30, 2009
(Revised March 13, 2009)

Prepared For:

A & D Realty Inc.
5 Militia Drive
Lexington, Massachusetts 02421

Prepared By:

Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, New Hampshire 03801



**Proposed Redevelopment
Northgate Shopping Center
Auburn Street
Portland, Maine**

TABLE OF CONTENTS

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- Figure 1 - Site Location Map
- Figure 2 - Soil Survey Map
- Figure 3 - Flood Insurance Rate Map

2.0 Calculation Methods

3.0 Pre-Development Condition

4.0 Post-Development Condition

5.0 Discharge Point Peak Rate Comparisons

6.0 Pipe Design

7.0 Best Management Practices

8.0 Operation and Maintenance Plan

Appendix A - Supporting Calculations:

- Pre-Development Calculations
- Post-Development Calculations
- Pipe Design

Appendix B:

- Charts

1.0 - SUMMARY

The proposed project involves the redevelopment of the Northgate Shopping Center and adjacent Lot C-23. The shopping center (Lot C-1) property is approximately 13.20 acres located in the Community Business District (B-2). The adjacent Lot, C-23, is approximately 0.54 acres located in the Residential Professional District (R-P). The overall project site (includes both lots) is bound by Auburn Street to the south, Allen Avenue to the east, the Mercy Care property to the northwest and Fall Brook with jurisdictional wetlands to the north (see Figure 1 – Site Location Map). The existing developed plaza (Lot C-1) consists of approximately 105,940 sf of retail and restaurant area. The property also supports a Town and Country Credit Union, as well as parking (by easement) for Mercy Care. The adjacent Lot-23 includes a 2,600 sf, two (2) story vacant building. See Existing Conditions Plan for further information concerning the existing site. For the purpose of this drainage analysis both projects are considered to be part of the same redevelopment and from here on, the “site” will refer to both redevelopment projects.

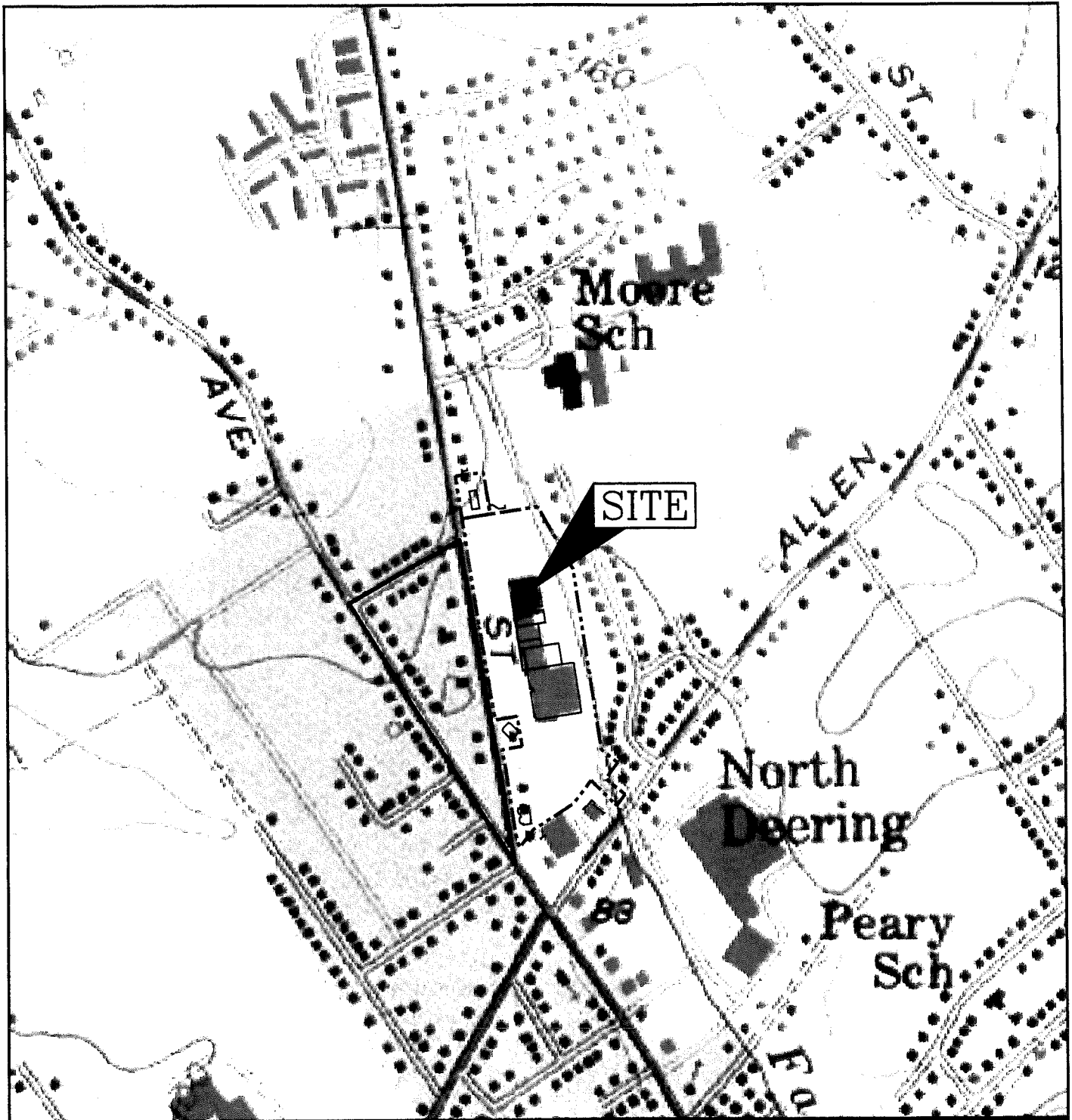
The proposed redevelopment will include demolishing approximately 12,715 sf of the northern part of the existing retail plaza and the construction of a new 12,900 sf stand-alone CVS building with a drive-thru facility within the limits of the existing pavement. The structure of the existing vacant building will remain but will receive substantial façade and site improvements. Parking, landscaping and utility improvements are also proposed throughout the site (see Sheet C-3, Overall Site Plan). Approximately 2.81 acres of the previously developed site will be disturbed.

The site drains from the south along Auburn Street towards Fall Brook and the jurisdictional wetlands located at the rear of the existing parking lot. Fall Brook has been designated as an Urban Impaired Stream by the Maine Department of Environmental Protection. As part of the redevelopment of this site we have reduced the existing impervious area on the site, which will in turn reduce the contributing stormwater runoff and potential for pollutants entering Fall Brook. In addition we are proposing an upgrade of the existing closed drainage system, including catchbasins with sumps and grease hoods as well as two (2) rain gardens to treat the stormwater prior to discharging to the stream.

Based on the Flood Insurance Rate Map for this area, the portion of Fall Brook directly down stream of the site appears to have flooding concerns and is designated within the 100-year flood zone. The reduction of impervious area on this site will help to reduce the contributing volume of runoff entering Fall Brook and help to minimize flooding down stream.

The proposed redevelopment has been designed based on the regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction to the maximum extent practical.

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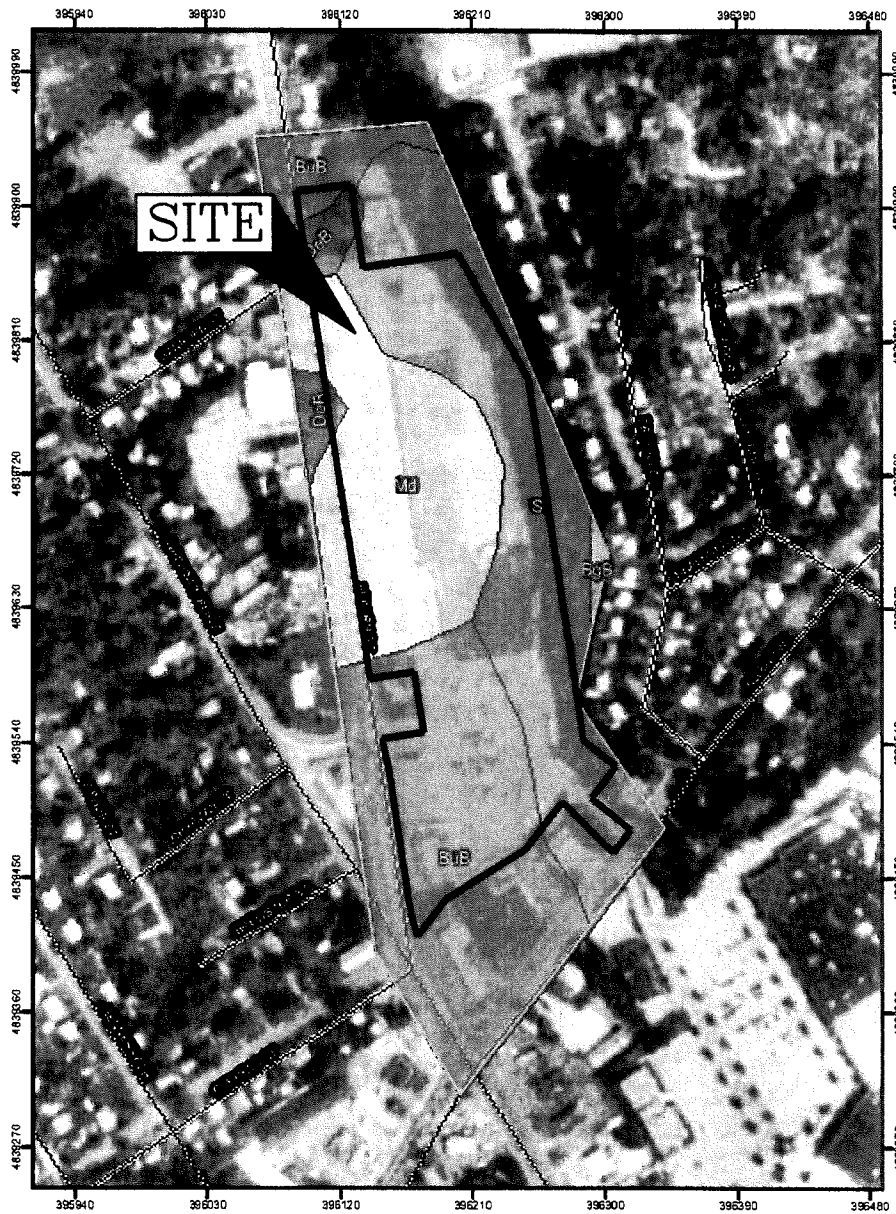
177 Corporate Drive
Portsmouth, New Hampshire 03801
(603) 433-8818 aei@appledoreeng.com

**FIGURE 1: SITE LOCATION MAP
Proposed Redevelopment**

Northgate Shopping Center
Auburn Street
Portland, Maine

SOURCE: USGS, PORTLAND WEST QUADRANGLE
SCALE: 1:1200

A 9.5



SYMBOL	NAME	RATING
BgB	BELGRADE VERY FINE SANDY LOAM	C
BuB	BUXTON SILT LOAM	D
DeB	DEEFIELD LOAMY SAND	B
Md	MADE LAND	C (ASSUMED)
Sn	SCANTIC SILT LOAM	D



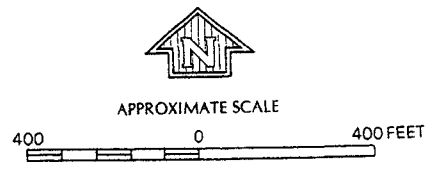
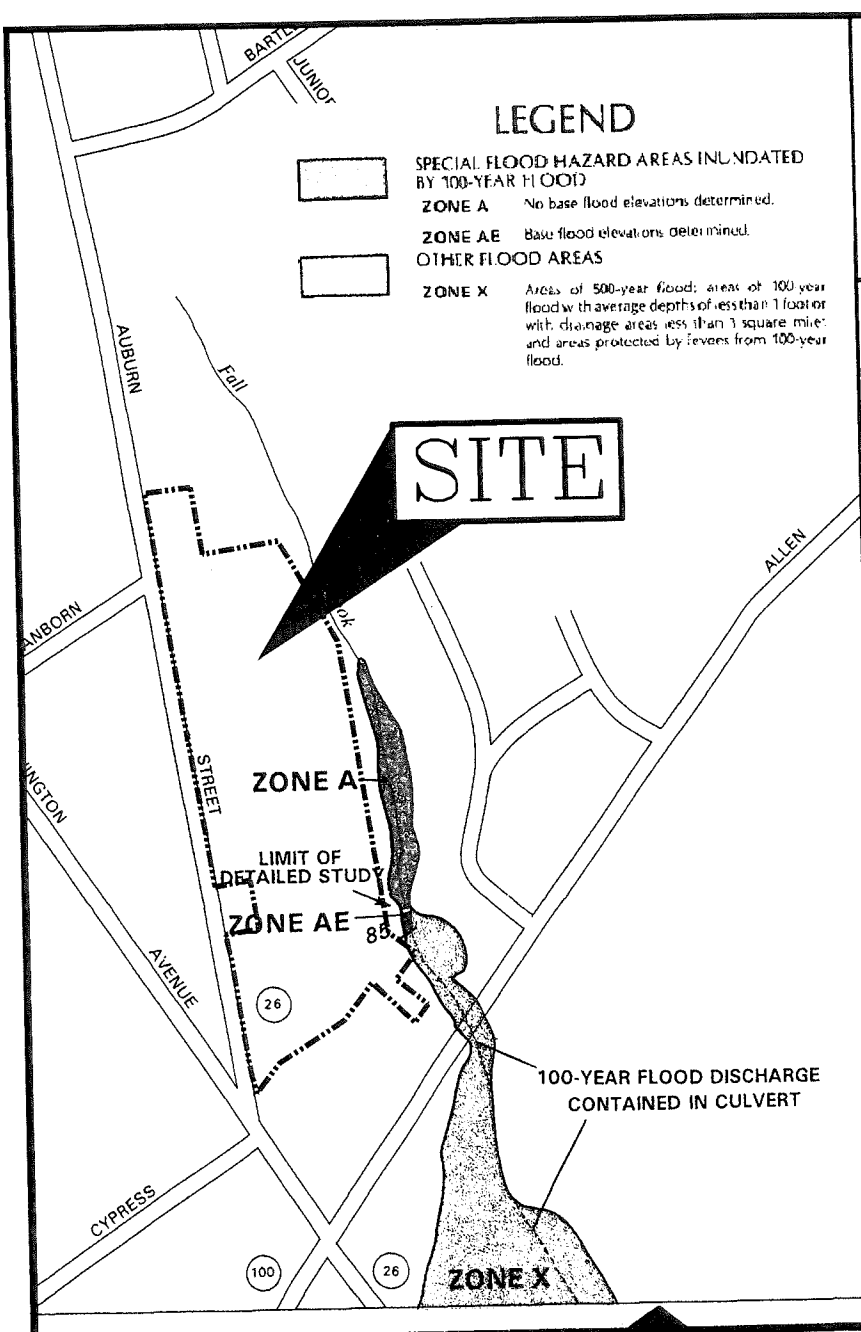
177 Corporate Drive
Portsmouth, New Hampshire 03801
(603) 433-8818
aei@appledoreeng.com

FIGURE 2: SCS SOILS SURVEY

Northgate Shopping Center
Auburn Street
Portland, Maine

SOURCE: SOIL SURVEY OF CUMBERLAND COUNTY
NOT TO SCALE

A 9.6



NATIONAL FLOOD INSURANCE PROGRAM

FIRM FLOOD INSURANCE RATE MAP

CITY OF PORTLAND, MAINE
CUMBERLAND COUNTY

PANEL 2 OF 17
(SEE MAP INDEX FOR PANELS NOT PRINTED)

COMMUNITY-PANEL NUMBER
230051 0002 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

AEI APPLIEDORE ENGINEERING INC

177 Corporate Drive
Portsmouth, New Hampshire 03801

(603) 433-8818 aei@appliedoreeng.com

**NORTHGATE SHOPPING CENTER
AUBURN STREET
PORTLAND, MAINE**

REFERENCE:
FLOOD INSURANCE RATE MAP
CITY OF PORTLAND
CUMBERLAND COUNTY
COMMUNITY PANEL #230051-0002 C
REVISED: DECEMBER 8, 1998

DATE: JANUARY 9, 2009
PROJECT No.: 2042B

FLOOD INSURANCE RATE MAP
NOT TO SCALE

FIGURE 3

2.0 - CALCULATION METHODS

The design storms analyzed in this study are the 2-year, 10-year and 25-year 24-hour duration storm events. The stormwater modeling system, HydroCAD 8.0⁽¹⁾ was utilized to predict the peak runoff rates from these storm events. A Type III storm pattern was used in this model.

The time of concentration was computed using the TR-55 method, which provides a means of determining the time for an entire watershed to contribute runoff to a specific location via sheet flows, shallow concentrated flows and channel flow. Runoff curve numbers were calculated by estimating the coverage areas and then summing the curve number for the coverage areas as a percent of the entire watershed. The appendix to this report contains a full description of the time of concentration methodology utilized in this report.

Drainage structures were sized for the 25-year storm using peak runoff rates generated from HydroCAD. Structure sub-catchments were identified and stormwater flows were routed through the system in general accordance with standard engineering practice. Hydraulics calculations for the drainage structures were analyzed for inlet and outlet control, maximum headwater and discharge velocity during the 25-year storm event using the HydroCAD 8.0⁽¹⁾.

⁽¹⁾ *HydroCAD 8.0, by HydroCAD Software Solutions, LLC, P.O. Box 350, Chocorua, New Hampshire 03817.*

A9.8

3.0 - PRE-DEVELOPMENT CONDITION

The runoff from the overall site in the pre-development condition was modeled at three (3) discharge points with three (3) contributing watershed areas (see Appendix A for the Pre-Development Watershed Plan, WS-1).

→ PB docs
Att. B 16

Discharge Point 1

Discharge Point 1 (DP 1) is located at the inlet of two (2) twenty-two (2) (22) inch culverts that convey Fall Brook under an existing pedestrian walkway. Watershed Area 1 (WS-1) includes a portion of the front parking lot and roof runoff that is collected in a closed drainage system and discharged just upstream of the two (2) culverts. The remainder of WS-1 includes sheet runoff from the plaza parking lot and adjacent lot, which travels via overland flow directly into the wetlands and Fall Brook, located at the rear of the site.

Discharge Point 2

Discharge Point 2 (DP 2) is located in Fall Brook, downstream from the twenty-two (2) (22) inch culverts. Watershed Area 2 (WS-2) includes area from the existing building and rear of the plaza that travels via overland flow towards the wetland.

Discharge Point 3

Discharge Point 3 (DP 3) is located within an existing catchbasin to the east of the proposed project area. This catchbasin is connected to the closed drainage system serving the remainder of the Northgate Plaza. Watershed Area 3 (WS-3) includes a portion of the front parking lot.

Table 1 summarizes the watershed's characteristics. The appendix to this Drainage Study fully documents these computations.

TABLE 1 PRE-DEVELOPMENT WATERSHED CHARACTERISTICS			
WATERSHED NUMBER	AREA (ACRES)	CN	TIME OF CONCENTRATION (MIN)
WS-1	3.02	93	7.2
WS-2	1.01	97	3.1
WS-3	0.20	98	3.2
Total	4.23		

A 9.9

4.0 - POST-DEVELOPMENT CONDITION

The runoff from the overall site in the post-development condition was modeled at the same three (3) discharge points as in the pre-development condition. The post-development site is comprised of three (3) contributing watershed areas (see Appendix A for the Post-Development Watershed Plan, WS-2).

in PB Dos
Att B17

Post-Discharge Point 1

As in the pre-development condition Post-Discharge Point 1 (PDP 1) is located at the inlet of two (2) twenty-two (22) inch culverts that convey to Fall Brook. Post-Watershed Area 1 (PWS 1) includes the rear drive aisle, as well as a small portion of the parking area and the large green space area behind the proposed CVS. Runoff from this area travels via overland flow towards Fall Brook. As part of this redevelopment, the portion of the site discharging directly to Fall Brook has been substantially decreased. New impervious areas have been included in this watershed resulting in a reduction in stormwater volume and improved stormwater quality.

Post-Discharge Point 2

Post-Discharge Point 2 (PDP 2) is located in Fall Brook, downstream from the twenty-two (22) inch culverts. Post-Watershed Area 2 (PWS 2) includes area from the existing building and rear of the plaza that travels via overland flow towards Fall Brook.

Post-Watershed Area 2A (PWS 2A) includes portions of the front parking area, the proposed drive thru area, the roof runoff from the proposed building and Lot C-23. As part of the redevelopment the existing closed drainage system will be redesigned to collect the runoff from these areas, and discharge to a rip rap section downstream of the twenty-two (22) inch culverts. Treatment for this area will come from two (2) new rain gardens located within the limits of the parking lot, as well as from new catchbasins, which are equipped with four (4) foot sumps and hoods.

Post-Discharge Point 3

Post-Discharge Point 3 (PDP 3) is located within an existing catchbasin to the east of the proposed project area. This catchbasin is connected to the closed drainage system serving the remainder of the Northgate Plaza. Post-Watershed Area 3 (PWS 3) includes a portion of the front parking lot. As part of the redevelopment, a new raised island has been designed with a portion of the new associated open space discharging to this discharge point.

Table 2 summarizes the watershed's characteristics. The appendix to this Drainage Study fully documents these computations.

A 9.10

TABLE 2 POST-DEVELOPMENT WATERSHED CHARACTERISTICS			
WATERSHED NUMBER	AREA (ACRES)	CN	TIME OF CONCENTRATION (MIN)
PWS 1	0.58	92	2.9
PWS 2	0.71	97	2.3
PWS 2A	2.76	93	6.7
PWS 3	0.18	96	4.4
Total	4.23		

A 9.11

5.0 - DISCHARGE POINT PEAK RATE COMPARISONS

Table 3 summarizes and compares the pre- and post-development peak runoff rates for the 2-year, 10-year and 25-year storm events. The post-development peak rate of runoff for each discharge point has been determined to be less than or equal to the peak rate of runoff for the pre-development condition.

TABLE 3 COMPARISON OF PRE- AND POST-DEVELOPMENT FLOWS STORM EVENT (cfs)			
	2-Year Storm	10-Year Storm	25-Year Storm
Pre-Development Condition			
DP 1	5.93	11.34	13.87
DP 2	7.99	15.00	18.28
DP 3	0.44	0.78	0.94
Post-Development Condition			
PDP 1	1.10	2.16	2.66
PDP 2	7.85	14.84	18.11
PDP 3	0.40	0.72	0.87

A 9.12

6.0 - PIPE DESIGN

The closed drainage system was analyzed for capacity using the 25-year, Type III storm event. A separate model depicting subcatchment areas for each of the catchbasins and roof drain areas was created. These subcatchment areas are depicted on the plan entitled "Subcatchment Plan", Sheet WS-3 found in the appendix to this study. The drainage system is anticipated to operate without ponding or flooding on-site during the 25-year storm event.

Table 4 details the results of the capacity analysis for the 25-year storm event in the individual catchbasins and drain manholes.

TABLE 4 SUMMARY OF STRUCTURE PERFORMANCE 25-YEAR STORM		
STRUCTURE NUMBER	TOP OF FRAME ELEVATION	WATER SURFACE ELEVATION
PDMH 1	90.6	89.17
PDMH 2	93.2	89.73
PCB1	93.4	91.25
PCB2	92.3	91.27
PCB3	92.85	90.53
PCB4	93.15	90.53
CB5319	93.35	91.4
CB5304	93.2	91.53

7.0 - BEST MANAGEMENT PRACTICES

All soil erosion and sediment control measures shall be in accordance with regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction. The intent of the outlined measures is to minimize erosion and sedimentation during construction, stabilize and protect the site from erosion after construction is complete and improve stormwater quality from the site. Best Management Practices for this project include:

- Temporary practices to be implemented during construction.
- Permanent practices to be implemented after construction.
- Stormwater treatment devices.

TEMPORARY PRACTICES

Sequencing:

1. Cut and clear trees.
2. Construct temporary and permanent sediment, erosion and detention control facilities. Erosion, sediment and detention measures shall be installed prior to any earth moving operations that will influence stormwater runoff such as
 - new construction
 - stream channel modifications
 - control of dust
 - construction of access road
 - nearness of construction site to receiving waters
 - construction during late winter and early spring
3. All permanent ditches, swales, detention, retention and sedimentation basins to be stabilized using the vegetative and non-structural BMPs prior to directing runoff to them.
4. Clear and dispose of debris.
5. Construct temporary culverts and diversion channels as required.
6. Grade parking areas - all parking areas shall be paved immediately after their construction.
7. Begin permanent and temporary seeding and mulching. All cut and fill slopes shall be seeded and mulched immediately after their construction.
8. Daily, or as required, construct temporary berms, drains, ditches, silt fences, sediment traps, etc.; mulch and seed as required.
9. Finish paving all roadways and parking lots.
10. Inspect and maintain all erosion and sediment control measures.
11. Complete permanent seeding and landscaping.
12. Remove trapped sediments from collector devices as appropriate and then remove temporary erosion control measures.

A 9. 14

Stabilization Practices:

1. Stabilization shall be initiated on all loam stockpiles and disturbed areas where construction activity will not occur for more than twenty one (21) calendar days by the fourteenth (14th) day after construction activity has permanently or temporarily ceased in that area. Stabilization measures to be used include:
 - a. Temporary seeding
 - b. Mulching
2. During construction, runoff will be diverted around the site with earth dikes, piping or stabilized channels where possible. Sheet runoff from the site will be filtered through hay bale barriers and silt fences. The site shall be stabilized for the winter by November 15th.
3. An area shall be considered stable when one (1) of the following has occurred:
 - a. Base course gravels have been installed in areas to be paved.
 - b. A minimum of 85% vegetated growth has been established.
 - c. A minimum of three (3) inches of non-erosive material such as stone or riprap has been installed.
 - d. Erosion control blankets have been properly installed.
4. Winter stabilization practices:
 - a. All proposed post-development vegetated areas which do not exhibit a minimum of 85% vegetated growth by November 15th, or which are disturbed after November 15th, shall be stabilized by seeding and installing erosion control blankets on slopes greater than 4:1 and seeding and placing three (3) to four (4) tons of mulch per acre, secure with anchor netting, elsewhere.
 - b. All ditches or swales which do not exhibit a minimum of 85% vegetative growth by October 15th, or which are disturbed after October 15th, shall be stabilized with stone or erosion control blankets appropriate for the design flow condition.

A 9. 15

- c. After November 15th, incomplete road or parking surfaces shall be protected with a minimum of three (3) inches of crushed gravel, or if construction is to continue through the winter season be cleared of any accumulated snow after each storm event.

PERMANENT PRACTICES

The objectives for developing permanent Best Management Practices for this site include the following:

- Develop a plan that provides the best hydrologic condition both on site and downstream.
- Provide a higher level of removal of pollutants from stormwater runoff.
- Have a minimal impact on the natural environment.
- Have minimal future maintenance.

Post-Development Hydrological Conditions:

The proposed re-development will increase open space and provide more pervious area. As a result, the volume and peak rate of runoff exiting the site will decrease.

Provide Level of Pollutant Removal:

The proposed site will increase pervious area and therefore reduce the level of pollutants in the runoff. In addition two (2) rain gardens are proposed, as well as catch basins with hoods and sumps. The proposed rain gardens have been designed based on the guidelines in the Stormwater Management for Maine: Best Management Practices.

In conjunction with the proposed upgrades, a rigorous street sweeping plan will be implemented ensuring water quality leaving the site is better than in the existing conditions.

Future Maintenance Burden:

The site will be maintained in accordance with the requirements of the State of Maine DEP Regulations for maintaining erosion and sediment control measures. This program requires inspections of all drainage devices, training and specified maintenance schedules. A record of all inspections and maintenance is kept on site and is available for inspection. A copy of this document will be provided to the city upon request.

A 9.16

STORMWATER TREATMENT DEVICES

The following Best Management Practices (BMP) have been incorporated into the proposed design:

Street Sweeping

The proposed site will undergo regular street sweeping. Street sweeping generally reduces pollutants such as sediment, some nutrients, oxygen demanding substances and non-biodegradable trash and can lessen the delivery rate of these substances to other BMP's, thus making downstream BMP's more effective.

Deep Sump Catch Basins

Proposed catchbasins for the project will be equipped with deep sumps. The deep sump in the proposed catchbasins provides additional volume to the basin below the invert of the outlet. This volume, when filled with runoff, will allow suspended solids to naturally settle out of the runoff prior to being discharged to the detention basin and ultimately to downstream resources.

Oil/Water Separator Hoods

Catchbasin hoods will be constructed on the outlet pipe of all catchbasins to prevent any collected oils from leaving the catchbasin and entering downstream resources.

Rain Gardens

Two (2) rain gardens are proposed within islands within the parking lot. A rain garden is a filtration BMP designed to collect and filter runoff using a planted bed within a shallow depression and a section of filter media. Rain gardens are capable of reducing sediment, nutrients, oils and grease.

A 9.17

8.0 - OPERATION AND MAINTENANCE PLAN

It is the intent of this Operation and Maintenance Plan to identify the areas of this site that need special attention and consideration, as well as implementing a plan to assure routine maintenance. By identifying the areas of concern as well as implementing a frequent and routine maintenance schedule, the site will maintain a high quality stormwater runoff.

Contact/Responsible Party

A & D Realty, Inc.
C/O Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, Massachusetts 02421
781-862-9700 x 212

Maintenance Items

Maintenance of the following items shall be recorded:

- Parking Lot Sweeping
- Litter/Debris Removal
- Landscaping
- Catchbasin Cleaning
- Rain garden Inspection and Cleaning

Operation and Maintenance Schedule

Maintenance Item	Frequency of Maintenance (Mins)	Operation
Parking Lot Sweeping - Lot swept to remove sand and litter.	Once Yearly in Spring and additional 3-4 times as needed	Parking Lot Sweeper
Litter/Debris Removal	Seven days a week	Management Company
Catchbasin (CB) Cleaning - CB to be cleaned of solids and oils.	Twice Yearly - Spring/Fall	Vacuum Truck
Landscaping - Landscaped islands to be maintained and mulched. - Islands with rain gardens shall only be mowed twice during a growing season.	Maintained as required and mulched each Spring	Management Company

A 9.18

<p>Rain Garden</p> <ul style="list-style-type: none">- Visual inspection and cleaning after a major rain event to ensure that the system is draining within 24 to 48 hours- Replacement of top several inches of filter material when ponding occurs.	<p>Twice Yearly*</p>	<p>Management Company</p>
--	----------------------	---------------------------

*The rain gardens shall be inspected after every major rain event for the first six (6) months of operation.

The maintenance items and schedule represent the minimum action required. Periodic site inspections shall be conducted and all measures must be maintained in effective operating condition. The following items shall be observed during site inspection and maintenance:

- Inspect vegetated areas, particularly slopes and embankments, for areas of erosion, replant as necessary.
- Inspect catchbasins for sediment buildup.
- Inspect site for trash and debris.

Snow Removal

Snow from the parking areas will be stored in areas designated on the Site Plan, C-3. All snow that cannot be accommodated in the locations shown shall be taken off-site.

**Northgate Plaza
Auburn Street**

Exhibit 5: Recap of Alternate CVS Plans

The proposed location of the CVS building has come about after much analysis and numerous discussions with staff members from the City of Portland. We have worked with city staff to analyze several different layouts for this center. At the request of planning staff we looked at moving the proposed CVS building closer to the front of the site. It was initially thought this would better meet the intentions of the zoning regulations and bring the proposed building out of the Stream Protections Zone. Jim Carmody from the Public Works Department and Tom Errico, a traffic review consultant for the city have also had the opportunity to look at the conceptual layouts and felt that from a traffic standpoint these options were not practical. Below is a description of each layout that was explored; corresponding plans have been provided:

Exhibit 5a: Conceptual Site Plan (April 2007)

- This conceptual site layout locates the 12,900 sf CVS building, which is separated from the remainder of the shopping center.
- The concept provides two (2) drive-thru windows with loading in rear and adjacent to the building.
- Building is not in the Stream Protection Zone.
- This layout would maintain the main entrance from Auburn Street and the drive aisle along the front of the shopping center.
 - This is not ideal as the front drive aisle intersects the main entrance approximately thirty-five (35) feet from the road. Customers exiting the plaza are forced to cross oncoming traffic and get into the appropriate exit lane.
- The drive aisle in front of the existing tenants would dead end at the drive-thru lanes, causing conflict.

Exhibit 5b: Alternate #1

- This alternative brings the stand-alone building to the front of the property.
 - This may require a variance as it is not further from the road than the two (2) adjacent properties.
- Building is not in the Stream Protection Zone.
- Provides two (2) drive-thru windows with loading in rear.
- Eliminates a portion of the parking that is currently located within exclusive and non-exclusive easements for the use of the medical building on the adjacent property.
- Creates barrier to traffic flow within the plaza. Incoming and outgoing traffic using the north plaza entrance will need to circulate to the rear of CVS and then double back. The width and configuration of the access lane between the rear of CVS and the last plaza building is narrow and awkward for plaza thru traffic.
- Elimination of additional spaces may be required to allow for proper truck turning movements.
- Access to the drive-thru requires an awkward turning movement for customers.

A 10.2

Exhibit 5c: Alternate #2:

- This alternative reverses the building orientation keeping the building at the front of the site.
 - This may require a variance as it is not further from the road than the two (2) adjacent properties.
- Building is not in the Stream Protection Zone.
- Customers entering from the north would need to do a 180 degree turn to get to the drive-thru.
- Eliminates a large portion of the parking that is currently located within exclusive and non-exclusive easements for the use of the medical building on the adjacent property.
- Still creates barrier to traffic flow within the plaza. Incoming and outgoing traffic using the north plaza entrance will need to circulate to the rear of CVS and then double back.
- Access to the drive-thru requires an awkward turning movement for customers with little queuing distance.

Exhibit 5d: Alternate 3:

- This alternative orients the long side of the building to the street keeping the building at the front of the site. The store entrance is located on the right side.
 - This may require a variance as it is not further from the road than the two (2) adjacent properties.
- Building is not in the Stream Protection Zone.
- Customers entering from the north would need to do a 180 degree turn to get to the drive-thru.
- Eliminates a large portion of the parking that is currently located within exclusive and non-exclusive easements for the use of the medical building on the adjacent property.
- Still creates barrier to traffic flow within the plaza. Incoming and outgoing traffic using the north plaza entrance will need to circulate to the rear of CVS and then double back.
- CVS delivery vehicles will have little room to maneuver and will conflict with customer traffic. In order to screen the loading area a vegetative barrier/solid screen would be necessary. Does not provide an attractive entrance to the plaza.
- Access to the drive-thru would also require an awkward turning movement for customers with little queuing distance.

Based on the analysis of different configurations and options for the site we feel that the proposed layout is the most suitable. Some of the benefits of the proposed layout include:

- The proposed building will be inline with the rest of the shopping center, connected with an overhead canopy keeping one (1) continuous roofline.
- The front drive aisle will not directly intersect with the entrance drive. Customers exiting the plaza will be directed to the second drive aisle and cross the main drive approximately 100 feet from the signal.
- With the exception of customers using the CVS drive-thru, customers will stay in the front of the plaza, minimizing conflicts with large delivery trucks.
- Maximizes open space and landscaped areas.
- Adequate parking is provided for the adjacent medical building within the existing easement.

Northate Renovations- Detail Aerial

Prepared by Planning Division Staff Feb



Proposed limits of all renovation work, including proposed ATM

Approx. location of drive-thru within new CVS



0 15 30 60 90 120 Feet







From: Jean Fraser
To: P.E., Gretchen Young,
Date: 8/17/2009 11:36:19 AM
Subject: Re: Northgate Plaza

Gretchen,

I am liaising with several reviewers regarding these amendments plus the ones I discussed with Frank Normandin and Jeff Tarling on Friday, as Barbara and I need their input before giving you a final "OK". We are hoping to do that Wednesday morning- as explained below.

Two reviewers have given comments:

Tom Errico (Traffic Engineer) has given a preliminary OK to narrowing the drive access for the H&R block (to a min width 22 ft) to save the trees along the Mercy Building. I think he is OK with the sidewalk revisions too.

Re the Landscape Plan, I confirm that Jeff Tarling (City Arborist) agrees that no additional trees are required in the rain garden. He requests that along the stream side (on side of fence facing neighbors) we would like 2 notes: one north of the footpath re the area now paved and to be green stating: "Five (5) white spruce (or norway spruce) trees, 5-6 feet high, to be planted in this area; to be field located in conjunction with the City Arborist"; and on the south side of the footpath, again in the area now paved and to be "green" and note stating "Two (2) white spruce (or norway spruce) trees, 5-6 feet high, to be planted in this area; to be field located in conjunction with the City Arborist".

We understand that the overhead utilities that partly go over these areas will be removed as part of this project so there would not be any conflict.

(We welcome the suggestion to have the fence put up, and maybe the planting of trees, prior to construction to minimize the impact of the construction on the neighbors).

As I discussed with Frank Normandin on Friday, please submit a revised Site Plan for the H&R Block adding in the narrowed drive and tree saves and also all the other revised plans/info (Landscape, Photometric; traffic info) by the end of tomorrow (tues) (pdfs OK but one set at scale would be helpful if you can get it here) and I will table and discuss them at our internal Wed AM Development Review meeting and (hopefully) get approvals for everything at one time; if all OK then you can submit the 7 sets of final plans for me to circulate (so that Performance Guarantee and Building Permit process can progress).

Re the traffic info, please send a copy to Tom Errico (at new e-mail address) at the same time you send to me.

Please let me know if you have any questions.

Jean

Jean Fraser, Planner
 City of Portland
 (207) 874 8728

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 8/13/2009 2:01:59 PM >>>
 Hi Jean,

I am following up on a conversation we had last week regarding proposed modifications to the approved plans. During that conversation you had

8/17
 w/ Cheryl
 3 pines at
 R-garden
 3 pines in
 R-garden

asked me to send you the proposed changes and you and Barbara would determine if a full staff meeting was required.

As I mentioned during our phone conversation, the proposed modifications came about as we started to coordinate with the architects...

I will start with H&R Block:

The approved site plan includes a ramp down to the first floor (or lower level) of that building, to an entrance in the middle of that side. As the architect and H&R block have moved forward with design, they have decided to keep the exiting entrances along the back of the building, and only use the basement for storage. You can see on the attached plans how that has changed the layout of the sidewalk along the rear of the building. There is still an area where a retaining wall would be required, that will have a guardrail along it to prevent cars from falling over the wall, as was addressed during the approval of the original layout. The trees that we were saving as part of the original submission will all continue to be saved in this layout.

This layout allows for the drive aisle to pull slightly closer to the building, which may enable us to save existing trees that are located along the property line abutting the Mercy Medical office. This also will create more open space on site, bringing the percentage up to 53%.

Now the CVS:

The architects have decided to create a door into the existing building that needs to be at an elevation of 92.0 (see along side of existing building, western side of the UPS space) This required us to drop the proposed elevation of the CVS from 93.85 down to 93.35 to keep from creating a significant slope across that drive aisle. Because of that, the locations of the proposed catchbasins have been slightly modified, no change has been made to the amount of runoff being directed to these catchbasins, and this will not change the amount of area that is being directed towards the proposed rain gardens, thus keeping the same amount treatment as was originally approved.

You will notice additional roof drain locations, the roof was always proposed to tie into the underground system past the rain gardens, so no additional treatment would be lost. You will also notice that the locations of the sewer and water connections have been adjusted. Again, there is no additional flow, just different locations. The ties into the existing systems have not been modified.

Lastly, Central Main Power has reviewed the site and determined that the CVS should be served by the existing transformer, rather than a separate transformer, and that a new connection back to the medical building transformer should be provided to allow for a backfeed to the mercy space if needed. No changes have been made to the locations of overhead v/s underground wiring.

If these proposed modifications are acceptable to you and Barbara, we will include them as part of our final submission set. As you may know, Frank is planning on meeting with the arborist tomorrow, any changes that come as a result of that meeting will also be included in that

Site Meeting *
Northgate

? footpath - who owns/maintains

Jeff suggests

5 ~~4~~ white spruce or Norway spruce

56ft high

on
N side
2 on side

field placed. - Note on plan OK

Rain garden - not comp. w/ stormwater
piping

Frank N. + Brad
Jeff T
Phil D.
Jean F.

From: Jean Fraser
To: Errico, Thomas; Gautreau, Keith
Date: 8/14/2009 3:32:21 PM
Subject: Fwd: Northgate Plaza

Tom and Keith

Jeff Tarling and I met with the developer (Frank Normandin) today to discuss trees at various locations around the site.

Frank asked us about 2 mature existing trees right on the boundary between the H&R Block and the Mercy Medical building to the NE- these were to be cut down in the original approved proposals.

As you will see in the first part of Gretchen's note below, they have pulled the sidewalk along the rear of the H&R Block building in closer to the building- they are using the basement for storage so the path will not be for customers; it might be used by a few employees parking on that lot who want to go in the back door to the upper part of the building.

Because they have pulled that sidewalk in closer to the building, the drive access moves and almost (but not quite) allows for saving a mature tree that is 8.5 ft from the Mercy building itself and which Jeff would like to see saved (since a lot of other trees along here will be lost).

But it looks like in order to save the tree the drive access would need to be 1-2 feet less than the 24 ft as designed (probably 2). Or maybe the sidewalk could be narrower??

Could you live with a diminimus amendment to the proposal (assuming that the other small changes are OK) which either narrows the drive or the sidewalk or both?????????

We need to decide by DEv Rev meeting on Wed at the latest so am circulating this now so you can think about it. I guess the developer has no view on this but needs to get the plans finalized as they have a contractor lined up and want to start asap.

Thanks
Jean

PS Jeff may add his 10 cents to this e-mail.

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 8/13/2009 2:01:59 PM >>>
Hi Jean,

I am following up on a conversation we had last week regarding proposed modifications to the approved plans. During that conversation you had asked me to send you the proposed changes and you and Barbara would determine if a full staff meeting was required.

As I mentioned during our phone conversation, the proposed modifications came about as we started to coordinate with the architects...

I will start with H&R Block:

The approved site plan includes a ramp down to the first floor (or lower level) of that building, to an entrance in the middle of that side. As the architect and H&R block have moved forward with design, they have decided to keep the exiting entrances along the back of the building, and only use the basement for storage. You can see on the attached plans how that has changed the layout of the sidewalk along the rear of

From: David Margolis-Pineo
To: Barbara Barhydt; Dan Goyette; Jean Fraser; Jeff Tarling ; Tom Errico
Date: 8/18/2009 1:14:38 PM
Subject: Fwd: Northgate Plaza

Barbara and Jean,

These changes, from my viewpoint, seem diminimus to me.

Dan, I think you will agree.

If anyone has an issue, please let Jean know or we can discuss tomorrow.

>>> Jean Fraser 08/13 2:35 PM >>>
Barbara and David,

They are wanting to send in the final plan set that will address conditions and get a final review.

I told Gretchen that we would need to determine if these were either diminimus and acceptable, or whether there was anything that raised bigger issues requiring more discussion/review etc.

Do you have any views....would prefer not wait until the Dev Rev next week if these are acceptable and minor....

thanks

Jean

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 08/13 2:01 PM >>>
Hi Jean,

I am following up on a conversation we had last week regarding proposed modifications to the approved plans. During that conversation you had asked me to send you the proposed changes and you and Barbara would determine if a full staff meeting was required.

As I mentioned during our phone conversation, the proposed modifications came about as we started to coordinate with the architects...

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This layout allows for the drive aisle to pull slightly closer to the

building, which may enable us to save existing trees that are located along the property line abutting the Mercy Medical office. This also will create more open space on site, bringing the percentage up to 53%.

Now the CVS:

The architects have decided to create a door into the existing building that needs to be at an elevation of 92.0 (see along side of existing building, western side of the UPS space) This required us to drop the proposed elevation of the CVS from 93.85 down to 93.35 to keep from creating a significant slope across that drive aisle. Because of that, the locations of the proposed catchbasins have been slightly modified, no change has been made to the amount of runoff being directed to these catchbasins, and this will not change the amount of area that is being directed towards the proposed rain gardens, thus keeping the same amount treatment as was originally approved.

You will notice additional roof drain locations, the roof was always proposed to tie into the underground system past the rain gardens, so no additional treatment would be lost. You will also notice that the locations of the sewer and water connections have been adjusted. Again, there is no additional flow, just different locations. The ties into the existing systems have not been modified.

Lastly, Central Main Power has reviewed the site and determined that the CVS should be served by the existing transformer, rather than a separate transformer, and that a new connection back to the medical building transformer should be provided to allow for a backfeed to the mercy space if needed. No changes have been made to the locations of overhead v/s underground wiring.

If these proposed modifications are acceptable to you and Barbara, we will include them as part of our final submission set. As you may know, Frank is planning on meeting with the arborist tomorrow, any changes that come as a result of that meeting will also be included in that final set. We are hoping to have all of the required information (including photometrics, monies for the signal, letter regarding seasonal drive-thru use, etc.) for you next week once we here back from you regarding the proposed modifications.

Thanks again for all of your help, and as always, let me know if you have any questions.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
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<<2042C-GRADE_(8-13-09).PDF>>

From: Jean Fraser
To: ThelmaD
Date: 8/12/2009 2:17:00 PM
Subject: Re: Northgate Plaza hearing

Hello Thelma,

I have finally been able to get the applicant (developer, who is driving up from Mass) and Jeff Tarling (City Arborist) on site to finalize the buffer and planting proposals for this project- we will be on site (near where footpath crosses the stream) at 11am Friday morning (Aug 14th). I have your sketch so you don't need to be there but please join us if you are able.

Thank you
Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> "ThelmaD" <thelmadi@maine.rr.com> 8/4/2009 10:52:14 AM >>>
Good morning Jean,

Thank you for forwarding a copy of the approval letter to me. Your help in this matter has been greatly appreciated.

I have not heard from Jeff Tarling yet but I will follow up with a phone call to him next week if I don't hear from him within the next few days.

I will also notify Tammy Munson about the noise in that lot during the wee hours of the night. Trash removal still occurs at 5:15 AM practically every morning. One store has a Monday delivery that starts around 1:00 AM and the noise lasts from one to two hours. Last night was the worst. It sounded like construction or paving activity that lasted all night. It started around 2:00 AM and the constant roar of truck engines and backup warning sounds finally stopped at 7:45 this mornig. I don't know what they were doing but the workers were very loud and consequently my husband & I got no sleep at all even with the windows closed and the fan on!

Again, thank you for all the info you've given me. It will help to try to resolve these problems that have been going on for years.

Sincerely,
Thelma DiPhilippo

----- Original Message -----

From: "Jean Fraser" <JF@portlandmaine.gov>
To: <thelmadi@maine.rr.com>
Sent: Friday, July 31, 2009 4:51 PM
Subject: Re: Northgate Plaza hearing

> Thelma,
>
> I attach the approval letter for this project and you will see that the
> applicant is required to add planting behind your property.
>

> I have asked Jeff Tarling, the City Arborist, to contact you (he has
> seen your sketch) to better understand what you would like to see and to
> make sure it is included on the applicant's revised landscape plan. If
> Jeff has not yet reached you, I suggest you call him (874 8820) and
> clarify the need for planting and where (Jeff agrees in principle but
> may need some explanation re the detail)- I know Jeff was planning to
> visit the site but he is busy and may not yet have done so.

>

> Jean

>

> Jean Fraser

> Planner, City of Portland

> 874 8728

>

>>>> "ThelmaD" <thelmadi@maine.rr.com> 6/15/2009 4:23:49 PM >>>

> Dear Ms. Fraser,

>

> I'm sorry I couldn't attend the June 9th meeting due to a previously
> scheduled surgical procedure.

>

> I am wondering if my comments were given any consideration and if there
> were any changes made to the plans for the Plaza Redevelopment...

>

> Would I be able to access the results of the meeting on the
> 'portlandmaine.gov/planning' site? I've been checking the site but have
> not seen any additional info yet.

>

> Thank you for your time and for the information you've already sent to
> me.

> It's greatly appreciated since I've not been able to attend the
> hearings...

>

> Sincerely,

> Thelma DiPhilippo

>

From: Jean Fraser
To: Bradlee Mezquita, P.E.; GYoung@appledoreeng.com
Date: 8/12/2009 2:49:07 PM
Subject: Fwd: H&R Block /Northgate Plaza

GRetchen and Brad,

Just a reminder about Condition Aii (further info re traffic data for drive thru/needed before BP) - I am not sure if you are aware that Tom Errico has a new e-mail:

Thomas.errico@tylin.com

If you send him the information directly please copy to me.

thanks
Jean

>>> Jean Fraser 8/7/2009 12:23:49 PM >>>
Gretchen and Brad,

I understand that a Building Permit application has been lodged with the Building Inspections Division for the H&R block building. The H&R Block is part of the single application for the entire Northgate project, so the BP can not be progressed until all of the PB site plan conditions are met (those which state that they need to be met prior to issuance of a BP), and a Performance Guarantee and the Inspections Fee are paid.

I have suggested Inspections start the process of reviewing the Building Permit but it can not be issued until all that is complete. In particular, the plans submitted for BP should match exactly those that have Site Plan approval, and so far there is not an approved set of site plans.

The final plans have not been approved (landscape and photometrics are outstanding- see my e-mail earlier this week re a meeting between the City Arborist and the applicant- need dates from you); we need 7 sets with all revisions asap when all have been approved (one set goes to BP reviewers to check against the BP application)(see approval letter); also need note re change in the sidewalk for H&R block building (plus revision on the plan) that Gretchen mentioned to me earlier this week so I can check that with the Director.

Phil DiPierro in my office ((207) 874 8632 or PD@portlandmaine.gov) deals with the Performance Guarantee- you should have received the PG packet with the approval letter and the City must review the estimate before the letter of credit can be finalized/accepted. Phil is away today but in the office on Monday.

Please call me if you have any questions...

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

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To: Bradlee Mezquita, P.E.; GYoung@appledoreeng.com
Date: 8/7/2009 12:23:49 PM
Subject: H&R Block /Northgate Plaza

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Please call me if you have any questions...

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

8/12/09 Tom Errico confirmed had not received the traffic data.

From: Jean Fraser
To: Errico, Thomas; Gautreau, Keith
Date: 8/14/2009 3:32:21 PM
Subject: Fwd: Northgate Plaza

Tom and Keith

Jeff Tarling and I met with the developer (Frank Normandin) today to discuss trees at various locations around the site.

Frank asked us about 2 mature existing trees right on the boundary between the H&R Block and the Mercy Medical building to the NE- these were to be cut down in the original approved proposals.

As you will see in the first part of Gretchen's note below, they have pulled the sidewalk along the rear of the H&R Block building in closer to the building- they are using the basement for storage so the path will not be for customers; it might be used by a few employees parking on that lot who want to go in the back door to the upper part of the building.

Because they have pulled that sidewalk in closer to the building, the drive access moves and almost (but not quite) allows for saving a mature tree that is 8.5 ft from the Mercy building itself and which Jeff would like to see saved (since a lot of other trees along here will be lost).

But it looks like in order to save the tree the drive access would need to be 1-2 feet less than the 24 ft as designed (probably 2). Or maybe the sidewalk could be narrower??

Could you live with a diminimus amendment to the proposal (assuming that the other small changes are OK) which either narrows the drive or the sidewalk or both??????????

We need to decide by DEv Rev meeting on Wed at the latest so am circulating this now so you can think about it. I guess the developer has no view on this but needs to get the plans finalized as they have a contractor lined up and want to start asap.

Thanks
Jean

PS Jeff may add his 10 cents to this e-mail.

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 8/13/2009 2:01:59 PM >>>
Hi Jean,

I am following up on a conversation we had last week regarding proposed modifications to the approved plans. During that conversation you had asked me to send you the proposed changes and you and Barbara would determine if a full staff meeting was required.

As I mentioned during our phone conversation, the proposed modifications came about as we started to coordinate with the architects...

I will start with H&R Block:

The approved site plan includes a ramp down to the first floor (or lower level) of that building, to an entrance in the middle of that side. As the architect and H&R block have moved forward with design, they have decided to keep the exiting entrances along the back of the building, and only use the basement for storage. You can see on the attached plans how that has changed the layout of the sidewalk along the rear of

the building. There is still an area where a retaining wall would be required, that will have a guardrail along it to prevent cars from falling over the wall, as was addressed during the approval of the original layout. The trees that we were saving as part of the original submission will all continue to be saved in this layout.

This layout allows for the drive aisle to pull slightly closer to the building, which may enable us to save existing trees that are located along the property line abutting the Mercy Medical office. This also will create more open space on site, bringing the percentage up to 53%.

Now the CVS:

The architects have decided to create a door into the existing building that needs to be at an elevation of 92.0 (see along side of existing building, western side of the UPS space) This required us to drop the proposed elevation of the CVS from 93.85 down to 93.35 to keep from creating a significant slope across that drive aisle. Because of that, the locations of the proposed catchbasins have been slightly modified, no change has been made to the amount of runoff being directed to these catchbasins, and this will not change the amount of area that is being directed towards the proposed rain gardens, thus keeping the same amount treatment as was originally approved.

You will notice additional roof drain locations, the roof was always proposed to tie into the underground system past the rain gardens, so no additional treatment would be lost. You will also notice that the locations of the sewer and water connections have been adjusted. Again, there is no additional flow, just different locations. The ties into the existing systems have not been modified.

Lastly, Central Main Power has reviewed the site and determined that the CVS should be served by the existing transformer, rather than a separate transformer, and that a new connection back to the medical building transformer should be provided to allow for a backfeed to the mercy space if needed. No changes have been made to the locations of overhead v/s underground wiring.

If these proposed modifications are acceptable to you and Barbara, we will include them as part of our final submission set. As you may know, Frank is planning on meeting with the arborist tomorrow, any changes that come as a result of that meeting will also be included in that final set. We are hoping to have all of the required information (including photometrics, monies for the signal, letter regarding seasonal drive-thru use, etc.) for you next week once we here back from you regarding the proposed modifications.

Thanks again for all of your help, and as always, let me know if you have any questions.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>

gyoung@appledoreeng.com

~ Best Small Civil Engineering Firm to Work For in the Country - CE
News, Oct. 2008 ~

<<2042C-UTIL_(8-13-09).PDF>> <<2042C-SITE_(8-13-09).PDF>>
<<2042C-GRADE_(8-13-09).PDF>>

CC: Tarling , Jeff

City of Portland
 Development Review Application
 Planning Division Transmittal form

Application Number: 10-99600003 **Application Date:** 4/06/10

Project Name: NORTHGATE PLAZA AMENDED S

Address: 125 Auburn St **CBL:** 375 - C-023-001

Project Description: Northgate Plaza; 91-125 Auburn Street; Amended Site Plan; A&D Realty, LLC

Zoning: B2 COMMUNITY BUSINESS

Other Reviews Required:

Review Type: ADMINISTRATIVE AMENDED SITE PLAN

Applicant:

A & D Realty LLC
 5 Militia Drive
 Lexington Ma 02421

Agent/Representative:

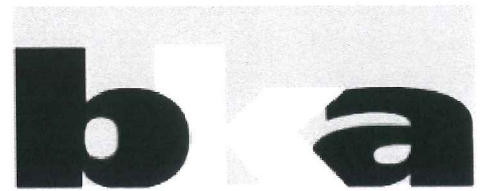
Kevin Paton
 142 Crescent Street
 Brockton Ma 02301

Distribution List:

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

Preliminary Comments needed by:

BKA Architects, Inc.
142 Crescent Street
Brockton, MA 02302



Architecture + Interiors

tel: 508.583.5603
fax: 508.584.2914
e-mail: bka@bkaarchs.com
www.bkaarchs.com

LETTER OF TRANSMITTAL

TO: City of Portland
4th Floor City Hall (Planning)
389 Congress St.
Portland, Me 04101-3509

Date: April 27, 2010

Project: CVS Portland #329

ATT.: Jean Fraser

Project No.: 209017

WE TRANSMIT:

Herewith

Under separate cover
via: _____

In accordance with your
request: _____

FOR YOUR:

Approval

Distribution

Information

Review & comment

Use

Record

Other: _____

THE FOLLOWING:

Drawings

Shop Dwg Prints

Samples

Specifications

Originals

Change Order

Shop Dwg Repro's

Product Literature

Other: _____

COPIES	DATE	NO.	DESCRIPTION
5	3/31/10		Sheet C-2A (Appledore Engineering drawing)

REMARKS _____

Signed: Kevin Paton

BKA Architects, Inc.
142 Crescent Street
Brockton, MA 02302



Architecture + Interiors

tel: 508.583.5603
fax: 508.584.2914
email: bka@bkaarchs.com
www.bkaarchs.com

March 31, 2010

Ms. Jean Fraser, Planner
Planning & Development Department
389 Congress Street
Portland, ME 04101

RE: CVS/pharmacy #326
Northgate Plaza

Dear Ms. Fraser,

Amendment Summary

On behalf of A&D Realty, LLC, BKA Architects, Inc. is requesting an amendment to the approved plans due to a dimensional discrepancy. 4'-0" less of the existing plaza was demolished than what was indicated on the approved site plans. The area affected is the new exterior wall at the westerly end of the plaza facing the proposed CVS/pharmacy. This area between the CVS and the plaza is used for access to the CVS drive through, delivery truck parking, and a sidewalk leading to the northerly end of the property. The built condition with the additional 4'-0" of structure complies with applicable zoning setbacks and wetland buffers.

The built condition allows for maintaining the plaza's loading dock and its canopy, existing utility connections, and the existing basement. The proposed modifications will allow for a safe and convenient pedestrian movement across the drive through while preserving the original permitted driveway width of 15'-0". A column was added to the original approved plan at approximately mid span of the new connecting roof at the edge of the truck loading area. Pedestrian movements along the front of the buildings remain on the parking lot side of the column and a wooden guard rail restricts pedestrian access behind the column. Truncated domes and "Caution Vehicles Entering" signage remains unchanged from the approved site plans. Gutters on the connecting roof will collect rain water and channel it to the underground storm drain system by roof leaders. The under canopy lighting remains unchanged from the original approved plans.

In conjunction with the site plan dimensional changes A&D Realty is proposing to upgrade the existing flat roof canopies over the existing sidewalks to include a sloped shingled roof to match the rest of the plaza. These roofs will continue to drain internally to existing roof drains. To accommodate this design the connecting roof between the CVS and the plaza has changed to eliminate the gable feature.

Dimensional Details

The approved site plan indicates a clear width of 42'-0" between the existing plaza and the new CVS/pharmacy as shown on sheet 1 of 2. This space is comprised of a 6'-0" wide sidewalk along the existing plaza, a 16'-0" wide truck loading area, a 15'-0" wide vehicular driveway, and a 5'-0" wide buffer along the CVS wall.

The proposed plan sheet 2 of 2 reflects the built condition of 38'-0" clear between the two buildings. The sidewalk along the plaza was reduced to 5'-0" wide, the truck loading area was reduced to 14'-0" wide, the 15'-0" driveway was maintained and the 5'-0" buffer along CVS was reduced to 4'-0" wide.



Dimensional Summary Chart

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Buffer along CVS	5'-0"	4'-0"	1'-0"
Driveway	15'-0"	15'-0"	No Change
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Total	42'-0"	38'-0"	4'-0"

Attachment Summary

Development Review Application	
Drive-Thru/Crosswalk Sheet 1 of 2	March 23, 2010
Drive-Thru/Crosswalk Sheet 2 of 2	March 23, 2010
Colored Exterior Views sheet 1 of 1	March 26, 2010
A-1.5 Construction Plan & Notes	March 11, 2010
A-2.1 Roof Plan	March 11, 2010
A-4.1.2 Exterior Elevations & Notes	March 11, 2010
C-2 Overall Site Plan	March 31, 2010
C-2A Site Plan	March 31, 2010

Very truly yours,

Kevin L. Paton
Senior Associate
BKA Architects, Inc.

City of Portland
Development Review Application
Planning Division Transmittal form

Application Number: 10-99600003 **Application Date:** 4/06/10

Project Name: NORTHGATE PLAZA AMENDED S

Address: 125 Auburn St **CBL:** 375 - C-023-001

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Other Reviews Required:

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Applicant:

A & D Realty LLC
5 Militia Drive
Lexington Ma 02421

Agent/Representative:

Kevin Paton
142 Crescent Street
Brockton Ma 02301

↙ only circ to these: circ. 4.7.

Distribution List:

<input checked="" type="checkbox"/> Planner	Jean Fraser	<input type="checkbox"/> City Arborist	Jeff Tarling
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<input type="checkbox"/> DRC Coordinator	Phil DiPierro		

Preliminary Comments needed by:

Jean Fraser - Northgate Plaza - CVS

From: Thomas Errico <Thomas.Errico@tylin.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 4/9/2010 2:55 PM
Subject: Northgate Plaza - CVS
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@port...>

Jean – I have reviewed the revised plans submitted by BKA Architects, Inc. dated March 31, 2010 and find them to be acceptable from a traffic and pedestrian perspective.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
TYLIN INTERNATIONAL

12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

**Deputy City Engineer
David Margolis-Pineo**

April 15, 2010

The Department of Public Services is satisfied with the design change to the Drive-Thru area and has no comments.

BKA Architects, Inc.
142 Crescent Street
Brockton, MA 02302



Architecture + Interiors

tel: 508.583.5603
fax: 508.584.2914
email: bka@bkaarchs.com
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Portland, ME 04101

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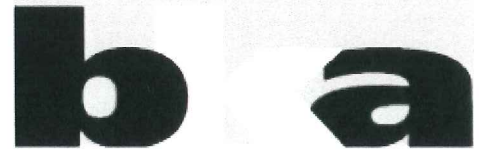
Very truly yours,

Kevin L. Paton
Senior Associate
BKA Architects, Inc.

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Brockton, MA 02302

Architecture + Interiors

tel: 508.583.5603
fax: 508.584.2914
e-mail: bka@bkaarchs.com
www.bkaarchs.com



LETTER OF TRANSMITTAL

TO: City of Portland
Planning Department
389 Congress Street
Portland, ME 04101
ATT.: Jean Fraser - Planner

Date: April 5, 2010

Project: CVS/pharmacy
Northgate Plaza
Project No.: 209017

WE TRANSMIT:

Herewith

Under separate cover

via:

In accordance with your
request:

FOR YOUR:

Approval

Distribution

Information

Review & comment

Use

Record

Other:

THE FOLLOWING:

Drawings

Shop Dwg Prints

Samples

Specifications

Originals

Change Order

Shop Dwg Repro's

Product Literature

Other:

COPIES	DATE	NO.	DESCRIPTION
1			Application
7			Full size sets of drawings for site plan approval modification
1			11x17 copy of drawings
1			Check for \$250.00
8			Copies of cover letter

REMARKS

Signed: Kevin Paton

BKA Architects, Inc.
142 Crescent Street
Brockton, MA 02302



Architecture + Interiors

tel: 508.583.5603
fax: 508.584.2914
email: bka@bkaarchs.com
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Planning & Development Department
389 Congress Street
Portland, ME 04101

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C-2 Overall Site Plan	March 31, 2010
C-2A Site Plan	March 31, 2010

Very truly yours,

Kevin L. Paton
Senior Associate
BKA Architects, Inc.



Development Review Application PORTLAND, MAINE

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

PROJECT NAME: Northgate Plaza

PROPOSED DEVELOPMENT ADDRESS:

91 - 125 Auburn Street

PROJECT DESCRIPTION:

Amend site plan approval to construct a CVS/pharmacy to include dimension
changes to site plan and upgrade to plaza architecture

CHART/BLOCK/LOT: Map 375 Lot-C1

CONTACT INFORMATION:

APPLICANT

Name: A & D Realty LLC
Address: 5 Militia Drive
Lexington, MA
Zip Code: 02421
Work #: 781-862-9700
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

PROPERTY OWNER

Name: A & D Realty LLC
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Cell #: _____
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Home: _____
E-mail: _____

RECEIVED

APR - 6 2010

City of Portland
Planning Division

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

AGENT/REPRESENTATIVE

Name: Kevin Paton
Address: 142 Crescent Street
Brockton, MA
Zip Code: 02301
Work #: 508-583-5603
Cell #: _____
Fax #: 508-584-2914
Home: _____
E-mail: kpaton@bkaarchs.com

ENGINEER

Name: Appledore Engineering, Inc.
Address: 177 Corporate Drive
Portsmouth, NH
Zip Code: 03801
Work #: 603-433-8818
Cell #: _____
Fax #: 603-433-0988
Home: _____
E-mail: _____

ARCHITECT

Name: BKA Architects, Inc.
Address: 142 Crescent Street
Brockton, MA
Zip Code: 02301
Work #: 508-583-5603
Cell #: _____
Fax #: 508-584-2914
Home: _____
E-mail: _____

CONSULTANT

Name: _____
Address: _____
Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

SURVEYOR

Name: _____
Address: _____
Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ATTORNEY

Name: _____
Address: _____
Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

PROJECT DATA

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

Total Site Area 575,009 sq. ft.
 Proposed Total Disturbed Area of the Site 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 sq. ft.
 Existing Total Impervious Area sq. ft.
 Proposed Total Impervious Area sq. ft.
 Proposed Impervious Net Change 0 sq. ft.

BUILDING AREA

Existing Building Footprint 107,204 sq. ft.
 Proposed Building Footprint 107,724 sq. ft.
 Proposed Building Footprint Net change 520 sq. ft.
 Existing Total Building Floor Area 114,404 sq. ft.
 Proposed Total Building Floor Area 114,924 sq. ft.
 Proposed Building Floor Area Net Change 520 sq. ft.
 New Building No (yes or no)

ZONING

Existing B2 Community Business
 Proposed, if applicable _____

LAND USE

Existing Retail & Restaurant
 Proposed _____

RESIDENTIAL, IF APPLICABLE

Proposed Number of Affordable Housing Units _____
 Proposed Number of Residential Units to be Demolished _____
 Existing Number of Residential Units _____
 Proposed Number of Residential Units _____
 Subdivision, Proposed Number of Lots _____

PARKING SPACES

Existing Number of Parking Spaces 583
 Proposed Number of Parking Spaces 583
 Number of Handicapped Parking Spaces 13
 Proposed Total Parking Spaces _____

BICYCLE PARKING SPACES

Existing Number of Bicycle Parking Spaces _____
 Proposed Number of Bicycle Parking Spaces _____
 Total Bicycle Parking Spaces 22

ESTIMATED COST OF PROJECT

No Change

Please answer the following with a Yes/No response on all that apply to the proposed development

Institutional	<u>N</u>	Change of Use	<u>N</u>
Parking Lot	<u>Y</u>	Design Review	<u>N</u>
Manufacturing	<u>N</u>	Flood Plain Review	<u>N</u>
Office	<u>N</u>	Historic Preservation	<u>N</u>
Residential	<u>N</u>	Housing Replacement	<u>N</u>
Retail/Business	<u>Y</u>	14-403 Street Review	<u>N</u>
Warehouse	<u>N</u>	Shoreland	<u>N</u>
Single Family Dwelling	<u>N</u>	Site Location	<u>N</u>
2 Family Dwelling	<u>N</u>	Stormwater Quality	<u>N</u>
Multi-Family Dwelling	<u>N</u>	Traffic Movement	<u>Y</u>
B-3 Ped Activity Review	<u>N</u>	Zoning Variance	<u>N</u> (or date)
Change of Use	<u>N</u>	Historic Dist./Landmark	<u>N</u>
		Off Site Parking	<u>N</u>

APPLICATION FEE:

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

<p>Major Development (more than 10,000 sq. ft.)</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>Plan Amendments</p> <p><input checked="" type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p>Subdivision</p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$_____ + (applicable Major site plan fee)</p>
<p>Minor Site Plan Review</p> <p><input 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>Other Reviews</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:

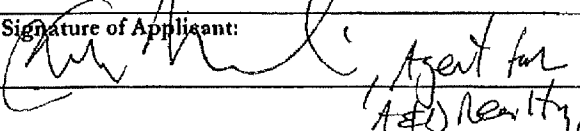
1. Seven (7) full size site plans that must be folded.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest
5. A stamped standard boundary survey prepared by 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 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>Agent for AEO Realty, LLC</p>	<p>Date:</p> <p>9/5/10</p>
---	----------------------------

BKA Architects, Inc.
142 Crescent Street
Brockton, MA 02302



Architecture + Interiors

tel: 508.583.5603
fax: 508.584.2914
email: bka@bkaarchs.com
www.bkaarchs.com

March 31, 2010

Ms. Jean Fraser, Planner
Planning & Development Department
389 Congress Street
Portland, ME 04101

RE: CVS/pharmacy #326
Northgate Plaza

Dear Ms. Fraser,

Amendment Summary

On behalf of A&D Realty, LLC, BKA Architects, Inc. is requesting an amendment to the approved plans due to a dimensional discrepancy. 4'-0" less of the existing plaza was demolished than what was indicated on the approved site plans. The area affected is the new exterior wall at the westerly end of the plaza facing the proposed CVS/pharmacy. This area between the CVS and the plaza is used for access to the CVS drive through, delivery truck parking, and a sidewalk leading to the northerly end of the property. The built condition with the additional 4'-0" of structure complies with applicable zoning setbacks and wetland buffers.

The built condition allows for maintaining the plaza's loading dock and its canopy, existing utility connections, and the existing basement. The proposed modifications will allow for a safe and convenient pedestrian movement across the drive through while preserving the original permitted driveway width of 15'-0". A column was added to the original approved plan at approximately mid span of the new connecting roof at the edge of the truck loading area. Pedestrian movements along the front of the buildings remain on the parking lot side of the column and a wooden guard rail restricts pedestrian access behind the column. Truncated domes and "Caution Vehicles Entering" signage remains unchanged from the approved site plans. Gutters on the connecting roof will collect rain water and channel it to the underground storm drain system by roof leaders. The under canopy lighting remains unchanged from the original approved plans.

In conjunction with the site plan dimensional changes A&D Realty is proposing to upgrade the existing flat roof canopies over the existing sidewalks to include a sloped shingled roof to match the rest of the plaza. These roofs will continue to drain internally to existing roof drains. To accommodate this design the connecting roof between the CVS and the plaza has changed to eliminate the gable feature.

Dimensional Details

The approved site plan indicates a clear width of 42'-0" between the existing plaza and the new CVS/pharmacy as shown on sheet 1 of 2. This space is comprised of a 6'-0" wide sidewalk along the existing plaza, a 16'-0" wide truck loading area, a 15'-0" wide vehicular driveway, and a 5'-0" wide buffer along the CVS wall.

The proposed plan sheet 2 of 2 reflects the built condition of 38'-0" clear between the two buildings. The sidewalk along the plaza was reduced to 5'-0" wide, the truck loading area was reduced to 14'-0" wide, the 15'-0" driveway was maintained and the 5'-0" buffer along CVS was reduced to 4'-0" wide.



Dimensional Summary Chart

	As Permitted	Proposed	Difference
Buffer along CVS	5'-0"	4'-0"	1'-0"
Driveway	15'-0"	15'-0"	No Change
Truck Loading area	16'-0"	14'-0"	2'-0"
Sidewalk along plaza	6'-0"	5'-0"	1'-0"
Total	42'-0"	38'-0"	4'-0"

Attachment Summary

Development Review Application
Drive-Thru/Crosswalk Sheet 1 of 2 March 23, 2010
Drive-Thru/Crosswalk Sheet 2 of 2 March 23, 2010
Colored Exterior Views sheet 1 of 1 March 26, 2010
A-1.5 Construction Plan & Notes March 11, 2010
A-2.1 Roof Plan March 11, 2010
A-4.1.2 Exterior Elevations & Notes March 11, 2010
C-2 Overall Site Plan March 31, 2010
C-2A Site Plan March 31, 2010

Very truly yours,

Kevin L. Paton
Senior Associate
BKA Architects, Inc.

Jean Fraser - RE: Reply #2 RE: CVS/pharmacy - Northgate Plaza

From: Jean Fraser
To: Paton, Kevin
Date: 3/31/2010 11:55 AM
Subject: RE: Reply #2 RE: CVS/pharmacy - Northgate Plaza

Kevin,

These look OK except that on page 8 of the application form please remove the "X" under "Major Development"- this application is only for "Plan Amendments- Planning Staff Review" (\$250).

Also I guess you might want to revise the "all pedestrian movements are in front of the column..." (second para in letter) to refer to pedestrians on the front sidewalk, as the sidewalk coming from the rear of the site will join the front sidewalk (technically) from behind the column; also the guardrail only relates to the front sidewalk (I think). Just to avoid misunderstandings.....

Please send in #s of copies of plans and graphics as advised to you in one of my earlier e-mails.

Jean

>>> "Kevin Paton" <kpaton@bkaarchs.com> 3/31/2010 8:59 AM >>>
Jean,

Attached is a draft application filled out and a revised cover sheet per you suggestions below. Again I really appreciate your input and comments, they have been very helpful to me in this process.

I will also be including a note on the colored plans to indicate the wooden guard rail and of course we will have the scaled site plan and architectural plan with elevations.

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Tuesday, March 30, 2010 10:39 AM
To: Kevin Paton
Subject: Reply #2 RE: CVS/pharmacy - Northgate Plaza

Kevin,

The fee is \$250 as this will be an administrative review.

Re the cover letter, I suggest that para 2 be expanded to be descriptive (ie also describing the addition of the column and why and where; clarifying that the sidewalk along the front will be revised as shown (refer to the graphic that compares to the one I gave you) and that signage, raised domes etc remain as previously approved. Also I don't see any mention/notation re the guardrail (in letter nor on plans)- it needs to be shown and please confirm materials (I believe you confirmed it was wood at the meeting)

Pedestrian safety in relation to cars turning into the drive thru (and to a much lesser extent the loading bay) was the main concern of the Planning Board- so they wanted to be sure that there were no columns/signs etc that would prevent drivers from seeing children on the sidewalks and vice versa. But asserting that it is safe does not help- reviewers will make that determination and need to understand how changed and why and implications.

What about drip lines of new roof over any sidewalks; is there any new/revised lighting underneath (which would change the approved photometric)? (Just asking in case....)

Elsewhere please refer to the color graphics and confirm the plan numbers being submitted; or have list at end.

I suggest you get this to us as soon as possible as this has to get into a computer system and then to others to review as well (and they are not all in this office); don't worry if something is missing as you can follow up if we need it.

Please don't hesitate to contact me if there are any other questions- it saves time in the long run to resolve things now.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Kevin Paton" <kpaton@bkaarchs.com> 3/29/2010 4:44 PM >>>
Thanks Jean, I appreciate the time you are spending with me.

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Monday, March 29, 2010 4:38 PM
To: Kevin Paton
Subject: RE: CVS/pharmacy - Northgate Plaza

Kevin,

This is not going to be a Planning Board Review so I think it will just be \$250; I have to leave early tonight so I will check that and get back to you re the letter first thing tomorrow.

Re the letter (having just scanned it quickly) I think you need to clarify re the introduction of the column as that is a big issue if it in any way affects sight lines or could cause any problems for pedestrians/ADA etc. So where you summarize the changes in the first part of the letter I think something that confirms where and what and why re the column would be helpful - but I will get to you more comprehensively in the AM.

Jean

>>> "Kevin Paton" <kpaton@bkaarchs.com> 3/29/2010 3:14 PM >>>

Jean,

Thank you for sending the original application.

I have added a couple paragraphs to my letter, if you have a moment to review it and let me know if it will satisfy the cover letter request?

I will go through the application and complete that as well as the fees. Can you tell me what the fee total will be? Is it a combination of the Planning Board Review fee of \$500 plus the Planning Staff review fee of \$250 for a total of \$750?

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Monday, March 29, 2010 3:04 PM
To: Kevin Paton
Subject: RE: CVS/pharmacy - Northgate Plaza

Kevin

Well....I attach what we have- which is a copy of a pdf scan (the original scan is 50-75 pages so I have extracted the key docs).

I have included the original application forms and the first page of the Hearing Report which reflects the final dimensions and figures etc. as approved.

If it appears blank just click on the page and hopefully it will appear....if it doesn't work, I can fax you these - and if there is anything else please let me know.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Kevin Paton" <kpaton@bkaarchs.com> 3/26/2010 4:50 PM >>>

Jean,

Do you have a copy of the original application forms that can be emailed or faxed to me?

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Friday, March 26, 2010 4:42 PM
To: Kevin Paton
Subject: Re: CVS/pharmacy - Northgate Plaza

Kevin,

Sorry- the application needs to include a cover letter explaining the changes to guide reviewers and interested parties(who weren't at the meeting) so we understand what is changing and what is not. I also suggested that the application form just needs to be filled out where relevant to changed information and that elsewhere to state "as per approved site plan".

I will expedite the Site Plan Amendment review as far as possible but given the Planning Board's concern regarding this area and safety for pedestrians etc it needs to be via a formal amendment application.

At this point I need (so formal review can start):

1. Completed application form and fee (check payable to City of Portland) for amendment to site plan;
2. 3 "top" copies of the letter and graphics (otherwise City is paying for your amendment in having to print these in color) (normally we require 7 sets of everything);
3. 7 sets of paper dimensioned plans and one paper set at 11X17 of both the elevation and the site plan.

The site plan to be comparable to the approved one; the dimensioned plans need to include the entire length of the Plaza where changes are being made either to the approved site plan/elevation or to the existing building. Please ensure they are numbered to match those previously submitted, with revision dates so there is no confusion. These- assuming approved - will be stamped and circulated to Assessors, GIS/Archives and Inspectors/Building Code etc for the record and so that Frank Normandin can get a CO.

You also need to have someone amend the building permit plans through Inspections Division so that they match the amended site plan.

Re the windows, that can be dealt with separately by e-mail as you suggest.

Thank you
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Kevin Paton" <kpaton@bkaarchs.com> 3/26/2010 4:00 PM >>>
Jean,

I was starting to work on filling out the application but I remembered that you thought it may be more appropriate to submit a short statement outlining the changes. Would this be instead of submitting an application?

I have attached the colored graphics as requested in the meeting, the summary of proposed changes, and colored elevations.

I also have dimensioned plans and a site plan that I will send paper copies of to you.

I will send an email to you and Marge examples of installed window graphic systems separately.

Kevin Paton
Senior Associate

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Brockton, MA 02302

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www.bkaarchs.com

March 30, 2010

Ms. Jean Fraser, Planner
Planning & Development Department
389 Congress Street
Portland, ME 04101

RE: CVS/pharmacy #326
Northgate Plaza

Dear Ms. Fraser,

Amendment Summary

On behalf of A&D Realty, LLC, BKA Architects, Inc. is requesting an amendment to the approved plans due to a dimensional discrepancy. 4'-0" less of the existing plaza was demolished than what was indicated on the approved site plans. The area affected is the new exterior wall at the westerly end of the plaza facing the proposed CVS/pharmacy. This area between the CVS and the plaza is used for access to the CVS drive through, delivery truck parking, and a sidewalk leading to the northerly end of the property. The built condition with the additional 4'-0" of structure complies with applicable zoning setbacks and wetland buffers.

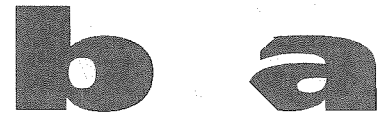
The built condition allows for maintaining the plaza's loading dock and its canopy, existing utility connections, and the existing basement. The proposed modifications will allow for a safe and convenient pedestrian movement across the drive through while preserving the original permitted driveway width of 15'-0". A column was added to the original approved plan at approximately mid span of the new connecting roof at the edge of the truck loading area. All pedestrian movements are in front of the column and a wooden guard rail restricts pedestrian access behind the column. Truncated domes and "Caution Vehicles Entering" signage remains unchanged from the approved site plans. Gutters on the connecting roof will collect rain water and channel it to the underground storm drain system by roof leaders. The under canopy lighting remains unchanged from the originally approved plans.

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Driveway	15'-0"	15'-0"	No Change
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Total	42'-0"	38'-0"	4'-0"

Attachment Summary

Development Review Application	
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Drive-Thru/Crosswalk Sheet 2 of 2	March 23, 2010
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A-2.1 Roof Plan	March 11, 2010
A-4.1.2 Exterior Elevations & Notes	March 11, 2010
C-2 Overall Site Plan	August 18, 2009
C-2A Site Plan	August 18, 2009

Very truly yours,

Kevin L. Paton
Senior Associate
BKA Architects, Inc.



Development Review Application
PORTLAND, MAINE
Department of Planning and Urban Development,
Planning Division and Planning Board

PROJECT NAME: Northgate Plaza

PROPOSED DEVELOPMENT ADDRESS:

91 - 125 Auburn Street

PROJECT DESCRIPTION:

Amend site plan approval to construct a CVS/pharmacy to include dimension
changes to site plan and upgrade to plaza architecture

CHART/BLOCK/LOT: Map 375 Lot-C1

CONTACT INFORMATION:

APPLICANT

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Home: _____
E-mail: _____

SURVEYOR

Name: _____
Address: _____
Zip Code: _____
Work #: _____
Cell #: _____
Fax #: _____
Home: _____
E-mail: _____

ATTORNEY

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ZONING

Existing B2 Community Business
 Proposed, if applicable _____

LAND USE

Existing Retail & Restaurant
 Proposed _____

RESIDENTIAL, IF APPLICABLE

Proposed Number of Affordable Housing Units _____
 Proposed Number of Residential Units to be Demolished _____
 Existing Number of Residential Units _____
 Proposed Number of Residential Units _____
 Subdivision, Proposed Number of Lots _____

PARKING SPACES

Existing Number of Parking Spaces 583
 Proposed Number of Parking Spaces 583
 Number of Handicapped Parking Spaces 13
 Proposed Total Parking Spaces _____

BICYCLE PARKING SPACES

Existing Number of Bicycle Parking Spaces _____
 Proposed Number of Bicycle Parking Spaces _____
 Total Bicycle Parking Spaces 22

ESTIMATED COST OF PROJECT

No Change

Please answer the following with a Yes/No response on all that apply to the proposed development

Institutional	<u>N</u>	Change of Use	<u>N</u>
Parking Lot	<u>Y</u>	Design Review	<u>N</u>
Manufacturing	<u>N</u>	Flood Plain Review	<u>N</u>
Office	<u>N</u>	Historic Preservation	<u>N</u>
Residential	<u>N</u>	Housing Replacement	<u>N</u>
Retail/Business	<u>Y</u>	14-403 Street Review	<u>N</u>
Warehouse	<u>N</u>	Shoreland	<u>N</u>
Single Family Dwelling	<u>N</u>	Site Location	<u>N</u>
2 Family Dwelling	<u>N</u>	Stormwater Quality	<u>N</u>
Multi-Family Dwelling	<u>N</u>	Traffic Movement	<u>Y</u>
B-3 Ped Activity Review	<u>N</u>	Zoning Variance	<u>N</u> (or date)
Change of Use	<u>N</u>	Historic Dist./Landmark	<u>N</u>
		Off Site Parking	<u>N</u>

APPLICATION FEE:

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

<p>Major Development (more than 10,000 sq. ft.)</p> <p><input checked="" 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>Plan Amendments</p> <p><input checked="" type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p>Subdivision</p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$_____ + (applicable Major site plan fee)</p>
<p>Minor Site Plan Review</p> <p><input 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>Other Reviews</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.

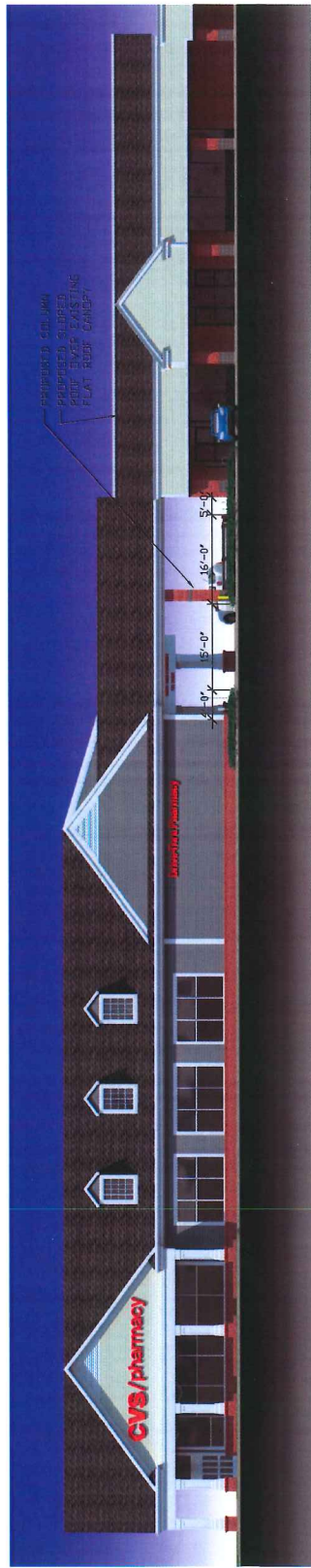
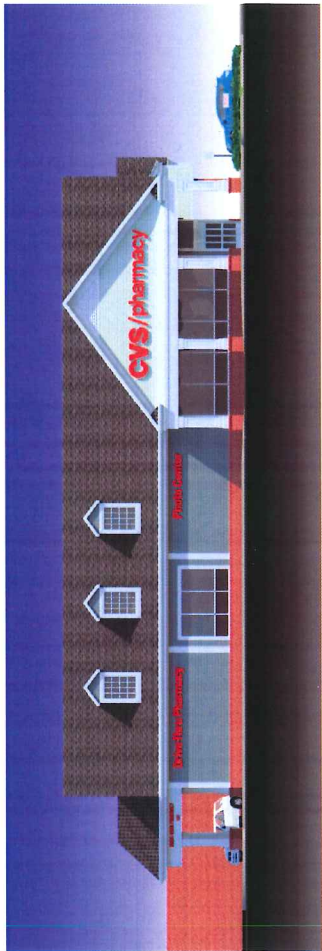
Refer to the application checklist (page 9) for a detailed list of submittal requirements.

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 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.

Signature of Applicant:	Date:
-------------------------	-------



EXTERIOR VIEWS

CVS / pharmacy
PORTLAND, ME

NORTHGATE PLAZA
PORTLAND, ME

SCALE: NO SCALE
26 MARCH 2010

1 OF 1
DRAWN BY: SDM
PROJECT NO.: 209017



BKA Architects, Inc.
Architecture + Interiors
100 Chestnut Street, Boston, MA 02109
TEL: 617.552.1000

b a
BKA Architects, Inc.
 Architects + Interiors
 142 Crescent Street
 Brockton, MA 02602
 TEL: 508.583.6600
 FAX: 508.584.2914
 e-mail: bka@bkaarch.com

CONSULTANT:
 SEAL:

CVS/
pharmacy
 FILE NO.
 STORE NUMBER: 389
 NORTGATE PLAZA
 81 AUBURN STREET
 PORTLAND, MAINE

DEVELOPER:
 A & D REALTY, LLC
 5 MILITA DRIVE
 LEWISTON, MA 02421

REVISIONS:
 DRAWING BY: DSG
 DATE: 3/24/10
 JOB NUMBER: 208017
 TITLE:
 PROPOSED DRIVE-THRU/CROSSWALK
 SHEET NUMBER

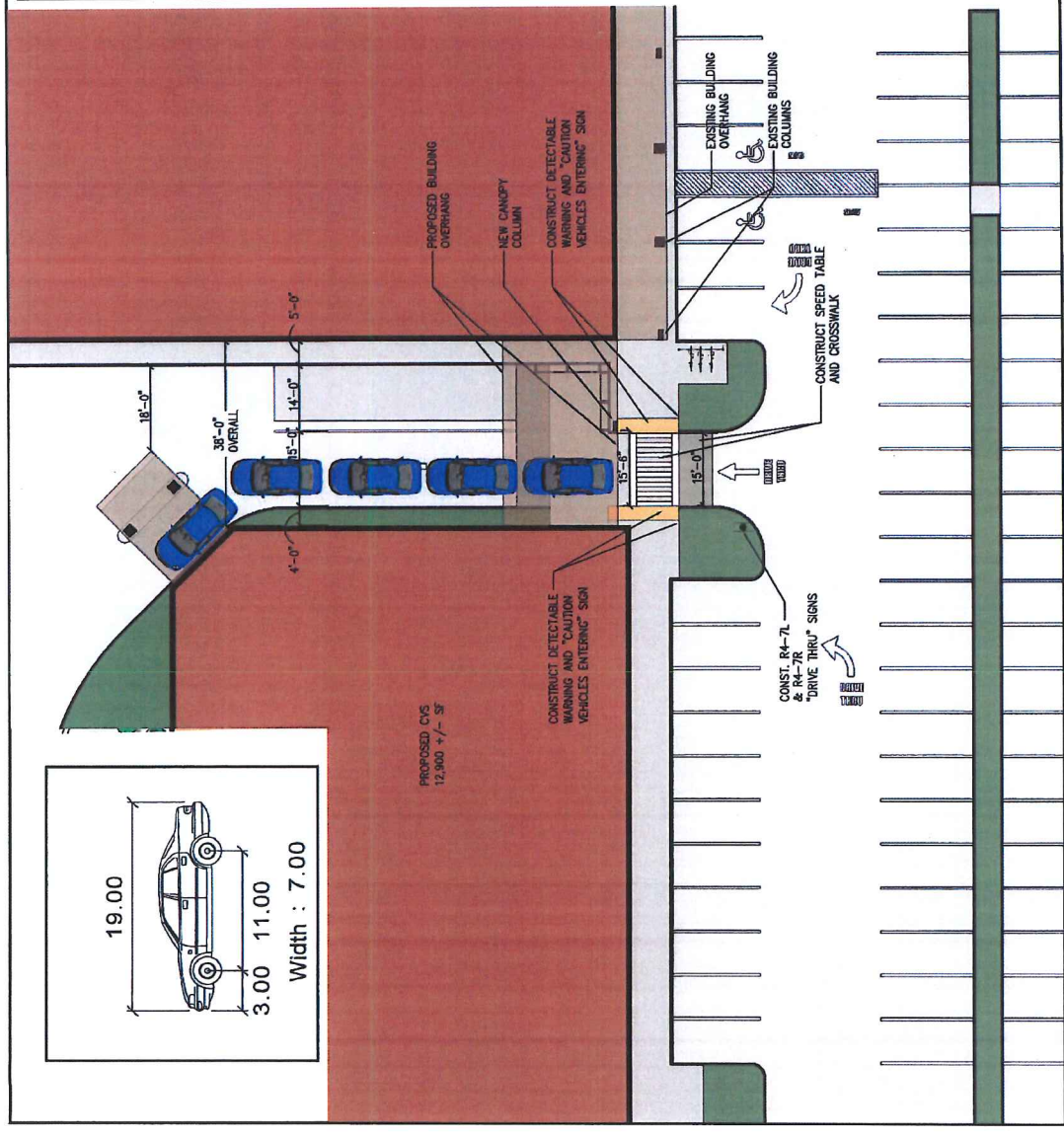
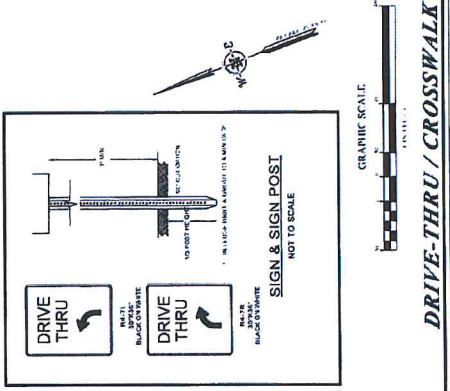
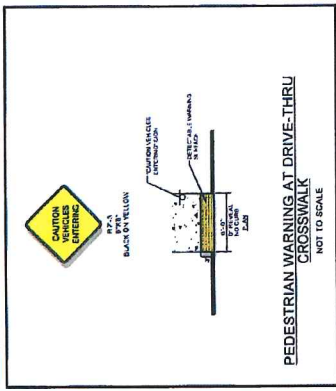
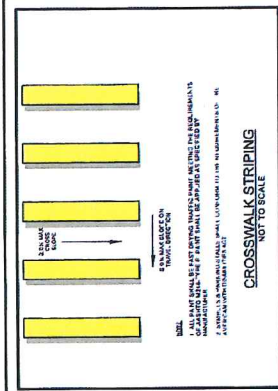
COMMENTS:
 ISSUED FOR APPROVAL

APPLEDOR ENGINEERING
 177 CONSUMERS DRIVE
 THURSDOWN, NEW HAMPSHIRE 03001
 (603) 433-8818
 appledor@appledor.com

NORTHGATE PLAZA
AUBURN STREET
PORTLAND, MAINE

DATE: JUNE 8, 2009
 SCALE: AS SHOWN
 DESIGNED BY: RAE
 DRAWN BY: RAE
 APPROVED BY: OYB/ML
 FILE NO.: 2008-016-DWG

No.	Revisions	Date



DRIVE-THRU / CROSSWALK
 1 OF 1

b a
EKA Architects, Inc.
 Architecture + Interiors
 142 Crescent Street
 Brockton, MA 02302
 Tel.: 508.583.5903
 Fax.: 508.584.2914
 e-mail: ba@ekarchitect.com

CONSULTANT:

SEAL:

CVS/
pharmacy
 RELO
 DRIVE NUMBER 389
 NORTHGATE PLAZA
 1001
 PORTLAND, MAINE

DEVELOPER
 A & D REALTY, LLC
 5 MILITA DRIVE
 LEWINGTON, MA 02421

REVISIONS:

NO.	DATE	DESCRIPTION
1	3/24/10	DSG
2		
3		
4		
5		
6		
7		
8		
9		
10		

TRAINING BY: DSG
 DATE: 3/24/10
 JOB NUMBER: 208017
 TITLE:

DRIVE-THRU / CROSSWALK
 SHEET NUMBER:
 COMMENTS:
 ISSUED FOR APPROVAL

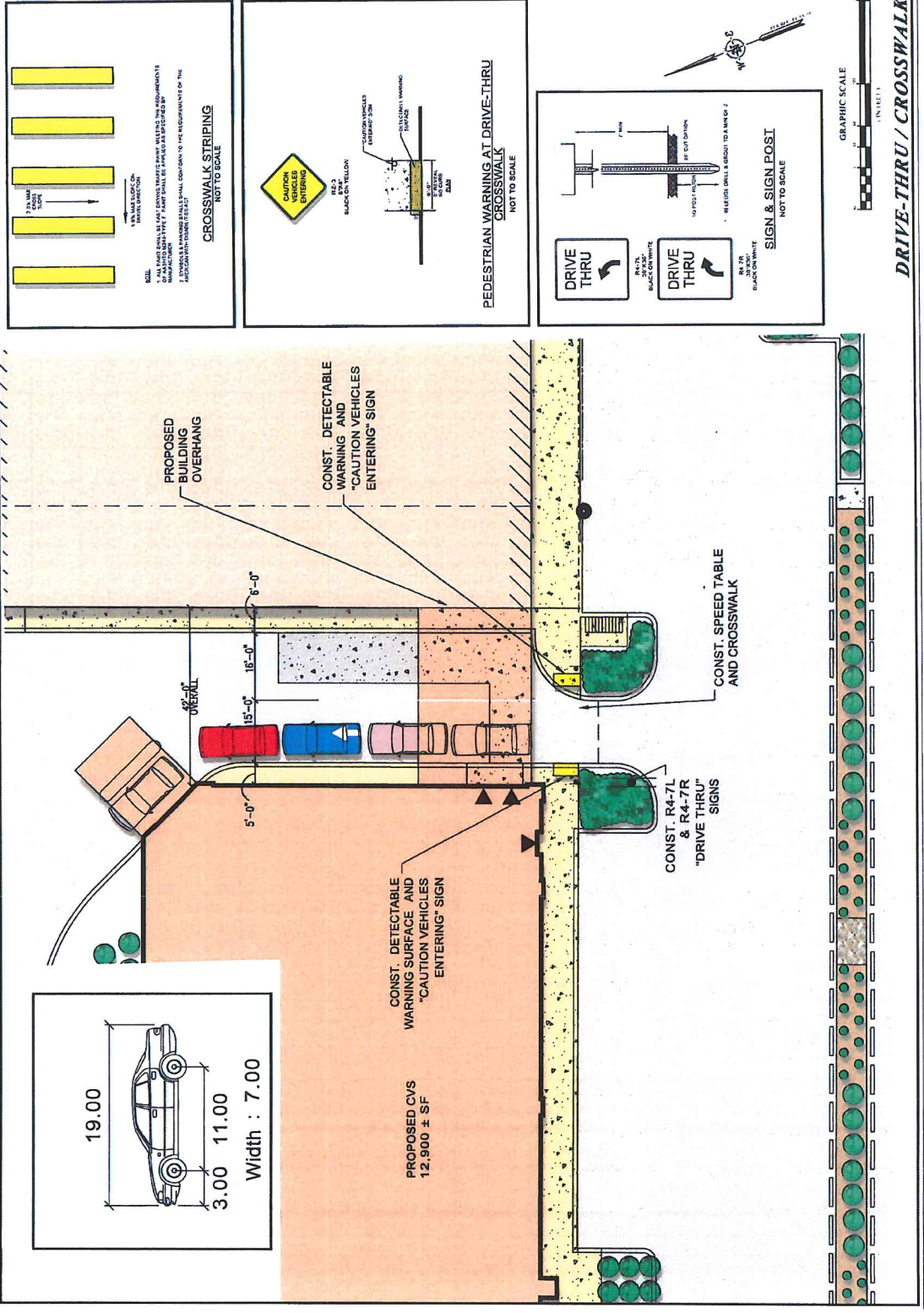
APPLEDORF ENGINEERING
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 02801
 (603) 433-8818
 aa@appledorfeng.com

DRIVE-THRU / CROSSWALK
1 OF 1

NORTHGATE PLAZA
AUBURN STREET
PORTLAND, MAINE

DATE: JUNE 8, 2010
 SCALE: AS SHOWN
 DRAWN BY: EAM
 CHECKED BY: [Blank]
 PROJECT NO.: 2010-18
 FILE NO.: 2010-18 SITE DWG

No.	Revision	Date



CROSSWALK STRIPING
 NOT TO SCALE

3 IN MAX STRIP WIDTH
 1/4 IN MAX STRIP SPACING

ALL STRIPES SHALL BE PAINTED OR THERMOPLASTIC. THE STRIPING SHALL BE MAINTAINED TO THE REQUIREMENTS OF THE MANUFACTURER'S INSTRUCTIONS. THE STRIPING SHALL BE MAINTAINED TO THE REQUIREMENTS OF THE MANUFACTURER'S INSTRUCTIONS.

PEDESTRIAN WARNING AT DRIVE-THRU CROSSWALK
 NOT TO SCALE

CAUTION VEHICLES ENTERING

BLACK ON YELLOW

3/4" x 3/4" x 3/4" (3/4" MIN. THICKNESS)

1/2" x 1/2" x 1/2" (1/2" MIN. THICKNESS)

1/2" x 1/2" x 1/2" (1/2" MIN. THICKNESS)

DRIVE THRU
 R4-7L
 BLACK ON WHITE

DRIVE THRU
 R4-7R
 BLACK ON WHITE

SIGN & SIGN POST
 NOT TO SCALE

7' MIN. SIGN POST HEIGHT TO SIGN TOP
 1/2" POST DIAMETER
 1/2" SIGN DIAMETER

1/2" SIGN DIAMETER & HEIGHT TO SIGN TOP

GRAPHIC SCALE
 1" = 10'-0"

Jean Fraser - Re: CVS/pharmacy - Northgate Plaza

From: Jean Fraser
To: Paton, Kevin
Date: 3/26/2010 4:42 PM
Subject: Re: CVS/pharmacy - Northgate Plaza

Kevin,

Sorry- the application needs to include a cover letter explaining the changes to guide reviewers and interested parties(who weren't at the meeting) so we understand what is changing and what is not. I also suggested that the application form just needs to be filled out where relevant to changed information and that elsewhere to state "as per approved site plan".

I will expedite the Site Plan Amendment review as far as possible but given the Planning Board's concern regarding this area and safety for pedestrians etc it needs to be via a formal amendment application.

At this point I need (so formal review can start):

1. Completed application form and fee (check payable to City of Portland) for amendment to site plan;
2. 3 "top" copies of the letter and graphics (otherwise City is paying for your amendment in having to print these in color) (normally we require 7 sets of everything);
3. 7 sets of paper dimensioned plans and one paper set at 11X17 of both the elevation and the site plan.

The site plan to be comparable to the approved one; the dimensioned plans need to include the entire length of the Plaza where changes are being made either to the approved site plan/elevation or to the existing building. Please ensure they are numbered to match those previously submitted, with revision dates so there is no confusion. These- assuming approved - will be stamped and circulated to Assessors, GIS/Archives and Inspectors/Building Code etc for the record and so that Frank Normandin can get a CO.

You also need to have someone amend the building permit plans through Inspections Division so that they match the amended site plan.

Re the windows, that can be dealt with separately by e-mail as you suggest.

Thank you
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Kevin Paton" <kpaton@bkaarchs.com> 3/26/2010 4:00 PM >>>
Jean,

I was starting to work on filling out the application but I remembered that you thought it may be more appropriate to submit a short statement outlining the changes. Would this be instead of submitting an application?

I have attached the colored graphics as requested in the meeting, the summary of proposed changes, and colored elevations.

I also have dimensioned plans and a site plan that I will send paper copies of to you.

I will send an email to you and Marge examples of installed window graphic systems separately.

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

Northgate CVS

Meeting re: 1) Dimensions Issue
2) window Graphics

Applicant: Frank Normandin, Appl (Dev)
Kevin Paton Archs (Bka)
Roland Pothier TRB

City: Jean Fraser, Planner
Marge Schmickel, Zoning Administrator
(Barbara Bartholomew - Phil Aguirre on "standby")

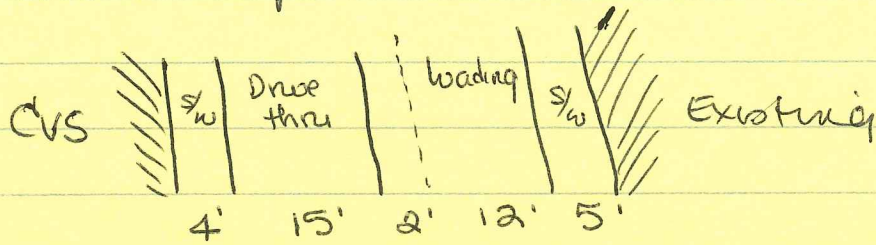
Dimensions Issue

Kevin

- ① The contractors were given an incorrect measurement for the back side of the existing store which resulted in the building being cut in the wrong place so that its 4 feet nearer to CVS
- ② This leaves the approved space of 42' now 38'
- ③ They amending proposals to address this plus also reverse the roof design of the adjacent (existing) part of plaza:

(2)

a) Reallocate space so that:



Explained that servicing is early when no D/T traffic and don't need CVS sidewalk for unloading; this sidewalk just a separation

7-11 pm
hrs of store

b) Only 1 column underneath straight across pitched roof, with adj. roof revised to be pitched roof to match other end of Plaza.

c) Confirmed that rendering not quite accurate -
wood guardrail
no guardrail across sidewalk
no windows in side of first store
no change to CVS footprint or anything else.

Marge - OK as long as loading bay at least 14' wide

Jean - broadly OK subject to review - cumulatively may be an improvement as columns nec. before problematic

Confirmed require an amendment application
not expect to go to PB
not sure re noticing so timetable could be 2-3 wks
proceed at own risk

Jean: Re Amend Application

- gave forms - suggested cover letter to explain, esp. way reallocating space
- only fill in where changes from orig SP fill in basics
- include:

Amended Site Plan - does not need to be Apple done but "match"

Detail Site Plan as given PB re DWeth area accurate rendering

Amended elevation, incl rev. roof over ex. Plaza.

[explained new computer system]

Graphics/Signage

1. Kevin explained CBS "policy" - happen to do these to brighten up. Since orig appl. changed spandrel tones etc
2. Marge explained what makes it "advertising" i.e. degree of coverage of window (so side proposals OK)
3. Kevin can't reduce coverage along front as only 1 inch above cosmetics phelving can remove words.
4. Jan explained concern - long 'blank' wall short + long views gray/white bleak but red maybe too much. Kevin to send other options as used elsewhere and JF will discuss Michael etc - unlikely to deny all red

4 cont but hope something more subtle/interesting.

5. left with Kemi to find something and send - appears it will be just colors. (wrap into amendment)

Frank asked about sewer separation in Fall Brook behind site & need for coordination their work. Phil gave him David Margolis-Pineo's tel # and we will have at Dev Rev + get back to Frank

Marq's Note's of meeting attached.



PORTLAND MAINE

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

Penny St. Louis Littell, Director of Planning and Development
Marge Schmuckal, Zoning Administrator

Meeting Information

DATE: 3/16/10 ZONE: B-2

LOCATION: CVS Northgate

PEOPLE PRESENT: Kevin Paton @ BKA - Roland Pothiere @ TRI
FRANK Normandin / Marge - JEAN

DISCUSSION: Existing PLAZA New WALL -
Dimensional discrepancies - 42' approved - Now 38'
in area of loading = 1 drive - This maintained 14' loading width -
facade/roof change to be included

JEAN Stated That These changes would require an
Amendment Application that would be a staff rel
Not A Board review.
continuing construction is AT Their Risk

CVS HAS had A change of Spandrel windows
B-2 design guidelines - JEAN explained them
Marge explained The Signage vs Non Signage
Kevin will e-mail A couple renditions of actual location

FRANK Issue concerning City work on The Fallbrook behind -

Please note: this meeting is not an pre-approval of any ordinances. No project can be approved without going thru the appropriate reviews. This meeting is only to outline the City processes to go through based on the information given at this meeting. Any changes to that information may change the process requirements. Please check ordinances that are on-line for further information at www.portlandmaine.gov.

check with Public Works



ADDENDUM TO HEARING REPORT#24-09

Department of Planning and Urban Development Planning Division

To: Chair Silk and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: June 9, 2009

Re: June 9, 2009 Planning Board Hearing
Northgate Plaza/CVS expansion with Pharmacy Drive –thru/ H&R Block Refurbishment
Vicinity of 91 and 125 Auburn Street
A&D Realty Inc, Applicant

ADDENDUM #1 Revised Potential Conditions of Approval

1. The suggested conditions under Motion #2 in Report #24-09 have been modified to reflect the recent staff comments from the Traffic Engineering Reviewer and Zoning Administrator and to include a condition regarding lighting.
2. Suggested condition **Aiii** originally required the applicant to provide details of additional measures and elements to warn pedestrians in the vicinity of the drive thru. The applicant has submitted revised details (Attachment 4) which are acceptable to the Traffic Engineering Reviewer (Attachment 1). The condition has been revised to ensure these details are part of the approved Plan Set.
3. Suggested condition **Bi** has been revised to reflect the comments from Marge Schmuckal, Zoning Administrator, confirming that from a zoning viewpoint, the parking requirement for Lot C23 is met by the existence of parking in the Plaza area because it is considered part of that lot (Attachment 2).
4. Suggested conditions **Aiv** and **Bii**, which required the applicant to install pedestrian countdown heads, have been revised (on the advice of the Traffic Engineering Reviewer, Attachment 1) to require a contribution to this provision so that the applicants financial liability is clear and implementation can be coordinated by the City.
5. A new condition has been suggested for both parts of the site requiring submission of lighting information (as discussed in the Report) for review and approval.
6. The following shows the entire Motion as revised, with new or revised language underlined:

VIII. MOTIONS FOR THE BOARD TO CONSIDER

1. **SETBACK REDUCTION**
On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09 relevant to the Stream Protection Standards of the Land Use Code and the testimony presented at the Planning Board Hearing:

The Planning Board **waives / does not waive** the requirements of Section **Sec. 14-453 (Stream Protection Standards)** to allow a reduction in the setback for the CVS building and the setback for the Plaza parking, both as shown on Plan C-2A (Attachment C7 of this Report).

2. On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings:

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following condition(s):

Suggested conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources* Drive Through Survey took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and
- iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict.; and
- iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and
- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include a higher and extended buffer fencing, tree and other planting along the proposed fencing, and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- vii. That the applicant shall install wooden guard rails around the rain gardens; and
- viii. All signage, whether included in the approved plan set or not (both free standing or wall mounted) shall be subject to separate sign permits and approvals; and

- ix. That deliveries to the site and trash removal shall be restricted to between the hours of 8am and 8pm everyday, and that the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following condition(s):

Suggested conditions:

- i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and
- ii. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection prior to the issuance of a Certificate of Occupancy; and
- iii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iv. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

Attachments:

1. Marge Schmuckal, Zoning Administrator, UI comments of June 8, 2009
2. Tom Errico, Traffic Engineering Reviewer, e-mail, June 9, 2009
3. David Margolis-Pineo, Deputy City Engineer, Memo of June 8, 2009
4. (from applicant) Drive-thru/Crosswalk Plan dated June 8, 2009

Attachment 1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 6/9/2009 10:37:52 AM
Subject: Northgate Shopping Center - CVS

Jean -

Based upon discussions with DPS, I would suggest that the applicant be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway as part of addressing my prior comment on this issue.

Additionally, I have reviewed the proposed plan emailed to me today regarding the conflict area between the drive-through lane and the shopping center sidewalk. I find the plan to be acceptable.

If you have any questions, please call me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>, "Gretchen Young, P.E." <GYoung@appledoreeng.com>, "Bradlee Mezquita, P.E." <BMezquita@appledoreeng.com>

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2009-0010

Date: 6/8/2009

I have again reviewed the revised submitted plans received on May 20, 2009. The section of the lot which will house H & R Block is meeting all the R-P residential zone requirements. Please remember that the H & R Block building and Northgate shopping center is all one lot. There is no proposal to divide the lot with this project. Parking as required under Zoning is being met for H & R Block and Northgate. The Northgate portion of the property is meeting all the Zoning requirements of the B-2 Zone.

Please note that my comments from 03/30/2009 support the reduction of the setback and floor area and volume within the Stream Protection area. Because this is a highly developed site, any reduction of setback and area are appropriate.

Separate permits shall be required for any new signage.

Marge Schmuckal
Zoning Administrator

June 8, 2009

To: Jean Fraser
From: David Margolis-Pineo - Public Services Review Comments
Re: CVS - Northgate

The following comments were sent to the applicant from this department on March 27, 2009. The applicant has responded as stated.

Note: This project resides in the Urban Impaired Stream Watershed of Fall Brook and that Northgate Plaza, as a whole represents nearly 11 acres of impervious surface area which discharges untreated stormwater to Fall Brook.

1. The City recognizes that the applicant has made a tremendous effort to protect and treat some of the stormwater generated on site. However, it appears the drive thru lane could be designed to move the roadway several feet from the stream to allow for five to eight foot vegetated buffer from edge of pavement to the stream. The installation of a guard rail is strongly recommended along the edge of pavement in this area to prohibit snow from being plowed or placed in Fall Brook. **A guard rail/fence has been shown on the plans as requested.**
2. Again, the City recognizes the applicant's effort in placing a six foot island the length of the front parking lot. However, the potential exist to widen this island by another six feet to decrease imperious area and increase vegetation and allow better growing conditions for vegetation. **The applicant has made other modifications adding green space to satisfy this comment.**
3. The applicant needs to submit a manhole channel detail showing their proposed C.V.S. building sewer lateral coming into the City manhole showing the crown of the lateral matching the crown elevation of the out going pipe. The shelf area shall be rebuilt to accommodate the new lateral connection so that the flow sweeps into the channel. **This issue has been addressed/**
4. The capacity letter was completed on 3/13/09.

This department has not further comments.

Jean Fraser - Re: Overhead Lines Letter

From: Jean Fraser
To: Smith, Nathaniel
Date: 8/27/2010 4:20 PM
Subject: Re: Overhead Lines Letter
CC: Barhydt, Barbara

Nathaniel,

Please send the plans direct to Barbara Barhydt as I will be away on vacation next week; if a letter is urgently needed she will take care of that.

Jean

>>> Nathaniel Smith 8/26/2010 9:49 AM >>>
I will be getting a plan from Frank soon.
Once I get a final plan I will send it to you.
Thanks
Nathaniel

>>> Jean Fraser 8/25/2010 3:31 PM >>>
Nathaniel,

We need to have a plan showing the location of the overhead lines and the associated poles (in context of the approved development) and any other related above-ground details before we can write an approval letter to this site plan amendment.

Not sure whos prepared those, but can you send something to me by pdf so I can get the letter out?

thanks
Jean

Jean Fraser - Note of meeting

From: Jean Fraser
To: DiPierro, Philip
Date: 4/15/2010 1:09 PM
Subject: Note of meeting
CC: Barhydt, Barbara; Margolis-Pineo, David; Smith, Nathaniel; Tarling, Jeff

Phil,

INTERNAL NOTE ONLY- PLEASE DO NOT FORWARD TO ANYONE

This is a brief note of the meeting we had with Frank Normandin, applicant for the CVS Northgate Site Plan regarding coordination between the City's Sewer Separation Project and completion of his Site Plan work.

I think the City needs one spokesperson re this negotiation re the **Site Plan** and I suggest it be you; discussions re item 3 would be separate and down to DPS I think as after May Planning would not really be involved):

1. **City's Separation Project:** Nathaniel outlined that DPS are having a neighborhood meeting in a month or so for this phase; out to bid August; start on site about Oct/Nov; complete Feb/March 2011. This section will be a new 24 inch sewer pipe placed 10 feet deep; the section to the south is larger stormwater pipe and will be completed June 30, 2010. He would need temporary access from CVS side (he advised Frank that someone would be contacting him for an access agreement and that there was a title issue to resolve); needs to avoid wetland by req. of MDEP (paying fees for what is being disturbed).

2. **Completion of the Site Plan:** Frank was intending to complete the fencing and treeplanting and base paving along Fall Brook at the rear of the site within the next 2 weeks and would be seeking a final CO from Phil in May when that work was completed. Nathaniel confirmed that if those items are installed now that he would need to remove them in Oct/Nov. 2010 and trees would die. It was agreed:

a. Frank would give city enough money to cover the cost of these outstanding items (exact process for this to be confirmed by Phil after consulting DPS and Barbara Barhydt*) and Nathaniel will install them (in conjunction with Jeff re trees- see *) when the Separation Project is complete (ie in about a year). (I got the impression he was going to go ahead with final paving but that was not discussed).

b. In the meantime we all agreed that a chain link fence with slats should be installed on the housing side of Fall Brook to shield residents from the CVS Drive thru/servicing area and this would also shield them from the separation project work- Frank offered to contribute to that cost. [Maybe he would install this??]

2. **Conflict between the route of the new sewer line and the recently installed underground CMP line:**

Nathaniel had just received confirmation that the location of this underground CMP line directly conflicts with the proposed location of the new sewer line for most of the length along the rear of the CVS site. The underground CMP line was not installed where shown on the Site Plan but where CMP had instructed it to be located during the CVS construction - which was within the City's sewer easement- Phil and Jean were not aware of this change until after the fact but on the approved site plan it does say that the location would be agreed with CMP so was not a "fixed" location. DPS were not consulted about the CMP line going in the easement and Frank was unaware of the City's Separation project (maybe unaware of the exact location of the sewer easement as it was not on the site plans) so gave some kind of permission to CMP.

Frank suggested that the sewer line could be relocated towards Fall Brook; Nathaniel confirmed that is not possible because it was wetlands/stream and problem of future maintenance etc (not to mention MDEP

objections). Moving it into the CVS site (with Frank giving more easement to City) pinches the access/egress for drive thru users and servicing vehicles to Shaws during the Separation Project construction period. (Nathaniel indicated that the work along the tightest pinch point would be several weeks but that access would not need to be cut off for the whole time.)

It was agreed:

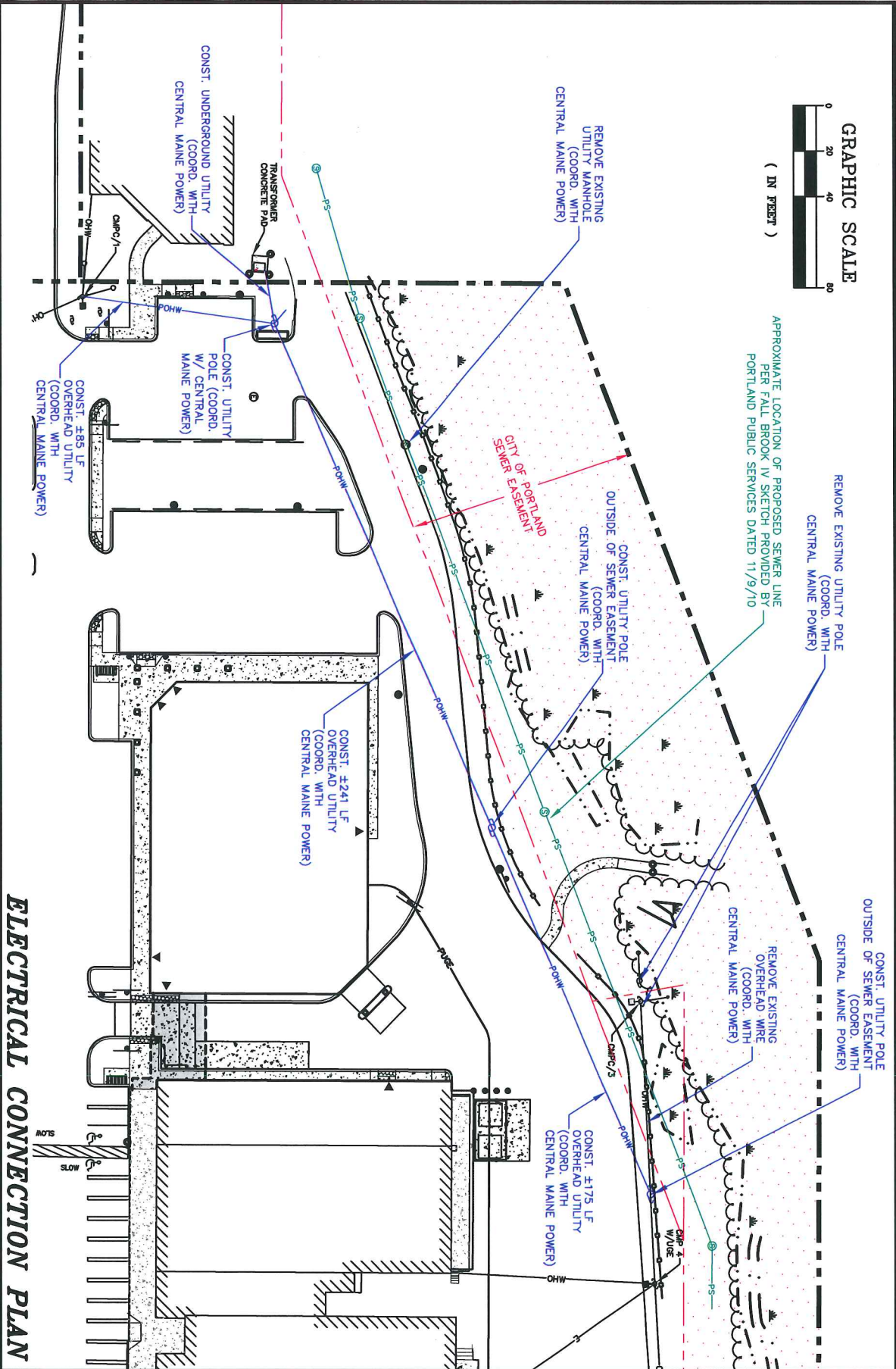
a. Frank to investigate and get advice and let Nathaniel know whether the CMP line was going to be relocated or whether he wanted to hammer out a way for the servicing/drive thru access to be maintained during the Separation Project contract next winter. I suspect he will not want to expend another \$60,000 plus trenching/conduit costs plus another manhole to relocate the CMP line and will ask for more details of how the project would affect access (and snow removal operations I guess).

b. Nathaniel to look at how contractors could maintain reasonable access for CVS/Shaws if sewer line moved over; Nathaniel indicated this move probably not an extra cost to DPS but would mean the contract would need to specify carefully how access would be maintained.

(JF note: the context for this negotiation is that both parties could claim the other party had not informed them of important info and both parties stand to benefit from cooperation)

*At Dev Rev on Wed 4.14.2010 it was my understanding that we agreed (so not to confuse the Separation Project finances) that we would ask **Frank to purchase the fencing and ask the supplier to store for a year, and would give a sum of money to Jeff to cover the cost of purchasing the trees (Jeff to get an estimate so Phil knows how much this would be- Site Plan requires 5 white or norway spruce: 4 white pine: 4 red maple; 1 pear; 16 lilac). Nathaniel to include in the Separation Project the cost of a contractor for planting (not buying) the trees (Jeff to supervise as not all locations of trees shown on the site plan) and to install (not buy) the stored fence as per the site plan** (hope that is what others understood!!!!). Repaving would in any case be included in the Separation Project as contractors will mess up most of it.

Jean



ELECTRICAL CONNECTION PLAN

1 OF 1

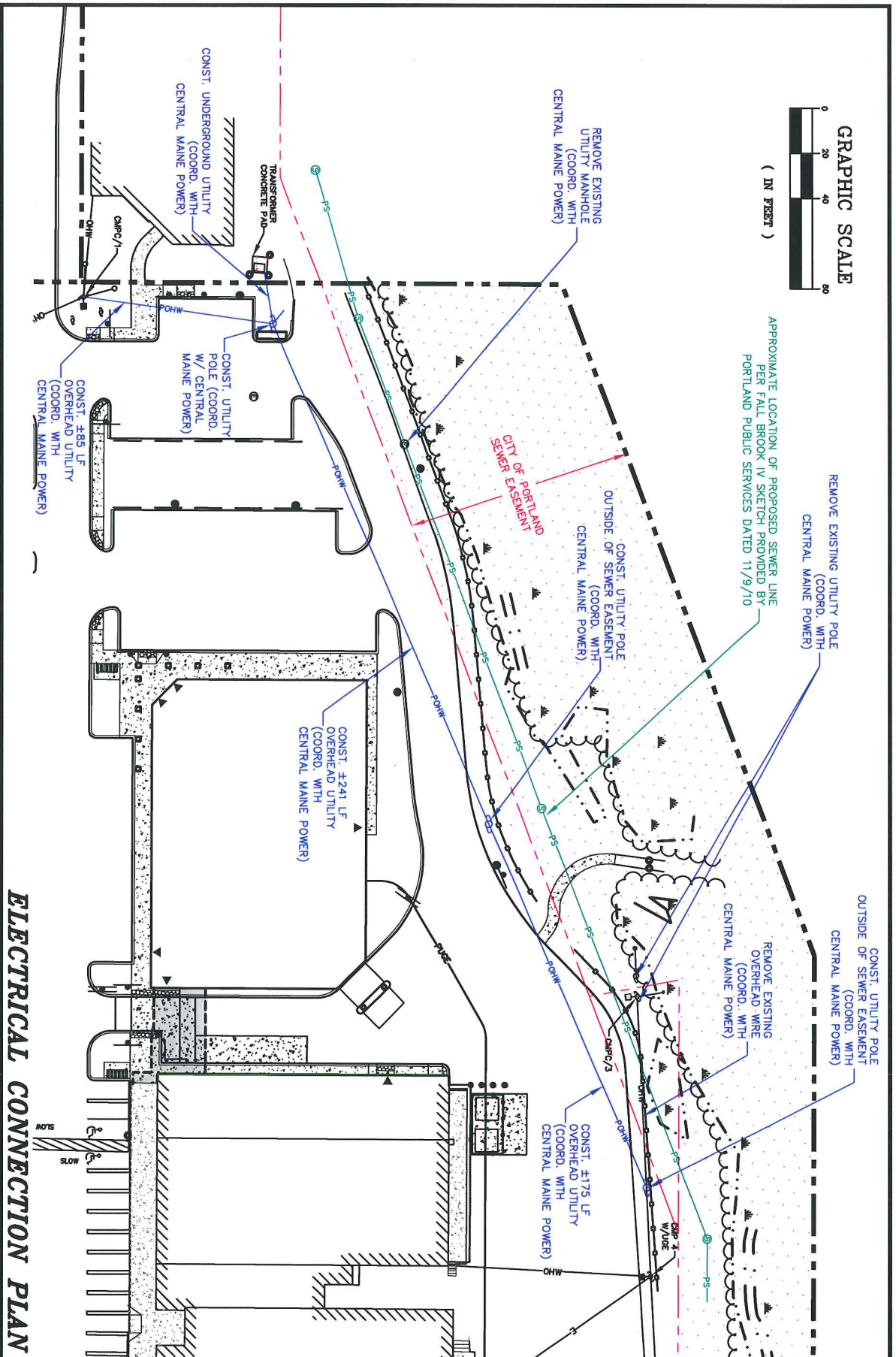
APPLEDORE ENGINEERING
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 03801
 (603) 433-8818
 aei@appledoreeng.com

**NORTHGATE PLAZA
 AUBURN STREET
 PORTLAND, MAINE**

DATE:	NOVEMBER 10, 2010
SCALE:	AS SHOWN
DESIGNED BY:	GY/BLM
DRAWN BY:	GY
APPROVED BY:	BLM
PROJECT NO.:	2042B
FILE NO.:	2042B-CONST.dwg



APPROXIMATE LOCATION OF PROPOSED SEWER LINE PER FALL BROOK IV SKETCH PROVIDED BY PORTLAND PUBLIC SERVICES DATED 11/9/10



ELECTRICAL CONNECTION PLAN 1 OF 1

APPLEDORE ENGINEERING INC.
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 03801
 (603) 433-8818
 ae@appledoreeng.com

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Strengthening a Remarkable City, Building a Community for Life

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

file copy.

Planning Division
Alexander Jaegerman, Director

November 23, 2010

A & D Realty LLC
c/o Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, MA 02421

Bradlee Mezquita
Appledore Engineering, Inc
177 Corporate Drive
Portsmouth, NH 03801

**RE: Northgate Plaza/CVS Expansion with Pharmacy Drive-thru
Amendment to location of power lines
Vicinity of 91 and 125 Auburn Street - CBL 325 C001 and C023**

Dear Mr. Normandin and Mr. Mezquita:

I am writing to confirm approval to the proposed amendment of the power line location so that they are overhead along the side and rear of the site, including the removal of one utility pole and construction of three new utility poles. This amendment resolves the conflict with the sewer separation project in the area.

This approval is based on the submitted plan entitled "Electrical Connection Plan dated November 10, 2010 (file no 2012B-CONST.dwg) prepared by Appledore Engineering Inc.

Please note that all of the conditions of approval for CVS expansion project remain as per the approval letter from the Planning Board Chair dated June 23, 2009.

If there are any questions, please contact Jean Fraser at 874-8728.

Sincerely,

Barbara Barhydt,
Development Review Services Manager

Electronic Distribution:

Penny St. Louis Littell, Director of Planning & 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
Michael Bobinsky, Public Services Director

Katherine Earley, Public Services
Bill Clark, Public Services
David Margolis-Pineo, Deputy City Engineer
Matt Doughty, Public Services
Greg Vining, Public Services
Nathaniel Smith, Public Services
Jane Ward, Public Services
Jeff Tarling, City Arborist

Hard Copy: Project File

all sent 11-24-10.

CITY OF PORTLAND, MAINE
PLANNING BOARD

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

June 23, 2009

A & D Realty LLC
c/o Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, MA 02421

amendments:
drive/sidewalk H&R Block 8.20.09
signs Sept 09.
H&R elevs: 9.24.09
part file windows of CVS parking: 5.12.09
H&R acts to keep tree 11.12.09

Bradlee Mezquita
Appledore Engineering, Inc
177 Corporate Drive
Portsmouth, NH 03801

O/H lines allowed (integration sewer project) 11-23-10

**RE: Northgate Plaza/CVS Expansion with Pharmacy Drive-thru/H&R Block Refurbishment
Vicinity of 125 Auburn Street
Application # 2009-0010
CBL 325 C001 and C023**

Dear Mr. Normandin and Mr. Mezquita:

On June 9, 2009, the Portland Planning Board considered the proposal for a 12,900 sq ft CVS Pharmacy with drive-thru service at the north end of Northgate Plaza, and the refurbishment of the existing building at 125 Auburn Street for H&R Block. The Planning Board reviewed the proposal for conformance with the B2 Conditional Use Standards and Site Plan Ordinance. The Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent) to approve the application with the following motions and conditions as presented below.

CONDITIONAL USE AND SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings, the Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent):

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources* Drive Through Survey took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and

- iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict; and
- iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and
- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include raising the fence along the rear of the site to 8 feet and extending it 60-75 feet in an easterly direction to screen the Cyr property; tree and other planting along the proposed fencing; and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- vii. That the applicant shall install wooden guard rails around the rain gardens. The wooden guard rails may allow a reasonable number of openings to allow pedestrian access; and
- viii. All signage, whether included in the approved plan set or not (both free standing and wall mounted) shall be subject to separate sign permits and approvals; and
- ix. That the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following conditions:

- i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and
- ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and
- iii. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

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

- I. 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation

and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. 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 a building permit, street opening permit or certificate of occupancy for site plans.
4. 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.
5. 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, prior to the issuance of a building permit. At the conclusion of the project, the digital as built plans shall be submitted prior to the issuance of a certificate of occupancy.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. 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.
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.)

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 there are any questions, please contact Jean Fraser, Planner at (207) 874- 8728.

Sincerely,



David Silk, Chair
Portland Planning Board

Attachments:
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
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

Northgate Easement my.

Jean Fraser - RE: Northgate Cross Easement

Cond + Note on C2

From: Danielle West-Chuhta (Danielle West-Chuhta)
To: Clough, Lawrence R.; nrosen@massfirm.com
Date: 3/31/2010 4:33 PM
Subject: RE: Northgate Cross Easement
CC: Fraser, Jean
Attachments: 2042C_C-2_Overall Site Plan_8-18-09.PDF; Parking Space Easement Revised- 3.31.10.doc

Attorney Clough/Attorney Rosen:

I am generally ok with the easement as written. I have made just a few edits (see attached). Primarily, I want the easement language to be clarified regarding where the five spaces are specifically located. I am not sure which plan has been recorded (as you referenced in your draft - can you please confirm for me what plan you are referencing). The overall site plan C-2 (see attached) does specify where the spaces are to be located (i.e. the nearest group of five spaces to HR Block), so I would want to reference that so that we make it clear where the spaces are to be located. I would also want some language that references where the spaces are located on the face of the earth and would be open to any suggestions you may have.

Thanks a lot,

Danielle

Danielle P. West-Chuhta
Associate Corporation Counsel
City of Portland, Maine
(207) 874-8480

>>> "Lawrence R. Clough" <lrcough@tchl.com> 3/31/2010 8:59 AM >>>

Danielle:

I doctored up the easement that they originally suggested, per the enclosed.

Lawrence Clough, Esq.
Tompkins, Clough, Hirshon & Langer, P.A.
Three Canal Plaza, P.O. Box 15060
Portland, ME 04112

Telephone (207) 874-6700 Fax (207) 874-6705

-- This e-mail message is confidential and may also be protected by the attorney client privilege and other applicable privileges. No waiver shall occur as a result of the mistaken delivery to a person who is not the intended addressee. If you are not the intended recipient, you should delete this message without retaining any copies.

From: Danielle West-Chuhta [mailto:DWCHUHTA@portlandmaine.gov]
Sent: Wednesday, March 31, 2010 8:46 AM
To: Lawrence R. Clough
Subject: Easement

Larry:

Good morning. I just got your message, and I wanted to touch base with you quickly before I head out to a meeting. I have not seen the easement that I need to "bless" yet. So, please feel free to send over a draft and I will take a look.

Thanks,

Danielle

Danielle P. West-Chuhta

Associate Corporation Counsel

City of Portland, Maine

(207) 874-8480

ExchangeDefender Message Security: [Check Authenticity](#)

From: Jean Fraser
To: Normandin, Frank
Date: 11/24/2009 11:37:20 AM
Subject: Fwd: Re: FW: Parking Concepts

Frank,

Hope all is going well but I wanted to follow up on this; we have not received an e-mail confirming re item 4 below nor have we received a plan of the final resolution.

Please forward both asap.

Thanks
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> Jean Fraser 11/12/2009 11:20:25 AM >>>
Frank

We haven't heard from you (you had undertaken to give me a couple of dimensions that were left off of the plan you sent me on 11/9/09) but today we have confirmed our formal view (Jeff Tarling is not authorized to agree to the tree being removed):

1. **Please keep tree; it is not to be removed.**
2. Move over/narrow ADA striped area as much as possible while keeping 9-10 ft from the tree;
3. If some/all parking spaces must (after doing above) be narrowed to 8.5 ft that is acceptable;
4. Please provide written confirmation that if the tree fails within one year of the final CO on this project, that it will be replaced by 3 large white pines in the vicinity (location to be agreed with Jeff Tarling).

I would appreciate confirmation that you have received this determination (re a potential amendment to the approved plans).

Whatever amendments are required will be treated a diminimus but we would need a plan to circulate as documentation of what was approved.

Thank you

Jean
(on behalf of Planning Division/Site Plan Ordinance)

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Frank Normandin" <frankn@summitrealtypartners.com> 11/9/2009 11:04:29 AM >>>
Jean:

Good Morning.....I understand you were speaking with Dale from TRB.....These were in process.....as solutions to make more room for the pine tree.....

I will call you to follow up.

Thanks

Frank

From: Jeff Tarling
To: Errico Thomas; Jean Fraser
Date: 11/9/2009 12:50:47 PM
Subject: Re: H&R Block Pine Tree

Hi Jean -

Not sure of the input from the neighbor adjacent the project in regards to the tree-save. My recommendation would be to remove the existing Pine and replace with 3 new White Pines in that general area for screening. See the photos below, the large limb was already removed due to construction damage, the landscape or screening value of this big tree is now reduced. This would allow the parking & circulation to be built as designed and approved by the Planning Board.

Jeff Tarling

>>> Jean Fraser 11/9/2009 12:33:04 PM >>>
Tom,

The H&R block requires 13 spaces to meet zoning; PB approved 8 on site (one of which was ADA and needs to be van because theres only one) and 5 located in the CVS parking area via an easement.

Although I passed on your preference for moving another entire space from the H&R block location into the CVS parking area in order to save the pine tree, Frank Normandin feels this would be almost impossible (especially given the time frame) because they have already signed all the easements and leases that relate to these parking space numbers for both sites (ie prepared by attorneys and approved by company boards etc.) and both were not only difficult re documentation but also a bit delicate.

He has sent 2 options (attached): One of these plans has the non-ADA spaces at 8.5 ft and one has them at 8 ft. (seven spaces have been narrowed). In both cases the entire parking area is moved nearer to the Mercy building but not nearer than 5 feet (**Marge** - I think thats OK?).

I have told Frank that I didn't think we had given waivers down to 8.5 ft. (have we?) but that I would run these by reviewers since this tree was a key issue during the review.

H&R would not have a lot of frequent parking as I guess most people would stay an hour or more but I am not particularly making a case re this.

I am waiting for confirmation as to how far from the tree each of these options gets to (Jeff had advised the tree trunk needed to be 10 ft from the pavement but Frank says that the current roots are not as much as 10 ft from the tree)- it looks like the pavement with 8.5 ft parking spaces is a little under 10 ft from the tree. Frank is agreeable to a condition requiring replacement if the tree fails.

Could you give this some further thought as I am not sure there is any other option at this point...they have stopped work so as not to damage the tree and it needs to be resolved quickly.

Does anyone see another solution????????? The only thing I can see is to have the curb near the tree curved so that the ADA space could be moved nearer to Auburn by several feet and then most of the spaces could go back to 9 ft.

Will forward any further info when I get it.

Jean

CC: Barbara Barhydt; Marge Schmuckal; Philip DiPierro ; Tom Civiello

From: Marge Schmuckal
To: Errico Thomas; Jean Fraser
Date: 11/9/2009 2:55:30 PM
Subject: Re: H&R Block Pine Tree

I am all set with this. They don't need to show any parking. This is not a separate lot. Before there parking needs were with the adjoining parking lot. It still can be there.
Marge

>>> Jean Fraser 11/9/2009 12:33:04 PM >>>
Tom,

The H&R block requires 13 spaces to meet zoning; PB approved 8 on site (one of which was ADA and needs to be van because theres only one) and 5 located in the CVS parking area via an easement.

Although I passed on your preference for moving another entire space from the H&R block location into the CVS parking area in order to save the pine tree, Frank Normandin feels this would be almost impossible (especially given the time frame) because they have already signed all the easements and leases that relate to these parking space numbers for both sites (ie prepared by attorneys and approved by company boards etc.) and both were not only difficult re documentation but also a bit delicate.

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Will forward any further info when I get it.

Jean

CC: Barbara Barhydt; Jeff Tarling ; Philip DiPierro

From: Jeff Tarling
To: Barbara Barhydt; Jean Fraser; Philip DiPierro
Date: 11/3/2009 1:48:55 PM
Subject: CVS Northgate Tree

FYI - See photo below of White Pine on the project, note the amount of roots - further excavation towards the tree will place this tree in risk. Options include leaving 10' of space between the parking lot & tree or remove tree and replace...

Jeff

CC: Alex Jaegerman





View from
drive looking W toward
Auburn.



April 7, 2009

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Jean Fraser, Planner

Dear Ms. Fraser:

This letter is in response to Appledore Engineering's changes to the Site Plan Review that was submitted on 3/16/2009 on behalf of A & D, Realty Inc., concerning the Northgate Plaza and more specifically, the adjacent Lot C-23. We have reviewed their changes and have the following concerns in addition to those noted previously in our letter of February 16, 2009:

Parking:

- From the Overall Site Plan it appears that while the parking spaces closest to our property line have been pushed back a few feet away from Auburn Street, the row of parking closest to the proposed H & R Block building remains the same. This parking will be in complete view from our front yard and from looking out our living room windows. The row juts out from the building along the side setback and impacts the overall appearance of the sites from Auburn Street when viewing Lot C-23 and B-4 together.
- While the proposed fence and new landscaping between the edge of the parking area and the property line are to provide increased screening for us, we believe it will not provide sufficient screening owing to the natural slope of the two properties.
- We acknowledge that it is the developer's intention is to make Lot C-23 a conforming lot. There is sufficient space in the Plaza for parking and Sec. 14-334 allows for off-street parking to be located a reasonable distance from the principal building if the premises to be used for parking are held under the same ownership or lease. They have cited their decision to reject this possibility of parking on the adjacent Lot C-1 as safety reasons that "would force pedestrians to cross the main entrance drive to get to the office building". From their Overall Site Plan, it appears that pedestrians coming to the Plaza from the north on Auburn Street will also have to cross the main entrance drive and then cross on to a subsequent access sidewalk to get to the Plaza. We fail to see the difference in respect to safety.
- We would like to suggest that the developer could utilize the side setback adjacent to the Plaza and the rear setback for at least some, if not all, of their parking.

Landscaping:

- The Demolition Plan does not accurately depict all of the trees that currently exist on Lot C-23 and, therefore, the trees to be removed may not all be identified.
- The Demolition Plan does identify what is described as a 32 foot pine along the side setback closest to our property line to be removed. All of the three trees along this side which is adjacent to the front

facing Auburn Street, especially the two pines,* are integral to providing a visual and noise barrier from the Plaza entrance drive. This particular tree is very essential.

**We believe they may have incorrectly identified/depicted the location the two pines in respect to size.*

Other:

- The Overall Plan and the Landscape Plan show a proposed concrete sidewalk pad that leads from Auburn Street along the side of the building (facing us) and then along the back of the building. At the corner of the front and side it adjoins a sidewalk that leads from the proposed parking lot to the front door. Because the sidewalk leading from Auburn Street does not directly lead to the front entrance, this will most definitely encourage/embolden pedestrians and bike riders to trespass and use this as a “short-cut” to the Plaza (because the building is vacant pedestrians do this already by walking through the lawn when weather permits). There appears to be no reason (other than choice) why the sidewalk leading from Auburn Street cannot be located directly in front of and leading to their front entrance along Auburn Street, or along the side setback closest to the Plaza and then leading to the front entrance.
- The proposed side elevation plan that faces our property depicts the installation of 1 new set of double windows on their first level, two new sets of double windows on their second level (which is at our first floor level) and an unidentified object that may be a window or a sign on the side of the proposed new pitched roof (at our second floor level). The addition of windows facing us will further destroy our overall privacy and the usability of our deck and hot tub. The spillage of light from these windows during the evening hours (all 7 days a week) will only further exacerbate the situation.
- Appledore’s letter of March 16th states that they no longer plan a dumpster for this lot, but a dumpster for this lot is still depicted on the Details Sheet.
- We have not seen a specific plan for lighting or signage.
- The Overall Plan, along with the Landscape Plan and other descriptions depict the developer’s intention to project the “best face” of this property to the front and side that is adjacent to the Plaza, while placing parking lots, driveways, pedestrian walkways, bicycle racks, outdoor lighting, additional windows, possible signage and limited landscaping on the side and the adjacent front that is closest to our home. The front and side of this property that faces the Plaza, as shown in the plans, depicts lawns and lush plantings of landscape materials.

We continue to believe that the proposal will significantly devalue our property and request that the Planning Board reject A & D Realty’s Site Plan application to redevelop Lot-23, at the very least, until they can show that they are willing to work with us as abutters of the property and submit plans that indicate that they are serious and will comply with the laws and the intentions of the Resident-Professional Zone.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

Jean Fraser - RE: CVS Portland window graphics

From: Jean Fraser
To: Paton, Kevin
Date: 4/26/2010 1:17 PM
Subject: RE: CVS Portland window graphics
CC: Normandin, Frank; Schmuckal, Marge

Kevin,

I have had discussions with colleagues here and we have concluded that the windows **should be as proposed earlier- either solid white or solid gray** (only as high as necessary to cover the back of the shelving) with no lettering (lettering could be on the other elevation where it does not count as advertizing, as Marge Schmuckal explained).

We appreciate your efforts to see if CVS has anything else, but we feel that neither the red nor the rainbow are going to work at this location because of the scale of the building and the nature of the graphics.

Jean

>>> "Kevin Paton" <kpaton@bkaarchs.com> 4/23/2010 9:05 AM >>>
Jean,

Attached is a photo of a store with the rainbow graphics.

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Thursday, April 22, 2010 4:32 PM
To: Kevin Paton
Subject: Re: CVS Portland window graphics

Kevin

Could you send me a photo of where the "rainbow" version has actually been installed; my colleagues are not convinced this is better but it may be that the pdf makes it look worse than in reality.

Thanks
Jean

>>> "Kevin Paton" <kpaton@bkaarchs.com> 4/16/2010 10:53 AM >>>
Marge, Jean,

I have received an alternate design for the window treatment where the spandrel glass was proposed. Please review and let me know if this is a better option than the previous red version.

Kevin Paton
Senior Associate

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Brockton, MA 02302

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www.bkaarchs.com



beverage

CVS
pharmacy

health

beauty





beverage

CVS
pharmacy

health

beauty

From: Marge Schmuckal
To: Doug Grunert
Date: 1/19/2010 11:25 AM
Subject: Re: Fwd: CVS Portland, ME Proposed graphic window treatment.

Doug,
You need to first apply for a permit with all the required information. Our division will turn it down and then it goes up to planning to be reviewed under site plan standards. I can't imagine what your argument could be to allow covering more than 50% of the windows.
Marge

>>> Doug Grunert <dgrunert@bkaarchs.com> 1/19/2010 11:14 AM >>>
Marge:

Thanks for your input, what would be involved to obtain a sign appeal?

Marge Schmuckal wrote:

- > Doug,
- > If you want to implement what was submitted, you will need a sign appeal.
- > You may not cover more than fifty (50) percent of the area of any window. The signage that you depicted along the front of the building is more than 50% of the window.
- >
- > You would need to amend your sign permit #09-1090.
- > Marge Schmuckal
- > Zoning Administrator
- >
- >

>>>> Jeanie Bourke 1/19/2010 9:53 AM >>>>

- >>>>
- > FYI....can you please respond....thanks
- >
- >
- >

>>>> Doug Grunert <dgrunert@bkaarchs.com> 1/15/2010 4:05 PM >>>>

- >>>>
- >
- > Ms, Bourke:
- >
- > Our client's tenant, CVS, would like to implement a graphic window treatment that will be placed to the exterior side of the permitted spandrel glass. The intent is to create a better visual appearance than the spandrel windows. After reading the
- > section that regulates the impact of window signage, we feel that this change will still follow the intent of the
- > by-laws. I have attached both the proposed graphics and the permitted elevations for your reference. Can you please let
- > us know if this will be an acceptable alternate or if we will be required to submit further approvals?
- >
- > Thank you.
- >
- > Sincerely,
- >
- >

--
Douglas S Grunert

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 342

fax: 508 . 584 . 2914

www.bkaarchitects.com <<http://www.bkaarchs.com>>

CC: Jean Fraser; Jeanie Bourke

From: Jean Fraser
To: Normandin, Frank
Date: Thu, Sep 24, 2009 5:52 PM
Subject: Update as of today

Frank,

Heres an update on everything:

1. Lighting: as mentioned, the recently submitted photometrics are acceptable though I may need some specs to be documented;
2. H&R Building Permit: Jeanie Bourke (Code Reviewer) has submitted comments on the H & R Block permit and left a voicemail with the architect for some minor details. I have not looked at her comments but will do tomorrow when I get in; I understand that once the details are submitted it will not take long for the final BP approval to be issued (subject to Planning sign off).
3. H&R block Windows: We will not require the double windows at the right side of the front elevation. The amended elevations (as submitted) will be treated as an administrative amendment to the Planning Board approval; I do just need to make sure that we all are working off the same set of plans (I attach what we think is going to be constructed on the front elevation). The Planning Division sign off can only be done after the Performance Guarantee is posted.
4. CVS windows: The gray opaque as proposed is acceptable and we will consider this an administrative amendment to the approved elevations. We would like to discuss the possibility of the introducing some more "interest" along this frontage- this can take place once construction is underway.

Please call if you have any questions.

Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> "Frank Normandin" <frankn@summitrealtypartners.com> 9/24/2009 8:59:15 AM >>>
Jean:

Thanks for your call yesterday.

I have spoken with Kevin Paton CVS' architect on the window issue at length.

We are prepared to commit to the drawing that the planning board approved in order to resolve the issue. This is not our first choice. This drawing shows a white opaque (non see thru) surface up to 7 4 inches. There is clear glass above that with visibility to the store.

CVS prefers the gray surface that covers the same area because during day light hours it looks more like a window than a wall. White does not accomplish this.

CVS does have a graphics package that they have used in certain areas that can be applied to the surface but it is quite a lengthy process to get accomplished internally and can be a complicating factor as it

relates to signage. If it is your strong desire to pursue this we can work together after construction has commenced to make the windows "more interesting". As winter is right around the corner we cannot let this issue derail us at this point. I hope you understand.

Please call my cell phone with any questions before your meeting. I look forward to speaking with you and Phil later today.

Frank

781-953-8552

CC: Barhydt, Barbara; DiPierro, Philip

From: "Frank Normandin" <frankn@summitrealtypartners.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 9/24/2009 9:00:12 AM
Subject: CVS elevations / windows

Jean:

Thanks for your call yesterday.

I have spoken with Kevin Paton CVS' architect on the window issue at length.

We are prepared to commit to the drawing that the planning board approved in order to resolve the issue. This is not our first choice. This drawing shows a white opaque (non see thru) surface up to 7 4 inches. There is clear glass above that with visibility to the store.

CVS prefers the gray surface that covers the same area because during day light hours it looks more like a window than a wall. White does not accomplish this.

CVS does have a graphics package that they have used in certain areas that can be applied to the surface but it is quite a lengthy process to get accomplished internally and can be a complicating factor as it relates to signage. If it is your strong desire to pursue this we can work together after construction has commenced to make the windows "more interesting". As winter is right around the corner we cannot let this issue derail us at this point. I hope you understand.

Please call my cell phone with any questions before your meeting. I look forward to speaking with you and Phil later today.

Frank

781-953-8552

CC: "Kevin Paton" <kpaton@bkaarchs.com>

agreed w/ BB this gray
w/ graphics OK
bec. of Walgreens

From: Jean Fraser
To: Normandin, Frank
Date: 1/20/2010 12:24 PM
Subject: CVS window treatment

Frank,

I have not heard from you for a long time so I hope the project is going well.

An issue has arisen that relates to conversations we had back in Sept 2009 and I just wanted to check with you what your understanding is.

Back in September I had noted that the Planning Board had seen elevations that showed clear glass for some of the windows and part white opaque for other windows along the frontage. Our concern was partly the B2 design standards but more importantly the fact that the CVS was presenting a long "blank" wall to the heavily used pedestrian walkway connecting the CVS entrance to the rest of the retail units.

At that time you mentioned a graphics package tht CVS had but we did not see it and I assumed it might be pictures of medicine bottles or hairbrushes or something. My confirmation to you on 9.24.09 was:

"4. CVS windows: The gray opaque as proposed is acceptable and we will consider this an administrative amendment to the approved elevations. We would like to discuss the possibility of the introducing some more "interest" along this frontage- this can take place once construction is underway."

Douglas Grunert of BKA Architects has sent recently sent the proposed graphics package to the Building Inspections Division/Zoning who have advised Mr Grunert that the proposed graphics were not acceptable under the sign ordinance and would be turned down; in that case if Mr Grunert wanted to pursue it it would have to be reviewed under site plan standards.

I have just seen the "graphics package" and it involves bright red on the lower portion of all the windows of the store (both elevations), with white "CVS" in large letters in the central section of 4 of the windows and in small white letters the words "beauty", "health" "baby" etc, one per each section of window that does not have the "CVS".

Aside from the fact that this is clearly "advertising", this is not what I had understood/was hoping would emerge to "add interest". Is this the best CVS can do?

If this is pursued through Site Plan Review I am not sure whether the balance of opinion will be that this is better than the gray or worse.....(and there would need to be a determination as to whether this needs to go back to the Planning Board - I don't know at this stage as its not been submitted and no one else has looked at it).

Am wondering if there is any scope to introduce other "graphics" or reduce the scale of this "graphics package" so it doesn't completely overwhelm the building (as it appears to do in the plans I have seen) and is just in a few places; or lower the height/scale of it so it meets the sign ordinance. My colleagues may have other thoughts and I don't know how important this is to CVS and whether they have some other options so am just raising some questions at this stage.

Thanks
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

CC: Barhydt, Barbara



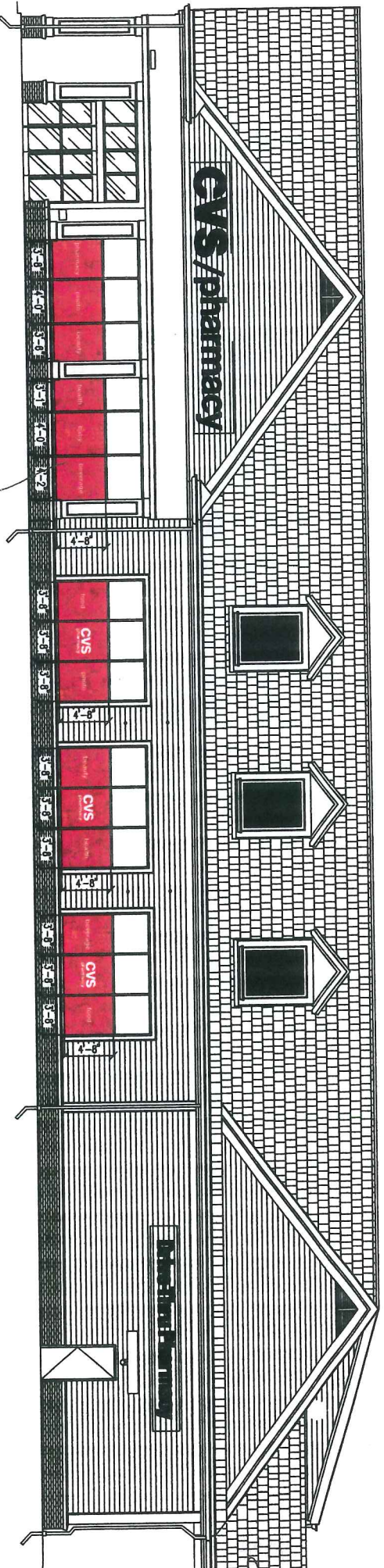
Store Windows Graphic Program

STANDARD STORE

STORE 0329: **PORTLAND, ME**

SOUTH ELEVATION - CORE RED

EXTERIOR SCOTCHPRINT INSTALLATION



More 13 pan / 2 of windows covered



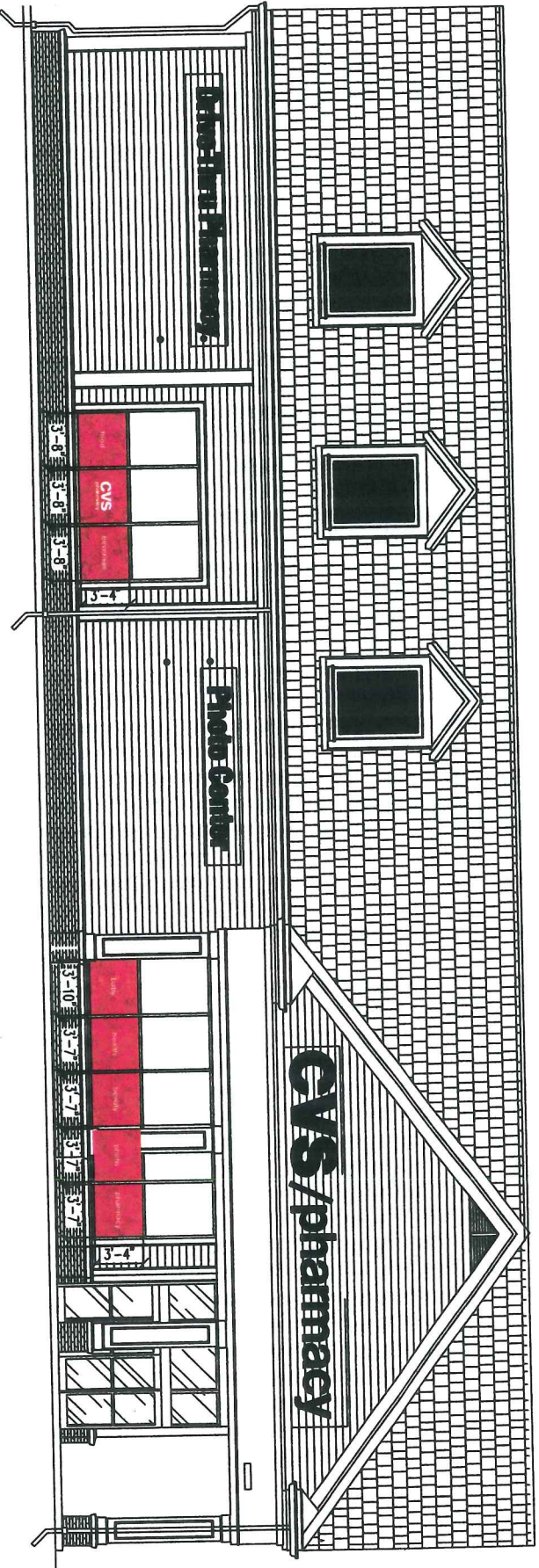
Store Windows Graphic Program

STANDARD STORE

STORE 0329: PORTLAND, ME

BST ELEVATION - CORE RED

EXTERIOR SCOTCHPRINT INSTALLATION



Jean Fraser - Re: CVS Portland ME #329

From: Jean Fraser
To: Paton, Kevin
Date: 5/12/2010 1:29 PM
Subject: Re: CVS Portland ME #329
CC: 'Andrews, Mark H.'; Normandin', 'Frank; Schmuckal, Marge
Attachments: CVS Portland_A41w_5-7-10.pdf; 0329_PORTLAND ME.pdf

Kevin,

I confirm that drawing A-4.1w print dated May 7, 2010 (no rev date entered - as attached) is acceptable as a de minimus Site Plan amendment in relation to the windows facing south (front- towards Auburn St) and does not require a Sign Permit.

Regarding the side elevation, the proposed red tone over the lower part of the windows (proportion as shown on the above-referenced plan) is also acceptable as a de minimus amendment to the approved Site Plan, but I believe that because of the graphics you need to obtain a Sign Permit. The Sign Permit process is through our Inspections Division (Marge Schmuckal- whom I think you met) and so I am copying her on this. The Sign Permit requires an application and possibly some additional detailed info- but I will let Marge advise and maybe you have already submitted that application.

Jean
City of Portland Planning Division
(207) 874 8728

>>> "Kevin Paton" <kpaton@bkaarchs.com> 5/7/2010 1:18 PM >>>
Jean,

I have attached the window graphics layout that only is applied to the West elevation and building elevations that quantify the window square footages and the amount of the window that is proposed to be covered by the graphic. There are no proposed graphics for the front (South) elevation.

Please let me know if you need anything further.

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302

tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com



Store Windows Graphic Program

STANDARD STORE

STORE 0329: PORTLAND, ME

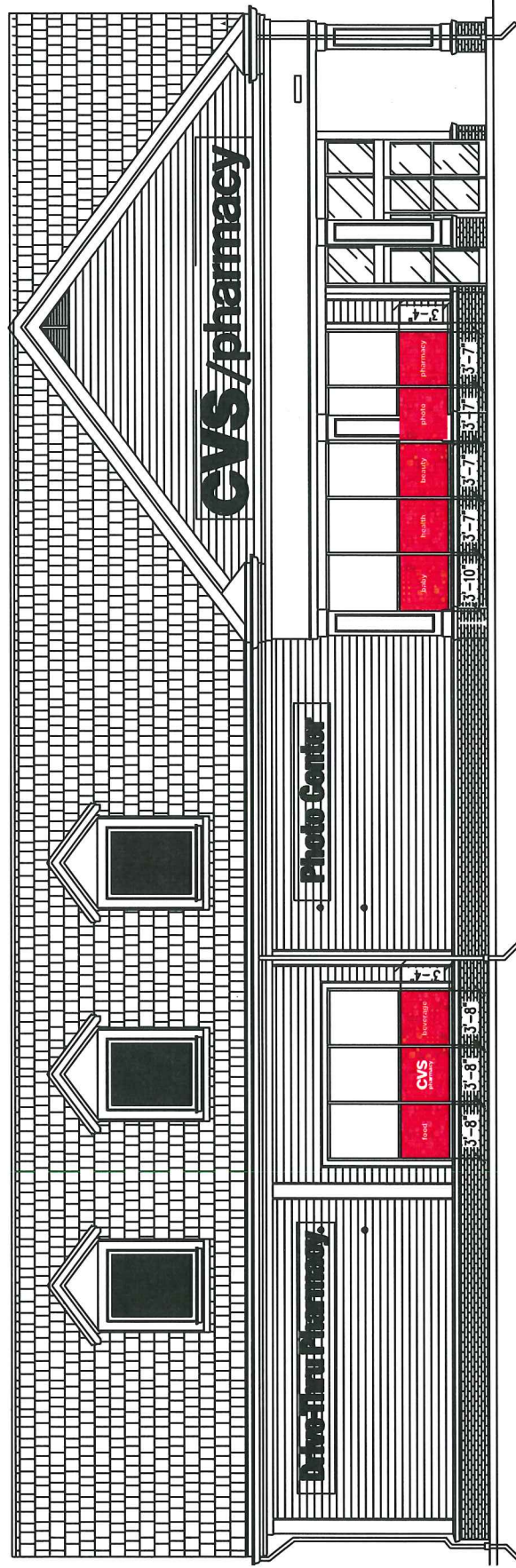
WEST ELEVATION - CORE RED

EXTERIOR SCOTCHPRINT INSTALLATION

CITY OF PORTLAND
APPROVED SITE PLAN

Subject to Dept. Conditions

Date of Approval: _____



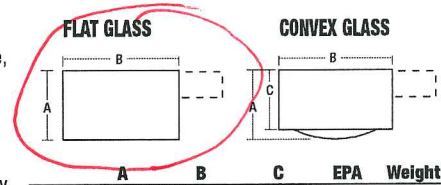
Cat. #		Approvals
Job	Type	

APPLICATIONS

- Malls, retail complexes, industrial sites or any large area lighting project where superior performance, design flexibility, and value are a must.

SPECIFICATIONS

- Lightweight, rugged, one-piece formed and welded aluminum for smooth wall construction and weatherproofing. Pre-drilled for arm mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum door frame with rigid corner bracing and die cast zinc latches for tool-free entry (flat glass lens). Formed aluminum doorframe (convex lens) with stainless steel, knurled head thumb screw design for tool-free entry. Quality high temperature rated extruded silicone gasket seals out insects, dirt and moisture. Tempered flat glass lens provides impact and thermal shock resistance and a sharp full cutoff classification. Impact and thermal shock resistant convex lens provides improved light level uniformity and broadened luminaire spacing.
- Vertical and horizontal lamp orientations available: IES types I, II, III, IV, and V distributions. V1P, V3P, V5P and H5P reflectors are fully segmented. V4 and H4 reflectors are multi-piece design. H3 and H5 reflectors are hydroformed.
- Extruded aluminum arms in 4" and 10" lengths along with multiple adapters provide mounting flexibility.
- Mogul porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell.
- CWA type, HPF ballast, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.



	A	B	C	EPA	Weight
FLAT	15"	21" sq.		2.6 ft. ^{2*}	68 lbs
	381 mm	533 mm		0.25m ²	30.6 kg
CONVEX	14.7"	21" sq.	12.2"	2.3 ft. ²	63 lbs
	374 mm	533 mm	309 mm	0.2m ²	28.6 kg

NOTE: EPA and weight values do not include mounting arm

* With the 4" arm the EPA is 2.8ft².

LISTINGS/CERTIFICATIONS

- UL 1598 listed and CSA certified for outdoor use in wet locations.



ORDERING INFORMATION

ORDERING EXAMPLE

MSV - A4 - H1K - V5P - F - 5 - DB - RPA4

Series Mounting Wattage/Source Lamp Orientation/Distribution Lens Voltage Color Options

SERIES

MSV MSV Series

MOUNTING

- A4** Arm Mount (incl. 4" rigid arm)
- A10** Arm Mount (incl. 10" rigid arm)
- WB** Wall Bracket (arm not required or included)
- WBA4** Wall Bracket with 4" rigid arm
- WBA10** Wall Bracket with 10" rigid arm
- 0** No Arm or Wall Bracket (only order without arm or wall bracket when they are ordered as accessory)

WATTAGE/SOURCE

- METAL HALIDE**
- H25** 250 watt (ED-28)
- H40** 400 watt (ED-37)
- H1K** 1000 watt (BT-37)
- SUPER METAL HALIDE**
- MS25** 250 watt (ED-28)
- MS40** 400 watt (ED-37)
- MS1K** 1000 watt (BT-37)

WATTAGE/SOURCE con't

- PULSE START METAL HALIDE**
- P25** 250 watt (ED-28)
- P32** 320 watt (ED-28)
- P35** 350 watt (ED-37)
- P40** 400 watt (ED-37)
- P45** 450 watt (ED-37)
- P75** 750 watt (BT-37)
- P1K** 1000 watt (BT-37)
- HIGH PRESSURE SODIUM**
- S25** 250 watt (ED-18)
- S40** 400 watt (ED-18)
- S60** 600 watt (T-14)
- S75¹** 750 watt (ED-37)
- S1K** 1000 watt (ED-37)

LAMP ORIENTATION/DISTRIBUTION

- V1P** Vertical I (segmented)
- V3P** Vertical III (segmented)
- V4²** Vertical IV (multi-piece)
- V5P** Vertical V (segmented)
- H3³** Horizontal III (hydroformed)
- H4²** Horizontal IV (multi-piece)
- H5²** Horizontal V (hydroformed)
- H5P²** Horizontal V (segmented)

LENS

- F** Flat
- C²** Convex
- VOLTAGE**
- Q²** Quad-Tap® - 120/208/240/277V
- V²** Five-Tap - 120/208/240/277/480V
- 5** 480V
- T²** Tri-Tap® - 120/277/347V
- E** 220/240V 50Hz
- 0** No Ballast

COLOR

- DB** Dark Bronze
- BL** Black
- WH** White
- GR** Gray
- PS** Platinum Silver
- RD** Red (premium color)
- FG** Forest Green (premium color)
- CC** Custom Color (consult factory)

OPTIONS

- W1** 120V Wiring Prep
- W2** 208V Wiring Prep
- W3** 240V Wiring Prep
- W4** 277V Wiring Prep
- W5** 480V Wiring Prep
- W6** 347V Wiring Prep

OPTIONS con't

- RPA2** Round Pole Adapter (2³/₄"-3¹/₈")
- RPA3** Round Pole Adapter (3¹/₄"-3³/₄")
- RPA4** Round Pole Adapter (3⁷/₈"-4¹/₂")
- RPA5** Round Pole Adapter (5")
- RPA6** Round Pole Adapter (6")
- F(X)⁶** Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)
- P(X)⁴** Photo Button (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 6-347)
- PR(X)** Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347)
- QZ⁵** Quartz Restrike with 150W DC bayonet lamp (not avail. w/ 50 Hz ballast, 600W HPS or 750W HPS systems)
- EB** Embossed Band
- R(XX)⁷** Reveal (replace XX with color designation) EB option must be chosen with reveal option
- VG** Polycarbonate Vandal Guard (flat lens only)
- L** Lamp

1 Must specify 0, 5, or T voltage. Available voltage tap on ballast may vary from catalog. Must specify wiring prep with options.
2 Flat lens configurations only for horizontal lamp orientation.
3 Factory wired for highest voltage unless specified.

4 400 watt maximum.
5 Not available with 50 Hz ballast, 600 watt and 750 watt HPS, and convex lens with 1000W HPS.
6 Not available with convex lens and 1000W HPS.
7 Reveal selection requires EB - Embossed Band Option.
8 Vertical lamp only.

SPECIFICATIONS

HOUSING Die-formed rectilinear housing to have continuous corner welds creating a seamless one-piece enclosure. Housing material to be low copper aluminum alloy. Door assembly to recess completely within luminaire housing creating evenly spaced reveal and floating door appearance.

DOOR/LENS FLAT LENS DESIGN: Extruded aluminum doorframe for tempered flat glass lens design to have 45° miter cut corners with internal corner key brackets for rigid support. Finish to be anodized with natural aluminum color. Tool-free entry design provided by corrosion-resistant, spring-loaded die cast zinc thumb latches (one per corner). Extruded silicone gasket profile to positively seal tempered glass lens to doorframe and doorframe to luminaire housing ensuring a contaminant free environment. Complete removal of the door assembly is achievable without tools. **CONVEX LENS DESIGN:** Die formed aluminum doorframe with impact and thermal-shock resistant convex lens, vulcanized one-piece extruded silicone gasket, and tool-free entry with two Knurled head stainless steel screws. Two additional corrosion-resistant treated screws provide door hinging and two additional points of attachment for equal gasket compression. Matching TGIC thermoset polyester powder paint finish to match the luminaire housing color.

MOUNTING The luminaire housing shall attach to all mounting hardware via two 1/2" diameter bolts/rods. Mounting options to include rigid arm assemblies, knuckled arm assemblies for flat surfaces, knuckled arm assemblies for 2 3/8" OD tenon, wall bracket adapter, and round pole adapters ensuring maximum luminaire versatility. All mounting accessories should include gasket between the housing and accessory.

OPTICS The luminaire should be available in both vertical and horizontal lamp orientations. All optical assemblies are to be field rotatable in 90° increments. All flat glass configurations are to be IES - Full Cutoff classified. Internal house side shielding to be available with horizontal Type III distribution and field installable.

ELECTRICAL Available HID wattage range of 250 to 1000 watts from Metal Halide, Pulse Start Metal Halide, High Output Super Metal Halide, and High Pressure Sodium sources. Additional options include fusing, photocell cell control, and quartz restrike lamp.

FINISH TGIC thermoset polyester powder paint finish applied at nominal 2.5 mil thickness. Prior to painting all luminaires and mounting accessories should be thoroughly cleaned with acid and alkaline cleaners followed by the application of a chromate conversion coating.

LISTINGS/CERTIFICATION UL1598 approved and CSA certified for outdoor use in wet locations. IDA approved.

MSV EPA VALUES

Mounting Logic for Pole	Configuration	Flat Lens w/ 4" Arm	Flat Lens w/ 10" Arm	Convex Lens w/ 4" Arm	Convex Lens w/ 10" Arm
A	SINGLE	2.8	3	2.5	2.7
B	TWIN AT 90°	5.2	5.3	4.6	4.7
C	TWIN AT 180°	5.6	6	5	5.4
D	TRIPLE AT 90°	8.4	8.6	7.3	7.5
E	TRIPLE AT 120°	8.2	8.4	7.1	7.3
F	QUAD AT 90°	8.6	8.8	7.5	7.7

ACCESSORIES

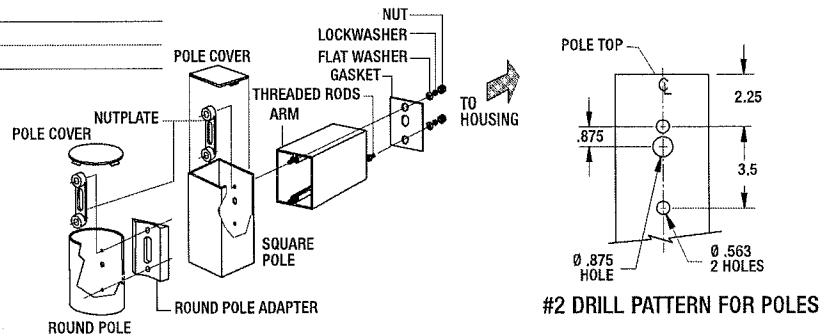
(Must be ordered separately. For field installation.)

Catalog #	Description
MSV-IHS-H3	Internal House Side Shield (H3 distribution)
MSV-FGGGS-2	Extreme Glare Shield for flat glass units only (mounts to housing); restricts lighting to any one side of fixture; black finish standard
MSV-GS	Glare Shield for sag glass units only; restricts light to any one side of fixture, black finish standard
MSV-PVG	Polycarbonate Vandal Guard
FDMLH	Flush Mount Kit - direct mount luminaire hardware kit
F-RPA2-XX^{1,2}	Round Pole Adapter (2 3/4" - 3 1/8")
F-RPA3-XX^{1,2}	Round Pole Adapter (3 1/4" - 3 3/4")
F-RPA4-XX^{1,2}	Round Pole Adapter (3 7/8" - 4 1/2")
F-RPA5-XX^{1,2}	Round Pole Adapter (5")
F-RPA6-XX^{1,2}	Round Pole Adapter (6")
WB-CR-XX¹	Wall Bracket
ARM-F-K-TA-XX¹	Tenon Arm (single) adjustable (2 3/8" O.D. tenon)
ARM-F-TK-TA-XX¹	Tenon Arm (double 180°) adjustable (2 3/8" O.D. tenon)
ARM-F-K-S-XX^{1,2}	Adjustable Arm (for flat surfaces)
ARM-F-4-S-XX^{1,2}	4" Rigid Straight Arm
ARM-F-10-S-XX^{1,2}	10" Rigid Straight Arm

1 Replace XX with color choice, eg.: DB for Dark Bronze.
2 When ordering poles, specify Pole Drill Pattern #2.
3 See Pole Section.

PHOTOCONTROL EQUIPMENT

CATALOG #	DESCRIPTION
PTL-1	Photocontrol - Twist-Lock Cell (120V)
PTL-8	Photocontrol - Twist-Lock Cell (120-277V)
PTL-5	Photocontrol - Twist-Lock Cell (480V)
PTL-6	Photocontrol - Twist-Lock Cell (347V)
PSC	Shorting Cap - Twist-Lock



Due to our continued efforts to improve our products, product specifications are subject to change without notice.

SPAULDING
LIGHTING

Spaulding Lighting • 701 Millennium Boulevard • Greenville, SC 29607 • PHONE: 864-678-1000

For more information visit our web site: www.spauldinglighting.com

Lights used for OE1 & OD1

FEATURES

- Ideal for retail areas, coves, corridors and lobbies.
- Channel is offset at both ends to provide continuous illumination without shadows.
- Aluminum fixture available from use in harsh locations. See options.
- Available in tandem-wired lengths.
- Channel connectors provided (standard).
- Sturdy channel cover secured by quarter-turn latch for easy access to wireway.
- High-gloss, baked white enamel finish.
- Accepts plug-in options for 1, 2 or 3 primary circuits.
- Guaranteed for one year against mechanical defects in manufacture.

SPECIFICATIONS

BALLAST — Thermally protected, resetting, Class P, HPF, non-PCB, UL listed, CSA-certified ballast is standard. Ballasts for 3' and 4' lamps are sound rated A. Standard combinations are CBM approved and conform to UL 935.

WIRING & ELECTRICAL — Fixture conforms to UL 1570 and is suitable for damp locations. AWM, TFN or THHN wire used throughout, rated for required temperatures.

MATERIALS — Housing formed from cold-rolled steel. No asbestos is used in this product.

FINISH — Five-stage iron-phosphate pretreatment ensures superior paint adhesion and rust resistance. Painted parts finished with high-gloss, baked white enamel.

LISTING — UL listed and labeled. CSA certified (see options). NOM labeled (see options).

Specifications subject to change without notice.

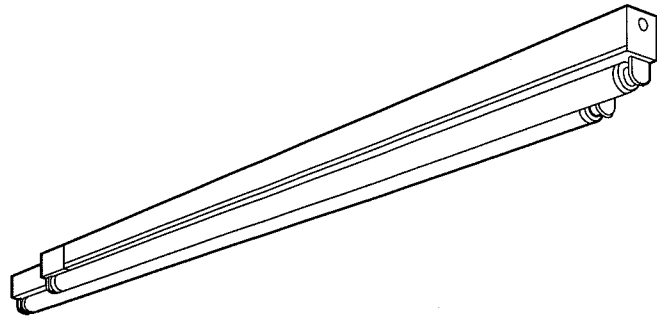
Catalog Number	Type
TSS-1-32-MVOLT-GEB10IS	MD8

Staggered Strip

SS

Rapid Start

2', 3' or 4' length
1 or 2 lamps



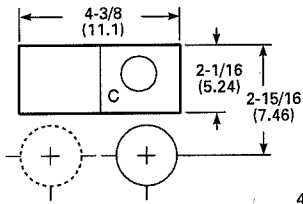
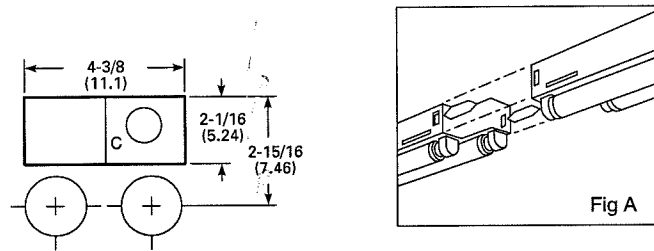
PHOTOMETRICS

Full photometric data on these and other configurations available upon request.

SS Rapid Start

MOUNTING DATA

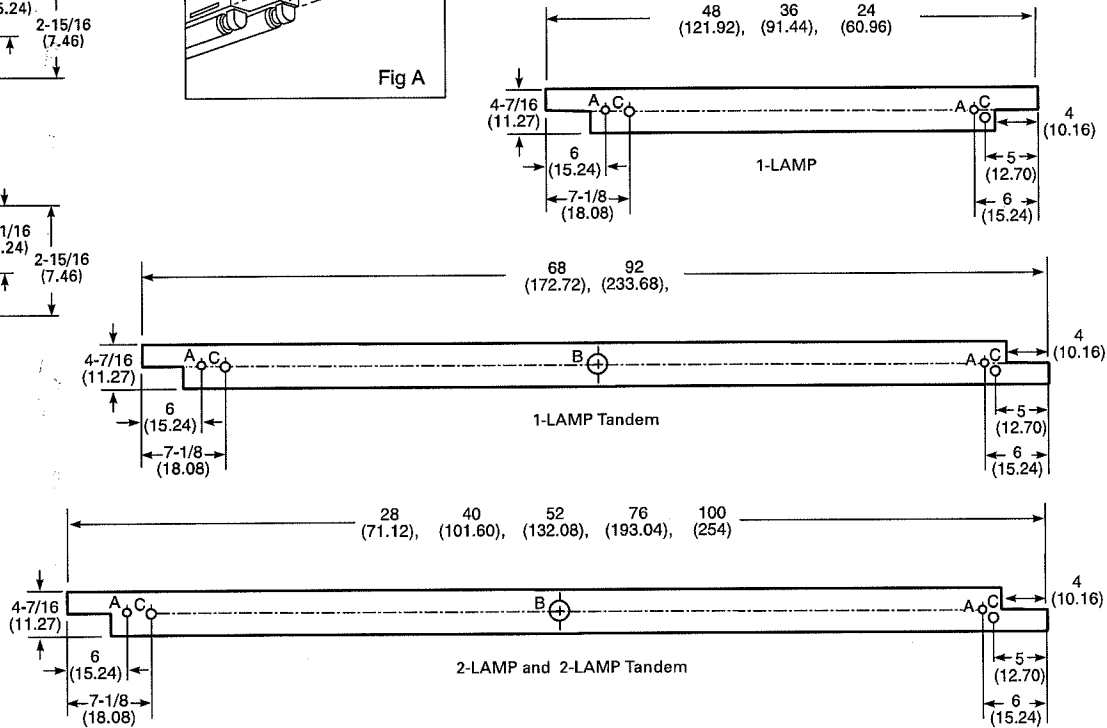
For continuous row installation, surface or suspended mounting.
One endplate per fixture supplied. Channel-to-channel connection uses two spade connectors inserted as shown in Fig A.



A = 11/16 (1.74) Dia. K.O.
B = 2 (5.08) Dia. K.O.*
C = 7/8 (2.22) Dia. K.O.
*on 68" channels and longer

DIMENSIONS

Inches (centimeters). Subject to change without notice.
To determine installed length, deduct 4" for each overlap.
Example: Total length of three SS240's is 156", less 8" for two overlaps. Installed length is 148".
Aluminum channels have different mounting details. All size channels have just (2) 7/8" K.O.s, 6" from each end.



ORDERING INFORMATION

Example: **SS 2 32 120 GEB PLF2A**

TSS	2	32	MVOLT	GEB10ISNACV
Series SS Staggered strip For tandem double-length unit, add prefix T. Example: TSS	Number of lamps 1, 2 Not included	Lamp type 17 17W T8 (24") 20 20W TS T12 (24") 25 25W T8 (36") 30 30W RS T12 (36") 32 32W T8 (48") 40 40W T12 (48")	Voltage 120, 277, 347 Others available	Options ES Energy-saving ballasts (30W and 40W lamps only). GEB Electronic ballasts, ≤20% THD. GEB10 Electronic ballasts, ≤10% THD. LPF Low power factor ballasts (20W and 30W only). CW Cold-weather ballasts, 0°F starting. EL Emergency battery pack (nominal 300 lumens). See Life Safety Section. EL5 Emergency battery pack (nominal 500 lumens). See Life Safety Section. EL11 Emergency battery pack (nominal 1100 lumens). See Life Safety Section. GLR Internal fast-blow fuse (add X for external). GMF Internal slow-blow fuse (add X for external). PLF Plug-in wiring. Specify 1, 2 or 3 branch circuits and hot wires (A=Black, B=Red, C=Blue, AB or AC). TILW Tandem in-line wiring.

Accessories

Order as separate catalog numbers.

- SSASR 1 48WH** Asymmetric reflector, 4' white for 1-lamp fixture.*
- SSASR 2 48WH** Asymmetric reflector, 4' white for 2-lamp fixture.*
- SSSMR 1 48WH** Symmetric reflector, 4' white for 1-lamp fixture.*
- SSSMR 2 48WH** Symmetric reflector, 4' white for 2-lamp fixture.*

* Specular Aluminum (SAR) and Specular Finish Steel (SSR) also available. Substitute SAR or SSR for WH in catalog number.

- AL** Aluminum housing. White enamel finish.
- CSA** CSA-labeled for US shipment to Canada.
- NOM** NOM-labeled for shipment to Mexico.
- SW** Palletized and stretch-wrapped.



SS RS

©1996 Lithonia Lighting 5/96
SSRS.PM5

Light used for OB1x

FEATURES

OPTICAL SYSTEM

- Diffused anodized aluminum reflector.
- Drop Holophane Control lens.

DOOR

- Die-cast aluminum, gasketed door frame available in flush white or regressed stepped baffle.
- Self-aligning butterfly door support springs.

MECHANICAL SYSTEM

- Die-formed steel upper housing with white polyester powder paint and formed steel lower housing with matte black finish.
- Expandable mounting bars provide horizontal and vertical adjustment.
- Galvanized steel junction box with bottom-hinged access covers and spring latches. Two combination 1/2"-3/4" knockouts and three 1/2" knockouts for straight-through conduit runs. Capacity: 8 (4 in, 4 out) No. 12 AWG conductors rated for 90°C.

ELECTRICAL SYSTEM

- Horizontally-mounted, mogul-base porcelain socket with nickel-plated screw shell.
- Prewired HPF core-and-coil ballast.
- Thermally-activated insulation detector.

LISTING

- Fixtures are UL listed for thru-branch wiring, recessed mounting and wet locations. Listed and labeled to comply with Canadian Standards.

Type

OB

Catalog number

LAH 150M 12FW DHL 120 SCWA OB2

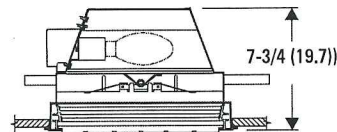
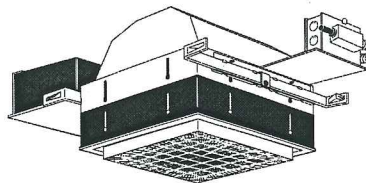
CVS/pharmacy **WP**
WIEDENBACH BROWN

H.I.D. Downlights

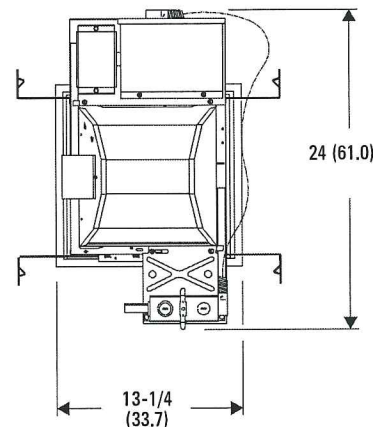
12" LAH

Square Lens

Drop Holophane® Control Lens
Wet Location
Horizontal Lamp
Metal Halide or HPS Lamps



Aperture: 10-1/8 (27.0)
Ceiling opening: 12-1/4 (31.1)
Overlap trim: 12-5/8 (32.1)



All dimensions are inches (centimeters).

ORDERING INFORMATION

Choose the boldface catalog nomenclature that best suits your needs and write it on the appropriate line. Order accessories as separate catalog numbers (shipped separately).

Example: LAH 100M 12FW DHL 120

LAH	250M	12FW	DHL	120	SCWA
Series	Wattage/Lamp	Door frame	Shielding	Voltage	Options
LAH	<i>Metal Halide</i>	12FW Flush white door	DHL Drop Holophane lens	120	LRC Provides compatibility with Lithonia Reloc System 820.
	100M M100/C/U/MED	12SB Stepped black baffle		208	TPS Tamperproof (includes two tamperproof screws).
	150M M150/C/U			240	QRSTD Quartz Restrike System (uses D.C. base quartz lamp by others; see other side for wattage restrictions).
	175M M175/C/U			277	EC Emergency circuit (D.C. base socket with leads for connection to external emergency power source; see other side).
	250M M250/C/U ¹			347	SF Single fuse.
	<i>Color-Corrected Metal Halide²</i>				DF Double fuse (208V and 240V).
	50MHC MPC50/C/MED				220/50HZ Consult factory.
	70MHC MPC70/C/MED				HEB Electronic ballast.
	100MHC MPC100/C/MED				EP Encased and potted ballast.
	<i>High Pressure Sodium</i>				SCWA Super CWA pulse start ballast (250W only).
	70S LU70/D/MOG				
	100S LU100/D/MOG				
	150S LU150/55/D/MOG				
Notes:					
1	250M available with encased-and-potted ballast; 120, 277 or 347 volts only.				
2	Ceramic arc tube consistent-color lamp. Philips MasterColor or GE ConstantColor.				
			Accessories		
			<i>Order as separate catalog numbers</i>		
		BH24 24" steel bar hangers (2) for T-bar mounting.			
		LSMC Set of 4 T-bar mounting clips for use with bar hangers supplied with unit. (Not for use with BH24).			

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A DIVISION OF ACUITY LIGHTING GROUP, INC.
1400 Lester Road Conyers Georgia 30012
P 800 315 4982 F 770 860 3129
www.gothamlighting.com

LAH 12 DHL DHID-450

12" LAH Square Lens, Gotham Series

Distribution curve Distribution data Output data Coefficient of utilization Single luminaire data 30" above floor

LAH 175M 12FW DHL, 175W M175/C/U lamp, 1.0 s/mh, 12000 rated lumens, test no. 2189020903

Mount height	Initial fc at beam center	50% beam angle 52.0°		10% beam angle 89.9°	
		Beam diameter	fc at beam edge	Beam diameter	fc at beam edge
8'	107.0	5.4'	53.5	5.4'	10.7
10'	57.5	7.3'	28.8	5.0'	5.8
12'	35.9	9.3'	17.9	4.0'	3.6
14'	24.5	11.2'	12.2	3.0'	2.4
16'	17.8	13.2'	8.9	2.0'	1.8

LAH 250M 12FW DHL, 250W M250/C/U lamp, 1.0 s/mh, 20500 rated lumens, test no. 2189020904

Mount height	Initial fc at beam center	50% beam angle 51.2°		10% beam angle 89.9°	
		Beam diameter	fc at beam edge	Beam diameter	fc at beam edge
8'	228.7	5.3'	114.4	10.9'	22.9
10'	123.0	7.2'	61.5	14.9'	12.3
12'	76.7	9.1'	38.3	18.9'	7.7
14'	52.3	11.0'	26.2	22.8'	5.2
16'	38.0	12.9'	19.0	26.8'	3.8

LAH 150S 12FW DHL, 150W LU150/55/D/MOG lamp, 1.0 s/mh, 15000 rated lumens, test no. 2189020801

Mount height	Initial fc at beam center	50% beam angle 51.0°		10% beam angle 88.4°	
		Beam diameter	fc at beam edge	Beam diameter	fc at beam edge
8'	176.2	5.2'	88.1	10.7'	17.6
10'	94.8	7.2'	47.4	14.6'	9.5
12'	59.1	9.1'	29.5	18.5'	5.9
14'	40.3	11.0'	20.2	22.4'	4.0
16'	29.3	12.9'	14.6	26.3'	2.9

QRS/EC WATTAGE RESTRICTIONS

HID wattage	Maximum wattage	Lamp type
≤100W	100	
150W	150	Double contact
175W	150	bayonet base
250W	250	

Conversion Factor

Use multiplier to determine candlepower, lumens and footcandles of other lamps.
 100M = 175M X .57
 70S = 150S x .40
 100S = 150S x .59

Electrical Characteristics

Wattage/ Ballast	Maximum Line Current					Input watts
	120V	208V	240V	277V	347V	
Metal Halide (Power Factor 90%)						
100M HX-HPF	2.60	1.50	1.30	1.15	1.00	130
175M CWA	1.80	1.10	.90	.80	.65	210
250M CWA	3.05	1.65	1.55	1.25	1.05	294
High Pressure Sodium (Power Factor 90%)						
70S HX-HPF	1.45	.85	.75	.65	.52	94
100S HX-HPF	2.20	1.40	1.10	.95	.70	130
150S HX-HPF	3.00	1.65	1.45	1.25	1.00	188

Tested to current IES and NEMA standards under stabilized laboratory conditions. Various operating factors can cause differences between laboratory data and actual field measurements. Dimensions and specifications are based on the most current available data and are subject to change.

DHID-450

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 DHID-450.P65

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Section 1. Information Concerning the Application Process

A. When a project qualifies for a stormwater PBR. A project qualifies for a stormwater PBR if it results in one or more acres of disturbed area and the following:

- (1) Less than 20,000 square feet of impervious area and 5 acres of developed area in the direct watershed of a lake most at risk or urban impaired stream; and
- (2) Less than one acre of impervious and five acres of developed area in any other watershed.

B. When a project does not qualify for a stormwater PBR. A project does not qualify for a PBR when it takes place on a parcel subject to a Site Location of Development Act permit or an individual permit under the Stormwater Management Law.

C. Notification. An applicant must file notice of the project with the department prior to beginning work on the project. The applicant shall use the notification form (Section 2) provided by the department and must include the required submissions (Section 3). **The applicant must keep a copy to serve as the permit.** The notification form and required submissions must be sent to the department by certified mail (return receipt requested), or hand delivered to the department and date stamped by the department.

The stormwater PBR becomes effective 14 calendar days after the department receives the notification form, unless the department approves the notification or finds the notification deficient prior to that date. Within this 14 day period, the department may notify the applicant in writing or through verbal communication that the project is ineligible for stormwater PBR, or that additional information or further review is needed. **If the department does not inform the applicant that the notification is unacceptable within the 14-day period, the notification is deemed accepted by the department.**

By signing the notification form, the applicant is representing that the activity will meet the applicability requirements and standards of the rule. In addition, by signing the notification form the applicant represents that the applicant has sufficient title, right, or interest in the property where the proposed activity is to take place.

D. Essential habitat. Essential habitats include areas critical to the survival of threatened and endangered species such as the bald eagle, least tern, roseate tern, and piping plover. If the activity is located in essential habitat, such as near an eagle nesting site, a PBR is only available if the applicant obtains written approval from the Department of Inland Fisheries and Wildlife (IF&W). This approval from IF&W must be submitted to the DEP with the PBR notification form, and the applicant must follow any conditions stated in the IF&W approval.

NOTE: Maps showing areas of essential habitat are available from the Department of Inland Fisheries and Wildlife regional headquarters, municipal offices, the Land Use Regulation Commission (for unorganized territories) and DEP regional offices. If the activity is located in essential habitat, IF&W must be contacted to request and obtain a "certification of review and approval".

E Where to send your PBR application. Please send your PBR to the DEP office serving the area where the project is located. Elsewhere in this packet is a map showing the towns served by the regional offices and the regional office mailing addresses.

F. Assistance and materials. Questions concerning your project's eligibility or application requirements should be directed to the Division of Land Resource Regulation at any of the Department's regional offices. The following list includes other materials that may also be helpful.



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
www.appledoreeng.com

March 18, 2009

Mr. John Maclaine
State of Maine DEP
Southern Maine Regional Office
312 Canco Road
Portland, Maine 04103

Re: Stormwater Permit By Rule Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Mr. Maclaine:

On behalf of the A & D, Realty Inc. (applicant), we have prepared the following application for a Permit By Rule under Maine DEP Regulation Chapter 305 and 500 for the referenced project.

The proposed project involves the redevelopment of the Northgate Shopping Center and adjacent Lot C-23. The shopping center (Lot C-1) property is approximately 13.20 acres located in the Community Business District (B-2). The adjacent Lot C-23, is approximately 0.54 acres located in the Residential Professional District (R-P). The overall project site (includes both lots) is bound by Auburn Street to the south, Allen Avenue to the east, the Mercy Care property to the northwest and Fall Brook with jurisdictional wetlands to the north (see Figure 1 – Site Location Map). The existing developed plaza (Lot C-1) consists of approximately 105,940 sf of retail and restaurant area. The property also supports a Town and Country Credit Union, as well as parking (by easement) for Mercy Care. The adjacent Lot C-23 includes a 2,600 sf, two (2) story vacant building. See Existing Conditions Plan for further information concerning the existing site.

The proposed redevelopment will include demolishing approximately 12,715 sf of the northern part of the existing retail plaza and the construction of a new 12,900 sf stand-alone CVS building with a drive-thru facility within the limits of the existing pavement. The structure of the existing vacant building will remain but will receive substantial façade and site improvements. Parking, landscaping and utility improvements are also proposed throughout the site (see Sheet C-2, Overall Site Plan). Approximately 2.81 acres of the previously developed site will be disturbed.

The site drains from the south along Auburn Street towards Fall Brook and the jurisdictional wetlands located at the rear of the existing parking lot. Fall Brook has been designated as an Urban Impaired Stream by the Maine Department of Environmental Protection. As part of the redevelopment of this site we have reduced the existing impervious area on the site by 5,654 sf (see Figures 3 & 4), which will in turn reduce the contributing stormwater runoff and potential for pollutants entering Fall Brook.

In addition to the reduction in impervious area, we are proposing an upgrade of the existing closed drainage system. Improvements will include catchbasins with sumps and grease hoods as well as two (2) rain gardens to treat the stormwater prior to discharging to the stream (see Sheet C-3, Grading, Drainage and Erosion Control Plan).

The proposed redevelopment has been designed based on the regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction to the maximum extent practical.

The submission requirements for proposed construction and redevelopment activities are addressed and documented in the following:

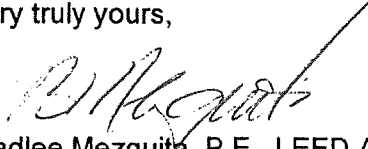
- Check #20721 payable to the Treasurer, State of Maine for \$55.00
- Permit By Rule Notification Form
- Stormwater Construction Site Inspection Report
- Corrective Action Log
- Notice of Termination (to be submitted within twenty (20) days of project completion)
- Figure 1 – Site Location Map
- Figure 2 – Site Photographs and Photo Location Plan dated March 17, 2009
- Figure 3 - Existing Impervious Area dated March 17, 2009
- Figure 4 - Proposed Impervious Area dated March 17, 2009
- Existing Conditions Plans, Sheet 1 of 3 through 3 of 3 dated March 4, 2009 provided by Doucet Survey
- Demolition Plan, Sheet C-1 dated March 13, 2009
- Overall Site Plan, Sheet C-2 dated March 13, 2009
- Site Plan, Sheet C-2A dated March 13, 2009
- Grading, Drainage and Erosion Control Plan, Sheet C-3 dated March 13, 2009
- Erosion Control Notes, Sheet C-6 dated March 13, 2009
- Erosion Control Details, Sheet C-7 dated March 17, 2009

Stormwater Permit By Rule Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C
Page - 3

Information regarding the erosion and sedimentation control performance standards as outlined in the Maine DEP Regulation Chapter 500 is included on the Erosion Control Notes, Sheet C-6. Additional information is addressed in the enclosed Best Management Practices.

If you have any questions or require additional information, please feel free to contact me.

Very truly yours,



Bradlee Mezquita, P.E., LEED AP
Vice President

BM/maa
(2042c-009 (stormwater_pbr).doc)

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.

BEST MANAGEMENT PRACTICES

All soil erosion and sediment control measures shall be in accordance with regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction. The intent of the outlined measures is to minimize erosion and sedimentation during construction, stabilize and protect the site from erosion after construction is complete and improve stormwater quality from the site. Best Management Practices for this project include:

- Temporary practices to be implemented during construction.
- Permanent practices to be implemented after construction.
- Stormwater treatment devices.

TEMPORARY PRACTICES:

Sequencing:

1. Cut and clear trees.
2. Construct temporary and permanent sediment, erosion and detention control facilities. Erosion, sediment and detention measures shall be installed prior to any earth moving operations that will influence stormwater runoff such as
 - new construction
 - stream channel modifications
 - control of dust
 - construction of access road
 - nearness of construction site to receiving waters
 - construction during late winter and early spring
3. All permanent ditches, swales, detention, retention and sedimentation basins to be stabilized using the vegetative and non-structural BMPs prior to directing runoff to them.
4. Clear and dispose of debris.
5. Construct temporary culverts and diversion channels as required.
6. Grade parking areas - all parking areas shall be paved immediately after their construction.
7. Begin permanent and temporary seeding and mulching. All cut and fill slopes shall be seeded and mulched immediately after their construction.
8. Daily, or as required, construct temporary berms, drains, ditches, silt fences, sediment traps, etc.; mulch and seed as required.
9. Finish paving all roadways and parking lots.
10. Inspect and maintain all erosion and sediment control measures.
11. Complete permanent seeding and landscaping.
12. Remove trapped sediments from collector devices as appropriate and then remove temporary erosion control measures.

Stabilization Practices:

1. Stabilization shall be initiated on all loam stockpiles and disturbed areas where construction activity will not occur for more than twenty one (21) calendar days by the fourteenth (14th) day after construction activity has permanently or temporarily ceased in that area. Stabilization measures to be used include:
 - a. Temporary seeding
 - b. Mulching
2. During construction, runoff will be diverted around the site with earth dikes, piping or stabilized channels where possible. Sheet runoff from the site will be filtered through hay bale barriers and silt fences. The site shall be stabilized for the winter by November 15th.
3. An area shall be considered stable when one (1) of the following has occurred:
 - a. Base course gravels have been installed in areas to be paved.
 - b. A minimum of 85% vegetated growth has been established.
 - c. A minimum of three (3) inches of non-erosive material such as stone or riprap has been installed.
 - d. Erosion control blankets have been properly installed.
4. Winter stabilization practices:
 - a. All proposed post-development vegetated areas which do not exhibit a minimum of 85% vegetated growth by November 15th, or which are disturbed after November 15th, shall be stabilized by seeding and installing erosion control blankets on slopes greater than 4:1 and seeding and placing three (3) to four (4) tons of mulch per acre, securing with anchor netting elsewhere.
 - b. All ditches or swales which do not exhibit a minimum of 85% vegetative growth by October 15th, or which are disturbed after October 15th, shall be stabilized with stone or erosion control blankets appropriate for the design flow condition.

- c. After November 15th, incomplete road or parking surfaces shall be protected with a minimum of three (3) inches of crushed gravel, or if construction is to continue through the winter season be cleared of any accumulated snow after each storm event.

PERMANENT PRACTICES

The objectives for developing permanent Best Management Practices for this site include the following:

- Develop a plan that provides the best hydrologic condition both on site and downstream.
- Provide a higher level of removal of pollutants from stormwater runoff.
- Have a minimal impact on the natural environment.
- Have minimal future maintenance.

Post-Development Hydrological Conditions:

The proposed re-development will increase open space and provide more pervious area. As a result, the volume and peak rate of runoff exiting the site will decrease.

Provide Level of Pollutant Removal:

The proposed site will increase pervious area and therefore reduce the level of pollutants in the runoff. In addition two (2) rain gardens are proposed, as well as catch basins with hoods and sumps. The proposed rain gardens have been designed based on the guidelines in the Stormwater Management for Maine: Best Management Practices.

In conjunction with the proposed upgrades, a rigorous street sweeping plan will be implemented ensuring water quality leaving the site is better than in the existing conditions.

Future Maintenance Burden:

The site will be maintained in accordance with the requirements of the State of Maine DEP Regulations for maintaining erosion and sediment control measures. This program requires inspections of all drainage devices, training and specified maintenance schedules. A record of all inspections and maintenance is kept on site and is available for inspection. A copy of this document will be provided to the city upon request.

Stormwater Treatment Devices:

The following Best Management Practices (BMP) have been incorporated into the proposed design:

Street Sweeping

The proposed site will undergo regular street sweeping. Street sweeping generally reduces pollutants such as sediment, some nutrients, oxygen demanding substances and non-biodegradable trash and can lessen the delivery rate of these substances to other BMP's, thus making downstream BMP's more effective.

Deep Sump Catch Basins

Proposed catchbasins for the project will be equipped with deep sumps. The deep sump in the proposed catchbasins provides additional volume to the basin below the invert of the outlet. This volume, when filled with runoff, will allow suspended solids to naturally settle out of the runoff prior to being discharged to the detention basin and ultimately to downstream resources.

Oil/Water Separator Hoods

Catchbasin hoods will be constructed on the outlet pipe of all catchbasins to prevent any collected oils from leaving the catchbasin and entering downstream resources.

Rain Gardens

Two (2) rain gardens are proposed within islands within the parking lot. A rain garden is a filtration BMP designed to collect and filter runoff using a planted bed within a shallow depression and a section of filter media. Rain gardens are capable of reducing sediment, nutrients, oils and grease.

OPERATION AND MAINTENANCE PLAN

It is the intent of this Operation and Maintenance Plan to identify the areas of this site that need special attention and consideration, as well as implementing a plan to assure routine maintenance. By identifying the areas of concern as well as implementing a frequent and routine maintenance schedule, the site will maintain a high quality stormwater runoff.

Contact/Responsible Party

A & D Realty, Inc.
C/O Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, Massachusetts 02421
781-862-9700 x 212

Maintenance Items:

Maintenance of the following items shall be recorded:

- Parking Lot Sweeping
- Litter/Debris Removal
- Landscaping
- Catchbasin Cleaning
- Rain Garden Inspection and Cleaning

Operation and Maintenance Schedule

Maintenance Item	Frequency of Maintenance (Mins)	Operation
Parking Lot Sweeping - Lot swept to remove sand and litter.	Once Yearly in Spring and additional 3-4 times as needed	Parking Lot Sweeper
Litter/Debris Removal	Seven days a week	Management Company
Catchbasin (CB) Cleaning - CB to be cleaned of solids and oils.	Twice Yearly - Spring/Fall	Vacuum Truck
Landscaping - Landscaped islands to be maintained and mulched. - Islands with rain gardens shall only be mowed twice during a growing season.	Maintained as required and mulched each Spring	Management Company

<p>Rain Garden</p> <ul style="list-style-type: none"> - Visual inspection and cleaning after a major rain event to ensure that the system is draining within 24 to 48 hours - Replacement of top several inches of filter material when ponding occurs. 	<p>Twice Yearly*</p>	<p>Management Company</p>
---	----------------------	---------------------------

*The rain gardens shall be inspected after every major rain event for the first six (6) months of operation.

The maintenance items and schedule represent the minimum action required. Periodic site inspections shall be conducted and all measures must be maintained in effective operating condition. The following items shall be observed during site inspection and maintenance:

- Inspect vegetated areas, particularly slopes and embankments, for areas of erosion, replant as necessary.
- Inspect catchbasins for sediment buildup.
- Inspect site for trash and debris.

Snow Removal:

Snow from the parking areas will be stored in areas designated on the Site Plan, C-3. All snow that cannot be accommodated in the locations shown shall be taken off-site.

20721

CENTRIX BANK & TRUST
BEDFORD, NH
54-202/114

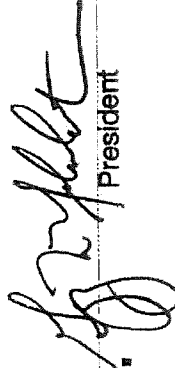
CHECK DATE March 18, 2009

APPLEDORE ENGINEERING INC.
PH. (603) 433-8818
177 CORPORATE DRIVE
PORTSMOUTH, NH 03801

PAY Fifty Five and 00/100 Dollars

AMOUNT \$55.00

TO TREASURER - STATE OF MAINE



President

MP

⑈02072⑈ ⑆011402024⑆1010047388⑈

20721

APPLEDORE ENGINEERING INC.
PORTSMOUTH, NH 03801

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Stormwater 2042c	3/18/09	0024138	55.00			55.00
MAINE - TREASURER 3 1		Totals	55.00			55.00

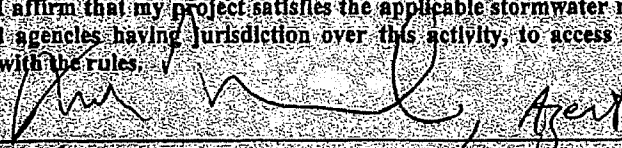
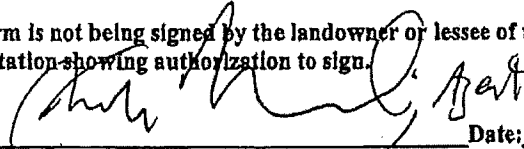
STORMWATER PBR APPLICATION FORM
PLEASE TYPE OR PRINT IN INK ONLY

1. Name of Applicant:		A & D Realty C/O Frank Normandin, Winslow Properties		5. Name of Agent: (if applicable)		Appledore Engineering, Inc.	
2. Applicant's Mailing Address:		5 Militia Dr Lexington, MA 02421		6. Agent's Mailing Address:		177 Corporate Drive Portsmouth, NH 03801	
3. Applicant's Daytime Phone #:		(781) 862-9700		7. Agent's Daytime Phone #:		(603) 433-8818	
4. Applicant's Fax #: (if available)		(781) 862-9070		8. Agent's Fax # and email address:		(603) 433-8988	
9. Location of Project: (Road, Street, Rt.#)		Auburn Street		10. Town:		Portland	
				11. County:		Cumberland	
12. Is this PBR for renewal of an individual stormwater permit? If yes, skip to Block 27 and signature page. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No							
13. Type of Direct Watershed: (Check all that apply)		<input type="checkbox"/> Lake not most at risk <input type="checkbox"/> Lake most at risk <input type="checkbox"/> Lake most at risk, severely blooming <input type="checkbox"/> River, stream or brook <input checked="" type="checkbox"/> Urban Impaired stream <input type="checkbox"/> Freshwater wetland <input type="checkbox"/> Coastal wetland <input type="checkbox"/> Wellhead of public water supply		14. Amount of Developed Area:		<input checked="" type="checkbox"/> Total # of ±2.81 acres OR <input type="checkbox"/> Total # of _____ square feet	
				15. Amount of Impervious Area:		<input checked="" type="checkbox"/> Total # of 0 acres (No new impervious area) OR <input type="checkbox"/> Total # of _____ square feet	
16. Creating a common plan of development or sale?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		17. Name of waterbody(ies) to which the project site drains:		Fall Brook	
18. Brief Project Description:		Redevelopment of the existing Northgate Plaza Shopping Center and adjacent property. Includes the demolition of 12,700 sf existing building and the construction of a 12,900 sf stand alone CVS, along with other façade, parking, landscaping and utility improvements.					
19. Size of Lot or Parcel:		<input type="checkbox"/> Total of _____ square feet OR <input checked="" type="checkbox"/> Total of ±13.2 ac. (C-1) ±0.54 ac. (C-23)		20. UTM Locations: (if known)		UTM Northing: 43°-42'-16" N UTM Easting: 70°-17'-22" W	
21. Deed Reference Numbers:		Book#: _____ Page#: _____		22. Map and Lot Numbers:		Map #: 375 Lot #: C-1 & C-23	
23. Project started prior to application?		<input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No		If yes, Completed?		<input type="checkbox"/> Yes <input type="checkbox"/> No	
24. Resubmission of Application?		<input type="checkbox"/> Yes <input type="checkbox"/> No		25. Written Notice of Violation? <input type="checkbox"/> Yes → <input checked="" type="checkbox"/> No			
		If yes, name of DEP enforcement staff involved:		N/A			
26. Detailed Directions to the Project Site: (Attach separate sheet if necessary)		The site is located at 125 and 91 Auburn Street, directly across from the Sanborn Street/Auburn Street intersection.					
27. SUBMISSIONS. V.							
<input checked="" type="checkbox"/> This form (signed and dated) <input checked="" type="checkbox"/> Fee		<input type="checkbox"/> Dept. of Inland Fisheries and Wildlife Approval (if in Essential Habitat)		<input checked="" type="checkbox"/> Photos of Area <input checked="" type="checkbox"/> ESC Plan <input checked="" type="checkbox"/> Location Map <input checked="" type="checkbox"/> Site Plan		For Renewal of an individual Stormwater permit <u>only</u> : <input type="checkbox"/> This form (signed and dated) <input type="checkbox"/> Copy of original stormwater permit <input type="checkbox"/> Fee	


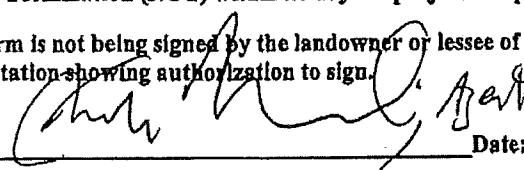
CERTIFICATIONS AND SIGNATURES LOCATED ON PAGE 2

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

CERTIFICATIONS / SIGNATURES

Applicant's Statement: I am applying for a Stormwater PBR and have attached the required PBR submissions. I have read the requirements herein and I affirm that my project satisfies the applicable stormwater management standards. I authorize staff of State and Federal agencies having jurisdiction over this activity, to access the project site for the purpose of determining compliance with the rules.	
Signed:  Agent Date: <u>March 18, 2009</u>	
Notice of Intent to Comply with Maine Construction General Permit:	With this Stormwater PBR notification form and my signature below, I am filing notice of my intent to carry out work which meets the requirements of the Maine Construction General Permit. I have read and will comply with all of the MCGP standards. In addition, I will file a Notice of Termination (NOT) within 20 days of project completion.
	If this form is not being signed by the landowner or lessee of the property, attach documentation showing authorization to sign. Signed:  Agent Date: <u>3/18/09</u>

CERTIFICATIONS / SIGNATURES

<p>Applicant's Statement: I am applying for a Stormwater PBR and have attached the required PBR submissions. I have read the requirements herein and I affirm that my project satisfies the applicable stormwater management standards. I authorize staff of State and Federal agencies having jurisdiction over this activity, to access the project site for the purpose of determining compliance with the rules.</p> <p>Signed: <u></u>, Agent Date: <u>March 18, 2009</u></p>	
<p>Notice of Intent to Comply with Maine Construction General Permit</p>	<p>With this Stormwater PBR notification form and my signature below, I am filing notice of my intent to carry out work which meets the requirements of the Maine Construction General Permit. I have read and will comply with all of the MCGP standards. In addition, I will file a Notice of Termination (NOT) within 20 days of project completion.</p> <p>If this form is not being signed by the landowner or lessee of the property, attach documentation showing authorization to sign.</p> <p>Signed <u></u>, Agent Date: <u>3/18/09</u></p>

Stormwater Construction Site Observation Report

General Information			
Project Name	Northgate Plaza Redevelopment		
NPDES Tracking No.		Location	Portland, Maine
NHDES AOT No.			
Date of Inspection		Start/End Time	
Inspector's Name(s)			
Inspector's Title(s)			
Describe present phase of Construction			
Type of Inspection <input type="checkbox"/> Regular <input type="checkbox"/> Pre-storm event <input type="checkbox"/> During storm event <input type="checkbox"/> Post-storm event			
Weather Information			
Has there been a storm event since the last inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide: Storm Start Date & Time: Storm Duration (hrs): Approximate Amount of Precipitation (in):			
Weather at time of this inspection? <input type="checkbox"/> Clear <input type="checkbox"/> Cloudy <input type="checkbox"/> Rain <input type="checkbox"/> Sleet <input type="checkbox"/> Fog <input type="checkbox"/> Snowing <input type="checkbox"/> High Winds <input type="checkbox"/> Other: Temperature:			
Have any discharges occurred since the last inspection? <input type="checkbox"/> Likely <input type="checkbox"/> Unlikely			
Are there any discharges at the time of inspection? <input type="checkbox"/> Yes <input type="checkbox"/> No			

Notes to User:

- Number the structural and non-structural BMPs identified in your SWPPP on your site map and list them below (add or delete as many BMPs as necessary). Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required BMPs at your site.
- Describe corrective actions initiated, date completed, and note the person that completed the work in the Corrective Action Log.

	BMP Description	BMP Installed and Operating Properly?	Corrective Action Needed	Date for corrective action/responsible person
1	Silt Fence	<input type="checkbox"/> Yes <input type="checkbox"/> No		
2	Check Dams	<input type="checkbox"/> Yes <input type="checkbox"/> No		
3	Inlet Protection Barriers	<input type="checkbox"/> Yes <input type="checkbox"/> No		
4	Sedimentation Basins	<input type="checkbox"/> Yes <input type="checkbox"/> No		
5	Gravel Wetland	<input type="checkbox"/> Yes <input type="checkbox"/> No		
6	Rain Garden	<input type="checkbox"/> Yes <input type="checkbox"/> No		

	BMP Description	BMP Installed and Operating Properly?	Corrective Action Needed	Date for corrective action/responsible person
7	Vegetated Wetland	<input type="checkbox"/> Yes <input type="checkbox"/> No		
8	RipRap Outlet Protection	<input type="checkbox"/> Yes <input type="checkbox"/> No		
9	Stabilized Construction Entrance	<input type="checkbox"/> Yes <input type="checkbox"/> No		
10	Vegetated Filter Strip	<input type="checkbox"/> Yes <input type="checkbox"/> No		
11	Extended Detention Basin	<input type="checkbox"/> Yes <input type="checkbox"/> No		
12	Biofilter Swale	<input type="checkbox"/> Yes <input type="checkbox"/> No		
13	Temporary Vegetation	<input type="checkbox"/> Yes <input type="checkbox"/> No		
14	Permanent Vegetation	<input type="checkbox"/> Yes <input type="checkbox"/> No		
15	Porous Pavement	<input type="checkbox"/> Yes <input type="checkbox"/> No		
16	Detention Pond	<input type="checkbox"/> Yes <input type="checkbox"/> No		
17	Treatment Swale	<input type="checkbox"/> Yes <input type="checkbox"/> No		
18	Hydrodynamic Separator	<input type="checkbox"/> Yes <input type="checkbox"/> No		
19	Construction Sequencing	<input type="checkbox"/> Yes <input type="checkbox"/> No		
20	Level Spreader	<input type="checkbox"/> Yes <input type="checkbox"/> No		

Note to User

Below are some general site issues that should be assessed during inspections. Customize this list as needed for conditions at your site.

Overall Site Issues

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
1	Are all slopes and disturbed areas not actively being worked properly stabilized?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

	BMP/activity	Implemented?	Maintained?	Corrective Action	Date for corrective action/responsible person
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
3	Are perimeter controls and sediment barriers adequately installed (keyed into substrate) and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
4	Are discharge points and receiving waters free of sediment deposits?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
5	Are storm drain inlets properly protected?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
6	Is there evidence of sediment being tracked into the street?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
7	Is trash/litter from work areas collected and placed in covered dumpsters?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
8	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
9	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
10	Are materials that are potential stormwater contaminants stored inside or under cover?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
11	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		
12	(Other)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No		

Non-Compliance

Describe any incidents of non-compliance not described above:

Corrective Action

Describe corrective action taken since last inspection:

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 system, 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."

Print name: _____

Signature: _____

Date: _____

***COMPLETED REPORTS MUST BE FILED IN THE SWPPP AND ALSO BE PROVIDED TO THE FOLLOWING:**
(customize as required)

CONTRACTOR

PROJECT ENGINEER

OWNER

**STATE OF NEW
HAMPSHIRE**

DEVELOPER

Appendix F – Sample Corrective Action Log

Project Name:
SWPPP Contact:

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person

NOTICE OF TERMINATION
for use with CONSTRUCTION GENERAL PERMIT

PLEASE TYPE OR PRINT IN BLACK INK ONLY

Name of Applicant (Owner):	A & D Realty C/O Frank Normandin, Winslow Properties	Applicant Mailing Address:	5 Militia Dr		
Town/City:	Lexington	State:	MA	Zip Code:	02421
Daytime phone: (with area code)	(781) 862-9700	E Mail, if available:	frankn@summitrealtypartners.com		
Name of Agent:	Appledore Engineering, Inc.	Agent Phone #:	(603) 433-8818	Permit number (if known):	
Project Location: (Town/City):	Portland, Maine	UTM Northing: (if known)	43°42'16" N	UTM Easting: (if known)	70°17'22" W
Map #:	375	Lot #:	C-1 & C-23	County:	Cumberland
Name of waterbody(ies) to which the disturbed area drains, or name of municipality if area drains to an MS4:		Fall Brook			
Name/description of project					
Northgate Plaza Redevelopment					

I am filing notice of my Notice of Termination indicating that permanent stabilization has been completed or, if the project was a common plan of development or sale, that the requirements of the Construction General Permit at Part IV(B)(2) have been completed. I have attached all the required submittals. *Notification forms cannot be accepted without the necessary attachments.*

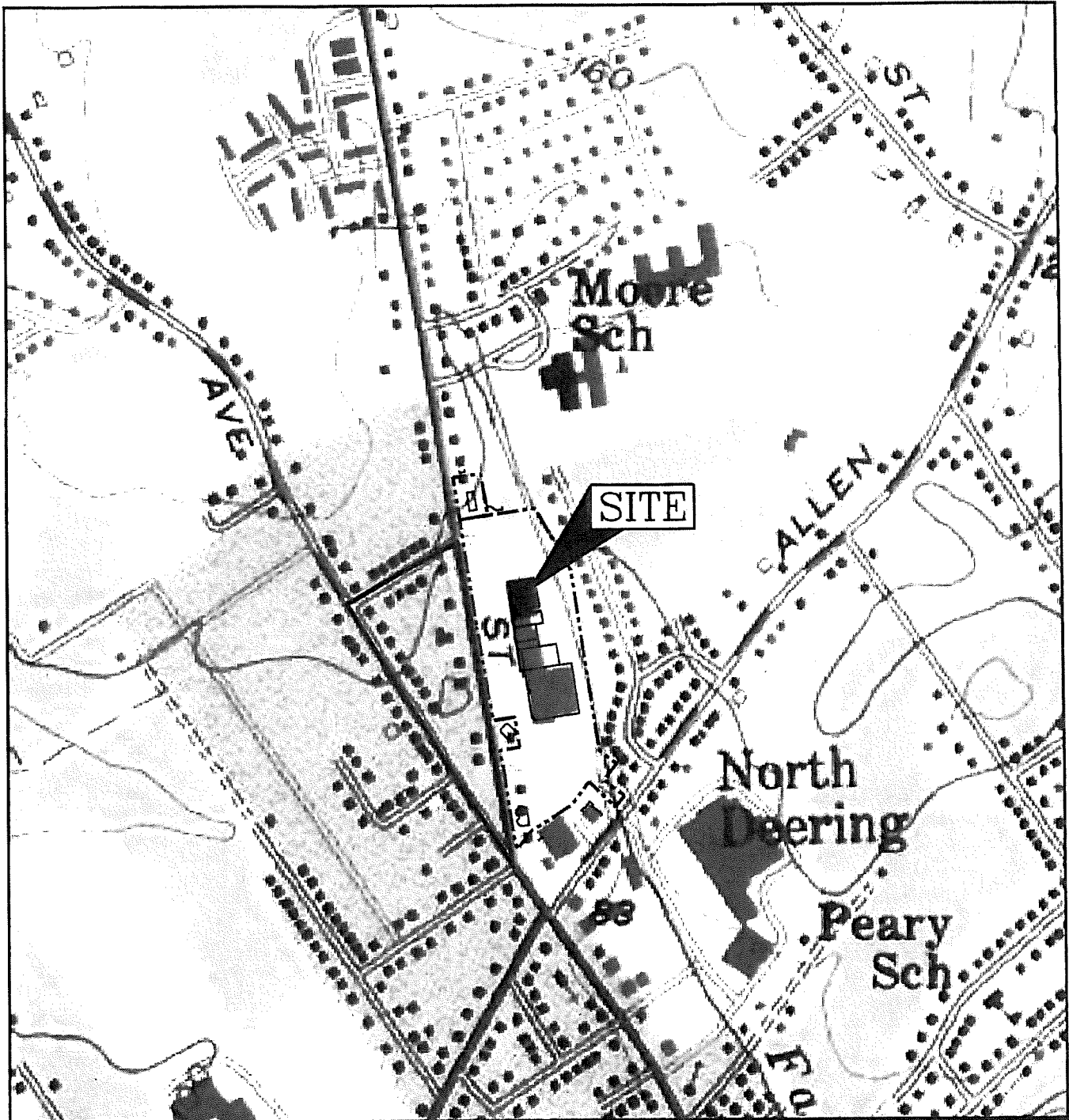
- ALL: Photographs showing the completed project and affected area, except as provided in Part IV(B)(3)(c) of the MCGP.
- IF this form is not being signed by the landowner or lessee of the property, attach documentation showing authorization to sign; OR
- Check here to reference documentation showing authorization to sign that was submitted with the Notice of Intent if the documentation showing authorization to sign applies and is still current.

I authorize staff of the Departments of Environmental Protection to access the project site for the purpose of determining compliance with the general permit.

Signature of Applicant:		Date:	
--------------------------------	--	--------------	--

Retain your records. The permittee is required to retain copies of any forms, submissions, reports, or other materials required by this general permit for a period of at least three years from the completion of permanent stabilization.

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



177 Corporate Drive
 Portsmouth, New Hampshire 03801
 (603) 433-8818 aei@appledoreeng.com

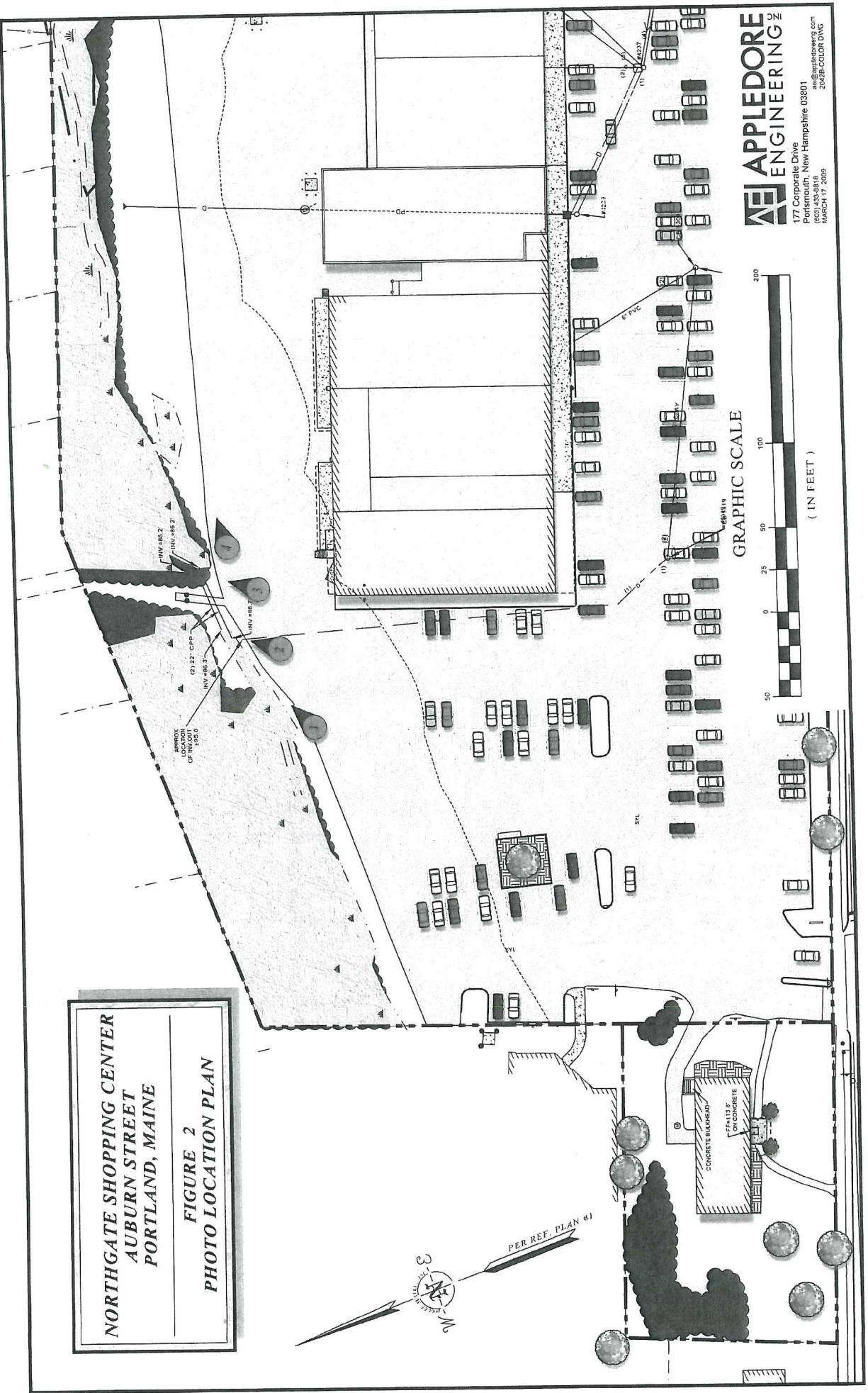
FIGURE 1: SITE LOCATION MAP
Proposed Redevelopment

Northgate Shopping Center
 Auburn Street
 Portland, Maine

SOURCE: USGS, PORTLAND WEST QUADRANGLE
 SCALE: 1:1200

**NORTHGATE SHOPPING CENTER
AUBURN STREET
PORTLAND, MAINE**

**FIGURE 2
PHOTO LOCATION PLAN**



APPLEDORE ENGINEERING
 177 Corporate Drive
 Portsmouth, New Hampshire 03801
 (603) 433-8918
 aae@appledoreeng.com
 2042B-COLOR.DWG
 MARCH 17, 2009

Figure 2: Site Photographs



Photo #1

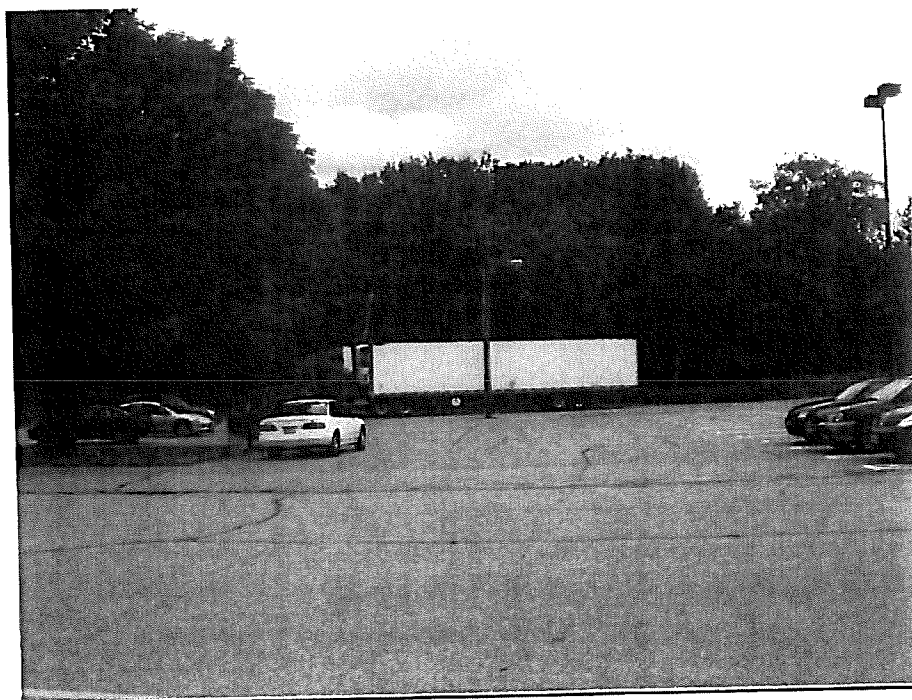


Photo #2



Photo #3



Photo #4



Photo #5



Photo #6

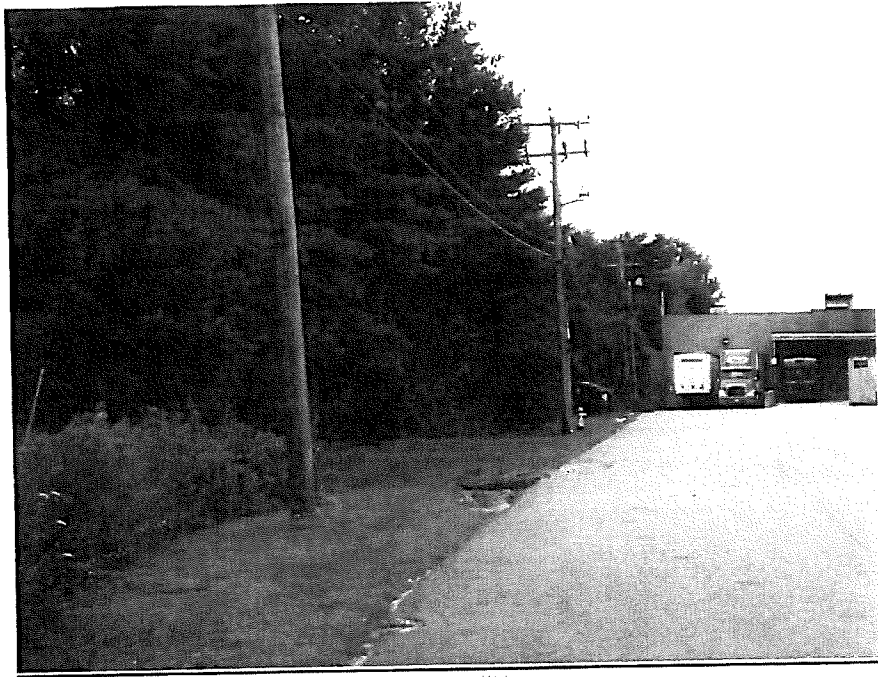


Photo #7



Photo #8

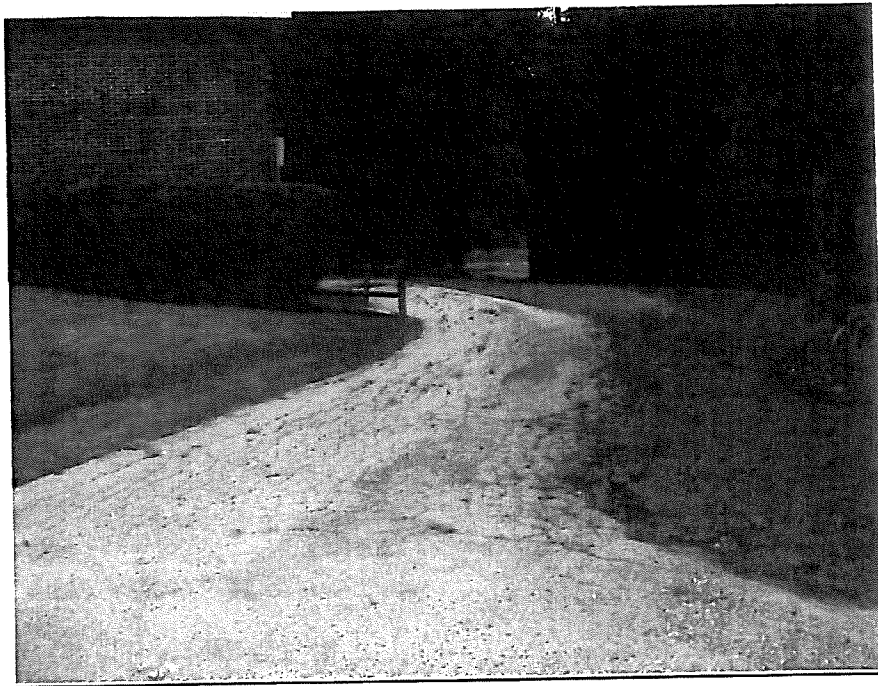


Photo #9



Photo #10

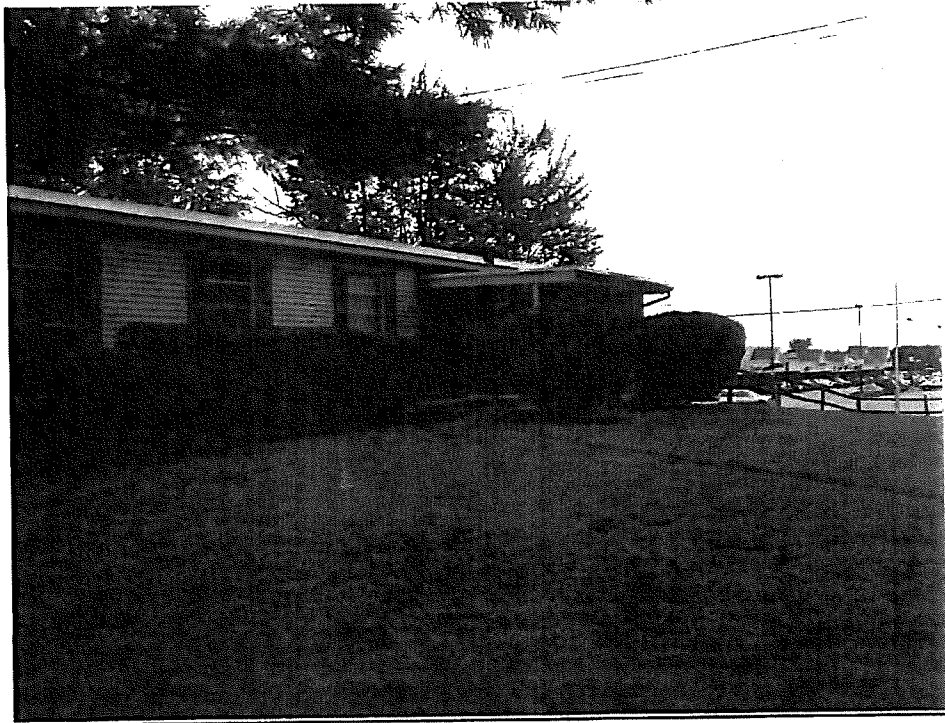


Photo #11

REVISIONS	
No.	Date

DATE MARCH 17, 2009
 SCALE AS SHOWN
 DESIGNED BY SAM
 DRAWN BY SAM
 APPROVED BY GYBLM
 PROJECT NO. 20428
 FILE NO. 20428-SITE.DWG

**NORTGATE PLAZA
 AUBURN STREET
 PORTLAND, MAINE**

APPLEDORF ENGINEERING INC.
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 03801
 (603) 433-8818
 be1@appledoreeng.com

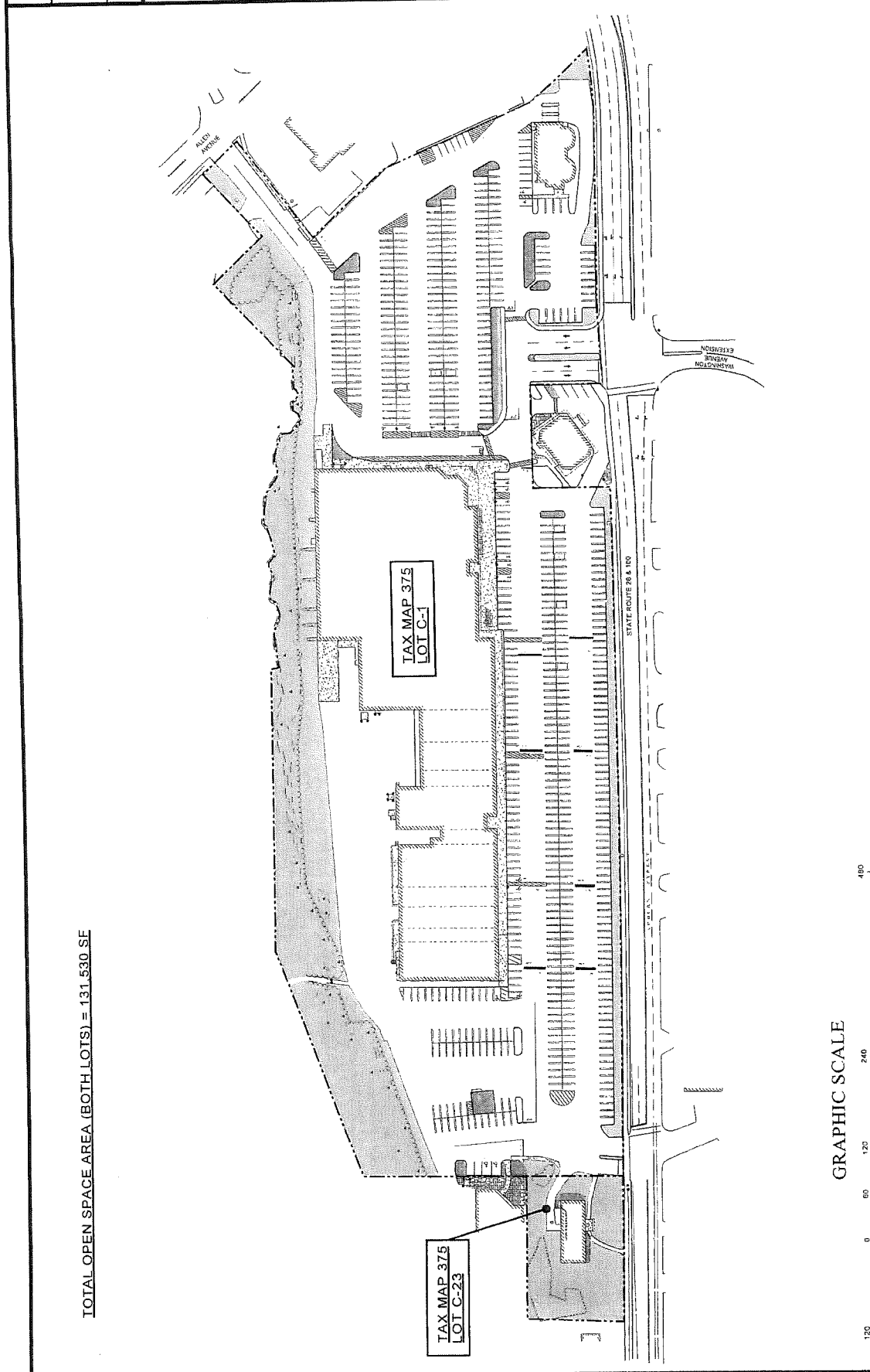


FIGURE 3 - EXISTING IMPERVIOUS AREA

REVISIONS	
No.	Date

DATE MARCH 17, 2009
 SCALE AS SHOWN
 DESIGNED BY SAM
 DRAWN BY SAM
 APPROVED BY GY/BLM
 PROJECT NO. 2042B
 FILE NO. 2042B-SITE DWG

APPLEDORE ENGINEERING INC.
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 03801
 (603) 433-8818
 ae@appledoreeng.com

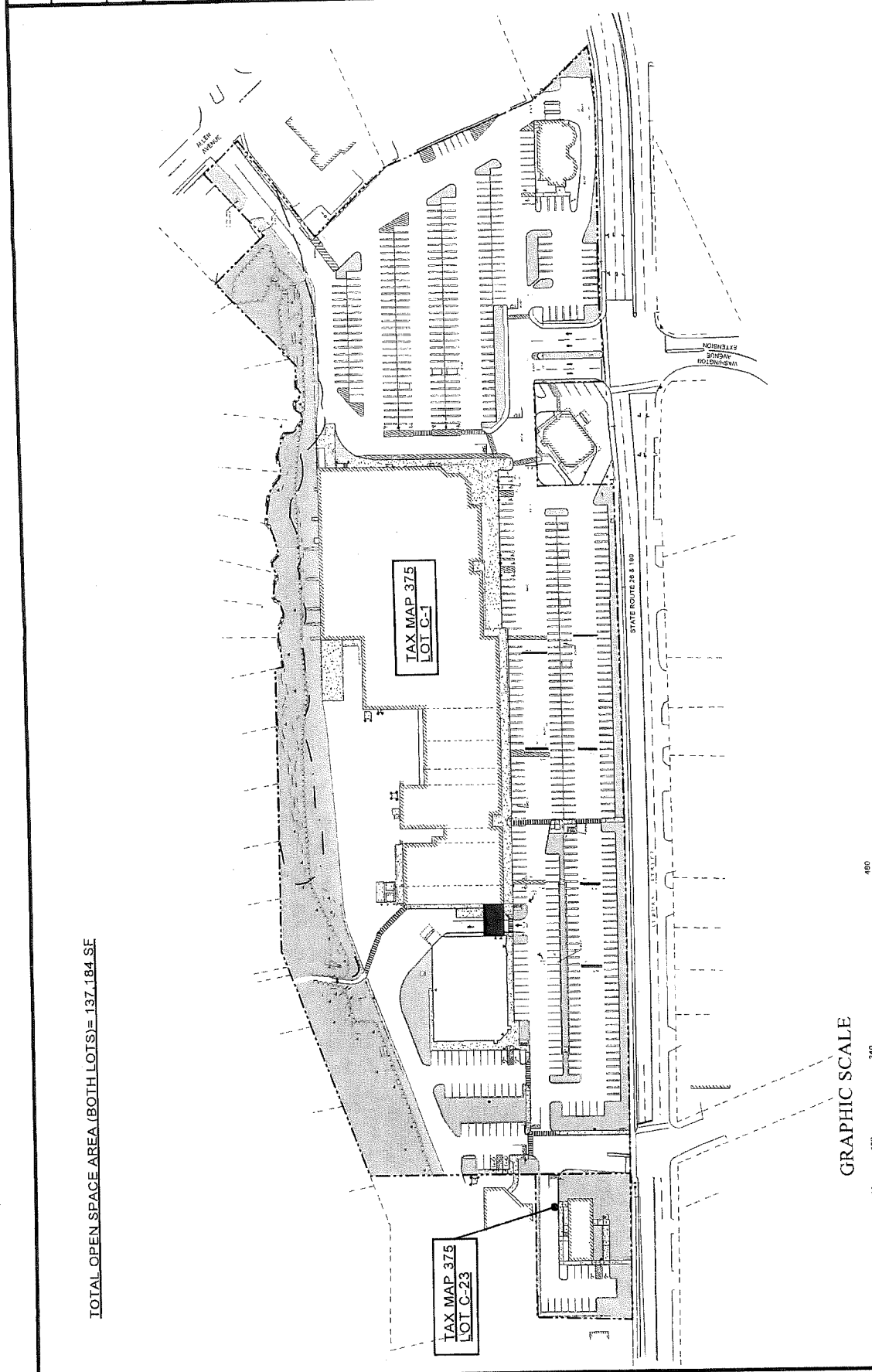


FIGURE 4: PROPOSED IMPERVIOUS AREA

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. John McClaine
 State of Maine DEP
 Southern Maine Regional Office
 312 Canco Road
 Portland, Maine 04103

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
John B. Zuber
- B. Received By (Printed Name) Date of Delivery
John B. Zuber *3/23/04*
- D. Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:

2. Article Number

7004 1160 0006 2318 7143

Transfer from service lab

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

U.S. Postal Service™ RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 5.50
Certified Fee	2.00
Return Receipt Fee (Endorsement Required)	2.20
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 9.70



7004 1160 0006 2318 7143

Sent To: Mr. John McClaine
 State of Maine DEP
 Southern Maine Regional Office
 312 Canco Road
 Portland, Maine 04103

PS Form 3811

1105



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
www.appledoreeng.com

March 18, 2009

Mr. John Maclaine
State of Maine
Department of Environmental Protection
Southern Maine Regional Office
312 Canco Road
Portland, Maine 04103

Re: NRPA Permit By Rule Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Mr. Maclaine:

On behalf of the A & D, Realty Inc. (applicant), we have prepared the following application for a Permit By Rule under Maine DEP Regulation Chapter 305 and 500 for the referenced project.

The proposed project involves the redevelopment of the Northgate Shopping Center and adjacent Lot C-23. The overall project site (includes both lots) is bound by Auburn Street to the south, Allen Avenue to the east, the Mercy Care property to the northwest and Fall Brook with jurisdictional wetlands to the north (see Figure 1 – Site Location Map). The existing developed plaza (Lot C-1) consists of approximately 105,940 sf of retail and restaurant area. The property also supports a Town and Country Credit Union, as well as parking (by easement) for Mercy Care. The adjacent Lot C-23 includes a 2,600 sf, two (2) story vacant building. See Existing Conditions Plan for further information concerning the existing site.

The proposed redevelopment will include demolishing approximately 12,715 sf of the northern part of the existing retail plaza and the construction of a new 12,900 sf stand-alone CVS building with a drive-thru facility within the limits of the existing pavement. The structure of the existing vacant building will remain but will receive substantial façade and site improvements. Parking, landscaping and utility improvements are also proposed throughout the site (see Sheet C-2, Overall Site Plan). Approximately 2.81 acres of the previously developed site will be disturbed.

The site drains from the south along Auburn Street towards Fall Brook and the jurisdictional wetlands located at the rear of the existing parking lot. Fall Brook has been designated as an Urban Impaired Stream by the Maine Department of Environmental Protection. As part of the redevelopment of this site we have reduced the existing impervious area, which will in turn reduce the contributing stormwater runoff and potential for pollutants entering Fall Brook. In addition we are proposing an upgrade of the existing closed drainage system, including catchbasins with sumps and grease hoods as well as two (2) rain gardens to treat the stormwater prior to discharging to the stream.

NRPA Permit By Rule Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C
Page - 2

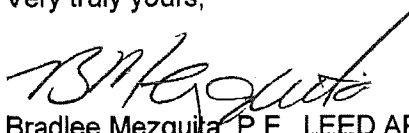
The existing closed drainage system in this area discharges to Fall Brook just up-stream of two (2) twenty-two (22) inch culverts that convey Fall Brook under an existing pedestrian walkway. As part of the drainage improvements the existing discharge point will be removed and a new outfall will be constructed just down stream of the two (2) culverts (see Sheet C-3 Overall Grading, Drainage and Erosion Control Plan). It is the construction of the new outfall that triggers this Maine DEP Regulation Chapter 305, Section 7 for Outfall Pipes. Unlike the existing outfall, the proposed outfall will have a riprap apron, which will mitigate discharge velocities and prevent erosion. No activity is proposed within the limits of the existing wetland.

The submission requirements from Chapter 500, Section 7 for proposed construction and redevelopment activities are addressed and documented in the following:

- Permit By Rule Notification Form
- Check #20722 payable to the Treasurer, State of Maine for \$65.00
- Figure 1 – Site Location Map
- Figure 2 – Site Photographs and Photo Location Plan dated March 17, 2009
- Figure 3 – Aerial Site Photograph
- Existing Conditions Plans, Sheet 1 of 3 through 3 of 3 dated March 4, 2009 provided by Doucet Survey
- Demolition Plan, Sheet C-1 dated March 13, 2009
- Overall Site Plan, Sheet C-2 dated March 13, 2009
- Site Plan, Sheet C-2A dated March 13, 2009
- Grading, Drainage and Erosion Control Plan, Sheet C-3 dated March 13, 2009
- Erosion Control Notes, Sheet C-6 dated March 13, 2009
- Erosion Control Details, Sheet C-7 dated March 17, 2009
- Photographs of the new outfall pipe will be provided to the DEP within twenty (20) days of completion of the work.

If you have any questions or require additional information, please feel free to contact me.

Very truly yours,


Bradlee Mezquita, P.E., LEED AP
Vice President

BM/pw
(2042c-007(nrpa permit by rule).doc)

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.



**DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM**
(For use with DEP Regulation, Chapter 305)

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

Name of Applicant: (owner) A & D Realty C/O Frank Normandin, Winslow Properties		Name of Agent:		Appledore Engineering C/O Bradlee Mezquita	
Applicant Mailing Address: 5 Militia Dive		Agent Phone # (include area code):		(603) 433-8818	
Town/City: Lexington		PROJECT Information Name of Town/City:		Northgate Plaza, Portland, Maine	
State and Zip code: Massachusetts 02421		Name of Wetland or Waterbody:		Fall Brook	
Daytime Phone # (include area code): (781) 862-9700		Map #:	375	Lot #:	C-1 & C-23
Detailed Directions to Site:		Site is located at 125 and 91 Auburn Street, directly across from the Sanborn Street/Auburn Street intersection.			
		UTM Northing: (if known)	43'-42"-16N	UTM Easting: (if known)	70'-17"-22W
Description of Project:		Redevelopment of the existing Northgate Shopping Plaza and adjacent property. Includes demolition of 12,700 sf of existing building and the construction of a 12,900 sf stand alone CVS along with other façade, parking, landscaping and utility improvements.			
Part of a larger project? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	After the Fact? (check one) →	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Check one → This project <input type="checkbox"/> does (or) <input checked="" type="checkbox"/> does not involve work below mean low water (average low water).	

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

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


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

I have attached the following required submittals. **NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS:**

- Attach** a check for \$65 made payable to: "Treasurer, State of Maine".
- Attach** a U.S.G.S. topo map or Maine Atlas & Gazetteer map with the project site clearly marked.
- Attach** Certificate of Good Standing. If new applicant is a registered corporation, provide either a *Certificate of Good Standing* (available from Secretary of State) or a statement signed by a corporate officer affirming that the corporation is in good standing.
- Attach photos of the proposed site where activity will take place as outlined in PBR Sections checked above.**
- Attach** all other required submissions as outlined in the PBR Sections checked above.

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

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

Signature of Agent or Applicant: 	Date: 3/18/09
--	---------------

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

- | | | | |
|--|---|---|---|
| AUGUSTA DEP
17 STATE HOUSE STATION
AUGUSTA, ME 04333-0017
(207)287-3901 | PORTLAND DEP
312 CANCO ROAD
PORTLAND, ME 04103
(207)822-6300 | BANGOR DEP
106 HOGAN ROAD
BANGOR, ME 04401
(207)941-4570 | PRESQUE ISLE DEP
1235 CENTRAL DRIVE
PRESQUE ISLE, ME 04769
(207)764-0477 |
|--|---|---|---|

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

20722

APPLEDORE ENGINEERING INC.

PH. (603) 433-8818
177 CORPORATE DRIVE
PORTSMOUTH, NH 03801

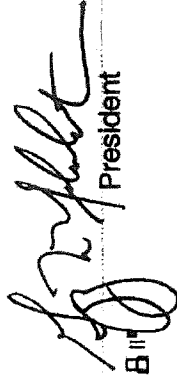
CENTRIX BANK & TRUST
BEDFORD, NH
54-202/114

CHECK DATE **March 18, 2009**

Details on back.

PAY **Sixty Five and 00/100 Dollars** AMOUNT **\$65.00**

TO **Treasurer, State of Maine**


President

⑈020722⑈ ⑆011402024⑆ 1010047388⑈

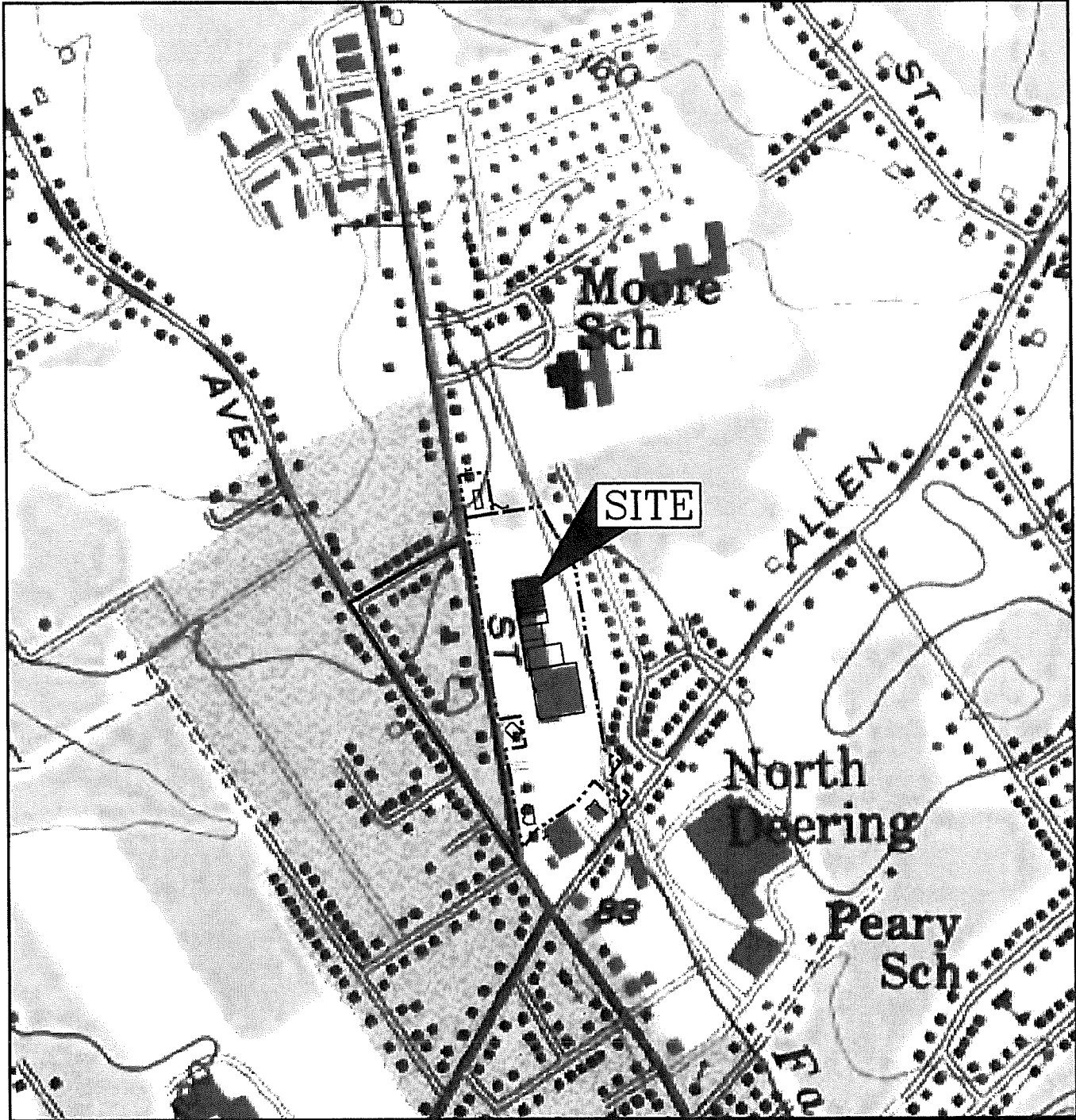
MP

20722

APPLEDORE ENGINEERING INC.

PORTSMOUTH, NH 03801

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Natl Resrce 2042c	3/18/09	0024140	65.00			65.00
State of Maine 3		Totals	65.00			65.00



177 Corporate Drive
 Portsmouth, New Hampshire 03801
 (603) 433-8818

ael@appledoreeng.com

FIGURE 1: SITE LOCATION MAP
Proposed Redevelopment

Northgate Shopping Center
 Auburn Street
 Portland, Maine

SOURCE: USGS, PORTLAND WEST QUADRANGLE
 SCALE: 1:1200

Figure 2: Site Photographs



Photo #1



Photo #2



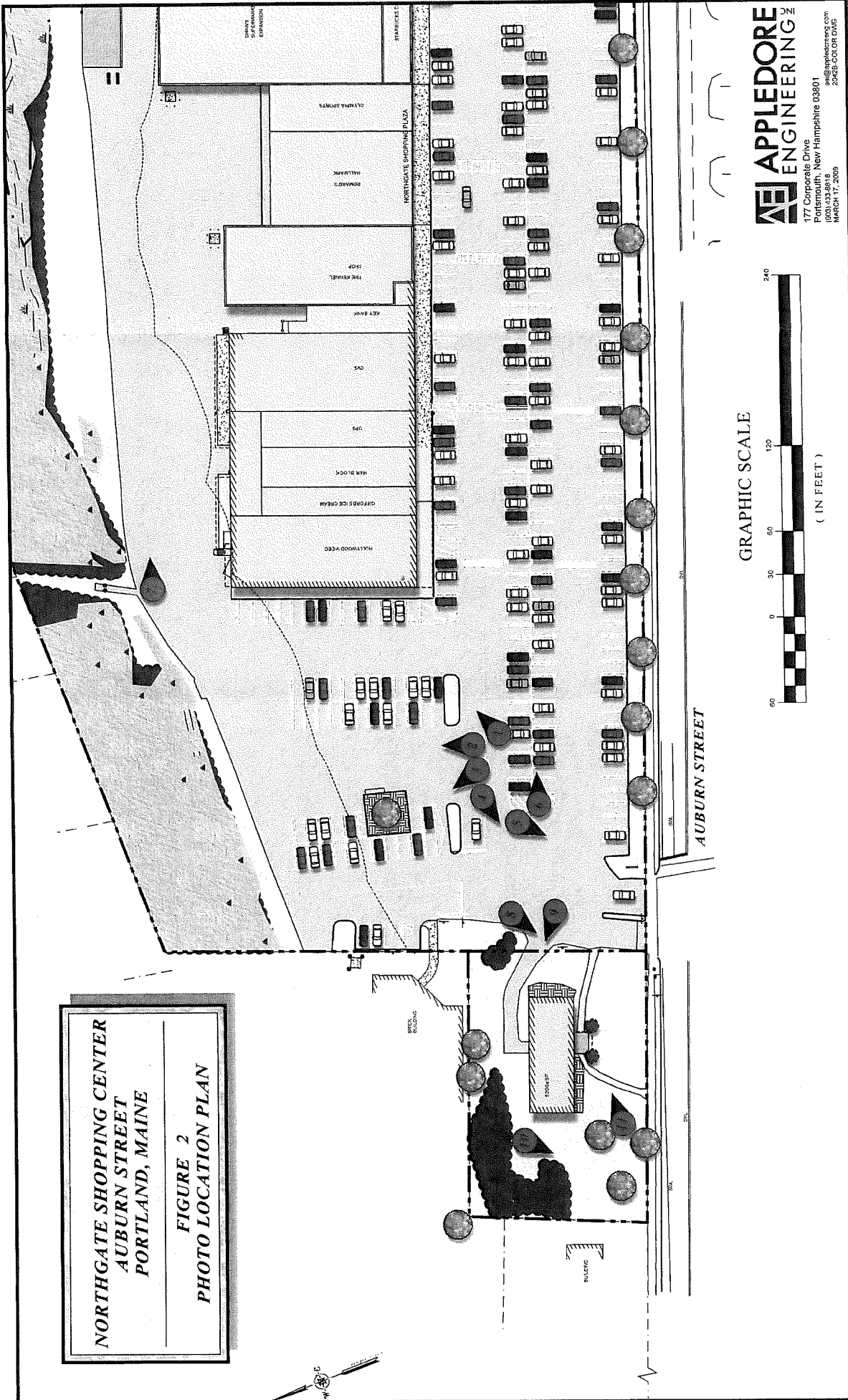
Photo #3



Photo #4

**NORTHGATE SHOPPING CENTER
AUBURN STREET
PORTLAND, MAINE**

**FIGURE 2
PHOTO LOCATION PLAN**



AE APPLIED ENGINEERING

177 Corporate Drive
Portsmouth, New Hampshire 03801
603-438-8811 ae@appliedeng.com
MARCH 17, 2009 2048-COLOR DWG

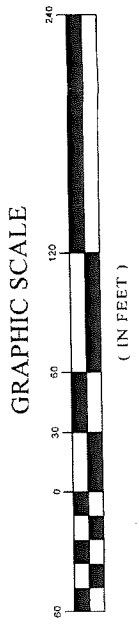
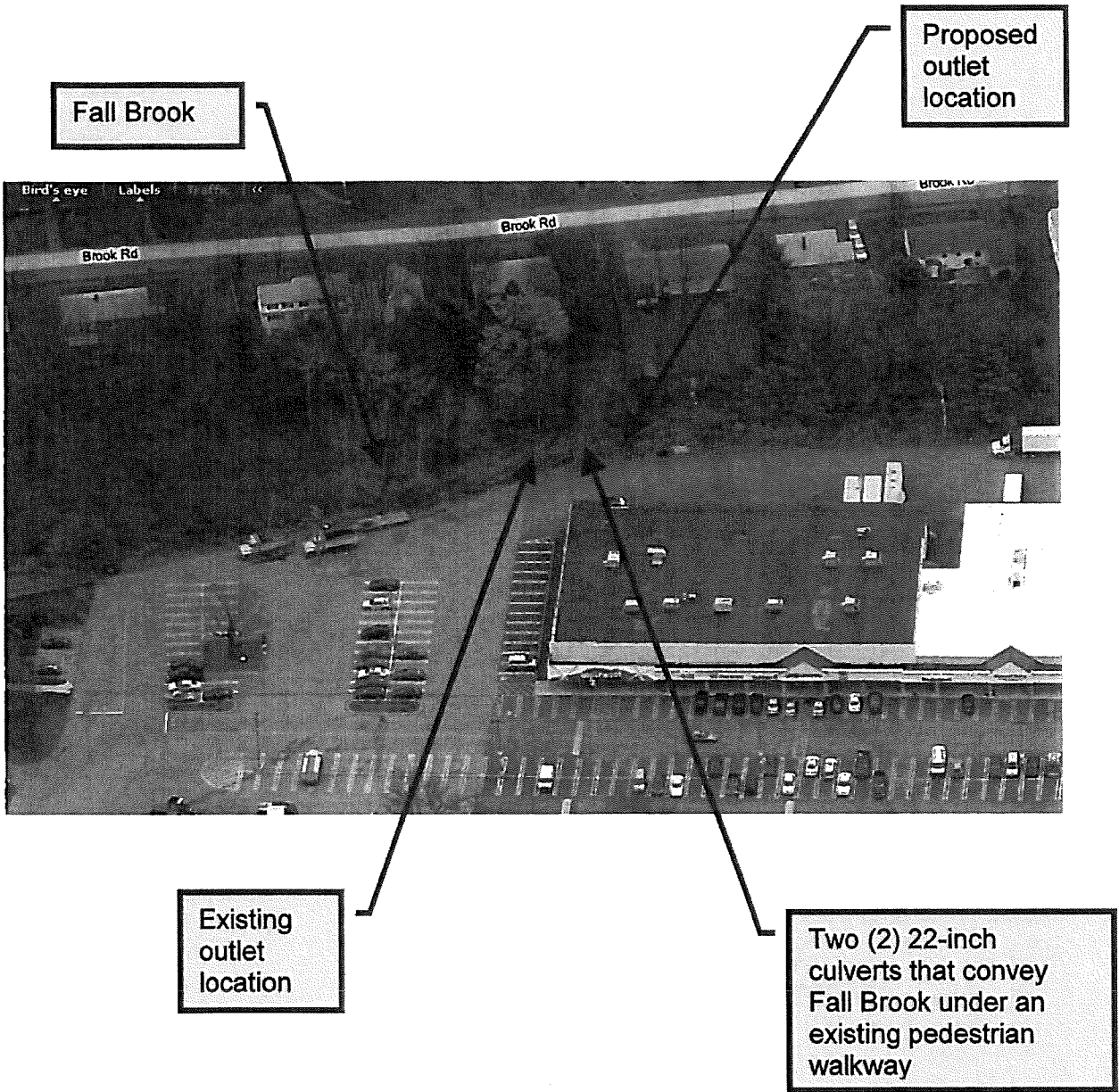


Figure 3: Aerial Site Photograph



From: Jean Fraser
To: Normandin, Frank
Date: 10/20/2009 10:15:23 AM
Subject: CVS Lighting

Hello

I am going to be in a meeting from about 10 to 11/11:30 AM this morning and wanted to let you know that Barbara and I have signed off re the CVS lighting subject to the following condition that will be on the Building Permit:

"That the "direct light reflector" confirmed as covering the wall mounted soffit lamps along the exterior of the store be retained and maintained at all times".

Jeanie Bourke in Inspections (874-8715) is dealing with the Building Permit and can tell you where things stand.

As previously advised to Dale, if it looks like the CVS building permit will be delayed beyond what you need, you could submit a separate building permit for the site works (not the foundations) (specifying what work to be carried out) and we can do a quick (within 24 hrs) turnaround on that (Tammy Munson, the Director of Inspections, has advised that this is possible). Let me know if that's what you want to do so I can make sure everyone is in the loop at our end.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

CC: djtaschereau@trb-group.com

From: Jeanie Bourke
To: Jean Fraser
Date: 10/15/2009 10:22:48 AM
Subject: Fwd: FW: 329 Portland CVS

I believe this is yours

>>> "Dale Taschereau" <djtashereau@trb-group.com> 10/15 7:30 AM >>>

Hi Jeanie this is for the cvs site @91 auburn street. When we had our pre site meeting, phil stated that you would need to see the cut sheet for the lights and shield that go into the soffits on the exterior of the building. There are 3 types on the attachment and we would be using the direct light reflecter. Also do you want to be cc on all testing and inspection from engineers? Thank you Dale Taschereau From: Kevin Paton [mailto:kpaton@bkaarchs.com]

Sent: Wednesday, October 14, 2009 11:11 AM

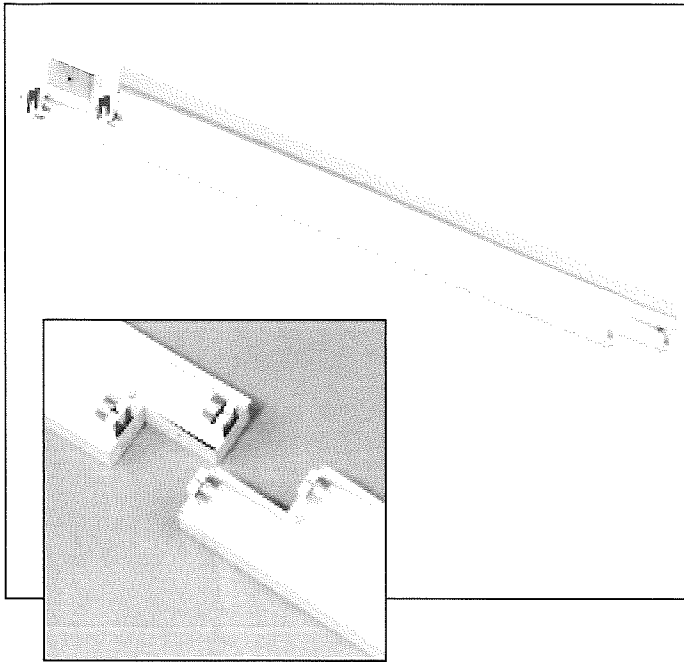
To: Dale Taschereau

Subject: 329 Portland CVS

Kevin Paton
Senior Associate

B K A Architects, Inc.
142 Crescent Street
Brockton, MA 02302
tel: 508 . 583 . 5603 ext 336
fax: 508 . 584 . 2914
www.bkaarchs.com

*10/19/09
Spoke to Barbara -
agrees these OK subject to
reflectors remaining in place
& being maintained
(JF to write letter).*



Stag Series

2-Lamp T8

Staggered Fluorescent Luminaire

Type: _____

Job Information: _____

SPECIFICATIONS:

- Heavy-duty linear fluorescent open lamp luminaires uniquely designed with staggered lamps. When installed in continuous runs, three inches of overlapping lamps prevents dark spots usually appearing when standard type strips are used. The results are a highly pleasing appearance of unbroken light.
- Generally specified for direct or indirect cove and valence lighting. Used for all types of commercial, retail, and residential architectural details.
- Lamping: Two-lamp cross section, T8 linear fluorescent.
- Lengths: 2FT./2-17W-T8; 3FT./2-25W-T8; 4FT./2-32W-T8; 6FT./4-25W-T8; 8FT./4-32W-T8.
- Ballasts: Full electronic instant start, normal light output, high power factor, THD less than 20% is standard. Optional performances: rapid start circuit, high light output, low-watt, THD less than 10%. Lutron or Advance dimming ballasts as specified. Dedicated voltages are 120V-60HZ or 277V-60HZ. Multi-volt is optional and operates 120V-277V 50HZ-60HZ.
- Optional wiring: Two ballasts for dual circuitry. Single or dual circuit quick connect plug through wiring harnesses.
- Emergency battery back up: Integrated pack for 550, 700, 1300, or 1400 lumen output.
- Construction: Unitized housing from heavy gauge cold rolled steel. Welded ends and socket bars. Screw-down covers easily go in or out from tight spots. Easy install snap-in sockets for fast installation. Sufficient knockouts provided on fixture back and ends. Baked enamel finish provides minimum reflectivity of 87%.
- Optional shielding and directional reflectors: Asymmetric, symmetric, and direct-light designs. Custom shapes and materials available.
- Certification: UL listed 1598 with CUL approval and bears their label. Suitable for dry locations or optional damp locations with UL Damp Label. Union made and labeled..



Ordering Data

EX: STAG - 2 32 - OCT /8T - ELB - 120V

Series No. of Lamps Cross Wattage Each Lamp Lamp Type Tandem Housing Ballast Type Voltage Misc.

Series	No. of Lamps Cross	Lamp Wattage/Ea. Nominal Fix. Length	Lamp Type	Tandem Housing/ Nom. Fixture Length	Ballast Type	Voltage	Misc.
STAG Standard Staggered	-2 Lamps	-17 17W-T8-2 Ft. -25 25W-T8-3 Ft. -32 32W-T8-4 Ft. - As Specified	-OCT Octron T8	/6T 6 Ft. Housing 4-3 Ft. Lamps /8T 8 Ft. Housing 4-4 Ft. Lamps - Blank: All Others	-ELB Electronic T8 -ELB-HP Electronic T8 < 10% THD -ELBL Electronic T8 Low Watt -ELBH Electronic T8 High Light Output -ELBD Electronic Dimming	-120V 120 Volt-60HZ -277V 277 Volt-60HZ -UNI Multi-Volt 120V-277V 50HZ-60HZ T8 Only	-EMPK Emergency Pack 550 Lumens -EMPKS Emergency Pack 700, 1300, 1400 Lumens -P1 Single Circuit Plug Thru -P2 Dual Circuit Plug Thru -2B 2- Ballasts -DL Damp Label - As Specified

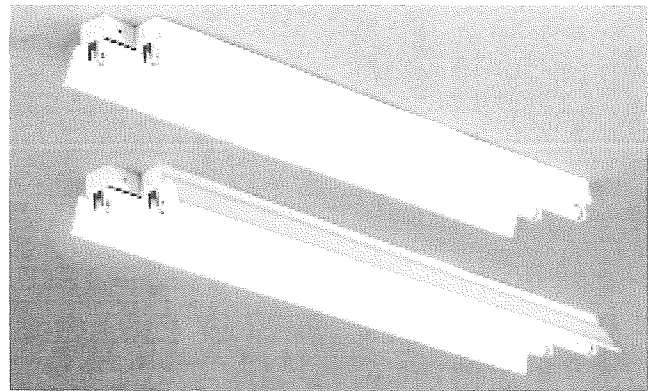
Reflectors

EX: REF-STAG - 2 32 - A

Reflector Type Cross Size Shape

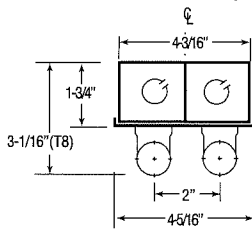
Note: Use 2-3 Ft. or 4 Ft. Reflectors for 6 Ft. or 8 Ft. Fixtures

Reflector Type	Lamp Cross	Size	Shape
REF-STAG White Steel	-2 Lamps	-17 2 Ft. -25 3 Ft. -32 4 Ft.	-A Asymmetric -S Symmetric -D Direct Light -C Custom

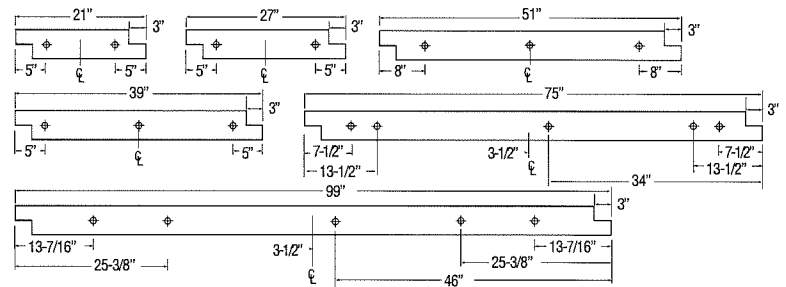


Dimensional Data

Two-Lamp



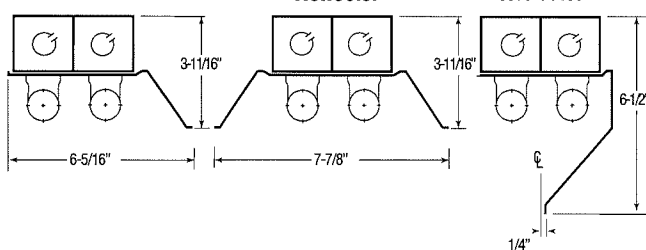
2-Lamp Back Plan



Asymmetric Reflector

Symmetric Reflector

Direct-Light Reflector

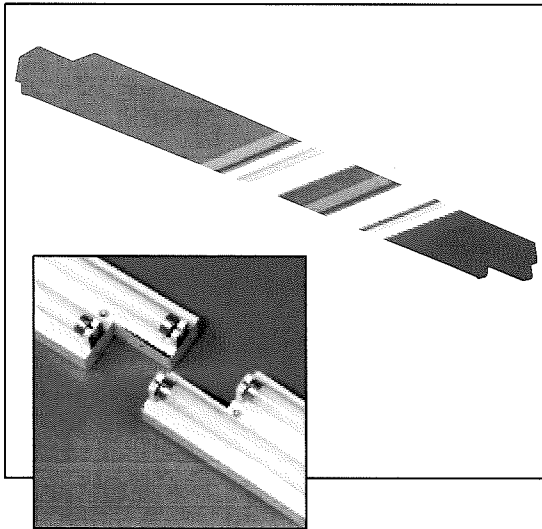


20 AUDREY PLACE, FAIRFIELD, NEW JERSEY 07004 ■ 973-244-9444 ■ FAX 973-244-9522

All dimensional data subject to change, consult factory when critical.

Visit our web site at www.mercltg.com

02/05



Stag Series

2-Lamp T8 Staggered Fluorescent Luminaire

Type: _____

Job Information: _____

SPECIFICATIONS:

- Heavy-duty linear fluorescent open lamp luminaires uniquely designed with staggered lamps. When installed in continuous runs, three inches of overlapping lamps prevents dark spots usually appearing when standard type strips are used. The results are a highly pleasing appearance of unbroken light.
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- Optional wiring: Two ballasts for dual circuitry. Single or dual circuit quick connect plug through wiring harnesses.
- Emergency battery back up: Integrated pack for 550, 700, 1300, or 1400 lumen output.
- Construction: Unitized housing from heavy gauge cold rolled steel. Welded ends and socket bars. Screw-down covers easily go in or out from tight spots. Easy install snap-in sockets for fast installation. Sufficient knockouts provided on fixture back and ends. Baked enamel finish provides minimum reflectivity of 87%.
- Optional shielding and directional reflectors: Asymmetric, symmetric, and direct-light designs. Custom shapes and materials available.
- Certification: UL listed 1598 with CUL approval and bears their label. Suitable for dry locations or optional damp locations with UL Damp Label. Union made and labeled..

MERCURY
LIGHTING PRODUCTS COMPANY, INC.

20 AUDREY PLACE, FAIRFIELD, NEW JERSEY 07004 ■ 973-244-9444 ■ FAX 973-244-9522

Ordering Data

EX: STAG - 2 32 - OCT /8T - ELB - 120V

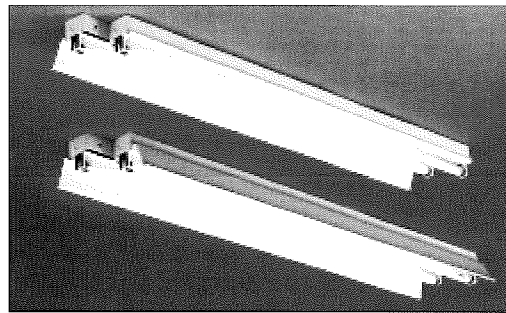
Series	No. of Lamps Cross	Lamp Wattage/Ea. Nominal Fix. Length	Lamp Type	Tandem Housing/ Norm. Fixture Length	Ballast Type	Voltage	Misc.
STAG Standard Staggered	-2 Lamps	-17 17W-T8 2 Ft. -25 25W-T8 3 Ft. -32 32W-T8 4 Ft. - As Specified	-OCT Octron T8	/6T 6 Ft. Housing 4-3 Ft. Lamps /8T 8 Ft. Housing 4-4 Ft. Lamps - Blank All Others	-ELB Electronic T8 -ELB-HP Electronic T8 < 10% TH-D -ELBL Electronic T8 Low Watt -ELBH Electronic T8 High Light Output -ELBD Electronic Dimming	-120V 120 Volt 60-HZ -277V 277 Volt 60-HZ -UNI Multi-Volt 120V-277V 60-HZ 60-HZ T8 Only	-EMPK Emergency Pack 660 Lumens -EMPKS Emergency Pack 700, 1310, 1400 Lumens -P1 Single Circuit Plug Thru -P2 Dual Circuit Plug Thru -2B 2- Ballasts -DL Damp Label - As Specified

Reflectors

EX: REF-STAG - 2 32 - A

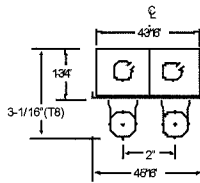
Note: Use 2-3 Ft. or 4 Ft. Reflectors for 6 Ft. or 8 Ft. Fixtures

Reflector Type	Lamp Cross	Size	Shape
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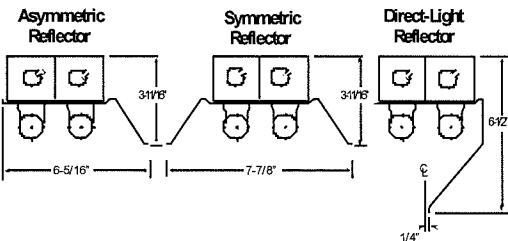
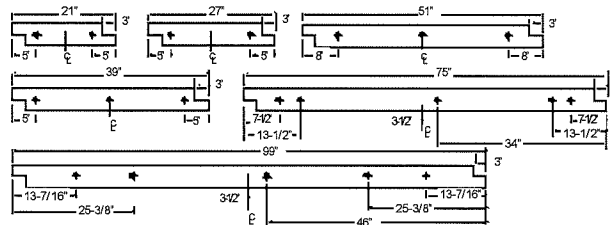


Dimensional Data

Two-Lamp



2-Lamp Back Plan



20 AUDREY PLACE, FAIRFIELD, NEW JERSEY 07004 ■ 3-244-9444 ■ AX973-244-9522

All dimensional data subject to change, consult factory when critical.

Visit our web site at www.mercltg.com

02/05

From: Jean Fraser
To: GYoung@appledoreeng.com; Normandin, Frank
Date: 10/14/2009 11:25:22 AM
Subject: Northgate- update

Gretchen and Frank,

I understand that the pre-construction meeting took place yesterday and things are moving forward.

I am writing to update on a few loose ends that need to be addressed:

1. Lighting around CVS building- not full cut off. (I have looked at another CVS where this was installed and lamp is visible so I am concerned about the ones facing residents). I understand some info will be coming my way- however, this will hold up the last building permit (for the new CVS) which I have recently learned also technically covers the work in the parking lot.
2. Signs: The CVS signs person has submitted a sign permit application that is generally OK but includes signs on all sides of the drive thru (ie facing the dumpster and residences to the rear) and a large lit one inside the drive thru access road (that no one will see). It also includes traffic signs that are different from those on the approved plans and which are being reviewed by the City's Traffic Engineer.
3. Plans: Please send a CD or DVD of the final approved plans as requested in the approval letter item #5 (near end of letter) which states: " 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, prior to the issuance of a building permit."

Thank you
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 9/28/2009 4:41:46 PM
Subject: Lighting at Northgate

Gretchen,

I am trying to check whether the proposed lighting meets the City standards, particularly re the requirement for "cut off" type lamps (see attached) and the wording of the condition of approval [vi.

That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and].

I think we are OK re the photometrics and the pole heights so its just the specifications I am struggling with [these do usually go to the Planning Board on major projects; in this case with neighbors on 2 sides we need to be sure no one will suffer glare etc].

I don't believe you have submitted any additional catalog cuts for the lighting around CVS since the ones you handed me after the Hearing, so those are the ones I am looking at.

Looking at the latest Luminaire Schedule I think we are missing the catalog cuts for OB1 and OB1x as the submitted ones are LAH ... "DHL" while those in the schedule are "FHL" and "SFL" at the end. I need the specs for these and the specs need to say "full cut off"...

Also I do not have the specs for OE1 and OD1 which are in locations facing the residential areas and driving areas; you had given me TSS 2 32 which look like strip lights and could not be considered full cut off. The current Lumiere Schedule shows SN-132 and i don't believe I have that.

The locations suggest that some kind of stip lighting is proposed and perhaps they will be hidden by some architectural feature but it is not clear. If these light fixtures are not full cut off (ie with an enclosure that comes down around them) then we will need to see how the architecture is integrated to effectively provide the full cut off function.

Therefore, while the actual lighting levels are acceptable, the question of glare created by the lamp fixture itself remains and therefore the condition has not yet been met. We will work with you as speedily as possible to help ensure this is resolved before the Building Permit for the new CVS building is issued.

Please call if you have any questions or if I have missed something.

Thank you

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

From: Jean Fraser
To: DiPierro, Philip
Date: 10/15/2009 1:50:57 PM
Subject: CVS progress re site work

Phil

Update:

I spoke to Dale earlier today from TRB (project manager) and (based on discussion between Barbara and Tammy) confirmed that they could go ahead with site work (excluding foundations) if they filled in a form (in Inspections) for another Building Permit (just for site work) accompanied by a site plan marked up to show what work they wanted to start on (I understood to be rear fencing; resetting of curbs; erosion control).

I confirmed to him that once they submitted this we would be able to issue BP very quickly as PG was in place.

I thought this was what they were going to do but then got a call back from Dale saying they would not pursue a separate building permit for site works right now because the lease arrangement relating to part of the parking lot was not yet signed and so they did not want to start on these site works today.

(I think they are hoping the CVS BP will be issued in the next couple of days and so preclude the need for a separate BP).

I left it that he would let me know if and when they wanted to pursue a separate Building Permit for Site Work.... **but I wanted it on the record that it was his decision to wait.**

Jean

PS They have submitted lighting info which I need to discuss with Barbara before signing off on the CVS BP.

CC: Barhydt, Barbara; Bourke, Jeanie; Munson, Tammy; Schmuckal, Marge

10-15-09

10amish

Dale (Taschereau) of TRB called to ask if they could start work on site works since the CVS BP was not yet finished being reviewed.

After BB spoke to TM I called him back advising as outlined above.

603-670-3373



177 Corporate Drive
 Portsmouth, NH 03801
 tel 603.433.8818
 fax 603.433.8988
 aei@appledoreeng.com
 www.appledoreeng.com

Letter of Transmittal

Attn:
 Frank E. Normandin
 Summit Realty Partners, Inc.
 5 Militia Drive
 Lexington, Massachusetts 02421

Date: October 01, 2009
Re: Northgate Plaza
 Portland, Maine

Job No: 2042C

We are sending you: Regular Mail Overnight Delivery Picked-Up

Copies	Date	Number	Description
7	9/30/09		Sitework Construction Drawings

These are transmitted as checked:

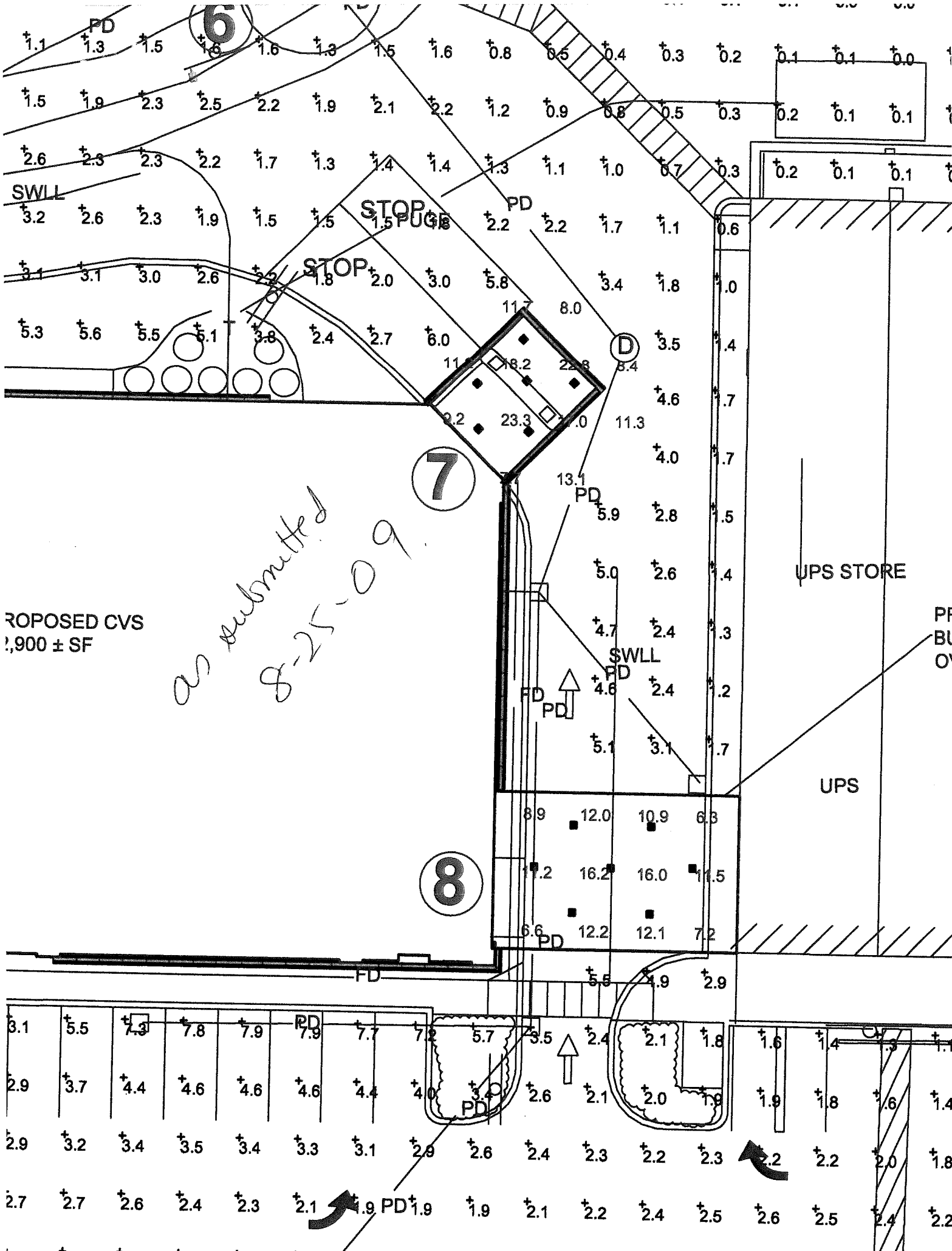
For your approval For your use As requested For review and comment

Remarks:

7 sets final plans stamped + distributed early Oct 2009 to
 10-8-09 { DPS (DM-P → TM)
 DPS - Jeff Tarling
 DRC - Phil DiPierro
 Insp - Mary Schmickal
 Assessors } 10/14/09
 Fire Dept
 Planning

Copy To:

Signed:



PROPOSED CVS
1,900 ± SF

*as submitted
8-25-09*

UPS STORE

UPS

PF
BL
OV

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 9/28/2009 4:41:46 PM
Subject: Lighting at Northgate

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Jean Fraser, Planner
City of Portland
(207) 874 8728

From: Jean Fraser
To: P.E., Bradlee Mezquita,
Date: 9/30/2009 12:34:11 PM
Subject: Re: Northgate

Brad,

Our landscape architect is away this week so while we can confirm that this detail (sent by you today and attached) is **NOT** acceptable (too different from what approved), we are unable to make any specific recommendations re a particular type of fencing that would be acceptable.

So below is a somewhat non-technical explanation of our concerns:

1. The Planning Board condition of approval (Condition A v.) requires this fence to be **8** feet high (the detail shows it as 6 ft);

2. The fence needs to be similar to that shown on Plan C-11 ie to have the flat chamfered cap and visible decorative posts. The actual boarding could either be white cedar boards as shown in the original detail but all on one side and abutting each other so there are no spaces OR white cedar "stockade" picket - also tightly abutting each other. The posts need to break up the fencing and be a bit higher than the main fence; but they could be slightly different- maybe round or with a less fancy top etc

[The objective is just to make so noise and light cannot go through plus because its a long stretch of fencing to have some elements that break up the expanse]

3. Since this back of this fence will be viewed from the residential properties it needs to be reasonably attractive from the rear too...we appreciate its a compromise between appearance and function and hope there is something that is in between the approved detail and the one you sent today.

Thank you

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Bradlee Mezquita, P.E." <BMezquita@appledoreeng.com> 9/29/2009 3:43:49 PM >>>

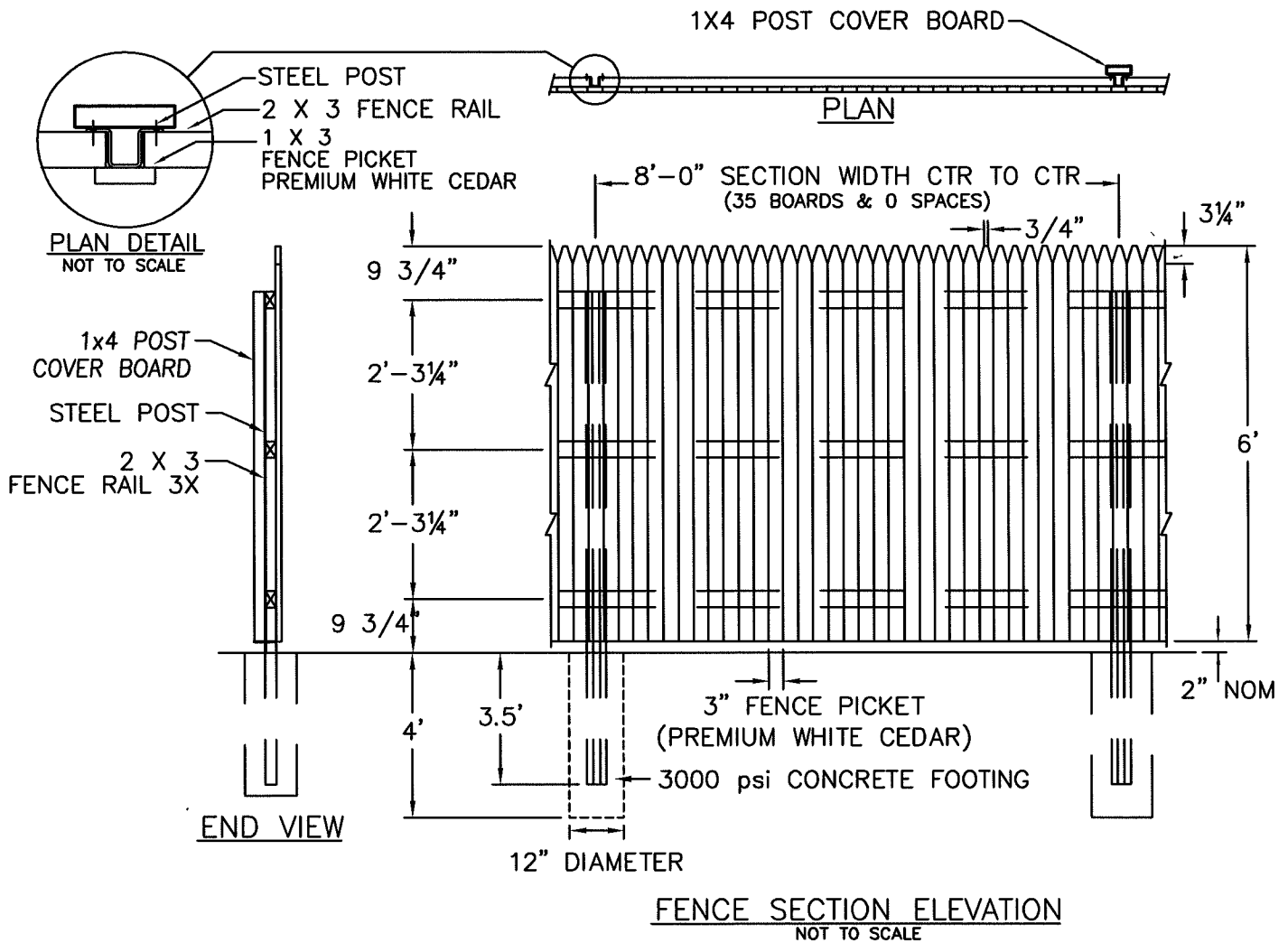
Jean, attached please find a revised detail for the fencing at the rear of the property. Frank indicated that you wanted to see a standard stockade fence. If the detail is acceptable, we will incorporate the detail into our drawing set and issue the final sets for your approval. Frank may be going to Portland again on Thursday, so if we can get approval quickly, we can have the sets hand delivered to you this week. Thanks for the help.

Brad Mezquita, PE, LEED AP
Appledore Engineering, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>

*May have been
over taken by implications
of sewer project -
see separate folder file*

~ Best Small Civil Engineering Firm to Work for in the Country - CE
News, Oct. 2008 ~

CC: Barhydt, Barbara; DiPierro , Philip; Normandin, Frank; P.E., Gretchen Young,



NOTES:

1. DIMENSIONS SHOWN ARE NOMINAL FOR WOOD.
2. STEEL POSTS SHALL BE 3-1/2" X 1-3/4", 11 GAUGE GALVANIZED STEEL (WEIGHT = 2.64 LB/LF), ROLLED FORM STEEL SHAPES COMPLYING WITH ASTM A-653, 50,000 PSI YIELD STRENGTH AND G90 ZINC COATING. PUNCH THROUGH HOLES: 13/64" DIAMETER, 1" O.C. AT BOTH FLANGES.

STOCKADE FENCE
NOT TO SCALE

From: Jean Fraser
To: Westergren, Rick
Date: 11/24/2009 3:19:52 PM
Subject: RE: CVS signs re 21 Auburn Street, Portland ME

Rick:

Could you please send confirmation (via an e-mail to me copied to Ann Machado at amachado@portlandmaine.gov) that you wish to modify your sign permit application along the following lines (which is what I understand is the current position):

- 1. That the sign permit application includes all of the building signs shown on Plans 1.1 and 1A.2 except for the "CVS Pharmacy" sign on the East elevation, and that the drive thru sign on the North elevation will be revised so that it is not lit; and**
- 2. That the sign permit application does not include any directional signing (ie directional signs C1, C2, C3 and C4 as shown on Plans 1.1 and 1A.2 are no longer part of the signage proposal).**

Please note that this site is known as 21 Auburn Street in our Sign Permit and Assessors system; the first Shaws Site Plan approval was for this site and the most recent Site Plan approval was for this site (it was applied for).

Once we receive that email in a few days and sent

it will be issued

Thank you
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Rick Westergren"
Jean:

I have been advised by the city of Portland regarding the restrictions as per your sign permit application and the permits as per these conditions.

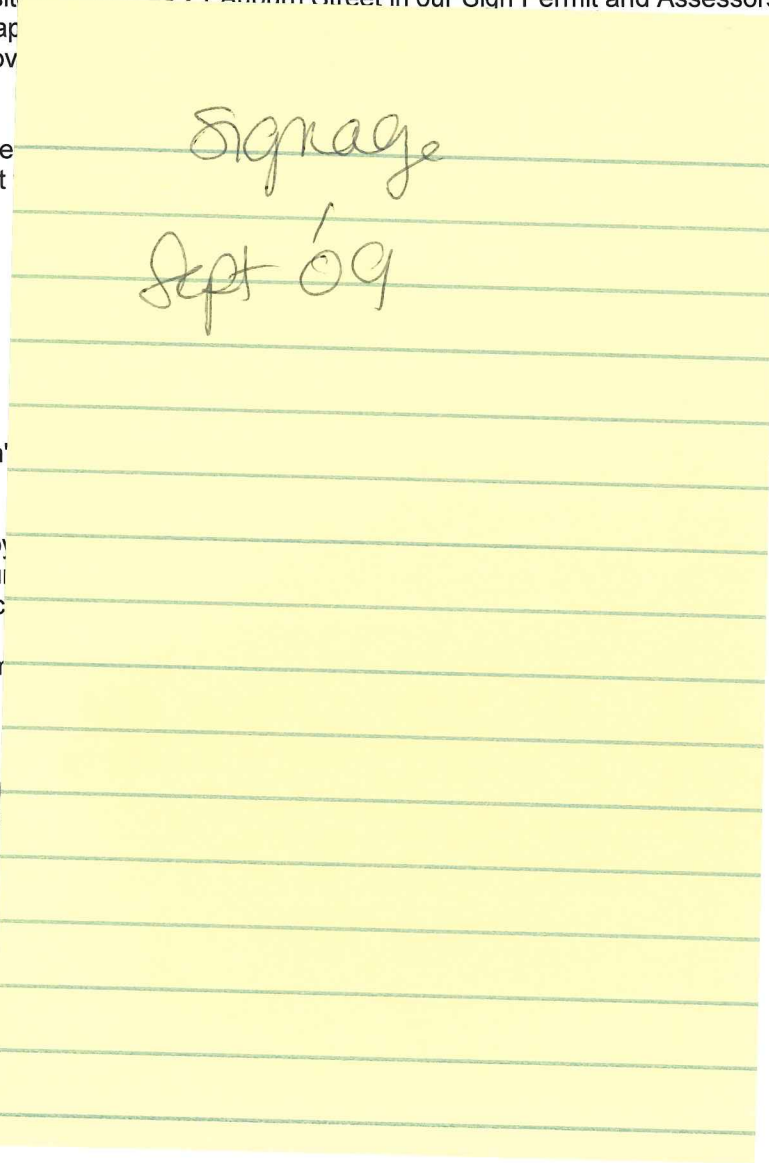
Kindly mail permit to me.

Thank you.

Richard A. Westergren
Regional Vice President

3 Bud Way #19
Nashua, NH 03063
t 603.546.2005 x13 | c 603.546.2005
www.poyantsigns.com

-----Original Message
From: Jean Fraser [mailto:jean.fraser@portlandmaine.gov]



Sent: Thursday, October 15, 2009 12:44 PM
To: rwestergren@poyantsigns.com
Subject: CVS signs re 21 Auburn Street, Portland ME

Richard,

I am following up our telephone conversation of today to confirm the current status of the sign permit review in terms of Planning. (Planning needs to sign off on this sign permit; the Inspections Division (Ann Mmachado) remains the coordinating reviewer)

1. Building mounted signs: these require a "special exception" from Planning because of the zone this building is located in- we have granted that exception for all of the signs except for the "CVS Pharmacy" sign on the East elevation (which is inside the drive through access & under a canopy that runs across the front of the Plaza so would not be visible). (Also we have asked that the signs over the drive thru window not be lit but I understand that these are not lit in any case).

2. Direction signs: I attach the approved site plan and sign detail sheet that were reviewed and approved as part of the Site Plan process back in June, 2009; we were expecting these to be implemented. At this stage I don't know whether the approved signs will be implemented in addition to yours or whether there needs to be a final plan to integrate the 2 sets of signs.

You will see that your C4 should be nearer to the drive through (the rear service road is 2-way but the drive -thru is one-way) and that one of the C3s is in the same place as an approved smaller sign. One of your C2 signs is on top of an approved "stop" sign.

The fundamental concern re your proposed signs is sight lines for drivers ie so that they can see other cars and also see pedestrians. Your signs are at this sight-line level- I appreciate that that gets them above the snow but it also creates a more dangerous condition.

While we appreciate the need for CVS customers to have guidance to get to the CVS/Drive-through, given that there is already a CVS here (and given that the new CVS will be huge and viewed from above as people enter the drive access) I am not sure the enter/exit signs are necessary. I attach the Traffic Engineer reviewer comments.

Notwithstanding those comments, I think there is a case for some larger signs that specifically mention/direct to the drive-through as its a new feature and its location is not obvious as one drives into the site; so I suggest we have a further discussion on this issue.

Once you have had an opportunity to clarify re the approved traffic signage and how it relates to your proposals, and to consider the traffic engineering comments below, please call me so we can agree a way forward and complete the review. Staff are endeavoring to move quickly on all of the many reviews and details associated with this project and I confirm that we would like to work towards a solution that is workable for CVS re these signs.

Jean Fraser, Planner
City of Portland

(207) 874 8728

TRAFFIC ENGINEER COMMENTS:

10/15/09

Jean -

In my professional opinion, there is an excessive number of signs proposed on the Poyant Plan sheet dated September 11, 2009. Please note the following:

. Sign C4 does not make sense. It is my understanding that this is two-way.

. I would eliminate all signs as proposed at the Auburn Street intersection.

. I would eliminate all signs at the circulation aisle intersection with the possible exception of C3.

. I would note that any sign must be placed such that it does not obscure sight distance. Sign C3 at the entrance to the drive-through should be located so that it does not block sight to the crosswalk. Final locations shall be reviewed in the field.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
T.Y. Lin International
12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

*also attached pdfs of C-2A + C-B as
approved by PB/TE for sign plan (+ stamped)
which remain as what we expect to be implemented*

From: Jean Fraser
To: Barhydt, Barbara; Errico, Thomas; Machado, Ann
Date: 10/15/2009 12:49:13 PM
Subject: Fwd: CVS signs re 21 Auburn Street, Portland ME

For info; this was sent to Richard Westergren of Poyant Sign Inc based in Mass. (sign permit applicant). During my telephone conversation today he accused us of taking "pot shots" at his carefully developed plan.

I will also be copying this to Appledore Engineers and to the applicant as there is a need for integration and compromise.

>>> Jean Fraser 10/15/2009 12:44:27 PM >>>
Richard,

I am following up our telephone conversation of today to confirm the current status of the sign permit review in terms of Planning. (Planning needs to sign off on this sign permit; the Inspections Division (Ann Mmachado) remains the coordinating reviewer)

1. **Building mounted signs:** these require a "special exception" from Planning because of the zone this building is located in- we have granted that exception for all of the signs except for the "CVS Pharmacy" sign on the East elevation (which is inside the drive through access & under a canopy that runs across the front of the Plaza so would not be visible). (Also we have asked that the signs over the drive thru window not be lit but I understand that these are not lit in any case).

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The fundamental concern re your proposed signs is sight lines for drivers ie so that they can see other cars and also see pedestrians. Your signs are at this sight-line level- I appreciate that that gets them above the snow but it also creates a more dangerous condition.

While we appreciate the need for CVS customers to have guidance to get to the CVS/Drive-through, given that there is already a CVS here (and given that the new CVS will be huge and viewed from above as people enter the drive access) I am not sure the enter/exit signs are necessary. I attach the Traffic Engineer reviewer comments.

Notwithstanding those comments, I think there is a case for some larger signs that specifically mention/direct to the drive-through as its a new feature and its location is not obvious as one drives into the site; so I suggest we have a further discussion on this issue.

Once you have had an opportunity to clarify re the approved traffic signage and how it relates to your proposals, and to consider the traffic engineering comments below, please call me so we can agree a way forward and complete the review. Staff are endeavoring to move quickly on all of the many reviews and details associated with this project and I confirm that we would like to work towards a solution that is workable for CVS re these signs.

Jean Fraser, Planner
City of Portland

(207) 874 8728

TRAFFIC ENGINEER COMMENTS:

10/15/09

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If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
T.Y. Lin International
12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

CC: Schmuckal, Marge

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 10/15/2009 1:05:48 PM
Subject: Fwd: CVS signs re 21 Auburn Street, Portland ME

Hello Gretchen,

This was sent to Richard Westergren of Poyant Sign Inc based in Mass. (CVS sign permit applicant).

I suggest that there is a need for some collaboration so that the directional/traffic signs make sense and avoid impinging on sight lines.

I am not sure how best to achieve that, especially as Richard suggested we were taking "pot shots" at his proposals.

Like the signing, windows etc I understand that CVS have a corporate style and marketing objectives, but they need to be sensitive to local context and the approval process- the sign they propose nearest to the drive through entrance (if you haven't seen it, its 30 in X15 in mounted on two posts with the top at 3' 4" and exactly where your R4-7L at 7 ft was located) ignores the discussion and concerns raised at the Planning Board re pedestrian safety (as well as the Traffic Engineers review at that time).

Also, will Mercy and H&R want separate signing too?

Please let me know what you would suggest to expedite resolving this. I am happy to arrange a meeting if thats necessary.

Thank you
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> Jean Fraser 10/15/2009 12:44:27 PM >>>
Richard,

I am following up our telephone conversation of today to confirm the current status of the sign permit review in terms of Planning. (Planning needs to sign off on this sign permit; the Inspections Division (Ann Mmachado) remains the coordinating reviewer)

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Jean Fraser, Planner
City of Portland
(207) 874 8728

TRAFFIC ENGINEER COMMENTS:

10/15/09
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Best regards,

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Building A, Suite One
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207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

CC: Bradlee Mezquita, P.E.; Normandin, Frank

From: "Tom Errico" <thomas.errico@tylin.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 10/15/2009 10:30:26 AM
Subject: CVS - Northgate Shopping Center

Jean -

In my professional opinion, there is an excessive number of signs proposed on the Poyant Plan sheet dated September 11, 2009. Please note the following:

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Best regards,

Thomas A. Errico, P.E.

T.Y. Lin International

12 Northbrook Drive
Building A, Suite One
Falmouth, ME 04105

207.347.4354 (Direct)
207.781.4721 (Main)
207.781.4753 (Fax)
207.400.0719 (Mobile)

CC: "Katherine Earley" <KAS@portlandmaine.gov>, "David Margolis-Pineo" <DMP@portlandmaine.gov>

Application ID Number: 9-1090

Print Permit

Delete Review

Save

Cl

Department: Planning

Status: Approved w/Conditions

Reviewer

Comments:

[Empty text area for comments]

Approval Date: 10/08/2009

History

Given On Date: 10/02/2009

OK to Issue Permit

Name: Deborah Andrews

Date

Date 2

Conditions Section:

Add New Condition From Default List

Add New Condition

Delete Condition

Close

* All proposed signs approved, with the exception of the large "CVS/pharmacy" sign shown on the east elevation. Proposed sign does not meet the standards for a special exception.

* Sign on north elevation must not be lit, as it faces residential properties.

** (Directional signs not approved "*

Create Date: 10/02/2009

By: amachado

Update Date: 10/08/2009

By: dga

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



FAX

To: Matt Hunter

Company: H & R Block

Fax #: 314-392-2701

Date: 9/15/09

From: John Andrews

You should receive 1 page(s) including this cover sheet.

Comments:

Attached are the standards that must be met in order to be granted a waiver from the City's sign regulations.

According to our records you have not yet submitted your sign application. If you wish, you can request a waiver at the same time you submit your application, acknowledging that a waiver will be necessary.

The question of building signs was raised during the Planning Board's review of this project and it was made clear that part of the process that the signs did not meet the RP requirements.

Please note that you will need to submit a letter from the building owner as part of your sign application.

(22) Signs: Signs shall meet the following requirements:

- a. The size, scale, proportions, design, materials, placement, and source and intensity of illumination of all permanent freestanding and building signs shall be designed to complement and enhance the architectural attributes of the building(s) to which they are attached or visually related. In addition, such signs shall be appropriate to the scale and character of the neighborhood in which the sign is located, and shall be designed to suit the conditions from which it will be viewed, especially in relation to the distance, travel speed and mode of travel of the viewing public.
- b. In the case of freestanding signs, such signs shall relate to the architecture of the buildings they identify and shall be integrated with other site and landscape features.
- c. Sign lighting shall be designed to avoid glare, unshielded light sources and light spillover toward the sky. All light sources shall be shielded or provided with a diffuser lens so that lamps and bulbs are not visible to pedestrians or drivers of vehicles.

(23) An applicant for minor site plan review of a sign denied for failure to comply with the requirements of section 14-369.5 shall meet the following standards for approval of such a sign under this division:

- a. The size, scale, proportions, design, materials, placement, and source and intensity of illumination of any signage approved shall be designed to complement and enhance the architectural attributes of the building(s) to which they are attached or to which they are visually related. In addition, such signs shall be appropriate to the scale and character of the neighborhood in which the sign is located, and shall be designed to suit the conditions from which it will be viewed, especially in relation to the distance, travel speed, and mode of travel of the viewing public;

- b. The signage shall either be of special design merit or shall respond to unique circumstances associated with the subject property;
 - c. The signage shall have no detrimental impact upon the neighborhood;
 - d. The provisions of this subsection shall be limited to commercial uses in business or industrial zones, industrial uses or institutional uses.
- (24) All major or minor businesses shall meet the following requirements:
- a. *Signs:* Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.
 - b. *Circulation:* No ingress or egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.
 - c. *Drive-up features:* Drive-up features, such as gasoline pumps, vacuum cleaners and menu/order boards, shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.
 - d. *Car washes:* Car washes shall be designed to avoid the tracking of residual waters into the street.
- (25) Development in the industrial zones shall meet the following additional requirements:

NOVITATE/ CUS/ H+R Block

9/11/09.

note for file

Frank Normandui (Jw) stopped by to discuss our letter + timetable.

- ① we went thru letter; he understands issues and will respond. If ok'd tilt-able light issue.
- ② He needs to get H+R Block started; liaising bank + Phil re PG which hopes to give us by end next wk.
- ③ I indicated that if H+R Block issues resolved we (PI) could sign-off on that BP subject to resolving other issues by time Demo + CUS permits issued
- ④ He apologized for some of his team submitting things that were inconsistent or ignoring clear reqs of approval eg. H+R Block Signis + rolls from TRS.
- ⑤ If to do w/ Inspectors re H+R Block Permit + FN to contact Phil re PG.
- ⑥ Explained need to relocate H+R + Hallmark UPS while CUS under construction etc. - timetable ficky.

9/21.

ck. Phil.
windows



Strengthening a Remarkable City, Building a Community for Life

www.portlandmaine.gov

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

Planning Division
Alexander Jaegerman, Director

Annotated at
mtg w/ Frank Normandin
8/11/09

September 10th, 2009

Bradlee Mezquita
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

faxed
1.10.09 JJ.

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
Post-approval review of plans
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita:

Thank you for your letter of August 25, 2009 clarifying the proposed revisions to plans to address the conditions of approval.

I am writing to confirm that all of the submitted material has been reviewed and there are some outstanding residual concerns as outlined below.

H&R Block Lighting

The revised photometric plan (dated August 19, 2009) does not show the anticipated light levels at the property line with the Scotts or with Mercy; the City's standard requires that the light levels be measured at the property line.

I remain concerned about the wall mounted tilt-able lights as the standard states: "all fixtures, including wall packs, shall be "cut-off" type where lenses, refractors or lamp sources do not extend below the surface of the fixture housing and no direct light shall be directed at or above the horizontal plane". The submitted specification indicates that these can tilt to 20 degrees above the horizontal. In view of the proximity of the Mercy building windows it is necessary that the submitted documentation confirms that all light is directed downward and that there would not be any glare for abutters.

I welcome the proposal to install timers and would request a note to that effect be added to the Site Plan.

signed
by FJA to
be hav.
see spec

From: Barbara Barhydt
To: Andrews, Deb
Date: 9/10/2009 2:52:24 PM
Subject: H & R Block

Hi Deb:

I know you were going to talk with the HR representative about the signs. He called me at the end of last week and I left a message regarding the process. As we had discussed, I said that it did not appear to meet the requirements for an exception, but I suggested he talk with you directly. Jean notes that one side of the building faces B-2 and wonders if the building might warrant an exception on that side. We are available to discuss.

Thanks.

Barbara

CC: Fraser, Jean

9/15/09

Spoke to Deb Andrews re potential waiver here:

- ① She to note developer (FN) has consistently advised H+R Block (based on review process + PB Hearnig Report) that no building signs allowable (one monument nearer to Plaza sought by him).
- ② She does not see any basis for issuing a waiver.
- ③ At H+R Block request is faxing them forms etc. for requesting a waiver - which includes letter from owner but has advised them on the phone that not likely to be given a waiver.

From: Barbara Barhydt
To: Fraser, Jean
Date: 9/10/2009 2:58:00 PM
Subject: Fwd: HR Block - 125 Auburn St

>>> "Hunter, Matt" <mhunter@ctmt.com> Tuesday, September 01, 2009 1:55 PM >>>
Barbara -

Per our conversation, please see attached.

These are our concept drawings. We would be willing to work with the City, neighbors, etc to achieve the building signage. As we discussed, we went with a Goose Neck lit sign as it was a little more "professional" than a typical retail sign. We thought that would fit in better with the overall area.

The monument sign is 2 ft above the 30 sq ft allowed by code, so we would adjust that.

Please let me know our process for obtaining a variance for this signage. This is our main office for the State of Maine and therefore signage is critical for this location. We service over 1,700 clients from this area in this office. We would love to continue serving them and see this as really our only option to do so, given the limited retail space.

Thank you so much for your help.

Matt Hunter
Senior Associate, Transaction Manager

H&R Block Real Estate

721 Emerson, Suite 300

Saint Louis, MO 63141

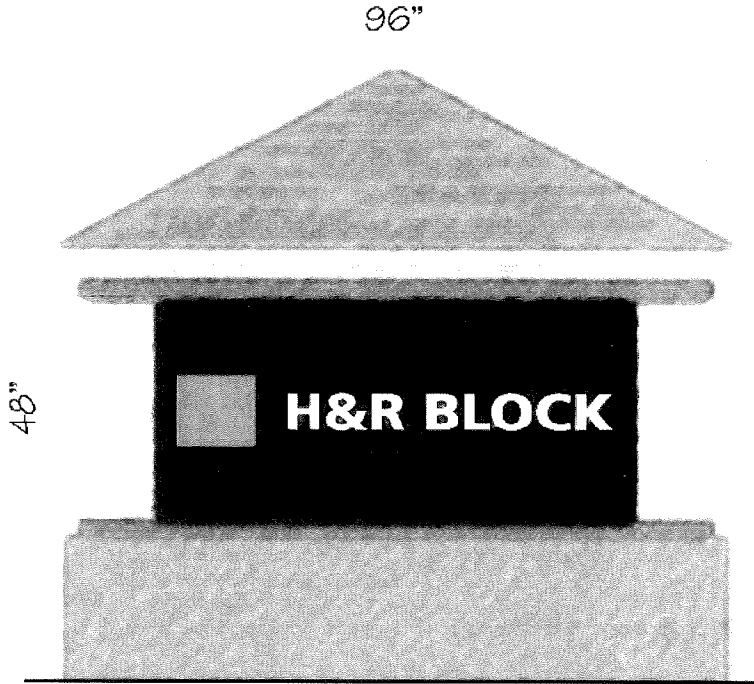
(314) 392-2692 (direct)

(314) 392-2701 (fax)

This e-mail and attachments (if any) is intended only for the addressee(s) and is subject to copyright. This email contains information which may be confidential or privileged. If you are not the intended recipient please advise the sender by return email, do not use or disclose the contents and delete the message and any attachments from your system. Unless specifically stated, this email does not constitute formal advice or commitment by the sender.

ELEVATION DRAWINGS

Sign ID: 0 Address: 91 Auburn Street
 Office No.: 3836 City: Portland
 Date: 8/7/09 State: ME
 TM: Matt Hunter Zip: 04103-4218 Estimator: Jimmy Wilkerson



D/F MONUMENT SIGN
 DRAWING IS NOT TO SCALE

H&R BLOCK Matt Hunter 91 Auburn Street Portland, ME	Name: Matt Hunter Title: Sales Representative Phone: 708-447-0375 Fax: 708-447-0375 Email: mhunter@hac.com	FASTSIGNS Sign & Graphic Solutions Made Simple National Accounts
	I hereby authorize the FASTSIGNS® National Accounts representative, Matt Hunter, to represent FASTSIGNS® National Accounts for the purpose of submitting and processing sign orders for my business. This authorization is valid for one year from the date of this signature. If you have any questions, please contact Matt Hunter at 708-447-0375.	

Landlord Signature Required

Please review the attached drawings for your approval. If they are acceptable, please sign below, and return via FAX 314-392-2701 and 972-447-0375 within one week.

"I hereby approve the drawings given to me by FASTSIGNS® HAC for the storefront and/or property signs"

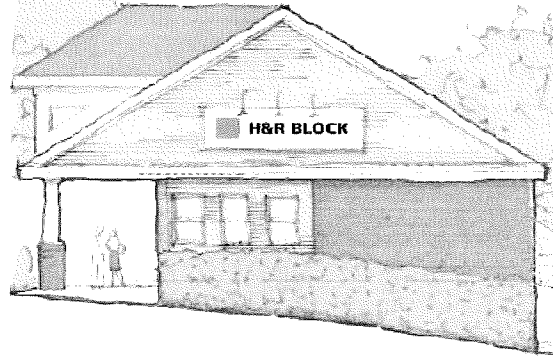
Signature: _____ Date: _____

LLD

CUSTOMER	Submitted	Date	Revision Description	By
H&R BLOCK 91 Auburn Street Portland, ME 04103-4218				FASTSIGNS National Accounts

ELEVATION DRAWINGS

Sign ID: 0 Address: 91 Auburn Street
 Office No.: 3836 City: Portland
 Date: 7/29/09 State: ME
 TM: Matt Hunter Zip: 04103-4218 Estimator: Jimmy Wilkerson



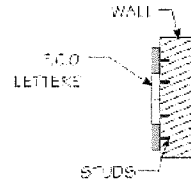
SIDE ELEVATION

****SIZE T.B.D.****



H&R BLOCK

CUSTOM
E.C.O. ACRYLIC LETTERS & BLOCK
 INSTALLATION:
 - LETTERS ARE MOUNTED TO STUDS
 - WALLS & SIGN ARE TO BE MOUNTED TO STUDS
 - LETTERS ARE TO BE MOUNTED TO STUDS
 - WALLS & SIGN ARE TO BE MOUNTED TO STUDS
 - LETTERS ARE TO BE MOUNTED TO STUDS



SIDE VIEW

**FIELD VERIFY ALL MEASUREMENTS BEFORE BEGINNING ANY WORK.
 INSTALLER TO VERIFY MOUNTING SURFACE PRIOR TO INSTALLATION.**

DRAWING IS NOT TO SCALE BUT IS PROPORTIONATE TO ACTUAL BUILDING

H&R BLOCK	DATE	DESCRIPTION	BY	APP. BY
Matt Hunter 91 Auburn Street Portland, ME	7/29/09	2 PAGES		



Landlord Signature Required

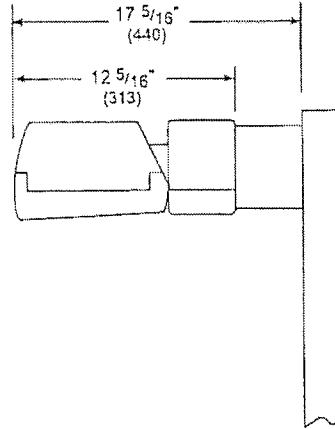
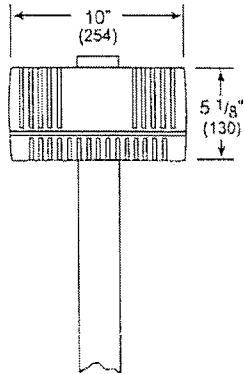
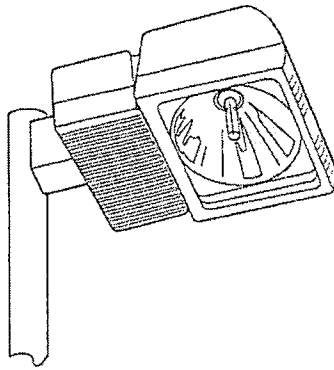
Please review the attached drawings for your approval. If they are acceptable, please sign below, and return via FAX 314-392-2701 and 972-447-0375 within one week.

"I hereby approve the drawings given to me by FASTSIGNS® NAC for the storefront and/or property signs"

Signature: _____ Date: _____

LLD

CUSTOMER	Submitted	Date	Revision Description	By
 91 Auburn Street Portland, ME 04103-4218				



H810 PM Pole Mount
Specialty Landscape

ORDERING INFORMATION:

H810 **150S** **MD** **SR3** **PMEF** **HS** **LPI**
 MODEL LAMP TYPE VOLTAGE DISTRIBUTION MOUNTING ACCESSORIES OPTIONS LAMP FINISH

EXAMPLE:

H810	100M	120	SR2	PMEF	HS	SF	LPI	BK
Model	Voltage	Distribution		Mounting	Accessories	Options	Lamp	Finish
<input checked="" type="checkbox"/> H810	<input type="checkbox"/> 120 <input type="checkbox"/> 208 <input type="checkbox"/> 220 <input type="checkbox"/> 240 <input type="checkbox"/> 277 <input type="checkbox"/> 347 <input type="checkbox"/> 480 <input type="checkbox"/> 120/277 <input type="checkbox"/> MA - wired to 120V <input type="checkbox"/> MB - wired to 208V <input type="checkbox"/> MC - wired to 240V <input type="checkbox"/> MD - wired to 277V <input type="checkbox"/> MVOLT ¹	<input type="checkbox"/> SR2 IES Type II <input checked="" type="checkbox"/> SR3 IES Type III <input type="checkbox"/> SR4SC IES Type IV <input type="checkbox"/> SR5S IES Type V		<input checked="" type="checkbox"/> PMEF Sq. Pole <input type="checkbox"/> PME3 3" Dia. Pole <input type="checkbox"/> PME4 4" Dia. Pole	<input checked="" type="checkbox"/> External <input type="checkbox"/> HS ² House Side Shield	<input type="checkbox"/> Photo Control <input type="checkbox"/> PE Photo Cell <input type="checkbox"/> Fusing <input type="checkbox"/> SF ³ Single Fuse <input type="checkbox"/> DF ⁴ Double Fuse <input type="checkbox"/> Ballast <input type="checkbox"/> GEB ⁵ Generic Electronic Ballast	<input checked="" type="checkbox"/> LPI Lamp Included	<input type="checkbox"/> BK Black <input type="checkbox"/> BD Dark Blue <input type="checkbox"/> BM Brown Metallic <input checked="" type="checkbox"/> BZ Bronze <input type="checkbox"/> GH Graphite <input type="checkbox"/> GN Green <input type="checkbox"/> GR Gray <input type="checkbox"/> WH White <input type="checkbox"/> SD Sandstone <input type="checkbox"/> AS As Specified
Lamp Type	<p>MH</p> <input type="checkbox"/> 50M ED17 Med. <input type="checkbox"/> 70M ED17 Med. <input type="checkbox"/> 100M ED17 Med. <input type="checkbox"/> 150M ED17 Med. <input type="checkbox"/> 175M ED17 Med. <input type="checkbox"/> 70CMT6 T6 G12 <input type="checkbox"/> 150CMT6 T6 G12							
HPS	<input type="checkbox"/> 50S E17 Med. <input type="checkbox"/> 70S E17 Med. <input type="checkbox"/> 100S E17 Med. <input checked="" type="checkbox"/> 150S E17 Med.							

Notes:
¹ MVOLT is standard on all Fluorescent lamps and MH lamps with GEB ballast option
² HS only available with SR2 & SR3 distributions.
³ SF is only available with 120, 277 or 347 volts on HID only
⁴ DF is only available with 208, 220 or 240 volts on HID only.
⁵ Electronic ballasts are only available with MH lamps to 150 watts and MVOLT voltage.

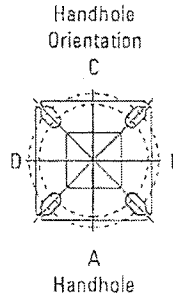
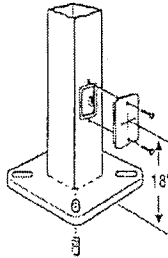


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Specifications

MATERIAL: Die cast copper free aluminum (A360) housing and doors. **LAMP:** ED-17 Med. base to 175W, Elliptical E27 base to 150W, T6 G12 base to 150W, Quartz T4 Mini-can base to 250W. **REFLECTORS:** High purity anodized specular, semi-specular, or patterned lighting sheet in various configurations to provide optimum optical performance and uniformity. Reflectors are interchangeable with two screws. Consult factory for details. **LIGHT DISTRIBUTIONS:** Area: IES Type II, IES Type III, IES Type IV, and IES Type V. **LENS:** Flat tempered glass for maximum resistance to impact and thermal shock. **MOUNTING:** Steel mounting plates for attachment to pole using a unique block/receiver assembly. The block bolts to a pole and engages the receiver within the integral arm. A single threaded locking fastener secures the fixture to pole. **GLARE CONTROL:** Internal elements provide unlimited versatility in beam control. House Side Shield available for external glare control. **BALLAST:** High power factor magnetic core and coil ballast standard. Electronic ballast optional. **FINISH:** Textured TGIC powder coat polyester finish (see ordering guide for available colors) **LISTING:** U.L., C.U.L. EPA: 0.56. **WEIGHT:** 26.5 lbs.

ORDER #:
 TYPE: C
 DRAWN:
 DATE:
 DRAWING NO: US-



**HOLSSS POLE
SQUARE
STRAIGHT STEEL**

**Specialty
Landscape**



ORDER INFORMATION: **HOLSSS 14 4 C DM19AS FBC BZ**

EXAMPLE: **HOLSSS 39 6 G DM19AS FGL20 DNA**

Type	Size(in.)	Wall Thickness(in.)	Options	Finish
<input checked="" type="checkbox"/> HOLSSS Square Straight	<input checked="" type="checkbox"/> 4 Square <input type="checkbox"/> 5 Square <input type="checkbox"/> 6 Square	<input type="checkbox"/> C .125 <input type="checkbox"/> G .188	<input checked="" type="checkbox"/> FBC Full Base Cover <input type="checkbox"/> PER ² Nema twist-lock receptacle only located at pole top <input type="checkbox"/> L/AB Less Anchor Bolts <input type="checkbox"/> VD Vibration Damper <input type="checkbox"/> TP Tamper Proof screws provided with base Cover <input type="checkbox"/> H ^{3,4} Horizontal Arm <input type="checkbox"/> FDL ³ Festoon Duplex Outlet less electrical <input type="checkbox"/> FGL ³ Festoon GFI Outlet less electrical <input type="checkbox"/> HH ^{3,4} Extra Handhole	<input type="checkbox"/> BK Black <input type="checkbox"/> BD Dark Blue <input type="checkbox"/> BM Brown Metallic <input checked="" type="checkbox"/> BZ Bronze <input type="checkbox"/> GH Graphite <input type="checkbox"/> GN Green <input type="checkbox"/> GR Gray <input type="checkbox"/> WH White <input type="checkbox"/> SD Sandstone <input type="checkbox"/> AS As Specified
Height(ft.)	Mounting ¹			
<input type="checkbox"/> 10 <input type="checkbox"/> 12 <input checked="" type="checkbox"/> 14 <input type="checkbox"/> 16 <input type="checkbox"/> 18 <input type="checkbox"/> 20 <input type="checkbox"/> 25 <input type="checkbox"/> 30 <input type="checkbox"/> 35 <input type="checkbox"/> 39	Tenon Mounting <input type="checkbox"/> PT Open top <input type="checkbox"/> T20 2-3/8" O.D. (2" NPS) Drill Mounting H810/H820 PM <input checked="" type="checkbox"/> DM19AS 1 at 90° <input type="checkbox"/> DM23AS 2 at 180° <input type="checkbox"/> DM29AS 2 at 90° <input type="checkbox"/> DM39AS 3 at 90° <input type="checkbox"/> DM49AS 4 at 90°			

NOTES:
¹ When ordering tenon mounting and drill mounting for the same pole, follow this example: DM28/T20. The combination requires an extra handhole.
² Nema twist-lock photo control by others. Not available with tenon mounting.
³ Specify location and orientation when ordering an option is required.
 For 1st space _ : Specify the height in feet above base of pole. Example: 5ft = 5 and 20ft = 20
 For 2nd space _ : Specify orientation from handhole (A,B,C,D)
 Refer to the Handhole Orientation diagram on this page.
⁴ Horizontal arm is 18" x 2-3/8" O.D. tenon standard.
⁵ Combination of tenon-top and drill mount requires extra handhole.

Specifications

SHAFT: Weldable grade, hot-rolled, commercial-quality carbon steel tubing with a minimum yield of 55,000 psi (11-gauge), 50,000 psi (7-gauge). Uniform wall thickness of .125" or .188". Shaft is one piece with a longitudinal, electric, resistance weld. Uniformly square in cross-section with flat sides, small corner radii and excellent torsional qualities. Available shaft widths are 4, 5, and 6 inches. **ANCHOR BASE:** Fabricated from hot-rolled carbon steel plate that meets or exceeds a minimum yield strength of 36,000 psi. The anchor base is provided with slotted holes. Full-base cover available, finished to match pole. **ANCHOR BOLT:** Top portion galvanized per ASTM A-153. Made of 3/4" or 1" diameter steel rod having a minimum yield strength of 55,000 psi. **GROUNDING:** Nut holder located immediately inside hand-hole rim is tapped for a 1/2"-13 UNC ground bolt and nut (by others). **HAND HOLE:** Rectangular, reinforced hand-hole rim having nominal dimensions of 3"x5" for all shafts. Included is steel cover with attachment screws. **TOP CAP:** Weatherproof plastic cap is provided for drill-mount poles. **FINISH:** Dark bronze polyester powder paint (DDB) standard; other paint finishes available. See ordering guide for color options. **FASTENERS:** Fasteners are high-strength, galvanized zinc-plated or stainless steel.

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ORDER #:
 TYPE: C - Pole
 DRAWN:
 DATE:
 DRAWING NO.: US-

HOLSSS Technical Information

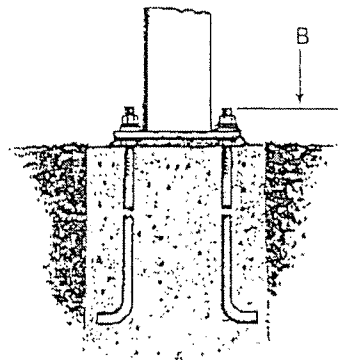
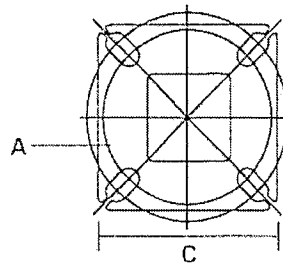
EPA (ft²) with 1.3 gust

Catalog Number	Pole mount. ht. (ft.)	Pole Shaft Size (in. x ft.)	Wall Thick. (in.)	Gauge	80 mph	Max. wt.	80 mph	Max. wt.	100 mph	Max. wt.	Bolt Circle (in.)	Bolt Size (in. x in. x in.)	Approx. ship wt. (lbs.)
HOLSSS 10 4C	10	4.0 x 10.0	0.125	11	30.6	765	23.8	595	18.9	473	8-9	3/4 x 18 x 3	75
HOLSSS 12 4C	12	4.0 x 12.0	0.125	11	24.4	610	18.8	470	14.8	370	8-9	3/4 x 18 x 3	80
HOLSSS 14 4C	14	4.0 x 14.0	0.125	11	19.9	498	15.1	378	11.7	293	8-9	3/4 x 18 x 3	100
HOLSSS 16 4C	16	4.0 x 16.0	0.125	11	15.9	398	11.8	295	8.9	223	8-9	3/4 x 18 x 3	115
HOLSSS 18 4C	18	4.0 x 18.0	0.125	11	12.6	315	9.2	236	6.7	168	8-9	3/4 x 18 x 3	125
HOLSSS 20 4C	20	4.0 x 20.0	0.125	11	9.6	240	6.7	167	4.5	150	8-9	3/4 x 18 x 3	140
HOLSSS 20 4G	20	4.0 x 20.0	0.188	7	16.5	415	12.25	310	9.3	240	8-9	3/4 x 20 x 3	198
HOLSSS 20 5C	20	5.0 x 20.0	0.125	11	17.7	443	12.7	343	9.4	235	10-12	1 x 36 x 4	135
HOLSSS 20 5G	20	5.0 x 20.0	0.188	7	28.1	703	21.4	535	16.2	405	10-12	1 x 36 x 4	265
HOLSSS 25 4C	25	4.0 x 25.0	0.125	11	4.8	150	2.6	108	1.0	50	8-9	3/4 x 18 x 3	170
HOLSSS 25 4G	25	4.0 x 25.0	0.188	7	10.0	270	7.7	198	5.4	135	8-9	3/4 x 20 x 3	245
HOLSSS 25 5C	25	5.0 x 25.0	0.125	11	9.8	245	6.3	157	3.7	150	10-12	1 x 36 x 4	225
HOLSSS 25 5G	25	5.0 x 25.0	0.188	7	18.0	350	12.6	350	9.0	250	10-12	1 x 36 x 4	320
HOLSSS 30 4C	30	4.0 x 30.0	0.188	7	5.4	160	4.0	100	2.3	58	8-9	3/4 x 20 x 3	295
HOLSSS 30 5C	30	5.0 x 30.0	0.125	11	4.7	150	2.0	50	—	—	10-12	1 x 36 x 4	265
HOLSSS 30 5G	30	5.0 x 30.0	0.188	7	10.7	267	6.7	167	3.9	100	10-12	1 x 36 x 4	380
HOLSSS 30 6G	30	6.0 x 30.0	0.188	7	15.7	392	10.2	257	6.4	160	11-13	1 x 36 x 4	520
HOLSSS 35 5G	35	5.0 x 35.0	0.188	7	5.9	150	2.5	100	—	—	10-12	1 x 36 x 4	440
HOLSSS 35 6G	35	6.0 x 35.0	0.188	7	9.5	237	5.0	150	1.8	50	11-13	1 x 36 x 4	540
HOLSSS 39 6G	39	6.0 x 39.0	0.188	7	5.1	128	1.3	33	—	—	11-13	1 x 36 x 4	605



Base Data

Shaft base size	Bolt circle A	Bolt projection B	Base square	Anchor bolt description	Warehouse anchor bolt description	Template number
4"C	8 1/2"	2 3/4"-4"	8"	HOLABSSS-4C	AB18-0	PJ50004
4"G	8 1/2"	2 3/4"-4"	8"	HOLABSSS-4G	AB30-0	PJ50004
5"	10"-12"	3 3/4"-4"	11"	HOLABSSS-5	AB36-0	PJ50010
6"	11"-13"	3 3/4"-4"	12 1/2"	HOLABSSS-6	AB36-0	PJ50011



INSTALLATION NOTES:

Installation requires grout to be packed under base (B) to ensure full contact with foundation. Factory-supplied templates must be used when setting anchor bolts. Holophane and Acuity Brands Lighting will not accept claim for incorrect anchorage placement due to failure to use factory templates.

Do not erect poles without having fixtures installed. If poles are stored outside, all protective wrapping must be removed immediately to prevent finish damage.

**HOLSSS POLE
SQUARE
STRAIGHT STEEL**

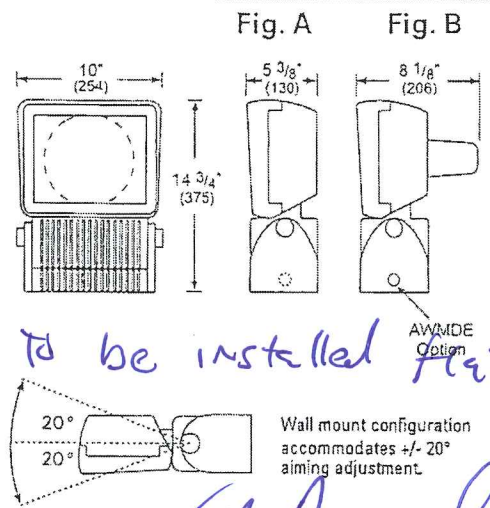
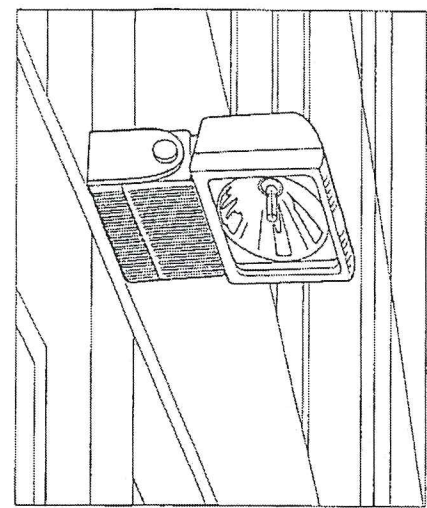
**Specialty
Landscape**



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ORDER #:
TYPE:
DRAWN:
DATE:
DRAWING NO.: US-

Frank Normandin, applicant confirmed would not be installed to tilt.



X To be installed flat

AWMDE Option

Wall mount configuration accommodates +/- 20° aiming adjustment.

9/11/09

Engh

H810 AWM
Specialty Adjustable Landscape Wall Mount

ORDERING INFORMATION:

H810 100S MD SR3 AWM LPI BZ

MODEL LAMP TYPE VOLTAGE DISTRIBUTION MOUNTING ACCESSORIES OPTIONS LAMP FINISH

EXAMPLE:

H810	50M	120	FL	AWM	WRG	SF	LPI	BK
Model	Voltage	Distribution	Mounting	Accessories			Lamp	Finish
<input checked="" type="checkbox"/> H810	<input type="checkbox"/> 120 <input type="checkbox"/> 208 <input type="checkbox"/> 220 <input type="checkbox"/> 240 <input type="checkbox"/> 277 <input type="checkbox"/> 347 <input type="checkbox"/> 480 <input type="checkbox"/> 120/277 <input type="checkbox"/> MA - wired to 120V <input type="checkbox"/> MB - wired to 208V <input type="checkbox"/> MC - wired to 240V <input checked="" type="checkbox"/> MD - wired to 277V <input type="checkbox"/> MVOLT ¹	Flood Lights <input type="checkbox"/> SP Spot <input type="checkbox"/> NFL Nar. Flood <input type="checkbox"/> MFL Med. Flood <input type="checkbox"/> FL Flood Area Lights <input type="checkbox"/> SR2 IES Type II <input checked="" type="checkbox"/> SR3 IES Type III <input type="checkbox"/> SR4SC IES Type IV <input type="checkbox"/> SR5S IES Type V	<input checked="" type="checkbox"/> AWM Adjustable Wall Mt <input type="checkbox"/> AWMDE Adjustable Wall Mt Direct Entry	Internal <input type="checkbox"/> ISS ² Internal Source Shield <input type="checkbox"/> CFAMB Color Filter Amber <input type="checkbox"/> CFRED Color Filter Red <input type="checkbox"/> CFBLU Color Filter Blue <input type="checkbox"/> CFGRN Color Filter Green External³ <input type="checkbox"/> HS House Side Shield <input type="checkbox"/> WRG Wire Rock Guard	Photo Control <input type="checkbox"/> PE Photo Cell Fusing <input type="checkbox"/> SF Single Fuse <input type="checkbox"/> DF Double Fuse Ballast <input type="checkbox"/> GEB ⁴ Generic Electronic Ballast	<input checked="" type="checkbox"/> LPI Lamp Included	<input type="checkbox"/> BK Black <input type="checkbox"/> BD Dark Blue <input type="checkbox"/> BM Brown Metallic <input checked="" type="checkbox"/> BZ Bronze <input type="checkbox"/> GH Graphite <input type="checkbox"/> GN Green <input type="checkbox"/> GR Gray <input type="checkbox"/> WH White <input type="checkbox"/> SD Sandstone <input type="checkbox"/> AS As Specified	
Lamp Type								
MH <input type="checkbox"/> 50M E017 Med. <input type="checkbox"/> 70M E017 Med. <input type="checkbox"/> 100M E017 Med. <input type="checkbox"/> 150M E017 Med. <input type="checkbox"/> 175M E017 Med. <input type="checkbox"/> 70CMT6 T6 G12 <input type="checkbox"/> 150CMT6 T6 G12 HPS <input type="checkbox"/> 50S E17 Med. <input type="checkbox"/> 70S E17 Med. <input checked="" type="checkbox"/> 100S E17 Med. <input type="checkbox"/> 150S E17 Med.								

Notes:

¹ MVOLT is standard on all Fluorescent lamps and MH lamps with GEB ballast option

² Not available with HFL, SR2, SR3, SR5S. Standard with NSP, VFL, SR4SC

³ Each option is mutually exclusive, choose one

⁴ SF is only available with 120, 277 or 347 volts on HID only

⁵ DF is only available with 208, 220 or 240 volts on HID only

⁶ Electronic ballasts are only available with MH lamps to 150 watts and MVOLT voltage.

Specifications

MATERIAL: Die cast copper free aluminum (A360) housing & doors. **LAMP:** ED-17 medium base to 175W, Elliptical E27 base to 150W, T6 G12 base to 150W, Quartz T4 Mini-can base to 250W **REFLECTORS:** High purity anodized specular, semi-specular, or patterned lighting sheet in various configurations to provide optimum optical performance and uniformity. Reflectors are interchangeable with two screws. Consult factory for details. **LIGHT DISTRIBUTIONS:** Figure A: Area: IES Type II, IES Type III, IES Type IV & IES Type V. Figure B: Flood; Narrow Spot, Spot, Narrow Flood, Medium Flood, Flood, Wide Flood. **LENS:** Flat tempered glass for maximum resistance to impact and thermal shock. **MOUNTING:** AWM: Cast aluminum wall mount plate for mounting over 4-0/4-S recessed J-Box. Refer to installation Instruction for mounting foot print. AWMDE: Surface conduit direct entry available for thru branch wiring, 3/4" NPT drilling standard. Receivers in wall mount plate allow fixture to be hung, freeing hands for electrical splices. Fixture head may be oriented up or down simply by loosening yoke screws and rotating fixture head 180°. Yoke housing allows fixture head to be aimed 20° up or down. **GLARE CONTROL:** Internal elements provide unlimited versatility in beam control. House Side Shield available for External Glare Control. **BALLAST:** High power factor magnetic core and coil standard. Electronic ballast optional. **FINISH:** Textured TGIC powder coat polyester finish (see ordering guide for available colors) **LISTING:** U.L., C.U.L., CE **WEIGHT:** 26.5 lbs. **EPA:** .56

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ORDER #:
 TYPE:
 DRAWN:
 DATE:
 DRAWING NO.: US-



Strengthening a Remarkable City, Building a Community for Life

www.portlandmaine.gov

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

Planning Division
Alexander Jaegerman, Director

September 10th, 2009

Bradlee Mezquita
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

revised
1.10.09 JA

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
Post-approval review of plans
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita:

Thank you for your letter of August 25, 2009 clarifying the proposed revisions to plans to address the conditions of approval.

I am writing to confirm that all of the submitted material has been reviewed and there are some outstanding residual concerns as outlined below.

H&R Block Lighting

The revised photometric plan (dated August 19, 2009) does not show the anticipated light levels at the property line with the Scotts or with Mercy; the City's standard requires that the light levels be measured at the property line.

I remain concerned about the wall mounted tilt-able lights as the standard states: *"all fixtures, including wall packs, shall be "cut -off" type where lenses, refractors or lamp sources do not extend below the surface of the fixture housing and no direct light shall be directed at or above the horizontal plane"*. The submitted specification indicates that these can tilt to 20 degrees above the horizontal. In view of the proximity of the Mercy building windows it is necessary that the submitted documentation confirms that all light is directed downward and that there would not be any glare for abutters.

I welcome the proposal to install timers and would request a note to that effect be added to the Site Plan.

MODE = MEMORY TRANSMISSION

START=SEP-10 10:23

END=SEP-10 10:24

FILE NO.=864

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
001	OK		916034338988	003/003	00:00:43

-CITY OF PORTLAND -

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

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



FAX

To: Bradlee Mezquita (also Gretchen Young)

Company: Appledore Engineering Inc.

Fax #: 603-433-8988

Date: Sept 10, 2009

From: Jean Fraser, Planner

You should receive 3 page(s) including this cover sheet.

Comments:

*Paper copies are in the mail.
Jean.*



PORTLAND MAINE

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Planning & Urban Development Department

Penny St. Louis Littell, Director

Planning Division

Alexander Jaegerman, Director

September 10th, 2009

Bradlee Mezquita
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
Post-approval review of plans
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita:

Thank you for your letter of August 25, 2009 clarifying the proposed revisions to plans to address the conditions of approval.

I am writing to confirm that all of the submitted material has been reviewed and there are some outstanding residual concerns as outlined below.

H&R Block Lighting

The revised photometric plan (dated August 19, 2009) does not show the anticipated light levels at the property line with the Scotts or with Mercy; the City's standard requires that the light levels be measured at the property line.

I remain concerned about the wall mounted tilt-able lights as the standard states: *"all fixtures, including wall packs, shall be "cut-off" type where lenses, refractors or lamp sources do not extend below the surface of the fixture housing and no direct light shall be directed at or above the horizontal plane"*. The submitted specification indicates that these can tilt to 20 degrees above the horizontal. In view of the proximity of the Mercy building windows it is necessary that the submitted documentation confirms that all light is directed downward and that there would not be any glare for abutters.

I welcome the proposal to install timers and would request a note to that effect be added to the Site Plan.

H&R Block Elevations

The changes to the H&R Block elevations, as compared to those proposed and approved, diminish the articulation and fenestration of the facade. The proposed revisions to the basement level windows and north and east (rear) elevations appear minor, but the removal of windows on the prominent upper level elevations is more significant, especially in conjunction with the removal of the entrance feature and columns. We request that the double window at the right end of the elevation facing Auburn Street be reinstated, as shown in the "front" elevation approved by the Planning Board.

H&R Block Landscape Plan

As agreed with Mr Normandin on site, I understand that the relocation and narrowing (with a technical waiver) of the access drive allows both the 20 inch maple and the 16 inch maple to be retained. Therefore these should both be shown as to remain on the Demolition Plan and the Landscape Plan; on the latter plan a note should be added stating they would be replaced (in consultation with the City Arborist) if they do not survive the construction.

CVS Lighting


The submitted Photometric Plan (dated 5/29/2009) does not appear to have been revised since the Planning Board Hearing and remains unacceptable, as some maximums range from two to almost five times the City's standard (maximum of 5.0 foot candles). We request that the light levels for the drive thru window are reduced- to levels at or below those at the front canopy, as the drive thru is a conditional use and the City's ordinance particularly requires that "*Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.*"

CVS Elevations

The revised elevations are generally acceptable but we would request further clarification regarding the windows along the main Plaza frontage at the lower level. These have been revised to include "opaque subdued grey spandrel"; those submitted to the Planning Board appear to be clear glass except one that is white. The B2 design standard (as quoted in the Hearing Report) requires "*windows shall be transparent and installed at a height to allow views into the building by passersby*". The revisions appear to introduce a long stretch of blank wall and opaque windows in the main Plaza facade and should be reconsidered.

Please feel free to contact me if you have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,

Signed 
Jean Fraser, Planner

cc: Alex Jaegerman, Director, Planning division
Barbara Barhydt, Development Review Services Manager
Jeff Tarling, City Arborist
Frank Normandin, A& D Realty, LLC, 5 Militia Drive, Lexington, MA 02421

From: Jean Fraser
To: Normandin, Frank
Date: 9/24/2009 5:52:25 PM
Subject: Update as of today

Frank,

Heres an update on everything:

1. Lighting: as mentioned, the recently submitted photometrics are acceptable though I may need some specs to be documented;
2. H&R Building Permit: Jeanie Bourke (Code Reviewer) has submitted comments on the H & R Block permit and left a voicemail with the architect for some minor details. I have not looked at her comments but will do tomorrow when I get in; I understand that once the details are submitted it will not take long for the final BP approval to be issued (subject to Planning sign off).
3. H&R block Windows: We will not require the double windows at the right side of the front elevation. The amended elevations (as submitted) will be treated as an administrative amendment to the Planning Board approval; I do just need to make sure that we all are working off the same set of plans (I attach what we think is going to be constructed on the front elevation). The Planning Division sign off can only be done after the Performance Guarantee is posted.
4. CVS windows: The gray opaque as proposed is acceptable and we will consider this an administrative amendment to the approved elevations. We would like to discuss the possibility of the introducing some more "interest" along this frontage- this can take place once construction is underway.

Please call if you have any questions.

Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> "Frank Normandin" <frankn@summitrealtypartners.com> 9/24/2009 8:59:15 AM >>>
Jean:

Thanks for your call yesterday.

I have spoken with Kevin Paton CVS' architect on the window issue at length.

We are prepared to commit to the drawing that the planning board approved in order to resolve the issue. This is not our first choice. This drawing shows a white opaque (non see thru) surface up to 7 4 inches. There is clear glass above that with visibility to the store.

CVS prefers the gray surface that covers the same area because during day light hours it looks more like a window than a wall. White does not accomplish this.

CVS does have a graphics package that they have used in certain areas that can be applied to the surface but it is quite a lengthy process to get accomplished internally and can be a complicating factor as it

relates to signage. If it is your strong desire to pursue this we can work together after construction has commenced to make the windows "more interesting". As winter is right around the corner we cannot let this issue derail us at this point. I hope you understand.

Please call my cell phone with any questions before your meeting. I look forward to speaking with you and Phil later today.

Frank

781-953-8552

CC: Barhydt, Barbara; DiPierro, Philip

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 9/8/2009 3:46:51 PM
Subject: Northgate CVS/H&R Block

Gretchen,

I am back in the office and catching up on progress re reviews of the recently submitted information and plans.

Alex Jaegerman, Barbara Barhydt and I have reviewed the 8.25.09 lighting and amended elevations and there are still some concerns which I need to run through with you. The H&R Block revisions are quite substantial when compared with what went to the Planning Board (I had thought from what Frank had said it was just the removal of some windows at the north end). Also, I do not believe I have seen a revised Landscape Plan (which includes the other maple so it matches the Demo Plan). [If you can wait a day, I will fax you a letter]

For information:

TRB sent me seven sets of site plans (huge rolls of plans) that do not show any of the recently agreed revisions to the H&R Block drive, landscape there and at the rear of CVS etc.; I am concerned that they need to be aware that the plans have not been finalized and that all the plans need to be consistent with the final approved plans before submitting for Building Permits.

Similarly, the H&R sign person does not seem to be aware that no signs were approved for that building (the Hearing Report clearly states that wall mounted signs are not allowed in the R-P zone) and that the elevations are being amended.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728



To: Alex Jaegerman (with all plans)
Cc Barbara Barhydt without plans (only one set submitted)

From: Jean Fraser

Date: August 27, 2009

Additional information submitted for the following project:

Application ID #: 2009-0010

Project Name: Northgate Plaza/CVS Expansion/H&R Block Refurbishment

Project Address: 91 and 125 Auburn Street

The developer (Frank Normandin) is gearing up to start on site.

All of the conditions are met/almost met except the lighting (copy of approval letter attached, with status).

I discussed this with you when you were looking again at the Walgreens lighting proposal as I would like these 2 developments to be treated consistently re any exceptions to the Tech Std.

The Appledore letter refers to my recent comments re earlier versions of the photometric plans and catalog cuts and they are aware that you will be having a look while I am on vacation because the lighting proposals do not strictly meet the City's Tech standards (I mentioned this briefly to you at Dev Rev)

Thanks
Jean

[Barbara- if you and Alex can sign off on this please e-mail/phone Gretchen Young of Appledore; her phone # is on the letter and her e-mail is: GYoung@appledoreeng.com]

PS. I have removed the revised Landscape Plan from their package and already commented on that to Gretchen... The amended elevations for H&R Block are still in the package (windows facing the neighbors were removed at neighbors request; no windows at present and screened by vegetation anyway } but needs approval as di minimus amendment }

O:\PLAN\Dev Rev\Auburn St. - 125 (Northgate Plaza renovations)\Add'l info cover sheets\Add'l Info Cover memo Aug 27, 2009 CVS lighting.doc

CVS + H&R Block Elevations have changed -
Inv. incl. PB Hearing notes + small prints
of current proposals for
you to approve as di minimus.

iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict; and

iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and

v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include raising the fence along the rear of the site to 8 feet and extending it 60-75 feet in an easterly direction to screen the Cyr property; tree and other planting along the proposed fencing; and two to three trees in the linear rain garden if compatible with the storm water plan; and

vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and

vii. That the applicant shall install wooden guard rails around the rain gardens. The wooden guard rails may allow a reasonable number of openings to allow pedestrian access; and

viii. All signage, whether included in the approved plan set or not (both free standing and wall mounted) shall be subject to separate sign permits and approvals; and

ix. That the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following conditions:

i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and

ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and

iii. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

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

1. 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation

Altho done - they just need to show the 2 people next to mercy bldg as "raised" on land plan already shown on demo plan.

paid

not yet!

N/A

N/A

N/A

N/A

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

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



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
www.appledoreeng.com

August 25, 2009

Ms. Jean Fraser
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Fraser:

In response to your review comments included in your e-mail dated August 20, 2009 we have made additional revisions/clarifications to the submission. Enclosed please find the following information relative to this submission:

- o Revised Landscape Plan, C-5 dated August 25, 2009
- o Revised H&R Block Elevations, prepared by Michael Charek Architects
- o Revised H&R Block Photometrics Plan, prepared by Westco Distributions
- o H&R Block Photometric Report, prepared by Westco Distributions
- o H&R Block Lighting Cut Sheets, prepared by Westco Distributions
- o Revised CVS Elevations, prepared by BKA Architects
- o Revised CVS Photometrics Plan, prepared by Hubbell Lighting with additional clarifications by Appledore Engineering.

The following are responses to your e-mail, which summarized the Planning Staff comments. Comments are in *italics* followed by our responses in **bold**:

Comment: The proposed lighting for the H&R Block area does not show the light levels at the property line with the Scotts.

Response: The H&R Block Photometrics Plan prepared by Westco Distributions has been revised to include light levels at the property lines of the adjacent residential property, the street and the medical office building. The levels will be 0.0 at each line.

Comment: The proposed lighting for the H&R Block area shows the wrong lamp fixtures for the 2 lights in the parking area (shows wall mounted here)

Response: Wall mounted devices are H810 100S SR3 and the pole mounted devices are H810150S SR3, (please see enclosed revised H&R Block Photometrics Plan prepared by Westco Distributions)

Comment: In the proposed lighting for the H&R Block area, wall mounted lights (H810 100S) shown on the building can tilt upward to the sky and therefore are not full cut off as required by our standard. Given the proximity to the Mercy building, these building mounted lights must be full cut off type.

Response: The Luminaire Schedule indicates that both the wall mounted and pole mounted light fixtures are from the file "H150 SR3.IES". Westco Distributions has provided additional information regarding these light fixtures on the enclosed H&R Block Photometric Report. You will notice the highlighted cutoff classification as being "Full Cutoff".

Comment: The proposed lighting for the H&R Block area (the spec does not) mention the inclusion of "House Side Shield" which might be needed for external glare control.

Response: Westco Distributions has provided the enclosed cut sheet for the H810 150S lights. You will notice in the Accessories column, the fixtures will include HS - which is a House Side Shield.

Comment: The proposed lighting for the H&R Block area... I think that the parking lot lights should be on a timer so that they are not on overnight next to the residential property.

Response: Timers will be used to ensure that parking lot lights are not left on overnight.

Comment: We need revised landscape plan (adding note re the preservation of all the trees to match the demo plan, particularly the one that the narrowing of the drive was intended to save:

Response: Please see enclosed Landscape Plan dated August 25, 2009.

Comment: We need ... the submission of the revised elevations.

Response: Revised elevations, prepared by Michael Charek Architects, have been provided as part of this submission.

Comment: Please send the revised (CVS) elevations to us for review and approval.

Response: Revised CVS Elevations, prepared by BKA Architects, have been provided as part of this submission.

Comment: The (CVS) Photometric Plan needs to be resolved before the Building Permit for CVS new construction is issued. (Please explain) why the areas that exceed the City's max of 5 foot-candles can not be avoided

See JF
email of
6-26-09

Response: We have included eight (8) numbered areas indicated by red numbers on the CVS Photometrics Plan that was prepared by Hubbell Lighting. The first six (6) of these numbered areas indicate proposed light poles and are also shown next to the corresponding information in the Luminaire Location Summary Table. Below is a description of each area and an explanation of any light levels that exceed municipal standards.

Area 1 – This proposed light pole will include a single fixture and will replace an existing light fixture that is mounted on an existing utility pole. The existing pole and fixture will be removed as part of this project. This light pole has been provided to illuminate the parking spaces that are deeded for exclusive use of the Mercy Medical Building. Light levels will exceed 0.1 at the property line however this is needed to provide safe light levels between the parking lot and building.

Area 2 & 3 – These light poles will include double headed fixtures. These provide illumination for the parking area located to the north of the proposed CVS. A small area just below these poles will exceed the city maximum of 5.0 foot-candles; however, this is needed to provide safe light levels between the parking lot and the building. As is noted on the plan the light levels are not up to CVS standards but have been reduced to try and meet the City of Portland municipal standards as closely as possible. Light levels at adjacent residential property lines will be 0.0.

Area 4, 5 & 6 – These three (3) new light poles will include single fixtures and will provide light for the drive along the rear of the property. Light levels at these poles meet city standards.

Area 7 – This area is directly below the drive through. These are the minimum acceptable light levels based on CVS requirements. The light levels have been designed by CVS to provide safety at the drive through. The city standards do not specifically address drive through light levels but has set a maximum of 60 foot-candles for pump islands of major gasoline service stations. The maximum light level in this area is 23.3 foot-candles.

Area 8 – This area is directly below the overhead connection between the existing building and the proposed CVS. Because of the pedestrian/vehicle crossing here it is ideal to have higher lighting levels for safety. The city standards do not specifically address drive through light levels but has set a maximum of 60 foot-candles for pump islands of major gasoline service stations. The maximum light level in this area is 16.2 foot-candles

CVS will also have lighting around the building for safety and illumination of the sidewalks. These levels do not exceed the maximum of five (5) foot-candles. All other lights included as part of this Photometrics Plan are existing and were part of a previous project.

From: Jean Fraser
To: Barhydt, Barbara; DiPierro, Philip; Jaegerman, Alex
Date: 8/20/2009 2:39:52 PM
Subject: Fwd: Progress re final review on Northgate CVS

Hi

I am forwarding this because despite the developer (Frank Normandin) being very conscientious about everything else, his lighting engineers seem to having troubles with the lighting.

I may need some support in resolving the issues outlined below so they can get building permits. I have sent the Lighting Standards several times and advised they needed to bring levels down or explain, but progress is slow.

They have not submitted Perf Guarantee estimates to Phil nor the building permit applications for the demo or new CVS (only for the H&R Block) so its not desperately urgent. However, I know they are anxious to get on site asap.

I am out of the office tomorrow and all of the week when you get back (Aug 28-Sept 7) so want to keep you in the loop.

thanks
Jean

>>> Jean Fraser 8/20/2009 2:29:27 PM >>>
Gretchen,

This e-mail confirms the current status re the plans and conditions:

H&R Block

The proposals re the drive and sidewalk are approved as diminimus amendments.

The proposed lighting for the H&R Block area is basically OK but yesterday I did not notice that this plan 1) does not show the light levels at the property line with the Scotts- which I need, especially as the average for the parking area next to the Scotts is above the average we usually require (its 1.7; our standard is 1.25); and 2) shows the wrong lamp fixture for the 2 lights in the parking area (shows wall mounted here); and 3) the wall mounted lights (H810 100S) shown on the building can tilt upward and therefore are not full cut off as required by our standards (copy attached); nor does the spec mention the inclusion of "House Side Shield" which might be needed for external glare control. Given the proximity to the Mercy building, these building mounted lights must be full cut off in type. I think that the parking lot lights should be on a timer so that they are not on overnight next to the residential property.

We also need the revised landscape plan (adding note re the preservation of all the trees to match the demo plan, particularly the one that the narrowing of the drive was intedned to save) and the submission of the revised elevations.

CVS part of the site

I have just heard from Tom Errico and he has confirmed (in a formal e-mail) that your recent submission regarding traffic data meets the condition of approval (Aii).

As I indicated in yesterday's e-mail, the relocation of the catchbasins and amendments re utilities are acceptable diminimus amendments.

If there are any proposed alterations to the outside elevations of the CVS building, please send the revised

elevations to us for review and approval; again I believe that these would be considered diminimus but we need to see them and document the changes asap and preferrably before a building permit application is made.

The wooden railings along the raingarden (ref conditions Avii) are acceptable as shown on the plans submitted 8.19.09, as is the extention of the 8 foot high fencing along the rear of the site as mentioned in condition Av and the revisions to the Landscape Plan along the buffer/stream and in the rain garden (which address condition Av.).

The Photometric Plan needs to be resolved before the Building Permit for CVS new construction is issued. I suggest you write a letter to me (that I can show to the Director of Planning) that explains why the areas that exceed the City's max of 5 footcandles can not be avoided; it would help if this letter is cross referenced to the plan (each light should be numbered; just after the Hearing you showed me where the pole height is listed, but the poles are not numbered on the plan and also need to be identified as existing or proposed). The Drive through area has some very high levels and the question is whether these will cause glare for drivers or pedestrians. Also, at the property line with the Mercy buidling the levels should be 0.1 footcandles and the plan indicates these are at 1.3 footcandles- which may be an exisiting situation resulting from a previous site plan approval but I would like to confirm.

An explanation re these issues would allow us (or our lighting consultant) to determine if the lighting proposals are acceptable, given the need to integrate with an existing system. You may feel a meeting would be a better way to resolve the lighting questions and we could set that up for early September if you would prefer that approach.

I note that conditions Aiv has been met ie payment of the \$2500 towards pedestrian signal heads at the access.

Please note that building permits will not be issued until the payment of the Performance Guarantee and Inspection Fee for the entire project; Phil diPierro (207-874-8632) is the contact for these and has spoken to Frank Normandin.

I think that covers all of the issues; please telephone me if you have any questions (I am out of the office tomorrow but in Mon-Thur of next week).

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 8/19/2009 10:37:38 AM >>>
Jean,

Attached is the photometrics plan for H&R Block, along with the cut sheets for the fixtures.

I am looking forward to hearing how the meeting went, please e-mail me or give me a call if you need anything else.

-Gretchen

CITY OF PORTLAND, MAINE
PLANNING BOARD

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

8/27/09
annotated by JF re status.

June 23, 2009

A & D Realty LLC
c/o Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, MA 02421

Bradlee Mezquita
Appledore Engineering, Inc
177 Corporate Drive
Portsmouth, NH 03801

**RE: Northgate Plaza/ CVS Expansion with Pharmacy Drive-thru/H&R Block Refurbishment
Vicinity of 125 Auburn Street
Application # 2009-0010
CBL 325 C001 and C023**

Dear Mr. Normandin and Mr. Mezquita:

On June 9, 2009, the Portland Planning Board considered the proposal for a 12,900 sq ft CVS Pharmacy with drive-thru service at the north end of Northgate Plaza, and the refurbishment of the existing building at 125 Auburn Street for H&R Block. The Planning Board reviewed the proposal for conformance with the B2 Conditional Use Standards and Site Plan Ordinance. The Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent) to approve the application with the following motions and conditions as presented below.

CONDITIONAL USE AND SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings, the Planning Board voted 4-0 (Odokara, Lewis and Tevanian absent):

A. Re Lot C-1 Northgate Plaza/ CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources Drive Through Survey* took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and

✓ = completed
with
X = outstanding
issues

TE
signed
off

iii. That the final plan set shall incorporate the submitted Plan of the Drive-thru/Crosswalk Details, dated June 8, 2009 which confirms details of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict; and

iv. The applicant shall be responsible for contributing \$2,500.00 towards the installation of pedestrian "count-down" signal heads for the shopping center driveway at the Auburn Street/Site Drive intersection, prior to the issuance of a Certificate of Occupancy; and

v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include raising the fence along the rear of the site to 8 feet and extending it 60-75 feet in an easterly direction to screen the Cyr property; tree and other planting along the proposed fencing; and two to three trees in the linear rain garden if compatible with the storm water plan; and

vi. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and

vii. That the applicant shall install wooden guard rails around the rain gardens. The wooden guard rails may allow a reasonable number of openings to allow pedestrian access; and

viii. All signage, whether included in the approved plan set or not (both free standing and wall mounted) shall be subject to separate sign permits and approvals; and

ix. That the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following conditions:

i. That in the event the applicant or his successor sell Lot C-23, a permanent easement that secures additional parking spaces (the number being as necessary to meet zoning requirements in place at that time) located in the Plaza for the dedicated use of Lot C-23, shall be submitted for the City's Associate Corporation Counsel review and approval prior to the sale; and

ii. That the applicant shall submit a revised lighting proposal, including catalog cuts, pole heights and associated photometric plan, for review and approval by the Planning Authority prior to issuance of a building permit; and

iii. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

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

I. 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation

all this done - they just need to show the 2 maples next to mercy bldg as "paved" on land plan - already shown on demo plan.

paid

not yet!

and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. 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 a building permit, street opening permit or certificate of occupancy for site plans.
4. 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.
5. 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, prior to the issuance of a building permit. At the conclusion of the project, the digital as built plans shall be submitted prior to the issuance of a certificate of occupancy.
6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. 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.
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.)

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 there are any questions, please contact Jean Fraser, Planner at (207) 874- 8728.

Sincerely,



David Silk, Chair
Portland Planning Board

Attachments:
Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development

Alexander Jaggerman, 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

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

8/20/09 / set 11x17 key plans given to Phil DiPierro (to support Perf Guar discussions) and to Marge Schmuckal (to support BP progress) *

From: Jean Fraser
To: Barhydt, Barbara; DiPierro, Philip; Jaegerman, Alex
Date: 8/20/2009 2:39:52 PM
Subject: Fwd: Progress re final review on Northgate CVS

Hi

I am forwarding this because despite the developer (Frank Normandin) being very conscientious about everything else, his lighting engineers seem to having troubles with the lighting.

I may need some support in resolving the issues outlined below so they can get building permits. I have sent the Lighting Standards several times and advised they needed to bring levels down or explain, but progress is slow.

They have not submitted Perf Guarantee estimates to Phil nor the building permit applications for the demo or new CVS (only for the H&R Block) so its not desperately urgent. However, I know they are anxious to get on site asap.

I am out of the office tomorrow and all of the week when you get back (Aug 28-Sept 7) so want to keep you in the loop.

thanks
Jean

* Also large scale of PB approved since 12 09 revisions 8-19-09 revisions are added on file

>>> Jean Fraser 8/20/2009 2:29:27 PM >>>
Gretchen,

This e-mail confirms the current status re the plans and conditions:

H&R Block

The proposals re the drive and sidewalk are approved as diminimus amendments.

The proposed lighting for the H&R Block area is basically OK but yesterday I did not notice that this plan 1) does not show the light levels at the property line with the Scotts- which I need, especially as the average for the parking area next to the Scotts is above the average we usually require (its 1.7; our standard is 1.25); and 2) shows the wrong lamp fixture for the 2 lights in the parking area (shows wall mounted here); and 3) the wall mounted lights (H810 100S) shown on the building can tilt upward and therefore are not full cut off as required by our standards (copy attached); nor does the spec mention the inclusion of "House Side Shield" which might be needed for external glare control. Given the proximity to the Mercy building, these building mounted lights must be full cut off in type. I think that the parking lot lights should be on a timer so that they are not on overnight next to the residential property.

We also need the revised landscape plan (adding note re the preservation of all the trees to match the demo plan, particularly the one that the narrowing of the drive was intedned to save) and the submission of the revised elevations.

CVS part of the site

I have just heard from Tom Errico and he has confirmed (in a formal e-mail) that your recent submission regarding traffic data meets the condition of approval (Aii).

As I indicated in yesterday's e-mail, the relocation of the catchbasins and amendments re utilities are acceptable diminimus amendments.

If there are any proposed alterations to the outside elevations of the CVS building, please send the revised

elevations to us for review and approval; again I believe that these would be considered diminimus but we need to see them and document the changes asap and preferrably before a building permit application is made.

The wooden railings along the raingarden (ref conditions Avii) are acceptable as shown on the plans submitted 8.19.09, as is the extention of the 8 foot high fencing along the rear of the site as mentioned in condition Av and the revisions to the Landscape Plan along the buffer/stream and in the rain garden (which address condition Av.).

The Photometric Plan needs to be resolved before the Building Permit for CVS new construction is issued. I suggest you write a letter to me (that I can show to the Director of Planning) that explains why the areas that exceed the City's max of 5 footcandles can not be avoided; it would help if this letter is cross referenced to the plan (each light should be numbered; just after the Hearing you showed me where the pole height is listed, but the poles are not numbered on the plan and also need to be identified as existing or proposed). The Drive through area has some very high levels and the question is whether these will cause glare for drivers or pedestrians. Also, at the property line with the Mercy buidling the levels should be 0.1 footcandles and the plan indicates these are at 1.3 footcandles- which may be an exisiting situation resulting from a previous site plan approval but I would like to confirm.

An explanation re these issues would allow us (or our lighting consultant) to determine if the lighting proposals are acceptable, given the need to integrate with an existing system. You may feel a meeting would be a better way to resolve the lighting questions and we could set that up for early September if you would prefer that approach.

I note that conditions Aiv has been met ie payment of the \$2500 towards pedestrian signal heads at the access.

Please note that building permits will not be issued until the payment of the Performance Guarantee and Inspection Fee for the entire project; Phil diPierro (207-874-8632) is the contact for these and has spoken to Frank Normandin.

I think that covers all of the issues; please telephone me if you have any questions (I am out of the office tomorrow but in Mon-Thur of next week).

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 8/19/2009 10:37:38 AM >>>
Jean,

Attached is the photometrics plan for H&R Block, along with the cut sheets for the fixtures.

I am looking forward to hearing how the meeting went, please e-mail me or give me a call if you need anything else.

-Gretchen

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 7/13/2009 5:35:28 PM
Subject: Northgate

Gretchen,

Brad sent final plans on June 18th and we do have some comments on the buffer to the rear (Landscaping Plan)- however, I won't have the detailed comments until Monday next week due to vacations.

You wrote me re the Photometrics Plan and I confirm that the areas that are over the City maxs need to come down- but if there are good reasons why you need to be slightly over those maxs then I may be able to get the Director to agree to those as long as not near residential neighbors or otherwise sensitive. In this case I need a readable photometrics plan.

I am not clear regarding the urgency on this and what is happening re Condition Aii???? If I need to coordinate or move things along at our end I would be happy to do so if theres a need to move quickly...just let me know.

Jean

CC: Bradlee Mezquita, P.E.

*changed
 - anyway re
 see file
 folder on
 that*

*see
 lighting
 does inclp.*

From: Jeff Tarling
To: Jean Fraser
Date: Wed, Jun 3, 2009 1:37 PM
Subject: North Gate Plaza

Jean -

I reviewed the latest revision of the North Gate Plaza landscape plan and find the plan acceptable with the following conditions:

a) Center traffic island trees - the large center island works to achieve both traffic control and stormwater retention. 'Ideally' this island would contain two to three trees if compatible to the stormwater plan. This would add some shade to the parking lot.

b) Fall Brook - the landscape plan shows a couple of new trees in this area, it is unknown what is planned in the way of plantings or seeding for this area that is shown as inside the bollards or on the stream side of the pavement. Options would be to plant additional trees / shrubs or 'conservation mix' seed.

Overall the revised plan looks good and is improved with the larger 'tree-save' area.

Thanks,

Jeff Tarling
City Arborist

August 25, 2009

Ms. Jean Fraser
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Fraser:

In response to your review comments included in your e-mail dated August 20, 2009 we have made additional revisions/clarifications to the submission. Enclosed please find the following information relative to this submission:

*Done all in 0' drive under
D:\PLAN Dev Red
Auburn St. - 125
Northgate Plaza renovation
Post Approved*

- Revised Landscape Plan, C-5 dated August 25, 2009
- Revised H&R Block Elevations, prepared by Michael Charek Architects
- Revised H&R Block Photometrics Plan, prepared by Westco Distributions
- H&R Block Photometric Report, prepared by Westco Distributions
- H&R Block Lighting Cut Sheets, prepared by Westco Distributions
- Revised CVS Elevations, prepared by BKA Architects
- Revised CVS Photometrics Plan, prepared by Hubbell Lighting with additional clarifications by Appledore Engineering.

2042C-S

The following are responses to your e-mail, which summarized the Planning Staff comments. Comments are in *italics* followed by our responses in **bold**:

Comment: The proposed lighting for the H&R Block area does not show the light levels at the property line with the Scotts.

Response: The H&R Block Photometrics Plan prepared by Westco Distributions has been revised to include light levels at the property lines of the adjacent residential property, the street and the medical office building. The levels will be 0.0 at each line.

Comment: The proposed lighting for the H&R Block area shows the wrong lamp fixtures for the 2 lights in the parking area (shows wall mounted here)

Response: Wall mounted devices are H810 100S SR3 and the pole mounted devices are H810150S SR3, (please see enclosed revised H&R Block Photometrics Plan prepared by Westco Distributions)

Comment: In the proposed lighting for the H&R Block area, wall mounted lights (H810 100S) shown on the building can tilt upward to the sky and therefore are not full cut off as required by our standard. Given the proximity to the Mercy building, these building mounted lights must be full cut off type.

Response: The Luminaire Schedule indicates that both the wall mounted and pole mounted light fixtures are from the file "H150 SR3.IES". Westco Distributions has provided additional information regarding these light fixtures on the enclosed H&R Block Photometric Report. You will notice the highlighted cutoff classification as being "Full Cutoff".

Comment: The proposed lighting for the H&R Block area (the spec does not) mention the inclusion of "House Side Shield" which might be needed for external glare control.

Response: Westco Distributions has provided the enclosed cut sheet for the H810 150S lights. You will notice in the Accessories column, the fixtures will include HS - which is a House Side Shield.

Comment: The proposed lighting for the H&R Block area... I think that the parking lot lights should be on a timer so that they are not on overnight next to the residential property.

Response: Timers will be used to ensure that parking lot lights are not left on overnight.

Comment: We need revised landscape plan (adding note re the preservation of all the trees to match the demo plan, particularly the one that the narrowing of the drive was intended to save:

Response: Please see enclosed Landscape Plan dated August 25, 2009.

Comment: We need ... the submission of the revised elevations.

Response: Revised elevations, prepared by Michael Charek Architects, have been provided as part of this submission.

Comment: Please send the revised (CVS) elevations to us for review and approval.

Response: Revised CVS Elevations, prepared by BKA Architects, have been provided as part of this submission.

Comment: The (CVS) Photometric Plan needs to be resolved before the Building Permit for CVS new construction is issued. (Please explain) why the areas that exceed the City's max of 5 foot-candles can not be avoided

See JF
email of
6-26-09

Response: We have included eight (8) numbered areas indicated by red numbers on the CVS Photometrics Plan that was prepared by Hubbell Lighting. The first six (6) of these numbered areas indicate proposed light poles and are also shown next to the corresponding information in the Luminaire Location Summary Table. Below is a description of each area and an explanation of any light levels that exceed municipal standards.

Area 1 – This proposed light pole will include a single fixture and will replace an existing light fixture that is mounted on an existing utility pole. The existing pole and fixture will be removed as part of this project. This light pole has been provided to illuminate the parking spaces that are deeded for exclusive use of the Mercy Medical Building. Light levels will exceed 0.1 at the property line however this is needed to provide safe light levels between the parking lot and building.

Area 2 & 3 – These light poles will include double headed fixtures. These provide illumination for the parking area located to the north of the proposed CVS. A small area just below these poles will exceed the city maximum of 5.0 foot-candles; however, this is needed to provide safe light levels between the parking lot and the building. As is noted on the plan the light levels are not up to CVS standards but have been reduced to try and meet the City of Portland municipal standards as closely as possible. Light levels at adjacent residential property lines will be 0.0.

Area 4, 5 & 6 – These three (3) new light poles will include single fixtures and will provide light for the drive along the rear of the property. Light levels at these poles meet city standards.

Area 7 – This area is directly below the drive through. These are the minimum acceptable light levels based on CVS requirements. The light levels have been designed by CVS to provide safety at the drive through. The city standards do not specifically address drive through light levels but has set a maximum of 60 foot-candles for pump islands of major gasoline service stations. The maximum light level in this area is 23.3 foot-candles.

Area 8 – This area is directly below the overhead connection between the existing building and the proposed CVS. Because of the pedestrian/vehicle crossing here it is ideal to have higher lighting levels for safety. The city standards do not specifically address drive through light levels but has set a maximum of 60 foot-candles for pump islands of major gasoline service stations. The maximum light level in this area is 16.2 foot-candles

CVS will also have lighting around the building for safety and illumination of the sidewalks. These levels do not exceed the maximum of five (5) foot-candles. All other lights included as part of this Photometrics Plan are existing and were part of a previous project.

Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C
Page - 4

Comment: The drive through area has some very high levels and the question is whether these will cause glare for drivers or pedestrians.

Response: As described above, the light levels at the drive through are the minimum acceptable levels for CVS and have been designed by CVS for adequate safety and visibility in this area.

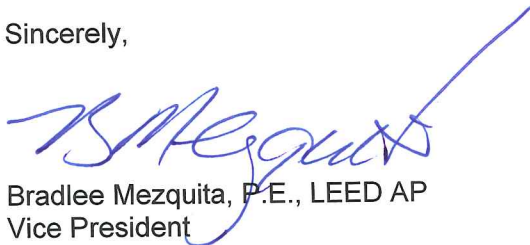
Comment: At the property line of the Mercy building, these levels should be 0.1 foot-candles and the plan indicates these area at 1.3 foot-candles – which may be an existing situation resulting from a previous site plan approval but I would like to confirm.

Response: As described above, this proposed light pole will replace an existing light fixture that will be removed as part of this project. The parking in this area is deeded for the exclusive use of the Mercy Medical Office. Light levels will exceed 0.1 at the property line however this is needed to provide safe light levels between the parking lot and building.

I hope that the information above and the revised material included as part of this submission answer all of your questions. At this time, we do not think that an additional meeting with staff members is necessary however, if there are still unanswered questions or additional comments that staff members would like addressed we would be more than happy to schedule a meeting.

Please feel free to call me if you have any questions.

Sincerely,



Bradlee Mezquita, P.E., LEED AP
Vice President

GY/pw
(2042c-013(comment response letter4).doc)

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.

Photometric Report

CATALOG NUMBER: H810 150S SR3

Friday, August 21, 2009

FILENAME: H810_150S_SR3.IES

IESNA:LM-63-2002
 [TEST] LTL11037
 [ISSUEDATE] 1/31/2008
 [TESTDATE] 11/20/2002
 [MANUFAC] Holophane
 [LUMCAT] H810 150S SR3
 [LUMINAIRE] ROADWAY AREA REFLECTOR TYPE3. REFLECTOR SPECULAR & HAMMERTONE LIGHTING SHEET
 [LAMP] ONE 150-WATT CLEAR E17 METAL HALIDE, HORIZONTAL POS.
 [DISTRIBUTION] TYPE III, SHORT, FULL CUTOFF
 [LAMPPOSITION] 0 , 0

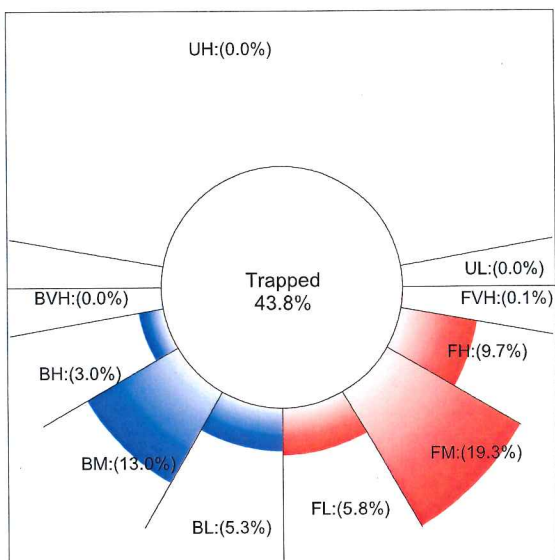
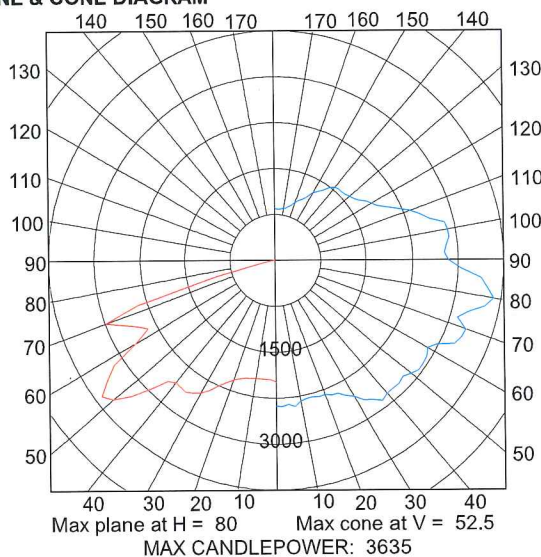
SUMMARY DATA

EFFICIENCY (Total):	56.2 %
EFFICIENCY (Down / Up):	56.2 % / 0.0 %
EFFICIENCY (Street / House):	34.9 % / 21.4 %
ROADWAY CLASSIFICATION:	TYPE III, SHORT
CUTOFF CLASSIFICATION:	FULL CUTOFF
LUMENS/LAMP:	15800
NO. OF LAMPS:	1
LUMINOUS OPENING:	RECTANGULAR
Width:	0.71 (Feet)
Length:	0.56
Height:	0.00
INPUT WATTS:	185.5
TER (Value)Category:	(29) Area & Site Light - Type III

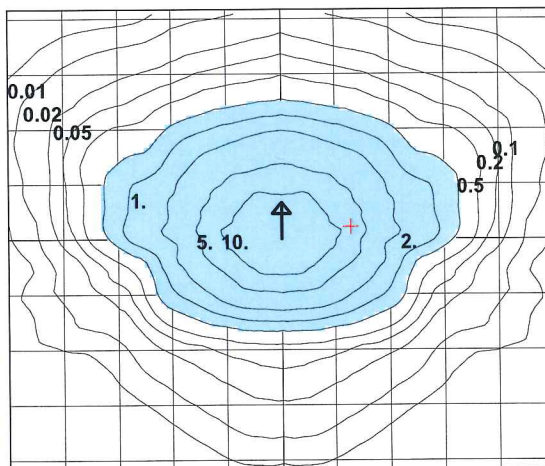
LUMINAIRE CLASSIFICATION SYSTEM (BUG RATING = B2-U0-G1)

FORWARD LIGHT	Lumens (% of Lamp Lumens)	
FL (0-30):	921	(5.8%)
FM (30-60):	3046	(19.3%)
FH (60-80):	1535	(9.7%)
FVH(80-90):	9	(0.1%)
BACKLIGHT		
BL (0-30):	845	(5.3%)
BM (30-60):	2047	(13.0%)
BH (60-80):	479	(3.0%)
BVH(80-90):	5	(0.0%)
UPLIGHT		
UL (90-100):	0	(0.0%)
UH (100-180):	0	(0.0%)
TRAPPED LIGHT:	6913	(43.8%)

PLANE & CONE DIAGRAM



ISO-ILLUMINANCE DIAGRAM (fc)



Mounting Height	Multiplier
10	1.000
15	0.444
20	0.250
25	0.160
30	0.111
35	0.082
40	0.063
45	0.049
50	0.040

Shade Limit:
0.5 fc.

Shaded Area:
2132 sq.ft.

+ = Point of max candela

Mounting Height = 10 Feet. Each box represents one mounting height.

Reported data calculated from manufacturer's data file, based on IESNA recommended methods.

Photometric Viewer v3.4

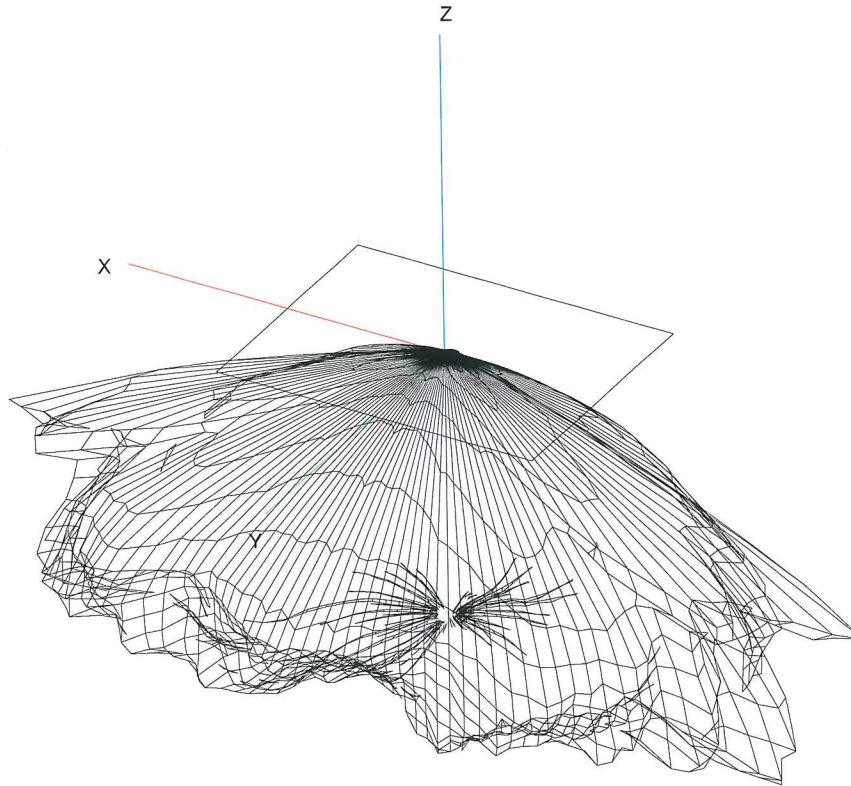
AcuityBrands
Lighting

Photometric Report

CATALOG NUMBER: H810 150S SR3

Friday, August 21, 2009

FILENAME: H810_150S_SR3.IES



Reported data calculated from manufacturer's data file, based on IESNA recommended methods.

Photometric Viewer v3.4

AcuityBrands
Lighting

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: <Thomas.errico@tylin.com>
Date: 8/18/2009 3:13:58 PM
Subject: H&R Block /Northgate Plaza

Hi Tom,

At long last I have the letter regarding the seasonal use of the drive-thru for your review.

I am also attaching a copy of a revised site plan that has come about as a result of changes to the entrance to the H&R Block, and additional efforts to save some existing trees on the H&R Block site. You will see on the attached plan that the proposed drive aisle will be reduced to 22' in order to save some existing trees.

I will be sending a full set of plans to Jean later today for her review, please coordinate with her if you have any additional comments.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com
gyoung@appledoreeng.com
~ Best Small Civil Engineering Firm to Work For in the Country - CE
News, Oct. 2008 ~

CC: "Jean Fraser" <JF@portlandmaine.gov>, "Bradlee Mezquita, P.E." <BMezquita@appledoreeng.com>, "Frank Normandin" <frankn@summitrealtypartners.com>

Transportation
Land Development
Environmental
Services



Vanasse Hangen Brustlin, Inc.

101 Walnut Street
P. O. Box 9151
Watertown, MA 02471-9151
617 924 1770
FAX 617 924 2286

Memorandum

To: Frank Normandin
A&D Realty LLC
Winslow Property Management
5 Militia Drive
Lexington, MA 02421

Date: August 3, 2009

Project No.: 09132.45

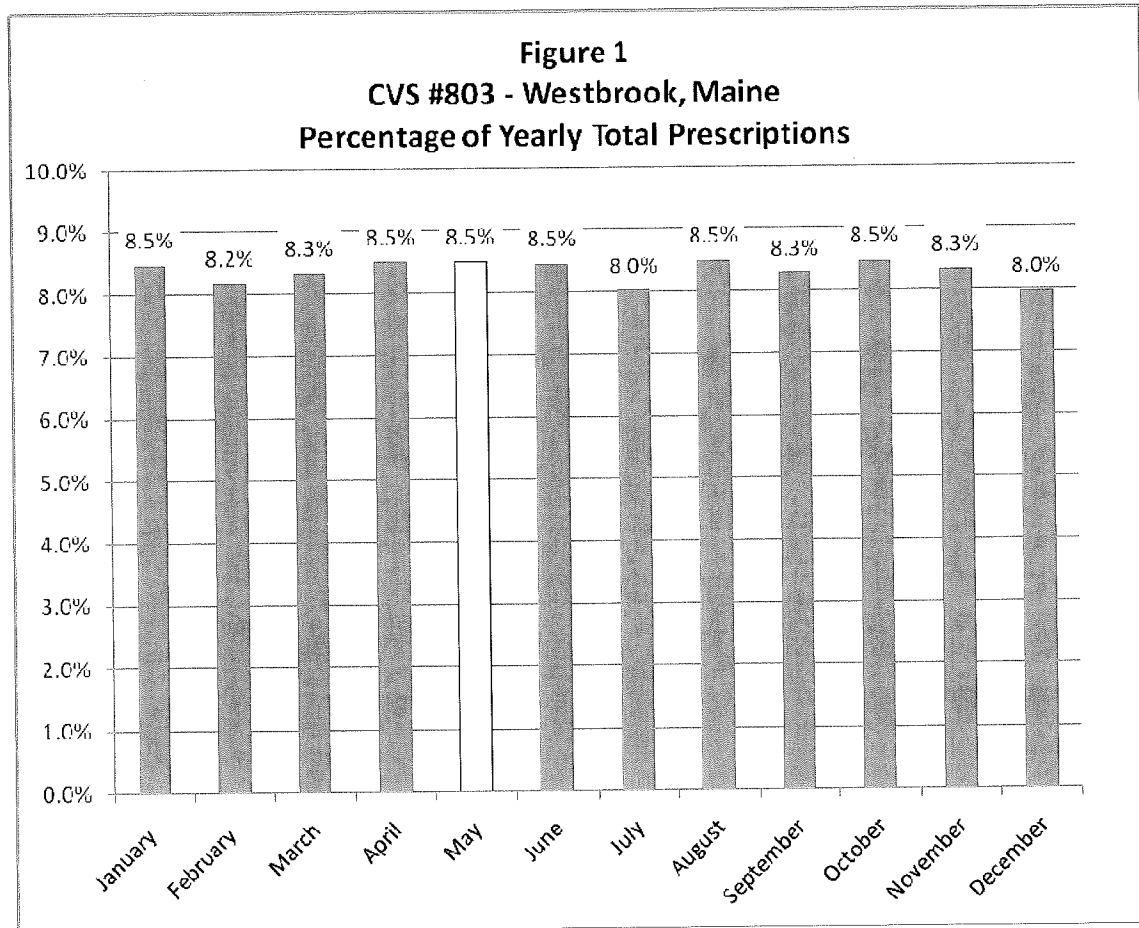
From: Patrick Dunford, P.E.
Project Manager

Re: Seasonal Drive-Through Variation
Northgate Plaza
Portland, Maine

As requested, Vanasse Hangen Brustlin, Inc. (VHB) has compiled available data from CVS Caremark Corporation (CVS) to respond to conditions of the recently granted site plan approval for the above-mentioned project. Specifically, Condition A-ii of the June 23, 2009 approval letter from the City of Portland required that documentation be provided confirming that traffic data presented during the permitting process was collected "during a peak month in terms of seasonal activity and traffic activity at the drive-through."

As part of this effort, VHB reviewed a Summary Memorandum prepared by Maine Traffic Resources dated May 29, 2009. The memorandum summarizes the results of traffic counts conducted at existing CVS drive-through facilities in Augusta and Westbrook, Maine. The traffic counts referenced in that document were conducted on May 27 and May 28, 2009, respectively.

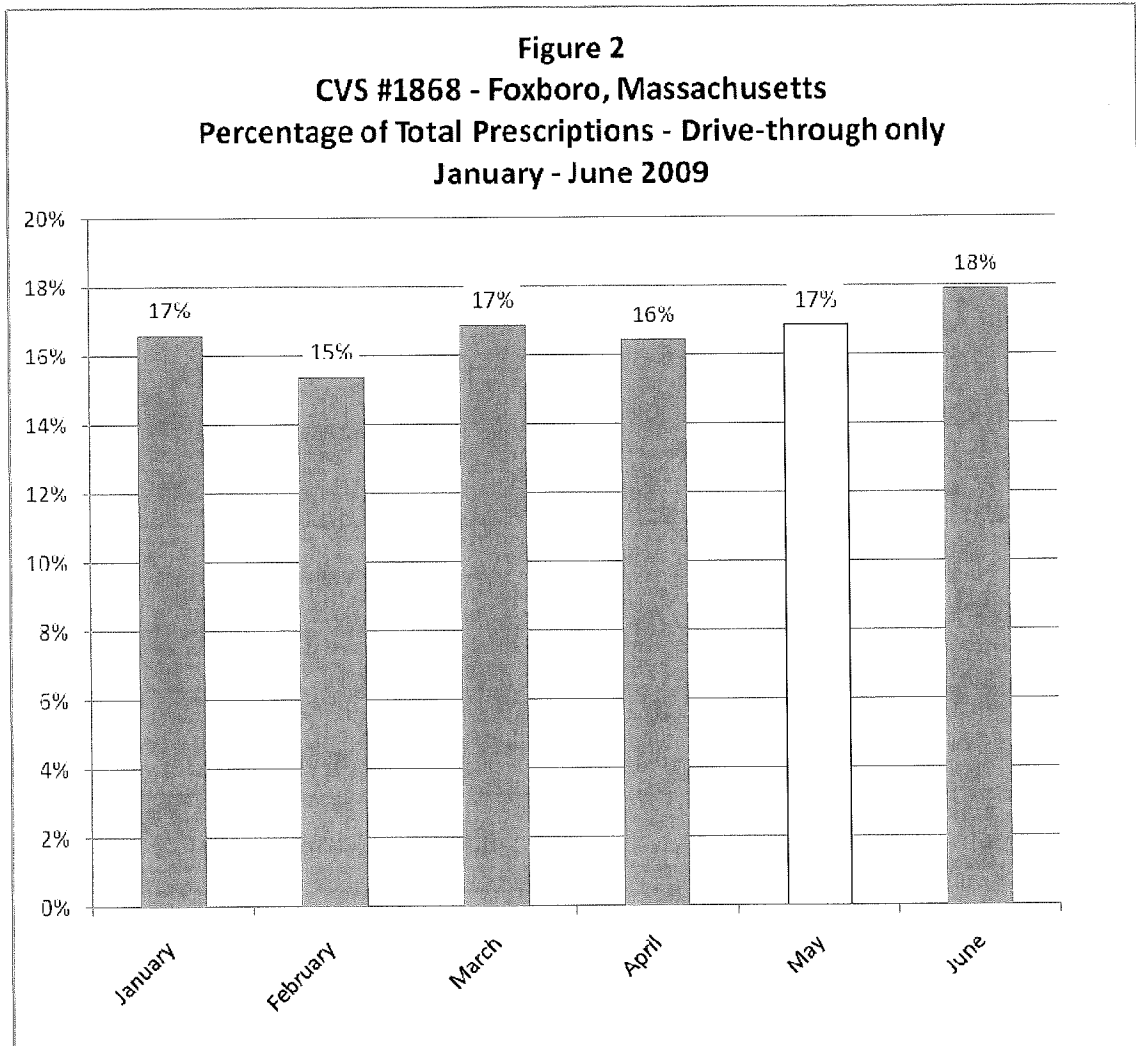
VHB has obtained and reviewed prescription transaction data from the Westbrook facility for July 2008 through June 2009. While this information is for both prescription transactions within the store as well as the drive-through lane, it should be helpful in evaluating any seasonal variations in pharmacy activity. The data are summarized in Figure 1.



Source: Prescription transaction data provided by CVS for existing CVS Pharmacy located in Westbrook, Maine. Data provided from July 2008 through June 2009.

As shown in Figure 1, pharmacy activity at the Westbrook, Maine CVS was very consistent for the previous one-year period. The percentage of total prescription transactions occurring over the course of this one-year period ranged from 8.0- to 8.5% during each month. Figure 1 also indicates that none of the months observed were busier than the month of May (highlighted above), when the Maine Traffic Resources data collection was conducted. The steady pattern of pharmacy activity could be attributed to a number of factors, including the likelihood of most customers obtaining regular monthly prescriptions over the course of the year.

To supplement this information, VHB also reviewed drive-through transaction data from an existing CVS Pharmacy in Massachusetts. CVS indicates that the volume of prescriptions filled at this store is similar to that at the Westbrook, ME CVS Pharmacy. This facility, located at 67 Central Street in Foxboro, Massachusetts, is one of the first CVS Pharmacies that has the capability to tabulate drive-through pharmacy transactions separately from those that occur within the store. This automated tracking has been underway since the start of 2009, and is summarized for the first six months of 2009 in Figure 2.

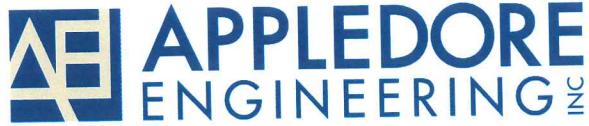


Source: Drive-through prescription transaction data provided by CVS for existing CVS Pharmacy #1868 located in Foxboro, Massachusetts. Data provided from January 2009 through June 2009.

As shown in Figure 2, the seasonal variation observed at the Massachusetts facility through June 2009 is consistent with that observed at the Westbrook Maine site summarized in Figure 1. As with the Maine data, month-to-month activity at the Foxboro drive-through was steady throughout the months observed. While the month of June had slightly more activity than May, this part of Massachusetts experienced an abnormally high number of rainy days in this month, which could have resulted in increased drive-through utilization. The data also indicate that the peak usage of the drive-through occurred between 2 PM and 6 PM with customer activity being steady throughout this time.

CONCLUSION

Based on the preceding analysis of transaction data obtained from CVS, there is a negligible seasonal variation in monthly activity at CVS drive-throughs. This conclusion is based on VHB's review of the Maine Traffic Resources assessment, combined with VHB's analysis of data from one of the Maine sites studied, as well as an existing CVS Pharmacy which automatically records the number of drive-through visits. The CVS data also indicate that peak drive-through utilization occurs between 2 PM - 6 PM, which is consistent with the time periods studied by Maine Traffic Resources. Applying the observed negligible seasonal variations factors to the data used for the proposed Northgate Plaza CVS Pharmacy would have a negligible impact on the findings of the Maine Traffic Resources traffic assessment.



177 Corporate Drive
 Portsmouth, NH 03801
 tel 603.433.8818
 fax 603.433.8988
 aei@appledoreeng.com
 www.appledoreeng.com

Letter of Transmittal

Attn:

Jean Fraser
 City of Portland
 389 Congress Street
 Suite 400 City Hall
 Portland, Maine 04101

Date: June 17, 2009

Re: Northgate Plaza
 Portland, Maine

Job No: 2042C

We are sending you: Regular Mail Overnight Delivery UPS Ground

Copies	Date	Number	Description
2	6/12/09		Site Plans

These are transmitted as checked:

For your approval For your use As requested For review and comment

Remarks:

Copy To:

Signed:

Bradlee Mezquita, P.E., LEED AP

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 8/13/2009 2:05:38 PM
Subject: Northgate Plaza

Hi Jean,

I am following up on a conversation we had last week regarding proposed modifications to the approved plans. During that conversation you had asked me to send you the proposed changes and you and Barbara would determine if a full staff meeting was required.

As I mentioned during our phone conversation, the proposed modifications came about as we started to coordinate with the architects...

I will start with H&R Block:

The approved site plan includes a ramp down to the first floor (or lower level) of that building, to an entrance in the middle of that side. As the architect and H&R block have moved forward with design, they have decided to keep the exiting entrances along the back of the building, and only use the basement for storage. You can see on the attached plans how that has changed the layout of the sidewalk along the rear of the building. There is still an area where a retaining wall would be required, that will have a guardrail along it to prevent cars from falling over the wall, as was addressed during the approval of the original layout. The trees that we were saving as part of the original submission will all continue to be saved in this layout.

This layout allows for the drive aisle to pull slightly closer to the building, which may enable us to save existing trees that are located along the property line abutting the Mercy Medical office. This also will create more open space on site, bringing the percentage up to 53%.

Now the CVS:

The architects have decided to create a door into the existing building that needs to be at an elevation of 92.0 (see along side of existing building, western side of the UPS space) This required us to drop the proposed elevation of the CVS from 93.85 down to 93.35 to keep from creating a significant slope across that drive aisle. Because of that, the locations of the proposed catchbasins have been slightly modified, no change has been made to the amount of runoff being directed to these catchbasins, and this will not change the amount of area that is being directed towards the proposed rain gardens, thus keeping the same amount treatment as was originally approved.

You will notice additional roof drain locations, the roof was always proposed to tie into the underground system past the rain gardens, so no additional treatment would be lost. You will also notice that the locations of the sewer and water connections have been adjusted. Again, there is no additional flow, just different locations. The ties into the existing systems have not been modified.

Lastly, Central Main Power has reviewed the site and determined that the CVS should be served by the existing transformer, rather than a separate

*tree 8 1/2 ft. from
Mercy Bldg walls*

transformer, and that a new connection back to the medical building transformer should be provided to allow for a backfeed to the mercy space if needed. No changes have been made to the locations of overhead v/s underground wiring.

If these proposed modifications are acceptable to you and Barbara, we will include them as part of our final submission set. As you may know, Frank is planning on meeting with the arborist tomorrow, any changes that come as a result of that meeting will also be included in that final set. We are hoping to have all of the required information (including photometrics, monies for the signal, letter regarding seasonal drive-thru use, etc.) for you next week once we here back from you regarding the proposed modifications.

Thanks again for all of your help, and as always, let me know if you have any questions.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>
gyoung@appledoreeng.com
~ Best Small Civil Engineering Firm to Work For in the Country - CE News, Oct. 2008 ~

<<2042C-UTIL_(8-13-09).PDF>> <<2042C-SITE_(8-13-09).PDF>>
<<2042C-GRADE_(8-13-09).PDF>>

CC: "Bradlee Mezquita, P.E." <BMezquita@appledoreeng.com>, "Frank Normandin" <frankn@summitrealtypartners.com>

From: Jean Fraser
To: P.E., Gretchen Young,
Date: 8/26/2009 3:32:50 PM
Subject: RE: H&R Block

Hello Gretchen,

I have received the revised Landscape Plan and the info re the lighting.

Re the Landscape Plan, it does not specifically show the tree that is at the point where the drive has narrowed; the note refers to other trees nearer the main drive aisle. I would like the tree next to the Mercy building shown as protected and preserved- its referred to on the demo plan as "16" maple" and it needs to be added to the Landscape Plan. A clear note to this maple and the 20" maple would also clarify that these are proposed to be retained or replaced if they can not be retained (Frank offered this if they don't survive construction).

Re the lighting, I will ask Alex Jaegerman to review this package of info with the letter- he is on vacation this week and I am on vacation next week so I will request that he and Barbara review this and get back to you next week in my absence.

Feel free to contact Barbara (874 8699) if you don't hear from someone by Wed afternoon.

The Fire Prevention Officer is OK with the 22 ft wide drive access at the rear of H&R Block so there is no issue there.

I note the plans re the H&R Block elevations and again Barbara/Alex will review (but I am sure theres no problem; I had mentioned it to them last week).

I am in tomorrow (thursday) but out on Friday and next week so if there is anything else please call tomorrow.

Thanks
Jean

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 8/25/2009 5:06:42 PM >>>
Hi Jean,

Thanks for the heads up... as you say it's best to get this all squared away now.

I am going to send you the revised plans and a cover letter addressing the comments you sent me last Friday. You will receive them via e-mail from the "you send it" website, and will also receive hard copies in the mail tomorrow morning.

I'll be around all day tomorrow. If you have time you can give me a call to go over any questions you have about this submission, and we can talk about the outcome of your meeting with the fire department.

Have a great night,

-Gretchen

-----Original Message-----

From: Jean Fraser [mailto:JF@portlandmaine.gov]



177 Corporate Drive
 Portsmouth, NH 03801
 tel 603.433.8818
 fax 603.433.8988
 aei@appledoreeng.com
 www.appledoreeng.com

Letter of Transmittal

Attn:
 Jean Fraser
 City of Portland
 389 Congress Street
 Suite 400 City Hall
 Portland, Maine 04101

Date: August 19, 2009
Re: Northgate Plaza
 Portland, Maine

Job No: 2042C

We are sending you: Regular Mail Overnight Delivery Pick-Up

Copies	Date	Number	Description
1	8/18/09		Sitework Construction Drawings
1	5/29/09	09453411a	CVS Photometrics Plan

These are transmitted as checked:

For your approval For your use As requested For review and comment

Remarks:

Copy To: F. Normandin (w/enclosures)

Signed: Gretchen Young

IAC.2

facing Auburn Street, especially the two pines,* are integral to providing a visual and noise barrier from the Plaza entrance drive. This particular tree is very essential.

**We believe they may have incorrectly identified/depicted the location the two pines in respect to size.*

Other:

- The Overall Plan and the Landscape Plan show a proposed concrete sidewalk pad that leads from Auburn Street along the side of the building (facing us) and then along the back of the building. At the corner of the front and side it adjoins a sidewalk that leads from the proposed parking lot to the front door. Because the sidewalk leading from Auburn Street does not directly lead to the front entrance, this will most definitely encourage/embolden pedestrians and bike riders to trespass and use this as a “short-cut” to the Plaza (because the building is vacant pedestrians do this already by walking through the lawn when weather permits). There appears to be no reason (other than choice) why the sidewalk leading from Auburn Street cannot be located directly in front of and leading to their front entrance along Auburn Street, or along the side setback closest to the Plaza and then leading to the front entrance.
- The proposed side elevation plan that faces our property depicts the installation of 1 new set of double windows on their first level, two new sets of double windows on their second level (which is at our first floor level) and an unidentified object that may be a window or a sign on the side of the proposed new pitched roof (at our second floor level). The addition of windows facing us will further destroy our overall privacy and the usability of our deck and hot tub. The spillage of light from these windows during the evening hours (all 7 days a week) will only further exacerbate the situation.
- Appledore’s letter of March 16th states that they no longer plan a dumpster for this lot, but a dumpster for this lot is still depicted on the Details Sheet.
- We have not seen a specific plan for lighting or signage.
- The Overall Plan, along with the Landscape Plan and other descriptions depict the developer’s intention to project the “best face” of this property to the front and side that is adjacent to the Plaza, while placing parking lots, driveways, pedestrian walkways, bicycle racks, outdoor lighting, additional windows, possible signage and limited landscaping on the side and the adjacent front that is closest to our home. The front and side of this property that faces the Plaza, as shown in the plans, depicts lawns and lush plantings of landscape materials.

We continue to believe that the proposal will significantly devalue our property and request that the Planning Board reject A & D Realty’s Site Plan application to redevelop Lot-23, at the very least, until they can show that they are willing to work with us as abutters of the property and submit plans that indicate that they are serious and will comply with the laws and the intentions of the Resident-Professional Zone.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

Attachment 15

Staff Comment

From: Jeff Tarling
To: Jean Fraser
Date: 6/3/2009 1:37:45 PM
Subject: North Gate Plaza

Jean -

I reviewed the latest revision of the North Gate Plaza landscape plan and find the plan acceptable with the following conditions:

a) Center traffic island trees - the large center island works to achieve both traffic control and stormwater retention. "Ideally" this island would contain two to three trees if compatible to the stormwater plan. This would add some shade to the parking lot.

b) Fall Brook - the landscape plan shows a couple of new trees in this area, it is unknown what is planned in the way of plantings or seeding for this area that is shown as inside the bollards or on the stream side of the pavement. Options would be to plant additional trees / shrubs or 'conservation mix' seed.

Overall the revised plan looks good and is improved with the larger 'tree-save' area.

Thanks,

Jeff Tarling
City Arborist

contacted by mail by Ryan Bishop of the Dunham Group as representative on the behalf of an unnamed business developer. They invited us to engage in discussions for the sale of our property. They stated their intention was to purchase our property and the adjoining two lots belonging to our neighbor, Lewis MacDonald. We engaged the services of Barschdorf & Cartmell Associates of Keller Williams Realty to represent us and negotiate on our behalf. The Dunham Group exited the discussions citing that they had been informed that the Portland Planning and Zoning Committees would not consider an application for re-zoning of these properties or a portion of the three properties for commercial use. We were informed by Barschdorf & Cartmell and by Mr. MacDonald who represented himself that the developer was Walgreen Pharmacy. At the time, we did not consider this informal decision by the City of Portland or by a representative(s) of the City to be in any way incorrect, unfair or partial to any other possibly concerned party.

We believe that by allowing the Northgate developers to put H & R Block in an R-P zone, you are not only essentially rezoning Lot C-23 to a business-use zone, but are unintentionally and inadvertently showing partiality to the Northgate Plaza developers and to their client CVS Pharmacy. We believe that you are also opening the floodgates for applications from other non-conforming businesses that may identify with H & R Block, to relocate to and further develop into an R-P zoned property.

By allowing H & R Block to use Lot-23 for their business, we would lose a major portion of the enjoyment of our property, but most importantly, our property will be devalued. It will not make a difference to a prospective buyer or a bank appraiser that the lot next door is technically R-P. H & R Block is not a professional office; it is not similar to a professional office and does not look or operate like a professional office as described in 14-47. The appraised value of our home will drop dramatically and we will be financially devastated. This combined with our current situation of the loss of one income due to a lay off by KeyBank and the lack of employment possibilities locally, could lead us to foreclosure and homelessness.

We respectfully request the Zoning Board of Appeals to consider the facts and information that we have presented and rescind the earlier decision to allow H & R Block to occupy the R-P Residence-Professional Zone.

Sincerely,

Pamela S. Scott
Charles M. Scott
137 Auburn Street
Portland, ME 04103
207-450-6580
781-710-4450

cc: Jean Fraser, Planner, City of Portland
Lewis MacDonald, 135 Auburn St., Portland, ME 04103

April 7, 2009

Attachment 14c.1

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Jean Fraser, Planner

Dear Ms. Fraser:

This letter is in response to Appledore Engineering's changes to the Site Plan Review that was submitted on 3/16/2009 on behalf of A & D, Realty Inc., concerning the Northgate Plaza and more specifically, the adjacent Lot C-23. We have reviewed their changes and have the following concerns in addition to those noted previously in our letter of February 16, 2009:

Parking:

- From the Overall Site Plan it appears that while the parking spaces closest to our property line have been pushed back a few feet away from Auburn Street, the row of parking closest to the proposed H & R Block building remains the same. This parking will be in complete view from our front yard and from looking out our living room windows. The row juts out from the building along the side setback and impacts the overall appearance of the sites from Auburn Street when viewing Lot C-23 and B-4 together.
- While the proposed fence and new landscaping between the edge of the parking area and the property line are to provide increased screening for us, we believe it will not provide sufficient screening owing to the natural slope of the two properties.
- We acknowledge that it is the developer's intention is to make Lot C-23 a conforming lot. There is sufficient space in the Plaza for parking and Sec. 14-334 allows for off-street parking to be located a reasonable distance from the principal building if the premises to be used for parking are held under the same ownership or lease. They have cited their decision to reject this possibility of parking on the adjacent Lot C-1 as safety reasons that "would force pedestrians to cross the main entrance drive to get to the office building". From their Overall Site Plan, it appears that pedestrians coming to the Plaza from the north on Auburn Street will also have to cross the main entrance drive and then cross on to a subsequent access sidewalk to get to the Plaza. We fail to see the difference in respect to safety.
- We would like to suggest that the developer could utilize the side setback adjacent to the Plaza and the rear setback for at least some, if not all, of their parking.

Landscaping:

- The Demolition Plan does not accurately depict all of the trees that currently exist on Lot C-23 and, therefore, the trees to be removed may not all be identified.
- The Demolition Plan does identify what is described as a 32 foot pine along the side setback closest to our property line to be removed. All of the three trees along this side which is adjacent to the front

companies primary through their wholly-owned subsidiary RSM McGladrey Business Services. A fortune 500 company on its own, RSM McGladrey Business Services was created in 1999 when H&R Block acquired the assets and business of the former McGladrey & Pullen, based in Bloomington, MN. McGladrey has 100 offices in 25 states and offers accounting, consulting, tax services, and international business services to mid-sized companies. Now two separate and independent legal entities work together through an alternative practice structure. RSM McGladrey (RSM) offers business and tax consulting, wealth management, retirement resources and corporate finance, while McGladrey & Pullen (M&P), a CPA firm, offers audit and attest services. Additionally, through an international alliance, this Block subsidiary also operates in 70 countries under the RSM International name.

As you say in your memo of 4/1/2009, there is a definition in 14-47 that states that a professional office is "the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional. You note that the R-6 zone further elaborates by stating: "Professional offices of members of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. The illustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent." You also state, "I consider H & R Block to be a similar profession to an accountant. I do know for a fact that their agents must take courses and pass tests to be certified on a yearly basis in order to work for H & R Block."

In their Tax Services segment, H & R Block offers training to prospective employees and current employees to work as 'tax preparers.' This training is specific to qualifying or continuing to work at H & R Block only. Students must be at least 18 years of age and some states (not Maine) require that they be high school graduates. They are not accountants or CPAs. Without outside training (a minimum of a BA and two years work, plus continuing education each year), testing and licensing and other requirements by the State of Maine, these individuals cannot be considered members of the accounting profession. Additionally, the State of Maine has not licensed any H&R Block tax office as any type of accounting firm or branch.

The operations of the Tax Services segment at H & R Block cannot be described as, nor should be confused for an accounting firm. Years ago, Richard Bloch once compared his company to Sears, and a journalist once called it "the McDonald's of tax preparation." Today, H & R Block is one of the most widely recognized brands in the U.S. The company is an innovative provider of diversified tax services, financial services and related products.

When customers of Block's tax offices arrange to have their tax refund, RAL or RAC deposited to a Block Emerald MasterCard or a Block Bank account, the office is operating as a financial institution under the auspices of The H&R Block Bank. The R-P zone does not allow financial institutions nor is there mention of similar financial services - neither described as professional offices in the 14-47 definition nor further described as professional offices in the R-6 zone.

If you reject our interpretation of H & R Block as a financial institution than you must also reject your own interpretation that H & R Block is an accounting office. To pigeon-hole this unusual corporation into one particular industry segment would be incorrect. While your interpretation

might be the most obvious at first glance, we believe it is less factual and less accurate than our interpretation.

For 50 years, H & R Block has evolved through mergers and acquisitions. One of their most noted accomplishments was the acquisition and later very lucrative divestiture of CompuServe. They have successfully entered into and exited the temporary personnel business, sub-prime mortgage and loan servicing, legal service business, business seminar services and computer information service businesses. To quote a recent press release, they will continue to "Block-on."

To allow a corporation such as H&R Block to establish offices in the R-P zone is inconsistent with the intended use of the zone designation. Should Block start selling their TaxCut[®] software or any new product or service from their tax offices or extend their hours to midnight, the Portland Planning Committee and the Zoning Board will have no knowledge and essentially no control over any changes that might additionally be inconsistent with R-P, unless a building or sign permit request is submitted.

To quote your memo of 4/1/2009 again, you state "The ordinance does not make any restrictions on professional offices for hours of operations, or numbers of clients." "It is recognized that all businesses such as retail, professional offices, personal services and other types of uses are always trying to increase their customer service base. That is a standard of our economic system." While Section 14-146 does not make mention of hours or operation it does give the purpose of the R-P zone as to provide a location for low-intensity office use and to also serve as a buffer zone between residential and more intensive nonresidential zones. In Sec. 14-147.5, it states that conditional uses of this zone should be no more objectionable than those associated with professional offices and noise levels and hours of operation shall also be considered. We believe that H & R Block is a retail business and therefore more objectionable than a professional office and that their hours of operation being 7 days a week and well into the evening each of those days has not been properly considered.

There is no H & R Block office in Portland currently located in an R-P zone. Of Block's 13,000 locations worldwide, it would be difficult to find many in an urban or suburban environment that are located in any zone other than a business-designated zone. There are many vacant business-zoned locations in Portland that need tenants, some of which are located nearby. From the plans the Northgate Plaza developers have submitted to the Portland Planning Committee, it appears that they also have a vacant space in the Plaza. The fact they choose to exclude H & R Block from their redevelopment plan within the Plaza and that they prefer to relocate H & R Block outside of the Plaza to an abutting lot that they also own, and thus far have been unsuccessful in securing a suitable tenant, should not influence the Zoning Board to uphold a decision that would in essence circumvent their own laws.

There is no benefit to the H & R Tax office in question to be located within an R-P zone. Should Block decide to establish retail bricks-and-mortar banking branches in conjunction with their tax offices, install RSM McGladrey or add any other new venture or new service, this particular office would be at a disadvantage as the R-P zone designation would prevent them from this type of business expansion.

Northgate Plaza purchased Lot C-23 from a non-profit institution approximately three years ago. We purchased the adjacent lot B-4 in September 2007. In February of 2008, we were formally

14.a.3

We would also like the Board to know of our objection to the manner in which A & D Realty and their representation has bundled two proposed redevelopments into one application thus placing the focus on the CVS building and other alleged improvements to the plaza. We consider this an attempt to circumvent the laws of the R-P zone and to draw the Board's attention away from this and the damages A & D Realty's plans will inflict on our well-being and property value.

The proposed redevelopment of Lot C-1 will offer little or no value to the community and could possibly impact negatively on the neighborhood due to the over-saturation of "Big-Box" pharmacies with a drive-thru, and the addition and redirection of traffic. Many homes on Brook Road will be exposed to additional and more direct car noise, headlights, dust and pollution.

The proposed redevelopment of Lot C-23 will result in the lack of a transition or buffer between our property located in a residential zone and the more intensive nonresidential zones. In addition to the above outlined objections and concerns, we will suffer a major loss of enjoyment of our yard, gardens and deck. These amenities are the reasons why we purchased this particular property.

The proposed redevelopment of Lot C-23 will inflict a disastrous financial hardship and burden on us. Our property will be significantly devalued. We will not be able to re-finance our mortgage due to a lowered assessed value. We will not be able to sell the property in the current or future market for the amount we paid for it and/or for the amount of our mortgage balance. We will be required to continue to pay a mortgage that could be almost twice the amount of the market value.

In conclusion, we are vehemently opposed to all of the proposed changes and redevelopment of Lot C-23 and we have concerns about the redevelopment of Lot C-1.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

April 7, 2009

Zoning Board of Appeals
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Marge Schmuckal, Zoning Administrator

Dear Ms. Schmuckal:

Please consider this letter an appeal to the zoning determination that H & R Block is a professional office and therefore complies with the R-P zone.

H&R Block (NYSE: HRB) - with revenues in excess of \$4 billion, is a publicly traded, multinational corporation with more than 22 million customers worldwide. The corporation provides tax, investment, retail banking, accounting and business consulting services and products. It operates in three segments: Tax Services, Consumer Financial Services and Business Services. H&R Block provides its products and services through a network of approximately 13,000 company-owned and franchised retail and office locations.

H & R Block Operating Segments:

- 1) The Tax Services segment provides tax and other related services and products. In addition to their own tax preparation offices, Block offers tax preparation through third-party retail stores such as Sears and Wal-Mart. Block is the maker/distributor of TaxCut[®] software (similar to TurboTax[®]). Block also has various online options, do-it-yourself tax preparation, tax review and tax advice. They offer their customers a variety of options for receiving an income tax refund. Options specific to Block's tax offices are a prepaid Block Emerald MasterCard and refund anticipation loans (RAL) and refund anticipation checks (RAC).
- 2) The Consumer Financial Services segment offers brokerage services, investment planning and related financial advice, as well as retail banking services. It provides annuities, insurance, fee-based accounts, online account access, equity research and focus lists, model portfolios, asset allocation strategies, and other investment tools and information. This segment also offers various banking services, including checking and savings accounts, lines of credit, individual retirement accounts, CDs and prepaid debit card accounts.
 - a) The H&R Block Bank (HRBB) a Federal Savings Bank and member FDIC, was chartered in 2006. Bank customers can establish accounts with their tax refund money and then access those funds with pre-paid Emerald MasterCards through ATM networks bearing the MasterCard brand. At this time, Block Bank accounts are available only to the company's tax clients in Block offices. Currently, the bank is primarily an online operation with one bricks-and-mortar office located in Kansas City.
- 3) The Business Services segment provides accounting, tax and business consulting services, wealth management and capital markets services to middle-market

February 16, 2009

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Barbara Barhydt, *Development Review Services Manager*

Dear Ms. Barhydt:

We have visited your offices and viewed the major site plan application and other accompanying documents submitted on behalf of A & D Realty LLC for the redevelopment of the Northgate Plaza (Lot C-1; tax map 375; Zone B-2) on Auburn Street and the redevelopment of their adjacent property on Lot C-23 (Zone R-P). We ask that this letter be provided to the Planning Board Members and also to be included in the site plan application file.

We are the owners of the lot directly adjacent to Lot-23 (Lot B-4; tax map 374; Zone C-3), located at 137 Auburn Street. We oppose the planned redevelopment of Lot-23 on the basis that the redevelopment as described in the major site plan application will result in substantial diminution of the value and utility of our property.

The following are our objections and concerns:

- I. **H & R Block¹ is a commercial retail operation that does not conform to the intended use and permitted business of the Residential-Professional Zone.**
 - a) Open seven days per week:
Hours according to their website are 8 a.m.-10 p.m., Monday through Friday, 9 a.m. - 9 p.m. on Saturday and 9 a.m. - 5 p.m. on Sunday.
 - b) Customer volume exceeds that of similar sized professional offices and the business goals of this corporation and its franchises is to further increase their customer volume.
 - c) H & R Block offices are "storefronts" with large neon corporate logos and signs and posters on their façade and windows advertising their services and special offers similar to those found on the storefronts of supermarkets, pet stores and other retail establishments.

- II. **Proposed plans will significantly change the topography of the lot.**
 - a) Plans suggest that all of the existing trees, bushes and shrubs and at least some of the lawn (if not all) will be removed.
 - b) A paved 13 space parking lot and associated driveway will be added.
 - c) Additional impervious materials in the form of concrete walkways, pads, retaining walls and stairs will be added in place of the current lawn.

¹**H&R Block** (NYSE: **HRB**) is a tax preparation company in the United States, claiming more than 22 million customers worldwide, with offices in Canada, Australia and the United Kingdom. The Kansas City, Mo.-based company also offers banking, personal finance and business consulting services. Founded in 1955 by brothers Henry W. and Richard Bloch, Block today operates 12,500 retail tax offices in the United States, plus another 1,400 abroad. In addition to Block's retail stores, they offer their own consumer tax software called TaxCut, as well as online tax preparation and electronic filing from their website.

14.a.2

III. Proposed plans will significantly alter the visual esthetics of the lot.

- a) The addition of a 13 space parking lot, driveway and concrete walkways.
- b) The parking lot will be visually exposed to Auburn Street.
- c) The loss of mature trees, shrubs and lawn area.
- d) The addition of a commercial waste dumpster.
- e) The addition of outdoor lighting and neon signage with the corporate logo.
- f) We assume that changes to the building façade will result in more of a retail store look.
- g) It is proposed that the snow storage for this lot will be on the front setback facing Auburn Street.

IV. Proposed plans will significantly impact the enjoyment and value of our property.

- a) The removal of the trees, shrubs and bushes on Lot C-23 will remove the visual and noise barrier and expose us to the Lot C-1 plaza, the plaza entrance, the intersection and the other businesses located on Auburn Street across from the plaza. The removal of the mature trees will expose us to additional wind and dust and remove the natural shading and cooling they provide.
- b) The plaza entrance on Auburn Street is currently overused for its size and close proximity to a residential zone, especially by large and noisy trucks - including 18 wheeler tractor trailers - that deliver to the plaza businesses continually throughout the night and early morning hours. Accidents at this intersection are frequent.
- c) The CVS expansion, with the addition of a drive-thru and the proposed pattern of travel for cars exiting, combined with the absence of trees, shrubs and other natural screens, will expose us to even more direct car noise and headlights shining directly into our windows and continually moving across our property in a sweeping motion.
- d) The addition of a parking lot directly on our property line and so close to our home will further expose us to noise aggravation, outdoor lighting spilling over onto our property and house, pollution from car emissions and headlights seven days a week possibly as late as 11:00 p.m. on weekdays. In the winter months, there will also be snowplowing.
- e) The addition of a commercial dumpster directly on our property line and so close to our home will expose us to further noise aggravation as a result of the opening and closing of the dumpster and emptying of the dumpster by a commercial waste service.
- f) The addition and the grading of a parking lot, driveway and other impervious materials directly on our property line and so close to our home could cause water run-off and/or flooding.
- g) The additional proposed paved materials on this lot will encourage and aid trespassers on foot and bicycle going to and from the plaza and Auburn Street. This property and a portion of ours will become a new "cut-thru."
- h) Due to the sloping nature of the properties, the proposed 6 foot screening fence will not conceal the Lot C-23 parking lot, driveway, dumpster or the Lot C-1 plaza from the direct view out our 1st floor windows. The benefits of the proposed screening fence will be minimal and will in no way recreate the lost privacy or sufficiently shield us from noise and light pollution.
- i) Our property value will be significantly diminished by the proposed changes. When we purchased the property in August 2007, it was assessed at \$211,000. With the poor economy and the proposed changes and use of Lot C-23, (which essentially changes the use from Residential-Professional to a Business Zone), it is estimated that the market value of our property could drop to as low as \$100,000.

AH. 12.2



- An elevation drawing for the rear of the new H&R Block building should be submitted. The stairway as proposed will be below vehicle traffic. Bollards or a guardrail should be used to prevent a vehicle from falling into the stairwell.

DRG

203939.48

cc: File

Attachment 13

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 5/7/2009 10:10:18 AM
Subject: Northgate Shopping Center - CVS

(for May 12, 2009
PB Workshop)

Jean -

The following summarizes my comments as it relates to the May 1, 2009 submission by Appledore Engineering, Inc.

1. Based on the fact that some parking for the "H&R Block" building will be provided within the main shopping center parking area, the applicant shall revise the plans to provide appropriate sidewalks and crosswalk connections between the building and the parking spaces anticipated or designated for use.

1. While my expectation is that little traffic uses pharmacy drive-through facilities, the applicant should provide documentation on the number of vehicles that are expected to use the drive-through on a peak hour basis and back-up data on the maximum queue length estimates noted in their submission.

1. A "Do Not Enter" sign shall be installed on the back side of the STOP sign at the terminus of the drive-through.

1. I continue to review the request to narrow the parking lot aisle nearest Auburn Street. The applicant has requested that discussion take place at the Planning Board workshop. I plan on being in attendance. I have not been convinced that a safe solution can't be implemented.

1. I have reviewed the crosswalk design at the entrance to the drive-through lane and believe it to be safe. I would note that this is premised on a maximum queue from the drive-through of 5 vehicles and low traffic usage. Following provision of the requested data in Item #2, I will render a final decision.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>

Alex Jaegerman, Director, Planning division
 Barbara Barhydt, Development Review Services Manager
 Marge Schmuckal, Zoning Administrator
 David Margolis-Pineo, Deputy City Engineer
 Jeff Tarling, City Arborist
 Tom Errico, Wilbur Smith Consulting Engineers
 Frank Normandin, A& D Realty, LLC, 5 Militia Drive, Lexington, MA 02421

Specific Standards re Drive Thrus (Extract from B2 Zoning Ordinance)

In addition to approval by the Planning Board with respect to the requirements of article V (site plan), these uses shall comply with the following conditions and standards in addition to the provisions of section 14-474:

a. *Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.*

b. *Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.*

6. *Drive-throughs, where permitted, shall also specifically comply with the following conditions:*

a. *Location of Drive-throughs: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.*

b. *Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.*

c. *Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.*

d. *Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and*

e. *Pedestrian access: Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.*

f. *Hours of Operation: The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.*

**COMMITMENT & INTEGRITY
DRIVE RESULTS**

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

Attachment 12.1

MEMORANDUM

(for may 12, 2009
PB workshop)

TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: May 6, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project



Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated May 6, 2009 prepared by Appledore Engineering, Inc.

Comments:

None of the comments in the March 26 memo have been addressed. They were as follows:

- The catch basins and manholes on the grading, drainage and erosion plan only show one invert in elevation regardless of the number of pipes entering the structure. It is not clear if this is meant to indicate that all invert ins are to be at the same elevation.
- It is not clear from the plans what is happening in terms of drainage in front of the UPS store. No grading information is shown and there appears to be a drain line leaving CB #5304 heading towards that area but it is not clear what it connects to. A curb bump out is being installed that will stop the runoff from following the curb line and flowing towards the rear of the property. Please clarify what is happening in this area.
- The plans indicate the use of precast concrete curb stops in the areas around the rain gardens. There installation is to allow stormwater runoff to flow between the curbs into the treatment areas. The City has not had good results with the use of these curbs. They tend to be moved during plowing and are constantly in need of being reset. In lieu of the precast curb stops, the applicant is encouraged to install a wooden guardrail in these areas. This would allow the runoff to enter the treatment areas unimpeded and would prevent snow from being plowed onto the treatment areas.
- A six foot high screening fence is being proposed along a portion of Fall Brook to help screen the lights from vehicles entering the drive thru. In the areas where no fencing is proposed, the applicant should install a wooden guardrail along the brook so that no snow is stored or plowed into the brook.
- It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the center of the parking lot. Also, the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for the crosswalk to be shortened.

Att. 10

From: Jeff Tarling
To: Jean Fraser
Date: 4/9/2009 1:33:17 PM
Subject: Northgate

Jean -

I have reviewed the Northgate project landscape plan and offer the following comments:

a) The long existing 'residential' to 'commercial' buffer between the adjacent residential property and the 'H&R Block' building is greatly diminished with the proposed scheme. The proposed landscape treatment does save a large 24" dbh White Pine and 25" dbh Maple along with additional 'to-be-planted' screening using a line of 15 'Emerald Sentinel' Red Cedar 6'-7' in height, 1 Amelanchier clump form tree along with a six foot wooden cedar fence. "Ideally" the buffer width between an adjacent residential property to commercial parking or use should be 10' in width with dense plantings. The landscape buffer at this site is compromised due to the increased parking and travel lane requirements. (Prior or existing parking was nearby concentrated away from residential use.) The landscape treatment proposed, although greatly reduced from the existing green buffer with mature trees, will in time provide adequate screening.

b) Parking lot landscape - The proposed CVS / parking lot landscape treatment places additional trees & shrub plantings to the existing parking lot. The center island landscape treatment combines landscape shrub planting with 'rain garden' stormwater treatment. The plan also plants 4 Red Maples at the rear of the project along the wetland.

Overall the landscape plan is acceptable as shown. It is unfortunate that long existing buffer between the adjacent residential properties is to be compromised due to this project. All options of 'shared' parking use, ie. the row closest to Auburn Street on the CVS side of the project should be explored before removing this valuable green area.

Jeff Tarling
City Arborist

CC: Barbara Barhydt



Attachment 11.1

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

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

Planning Division
Alexander Jaegerman, Director

file copy

April 16th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing to follow up the Planning Board Workshop held April 14, 2009 and to confirm the staff understanding of the issues that need to be addressed for a second Workshop.

The Planning Board requested:

1. 125 Auburn Street/H&R Block refurbishment: Reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn street, including a reduction in the number of parking spaces (the Board indicated some options for this), to reduce the impact on the existing buffer, and to achieve an adequate buffer along the boundary between the R-P zone and the abutting residential zone.
2. Drive-thru (note the specific review criteria, attached for information): Provide information on the volume of drive thru vehicles; confirmation re the stacking area; explanation for its location; and submission of details to illustrate the proposed traffic management and how it is designed to ensure safety/protection for pedestrians/children using the principal route along the front of the Plaza.

I would also note that lighting information is awaited by staff and the Board offered several comments on that issue.

Please note that you may hold the required Neighborhood Meeting any time as from now (and up to seven days prior to the final Hearing). The dates for the next two Planning Board Workshop meetings are May 12th and May 26th; the Workshop date will be confirmed once we know the timetable for any review meetings and/or further submittal dates.

Please let me know if you would like to arrange a meeting with reviewers or have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,

Jean Fraser
Jean Fraser
Planner

cc: [see next page]

Attachment 9.1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 3/31/2009 8:07:07 AM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes a status report on my February 24, 2009 comments according to the March 16, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Status: The applicant has provided a trip generation analysis and I concur that a Traffic Movement Permit is not required. I would like to review conditions of approval for the prior expansion to ensure the project is in compliance.

2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

Status: I continue to review this issue.

3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.

Status: The requested information has been provided and I have no further comment.

4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.

Status: The site plan has been revised and I have no further comment.

5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.

Status: The site plan has been revised and I have no further comment.

6. The parking aisle widths in front of the shopping center are excessive at

9.2

30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.

Status: The parking aisle nearest the shopping center building has been reduced to 24 feet. The applicant shall provide conceptual plans that illustrate reducing the aisle width nearest Auburn Street to 24 feet for review and comment.

7. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Status: Information has been provided and I have no further comment.

In addition to the above the applicant shall explore redesigning the rear area such that the proposed crosswalk to the neighborhood trail is reduced in overall length. It is my understanding that there is a desire to shift green space such that it abuts the drainage area and this may provide opportunity for enhance this pedestrian crossing.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>

From: Jean Fraser
To: GYoung@appledoreng.com
Date: 3/26/2009 12:30:30 PM
Subject: Northgate plaza - Lighting

Attachment 7

Gretchen,

I attach the City's Technical Standards for **Lighting** (Section 15) and you will see that the un-numbered Photometric Plan that you gave me in early March needs to be reconsidered and revised:

1. The Photometric Plan does not include the lighting levels at the property boundaries along the north side and around 125 Auburn St (which need to be .1 fc or less) ; we particularly requested details of lighting impacts near the residential zone/properties;
2. I need catalog cuts for the proposed lamp fixtures and the height of the poles for all parts of the site including up to the ATM and around 125 Auburn (they need to be full cut-off type)(please clarify if new or existing if any are being reused);
3. The standard specifies a max of 250 watts and the proposed lights appear to be 465 watts. While you may submit an explanation of why such high wattage lamps are being used, in my experience it is unlikely the Board will consider a waiver on this. Even 250 watt lamps have been avoided in most places as they are too bright; more smaller lamps are preferable.
4. The City's allowable max is 5.0 footcandles and the plan shows 11.2 fc as the max- the issue here is glare and again I believe the Board will not support this (a waiver would be required). I suggest a different approach needs to be taken to ensure better distribution of light and to avoid "hot spots" and glare.
5. Please note that the Conditional Use requirements for drive thrus in B2 (Section 14-183) specifically refers to lighting, as does 14-526 (Site Plan Standards para (9).
6. The plan needs to show more clearly the location of the lights and whether there will be any wall -mounted lights on the CVS/refurbished Boy Scout building.
7. Since the area of the project includes the portion of the Plaza and parking lot up to and around the ATM and the drive thru/new pedestrian route/new truck access/turning area at the rear, the proposed lighting and the photometric plan need to include those areas as well (ie up to the "Limit of Work" shown in Sheet C-2).
8. The Plan needs to reflect the layout/site plan revisions submitted March 17, 2009.

On this review issue you can submit a revised plan (for inclusion in the PB Memo so it can be considered at the Planning Board Workshop 4.14.09) any time up to April 7th (11x17s that are readable and 1 full size paper copy please).

Please do not hesitate to call me if you have any questions regarding these comments.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

Attachment 8

March 27, 2009

To: Either Jean Fraser or Molly Casto
From: David Margolis-Pineo and Public Services Staff
Re: CVS - Northgate
Public Services Review Comments

Note: This project resides in the Urban Impaired Stream Watershed of Fall Brook and that Northgate Plaza, as a whole represents nearly 11 acres of impervious surface area which discharges untreated stormwater to Fall Brook.

1. The City recognizes that the applicant has made a tremendous effort to protect and treat some of the stormwater generated on site. However, it appears the drive thru lane could be designed to move the roadway several feet from the stream to allow for five to eight foot vegetated buffer from edge of pavement to the stream. The installation of a guard rail is strongly recommended along the edge of pavement in this area to prohibit snow from being plowed or placed in Fall Brook.
2. Again, the City recognizes the applicant's effort in placing a six foot island the length of the front parking lot. However, the potential exist to widen this island by another six feet to decrease imperious area and increase vegetation and allow better growing conditions for vegetation.
3. The applicant needs to submit a manhole channel detail showing their proposed C.V.S. building sewer lateral coming into the City manhole showing the crown of the lateral matching the crown elevation of the out going pipe. The shell area shall be rebuilt to accommodate the lateral a sweep the lateral flow into the channel.
4. The capacity letter was completed on 3/13/09.

Attachment 6.1

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: March 26, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project

Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated March 16, 2009 prepared by Appledore Engineering, Inc.
- Drainage Study, dated January 30, 2009 revised March 13, 2009 prepared by Appledore Engineering, Inc.
- Site Plan Sheets, C-1 thru C-11; dated January 30, revised March 13, 2009, by Appledore Engineering Inc.

Comments:

- The catch basins and manholes on the grading, drainage and erosion plan only show one invert in elevation regardless of the number of pipes entering the structure. It is not clear if this is meant to indicate that all invert ins are to be at the same elevation.
- It is not clear from the plans what is happening in terms of drainage in front of the UPS store. No grading information is shown and there appears to be a drain line leaving CB #5304 heading towards that area but it is not clear what it connects to. A curb bump out is being installed that will stop the runoff from following the curb line and flowing towards the rear of the property. Please clarify what is happening in this area.
- The plans indicate the use of precast concrete curb stops in the areas around the rain gardens. There installation is to allow stormwater runoff to flow between the curbs into the treatment areas. The City has not had good results with the use of these curbs. They tend to be moved during plowing and are constantly in need of being reset. In lieu of the precast curb stops, the applicant is encouraged to install a wooden guardrail in these areas. This would allow the runoff to enter the treatment areas unimpeded and would prevent snow from being plowed onto the treatment areas.
- A six foot high screening fence is being proposed along a portion of Fall Brook to help screen the lights from vehicles entering the drive thru. In the areas where no fencing is proposed, the applicant should install a wooden guardrail along the brook so that no snow is stored or plowed into the brook.
- It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the

6.2



center of the parking lot. Also, the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for the crosswalk to be shortened.

- An elevation drawing for the rear of the new H&R Block building should be submitted. The stairway as proposed will be below vehicle traffic. Bollards or a guardrail should be used to prevent a vehicle from falling into the stairwell.

DRG

203939.

cc: File

MEMORANDUM

Attachment 5

To: FILE
From: Marge Schmuckal Dept: Zoning
Subject: Application ID: 2009-0010
Date: 4/1/2009

I've been asked to further explain several previous comments.

First of all, separate permits and approvals are required for any new signage. It should be pointed out at this time that the R-P Residence-Professional Zone only allows free-standing signs. Building signs are not allowed, other than incidental and/or directory signs. Signage Table 2.3 regarding R-P zones allow a maximum area for free-standing signs to be no more than 30 square feet, with a maximum height of 8 feet, and a minimum 5 foot setback from property lines. Only one sign is allowed per lot. The depicted building signs shown on the submitted plans do not meet the criteria of the sign ordinance.

As stated previously, I have determined that H & R Block is a professional office. There is a definition in 14-47 that states that a professional office is "the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional.". The R-6 zone goes further in the definition. It is pointed out that it is valid to use the further description as written in the R-6 zone, because there is only one grouping of professional office. The term professional office does not change from zone to zone. The R-6 zone elaborates further by stating: "Professional offices of member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. The lustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent". I consider H & R Block to be a similar profession to an accountant. I do know for a fact that their agents must take courses and pass tests to be certified on a yearly basis in order to work for H & R Block. It is a professional office, not a retail use. The ordinance does not make any restrictions on professional offices for hours of operations, or numbers of clients. It is recognized that all businesses such as retail, professional offices, personal services and other types of uses are always trying to increase their customer service base. That is a standard of our economic system. If anything, with current home computer applications readily accessible, professional services such as H & R Block may be loosing their customer base. If an abutter feels that my determination is flawed, they would have 30 days from the date of this memo to submitted an interpretation appeal to the Zoning Board of Appeals. Failure to appeal within the 30 days renders my decision final and binding and not subject to further appeals.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

To: FILE

From: Keith Gautreau

Dept: Fire

Subject: Application ID: 2009-0010

Date:

Access to site looks good on the plans. Must maintain min. 20' access road to rear of complex.

(he entered " approved w/ conditions 3-4-09)

MEMORANDUM

To: FILE
From: Marge Schmuckal Dept: Zoning
Subject: Application ID: 2009-0010
Date: 3/4/2009

This project consists of two separate developments: 1) The H & R Block building on lot 375-C-23 and 2) The demolition of a couple of the existing buildings with the addition of a new CVS drive-thru building.

H&R Block Bldg located in the R-P Zone: The submittal shows a survey plan configuration and lot size which is different than what is shown on the site plan. The applicant stated that they will submit confirming information supporting what is shown on the site plan. This will change my final analysis. However, the H&R use is considered to be a professional office use and not a retail use. The professional office use is allowable in the R-P Zone. This lot is not located within a Stream Protection Zone. There is only superficial exterior work to the building that does not increase the existing floor area. There is a new 13 space parking lot which abuts a residential use. There is no parking within the required 20' front yard area. There is a 6' fence that is being proposed between the parking and the adjoining residential lot as required under 14-339. The impervious surface and floor area ratio is apparently being met. I await the revised plans.

Northgate Plaza - new CVS drive-thru: This project is within the B-2 Business Zone. The Northgate Plaza was originally building in 1970, prior to many current regulations. Because a double drive-thru is proposed, and the property abuts a residential zone in the rear, a conditional use approval by the Planning Board is required. All regular setbacks are being met. The applicant states that 78.6% of impervious surface will be created compared to 80% required in the B-2 Zone. The biggest concern is the location of this project abutting an Urban Impaired Stream (Fallbrook) in the rear. Currently the existing pavement abuts the stream. Currently part of their building is within the 75' required setback from the Stream. Currently 19 parking spaces are located within 75' of the stream. The new proposal reduces those 19 parking spaces to 13 parking spaces within 75' of the stream. The new building will have a smaller portion of their building within 75' of the stream. Under 14-453 The planning board may approve alterations to structures inexistence as of June 15, 1992. They may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent. The applicant has not submitted all this information at this time. The area of this portion of the lot is not located within a floodplain. (panel 2). The applicant has been asked to further mitigate influences on the impaired stream by not storing snow adjacent to the stream before trucking it out. The applicant has also been asked to consider a raingarden to reduce sheeting run-off to the stream.

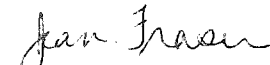
Marge Schmuckal
Zoning Administrator

3.

- e. If this scale of parking remains part of the proposal, please submit information on lighting levels, location of parking in relation to existing buildings and trees on the site and on the abutter's property, and submit plans showing trees to be removed with details of landscaped buffer etc.
9. Traffic, Pedestrian Circulation and Parking
- a. Please note the comments of the City's Traffic Engineering consultant, Tom Errico, which were forwarded to you (also attached) and were the subject of a follow-up "conference call" with Tom Errico on March 6th, 2009.
 - b. Please note that the recent Walgreen pharmacy approvals (340 Allen Avenue and 606 Forest Avenue) were for single drive thru lanes, and we request additional explanation as to why two drive thru lanes are required for the proposed CVS.
 - c. Please provide more information regarding the provision of safe pedestrian circulation, including the link between the front of the Plaza and the existing path from Brook Road.
 - d. We will clarify regarding the question of the scale of bicycle parking required.
 - e. Please note that the signal at the access with Auburn Street may be part of this review.
10. I confirm that the proposals as submitted are acceptable to the Fire Department and that they require a 20 foot wide access to the rear of the retail buildings for fire access.
11. The landscaping proposals have not yet been formally reviewed, but please revise the Landscape Plan to show all existing trees (and whether they are to be removed), and show proposed trees with a different notation. Dumpster locations (existing and proposed) for all Plaza uses adjoining the rear service area near the proposed CVS should be identified on the plans and may need to be rationalized and screened.

Please feel free to contact me if you have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,


Jean Fraser, Planner

Attachment 1: Comments from Tom Errico, Traffic Engineering Reviewer of 2.24.2009

cc: Alex Jaegerman, Director, Planning division
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
David Margolis-Pineo, Deputy City Engineer
Keith Gautreau, Fire Department
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Engineering Reviewer
Frank Normandin, A& D Realty, LLC, 5 Militia Drive, Lexington, MA 02421

Att. 1.4

ATTACHMENT 1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 2/24/2009 4:37:06 PM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes my initial comments for the above project according to the January 30, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.
2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.
3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.
4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.
5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.
6. The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.
7. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

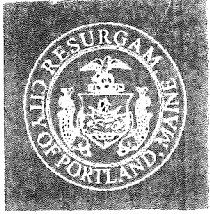
Please note that these are my initial comments and additional comments can be expected. If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com
www.WilburSmith.com <<http://www.wilbursmith.com/>>

CC: "David Margolis-Pineo" <DMP@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>
O:\PLAN\Dev Rev\Auburn St. - 125 (Northgate Plaza renovations)\Correspondence\review letter 03.11.09 125 Auburn
NorthgateCVS.doc



Strengthening and Revitalizing the Business Districts of Portland, Maine

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

Planning Division
Alexander Jaegerman, Director

March 11th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing with regard to the application for major site plan and conditional use approval for a proposed CVS expansion, H&R Block refurbishment and associated modifications to the Northgate Plaza.

This letter outlines preliminary review concerns, as discussed with you at a meeting on March 4th, 2009. The meeting also discussed the applicant's objectives for the proposals and possible revisions to address the staff concerns.

1. Please submit a corrected boundary survey and associated easements /restrictions (eg copies of recorded documents) to address the disparities in the survey and easement information.
2. Please submit plans and illustrations to clarify the scale of impact of the existing and proposed buildings, parking areas and snow storage within the 75 foot stream setback (eg an updated version of the pre-application submission entitled "Stream Protection Zone Exhibit"), showing new setback distances and addressing the question of volume increases as outlined by the Zoning Administrator at the meeting.
3. Please clarify the area of the existing plaza, as two figures are referred to in the submission (105,940SF in one place and 109,204SF in another).
4. Please illustrate the pervious surface areas on a plan along with impervious surface calculations for all parts of the site, both for the existing and the future lot configurations.

AA. 1.2

5. Please provide further information regarding the proposed ATM structure.
6. I confirm the receipt of photometric plans at the meeting on March 4, 2009 and they are under review.
7. Issues re the Fall Brook
 - a. It is noted that parking (13 spaces), travel lanes, new building and snow storage are proposed to be within the 75' stream protection zone and require a waiver from City requirements. The construction of a building and the addition of two drive through lanes could constitute an intensification of the land use within the 75' stream setback. Revisions to reduce this impact are requested.
 - b. The proposals are adjacent to an urban impaired stream and the City expects any development in this watershed to reduce the amounts of storm water and to increase quality of any storm water entering this Brook. At the meeting staff outlined options for your project to increase infiltration and permeable areas, including the use of islands in the parking area. We encourage you to incorporate the concept (suggested by Tom Errico during the March 6th, 2009 discussion of his comments on the excessive drive aisle widths) of a new linear island (potential vegetated "rain garden") between the current double row of parking spaces parallel to Auburn Street, as this appears to have a number of benefits.
 - c. Please note that the Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP.
 - d. Please clarify re snow storage arrangements as these should be located away from the Fall Brook.
 - e. The City requires a copy of the MDEP NRPA approvals prior to a final decision on this proposed site plan.
8. Issues re 125 Auburn Street (refurbishment of Boy Scout building for H&R Block)
 - a. I confirm that the proposed use for the Boy Scout building (H&R Block) is considered (in terms of Zoning) to be a professional office use and therefore allowable within the R-P zone.
 - b. Staff are concerned regarding the impacts of the parking area at the side of the building, which results in the loss of trees; altered topography and drainage; and impact on residential abutter re noise, glare, loss of trees etc (see the letter from the abutter, the Scotts, of 137 Auburn Street, dated February 16, 2009, as forwarded previously).
 - c. Staff considers that such impacts are inconsistent with the objectives of the R-P zone, and requests you consider relocation of some of the proposed parking into the plaza parking area; an effective and landscaped (trees) buffer is a minimum requirement.
 - d. The parking stall lengths may be reduced to 18 feet in this location if it assists in achieving an improved and satisfactory layout.

Attachment B: Application Submittal May, 2009

1. Appledore Engineering Inc., letter and plans (including detail of drive thru), May 1,2009 (as included in PB Memo of May 12, 2009)
2. Appledore Engineering Inc., letter of May 19, 2009, including:
 - a. Memo from developer dated May 8, 2009 as circulated to PB Workshop 5.12.2009
 - b. *Maine Traffic Resources* "Summary Memorandum" dated May 29, 2009
3. Neighborhood Meeting Invitation
4. Neighborhood Meeting Certificate received June 4, 2009

**Attachment C: Application Submittal Final Plan Set:
1-16 submitted May 19, 2009; 17-26 as in 4.14.09 PB Memo**

1. Cover sheet
2. Existing Conditions Plan (north part of Plaza)
3. Existing Conditions Plan (south part of Plaza)
4. Existing Conditions Notes
5. Demolition Plan C-1
6. Overall Site Plan C-2
7. Site Plan C-2A
8. Grading, Drainage & Erosion Control Plan C-3
9. Utilities Plan C-4
10. Landscape Plan C-5
11. Erosion Control Notes C-6
12. Erosion Control Details Sheet C-7
13. Details Sheet C-8
14. Details Sheet C-9
15. Details Sheet C-10
16. Details Sheet C-11
17. Photometric Plan (received 5.29.09)
18. Pre-Development Watershed Plan WS-1
19. Post-Development Watershed Plan WS-2
20. Subcatchment Plan WS-3
21. CVS Elevation - north side A-4.1.1
22. CVS Elevations - other 3 sides A-4.1
23. H&R Block building Refurbishment Elevation – Front onto Auburn St
24. H&R Block building Refurbishment Elevation – Rear
25. H&R Block building Refurbishment Elevation – Side towards Plaza
26. H&R Block building Refurbishment Elevation – Side towards 137 Auburn St

- v. That the Landscape Plan shall be revised and submitted for review and approval prior to the issuance of a building permit; such revisions to include a higher and extended buffer fencing, tree and other planting along the proposed fencing, and two to three trees in the linear rain garden if compatible with the storm water plan; and
- vi. That the applicant shall install wooden guard rails around the rain gardens; and
- vii. All signage, whether included in the approved plan set or not (both free standing or wall mounted) shall be subject to separate sign permits and approvals; and
- viii. That deliveries to the site and trash removal shall be restricted to between the hours of 8am and 8pm everyday, and that the pharmacy drive-thru hours shall be limited to 7am to 11pm everyday.

B. Re Lot C-23 Refurbishment of existing building for H&R Block:

That the plan is in conformance with the site plan standards of the Land Use Code subject to the following condition(s):

Suggested conditions:

- i. That the applicant shall submit, for the City's Associate Corporation Counsel review and approval prior to the issuance of a building permit, final easement documentation/ agreements that secure the five parking spaces located in the Plaza to serve the refurbished building on this lot; and
- ii. The applicant shall install, prior to the issuance of a Certificate of Occupancy, pedestrian countdown heads at the Auburn Street/Site Drive intersection for pedestrian movements across the driveway approach to ensure that safe pedestrian crossings will be provided between the H&R Block Building and the parking spaces designated for use; and
- iii. All signage (both free standing and wall mounted), whether included in the approved plan set or not, shall be subject to separate sign permits and approvals.

Attachments:

This PB Report and the PB Memos of April 14, 2009 and May 12, 2009 and all attachments are available on the City of Portland web-site at http://www.ci.portland.me.us/planning.htm#Current_Backup_Material

PLANNING BOARD MEMORANDUM ATTACHMENTS

AS IN PB MEMOS APRIL AND MAY

Staff comments

1. Planning review letter March 11, 2009
2. Keith Gautreau, Fire Prevention, Fire Department, March 3, 2009
3. Marge Schmuckal, Zoning Administrator, March 3, 2009 regarding the original site plan/submissions
4. Marge Schmuckal, Zoning Administrator, March 30, 2009 comments on revised Site Plan
5. Marge Schmuckal, Zoning Administrator, April 1, 2009 re signage and H&R Block use

6. Dan Goyette, PE, Woodard & Curran, memo, March 26, 2009
7. Jean Fraser, Planner e-mail regarding lighting March 26, 2009
8. David Margolis-Pineo, Deputy City Engineer, memo, March 27, 2009
9. Tom Errico, Traffic Engineering Reviewer, e-mail dated March 31, 2009 updating original comments of February 24, 2009
10. Jeff Tarling, City Arborist, e-mail, April 9, 2009
11. Staff letter confirming issues to be addressed at a second PB Workshop, April 16, 2009
12. Dan Goyette, PE, Woodard & Curran, Engineering Reviewer, Memo of May 6, 2009
13. Tom Errico, PE, Wilbur Smith Assoc., Traffic Engineer, e-mail of May 7, 2009

Public comments

14. From Pamela and Charles Scott, abutters at 137 auburn Street
 - a. Letter regarding original Site Plan (February 16, 2009)
 - b. Letter requesting ZBA determination of H&R Block use
 - c. Letter to Planning Board regarding current revised proposals (April 7, 2009)

SINCE SECOND PB WORKSHOP

Staff comments

15. Jeff Tarling, City Arborist, e-mail, June 3, 2009
16. Dan Goyette, PE, Woodard & Curran, memo, June 3, 2009
17. Tom Errico, Traffic Engineering Reviewer, e-mail, June 4, 2009
18. David Margolis-Pineo, Deputy City Engineer, (awaited)
19. Marge Schmuckal, Zoning Administrator, (awaited)

Public Comments

20. Ms Julie Cyr, e-mail dated June 3, 2009
21. Ms DiPhillippa, e-mail dated June 4, 2009
22. (reserve)

Photos

23. Site Photos (staff)
24. Aerial photograph (staff)

APPLICATION SUBMITTAL [separately bound with blue cover]

Attachment A: Application Submittal [dated March 13, 2009 unless otherwise indicated]

1. Appledore Engineering Application cover letter (revised submission) dated March 16, 2009 – addressing staff comments
2. Application forms and Checklist (dated January 9, 2009)
3. Site Plan Written statement
4. Capacity Letters (PWD dated December 12, 2008)
5. Letter of financial capability (dated January 23, 2009)
6. Right, Title and Interest
7. Design of ATM
8. Traffic Information dated March 12, 2009
9. Drainage Study (revised March 13, 2009) (appendices available at the PB meeting)
10. Recap of alternate CVS Plans (March 17, 2009) (incl. 4 conceptual plans)
11. Stream Protection Zone Impacts (Exhibit 1)
12. Existing Impervious Areas (Exhibit 2)
13. Proposed Impervious Area (Exhibit 3)
14. Delivery Truck Access Plan (Exhibit 4)
15. Original submitted Site Plan (now superseded)
16. Section between H&R Block Parking area and abutter at 137 Auburn St – Existing
17. Section between H&R Block Parking area and abutter at 137 Auburn St – Proposed (as at 4.14.09 - now superseded as buffer has been revised in final plan set)
18. Conceptual Reconfiguration for Drive Thru exit/rear drive aisle (as in 4.14.09 PB Memo and now incorporated into final site plan)

placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.

The proposed drive-thru (window) is about 180 feet from the nearest residential zone. The stacking capacity has been an issue during the review and has been discussed above under **Staff Review- Site Plan Standards** Section 1 Traffic.

Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.

The applicant has stated (letter of 5.1.09 in Attachment B1) that “the applicant agrees to provide all audible services at a level not to exceed 55 dB and agrees not to play a prerecorded message”.

Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.

See above under **Staff Review- Site Plan Standards** Section 5 Exterior Lighting.

Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and

The proposals include a 6 foot high screening fence (see Attachments C7 and C16) along the rear edge of pavement to screen nearby properties from glare from the waiting and exiting drive thru customers. This screening will also reduce any impacts from service vehicles. Two residents immediately opposite this area have raised concerns about these and related impacts and staff suggest the fencing and screening should be enhanced (see **Staff Review- Site Plan Standards** Section 4 Landscaping and Buffering and the suggested condition).

Pedestrian access: Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

The drive thru lane crosses a principal pedestrian sidewalk along the front of the Plaza and new CVS store. This has been the subject of intensive review and a suggested condition- as outlined above under **Staff Review- Site Plan Standards** Section 1 Traffic.

Hours of Operation: The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.

The applicant has not addressed this issue in their 5.1.09 letter (Attachment B1) which addressed the other conditional use requirements. While the properties on Brook Road are approximately 180 feet from the drive thru, they are uphill from the drive thru and rear servicing area and already are adversely affected by delivery and trash collection vehicles (Attachment 21). Therefore staff have suggested a condition restricting these activities in the same way as required for the Walgreens Pharmacy on Allen Avenue.

VIII. STAFF RECOMMENDATION

The applicant has been responsive to the concerns raised by staff, Planning Board and neighbors. The Planning staff recommends approval of this project with conditions. The applicant needs to address a few outstanding issues that are generally technical in nature or have been raised recently by neighbors.

IX. MOTIONS FOR THE BOARD TO CONSIDER

1. SETBACK REDUCTION

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09 relevant to the Stream Protection Standards of the Land Use Code and the testimony presented at the Planning Board Hearing:

The Planning Board **waives / does not waive** the requirements of Section **Sec. 14-453 (Stream Protection Standards)** to allow a reduction in the setback for the CVS building and the setback for the Plaza parking, both as shown on Plan C-2A (Attachment C7 of this Report).

2. On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report # 24-09, relevant to Portland's Site Plan Ordinance, Conditional Use Standards and other regulations, and the testimony presented at the Planning Board and other findings:

A. Re Lot C-1 Northgate Plaza/CVS Expansion/Drive thru:

That the plan is in conformance with the site plan standards of the land use code, and the proposed conditional use for a drive-thru adjacent to a residential use or zone is in conformance with the standards of the Land Use Code, Section 14-183 for the B2 zone, subject to the following condition(s):

Suggested conditions:

- i. That the applicant shall submit copies of the required permits from the MDEP prior to the issuance of a building permit; and
- ii. The applicant shall provide documentation, prior to the issuance of a building permit, that the submitted *Maine Traffic Resources Drive Through Survey* took place during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation indicates that the reported queue estimate is insufficient, the applicant shall submit revised proposals to mitigate or provide adequate stacking, to be reviewed and approved by the Planning Authority prior to the issuance of a building permit; and
- iii. The applicant shall provide details, for review and approval prior to the issuance of a building permit, of measures and design elements (e.g. signage, sidewalk material, bollards, etc.) along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict.; and
- iv. The applicant shall install, prior to the issuance of a Certificate of Occupancy, pedestrian countdown heads at the Auburn Street/Site Drive intersection for pedestrian movements across the driveway approach to ensure that safe pedestrian crossings will be provided between the H&R Block Building and the parking spaces designated for use; and

these illumination levels may be acceptable and possibly desirable once reviewed by a lighting engineer, there has not been an opportunity to complete the review and obtain professional advice on these proposals. In addition it has not been possible to complete the review as information regarding the wattage, location and height of proposed lighting fixtures is incomplete.

Staff suggest a condition that requires the illumination levels to be revised to meet City standards and also requires submission of catalog cuts and other information in order to complete the review of this aspect of the project.

6. Fire and Emergency Access (Section 14-526 (a) 10)

The Fire Department has confirmed that this project is approved (Attachment 2).

7. Existing Natural Resources (Section 14-526 (a) 20) and Significant Groundwater Aquifer (Section 14-526 (a) 21)

This Site Plan requirement states:

“ The proposed development shall have no adverse impact upon the existing natural resources including groundwater quantity and quality, surface water quantity and quality, wetlands, unusual natural areas, and wildlife and fisheries habitats. Stormwater runoff from paved areas shall be treated to the extent practicable to minimize contaminants;”

The applicant has reduced the impervious area and increased the level of filtration and detention and therefore has improved the conditions in respect of this standard.

D. DESIGN STANDARDS IN THE SITE PLAN ORDINANCE

8. Residence Professional Zone – Design Standard (Section 14-526 (a) 13)

This standard states:

“For development within the R-P zone, where there is a consistent established architectural style or character to the existing structures in the immediate vicinity in which the development is proposed, that the concurrently visible architectural style or character of the proposed development would not be incongruous to that established style or character;”

The proposed refurbishment of the Boy Scout building includes the addition of a pitched roof (no additional floor space), new entrance portico and other façade modifications (Attachments C23-C26). Staff suggests that these architectural features are consistent with the established character of structures in the vicinity.

9. Signage (Section 14-526 (a) 22 and 23)

The proposal shows that Shaw’s pylon sign near the access drive from Auburn Street will remain and there are no new free standing signs shown on the site plan (Attachment 6). The elevations for both the new CVS and the refurbished Boy Scout building suggest that building signage is envisaged.

The Zoning Administrator has commented (Attachment 5) *“It should be pointed out at this time that the R-P Residence-Professional Zone only allows free-standing signs. Building signs are not allowed, other than incidental and/or directory signs. Signage Table 2.3 regarding R-P zones allow a maximum area for free-standing signs to be no more than 30 square feet, with a maximum height of 8 feet, and a minimum 5 foot setback from property lines. Only one sign is allowed per lot. The depicted building signs shown on the submitted plans do not meet the criteria of the sign ordinance.”*

The applicant has confirmed that the CVS signs will meet the B2 sign standards (Attachment B1) but the CVS signs have not been reviewed or confirmed by staff and separate sign permits would be required.

Staff suggests that a condition be included to clarify that approval to the elevations included in the Plan Set does not include approval to any signs, and that separate permits and approvals are required for any new signage, whether free standing or wall mounted.

10. Design Standards for B-1, B-1b, B-2 and B-2b (Section 14-526 (a) 27)

This standard requires windows on buildings within the B2 Zone to be “along the street frontage of a building. Windows shall be transparent and installed at a height to allow views into the building by passersby” and facades to be “located adjacent to the public sidewalk to create an active presence along the sidewalk”. Commercial buildings “shall be designed to be compatible with their residential and commercial neighbors” and facade materials “shall be compatible with those materials of surrounding residential and commercial uses”.

The proposed CVS elevations are included in Attachments C21 & C22 and the applicant will have samples of materials at the PB Workshop.

Within the B2 Zone “...buildings and associated parking areas must be screened to buffer abutting properties. A densely planted landscape buffer and/or fencing will be required to protect neighboring properties from the impacts associated with the development, including lighting, parking, traffic, noise, odor, smoke, or other incompatible uses. Where buildings are setback from the street, a landscaped area must be planted along the front yard street line.”

The proposals introduce new plantings and screening and are a significant improvement over the existing Plaza which was approved prior to the adoption of the B2 Design Standards.

This standard also encourages development to meet Section XIV of the City's Technical and Design Standards and Guidelines, which includes references to buildings/entrances being located near the street. During pre-application discussion staff encouraged the applicant to locate the new CVS building and associated drive-thru nearer to Auburn Street. The applicant explored a number of options and these are included in Attachment A10. It was concluded that these were not feasible due to traffic circulation and safety issues.

E. CONDITIONAL USE STANDARDS (14-183)

Sec. 14-183 - Conditional Uses identifies drive-thrus in the B-2 zone that are adjacent to any residential use or zone as being a permitted conditional business use if they meet the following requirements. The applicant has outlined how the proposals meet these standards on the last 2 pages of their 5.1.2009 letter (Attachment B1). Staff comments are outlined below:

Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.

See discussion under Section 9 in **Staff Review- Site Plan Standards** above.

Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.

There are no issues in addition to those reviewed under **Staff Review- Site Plan Standards** above.

Drive-thrus, where permitted, shall also specifically comply with the following conditions:

Location of Drive-thrus: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such

signal equipment at the Auburn Street/Site Drive intersection for movements across the driveway approach to ensure that safe crossings will be provided between the H&R Block Building and the parking spaces designated for use.” This recommendation is included as a suggested condition of approval.

The proposed bicycle parking meets the City standards and a waiver is not required (as requested in Attachment A1).

2. Bulk, Location, Health, Safety Air (Section 14-526 (a) 3) and Bulk, Location, Height of Proposed Buildings (Section 14-526 (a) 4)

Elevations of the new CVS building and refurbished Boy Scout building are shown in Attachments C21-C26. The proposed height of the new CVS building is just under 32 feet and is in keeping with the rest of the Plaza. The Drive thru is roofed over so that it reads as part of the plaza.

3. Sewers, Storm drains, Water (Section 14-526 (a) 5), Soils and Drainage (Section 14-526 (a) 8), and Consistent with City Infrastructure (Section 14-526 (a) 11)

Fall Brook is an urban impaired stream and currently receives most of the storm water from the parking lot associated with the Plaza and 125 Auburn Street (and the adjacent existing Mercy Medical building). Flooding also occurs near the site. Fall Brook (an urban impaired stream) runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City’s Zoning Map. The proposed CVS building is 63 feet from the stream at the closest point (Attachment A11), with 430 sq ft of the building within the 75 foot setback zone.

Staff has discussed the project with the MDEP although the City has delegated review authority. The proposals largely constitute redevelopment and therefore are deemed exempt from the most stringent Chapter 500 requirements. However, staff concluded that the increased intensity of the use and snow storage issues warranted requesting the applicant to revise their original approach to storm water management and recommended maximizing landscaped areas in the parking lot to achieve infiltration.

The revised proposals introduce two small “rain garden” areas into the parking lot of the Plaza, convert part of the existing paved servicing area to pervious area (lawn behind the proposed CVS building and increased buffer along part of the adjacent Fall Brook) and widen the pervious area along Auburn Street at the north end of the plaza (Attachment C8). The project team has responded positively to staff and Planning Board suggestions on this issue and reviewers consider that previous comments have been addressed (see Attachment 16) with the exception of the proposals to protect the raingardens.

Staff had previously (Attachment 6) recommended the use of wooden guardrails instead of concrete curb stops to protect the raingarden areas. The applicant has argued that the curb stops are considered friendlier in appearance and if damaged will be reset/ replaced (Attachment B2), but staff continue to recommend wooden guardrails (Attachment 16): “The applicant prefers the use of curb stops because they feel it provides a friendlier appearance. We would encourage the applicant to use wooden guardrail. The guardrail could be installed with gaps so as to not be an obstruction.” A suggested condition of approval has been included for the Board’s consideration.

4. Landscaping and Buffering (Section 14-526 (a) 6) and Minimizes Disturbance or Destruction of Existing Vegetation (Section 14-526 (a) 7)

The original proposal for 125 Auburn Street (Boy Scout building) included the construction of a 13-space parking area within the northerly part of the site, resulting in the loss of existing mature trees and other vegetation and the introduction of noise, light and activity very close to the abutting single family home at 137 Auburn Street (see Attachment A15). The abutters at 137 Auburn Street (Pamela and Charles Scott) sent comments strongly objecting to the impacts of the original proposals (Attachment 14a). The applicant relocated and widened the buffer several feet but both the abutters (Attachment 14c) and staff considered this still did not meet the R-P standards (see Attachments 1 and 10).

The Planning Board asked the applicant to reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn Street, including a reduction in the number of parking spaces. The revised proposals are described in the letter and plans of 5.1.09 (Attachment B1) and are included in the final Landscape Plan in Attachment C10. The parking has been reduced to 8 spaces on one side of the drive aisle, thus leaving a 14-15 foot wide buffer between the parking and the property line (approximately 25 feet between the house and the parking lot). The revisions allow the retention of the 32 inch DBA Pine Tree at the corner of the existing building (previously shown as removed) and more of the existing vegetation along the boundary.

The northern end of the Plaza has been reorganized with new planting and additional pervious areas along Fall Brook, along the back of the new CVS building, within the parking islands and along Auburn Street. The applicant has proposed 6 foot high wood screening fence (detail on Plan in Attachment C16) along the service area paving along Fall Brook. These improvements will improve the Plaza but there are two areas where staff suggests additional planting:

- Center traffic island between the rows of parking (rain garden area): The City Arborist recommends that while *"the large center island works to achieve both traffic control and stormwater retention. 'Ideally' this island would contain two to three trees if compatible to the stormwater plan. This would add some shade to the parking lot."* (Attachment 15);
- Along Fall Brook: The two public comments (Cyr and DiPhillippo- Attachments 20 and 21) both raise concerns about the buffer and screening between their homes (both immediately behind the proposed new CVS and drive thru) on Brook Road and the CVS building/drive thru. Ms DiPhillippo requests a higher fence and tall evergreens on the residential side of the proposed fencing to help shield residents from noise, dust and pollution and screen the drive thru and service area. Ms Cyr requests that the fencing be extended 60-75 feet towards Shaw's Supermarket to better buffer her property from the relocated dumpsters and pedestrian path as well as the drive thru traffic. The City Arborist comments: *"the landscape plan shows a couple of new trees in this area, it is unknown what is planned in the way of plantings or seeding for this area that is shown as inside the bollards or on the stream side of the pavement. Options would be to plant additional trees / shrubs or 'conservation mix' seed."* (Attachment 15)

It should be noted that the drive-thru is a conditional use in the B2 zone and the impacts of the proposals *"must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impact."*

The houses on Brook Road are higher than the site and look down and into the service and drive thru exit areas. A suggested condition for the plaza part of the project is that a revised landscape plan be submitted for review and approval to enhance the buffer between the development and the residential properties on Brook Road, subject to any wetland and stream requirements.

5. Exterior Lighting (Section 14-526 (a) 9)

The applicant's letter of 5.19.2009 (Attachment B2.b, page 4) indicates that the existing lighting will remain along Auburn Street and elsewhere in the north part of the site lighting would be revised to meet City standards and address concerns raised by the abutter to the H&R Block.

The applicant submitted a preliminary Photometric Plan which required further work (see staff e-mail of 3.26.09, Attachment 7) and a revised lighting plan was received on 5.29.2009 (Attachment C17). The recently submitted Photometric Plan is broadly in line with the City's Technical Standards regarding illumination of the site, though there are many (approximately 27 'points') where the maximum of 5.0 foot candles is exceeded (along the front of the new CVS, within the parking area nearest the abutters at 137 Auburn Street, within the parking area north of the CVS and within the drive thru). While some of

The Stream protection standards are:

Sec. 14-453.

(a) *Minimum building setback from normal high water line of stream: Seventy-five (75) feet. Notwithstanding this requirement, when a lot is a lot of record as defined in section 14-433 or cannot otherwise meet the setback requirement of this section due to physical limitations of the site, the Planning Board may approve a reduction of the setback requirement for a principal structure to the least amount necessary to achieve a building dimension of twenty-eight (28) feet, provided that the setback is not reduced to less than forty (40) feet. Structures in existence on June 15, 1992, may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent.*

(c) *Minimum parking setback from normal high water line of stream: Seventy-five (75) feet. Notwithstanding this requirement, the Planning Board may reduce the parking setback where the required setback cannot be met to the least extent necessary, provided that such setback shall not be less than the setback of the principal structure from the stream.*

C. SITE PLAN STANDARDS

The final revised proposals have been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

1. Traffic (Section 14-526 (a) 1), Vehicle and Bicycle Parking (Section 14-526 (a) 2a, b and c), and Bayside B-7 Transportation Demand Management (Section 14-526 (a) 30)

The proposals utilize the existing signalized access from Auburn Street with an improved traffic pattern, so that the vehicle and pedestrian movements are more clearly directed. Along the northern part of the Plaza site, pedestrian circulation has been improved by the provision of improved pedestrian links from Auburn Street to the Plaza and better definition of pedestrian routes and crossings within the site.

The proposed drive thru is located at the side/rear of the proposed CVS, but it is accessed via a one way single lane that crosses the sidewalk that runs along the front of the Plaza from the new CVS entrance (north end) to Shaw's (south end). The original proposals included a 2-lane drive thru and a loading bay in the central gap (between the existing retail units and the new CVS building); the revised proposals show a single lane drive thru with the opening and window location located to the rear leaving room for 4 vehicles to stack inside the sidewalk (see Attachment B1).

The delivery loading area is through a loading door located on the side elevation and within the "gap"; the "Truck Access Plan" (Attachment A14) shows that a delivery truck would reach this location by going around the rear of the Plaza (where other service vehicles enter for Shaw's and other units) and then back alongside the internal sidewalk (leading to the rear path) and park opposite this door.

The City's Traffic Engineer Reviewer, Tom Errico, had requested additional information related to traffic generation and the servicing flows/routes resulting from the proposals. He also noted that the original proposals did not modify the existing layout of the parking rows nearest Auburn Street, which include long aisles of over 30 feet wide (the City's maximum is 24 feet) (Attachment 9, 13 and 17). The applicant has provided additional traffic generation information and reduced the parking drive aisles to meet City standards and this has created an enlarged pervious area along Auburn Street. Tom Errico has confirmed that the applicant does not require a TMP and has addressed his concerns and Mr Errico has no further comments regarding the traffic issues (Attachment 17).

The introduction of the drive thru in the center of the Plaza frontage creates two potential pedestrian /vehicle conflict areas, one at the front and one to the rear. Along the frontage the proposals have addressed this issue through the incorporation of landscaped bump-outs and a marked pedestrian crossing (see Attachment B1). To the rear the vehicles exiting the drive thru cut across a well used pedestrian "desire line" across the rear servicing area which connects the Brook Road path to the sidewalk along the existing Video Store. The proposals relocate that link and connect it to a sidewalk within the "gap"

opening, introducing a striped pedestrian crossing across the open pavement of the servicing and drive thru exit area.

At the first Workshop the Planning Board were concerned that potential stacking for the drive-thru could impact the sidewalk along the front of the Plaza and requested additional information regarding the volume of drive thru vehicles; confirmation re the stacking area; explanation for the location of the drive-thru; and submission of details to illustrate the proposed traffic management and how it is designed to ensure safety/protection for pedestrians/children using the principal route along the front of the Plaza.

The applicant had submitted a letter dated May 8, 2009 providing information about a Massachusetts CVS (Attachment B2.a) but this referred to data from 2006 related to a two-lane drive thru and further information was requested. The applicant submitted a memorandum from *Maine Traffic Resources* on 5.29.09 (Attachment B2b) which confirms that the maximum queue would be four vehicles at one time. This information has been reviewed by Tom Errico and he has commented:

Status: Per the Planning Board's request the applicant has provided supplemental information that documents traffic activity at similar type pharmacy's in Maine. The data indicated that a maximum queue of four vehicles was observed during the survey period (This queue length would be accommodated without blockage of the crosswalk). The applicant should provide documentation that the survey period occurred during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation justifies the queue estimate noted, I find conditions to be acceptable.

The design and signing for the drive-thru was also a concern at the Workshops and is specifically addressed in the applicant's letter of 5.1.09 (Attachment B1) and Tom Errico's comments of 5.7.2009 (Attachment 13). The requested "Do Not Enter" sign has been installed but other improvements have not been included in the final Site Plan (Attachment C6). Tom Errico has commented:

" I would further note that the Planning Board expressed a desire for implementation of design elements along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict. The plans do not address this comment and I would suggest that a condition of approval be drafted that requires the applicant to provide details of measures (e.g. signage, sidewalk material, bollards, etc.) that would address this issue for implementation."

Two suggested conditions of approval have been included to reflect Mr Errico's recommendations.

Parking

Plaza

The proposal now includes a total of 583 parking spaces on this part of the site, as compared with the 625 spaces existing and 528 spaces required by zoning (Attachment C6). Staff had questioned the need for more parking than what was required under zoning regulations. This scale of the proposed parking appears acceptable bearing in mind it includes parking for the Mercy Medical building and the H&R Block building as well as the enlarged CVS and that the layout now incorporates significant parking lot layout modifications that reduce pavement area (see Attachment 17).

H&R Block

The proposal includes a new parking area for 8 vehicles as part of the refurbishment of the Boy Scout Building for H&R Block, with the remaining 5 spaces required by zoning provided in the Plaza parking area immediately opposite the H&R block building - identified on the Site Plan in Attachment C6. The easement for these 5 spaces has not been submitted and is the subject of a suggested condition.

During the review staff raised concerns regarding the pedestrian safety as they are separated from the H&R Block building by the main entrance drive to the Plaza. The final layout has incorporated sidewalk connections from this off-lot parking area to the H&R block building via the Auburn Street signal at the main entrance drive. Tom Errico has recommended : *" The applicant should upgrade the pedestrian*

III. EXISTING CONDITIONS

Photographs and an aerial photograph (prepared by staff) are included in Attachments 23 and 24 for both of the development lots included in this application:

One known as **Lot C-1** is the Northgate Shopping Plaza at 91 Auburn which comprises 13.2 acres and 11 retail units of various sizes plus the credit union building; the Bank of America and Mercy Healthcare buildings are not within this lot. The plaza was developed before the B2 design guidelines and current storm water regulations were in place, so the plaza building is set back with parking to the front and sides and storm water largely sheet flows into the Fall Brook. Some drainage upgrades and contributions were required when Shaw's expanded in 2000.

Fall Brook is within the site along the eastern boundary, which directly abuts residential properties located on Brook Road. Nine residential properties are abutters to the proposed CVS expansion and associated modifications to the site; these homes are uphill from the site and currently have a view of the rear servicing area and a number of randomly located dumpsters. A well used pedestrian path cuts through from Brook Road to the rear of the site (See Staff Photographs in Attachment 12.2).

Lot C-23 comprises the former Boy Scout building which is set into the hill to the north of the plaza and has a small access drive which is accessed from the main Plaza access, set in a grassed area with trees to the rear and sides. It abuts the Mercy 2-story medical building on the east and a single family home that is 15 feet from its north boundary.(see Staff photographs in Attachment 12.1).

IV. PROPOSED DEVELOPMENT

The application was originally submitted in January 2009 and the original Site Plan is included at Attachment A-15 for information. The applicant has revised the proposals to address neighbor, staff and Planning Board comments and the final plan set is included in Attachment C (as part of the Application Submittal in a separate document with blue cover).

The final proposal includes the following elements:

- Demolition of 12, 715 sq ft (4 existing units) of the north end of the existing Plaza;
- Construction of a new CVS building of 12, 900 sq ft as an extension of the Plaza;
- Location of the pharmacy drive thru lane/ window and loading area in a central "gap" under the continuous roof that connects to the existing Plaza;
- Construction of a new ATM within the row of parking nearest to the Plaza on the side towards Auburn Street;
- Revised layout of the Plaza parking and circulation;
- Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street with new pitched roof and architectural treatment;
- New 8 space parking area between the refurbished Boy Scout building and the adjacent single family home;
- Introduction of two new rain garden areas within the parking lot;
- Increased pervious buffer along Fall Brook and Auburn Street, and a new landscaped pervious area immediately to the rear of the new CVS building;
- Landscaping and fencing to buffer/screen residents from the drive thru and service area.

Parking, lighting and other layout features will remain as existing to the south of the existing CVS.

IV. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-525)

The submission is complete and comprehensive, with the exception of the easement information for the 5 parking spaces in the Plaza area that will be serving the H&R Block building.

VI. PUBLIC COMMENT AND WORKSHOP SUMMARY

The original proposals were of concern to the abutters immediately next door to the Boy Scout building who were adversely affected by the introduction of a parking lot for 13 spaces plus a dumpster (see Attachment 14). Since then the applicant has revised the proposal so that this area only provides for 8 parking spaces, which allows the retention of the bulk of existing vegetation and provides a deep buffer (see discussion below). These abutters have not commented in writing on the final plans but will be attending the Hearing.

The required Neighborhood Meeting was held on June 2, 2009 and attended by seven neighbors /interested parties and the notes are included in Attachment B4. Two abutters with property on Brook Road near the path leading to the existing Video Store (nearest to the proposed drive thru) have recently commented (Attachments 20 & 21) to request an improved buffer between the proposed CVS Building/Drive thru and the residential properties backing onto this part of the site.

There have been two Workshops on this project and the applicant was requested to supply further information and give further consideration to:

- Incorporation of increased filtration in the Plaza area around the expanded CVS, particularly in view of the excessive drive aisles in the existing parking areas;
- Ensuring safety for pedestrians where the drive thru lane access crosses the sidewalk at the front of the Plaza;
- Providing adequate buffering and screening within the layout and design of the parking area between the Boy Scout building and the abutting home at 137 Auburn Street.

VII. STAFF REVIEW

A. ZONING ASSESSMENT

The City's Zoning Administrator, Marge Schmuckal, has reviewed the proposal and her comments regarding the earlier submissions are included in Attachments 3, 4, and 5. In those summaries she has determined:

- That the proposals meet all use and dimensional zoning requirements;
- That the impact of the proposals on Fall Brook are less than existing;
- That the impervious surface ratios are acceptable in terms of zoning requirements;
- The H&R block use for the former Boy Scout building is a professional office use and therefore permitted on this site as it is within the R-P zone;
- That the indicative signage on three sides of the proposed building refurbishment for H&R Block is not allowed in the R-P zone.

Marge Schmuckal has done a preliminary review of the most recent submissions and has not identified any zoning issues, however her final written review will be available at the Planning Board Hearing.

The abutters to the north of the Boy Scout Building had questioned the Zoning Administrator's determination that the H& R Block building is a professional office (Attachment 11b) but have decided not to pursue this to the ZBA for a formal determination.

The applicant has requested, in Attachment A1, waivers from the Stream Protection Zone standards in 14-453 (see below). The applicant has submitted a Stream Protection Zone Impacts analysis in Attachment A11 which, together with Attachment A1, clarifies that the encroachment of the new CVS building will be 430 sq ft (the existing CVS encroaches by 519 sq ft); that the volume of building encroachment is reduced; that the impervious area within the Stream Protection Zone is reduced by 6,545 sq ft.

PLANNING BOARD REPORT #24-09

**NORTHGATE PLAZA/CVS EXPANSION WITH PHARMACY DRIVE –THRU/
H&R BLOCK REFURBISHMENT**

VICINITY OF 91 AND 125 AUBURN STREET

CONDITIONAL USE AND SITE PLAN REVIEW

A&D REALTY INC., APPLICANT

Submitted to:

Portland Planning Board
Portland, Maine
June 9, 2009

Submitted by Jean Fraser, Planner

I. INTRODUCTION

A&D Realty Inc. is proposing to relocate and expand the CVS and add a drive-thru pharmacy at the north end of the Northgate Plaza, and to refurbish existing, vacant former Boy Scout building at 125 Auburn Street for an H&R Block office. Appledore Engineering Inc is the consultant for this project.

The Northgate Plaza site at 91 Auburn Street totals 13.2 acres and is located in the B-2 (Community Business Zone) and abuts the R-3 Residential Zone. Section 14-183 of the City Code lists drive-thrus in the B-2 zone as a conditional use when they are adjacent to a residential zone. The former Boy Scout building is located on a .54 acre just north of the Plaza which is zoned R-P (Residence-Professional) and abuts the R-3 zone to the north. The expanded CVS building abuts Fall Brook (an urban impaired stream), which runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City's Zoning Map.

The Northgate Plaza was developed in the 1970's and Shaw's supermarket expanded by almost 11,000 sq ft in 2000 with associated modifications to the south side of the plaza at that time.

Fall Brook (an urban impaired stream with associated wetlands) runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City's Zoning Map. The project will require MDEP permits under NRPA but the City has delegated storm water review.

Notices were sent to 136 neighbors/interested parties on May 29, 2009 and this project was included in the Legal Advertisement for this Hearing; two public comments have been received from residents of Brook Road.

II. PROJECT DATA

Northgate/CVS Lot (91 Auburn Street)

Total area of Lot: 13.2 acres (575,009 sq ft)
Zone: B2 Community Business
Existing Uses: Retail & restaurant (105,940 sq ft); Credit Union (3030 sq ft)
Proposed Use: Retail & restaurant (106,125 sq ft); Credit Union (3030sq ft); ATM (49 sq ft)
Proposed bldg height: New CVS Building: 31.5 ft approx.
Proposed floorspace: New CVS; 12,900 sq ft (net 185 sq ft larger than CVS being demolished)
Existing parking: 625 spaces
Proposed parking: 583 spaces
Proposed bicycle pkg.: 22 spaces (2 racks)
Existing Impervious surface ratio: 80%
Proposed Impervious surface ratio: 77% (max allowed is 80%)

Boy Scout Building Lot (125 Auburn Street)

Site area: 23,480 sq ft
Zone: R-P Residence Professional
Existing Use: Vacant; formerly offices for Boy Scouts
Existing floorspace: 5200 sq ft over 2 floors
Existing parking: none
Proposed parking: 8 spaces on site (plus 5 in proposed easement in Plaza)
Proposed bicycle pkg: 5 spaces
Existing Impervious surface ratio: 19%
Proposed Impervious surface ratio: 48% (max allowed is 70%)

**COMMITMENT & INTEGRITY
DRIVE RESULTS**

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

Attachment 16

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: June 3, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project

Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated May 19, 2009 prepared by Appledore Engineering, Inc.

Comments:

- The applicant prefers the use of curb stops because they feel it provides a friendlier appearance. We would encourage the applicant to use wooden guardrail. The guardrail could be installed with gaps so as to not be an obstruction.

All other comments raised in previous memos have been adequately addressed.

DRG
203939.48
cc: File

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 6/4/2009 3:30:04 PM
Subject: Northgate Shopping Center/CVS

Jean -

The following summarizes the status of prior comments as it relates to the Final plans and supplemental information submitted by Appledore Engineering, Inc.

May 7, 2009 Comments

1. Based on the fact that some parking for the "H&R Block" building will be provided within the main shopping center parking area, the applicant shall revise the plans to provide appropriate sidewalks and crosswalk connections between the building and the parking spaces anticipated or designated for use.

Status: The applicant should upgrade the pedestrian signal equipment at the Auburn Street/Site Drive intersection for movements across the driveway approach to ensure that safe crossings will be provided between the H&R Block Building and the parking spaces designated for use.

1. While my expectation is that little traffic uses pharmacy drive-through facilities, the applicant should provide documentation on the number of vehicles that are expected to use the drive-through on a peak hour basis and back-up data on the maximum queue length estimates noted in their submission.

Status: Per the Planning Board's request the applicant has provided supplemental information that documents traffic activity at similar type pharmacy's in Maine. The data indicated that a maximum queue of four vehicles was observed during the survey period (This queue length would be accommodated without blockage of the crosswalk). The applicant should provide documentation that the survey period occurred during a peak month in terms of seasonal activity and traffic activity at the drive-through. If the supporting documentation justifies the queue estimate noted, I find conditions to be acceptable.

1. A "Do Not Enter" sign shall be installed on the back side of the STOP sign at the terminus of the drive-through.

Status: The plans have been revised and I have no further comment.

1. I continue to review the request to narrow the parking lot aisle nearest Auburn Street. The applicant has requested that discussion take place at the Planning Board workshop. I plan on being in attendance. I have not been convinced that a safe solution can't be implemented.

Status: The plans have been revised and I have no further comment.

1. I have reviewed the crosswalk design at the entrance to the drive-through lane and believe it to be safe. I would note that this is premised on a maximum queue from the drive-through of 5 vehicles and low traffic usage. Following provision of the requested data in Item #2, I will render a final decision.

Status: See Item #2. I would further note that the Planning Board expressed a desire for implementation of design elements along the frontage of the shopping center that would warn pedestrians of potential vehicle conflict. The plans do not address this comment and I would suggest that a condition of approval be drafted that requires the applicant to provide details of measures (e.g. signage, sidewalk material, bollards, etc.) that would address this issue for implementation.

Attachment 20

Public Comment

From: Julie Cyr <juliejcyr@yahoo.com>
To: <jf@portlandmaine.gov>
Date: 6/3/2009 3:58:53 PM
Subject: 125 Auburn Street

My name is Julie Cyr and I live at 76 Brook Rd, directly behind the current CVS store in the Northgate shopping center. I am writing this email to request that your planned 6 ft tall cedar fencing be extended 60-75 feet toward the Shaws supermarket. This will cover at least to the Shaw's side of the current Key Bank. I am requesting this extension for a few reasons.

*Because you are altering the service area, the dumpster will now be facing my house. Fencing will provide a visual screen and help aid with noise reduction.

*I have a concern that if the drive through is located at or near the current Hollywood video store, there will be a direct visual path into my backyard, as well as increased foot traffic near my home caused by the new pathway and crosswalk, creating a compromise to my privacy that did not exist before the construction. Additional fencing would ensure that there is a visual screen to prevent this.

* Cars driving through the new free standing CVS pharmacy will generate noise, lights and increased activity behind the plaza. The current length of proposed fencing will not ensure complete noise/visual reduction. Additional lengths of fencing would buffer this increase in activity and ensure my privacy, and our neighborhood's quality of life.

While I appreciate the visual screen/noise buffering efforts that you will be making, extending the fence the added length of my property will ensure essential noise control and visual reduction from your new construction. Please contact me at 797-6979, or 347-0676, or at juliejcyr@yahoo.com. Thank you, and I look forward to your help in this matter.

Attachment 21

From: "ThelmaD" <thelmadi@maine.rr.com>
To: <jf@portlandmaine.gov>
Date: 6/4/2009 12:13:45 PM
Subject: Northgate Plaza Redevelopment

Dear Ms. Fraser,

I am the owner of the lot directly behind Hollywood Video. The property description is 375-C-31 376-D-14.

I am concerned about the proposed 'buffer' between the residential properties and the commercial site. I assumed after looking at the site plan that trees would be planted as an additional buffer and screening to the fence... I found out after attending the neighborhood meeting on June 2nd that I had assumed wrong!

An 8 ft fence is not adequate to buffer the noise and pollution from the numerous tractor trailers making deliveries throughout the night and early morning hours. (that includes trash removal by the commercial waste companies)

I'm suggesting that tall evergreens be planted on the residential side of the fence and away from the wetlands. The trees would serve as an additional buffer and provide a natural screen for the fence as seen from the residential side..

My husband and I have lived in this house for 36 years and have enjoyed living in this neighborhood but the peace and quiet we previously enjoyed is not there anymore. I've resorted to leaving the windows closed year round on the back side of the house to keep out the noise and dirt. We don't enjoy our back yard anymore of the view. Even now, given the slope of the land, I have a direct and clear view of the parking lot and everything that goes on there. The trees in the wetlands have died over the years and the shrubs that grow in the spring/summer do nothing to hide or obstruct the ugly view of the parking lot. And there is no longer a buffer for the noise from cars and commercial trucks..

So I am hoping that you will consider planting trees tall enough to sufficiently shield us from the noise, dust, and pollution. The trees would also serve as a natural screen for the back of the fence and improve the visual aspect of the landscaping. This would also greatly improve the quality of our lives for the rest of our 'golden years' !!!!

Respectfully,

Thelma DiPhilippo
Anthony DiPhilippo
96 Brook Road
Portland, ME 04103

Phone# 797-6221

137 Auburn (abutter) in background c/o Boy Scout Bldg to right Att. 2:



Staff
Photo

Looking from Auburn St at vegetation between 125 + 137 Auburn



Staff
Photo

Rear service area behind CVS - Fall Brook to left

HTA 23.2

Staff
Photo

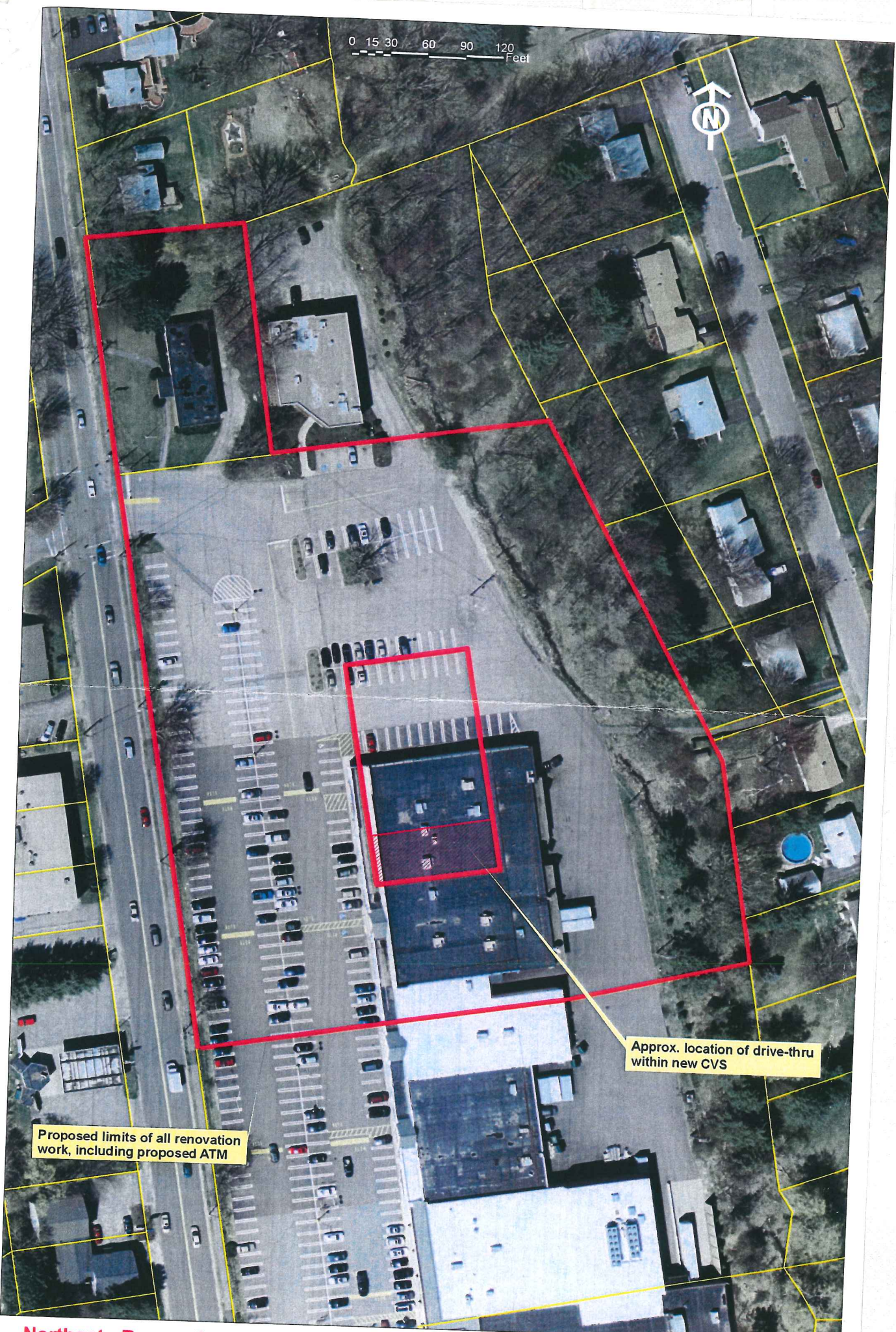


Looking from C/O Video Store towards Brook Rd + path.

Staff
Photo

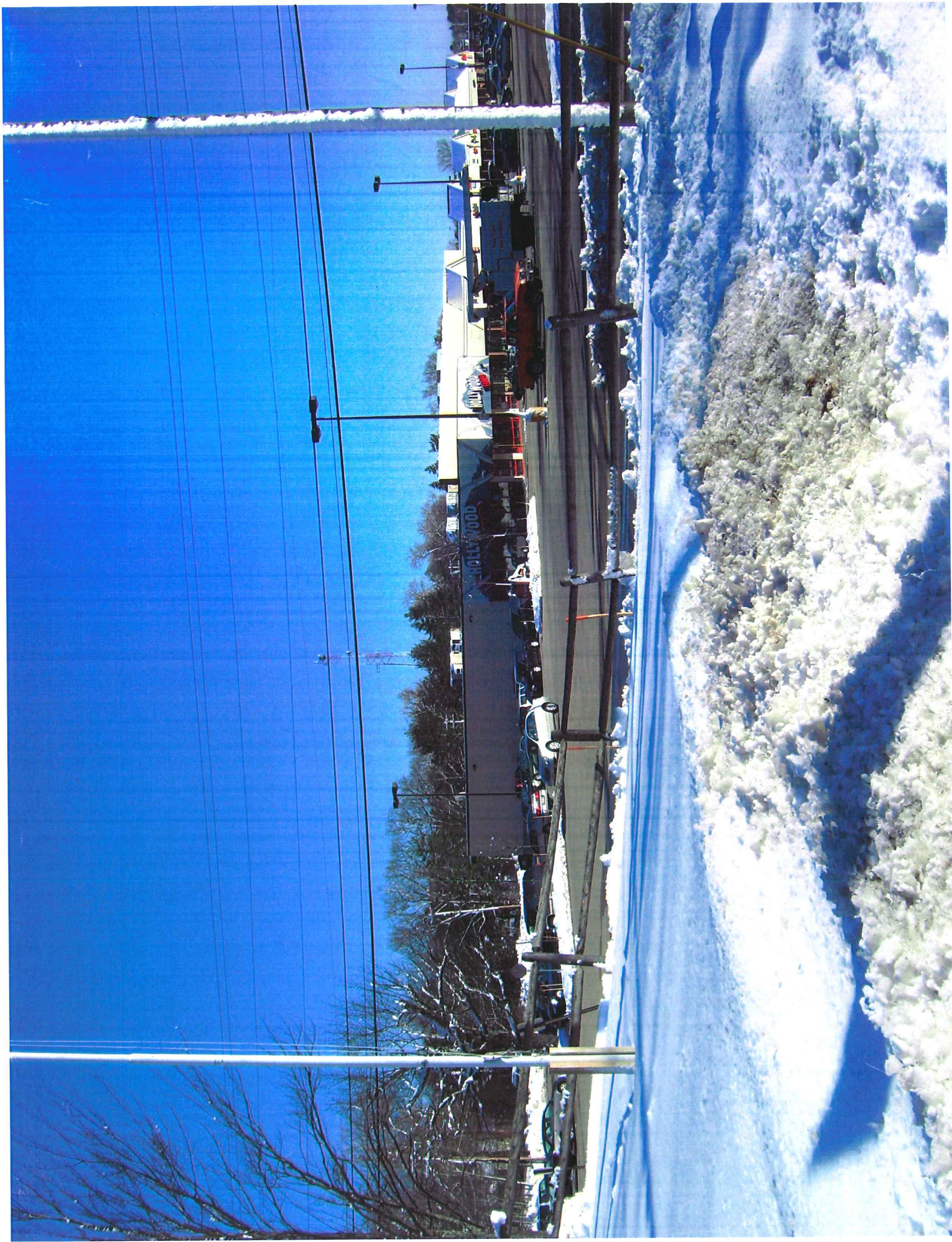


0 15 30 60 90 120 Feet



Proposed limits of all renovation work, including proposed ATM

Approx. location of drive-thru within new CVS





Annotated to ref.
reused submission
of 3-17-09.

Dev Rev 3-25-09.

March 11th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing with regard to the application for major site plan and conditional use approval for a proposed CVS expansion, H&R Block refurbishment and associated modifications to the Northgate Plaza.

This letter outlines preliminary review concerns, as discussed with you at a meeting on March 4th, 2009. The meeting also discussed the applicant's objectives for the proposals and possible revisions to address the staff concerns.

✓ 1. Please submit a corrected boundary survey and associated easements /restrictions (eg copies of recorded documents) to address the disparities in the survey and easement information.

✓ 2. Please submit plans and illustrations to clarify the scale of impact of the existing and proposed buildings, parking areas and snow storage within the 75 foot stream setback (eg an updated version of the pre-application submission entitled "Stream Protection Zone Exhibit"), showing new setback distances and addressing the question of volume increases as outlined by the Zoning Administrator at the meeting.

? 3. Please clarify the area of the existing plaza, as two figures are referred to in the submission (105,940SF in one place and 109,204SF in another).

✓ 4. Please illustrate the pervious surface areas on a plan along with impervious surface calculations for all parts of the site, both for the existing and the future lot configurations.

Range?

- ✓ 5. Please provide further information regarding the proposed ATM structure.
- ✓ 6. I confirm the receipt of photometric plans at the meeting on March 4, 2009 and they are under review.

7. Issues re the Fall Brook

- a. It is noted that parking (13 spaces), travel lanes, new building and snow storage are proposed to be within the 75' stream protection zone and require a waiver from City requirements. The construction of a building and the addition of two drive through lanes could constitute an intensification of the land use within the 75' stream setback. Revisions to reduce this impact are requested.
- b. The proposals are adjacent to an urban impaired stream and the City expects any development in this watershed to reduce the amounts of storm water and to increase quality of any storm water entering this Brook. At the meeting staff outlined options for your project to increase infiltration and permeable areas, including the use of islands in the parking area. We encourage you to incorporate the concept (suggested by Tom Errico during the March 6th, 2009 discussion of his comments on the excessive drive aisle widths) of a new linear island (potential vegetated "rain garden") between the current double row of parking spaces parallel to Auburn Street, as this appears to have a number of benefits.
- c. Please note that the Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP.
- ? d. Please clarify re snow storage arrangements as these should be located away from the Fall Brook.
- e. The City requires a copy of the MDEP NRPA approvals prior to a final decision on this proposed site plan.

8. Issues re 125 Auburn Street (refurbishment of Boy Scout building for H&R Block)

- a. I confirm that the proposed use for the Boy Scout building (H&R Block) is considered (in terms of Zoning) to be a professional office use and therefore allowable within the R-P zone.
- b. Staff are concerned regarding the impacts of the parking area at the side of the building, which results in the loss of trees; altered topography and drainage; and impact on residential abutter re noise, glare, loss of trees etc (see the letter from the abutter, the Scotts, of 137 Auburn Street, dated February 16, 2009, as forwarded previously).
- no — c. Staff considers that such impacts are inconsistent with the objectives of the R-P zone, and requests you consider relocation of some of the proposed parking into the plaza parking area; an effective and landscaped (trees) buffer is a minimum requirement.
- d. The parking stall lengths may be reduced to 18 feet in this location if it assists in achieving an improved and satisfactory layout.

9. e. If this scale of parking remains part of the proposal, please submit information on lighting levels, location of parking in relation to existing buildings and trees on the site and on the abutter's property, and submit plans showing trees to be removed with details of landscaped buffer etc.

9. Traffic, Pedestrian Circulation and Parking

- Tom
- a. Please note the comments of the City's Traffic Engineering consultant, Tom Errico, which were forwarded to you (also attached) and were the subject of a follow-up "conference call" with Tom Errico on March 6th, 2009.
- b. Please note that the recent Walgreen pharmacy approvals (340 Allen Avenue and 606 Forest Avenue) were for single drive thru lanes, and we request additional explanation as to why two drive thru lanes are required for the proposed CVS.
- c. Please provide more information regarding the provision of safe pedestrian circulation, including the link between the front of the Plaza and the existing path from Brook Road.
- d. We will clarify regarding the question of the scale of bicycle parking required.
- e. Please note that the signal at the access with Auburn Street may be part of this review.
- Jean

Tom

10. I confirm that the proposals as submitted are acceptable to the Fire Department and that they require a 20 foot wide access to the rear of the retail buildings for fire access.

11. The landscaping proposals have not yet been formally reviewed, but please revise the Landscape Plan to show all existing trees (and whether they are to be removed), and show proposed trees with a different notation. Dumpster locations (existing and proposed) for all Plaza uses adjoining the rear service area near the proposed CVS should be identified on the plans and may need to be rationalized and screened.

Please feel free to contact me if you have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,

Jean Fraser, Planner

Attachment 1: Comments from Tom Errico, Traffic Engineering Reviewer of 2.24.2009

cc: Alex Jaegerman, Director, Planning division
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
David Margolis-Pineo, Deputy City Engineer
Keith Gautreau, Fire Department
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Engineering Reviewer
Frank Normandin, A& D Realty, LLC, 5 Militia Drive, Lexington, MA 02421

ATTACHMENT 1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 2/24/2009 4:37:06 PM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes my initial comments for the above project according to the January 30, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.
2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.
3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.
4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.
5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.
6. The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.
7. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Please note that these are my initial comments and additional comments can be expected. If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com
www.WilburSmith.com <<http://www.wilbursmith.com/>>

CC: "David Margolis-Pineo" <DMP@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 3/31/2009 8:07:07 AM
Subject: Northgate Shopping Center - CVS

7 notes

Jean -

The following summarizes a status report on my February 24, 2009 comments according to the March 16, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Status: The applicant has provided a trip generation analysis and I concur that a Traffic Movement Permit is not required. I would like to review conditions of approval for the prior expansion to ensure the project is in compliance.

*get JF
get to TG*

1. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

Status: I continue to review this issue.

1. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.

Status: The requested information has been provided and I have no further comment.

1. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.

Status: The site plan has been revised and I have no further comment.

1. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.

Status: The site plan has been revised and I have no further comment.

1. The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.

Status: The parking aisle nearest the shopping center building has been reduced to 24 feet. The applicant shall provide conceptual plans that illustrate reducing the aisle width nearest Auburn Street to 24 feet for review and comment.

1. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide

documentation supporting a parking supply of 13 spaces.

Status: Information has been provided and I have no further comment.

In addition to the above the applicant shall explore redesigning the rear area such that the proposed crosswalk to the neighborhood trail is reduced in overall length. It is my understanding that there is a desire to shift green space such that it abuts the drainage area and this may provide opportunity for enhance this pedestrian crossing.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo
<DMP@portlandmaine.gov>

From: Jean Fraser
To: Errico, Thomas
Date: 3/25/2009 1:34:54 PM
Subject: Fwd: RE: Plans

Tom,

Please see a second e-mail (below) from Gretchen requesting a meeting with you (the first is included in the submission I circulated last week) and my reply (I really don't see the need for it but maybe they are anticipating you will not be happy with their response to your detailed comments or their still oversized drive thru).

You still have 2 weeks before I need final written comments so theres time for a meeting but I don't know what it will achieve...Maybe this just needs a telephone conversation between you and Brad to clarify the facts.....I don't know. Please advise what you consider to be the best way forward here.

Also, please note that they have included (in the submission circulated last week) an "*Exhibit 5: Recap of alternate CVS plans*" and your name is mentioned- so you might want to use that as a basis for including a comment that confirms that the proposed location of the building (ie set back and not meeting B2 desgin guidelines) is preferrable (from a traffic viewpoint) to the alternates that they previusly proposed (I think you agreed to do that when we were discussing this with Barbara several weeks ago). The Board might notice that those alternatives were based on a 2-window drive -thru rather than the one (sort of) as now proposed.....not sure if that matters.

Speaking of drive thru lanes, the current proposal states its only a one-window drive-thru but retains the same (very wide) opening to accommodate the drive thru (with 15/16 ft lanes and what appears to still be a second window) - it seems to be still designed for a 2-window drive thru (maybe that is what they want to meet you to discuss???)

Thanks
Jean

>>> Jean Fraser 3/25/2009 1:14:10 PM >>>
Gretchen,

We did discuss the revised submission today and I have preliminary comments from several reviewers including Tom (but I don't yet have all his detailed comments re your submissions). We are disappointed that some of our previous comments were not addressed when it appears fairly easy to address most of them without creating problems for the project; they broadly relate to the scale of one of the raingardens, the location and layout of the "lawn" area to the rear of the drive-thru, the buffering of parking for 125 Auburn; and the design of the ped. crossing at the rear.

I am waiting for the comments/rest of the detailed comments to be given to me in writing and I was planning to forward them to you (next week after I get them) and include them in the Planning Board Memo. If there is a meeting with Tom Errico it should include me and one or two other reviewers and the costs of "our" time would be charged to the applicant (one or more of the reviewers are consultants to the City so the combined per hour rate is substantial). Incidentally, the reviewers do not usually attend the PB Workshop although they sometimes do where technical/complicated issues arise.

There will not be time for you to submit plans that address these comments (or any arising at any meeting) before the April 14th PB Workshop (the PB Memo would be virtually finished by April 8th), so I think it would be better to wait and see what the Planning Board has to say and then you could do one more revision to address the Board/staff comments for approval at the PB Hearing (there may be a need for a meeting with reviewers right after the Board meeting to discuss how to address any Planning Board requests).

The Workshop allows the Planning Board to better understand the proposals and to hear from neighbors; when you give your presentation to the Board you can refer to the staff comments and indicate whether you are able to make further revisions. The Board will indicate what aspects they feel need further revisions etc and whether the project may move to a Hearing (where the final decision would be taken).

I anticipate the Board will be OK with this going straight to a Hearing; a Hearing date is not yet scheduled - probably would be May 12th - (Barbara Barhydt will confirm after the Workshop). Between the Workshop and the Hearing you need to arrange a Neighborhood Meeting (I assume you have the Guidance Notes for that but call me if not) and would need to have the final proposals on a site plan for that.

Does this approach sound OK to you? As I mentioned in an earlier e-mail, once I have detailed comments and you particularly want a meeting to discuss them, I am happy to arrange it but just wanted you to be aware of how it fits into the process and that it would involve a number of reviewers.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 3/25/2009 10:15:39 AM >>>
Hi Jean,

Attached is the north CVS elevations.

Also, I think you mentioned that you were receiving comments from the staff and reviewers today. Could you please also remind Tom that we would like a chance to sit down with him and go through some of his comments and some of the changes that we made on this recent submission. If Tom is around we would like to try and schedule something for the beginning of next week. Let me know if you would like to take care of setting something up, or if we should contact him directly.

Thank you.

-Gretchen

-----Original Message-----

From: Jean Fraser [<mailto:JF@portlandmaine.gov>]
Sent: Tuesday, March 24, 2009 3:42 PM
To: Gretchen Young, P.E.
Subject: RE: Impervious surfaces/Plans

Gretchen,

Thanks for this.

For the Planning Board I also need an elevation showing the side of the new CVS building as it faces north (at least 11X17 and can be PDF - to go with the submitted A-4.1)- I don't believe one was submitted.

Also, you probably won't need a waiver for the bicycle parking as we will base the calculation on the floorspace north of the line showing extent of work...

thanks
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 3/24/2009 12:26:40 PM >>>
Hi Jean,

Thanks for going over this with me today.

Just to address the questions of the 200 sf - nothing under 200 sf was used towards the open space calculations.

Some examples off the top of my head are:
- island adjacent to the proposed HP spaces for the CVS
- island adjacent to the row of 5 spaces for the H&R Block.

These areas were not colored in or used toward the open space calculations

If you have any other questions, please feel free to give me a call.

Thanks,

-Gretchen

-----Original Message-----

From: Jean Fraser [<mailto:JF@portlandmaine.gov>]
Sent: Monday, March 23, 2009 4:19 PM
To: Gretchen Young, P.E.
Subject: Impervious surfaces/Plans

Gretchen,

I think you need to review both the plans and the calculations regarding impervious surfaces; there is still time to submit revised plans to address the comments below:

Two plans were submitted on March 17, 2009 entitled "Existing impervious area" and "Proposed Impervious area" and in both cases:

1. The plans show PERVIOUS areas (Impervious is defined in the City's Ordinance as: "...any surface which does not absorb rain and includes all buildings, roads, sidewalks, parking areas, and any area paved with bricks, concrete or asphalt." So I think these plans should be entitled "...pervious areas"
2. The zoning requirements refer to "maximum impervious surface ratio"

Jean Fraser - Fwd: RE: Plans

(not lot coverage)- and this is also defined in the Ordinance Section 14-47 "Impervious Surface Ratio" which clarifies that landscaping islands of less than 200 sq ft should be counted as IMPERVIOUS (not as PERVIOUS) and also shows the formula for the ratio. The plans show some areas that could be 200 sq ft or under as pervious and may not be in line with the definition that we use for the zoning assessment.

I am around tomorrow if you want to call re this- I have meetings at 10am and 4pm.

Thanks
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728



PORTLAND MAINE

3-27-09.

Planning Division
Jean Fraser, Planner

NOTE for file

Northgate Plaza/ CVS Expansion

Pam + Charles Scott
Abutters to 125 Auburn

Came in to view revised proposals today.
They will submit written comments
and attend PB workshop; they
had these observations:

- signs appear proposed on 3 sides
refurbished boy scout building
- new drive access to 13 parking spaces
removes key stand of trees + opens
up new or mercy rear area
- windows introduced on N. elev. of
refurbished Boy Scout building
- R-P requires impervious surface
max. of nearest ea (R3 - 70%)
- Elev. sketches misrepresent trees
- Pkg can be up to 100 ft. away

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 2/27/2009 3:28:38 PM
Subject: Confirmation re Meeting

Gretchen,

I don't know why this has been so difficult- as I mentioned on the 'phone the later in the week the fuller are the diaries.

Anyway, I am confirming for **2pm on Wed March 4th** here in the Planning Conference Room on the fourth floor of City Hall. There will be quite a few from our side and I will confirm attendees on Monday.

Also on Monday I will send a brief e-mail outlining the issues- a suggested agenda which can be added to or re-ordered.

Have a good weekend.

Jean

From: Jean Fraser
To: Barhydt, Barbara; Errico, Thomas; Goyette, Dan; Jaegerman, Alex; Margolis-Pineo, David; Schmuckal, Marge; Tarling, Jeff
Date: 2/27/2009 3:43:02 PM
Subject: Northgate Plaza/CVS Meeting **Confirmed Wed 3.4.09 2pm**

Sorry this has been so convoluted...

CONFIRMED:

Wednesday, MARCH 4TH, 2PM
Planning Conference Room, 4th floor City Hall

On Monday I will confirm attendees and a suggested agenda which outlines the topics likely to be covered (which can be added to or reordered).

I know one or two of you are unable to attend this time/day but the applicant is anxious to get to the March 24th Planning Board Workshop and the only hope of that is to have the meeting asap. We'll have a short pre-discussion at Dev Rev that day.

The applicant has requested sight of key review comments before the meeting so that they have a little time to reflect/respond- so I would appreciate comments from Dan, Marge and Jeff (and David if you want to add anything to yours) on Monday please (these can be informal and don't have to be forwarded to the applicant, but at least allow me to give them an idea of review concerns at this stage).

Thanks
Jean



To: Dan Goyette; David Margolis-Pineo; Marge Schmuckal; Tom Errico; Keith Gautreau ;
Jeff Tarling

From: Jean Fraser

Date: Feb 25, 2009

Additional information submitted for the following project:

Application ID #: 2009-0010

Project Name: Northgate plaza: CVS Relocation and H&R Block Refurbishment

Project Address: 125 Auburn Street (for H&R, in former Boy Scout offices); [91
Auburn is the Plaza with CVS relocation/expansion]

FINAL Written Comments (for Workshop) needed by: March 4, 2009 (these revisions are not substantive and do not change any aspect of the proposals)

Please see cover letter from applicant (dated 2.23.2009) explaining that these are the elevations (not submitted with the original submission) and a corrected Survey (they added the topography).

Agreed JF call Applecore (Gretchen Young
w/option of deferring wkshop
so can meet w/ staff + resolve.
603-433-8818

9.5
10.5
15
~~33.9~~

CUS - Northgate Plaza

Dev Fee Punchlist 2-25-09.

Formal comments awaited from DG, MS, JT, Frie, DM-P.

Inconsistency / info

Easements not shown

Elevation shows loading on side not on layout

Elevation of 125 shows parking at same level

as upper

Existing and proposed floor areas of 125 -
~~Feasibility~~ elevs. - what's existing - scale of increase
not 5200 at present

Confusion between existing and proposed trees -

Accurate figures relative intrusion into

75' setback - 557 vs 519

Status of footpath

Concerns

Traffic -

TE's list

incl. need for scale of
pkg

Parking -

especially 125 as so near

s/f house + more than shown

in pre-appl. submission +

not feasible - levels

landscaped buffer

loss of tree screen

must meet 14-150 resurroundings

prefer to
as in pre-apply -
rest stored or
easement as
before

Stream/Protection Zone - many concerns

location of more activity near stream

move pavement + parking away
~~earlier plan showed 557 intrusion~~

of existing bldg not 519.

+Neighbors
concerns - will

type of water thmt

skin die.

2/20/09 Prelimi Review

SITE PLAN DEVELOPMENT REVIEW

Preliminary site plan review to identify problematic issues

C-1 13.2 acres
 C-23 .54 acres
 ex: 105,940 sq ft retail/rest

PROJECT: Northgate Plaza Application #: 2009-0010
 CVS redevelopment + H+R block repairs

Review item	
Evidence of Right, Title & Interest	Diff. owners + diff applicant.
MDEP/MP etc issues	"Jurisdictional wetlands to north - 430 sq ft w/in 75' setback (existing 519 sq ft in setback) + plam setback
Zoning	Parking spaces in C-23 between 5' + 9' from property line; 23-24' from abutter's house
Additional info to be requested	existing plaza 105,940 or 109,204 (2nd page) Site Plan applic notes indicate bldg of 234 CVS alone 185 } ATM alone 49 } ————— 234 } ck 5200 or 2600 sq ft as in Stormwater report
Access and parking layout (including contributions)	C-1 ——— C-23 ———> improved access + ped routing ? merging to rear of site
Bicycle parking	* Req is 42 as they have "excessive" parking provision?
Stormwater Management	State have reduced imp. surface New water quality unit (Downstream Defender) ^{treat 1.16 acres 85%}
Other engineering issues	Requesting waivers: re utilities be underground (ex) re reduction in req'd bicycles
Fire Department	Separate info given direct to fire dept. re bldg + pkg in setbacks
Building materials etc	no elevations
Landscape	C-1 - They show existing as proposed - ? need more central area near ATM. C-23 - inadequate along side property line
Two trees/lot; two foundation plantings per lot	N/R. loss of trees: considerable on C-23 ? sq. opp mercy on C-1 of existing
Lighting	Not submitted w/ Jan 09 application
Letter of financial capability	sort of -
Capacity letter water	✓ Submitted
Capacity letter sewer	appl. awaiting
Sidewalk/Curbing	
Dumpster location and enclosure/waste collection	2 add'l dumpsters + 1 compactor
Other issues eg re adjacent residential abutters	105,940 sq ft (ex) - demolition of 12,715 sq ft (bakery, office + retail spaces) + new 12,900 sq ft CVS 5200 ex offices (vacant) Applic: 114,170 sq ft ex 114,404 sq ft prop.

80' x 30' footprint

Action by team - find files for Boy Scout Bldg / Northgate dev. &
 - could use re drive thru
 exact 25 P.P. 13 3m 02

February 25, 2009

To: Either Jean Fraser or Molly Casto
From: David Margolis-Pineo
Re: CVS - Northgate
Public Services Review Comments

*Superseded.
needs ref to snow storage
+ C-23*

Note: This project resides in the Urban Impaired Stream Watershed of Fall Brook and that Northgate Plaza, as a whole represents nearly 11 acres of impervious surface area which discharges untreated stormwater to Fall Brook.

1. Parking, travel lane, building and snow storage all are within the 75' stream protection zone and are not permissible without an issuance of a waiver. There is no functional decrease in impervious surface area or Low Impact Development (LID) stormwater treatment shown. It is within the City's authorization to deny any new disturbance within 75' of the stream and encourage the applicant to remove all impervious surface area and vegetate. The applicant will have to demonstrate a far greater level of effort before the City will agree to wave the 75' setback requirement.
2. The Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP. The applicant will need to investigate and present alternative stormwater treatment for review and acceptance.
3. There are no planned improvements to the existing stream buffer areas to treat runoff with LID techniques or plans to increase the distance between the stream and the developed area.
4. It appears the applicant is requesting 63 more parking spaces than what is required by code. If this is in fact the case, all proposed parking located within the stream 75' setback shall be eliminated and that area shall be vegetated.
5. The applicant has not submitted estimated sanitary waste flow calculations.
6. It may be desirable for the applicant to meet with City staff to discuss stream setback and stormwater treatment issues.
7. By constructing a building and adding a drive through lane the applicant is proposing to intensify the land use within the 75' stream setback.

*David has
aerial w/ red lines
plus their earlier
plan re Hdg w/in
75'*

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 2/24/2009 4:37:06 PM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes my initial comments for the above project according to the January 30, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.
2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.
3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.
4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.
5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.
6. The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.
7. Parking information for the "H&R Block" does not appear to be

provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Please note that these are my initial comments and additional comments can be expected. If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer

Wilbur Smith Associates

59 Middle Street

Portland, Maine 04101

w: 207.871.1785 f: 207.871.5825

TErrico@WilburSmith.com

www.WilburSmith.com <<http://www.wilbursmith.com/>>

CC: "David Margolis-Pineo" <DMP@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>

From: Jean Fraser
To: Errico, Thomas; Margolis-Pineo, David; Schmuckal, Marge
Date: 2/24/2009 12:44:14 PM
Subject: Northgate Plaza- CVS and H&R Block

Marge, David and Tom,

This application is on the agenda for Dev Rev tomorrow....and I am hoping to call the applicant right after the meeting advising them of staff concerns so that they have time (if they want) to revise the proposals before it goes to the Planning Board Workshop on March 10th (I have to write the PB Memo next week).

I know all of you have been talking to Appledore Engineering for years and Barbara has briefed me and I have looked at the earlier alternatives for locating the CVS.....

There are three key issues on which I would particularly welcome feedback tomorrow (among other things....):

Parking: Do you agree with their assessments, especially re the proposed parking for th Boy Scout building (C-23) for which only a few parking spaces were shown in the pre-application plans? Could parking for C-23 be elsewhere with an easement like it is for the Mercy building (which apparently was what the Boy Scouts also had before it was sold to the current owner)?

Stream Protection: They have decreased incursion of the building into setback areas but could do a lot more reduction of impervious surfaces by removing more parking (based on their parking analysis which shows considerable "excess?") Does the loss of impervious surface and trees on C-23 raise issues? Will the city be looking for new easements?

Circulation and loading: Tom, I haven't seen all of your pre-application e-mails but understand you were encouraging the CVS to be an extension of the existing line of stores and wanted the two drive aisles retained and to avoid a conversion of traffic near the entrance from Auburn (which they have succeeded in doing)- but have you ever got involved in discussions on how loading and truck traffic (including for other stores) would interact with the drive thru and parking to the rear north of the site?

Thanks- see you tomorrow.

Jean

CC: Barhydt, Barbara



2009-0010

Site Plan Checklist Portland, Maine

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

Northgate Plaza
Project Name, Address of Project

Application Number

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

Section 14-525 (b,c)

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
<u>sub yes</u>	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
<u>yes</u>	(2)	Name and address of applicant and name of proposed development	a
<u>yes</u>	(3)	Scale and north points	b
<u>yes</u>	(4)	Boundaries of the site	c
<u>yes</u>	(5)	Total land area of site	d
	(6)	Topography - existing and proposed (2 feet intervals or less)	e
	(7)	Plans based on the boundary survey including:	2
	(8)	Existing soil conditions	a
<u>✓</u>	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
<u>Issue re: stream protection</u>	(10)	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
<u>elevations (None)</u>	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
<u>CVS + off.u</u>	(12)	Location of on-site waste receptacles	e
<u>✓</u>	(13)	Public utilities	e
<u>✓</u>	(14)	Water and sewer mains	e
<u>✓</u>	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
<u>✓</u>	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
<u>✓</u>	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
<u>✓</u>	(18)	Parking areas	g
<u>✓</u>	(19)	Loading facilities	g
<u>✓</u>	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
<u>✓</u>	(21)	Curb and sidewalks	g
<u>✓</u>	(22)	Landscape plan showing:	h
<u>✓</u>	(23)	Location of existing vegetation and proposed vegetation	h
<u>✓</u>	(24)	Type of vegetation	h
<u>✓</u>	(25)	Quantity of plantings	h
<u>✓</u>	(26)	Size of proposed landscaping	h
<u>✓</u>	(27)	Existing areas to be preserved	h
<u>✓</u>	(28)	Preservation measures to be employed	h
<u>✓</u>	(29)	Details of planting and preservation specifications	h
<u>✓</u>	(30)	Location and dimensions of all fencing and screening	i
<u>lighting photographs</u>	(31)	Location and intensity of outdoor lighting system	j
<u>✓</u>	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
<u>✓</u>	(33)	Written statements to include:	c
<u>✓</u>	(34)	Description of proposed uses to be located on site	cl
<u>✓</u>	(35)	Quantity and type of residential, if any	cl
<u>✓</u>	(36)	Total land area of the site	c2
<u>✓</u>	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
<u>✓</u>	(38)	General summary of existing and proposed easements or other burdens	c3
<u>✓</u>	(39)	Type, quantity and method of handling solid waste disposal	c4
<u>✓</u>	(40)	Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets	c5
<u>✓</u>	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6



To: Dan Goyette; David Margolis-Pineo; Marge Schmuckal; Tom Errico; KeithGautreau; Jeff Tarling

From: Jean Fraser

Date: March 18, 2009

Additional information submitted for the following project:

Application ID #: 2009-0010

Project Name: Northgate Plaza/CVS Expansion/H&R Block Refurbishment

Project Address: 91 and 125 Auburn Street

Preliminary Comments needed by: Wed, March 25th Dev Rev meeting

Written Comments needed by: Wed, April 1st Dev Rev Meeting
[Planning Board Workshop April 14th, 2009]

These revisions were submitted 3.17.09 in response to the meeting of 3.4.09; telephone discussions with Tom Errico on 3.6.09 and review letter dated 3.11.09.

They arrived late yesterday so I have not had a chance to summarize all of the revisions, but they have reduced the drive thru to one lane and have introduced rain gardens (which reduce the excessive aisle widths).

However, they have retained all of the parking by the Boy Scout building and the area behind the CVS remains though not clear regarding its purpose (snow storage but not identified as such?)



To: Dan Goyette; David Margolis-Pineo; Marge Schmuckal; Tom Errico; KeithGautreau; Jeff Tarling

From: Jean Fraser

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However, they have retained all of the parking by the Boy Scout building and the area behind the CVS remains though not clear regarding its purpose (snow storage but not identified as such?)

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 3/18/2009 7:46:07 AM
Subject: RE: Northgate Submission

Hi Jean,

Thanks for distributing these. We would also like to set up a meeting with Tom Erico to go over the changes that we made, it seemed like his comments affected the changes the most.

If you have a chance to touch base with him, could you let him know that we are hoping to meet with him and then we can start thinking about a time.

Thanks so much,

-Gretchen

-----Original Message-----

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Tuesday, March 17, 2009 11:20 AM
To: Gretchen Young, P.E.
Subject: Re: Northgate Submission

Thanks Gretchen- it just arrived but I have not opened it yet.

It will be circulated to reviewers tomorrow and I will get back to you soon.

Jean

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 3/16/2009 4:58:49 PM >>>
Hi Jean,

I just wanted to let you know that the Northgate Plaza submission is in the mail and should arrive at your office tomorrow morning.

I will catch up with you soon.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>
gyoung@appledoreeng.com ~ Best Small Civil Engineering Firm to Work For in the Country - CE News, Oct. 2008 ~

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 3/18/2009 4:37:31 PM
Subject: RE: Northgate plaza

Thanks Jean,

The intent was to entirely replace the former submission just because so much had changed. The only part of the first submission that carries over is the check for the review fee.

I will catch up with you tomorrow,

-Gretchen

-----Original Message-----

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Wednesday, March 18, 2009 4:34 PM
To: Gretchen Young, P.E.
Subject: Northgate plaza

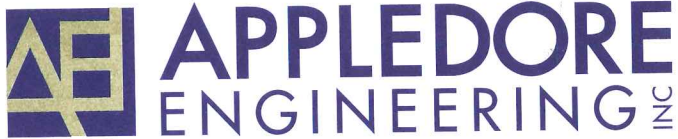
Hello Gretchen,

I realize I have not called and I have to leave at 4:30 today. I will call tomorrow morning.

One thing I would like you to clarify: does the letter and attachments submitted yesterday REPLACE what was submitted earlier (ie is ALL of the previous submitted information now superceded) or should any of the earlier submission be retained as a basis for the review?

Thanks
Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
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March 16, 2009

Ms. Jean Fraser
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Fraser:

On behalf of A & D, Realty Inc., Appledore Engineering submitted a Site Plan Review and Conditional Use Application for the above referenced project on January 30, 2009. Based on the feedback and comments we have received from the planning staff and consulting engineers we have revised the original submission and have included additional information for review. Enclosed please find the following information relative to the Site Plan Review/Conditional Use Applications:

- Seven (7) complete packets including:
 - Cover Letter dated March 16, 2009
 - Development Review Application dated January 9, 2009
 - Conditional Use Application dated January 9, 2009
 - Site Plan Checklist
 - Site Plan Written Statement
 - Frank Brancely Capacity to Handle Wastewater Flows (proposed CVS) dated March 13, 2009
 - Frank Brancely Capacity to Handle Wastewater Flows (proposed H&R Block) dated March 13, 2009
 - Ability to Serve with PWD Water Letter dated December 12, 2008
 - Financial Capacity Letter from New England Realty Resources, LLC dated January 23, 2009
 - Copy of Deeds and Descriptions For Lots C-1 and C-23
 - Copy of Easements and Burdens For Lots C-1 and C-23
 - Exhibit 1: Stream Protection Zone dated March 13, 2009
 - Exhibit 2: Existing Impervious Area dated March 13, 2009
 - Exhibit 3: Proposed Impervious Area dated March 13, 2009
 - Exhibit 4: Delivery Truck Access Plan dated March 13, 2009
 - Exhibit 5: Recap of Alternate CVS Plans
 - Trip Generation Letter from Maine Traffic Recourses dated March 12, 2009
 - Typical Keybank ATM

- CVS/Pharmacy Exterior Elevations Plan provided by BKA Architects dated February 19, 2009
- 125 Auburn Street Proposed Front Elevation provided by DeStefano Architects dated January 30, 2009
- 125 Auburn Street Proposed Side Elevation provided by DeStefano Architects dated January 30, 2009
- 24" x 36" Site Plan set dated March 13, 2009 including standard Boundary Survey provided by Doucet Survey dated March 4, 2009
- Three (3) copies of the Drainage Study dated March 13, 2009
- One (1) 11" x 17" Site Plan set dated March 13, 2009
- Electronic PDF of the proposed Site Plan will be provided to you via e-mail

As part of this submission, we are requesting the following waivers:

1. A waiver from the requirements of 14-526(c)(2) minimum off-street bicycle parking spaces for non-residential structures for Lot C-1.
 - Based on the parking for the overall shopping plaza a total of forty-two (42) bicycle parking spaces are required. Thirteen (13) bicycle parking spaces would be required for just the proposed CVS (based on the required 65 parking spaces). Twenty-two (22) bicycle parking spaces have been provided within the limit of work.
2. A waiver from the requirements of 14-453(a) minimum building setback from normal high water line of stream: seventy-five (75) feet.
 - As part of the redevelopment of this plaza a portion of the existing building, including 519 sf within the setback, will be removed. In its place a new CVS building is proposed. This building would include 430 sf within the setback. This is the first time this structure has been expanded into the setback.
 - See enclosed Exhibit 1: Stream Protection Zone
3. A waiver from the requirements of 14-453(c) minimum parking setback from normal high water line of stream: seventy-five (75) feet.
 - Currently parking exists within the setback. The proposed redevelopment will reduce the impervious area within the setback, however some parking within this setback will remain. The proposed condition will increase the green space within the seventy-five (75) foot Stream Protection Zone by 6,545 sf.
 - See enclosed Exhibit 1: Stream Protection Zone

The following are responses to the Planning Department Comment Letter dated March 11, 2009, which outlines preliminary review concerns as discussed at the March 4, 2009 meeting and our March 6, 2009 conference call. Planning Board Comments are in *italics* followed by our responses in **bold**:

Comment 1: Please submit a corrected boundary survey and associated easements /restrictions (e.g. copies of recorded documents) to address the disparities in the survey and easement information.

Response 1: The Boundary Survey provided by Doucet Survey dated March 4, 2009 has been included as part of the Site Plan set. We have included the relevant easements and deeds for Lot C-23.

Comment 2: Please submit plans and illustrations to clarify the scale of impact of the existing and proposed buildings, parking areas and snow storage within the 75 foot stream setback (e.g. an updated version of the pre-application submission entitled "Stream Protection Zone Exhibit"), showing new setback distances and addressing the question of volume increases as outlined by the Zoning Administrator at the meeting.

Response 2: Please see Exhibit 1: Stream Protection Zone for all impact information. The plaza currently stockpiles snow around the parking lot prior to trucking it off-site. The client agrees to limit stockpiling of snow adjacent to the stream.

Comment 3: Please clarify the area of the existing plaza, as two figures are referred to in the submission (105,940SF in one place and 109,204SF in another).

Response 3: 105,940 sf is the approximate size of the existing retail building located on Lot C-1, including Hollywood Video through the Shaw's Supermarket. 109,204 sf is the total proposed floor area of all buildings on Lot C-1, including the proposed CVS, the remaining portion of the retail building, the proposed ATM and the existing Credit Union building.

Comment 4: Please illustrate the pervious surface areas on a plan along with impervious surface calculations for all parts of the site, both for the existing and the future lot configurations.

Response 4: Please see Exhibits 2 and 3.

Comment 5: Please provide further information regarding the proposed ATM structure.

Response 5: Information on a typical Keybank ATM has been provided.

Comment 6: I confirm the receipt of photometric plans at the meeting on March 4, 2009 and they are under review.

Comment 7: Issues re the Fall Brook

Comment a: It is noted that parking (13 spaces), travel lanes, new building and snow storage are proposed to be within the 75' stream protection zone and require a waiver from City requirements. The construction of a building and the addition of two drive through lanes could constitute an intensification of the land use within the 75' stream setback. Revisions to reduce this impact are requested.

Response a:

- **The proposed project will reduce parking within the setback from eighteen (18) spaces to twelve (12) spaces.**
- **The proposed project will reduce the width of travel lanes within the seventy-five (75) foot setback.**
- **The proposed building encroachment will be a reduction from the existing encroachment (see Exhibit 1).**
- **The proposed project will reduce impervious area within the seventy-five (75) foot setback by 6,545 sf (see Exhibit 1).**
- **A second drive-thru lane is no longer proposed.**

Comment b: The proposals are adjacent to an urban impaired stream and the City expects any development in this watershed to reduce the amounts of storm water and to increase quality of any storm water entering this Brook. At the meeting staff outlined options for your project to increase infiltration and permeable areas, including the use of islands in the parking area. We encourage you to incorporate the concept (suggested by Tom Errico during the March 6th, 2009 discussion of his comments on the excessive drive aisle widths) of a new linear island (potential vegetated "rain garden") between the current double row of parking spaces parallel to Auburn Street, as this appears to have a number of benefits.

Response b: As part of this redevelopment, a net decrease of 5,618 sf of impervious area is proposed (See Exhibits 2 and 3). This will result in a reduction in stormwater runoff volume and an increase in stormwater quality. The site has been redesigned to incorporate the suggestions of Tom Errico, including the proposed island between the double row of parking stalls parallel to Auburn Street. Two (2) new rain gardens have been proposed within the islands in the parking lot. These rain gardens will provide additional treatment for the stormwater.

Comment c: Please note that the Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP.

Response c: The Downstream Defender is no longer proposed.

Comment d: Please clarify re snow storage arrangements as these should be located away from the Fall Brook.

Response d: Snow storage areas are no longer shown within the seventy-five (75) foot stream buffer. Snow that is not able to be stored on site is currently trucked off site. The plaza owner will instruct the plow trucks not to stockpile adjacent to the stream.

Comment e: The City requires a copy of the MDEP NRPA approvals prior to a final decision on this proposed site plan.

Response e: The applicant agrees to provide the city with documentation of MDEP NRPA approvals prior to final decision.

Comment 8: Issues re 125 Auburn Street (refurbishment of Boy Scout building for II&R Block)

Comment a: I confirm that the proposed use for the Boy Scout building (H&R Block) is considered (in terms of Zoning) to be a professional office use and therefore allowable within the R-P zone.

Comment b: Staff are concerned regarding the impacts of the parking area at the side of the building, which results in the loss of trees; altered topography and drainage; and impact on residential abutter re noise, glare, loss of trees etc (see the letter from the abutter, the Scotts, of 137 Auburn Street, dated February 16, 2009, as forwarded previously).

Response b: The proposed parking on Lot C-23 has been redesigned to provide additional screening and buffer between the edge of the parking lot and the property line. The parking spaces have been reduced to eighteen (18) feet long, providing additional buffer area. The previously proposed dumpster has been removed and the parking has been shifted toward the rear of the site, farther from Auburn Street. A fence and landscaping are proposed between the edge of the parking area and the property line, to provide increased screening for the abutter located at 137 Auburn Street.

Comment c: Staff considers that such impacts are inconsistent with the objectives of the R-P zone, and requests you consider relocation of some of the proposed parking into the plaza parking area; an effective and landscaped (trees) buffer is a minimum requirement.

Response c: It is the intention to make Lot C-23 a conforming lot, which requires thirteen (13) parking spaces per the City of Portland Zoning regulations.

Parking on the adjacent Lot C-1 would force pedestrians to cross the main entrance drive to get to the office building. We have incorporated staff suggestions into the revised design.

Comment d: The parking stall lengths may be reduced to 18 feet in this location if it assists in achieving an improved and satisfactory layout.

Response d: The parking stalls have been reduced to eighteen (18) feet. This is less than what is required in the City of Portland Technical and Design Standards and Guidelines.

Comment e: If this scale of parking remains part of the proposal, please submit information on lighting levels, location of parking in relation to existing buildings and trees on the site and on the abutter's property, and submit plans showing trees to be removed with details of landscaped buffer etc.

Response e:

- o **A Photometric Plan has been submitted to the city for review.**
- o **The location of trees to be removed is included on the Demolition Plan, C-1.**
- o **Information on the proposed landscaping along the buffer is included on the Landscaping Plan, Sheet C-5.**

Comment 9: Traffic, Pedestrian Circulation and Parking

Comment a: Please note the comments of the City's Traffic Engineering Consultant, Tom Errico, which were forwarded to you (also attached) and were the subject of a follow-up "conference call" with Tom Errico on March 6th, 2009.

Comment a1: The applicant shall provide a summary of the traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Response a1: This site was reviewed and approved in 2000 for traffic improvements relative to the Shaw's expansion. Past information, along with the proposed CVS changes have been reviewed. Please see the letter from Maine Traffic Recourses, dated March 12, 2009, for our determination regarding a Traffic Movement Permit.

Comment a2: The parking analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

Response a2: Lot C-1 currently has 638 spaces; we have reduced the parking by 37 spaces. The existing tenants have restrictions to parking adjacent to their space and within the center.

Comment a3: It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto Turn" templates that illustrate how trucks will maneuver on and off the project site.

Response a3: See Exhibit 4: Delivery Truck Access Plan

Comment a4: The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.

Response a4: The drive aisle has been reduced to a twenty-four (24) foot width.

Comment a5: The applicant shall provide additional detail and justifications for what appears to be two drive-through lanes and a by-pass lane.

Response a5: One (1) drive-thru and one (1) by-pass are proposed.

Comment a6: The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.

Response a6: A new island is proposed between the two (2) rows of parking stalls. The aisle width in front of the CVS building is now twenty-four (24) feet. We have not reduced the aisle closest to Auburn Street due to safety concerns previously discussed with Tom Errico.

Comment a7: Parking information for the H&R Block does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Response a7: Parking information for the H&R Block is located on the Overall Site Plan, Sheet C-2 and the Site Plan, Sheet C-2A. The proposed H&R Block is located on Tax Map 375, Lot C-23.

Comment b: Please note that the recent Walgreen pharmacy approvals (340 Allen Avenue and 606 Forest Avenue) were for single drive thru lanes and we request additional explanation as to why two drive thru lanes are required for the proposed CVS.

Response b: Only one (1) drive-thru lane is proposed.

Comment c: Please provide more information regarding the provision of safe pedestrian circulation, including the link between the front of the Plaza and the existing path from Brook Road.

Response c:

- **Two (2) new pedestrian access sidewalks with associated crosswalks and tip down ramps are proposed from Auburn Street to the front of the shopping plaza on Lot C-1.**
- **A new pedestrian connection is proposed between the shopping plaza on Lot C-1 and the existing Mercy Care building. The proposed connection will include associated tipdown ramps and crosswalks. This new connection will also provide safe passage for pedestrians between Auburn Street and the Medical building.**
- **A new crosswalk to a proposed raised sidewalk has been designed adjacent to the existing building to provide safe passage for pedestrians between the foot path from Brook Road to the front of the shopping plaza. As a result, this will provide a pedestrian walkway from the existing footpath all the way to Auburn Street.**

Comment d: We will clarify regarding the question of the scale of bicycle parking required.

Comment e: Please note that the signal at the access with Auburn Street may be part of this review.

Comment 10: I confirm that the proposals as submitted are acceptable to the Fire Department and that they require a 20 foot wide access to the rear of the retail buildings for fire access.

Comment 11: The landscaping proposals have not yet been formally reviewed, but please revise the Landscape Plan to show all existing trees (and whether they are to be removed), and show proposed trees with a different notation. Dumpster locations (existing and proposed) for all Plaza uses adjoining the rear service area near the proposed CVS should be identified on the plans and may need to be rationalized and screened.

Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C
Page - 9


Response 11:

- Existing trees have been shown on the Demolition Plan, Sheet C-1. Trees that are to be removed have been identified.
- The Landscaping Plan, Sheet C-6, includes the existing landscaping that will remain and the proposed landscaping. Symbols for existing landscaping have been changed to further differentiate between the existing and proposed landscaping.
- The overall Site Plan, Sheet C-2, includes the locations of all dumpsters, both existing and proposed. The new dumpster and compactor for CVS will be enclosed and no other dumpsters will be affected as part of this project.

We respectfully request to be put on the agenda for the April 14, 2009 Planning Board Workshop.

Please feel free to call me if you have any questions.

Sincerely,



Bradlee Mezquita, P.E., LEED AP
Vice President

GY/maa
(2042c-006(comment & response letter).doc)

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

Billing Address: (name, address and contact information)

A & D Realty, LLC
c/o Frank Normandin
Winslow Property Management
5 Militia Drive
Lexington, MA 02421

Submittals shall include **seven (7) folded** packets containing of the following materials:

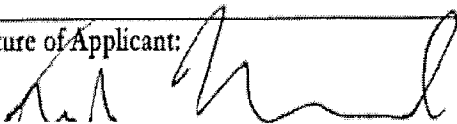
- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

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: xnvw.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.

Signature of Applicant:



Date:



Conditional Use Application

Department of Planning and Development
Portland Planning Board

1. Applicant Information:

A & D Realty, LLC

Name

c/o Frank Normandin, Winslow Property Management

Address

5 Militia Drive, Lexington, MA 02421

(781) 862-9700

Phone

(781) 862-9070

Fax

2. Subject Property:

91 Auburn Street

Address

Portland, ME 04103

Map 375, Lot C-1

Assessor's Reference (Chart-Block-Lot)

3. Property Owner: Applicant Other

Name

Address

Phone

Fax

4. Current Zoning Designation(s):

B-2 Zone

*City Land Use Ordinance
H4*

5. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Owner, Deed

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

6. Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

See Existing Conditions Plan.

7. Existing Use:

Describe the existing use of the subject property: Shopping Center

8. Type of Conditional Use Proposed:

Drive thru window at proposed CVS.

9. **Sketch Plan:** On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'.)

10. **Conditional Use Authorized by:** Section 14- 183 (a) 4

11. **Standards - Criteria for Conditional Use Appeal**

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

12. **Application Fee:** A fee for must be submitted by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Workshop and Public Hearing notices as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

Fee for Service Deposit (\$200.00) (included with development review)
(Required for all applications in addition to the applicable application fee listed below)

Conditional Use \$100.00

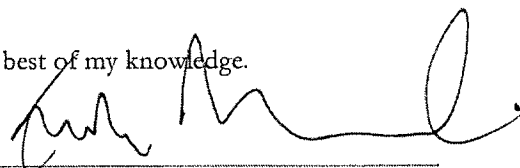
Legal Advertisements percent of total bill

Notices .55 cents each
(workshop and public hearing)

NOTE: Legal notices placed in the newspaper for the public hearing meeting are required by State Statute and local ordinance. The cost of any and all Newspaper advertisements, legal advertisements and Planning Board notices will be billed directly to the applicant.

13. **Signature:** The above information is true and accurate to the best of my knowledge.

January 9, 2009
Date of Filing


Signature of Applicant

Further Information: Please contact the Planning Division for further information regarding the conditional use process. Applicants are encouraged to make an appointment to discuss their conditional use before filing the application.

Applicants are encouraged to include a letter or narrative to accompany the conditional use application which can provide additional background or contextual information, and describe the proposed conditional use and reasons for the request in a manner that best suits the situation.

Portland Planning Board, Portland, Maine- Effective: July 6, 1998



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
www.appledoreeng.com

January 30, 2009

Ms. Barbara Barhydt
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Barhydt:

On behalf of A & D, Realty Inc., we are pleased to submit the following information relative to the Site Plan Review and Conditional Use Application for the above referenced development:

- A check in the amount of \$800 to cover Application for Major Site Plan Review and Conditional Use Application
- Seven (7) complete packets including:
 - Development Review Application
 - Conditional Use Application
 - Site Plan Checklist
 - Site Plan Written Statement
 - Ability to Serve with PWD water letter dated December 12, 2008
 - Initial Capacity Letter from New England Realty Resources, LLC dated January 23, 2009
 - Copy of Deeds and Descriptions
 - 24" x 36" Site Plan set dated January 30, 2009 including standard Boundary Survey provided by Doucet Survey dated December 29, 2008
- Three (3) copies of the Drainage Study dated January 30, 2009
- One (1) 11" x 17" Site Plan set dated January 30, 2009
- Electronic PDF of the proposed Site Plan will be provided to you via e-mail

As part of this submission we are requesting the following waivers:

1. A waiver from the requirements of Section 14-499 (h) that all utilities be placed underground for Lot C-1.

- It is the intent to place all new or disturbed utilities underground; however, a large portion of this lot is not included in the scope of this project so we are requesting that the existing overhead utilities in this area remain.
- 2. A waiver from the requirements of 14-526 (c) (2) minimum off-street bicycle parking for non-residential structures for Lot C-1.
 - Based on the parking for the overall shopping plaza a total of forty-two (42) bicycle parking spaces are required. Twenty-two (22) bicycle parking spaces have been provided within the limit of work.
- 3. A waiver from the requirements of 14-453 (a) minimum building setback from normal high water line of stream: seventy-five (75) feet.
 - As part of the redevelopment of this plaza a portion of the existing building, including 519 sf within the setback, will be removed. In its place a new CVS building is proposed, this building would include 430 sf within the setback. This is the first time this structure has been expanded into the setback.
- 4. A waiver from the requirements of 14-453 (c) minimum parking setback from normal high water line of stream: seventy-five (75) feet.
 - Currently parking exists within the setback. The proposed redevelopment will reduce the impervious area within the setback but will include some parking within this setback. The proposed condition will be an improvement over the existing condition.

We respectfully request to be put on the agenda for the earliest available Planning Board workshop. We are available to meet with you and/or the Planning Board staff prior to the meeting to review the plans and address any questions.

We appreciate your input so far and look forward to continuing to work with you and the Planning Board staff on this project. Please call me if you have any questions.

Sincerely,


Bradlee Mezquita, P.E., LEED AP
Vice President

BM/maa
(2042c-001(site plan review-conditional use.doc))

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.



Northgate Plaza Auburn Street

Site Plan Written Statement

1. Project Description/Proposed Use

The proposed projects involve the redevelopment of the Northgate Shopping Center (Lot C-1) and adjacent Lot C-23. The two (2) projects are located on Auburn Street in Portland, Maine. The shopping center's property (Lot C-1) is approximately 13.20 acres located in the Community Business District (B-2). The adjacent Lot C-23 is approximately 0.54 acres located in the Residential Professional District (R-P). The overall project site (includes both lots) is bound by Auburn Street to the south, Allen Avenue to the east, the Mercy Care property to the northwest and Fall Brook with jurisdictional wetlands to the north (see Figure 1 – Site Location Map). The existing developed plaza consists of approximately 105,940 sf of retail and restaurant area. The property also supports a 3,030 sf Town and Country Credit Union, as well as parking (by easement) for Mercy Care. The adjacent property includes a 5,200 sf building to be redeveloped.

The proposed redevelopment within Lot C-1 will include the demolition of approximately 12,715 sf of the existing shopping center at the northern end of the plaza. The existing portion of the building that will be demolished includes a bakery, office and retail spaces. The project will also include the construction of a new 12,900 sf stand-alone CVS building within the limits of the existing pavement. The new CVS building will have a drive-thru facility covered by a building overhang that will connect to the existing building. The purpose of the overhang is to visually connect the CVS building with the adjacent shopping plaza by providing a continuous roofline through the entire plaza. Parking, landscaping and utility improvements are also proposed throughout the existing center (see Sheet C-3 Overall Site Plan). Approximately 2.65 acres of the previously developed site will be disturbed.

Lot C-23 houses the former Boy Scouts of America building and is currently vacant. No parking for this facility exists on the lot. The redevelopment of this lot includes facade improvements and the construction of a 13-space parking lot with associated drive aisle to meet the requirements for an office building of this size.

The proposed location of the CVS building has come about after much analysis and numerous discussions with staff members from the City of Portland. We have worked with city staff to analyze several different optional layouts for this center. At the request of planning staff we looked at moving the proposed CVS building closer to the front of the site. It was initially thought this would better meet the intentions of the zoning regulations and bring the proposed building out of the Stream Protections Zone. Jim Carmody from the Public Works Department and Tom Errico, a traffic review consultant for the city have also had the opportunity to look at the conceptual layouts and felt that from a traffic standpoint these options were not practical.

Based on the analysis of different configurations and options for the site we felt that the proposed layout is the most suitable. Some of the benefits of the proposed layout include:

- The proposed building will be inline with the rest of the shopping center, connected with an overhead canopy keeping one continuous roofline.
- The front drive aisle will not directly intersect with the entrance drive. Customers exiting the plaza will be directed to the second drive aisle and cross the main drive approximately 100 feet from the signal.
- The layout maximizes open space and landscaped areas.
- Adequate parking is provided for the adjacent medical building within the existing easement area.

2. Project Area

Total land area of the site:

Tax Map 375 Lot C-1: ±13.20 acres

Tax Map 375 Lot C-23: ±0.54 acres

Total Floor Area:

Tax Map 375 Lot C-1: ± 109,204 sf

Tax Map 375 Lot C-23: ±5,200 acres

Total Disturbed Area:

± 2.65 acres (includes both lots)

Total Ground Coverage of proposed Building:

The proposed CVS will be ±12,900 sf

3. Existing or Proposed Easements or Other Burdens

There are a number of easements and restrictions on the property including three (3) sewer easements; a drainage easement; a number of electrical easements; a 25-foot ROW; a common area agreement; a grading, access, landscaping and drainage easement; an access, utility and parking easement and a notice of layout and taking by the MEDOT. See the boundary survey for locations and information regarding these easements and restrictions.

4. Solid Waste

At present the facility is under contract with Trojano Waste Services to haul away all solid waste. This contract covers any additional solid waste generated as a result of the new construction on both lots. Currently there are a number of dumpsters and one (1) compactor serving the shopping plaza. There is no waste receptacle existing on the former Boy Scout lot. One (1) enclosed dumpster and one (1) vertical compactor are proposed for the new CVS, and one (1) enclosed dumpster is proposed for on Lot C-23.

5. Availability of Off-Site Facilities

Water, sewer, gas, electric and telephone are available to the existing plaza. These utilities will continue to be available to all existing and proposed buildings on site.

See enclosed Ability to Serve letter from the Portland Water District. Frank Brancely from the City of Portland, Department of Public Services has been provided with information on the proposed redevelopment. We have not yet received a letter regarding the sewer capacity for this project.

6. Surface Drainage and Stormwater Management

The site drains from the south along Auburn Street towards Fall Brook and the jurisdictional wetlands located at the rear of the existing parking lot. Fall Brook has been designated as an Urban Impaired Stream by the Maine Department of Environmental Protection. As part of the redevelopment of this site we have reduced the existing impervious area on the site, which will in turn reduce the contributing stormwater runoff and potential for pollutants entering Fall Brook. In addition we are proposing an upgrade of the existing closed drainage system, including catchbasins with sumps and grease hoods as well as a new water quality unit to treat the stormwater prior to discharging to the brook.

Based on the Flood Insurance Rate Map for this area, the portion of Fall Brook directly down stream of the site appears to have flooding concerns and is designated within the 100-year flood zone. The reduction on impervious area on this site will help to reduce the contributing volume of runoff entering Fall Brook and help to minimize flooding down stream.

The proposed redevelopment has been designed to meet the regulations and principles as outlined in the Stormwater Management for Maine: Best Management Practices and Maine Erosion and Sediment Control Handbook for Construction to the maximum extent practical. A full analysis of the existing and proposed stormwater conditions can be found in the Drainage Study Dated January 30, 2009.

7. Construction Plan

The following outlines the proposed construction sequencing for this project:

- A. Cut and clear trees.
- B. Construct temporary and permanent sediment, erosion and detention control facilities. Erosion, sediment and detention measures shall be installed prior to any earth moving operations that will influence stormwater runoff such as:
 - new construction
 - stream channel modifications
 - control of dust
 - construction of access road
 - nearness of construction site to receiving waters
 - construction during late winter and early spring

- C. All permanent ditches, swales, detention, retention and sedimentation basins to be stabilized using the vegetative and non-structural BMPs prior to directing runoff to them.
- D. Clear and dispose of debris.
- E. Construct temporary culverts and diversion channels as required.
- F. Grade parking areas – all parking areas shall be paved immediately after their construction.
- G. Begin permanent and temporary seeding and mulching. All cut and fill slopes shall be seeded and mulched immediately after their construction.
- H. Daily, or as required, construct temporary berms, drains, ditches, silt fences, sediment traps, etc.; mulch and seed as required.
- I. Finish paving all roadways and parking lots.
- J. Inspect and maintain all erosion and sediment control measures.
- K. Complete permanent seeding and landscaping.
- L. First remove trapped sediments from collector devices as appropriate and then remove temporary erosion control measures.

Construction is estimated to begin in June 2009 and be completed by November 2009.

8. State and Federal Agency Approvals

This project will be subject to the Maine Department of Environmental Protection Stormwater Permit By Rule. We will file for this permit pending approval from the City of Portland Planning Board.

9. Evidence of Financial and Technical Capacity

See enclosed letter from New England Realty Resources, LLC regarding financial capacity.

Appledore Engineering, Inc (AEI) has the technical capacity to assist A&D Realty, LLC to undertake the design and permitting for this redevelopment. Appledore has worked successfully throughout Maine and specifically in Portland on several large scale projects. Appledore has fourteen (14) civil engineers on our staff, of which eight (8) are licensed Professional Civil Engineers and has been in business since 1987.

10. Title, Right or Interest

See attached deeds and descriptions.

11. Unusual Natural Areas

There are no unusual natural areas, wildlife or fisheries habitats or archaeological sites located on or near the project site.



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
www.appledoreeng.com

February 23, 2009

Ms. Barbara Barhydt
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Additional Information
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Barhydt:

On January 30, 2009, Appledore Engineering submitted a Site Plan Review and Conditional Use Application for the above referenced development. Per your request we have enclosed the following information regarding the building elevations:

- Seven (7) 24"x36" copies of the CVS/pharmacy Exterior Elevations Plan provided by BKA Architects, dated February 19, 2009
- One (1) 11"x17" copy of the CVS/Pharmacy Exterior Elevations Plan provided by BKA Architects, dated February 19, 2009
- Eight (8) 11"x17" copies of the Schematic Design for Commercial Building at 125 Auburn Street, Proposed Front Elevation & Proposed Side Elevation, provided by DeStefano Architects, dated January 30, 2009

In addition we are submitting a revised boundary survey, which includes a correction to a typo that was found. Please replace previously issued plans with the enclosed information:

- Seven (7) 24"x36" copies of the revised Existing Conditions Plans, Sheets 1, 2 and 3 of 3 provided by Doucet Survey dated February 19, 2009
- One (1) 11"x17" copy of the revised Existing Conditions Plans, Sheets 1, 2 and 3 of 3 provided by Doucet Survey dated February 19, 2009

We hope that this information will be useful for your review and we would like to request to be put on the agenda for the earliest available Planning Board workshop. We are available to meet with you and/or the Planning Board staff prior to the meeting to review the plans and address any questions.

Thank you again for your cooperation through this process and please feel free to contact me if you have any additional questions.

Sincerely,


Bradlee Mezquita, P.E., LEED AP
Vice President

BM/maa
(2042c-003 (site plan review-conditional use)(supplemental information).doc)

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 5/1/2009 2:17:06 PM
Subject: Northgate Plaza May 1, 2009 submission

Hi Jean,

Attached are pdfs of the cover letter and plans associated with this May 1, 2009 submission. Hard copies will be sent to you and will arrive on Monday morning via FedEx.

Thank you again for helping us to be on the May 12th workshop agenda, and we look forward to seeing you there.

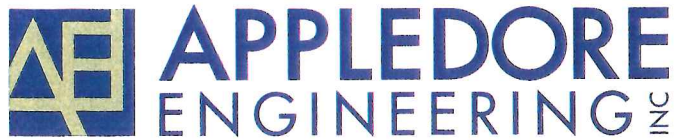
Please let me know if you have any questions or need any additional information.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>
gyoung@appledoreeng.com
~ Best Small Civil Engineering Firm to Work For in the Country - CE
News, Oct. 2008 ~

<<2042C_PLANS_(5-1-09).pdf>> <<2042C_COVER LETTER_(5-1-09).pdf>>

CC: "Bradlee Mezquita, P.E." <BMezquita@appledoreeng.com>, "Frank Normandin" <frankn@summitrealtypartners.com>



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
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May 1, 2009

Ms. Jean Fraser
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Fraser:

On behalf of A & D, Realty Inc., Appledore Engineering submitted a Site Plan Review and Conditional Use Application for the above referenced project on January 30, 2009 with revisions dated March 13, 2009. We have made additional revisions to the submission based on feedback from the Planning Board received during the April 14th workshop. Enclosed please find the following information relative to the Site Plan Review/Conditional Use Applications:

- Seven (7) complete packets including:
 - Cover Letter dated May 1, 2009
 - Drive Thru/Crosswalk Plan dated May 1, 2009
 - Drive Aisle Reconfiguration Plan dated May 1, 2009
 - 125 Auburn Street Site Revisions Plan dated May 1, 2009

The following are responses to an e-mail sent on April 15, 2009 and the Comment Letter dated April 16, 2009, which summarized the Planning Board's comments. Comments are in *italics* followed by our responses in **bold**:

Comment: *Reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn Street, including a reduction in the number of parking spaces (the Board indicated some options for this) to reduce the impact on the existing buffer and to achieve an adequate buffer along the boundary between the R-P zone and the abutting residential zone.*

Response: **The proposed site has been revised to include a wider buffer between the proposed development and the adjacent property. The parking on the lot has been reduced from thirteen (13) spaces (as required by zoning) down to eight (8) spaces. This reduction will require a parking easement for five (5) spaces on the Northgate Plaza property (see the enclosed 125 Auburn Street Site Revisions Plan). The abutter has reviewed the proposed revisions and is satisfied with the changes.**

Comment: *Provide information on the volume of drive thru vehicles; confirmation re the stacking area; explanation for its location; and submission of details to illustrate the proposed traffic management and how it is designed to ensure safety/protection for pedestrians/children using the principal route along the front of the Plaza.*

Response: **The maximum anticipated stacking for this CVS drive-thru is four (4) cars; the drive-thru lane has been designed to accommodate five (5) cars before interfering with the pedestrian crosswalk. The only vehicles crossing the pedestrian crosswalk will be those entering the drive-thru. The crosswalk has been identified to pedestrians with tip-down ramps, which include detectable warning surfaces and painted striping indicating a cross-walk. In addition, the proposed trees in this area have been removed to ensure adequate visibility for pedestrians (see the enclosed Drive-Thru/Crosswalk Plan).**

Comment: *It might be helpful if you submitted... a blow-up drawing of the drive-thru area so the signs, markings etc. are clear and you could label the different aspects of the drive-thru including showing the car space stacking areas and the loading arrangements.*

Response: **Please see the enclosed Drive-Thru/Crosswalk Plan. Tom Ericco, city traffic consultant, has had the opportunity to review this plan and agreed that no additional signage or markings were necessary.**

Comment: *I note that you highlighted that cars exiting the drive-thru will see in front of them a "one-way left" sign as they pull out - but I believe they will be pulling out into a 2-way drive aisle that could have a tractor-trailer bearing down on them as it goes to the Shaw's loading bay.*

Response: **The signage provided across from the drive-thru exit includes an "Exit Left" sign and a "Trucks Entering" sign. These are intended to direct vehicles away from the Shaw's loading area and alert drivers that there may be trucks coming from either direction. Based on a recommendation from Tom Ericco, we have also provided a stop sign and stop bar for the traffic exiting the drive-thru and a single white lane line along the rear drive to delineate the two-way drive.**

Comment: *Regarding the aisle nearest to Auburn Street (and the scope to narrow it and widen the rain garden) it was my understanding from Tom that while the concept plan... may raise safety questions, that does not mean that it could not be designed somewhat differently and achieve a safe way of narrowing the drive aisle - and that is what I understood was still under discussion.*

Response: **We still believe that this lane shift could cause a safety issue. We would like the opportunity to discuss this item with the Planning Board and Tom during the up coming workshop.**

Below are the specific standards regarding a drive-thru in *italics*, with an explanation of how we meet the standard showing in **bold**.

Standard: *Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.*

Response: **No new pylon signage is proposed; wall signs will meet the B-2 architectural standards.**

Standard: *No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.*

Response: **No new driveways are proposed.**

Standard: *Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.*

Response:

- **Drive-thru is located at the side/rear of the building.**
- **The proposed drive-thru is greater than forty (40) feet from the nearest residential zone.**
- **The proposed drive-thru is greater than twenty-five (25) feet from a street line.**
- **The maximum anticipated stacking for this CVS drive-thru is four (4) cars; the drive-thru lane has been designed to accommodate five (5) cars before interfering with the pedestrian crosswalk and will not interfere with vehicular circulation on the site.**

Standard: *Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.*

Response: **The applicant agrees to provide all audible services at a level not to exceed 55 dB and agrees not to play a prerecorded message.**

Standard: *Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.*

Response: **A six (6) foot tall fence has been provided to prevent any vehicular light sources from the adjacent residential property. In addition, an existing wooded buffer between the shopping plaza and the adjacent residential property has been maintained.**

Standard: *Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts.*

Response: **A six (6) foot tall fence has been provided to separate the drive-thru from the adjacent residential property.**

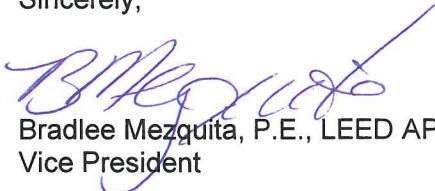
Standard: *Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.*

Response: **The pedestrian circulation, with regards to the proposed drive-thru, has been designed to minimize pedestrian conflicts (see the enclosed Drive-Thru/Crosswalk Plan).**

We realize that a Photometrics Plan is still pending and have asked the electrical engineer to prepare one based on the revised layout; we will provide this information to you as soon as it becomes available. We respectfully request to be put on the agenda for the May 12, 2009 Planning Board Workshop.

Please feel free to call me if you have any questions.

Sincerely,



Bradlee Mezquita, P.E., LEED AP
Vice President

GY/maa
(2042c-011(comment response letter2).doc)

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.

From: Jean Fraser
To: Bradlee Mezquita, P.E.; GYoung@appledoreeng.com
Date: 4/15/2009 10:16:05 AM
Subject: Traffic issues re Northgate Plaza/CVS/H&R block project

Brad and Gretchen,

I will be writing (next day or so) to confirm the current status of the application based on the feedback from the Planning Board.

Regarding traffic issues, it is not uncommon for the Board to ask for an explicit confirmation regarding some feature of a project where the reviewer has been 'silent'. They just want reassurance that it has been looked at closely and all concerns have been addressed- so Tom will be asked to address their request and also attend the next Workshop.

The Board are reviewing this as a B2 conditional use because of the drive thru and there are a number of very specific standards that the Board must be satisfied are addressed (the standards are listed below; I have underlined the ones I think the Board are concerned about). Documentation regarding these (eg stacking, pedestrian safety) are usually requested and related conditions are often included; please note that the recent Walgreens proposal also had 2 Workshops before the Hearing and pedestrian circulation was a key issue there too.

It might help if you submitted (in addition to anticipated numbers of cars using the drive thru) a blow-up drawing of the drive-thru area so the signs, markings etc are clear and you could label different aspects of the drive thru including showing the car space stacking areas and the loading arrangements. Hopefully this won't show that the exhaust from queuing cars will be right on the Plaza sidewalk!!!!

I note that you highlighted that cars exiting the drive thru will see in front of them a "one -way left" sign as they pull out- but I believe they will be pulling out into a 2-way drive aisle that could have a tractor--trailer bearing down on them as it goes to the Shaw's loading bay....I will let Tom comment on that.

Regarding the drive aisle nearest to Auburn Street (and the scope to narrow it and widen the rain garden) it was my understanding from Tom that while he may agree that the concept plan you sent to him last week (which I do not have) may raise safety questions, that does not mean that it could not be designed somewhat differently and achieve a safe way of narrowing the drive aisle- and that is what I understood was still under discussion.

It may be that this is the time for a meeting with Tom and myself (and maybe Barbara/Alex) - to include a discussion re the area next to 125 Auburn Street as I think that is the real reason the Planning Board asked for another Workshop.

Re the timing of things from now on- **May 12th** is the next Planning Board Workshop but I don't know how quickly the issues re 125 Auburn Street can be resolved (I would guess the traffic issues can be more quickly clarified). It may be that although there is another Workshop you could have the required Neighborhood Meeting any time now and the Hearing could be the next Board after the Workshop (if the board agree) so minimizing any delay.

Once you have had a chance to consult with the applicant please let me know whether you would like me to arrange a meeting (primarily with Tom) and what timetable you would like to arrange re any revisions and the next Workshop. We will do what we can to facilitate this project moving forward as quickly as possible.

thanks
Jean

SEE EXTRACT RE B2 DRVIE THRU STANDARDS BELOW....

Specific Standards re Drive Thrus (my underlining):

In addition to approval by the Planning Board with respect to the requirements of article V (site plan), these uses shall comply with the following conditions and standards in addition to the provisions of section 14-474:

a. *Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.*

b. *Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.*

6. *Drive-throughs, where permitted, shall also specifically comply with the following conditions:*

a. *Location of Drive-throughs: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.*

b. *Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.*

c. *Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.*

d. *Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and*

e. *Pedestrian access: Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.*

f. *Hours of Operation: The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.*

CC: Barhydt, Barbara; Errico, Thomas

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 5/27/2009 1:26:44 PM
Subject: RE: NOOrthgate Plaza/CVS submissions

Hi Jean,

I am working hard to get you all of the remaining information and believe that we should be able to submit by the end of this week. I do understand that if we are not able to get you these outstanding items by the dates you have set out below there will not be enough time for review before the June 9th meeting.

As always, thanks for your help.

-Gretchen

-----Original Message-----

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Wednesday, May 27, 2009 1:17 PM
To: Gretchen Young, P.E.
Cc: Barbara Barhydt
Subject: NOOrthgate Plaza/CVS submissions

Gretchen,

In your letter of May 19, 2009 you mention that there are two further submissions:

1. Drive thru data that is relevant and up to date (Planning Board request); and 2. Photometric Plan

To date this information has not been submitted; for a hearing we would expect it to be submitted well ahead of time in order for there to be a written staff review included in the Planning Report.

In order for this project to remain on the Planning Board agenda for June 9th, please submit item 1 above (drive thru data) by noon on Monday June 1.

Re item 2, asap but no later than Tuesday June 2. (end of day).

Thank you

Jean

Jean Fraser
Planner, City of Portland
(207) 874 8728

CC: "Barbara Barhydt" <BAB@portlandmaine.gov>

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 4/1/2009 2:37:26 PM
Subject: Northgate Plaza

Hello Gretchen,

We conducted a "final" review of this project today and I have all of the comments for the Planning Board Memo except for Landscape comments (which I understand is likely to be suggesting more trees and some other species for the landscaped buffer to the north near the residential abutter).

I attach the final review comments which will be included in the Planning Board Memo next week. I don't think we need a meeting as in most cases you have addressed the previous review concerns and where there are outstanding issues there is not time for you to resubmit and for us to review before the Board meeting on April 14th.

So I am forwarding these comments so you are aware of the views that will be included in the PB Memo and have time to organize your presentation to address these concerns if you wish.

There are a few pieces of information that I am requesting to be submitted by Tuesday/Wednesday of next week so I can include them in the PB Memo:

1. The revised photometric plan, which was the subject of a previous e-mail from me;
2. You might want to correct and resubmit the plans showing " impervious surfaces" for 125 Auburn (the Boy Scout building site) (see Zoning Comments 3.30.2009);
3. Could you please submit an section showing the existing topography between the abutters at 137 Auburn Street and the Boy Scout building, and another of the proposals showing the location of the 6 foot high fence on the slope between the new 13 space parking area and the abutter at 137 Auburn St; both to include the full height side of the abutters house, accurate levels for the slope/regrading in that area, full height side of the Boy Scout building and (re the one of proposals) parking bay & parking aisle - this would help the Board to understand how the abutters are affected by the proposals. If vegetation can be shown accurately and so it does not obscure the other information that would be helpful too. The sections should be at the same scale, dimensioned, and comparable and relate to the submitted survey, site plan and landscape plan.

Please call me if you have any questions.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 4/1/2009 2:37:26 PM
Subject: Northgate Plaza

Hello Gretchen,

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Please call me if you have any questions.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

Conf. call

3.6.09

Tom Errico } city
Jan Fraser }

C-23 - reducing of pavement width

TE - maintain 24' aisle

- stall length 18'

- will grant waiver.

Tom's comments.

①. Re land use: TE - needs info drive-thru

- " " H&R Block

- be specific about what
elim + what added

- Brad says will do tables
of comparison.

TE - ? - any changes in Plaza over
last 10 yrs

if check _____ ? any previous TMP Brad didn't know
Shaw's expanded 2000.

②. Re extra parking - demand

TE - what would ITE calcs indicate
for demand

TE - suggest make case re why no real
extra parking via presentation.

③. Truck movements - have done auto-turns

TE - is a little awkward; why not
on rear

(Brad explained its CVS store layout which
drives this)

③ Loading dock -

will provide schedule etc. re frequencies
TE - they will to make that case.

④ Parking aisles wider + explained why -

TE - suggested move 4 spaces near
Mercy over 3 feet (18' stalls) + 1 from
aisle) + vegetate along mercy.

⑤ Drive thru - TE - will need to defend -
why? - seems excessive
Walgreens only!

⑥ 30' aisles at front? brainstorm -
introduce central area between parking
stalls (if sig link to ATM island - break up -
add trees + infiltration)

⑦ Ped walk

TE - concerned that peds going to
go through drive thru area

- if reduce drive thru lane would
be space + needs raised sidewalk

Brad - next Friday submitting everything

TE - mentioned signal

old clunker

needed / function

has ped phase

3-4-09. CVS/Northgate - attendees as an attached draft "agenda"

- 1) Site C-23 - Site Plan is correct
 - need correction re survey
 - asked for copies of easement re any restrictions

2) Brad "walked through" site plan

Loading: tractor trailer backs in (1x week)
this operation doesn't
no other loading area (drive thru) ^{elec. is w/in}

Impact in buffer: showed updated plan
they know need to submit NRPA.

- 3) David - generally concerned re stream
Frank - snow is trucked off-site; temp. stored by stream.

Brad - parking dedicated for mercy
area of easement? doc.

4) C-23 -

- 5) JF asked for summary of drainage/treatment structure under walkway; Dan suggested alt. approach infiltration before piping

2 infiltration basins
⑥ Discussion re infiltration: Dan suggested other approaches + trade offs; looking for improvement (don't want down defender)

Brad asked if need new outfall to stream
Barbara asked whether pulling over lanes and widening buffer along wetland - OK too.

snow storage area - use to heat roof + put snow storage nearer Auburn.

⑦ Red trail - more direct

Boy Scout Bldg

- 3' ramp chg of level 101/102 -> 105
- 2 full floors
- back side - sideways slopes around the bldg to lower rear door.
- drainage sheet flows to main parking

Impact on abutter - Frank has not had a chance to meet neighbors re issues; Brad described fact that ^{fence would} screen news from house because its so close.

Alex - C-23 dependent on C-1 for drainage + access so OK to have easement w/ C-1 for some parking

IF to discuss with Tom Supt for waiver. Conference Call -

Discussion re scope for reducing parking area by reducing aisle width eg 22' looking for viable landscape buffer.

are saving the big pine out front

Dumpster - trucks preferable to remove

Marge - copy of ord + ? over flood area.

way forward

get NRPA rolling
do revs + get renewed
April 14th Hearing

waivers

Bicycles - waivers - ? had to new build?
underground utilities - may not need waiver as not subdivision

will need waiver for parking aisle width.

NORTHGATE PLAZA/CVS MEETING

March 4, 2009 2pm

Attendees from the Applicant:

Frank Normandin from A&D Realty
Bradlee Mezquita, Appledore Engineering
Gretchen Young, Appledore Engineering

Attendees from the City:

Alex Jaegerman, Director of Planning
Barbara Barhydt, Development Services Review Manager David
Margolis-Pineo, Deputy City Engineer
Marge Schmuckal, Zoning Administrator
Dan Goyette, Peer Reviewing Engineer (from Woodard & Curran)
(maybe) Jeff Tarling, City Arborist
Jean Fraser, Planner

Suggested discussion topics:

1. **Summary/clarification of proposals by applicant** (it would be helpful to have confirmation of loading areas, further parking demand information, and drive thru trip generation available for the meeting - Traffic Engineering comments were forwarded to you last week and included a request for this and other information; also please confirm size of existing plaza as stated to be 105,940SF in one place and 109,204SF in another)
2. **Review issues re CVS building and drive thru:**
 - a. Clarification re the framework for the review: MeDEP and Chapter 500 interpretations and applicability;
 - b. Drainage into Fall Brook - Parking, travel lane, building and snow storage are within the 75' stream protection zone and require a waiver from city requirements. By constructing a building and adding a drive through lane, the land use within the 75' stream setback is intensified. Significant improvements re impervious surface area and treatment of storm water are needed eg LID techniques;
 - c. The Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP. An alternative stormwater treatment approach is required;
 - d. There appear to be 63 more parking spaces than what is required by code; why can't the parking within the 75 foot setback be eliminated so that this area can be vegetated; snow storage area could be relocated so that drive lanes can be pulled away from Fall Brook;
 - e. Pedestrian footpath (from Brook Rd to Plaza which comes out in travel lanes from drive-thru) and proposed relocation/safety treatment (currently uses existing sidewalk along side of existing Plaza building);
 - f. Landscaping and Lighting; Sanitary waste flow calculations and lighting photometrics need to be submitted; also details of the ATM.
3. **Review issues re 125 Auburn (Boy Scout Building)**
 - a. Site boundaries not consistent (as between survey and site plan);
 - b. Impacts of the newly proposed (not shown in pre-application plans) parking area at side of the building, including loss of trees; absence of buffer; topography and drainage; impact on residential abutter re noise, glare, loss of trees etc (see letter from Scotts forwarded previously);
 - c. Alternative ways to provide parking? Some in Plaza parking area?
 - d. If this scale of parking remains part of proposal, need information for Planning Board on lighting levels, location of parking in relation to steep slope across site and in relation to abutter's property; plans showing trees to be removed; details of landscaped buffer etc.
4. **Other issues not covered above**
5. **Way forward**
 - a. Confirm information and revisions to be submitted;
 - b. Timetable vis a vis Planning Board.

NORTHGATE PLAZA/CVS MEETING
March 4, 2009 2pm

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Frank Normandin from A&D Realty
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Jean Fraser, Planner

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2. **Review issues re CVS building and drive thru:**

- a. Clarification re the framework for the review: MeDEP and Chapter 500 and applicability;
- b. Drainage into Fall Brook - Parking, travel lanes, zone and require a waiver from city requirements. Land use within the 75' stream setback is intended. Treatment of storm water are needed eg LID and 5' stream protection through lane, the surface area and
- c. The Downstream Defender is not recognized. Alternative stormwater treatment approach is MeDEP. An
- d. There appear to be 63 more parking spaces within the 75' foot setback be eliminated so that this area can be pulled away from Fall Brook; ed so that drive
- e. Pedestrian footpath (from Brook Rd to Plaza) relocation/safety treatment (currently uses existing) and proposed
- f. Landscaping and Lighting; Sanitary waste flow also details of the ATM. submitted;

Tom - 24
ck existing
asle width +
boy length
what uses -
retail to retail +
CVS
1 pm. - or
any
9x18 756-8083

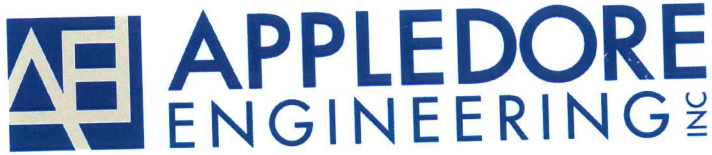
3. **Review issues re 125 Auburn (Boy Scout Building)**

- a. Site boundaries not consistent (as between survey) ng, including
- b. Impacts of the newly proposed (not shown in pre-proposal) loss of trees; absence of buffer; topography and drainage etc (see letter from Scotts forwarded previously); loss of trees
- c. Alternative ways to provide parking? Some in Plaza
- d. If this scale of parking remains part of proposal, need of parking in relation to steep slope across site and in relation removed; details of landscaped buffer etc. location be

4. **Other issues not covered above**

5. **Way forward**

- a. Confirm information and revisions to be submitted;
- b. Timetable vis a vis Planning Board.



177 Corporate Drive
 Portsmouth, NH 03801
 tel 603.433.8818
 fax 603.433.8988
 aei@appledoreeng.com
 www.appledoreeng.com

Letter of Transmittal

Attn:

Jean Fraser
 City of Portland
 389 Congress Street
 Suite 400 City Hall
 Portland, Maine 04101

Date: May 29, 2009

Re: Site Plan Review/Conditional Use
 Application
 Notrthgate Plaza redevelopment

Job No: 2042C

We are sending you: Regular Mail Overnight Delivery Other

Copies	Date	Number	Description
2	05/08/09		Winslow Property Management Information on Drive Thru
2	05/29/09		Maine Traffic - Proposed Drive Thru Facility Summary Memo
2	05/29/09		Photometrics Plans

These are transmitted as checked:

For your approval For your use As requested For review and comment

Remarks:

Copy To:

Signed:

Gretchen A. Young, P.E., LEED, AP

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 5/29/2009 1:08:38 PM
Subject: Northgate Plaza

Jean,

Attached please find a PDF of the photometrics plan for your review, I will also send you two hard copies which should get to you on Monday.

I have also attached information regarding the anticipated drive-thru traffic, I will send this directly to Tom and CC you on that e-mail. Please let me know how many copies of this you would like and I will include them in the photometrics package.

Thank you,

-Gretchen

<<0945411a CVS 329 Portland ME Rev.pdf>>
<<PortlandCVSDriveThruMemo.pdf>> <<WestBoylstonStudy.pdf>>

att:

Photometric
+ 2 as given Tom

From: "Gretchen Young, P.E." <GYoung@appledoreeng.com>
To: <terrigo@wilbursmith.com>
Date: 5/29/2009 1:13:23 PM
Subject: Northgate Plaza CVS Drive-thru

Tom,

We were not able to obtain information from CVS regarding the anticipated drive-thru traffic for this single drive-thru. As an alternative we hired a consultant from Maine Traffic Recourses to conduct a traffic study of similar uses in the state of Maine.

I have attached a memo from Maine Traffic Recourses regarding the findings, as well as the original information that was done for a CVS in West Boylston Massachusetts.

Please let me know if you have any questions regarding this submission, and let me know if any additional information is needed to confirm the anticipated stacking at this site.

Thank you,

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>
gyoung@appledoreeng.com
~ Best Small Civil Engineering Firm to Work For in the Country - CE
News, Oct. 2008 ~

<<WestBoylstonStudy.pdf>> <<PortlandCVSDriveThruMemo.pdf>>

CC: "Jean Fraser" <JF@portlandmaine.gov>

*Attachments: West Boylston Study
Memo Traffic Res. Memo*

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 5/14/2009 11:29:55 AM
Subject: Northgate Plaza/CVS follow-up

Hello Gretchen,

I received you 'phone message but was in meetings most of yesterday.

To respond:

1. I confirm the Planning Board Hearing is scheduled for **June 9th** (tuesday) evening, subject to the receipt of revised plans in time for final review;
2. Staff advise that the raingarden remain linear (Option 1 as presented to the Planning Board) with wooden guardrail along both sides to deter people walking over it and avoid snow being plowed onto it.
3. Please contact Tom Errico to discuss the drive thru data, as he agrees with the Board Members that the info submitted to the Board on Tuesday was weak.
4. Please get revised plans (including photometric plan & landscape plan) to us by end of Tuesday May 19th as these need a final review. Other information (ie drive thru data and neighborhood meeting certificate) can be later but please no later than the end of the month. These timetables are because there are many projects under review at the moment.
5. Please note that we are trying to save paper and reusing the previous (blue covered) submittal package and then adding on any new submissions (probably replacing the entire plan set on projects like this that are big). So in this case (we can discuss): a cover letter, 2 copies of the photometric and 7 scaled copies of the final plan set for reviewers, and the 11X17 set of all to go in the Planning Board Hearing Report. Please do not bind.
6. Re the labels for the Neighborhood Meeting, please contact our Office Manager (Jennifer Dorr, 207-874 8719) and she will arrange those for you (so they "match" the City noticing).

I think that covers the points in your voice message.

I am out of the office most of this afternoon but am available tomorrow if there is anything I have missed.

Jean

Jean Fraser
Planner, City of Portland
(207) 874 8728

SECOND PLANNING BOARD WORKSHOP 5.12.2009
Northgate Plaza/CVS/H&R Block

Planners Presentation:

1. Proposal: The applicant proposes:
 - Demolition of 12, 715 sq ft of the existing plaza at the north end, replaced with a new CVS building of 12, 900 sq ft with drive thru pharmacy ; this is within the B2 zone and the drive thru is a conditional use;
 - Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street for an H&R Block office (including new parking area); this is in the R-P zone.
 - Construction of a new ATM in the parking lot on the west side of the Plaza/new CVS; and
 - Associated infrastructure and landscape improvements to the northern part of the Plaza.
2. The applicant originally submitted the proposals in February 2009 and had substantially revised the proposals to address staff concerns before coming to the first Workshop in April.
3. The Board requested a second Workshop to further discuss several issues and requested that the City's Traffic Engineer, Tom Errico, attend the Workshop to clarify and respond on these issues: [Tom is here] The April PB Memo was returned to provide background for this discussion; no further staff or public comments have been received.

The focus of this Workshop is on those outstanding issues:

H&R Block building refurbishment

- The loss of the existing buffer between the building and neighbors at 137 Auburn St. (the Scotts) and the need to consider relocating the parking.

The applicant has submitted revised proposals that reduce the parking from 13 spaces to 8 spaces on this lot and approximately double the buffer area between the parking and the site boundary to allow more of the existing vegetation to remain. The location of the other 5 parking spaces is not known and Tom Errico has identified concerns about the need for a safe sidewalk connecting these spaces to the H&R block building. Staff have not received any comments from the Scotts.

Plaza

- The general layout was supported at the April Workshop (including the revised design of the open space along the rear of the new CVS building shown in B28 of the April PB Memo) but the drive-thru was a concern: what level of traffic would use the drive thru and how would stacking and traffic movements affect pedestrian safety along the front of the Plaza?

The applicant has submitted additional information and illustrations to answer these points. Tom Errico has commented that he believes these cross walk proposals to be safe, assuming a maximum stacking length of 5 vehicles is substantiated.

- Whether the width of the rain garden between the parking rows near Auburn Street could be widened by reducing the width of the drive aisle?

The applicant has not shown a reduction in this aisle due to traffic safety concerns; the applicant and Tom Errico are prepared to discuss the points regarding this issue at the Workshop.

There were a number of smaller outstanding issues which the applicant has not yet addressed (included in the list on **page 5 of the Memo**) but would be followed up prior to the Hearing.

MODE = MEMORY TRANSMISSION

START=APR-16 13:21

END=APR-16 13:26

FILE NO.=605

STN NO.	COMM.	ABBR NO.	STATION NAME/TEL NO.	PAGES	DURATION
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-CITY OF PORTLAND -

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

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



FAX

To: Bradlee Mezquita/Gretchen Young

Company: Appledore Eng. Inc.

Fax #: 603 433 8988

Date: April 16, 2009

From: Jean Fraser, Planner 207 874 8728

You should receive 3 page(s) including this cover sheet.

Comments:

As mentioned in my e-mail.
 Jean

**City of Portland
Department of Planning and Development
Planning Division**

389 Congress Street, 4th Floor
Portland ME 04101
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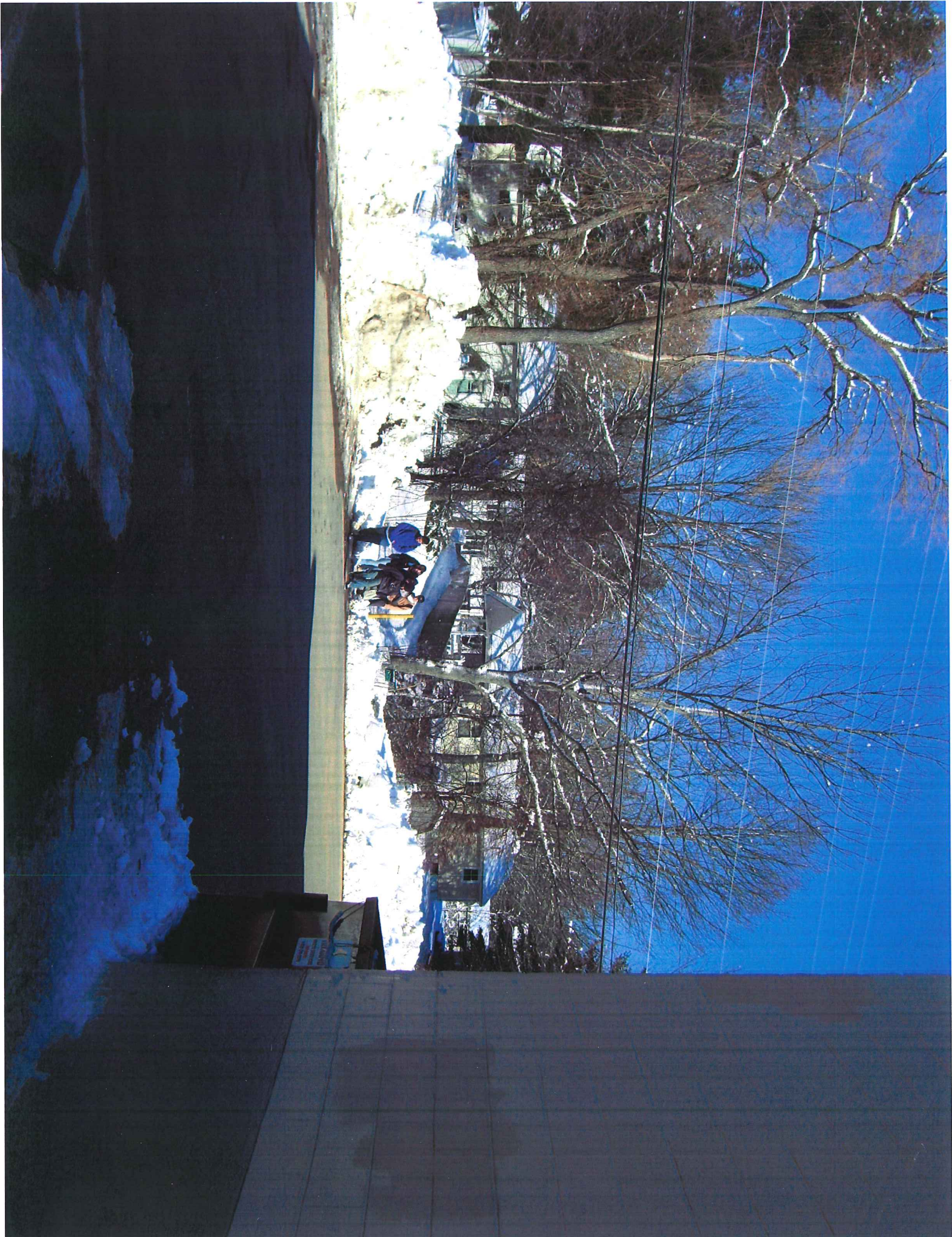
From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 4/22/2009 3:46:04 PM
Subject: Northgate Plaza/CVS Expansion/H&R Block

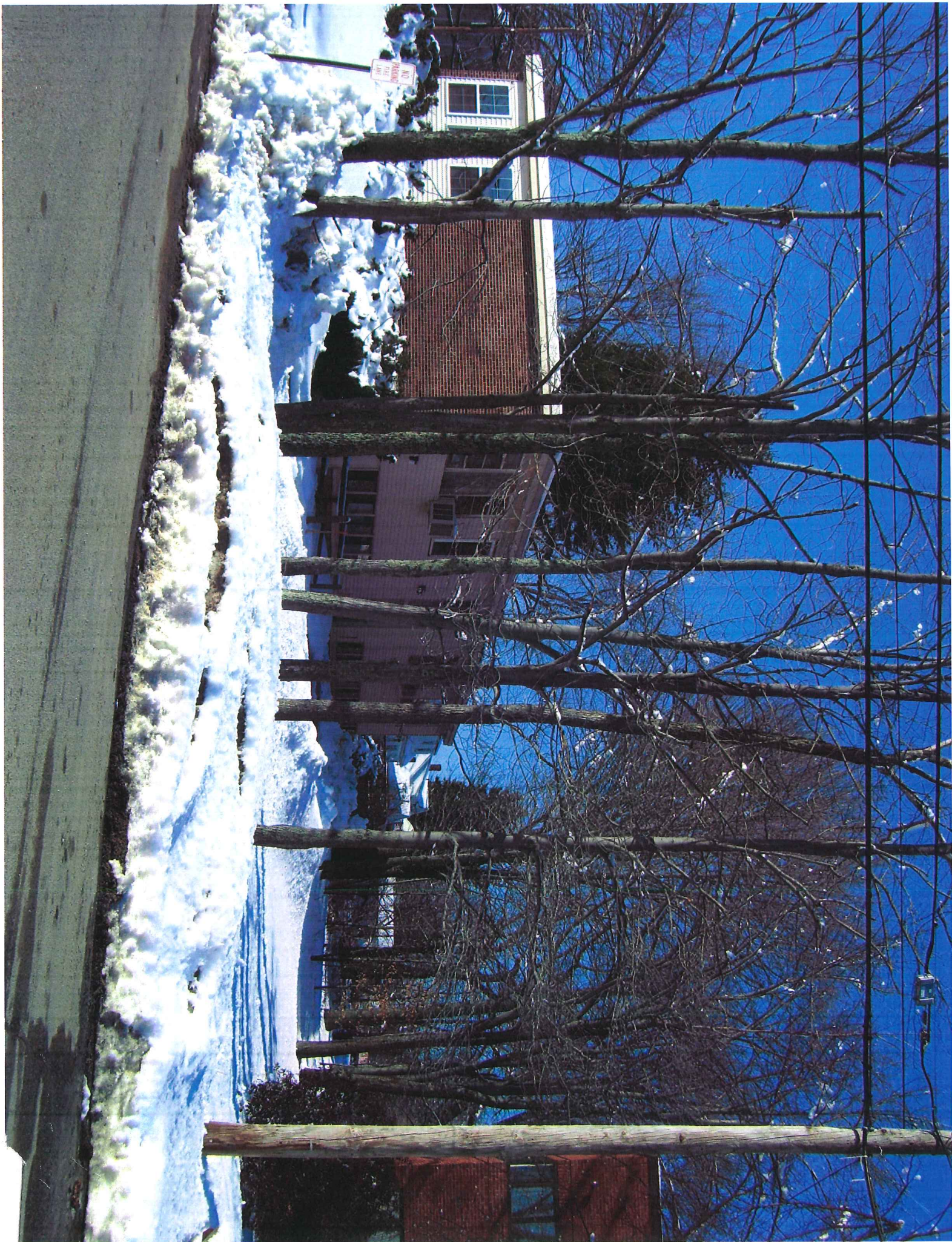
Hello Gretchen,

Just to let you know that I am out of the office over the next 2 days (4/23 and 4/24); if you want to clarify re dates for going back to PB Workshop etc please contact Barbara Barhydt direct at (207) 874 8699.

Thank you
Jean

Jean Fraser
Planner
City of Portland
(207) 874 8728





NORTHGATE PLAZA/CVS MEETING

March 4, 2009 2pm

Attendees from the Applicant:

Frank Normandin from A&D Realty
Bradlee Mezquita, Appledore Engineering
Gretchen Young, Appledore Engineering

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Barbara Barhydt, Development Services Review Manager David
Margolis-Pineo, Deputy City Engineer
Marge Schmuckal, Zoning Administrator
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Jean Fraser, Planner

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3. Review issues re 125 Auburn (Boy Scout Building)

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4. Other issues not covered above

5. Way forward

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5/12/09 2nd workshop. Northgate Plaza.

JF presentation - see note

Bm - circ. drive-thru data.

- chgs/clear re drive-thru

- H&R Brooking

- easement for parking in auto opposite

- described addl connection for employees to use proposed sidewalk + cross at lights

- raingarden - Bm explained safety concerns. circ. 2 sheets re alternatives

1) narrow drive aisle; keep raingarden widen edge along Auburn

^{wid}_{cur}* 2) narrow drive aisle; move r/g into 2 square areas; widen along Auburn

Tom Enrico:

? to Tom - drive thru in middle of block

DS - what's his view - drive thru + circ.

TE - yes is unusual - main issue of concern is re queuing - if vis OK. looks like max 10/hr. feels pretty comfortable re drive-thru
- re overall circ - proposals intriguing

Board questions:

JL - appears linear rain garden safer as stop
parkers driving across
TE agreed

BH - appreciates work
agrees better to split

JT - ? who use pkg? employees?
heavier use Feb/Mar/April
what data for Rite Aid - ~~could~~ did we
monitor / could we correct?

U - adequate stacking before it turn
into parking area - concern back
up into Suburn
TE not worried because free-flow into
other turns.
? re loading
? use of HR Block

DS - concerned peds on sidewalk won't pay
attention;
TE confirmed surface/slope/ADA would identify
? condition re monitoring - concerned
re young kids -
could do more
snow piles could obscure
Walgreens had a design element for drivers

JT - near middle school kids skateboarding etc.
need something / barrier

JL - wants better info this is mass from 2 yrs ago.
wd like greater level of info.
Prop. managers could provide
this edge of acceptability
things report is self serving but 2
drive-thrus.
more than 1 store
50% diff. from ITE
interested in usage over seasons.

LL - ^{barrier} do stop H&R parkers in Plaza from
cutting across + force them to use
crosswalks.

Public Comment

Jeff ^{late} Ramwanski - is this addition or replacement
1265 Wash Ave.

no others

PC closed

Ok to go Hearing - feedback on options

- TE give thought to drive thru ped issue
- some other points.

From: Jean Fraser
To: Munson, Tammy; Schmuckal, Marge
Date: 11/12/2009 5:17:16 PM
Subject: Northgate Plaza- complaints re construciton

FYI

The construction company discovered ledge at a place where they needed to dig foundations for the CVS and have recently been "bashing" at it (not blasting). I guess its fairly noisy and maybe causes some vibration.

I understand from the developer that one neighbor complained to them and they are addressing her concerns; he called to let me know in case we get any calls.

According to him there won't be any more of this so if we haven't heard anything by now I imagine we won't.

If you do get any calls you can refer them to me if you want.

Jean

CC: Bourke, Jeanie; DiPierro, Philip; Dobson, Lannie

From: "ThelmaD" <thelmadi@maine.rr.com>
To: <JF@portlandmaine.gov>
Date: 6/22/2009 11:31:54 AM
Subject: Northgate Plaza

Dear Ms Fraser,

Thank you for your reply dated June 19.

I'm happy that a decision was made to revise the Landscape Plan to include additional trees. I have attached a copy of the redevelopment site and I have noted where the DiPhilippo property is located.. The area marked between A and B on the residential side of the proposed fence is where I feel the trees should be located.

I feel strongly that these trees are needed as an added buffer in order to shield my property from the noise, dust, exhaust fumes, pollution,etc.

Thank you for your assistance in this matter.
Please don't hesitate to call me at 797-6221 if you have any questions...

Sincerely,
Thelma DiPhilippo

From: Jean Fraser
To: CHAZSCOTT@aol.com
Date: 5/8/2009 4:23:49 PM
Subject: Northgate plaza

Pamela and Charles,

I attach the Planning Board Memo that just went out to the PB Members, along with the latest comments from the Traffic Engineering Reviewer.

I previously sent you the Appledore letter of May 1, 2009.

All for your information in relation to the second Planning Board Workshop on this project, which is estimated to start at **5:30pm Tuesday May 12, 2009 (City Hall)**.

Please do not hesitate to call me if you have any questions.

Jean

Jean Fraser
Planner, City of Portland
874 8728

From: "ThelmaD" <thelmadi@maine.rr.com>
To: <jf@portlandmaine.gov>
Date: 6/4/2009 12:13:45 PM
Subject: Northgate Plaza Redevelopment

Dear Ms. Fraser,

I am the owner of the lot directly behind Hollywood Video. The property description is 375-C-31 376-D-14.

I am concerned about the proposed 'buffer' between the residential properties and the commercial site. I assumed after looking at the site plan that trees would be planted as an additional buffer and screening to the fence... I found out after attending the neighborhood meeting on June 2nd that I had assumed wrong!

An 8 ft fence is not adequate to buffer the noise and pollution from the numerous tractor trailers making deliveries throughout the night and early morning hours. (that includes trash removal by the commercial waste companies)

I'm suggesting that tall evergreens be planted on the residential side of the fence and away from the wetlands. The trees would serve as an additional buffer and provide a natural screen for the fence as seen from the residential side..

My husband and I have lived in this house for 36 years and have enjoyed living in this neighborhood but the peace and quiet we previously enjoyed is not there anymore. I've resorted to leaving the windows closed year round on the back side of the house to keep out the noise and dirt. We don't enjoy our back yard anymore of the view. Even now, given the slope of the land, I have a direct and clear view of the parking lot and everything that goes on there. The trees in the wetlands have died over the years and the shrubs that grow in the spring/summer do nothing to hide or obstruct the ugly view of the parking lot. And there is no longer a buffer for the noise from cars and commercial trucks..

So I am hoping that you will consider planting trees tall enough to sufficiently shield us from the noise, dust, and pollution. The trees would also serve as a natural screen for the back of the fence and improve the visual aspect of the landscaping. This would also greatly improve the quality of our lives for the rest of our 'golden years' !!!!

Respectfully,

Thelma DiPhilippo
Anthony DiPhilippo
96 Brook Road
Portland, ME 04103

Phone# 797-6221

From: Julie Cyr <juliejcyr@yahoo.com>
To: <jf@portlandmaine.gov>
Date: 6/3/2009 3:58:53 PM
Subject: 125 Auburn Street

My name is Julie Cyr and I live at 76 Brook Rd, directly behind the current CVS store in the Northgate shopping center. I am writing this email to request that your planned 6 ft tall cedar fencing be extended 60-75 feet toward the Shaws supermarket. This will cover at least to the Shaw's side of the current Key Bank. I am requesting this extension for a few reasons.

*Because you are altering the service area, the dumpster will now be facing my house. Fencing will provide a visual screen and help aid with noise reduction.

*I have a concern that if the drive through is located at or near the current Hollywood video store, there will be a direct visual path into my backyard, as well as increased foot traffic near my home caused by the new pathway and crosswalk, creating a compromise to my privacy that did not exist before the construction. Additional fencing would ensure that there is a visual screen to prevent this.

* Cars driving through the new free standing CVS pharmacy will generate noise, lights and increased activity behind the plaza. The current length of proposed fencing will not ensure complete noise/visual reduction. Additional lengths of fencing would buffer this increase in activity and ensure my privacy, and our neighborhood's quality of life.

While I appreciate the visual screen/noise buffering efforts that you will be making, extending the fence the added length of my property will ensure essential noise control and visual reduction from your new construction. Please contact me at 797-6979, or 347-0676, or at juliejcyr@yahoo.com. Thank you, and I look forward to your help in this matter.

From: Jean Fraser
To: ThelmaD
Date: 6/25/2009 1:50:03 PM
Subject: Re: Emailing: Northgate Plaza

Thank you- I have been out of the office (hence delay in acknowledging receipt) but have forwarded this information to the City Arborist (who is at a week long meeting and will return on Monday) and we see what we can do.

One of us may telephone you early next week if any clarification is needed.

I will let you know what is the final decision.

Jean (Fraser)
Planner, City of Portland
874 8728

>>> "ThelmaD" <thelmadi@maine.rr.com> 6/22/2009 11:43:32 AM >>>
Hi Jean,

This attachment should have been sent with my previous email...

Thelma
The message is ready to be sent with the following file or link attachments:
Northgate Plaza

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

From: Jean Fraser
To: Cyr, Julie
Date: 7/31/2009 4:45:53 PM
Subject: Re: Second Re: 125 Auburn Street

Julie,

I attach a copy of the approval letter and you will see that the Board added a condition to address your concern.

Jean

>>> Julie Cyr <juliejcyr@yahoo.com> 6/16/2009 4:29:59 PM >>>

Hi Jean, I was writing to follow up on the planning meeting on June 9th for 125 Auburn Street. I was wondering how I can find out if the extra footage of fencing was approved. Thank you, Julie Cyr. 797-6979, or juliejcyr@yahoo.com

From: Jean Fraser <JF@portlandmaine.gov>
To: juliejcyr@yahoo.com
Sent: Friday, June 5, 2009 4:28:38 PM
Subject: Second Re: 125 Auburn Street

Julie,

Just to say the condition requesting a revised photometric plan and lighting details accidentally got left out of this version and will be added in for the hearing.

Jean

>>> Julie Cyr <juliejcyr@yahoo.com> 6/4/2009 7:09:38 PM >>>

Jean, I want to thank you very much for taking the time to help me with this and for explaining it to me as thoroughly as you did. I really appreciate it. Julie

From: Jean Fraser <JF@portlandmaine.gov>
To: juliejcyr@yahoo.com
Sent: Wednesday, June 3, 2009 4:50:11 PM
Subject: Re: 125 Auburn Street

Thank you Julie- I will include this in the Planning Board Report.
Jean fraser, Planner

>>> Julie Cyr <juliejcyr@yahoo.com> 6/3/2009 3:58:09 PM >>>

My name is Julie Cyr and I live at 76 Brook Rd, directly behind the current CVS store in the Northgate shopping center. I am writing this email to request that your planned 6 ft tall cedar fencing be extended 60-75 feet toward the Shaws supermarket. This will cover at least to

the
Shaw's side of the current Key Bank. I am requesting this extension
for
a few reasons.

*Because you are altering the service area, the dumpster will now
be facing my house. Fencing will provide a visual screen and help aid
with noise reduction.

*I have a concern that if the drive through is located at or near
the current Hollywood video store, there will be a direct visual path
into my backyard, as well as increased foot traffic near my home
caused
my the new pathway and crosswalk, creating a compromise to my privacy
that did not exist before the construction. Additional fencing would
ensure that there is a visual screen to prevent this.

* Cars driving through the new free standing CVS pharmacy will
generate noise, lights and increased activity behind the plaza. The
current length of proposed fencing will not ensure complete
noise/visual
reduction. Additional lengths of fencing would buffer this increase
in
activity and ensure my privacy, and our neighborhood's quality of
life.

While I appreciate the visual screen/noise buffering efforts that you
will be making, extending the fence the added length of my property
will
ensure essential noise control and visual reduction from your new
construction. Please contact me at 797-6979, or 347-0676, or at
juliejcyr@yahoo.com. Thank you, and I look forward to your help in
this matter.

4.30.09.

Northgate Plaza
Public comment

Thelma DiPhillipo — thelma di@maine.rr.com
96 Brook (2nd house to N of path)
797 6221 (behind Video Store)

- ① ^{she} ^{JF} Phoned 4.29.09 reporting demolition debris, sand etc. being dumped behind her house - dust etc.
(JF had immediately asked Tammy Munson, Dir of Inspections, to investigate - Inspector went out unclhms 4.29.09 + reported nothing appeared amiss)
- ② JF phoned Ms DiPhillipo back 4.30.09 noonish to clarify that CVS project not yet approved + inspectors had visited site
- ③ Ms DiPhillipo confirmed:
 - Various vehicles had been there moving/dumping salt + dirt which had been swept from rest of plaza to area behind her house
 - general problem of noise + dust created by activities to rear of CVS/Video Store, including snow + other dumping in brook, noise from dumpster emptying, and noise from tractor-trailers overnighing there w/ engines running

→ 10

From: Jean Fraser
To: thelmadi@maine.rr.com
Date: 5/5/2009 12:36:09 PM
Subject: Northgate Plaza CVS Expansion

Hello Ms DiPhillips,

I am following up our telephone conversation last week.

The applicant has submitted the attached information and minor revisions and they will be considered at a **Planning Board Workshop on Tuesday , May 12th (afternoon)**. The Workshop will mainly focus on the traffic/ped safety issues re the Drive Thru and the changes between the Boy Scout building and the neighbors; no final decision will be taken as it still needs to have a Neighborhood meeting and go to a Planning Board Hearing.

If you want more background info, the PB Memo and attachments that were considered by the Planning Board on April 14 are on the City's web site at:
http://www.ci.portland.me.us/planning.htm#Current_Backup_Material (under 4-14-09 PB Memo Northgate Shopping Center)

If you wish to comment (on issues related to the development proposals) you may do one or more of the following:

1. Get e-mailed comments to me by Friday morning (May 8th) and let me know ahead of time that you will be sending them; if I get them by then they will be included in the Planning Board Memo;
2. Send me e-mailed comments after Friday noon and before Tuesday May 12th 1pm- these would be printed and circulated to the Planning Board members prior to the meeting;
3. Speak during the public comment section of the Planning Board Workshop Meeting (you can hand around comments yourself at that time if you want).

It is going back for a second Workshop fairly quickly as the issues are very narrow.

Don't hesitate to call me if you have any questions.

Jean

Jean Fraser
Planner, City of Portland
874 8728

From: Jean Fraser
To: CHAZSCOTT@aol.com
Date: 4/1/2009 3:20:52 PM
Subject: Northgate Plaza Development

Hello Pamela and Charles,

Further to our discussions last Friday, I specifically requested the Zoning Administrator (Marge Schmuckal 874 8695 MES@portlandmaine.gov) to address your questions about the H&R Block being determined to be a professional office, and re the signs that are appear to be indicated on three sides of the refurbished Boy Scout Buidling.

I attach her comments; the one from 3.30.09 relates to the revised submissions and the one of today's date includes a fuller explanation re her detemination that the H&R Block use constitutes a professional office.

In the comments dated 4.1.09 she states:

"If an abutter feels that my determination is flawed, they would have 30 days from the date of this memo to submit an interpretation appeal to the Zoning Board of Appeals. Failure to appeal within the 30 days renders my decision final and binding and not subject to further appeals."

People often ask the Zoning Board of Appeals to review a staff decision. If you want to pursue that, please contact Marge to get the forms and process timetable- this is a separate process from the Planning Board and can run concurrently.

Please do not hesitate to call me if you have any questions.

Jean

Jean Fraser
Planner, City of Portland
874 8728

CC: Schmuckal, Marge

R-P Zone f) Maximum impervious surface ratio: The maximum impervious surface ratio is established according to the abutting residential zone. If there is no abutting residential zone to the lot in question, the nearest residential zone to the lot. In the case of two (2) or more abutting residential zones, the least restrictive such zone. The ratios are as follows: City of Portland Land Use Code of Ordinances Chapter 14 Sec. 14-149 Rev.3-20-09 14-197
Maximum Impervious

Residential Zone Surface Ratio	
R-1/R-2	0.60
R-3	0.70
R-4/R-5/R-5A/R-6	0.80

Parking-Division 20

(j) *Offices; professional and public buildings*: One (1) parking space for each four hundred (400) square feet, or major fraction thereof, of floor area exclusive of cellar not used for bulk storage; except that in the B-2 and B- 2b zones one (1) parking space for each three hundred and thirty four (334) square feet or major fraction thereof, of floor area exclusive of cellar not used for bulk storage shall be required.

Sec. 14-334. To be located on lot with principal use in nonresidential zones; exceptions. Required off-street parking in all nonresidential zones shall be located on the same lot with the principal building or use, or within one hundred (100) feet measured along lines of public access, except that where off-street parking cannot be provided within these limits, the Board of Appeals may permit such off-street parking to be located a reasonable distance from the principal building or use measured along lines of public access if the premises to be used for parking are held under the same ownership or lease. Evidence of such control, either deed or lease, shall be required. The Planning Board may be substituted for the Board of Appeals only where an applicant is otherwise before the Planning Board for site plan approval. Whenever any exception to the parking requirements Whenever any exception to the parking requirements under this section has been finally denied on its merits by either the Zoning Board of Appeals or the Planning Board, a second request for an exception seeking essentially the same relief, whether or not in the same form or on the same theory, shall not be brought before either body within one (1) year of such denial unless, in the opinion of the board before which it was initially brought, substantial new evidence is available or a mistake of law or fact significantly affected the prior denial.

From: Jean Fraser
To: CHAZSCOTT@aol.com
Date: 3/25/2009 3:34:46 PM
Subject: Re: Northgate Plaza proposal

Hello

I am writing to let you know the current status on this proposed development.

1. I recently received revised proposals (some change along your boundary but still 13 parking spaces there); I will be getting pdfs of the plans in the next day and will forward the key ones to you.
2. You are welcome to come in and see the entire revised submission (ie our file set), which includes a letter and other information- mostly related to the CVS part of the development.
3. The project will be considered at the **Planning Board Workshop on the afternoon of Tuesday, April 14th**. I do not know the exact time yet but its usually between 3:30 and 6pm. You should get a postcard notice about a week before the meeting.
4. The letter you sent regarding the earlier proposal will be included in the Planning Board memo but you might want to write another letter (or update the earlier one and only have that go to the Board) to clarify for the Board whether the revisions address your concerns (the applicant has had your letter since mid-February and been requested to address the concerns you raised).
5. I will be completing the PB Memo on April 8th, so if you wish to have another letter or e-mail included in Board's report I would need it by the end of Tuesday, April 7th (it could be a day later if I know its on the way). As I mentioned, whether or not you make written comments, you can still circulate a letter to the Board on the day/at the meeting and/or speak during the "Public Comments" section of the PB Workshop.
6. The applicant is required to hold a Neighborhood Meeting after the PB Workshop and before the PB Hearing and you would receive an invitation to that from them. The Hearing date is not confirmed but could be May 12th (tuesday) during the evening (usually starts at 7pm).

Please call if you would like to arrange to see the actual revised submissions (rather than the pdfs of the plans) or have any questions.

Jean

Jean Fraser, Planner
City of Portland
874 8728

>>> <CHAZSCOTT@aol.com> 2/27/2009 2:20:15 PM >>>
Hello Ms. Fraser

Once again, thank-you for your help gaining access the plans for the proposal. Is there any news to report since the board met last week?

Charlie Scott

*****A Good Credit Score is 700 or Above. See yours in just 2 easy steps!

(<http://pr.atwola.com/promoclk/100126575x1218822736x1201267884/aol?redir=http:%2F%2Fwww.freecreditreport.com%2Fpm%2Fdefault.aspx%3Fsc%3D668072%26hmpgID%3D62%26bcd%3DfebemailfooterNO62>)

Note for file 125 Auburn
Northgate Plaza Renovation/
CVS Redev + H+R block

2-20-09.

Call from Kiri Farrar of Boulos on behalf
of owner of 94 Auburn (across the street from
Plaza) (owner: Oakpoint LLC).

Owner concerned re impacts to Auburn St
and potential traffic changes.

I confirmed:

- a) Current proposals retain existing
signalized intersection
- b) Outlined proposals in broad terms
- c) March 10 2009 afternoon penciled in
as workshop.

"Site Plans" ^{PDF} (in CD drive under "Submissions
(Plans C-2 and C2-A as submitted - dated
Jan 30, 2009) sent to her at: K.farrar@boulos.com

3-4-09 Northgate/CVS

Traffic issues/questions raised by 3.4.09 meeting

- ① loading is from within the drive-thru - rolled off / no 'bay'
trucks back in from area nearest Fall Brook
said only 1 tractor/trailer per week.
(CVS can't sell food...)
- ② Dedicated parking opp Mercy
want parking near Boy Scout bldg so
self-contained (sold off)
- ③ Question of pulling drive-thru lanes away
from Fall Brook but probably to create
buffer, but ~~could~~ ^{could} move snow storage
and create infiltration area there for roof run-off
- ④ Boy Scout site
 - no dumpster now
 - parking 2-3 ft. below Ankeny
 - 22' aisle OK - have 19' bays
 - Site Plan lot shape correct.
 - staff felt pref to reduce parking ^(get rid of rec)
- ⑤ wavers for parking aisle widths - too large / too small
- ⑥ waiver re bicycle parking - we need to
look at.
- ⑤ Relocation of ped walkway from Brook - they to accommodate

February 16, 2009

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Barbara Barhydt, *Development Review Services Manager*

Dear Ms. Barhydt:

We have visited your offices and viewed the major site plan application and other accompanying documents submitted on behalf of A & D Realty LLC for the redevelopment of the Northgate Plaza (Lot C-1; tax map 375; Zone B-2) on Auburn Street and the redevelopment of their adjacent property on Lot C-23 (Zone R-P). We ask that this letter be provided to the Planning Board Members and also to be included in the site plan application file.

We are the owners of the lot directly adjacent to Lot-23 (Lot B-4; tax map 374; Zone C-3), located at 137 Auburn Street. We oppose the planned redevelopment of Lot-23 on the basis that the redevelopment as described in the major site plan application will result in substantial diminution of the value and utility of our property.

The following are our objections and concerns:

- I. **H & R Block¹ is a commercial retail operation that does not conform to the intended use and permitted business of the Residential-Professional Zone.**
 - a) Open seven days per week:
Hours according to their website are 8 a.m.-10 p.m., Monday through Friday, 9 a.m. - 9 p.m. on Saturday and 9 a.m. - 5 p.m. on Sunday.
 - b) Customer volume exceeds that of similar sized professional offices and the business goals of this corporation and its franchises is to further increase their customer volume.
 - c) H & R Block offices are “storefronts” with large neon corporate logos and signs and posters on their façade and windows advertising their services and special offers similar to those found on the storefronts of supermarkets, pet stores and other retail establishments.

- II. **Proposed plans will significantly change the topography of the lot.**
 - a) Plans suggest that all of the existing trees, bushes and shrubs and at least some of the lawn (if not all) will be removed.
 - b) A paved 13 space parking lot and associated driveway will be added.
 - c) Additional impervious materials in the form of concrete walkways, pads, retaining walls and stairs will be added in place of the current lawn.

¹**H&R Block** (NYSE: HRB) is a tax preparation company in the United States, claiming more than 22 million customers worldwide, with offices in Canada, Australia and the United Kingdom. The Kansas City, Mo.-based company also offers banking, personal finance and business consulting services. Founded in 1955 by brothers Henry W. and Richard Bloch, Block today operates 12,500 retail tax offices in the United States, plus another 1,400 abroad. In addition to Block's retail stores, they offer their own consumer tax software called TaxCut, as well as online tax preparation and electronic filing from their website.

III. Proposed plans will significantly alter the visual esthetics of the lot.

- a) The addition of a 13 space parking lot, driveway and concrete walkways.
- b) The parking lot will be visually exposed to Auburn Street.
- c) The loss of mature trees, shrubs and lawn area.
- d) The addition of a commercial waste dumpster.
- e) The addition of outdoor lighting and neon signage with the corporate logo.
- f) We assume that changes to the building façade will result in more of a retail store look.
- g) It is proposed that that the snow storage for this lot will be on the front setback facing Auburn Street.

IV. Proposed plans will significantly impact the enjoyment and value of our property.

- a) The removal of the trees, shrubs and bushes on Lot C-23 will remove the visual and noise barrier and expose us to the Lot C-1 plaza, the plaza entrance, the intersection and the other businesses located on Auburn Street across from the plaza. The removal of the mature trees will expose us to additional wind and dust and remove the natural shading and cooling they provide.
- b) The plaza entrance on Auburn Street is currently overused for its size and close proximity to a residential zone, especially by large and noisy trucks - including 18 wheeler tractor trailers - that deliver to the plaza businesses continually throughout the night and early morning hours. Accidents at this intersection are frequent.
- c) The CVS expansion, with the addition of a drive-thru and the proposed pattern of travel for cars exiting, combined with the absence of trees, shrubs and other natural screens, will expose us to even more direct car noise and headlights shining directly into our windows and continually moving across our property in a sweeping motion.
- d) The addition of a parking lot directly on our property line and so close to our home will further expose us to noise aggravation, outdoor lighting spilling over onto our property and house, pollution from car emissions and headlights seven days a week possibly as late as 11:00 p.m. on weekdays. In the winter months, there will also be snowplowing.
- e) The addition of a commercial dumpster directly on our property line and so close to our home will expose us to further noise aggravation as a result of the opening and closing of the dumpster and emptying of the dumpster by a commercial waste service.
- f) The addition and the grading of a parking lot, driveway and other impervious materials directly on our property line and so close to our home could cause water run-off and/or flooding.
- g) The additional proposed paved materials on this lot will encourage and aid trespassers on foot and bicycle going to and from the plaza and Auburn Street. This property and a portion of ours will become a new "cut-thru."
- h) Due to the sloping nature of the properties, the proposed 6 foot screening fence will not conceal the Lot C-23 parking lot, driveway, dumpster or the Lot C-1 plaza from the direct view out our 1st floor windows. The benefits of the proposed screening fence will be minimal and will in no way recreate the lost privacy or sufficiently shield us from noise and light pollution.
- i) Our property value will be significantly diminished by the proposed changes. When we purchased the property in August 2007, it was assessed at \$211,000. With the poor economy and the proposed changes and use of Lot C-23, (which essentially changes the use from Residential-Professional to a Business Zone), it is estimated that the market value of our property could drop to as low as \$100,000.

We would also like the Board to know of our objection to the manner in which A & D Realty and their representation has bundled two proposed redevelopments into one application thus placing the focus on the CVS building and other alleged improvements to the plaza. We consider this an attempt to circumvent the laws of the R-P zone and to draw the Board's attention away from this and the damages A & D Realty's plans will inflict on our well-being and property value.

The proposed redevelopment of Lot C-1 will offer little or no value to the community and could possibly impact negatively on the neighborhood due to the over-saturation of "Big-Box" pharmacies with a drive-thru, and the addition and redirection of traffic. Many homes on Brook Road will be exposed to additional and more direct car noise, headlights, dust and pollution.

The proposed redevelopment of Lot C-23 will result in the lack of a transition or buffer between our property located in a residential zone and the more intensive nonresidential zones. In addition to the above outlined objections and concerns, we will suffer a major loss of enjoyment of our yard, gardens and deck. These amenities are the reasons why we purchased this particular property.

The proposed redevelopment of Lot C-23 will inflict a disastrous financial hardship and burden on us. Our property will be significantly devalued. We will not be able to re-finance our mortgage due to a lowered assessed value. We will not be able to sell the property in the current or future market for the amount we paid for it and/or for the amount of our mortgage balance. We will be required to continue to pay a mortgage that could be almost twice the amount of the market value.

In conclusion, we are vehemently opposed to all of the proposed changes and redevelopment of Lot C-23 and we have concerns about the redevelopment of Lot C-1.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

125 Auburn St CVS

2-13-09. - Came in to see plans

Charles M + Pamela S Scott

137 Auburn St.
Portland ME 04103

781-710-4469
~~781-710-4469~~ Pam Scott

Please call
① date of workshop.
② other issues? /
progress

- ① ^{new} parking lot (by former BS bldg) within 20' of their house; at present trees buffer bldg / shopping center
- ② School ped routes across rear of their site + Mercy over to shopping center.
- ③ Appears new 14-space lot (next to them) is R-P.
- ④ I gave them copy of R-P Zone Ordinance and explained:
a) other ordinances apply - B2, Site Plan
b) confirmed they were R-3 (they have computer + will check web)
- ⑤ They asked if parking and associated lighting could be so close to their property - I confirmed that this would be reviewed over next 2 weeks.

Jean



177 Corporate Drive
Portsmouth, NH 03801
tel 603.433.8818
fax 603.433.8988
aei@appledoreeng.com
www.appledoreeng.com

May 19, 2009

Ms. Jean Fraser
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Fraser:

On behalf of A & D, Realty Inc., Appledore Engineering submitted a Site Plan Review and Conditional Use Application for the above referenced project on January 30, 2009 with revisions dated March 13, 2009 and May 1, 2009. We have made additional revisions to the submission based on feedback from the Planning Board received during the May 12th workshop. Enclosed please find the following information relative to the Site Plan Review/Conditional Use Application:

- Cover Letter dated May 19, 2009
- Seven (7) 24x36 sets of Site Plans dated May 19, 2009
- One 11x17 set of Site Plans dated May 19, 2009

The following are responses to comments from Woodard & Curran dated March 26, 2009 and the Workshop Memorandum dated May 8, 2009 which included a section of "Issues to be addressed". Comments are in *italics* followed by our responses in **bold**:

Woodard & Curran Comments:

Comment: The catch basins and manholes on the grading, drainage and erosion control plan only show one invert in elevation regardless of the number of pipes entering the structure. It is not clear if this is meant to indicate that all invert ins are to be at the same elevation.

Response: In the cases where only one (1) invert in is shown, all inverts ins are to be at that same elevation.

Comment: It is not clear from the plans what is happening in terms of drainage in front of the UPS store. No grading information is shown and there appears to be a drain line leaving CB #5304 heading towards that area but it is not clear what it connects to. A curb bump out is being installed that will stop the runoff from following the curb line and flowing towards the rear of the property. Please clarify what is happening in this area.

Response: There is an existing trench drain in this area as shown on the Grading, Drainage and Erosion Control Plan, Sheet C-3. This trench drain will remain in the proposed condition and will continue to collect runoff in this area and connect to CB# 5304. The runoff directed to the trench drain will be reduced as a result of the proposed redevelopment.

Comment: The plans indicate the use of precast concrete curb stops in the area around the rain gardens. Their installation is to allow stormwater runoff to flow between the curbs into the treatment areas. The City has not had good results with the use of these curbs. They tend to be moved during plowing and are constantly in need of being reset. In lieu of the precast curb stops, the applicant is encouraged to install a wooden guardrail in these areas. This would allow the runoff to enter the treatment areas unimpeded and would prevent snow from being plowed onto the treatment areas.

Response: The curb stops are preferred by the applicant because they provide a friendlier appearance in the shopping center. The plow company will be advised to be careful when plowing in these areas, however if damage does occur, the applicant understands that the curb stops will need to be reset or replaced as needed.

Comment: A six foot high screening fence is being proposed along a portion of Fall Brook to help screen the lights from vehicles entering the drive thru. In the areas where no fencing is proposed, the applicant should install wooden guardrail along the brook so that no snow is stored or plowed into the brook.

Response: The fence has been extended along the drive aisle to provide separation between the shopping center and the brook.

Comment: It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the building. This would allow for a larger rain garden in the center of the parking lot. Also the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for crosswalk to be shortened.

Response: These comments and changes have been addressed by the Planning Board and city staff. The Planning Board and city staff was presented with two (2) options for the drive aisle along Auburn Street. Per an e-mail dated May 14th 2009, it is our understanding that the city staff deliberated and chose the option with a six (6) foot wide linear rain garden between the parking. The enclosed plan set includes the changes that were determined to be most suitable for this site.

Comment: An elevation drawing for the rear of the new H&R Block should be submitted. The stairway as proposed will be below vehicle traffic. Bollards or a guardrail should be used to prevent a vehicle from falling into the stairwell.

Response: The elevation drawings have since been provided. Bollards will be used along the top of the proposed retaining wall to prevent vehicles from falling into the stairwell.

Issues to be addressed:

Comment : Identify the designated parking easement for the H&R Block building

Response: The proposed location for the parking easement has been identified on the Overall Site Plan, Sheet C-2.

Comment: Revise the H&R Block proposal to ensure safe pedestrian connections with the designated parking for this building.

Response: After discussions with Tom Errico, which was also discussed during the May 12th workshop, it was determined that the best access from the five (5) parking spaces is along the existing crosswalk at the entrance of the shopping plaza. A concrete sidewalk has been included to provide a direct connection from the five (5) parking spaces to this crosswalk.

Comment: Submit revised landscaping plans for the H&R Block building.

Response: The revised Landscaping Plan for this area has been included as part of this plan set.

Comment: Provide drive-thru trip data and revised drive-thru signage to the satisfaction of the Traffic Engineer Review.

Response: The applicant is working with CVS to obtain drive-thru trip data and will provide this information upon receipt. Tom Errico, City Traffic Engineer Reviewer, mentioned during the May 12th workshop meeting that there may be additional signage that could be included at the drive-thru cross walk location. The applicant agrees to include this signage once the traffic engineer indicates what may be needed in this area.

Comment: Consider the Board's guidance regarding the request to narrow the drive aisle nearest Auburn Street.

Response: The revised plans include the narrowing of this aisle.

Comment: Address detailed Engineering Review comments.

Response: The comments from Woodard & Curran have been addressed in the beginning of this cover letter.

Comment: Provide Photometric Plans for the exterior lighting and confirm that the proposal meets City Standards.

Response: Because there have been several changes to the Site Plan through this process, the electrical engineer has not had a chance to finalize the Photometric Plan for this proposal. As indicated in the Utilities Plan, Sheet C-4, the existing lighting will remain along the front of the Northgate Plaza. The areas to the west and north of the proposed CVS (area between the proposed CVS and the medical building and area between the proposed CVS and Fall Brook) will be designed to meet city standards.

The proposed H&R Block will be designed to meet city standards. The applicant is also working directly with the residents of 137 Auburn Street, to develop a Lighting Plan that meets their needs. We understand that this is required by city staff for review and are working as quickly as possible to finalize these plans.

Comment: Address other issues that come up during the Workshop.

Response: We believe that we have addressed the issues that were brought up during the workshop, with the exception of the proposed CVS drive-thru trip data, which we are working with CVS to obtain.

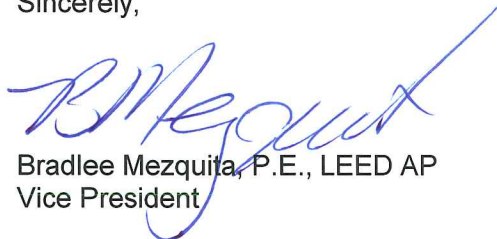
Comment: Hold a neighborhood meeting.

Response: The applicant agrees to hold a neighborhood meeting prior to the June 12th Planning Board meeting.

We look forward to meeting with you and the Board on June 12th at the scheduled Planning Board meeting.

Please feel free to call me if you have any questions.

Sincerely,



Bradlee Mezquita, P.E., LEED AP
Vice President

GY/pw
(2042c-012(comment response letter3).doc)

Enclosures

Cc: Frank Normandin, A & D Realty, Inc.

Winslow Property Management

Neighborhood Meeting Invitation

May 21, 2009

Dear Neighbor:

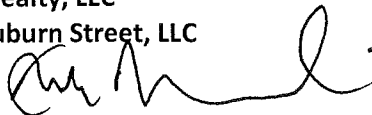
You are invited to a neighborhood meeting to view our plans for a renovation project located at 91 & 125 Auburn Street, Portland, Maine.

Meeting Location: 125 Auburn Street, Portland, Maine
Meeting Date: Tuesday, June 2nd, 2009
Meeting Time: 7:00PM

The City code requires that property owners within 500 feet of the proposed development and residents on an "interested parties list", be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.

If you have any questions, please call (781) 674-2020 x212.

Sincerely,
A&D Realty, LLC
125 Auburn Street, LLC



Frank Normandin
Winslow Property Management, Inc.

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

Department of Planning and Development- Portland City Hall- 389 Congress St. – Portland, ME 04101 – ph (207) 874-8721 or 874-8719

Winslow Property Management

May 8, 2009

Mr. Bradlee Mezquita
Appledore Engineering, Inc
177 Corporate Drive
Portsmouth, NH 03801

RE: Information on Drive Thru

Dear Brad:

Enclosed is information provided to me by CVS relative to trip generation and vehicle stacking for our proposal at the Northgate Shopping Center in Portland.

Please contact me with any questions or concerns.

Sincerely,

Winslow Property Management, Inc.



Frank Normandin

DRIVE-THROUGH OPERATION

As requested, additional trip generation information is being provided from an existing CVS Pharmacy featuring a drive-through window operation. A CVS site on Route 12 in West Boylston, Massachusetts was previously observed by another traffic consultant to quantify drive-through utilization. While the current proposal for the Northgate Plaza CVS only involves a single drive-through lane, it is not expected that trip generation would be higher with only one lane as opposed to the observed two-lane site in West Boylston. The counts were conducted on Tuesday, July 18, 2006 and Saturday, July 15, 2006. The weekday counts were conducted between 4-6 PM and the Saturday counts were conducted between 11AM -1PM. Customers using the CVS drive-through were counted in 15-minute intervals, and their time at the window was also recorded. Over the two-hour weekday period observed, 21 customers used the drive-through window operation, and on the Saturday, only 12 customers used the window during the two hours observed. The average stopped time for customers at the window on both days was between three and four minutes. Due to the minimal volume at the windows, the maximum queue did not exceed three vehicles during either day.

The observed conditions noted above are consistent with a recent study conducted by the Institute of Transportation Engineers (ITE)¹. In that study, traffic counts were conducted at two existing sites featuring single drive-through lanes. The counts, which were conducted in November 2004, indicate that both sites averaged fewer than 20 customer vehicles per hour during the weekday 3 PM – 6 PM period observed. With this level of activity the maximum observed vehicle queue was four vehicles. As previously noted, with the currently proposed plan five vehicles can be accommodated in a queue (including a vehicle at the drive-through window) without the queue extending into the east/ west plaza circulation aisle adjacent to CVS.

Information provided by CVS indicates that drive-through usage is fairly level over the course of a week, though activity on weekends can be thirty percent lower than that of a typical weekday. Drive-through usage over the course of the day typically follows the same patterns of regular customer traffic. Customer activity is typically negligible during the morning hours, but starts to increase near the midday lunch period when many people do errands. Activity typically increases slightly over the course of the afternoon, before peaking during the same 3PM – 6 PM period that the store peaks.

¹ "A Traffic Simulation for a Drive-Through Pharmacy" ITE Journal; Institute of Transportation Engineers; Washington, D.C.; October 2006.

SUMMARY MEMORANDUM

TO: Ms. Gretchen Young, P.E.
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

DATE: May 29, 2009

RE: Proposed Drive-Through Facility at CVS Store in Northgate Plaza, Portland

This memorandum is written to summarize traffic volume and queue studies conducted at CVS drive-through facilities, regarding the proposed drive-through facility at the new CVS store in Northgate Plaza on Auburn Street. It is understood that a single previous study conducted at a CVS Pharmacy in West Boylston, Massachusetts was deemed inadequate by the City. That study, conducted during the weekday PM and Saturday peak hour periods, found that 21 customers used the drive-through window during the two hour PM count with 12 during the two hour Saturday count.

A study published by the Institute of Transportation Engineers (ITE) in 2006 found that pharmacies with drive-throughs generated the greatest amount of traffic during the weekday 3:00 to 6:00 PM period, based upon continuous traffic counts at facilities in Indiana. Therefore, Maine Traffic Resources performed weekday PM traffic counts of the drive-through lanes at two existing CVS pharmacy locations in Maine. The first site is located at 2 Stone Street in Augusta. This count was performed on Wednesday, May 27, 2009 from 2:30 to 6:00 PM. This existing site has two full service drive-through lanes. It is important to note that only the inside traffic lane was utilized during the 3 ½ hour count. The attached queue report shows a maximum of two vehicles at the single lane. The total number of vehicles counted throughout the 3 ½ hour period was 19. The average queue length was only 0.38 vehicles.

The second CVS site was located at 870 Main Street in Westbrook. The count was performed on Thursday, May 28, 2009 from 3:00 to 6:00 PM. This location provides a single full service drive-through lane. The attached queue report shows a maximum of 4 vehicles during the 3 hour count period. The total number of vehicles counted during the period was 35. The average queue length was only 0.88 vehicles.

Given that a large percentage of pharmacy traffic can be considered pass-by, Maine Traffic Resources also examined average annual daily traffic (AADT) at the Maine sites, for comparison with Northgate Plaza. The AADT (for years between 2005 and 2007) for adjacent street traffic for the Augusta store is approximately 28,500. The

AADT for the adjacent streets in Westbrook is approximately 19,600. The AADT on Auburn Street in Portland is less than both other sites at approximately 19,000. Based upon AADT, the Portland Northgate Plaza site would not be expected to generate greater traffic than the two Maine CVS sites counted.

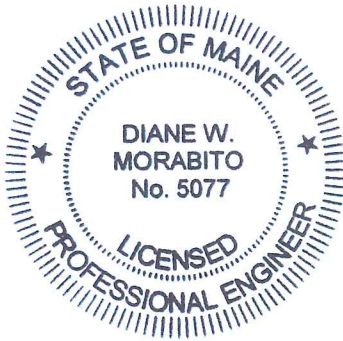
Based upon all of the preceding information, the maximum number of vehicles expected to queue at the proposed single lane facility at Northgate Plaza would be four, which is expected to occur during the weekday PM peak hour periods.

Please do not hesitate to contact me if you or the City of Portland have any questions or need any additional information regarding this study.

Sincerely,



Diane W. Morabito, P.E. PTOE
President



Maine Traffic Resources
 25 Vine Street
 Gardiner, ME 04345
 (207) 582-5252

Location: CVS DriveThru
 City/Town: Augusta
 Counter: SK
 Weather: Light Rain

File Name : AugustaCVSDriveThru
 Site Code : 00045453
 Start Date : 05/27/2009
 Page No : 1

L n.	No.	Joined Queue	Released From Queue	Delay
1	1	2:31:00 PM	2:31:01 PM	1
1	2	2:35:51 PM	2:37:11 PM	80
2:31:00 PM - 2:46:00 PM				Lane 1
Total Vehicle Count:				2
Delayed Vehicle Count:				2
Through Vehicle Count:				0
Average Stopped Time:				40.50
Maximum Stopped Time:				80
Min. Secs. for Delay:				0
Average Queue:				0.22
Queue Density:				1.00
Maximum Queue:				1

L n.	No.	Joined Queue	Released From Queue	Delay
1	3	2:58:11 PM	3:02:49 PM	278
2:46:00 PM - 3:01:00 PM				Lane 1
Total Vehicle Count:				1
Delayed Vehicle Count:				1
Through Vehicle Count:				0
Average Stopped Time:				278.00
Maximum Stopped Time:				278
Min. Secs. for Delay:				0
Average Queue:				1.00
Queue Density:				1.00
Maximum Queue:				1

L n.	No.	Joined Queue	Released From Queue	Delay
1	4	3:08:02 PM	3:10:48 PM	166
1	5	3:15:28 PM	3:18:56 PM	208
3:01:00 PM - 3:16:00 PM				Lane 1
Total Vehicle Count:				2
Delayed Vehicle Count:				2
Through Vehicle Count:				0
Average Stopped Time:				187.00
Maximum Stopped Time:				208
Min. Secs. for Delay:				0
Average Queue:				0.57
Queue Density:				1.00
Maximum Queue:				1

L n.	No.	Joined Queue	Released From Queue	Delay
1	6	3:18:57 PM	3:20:44 PM	107
1	7	3:24:37 PM	3:27:50 PM	193
1	8	3:30:23 PM	3:33:16 PM	173
3:16:00 PM - 3:31:00 PM				Lane 1
Total Vehicle Count:				3
Delayed Vehicle Count:				3
Through Vehicle Count:				0
Average Stopped Time:				157.67
Maximum Stopped Time:				193
Min. Secs. for Delay:				0
Average Queue:				0.55
Queue Density:				1.00
Maximum Queue:				1

L n.	No.	Joined Queue	Released From Queue	Delay
1	9	3:42:07 PM	3:46:48 PM	281
1	10	3:43:20 PM	3:50:36 PM	436

Maine Traffic Resources
 25 Vine Street
 Gardiner, ME 04345
 (207) 582-5252

File Name : AugustaCVSDriveThru
 Site Code : 00045453
 Start Date : 05/27/2009
 Page No : 2

3:31:00 PM - 3:46:00 PM		Lane 1
Total Vehicle Count:	2	
Delayed Vehicle Count:	2	
Through Vehicle Count:	0	
Average Stopped Time:	358.50	
Maximum Stopped Time:	436	
Min. Secs. for Delay:	0	
Average Queue:	1.41	
Queue Density:	1.41	
Maximum Queue:	2	

L n.	No.	Joined Queue	Released From Queue	Delay
1	11	3:49:29 PM	3:51:11 PM	102
1	12	3:51:32 PM	4:00:17 PM	525

3:46:00 PM - 4:01:00 PM		Lane 1
Total Vehicle Count:	2	
Delayed Vehicle Count:	2	
Through Vehicle Count:	0	
Average Stopped Time:	313.50	
Maximum Stopped Time:	525	
Min. Secs. for Delay:	0	
Average Queue:	0.97	
Queue Density:	1.00	
Maximum Queue:	1	

L n.	No.	Joined Queue	Released From Queue	Delay
1	13	4:12:10 PM	4:13:30 PM	80
1	14	4:13:51 PM	4:18:00 PM	249

4:01:00 PM - 4:16:00 PM		Lane 1
Total Vehicle Count:	2	
Delayed Vehicle Count:	2	
Through Vehicle Count:	0	
Average Stopped Time:	164.50	
Maximum Stopped Time:	249	
Min. Secs. for Delay:	0	
Average Queue:	0.94	
Queue Density:	1.00	
Maximum Queue:	1	

L n.	No.	Joined Queue	Released From Queue	Delay
1	15	4:30:00 PM	4:32:07 PM	127

4:16:00 PM - 4:31:00 PM		Lane 1
Total Vehicle Count:	1	
Delayed Vehicle Count:	1	
Through Vehicle Count:	0	
Average Stopped Time:	127.00	
Maximum Stopped Time:	127	
Min. Secs. for Delay:	0	
Average Queue:	0.99	
Queue Density:	1.00	
Maximum Queue:	1	

L n.	No.	Joined Queue	Released From Queue	Delay
1	16	4:37:05 PM	4:38:11 PM	66

Maine Traffic Resources
 25 Vine Street
 Gardiner, ME 04345
 (207) 582-5252

File Name : AugustaCVSDriveThru
 Site Code : 00045453
 Start Date : 05/27/2009
 Page No : 3

4:31:00 PM - 4:46:00 PM	Lane 1
Total Vehicle Count:	1
Delayed Vehicle Count:	1
Through Vehicle Count:	0
Average Stopped Time:	66.00
Maximum Stopped Time:	66
Min. Secs. for Delay:	0
Average Queue:	0.98
Queue Density:	1.00
Maximum Queue:	1

L	No.	Joined Queue	Released From Queue	Delay	
1	17	4:56:11 PM	4:59:00 PM	169	
1	18	4:57:22 PM	5:00:14 PM	172	

4:46:00 PM - 5:22:00 PM	Lane 1
Total Vehicle Count:	3
Delayed Vehicle Count:	3
Through Vehicle Count:	0
Average Stopped Time:	274.33
Maximum Stopped Time:	482
Min. Secs. for Delay:	0
Average Queue:	0.51
Queue Density:	1.14
Maximum Queue:	2

2:31:00 PM - 5:22:00 PM	Lane 1
Total Vehicle Count:	19
Delayed Vehicle Count:	19
Through Vehicle Count:	0
Average Stopped Time:	205.00
Maximum Stopped Time:	525
Min. Secs. for Delay:	0
Average Queue:	0.38
Queue Density:	1.11
Maximum Queue:	2

Maine Traffic Resources
 25 Vine Street
 Gardiner, ME 04345
 (207) 582-5252

Location: CVS Drive-Thru
 City/Town: Westbrook
 Counter: SK
 Weather: Light Rain

File Name : westbrookcvsvsdrivethru
 Site Code : 00004233
 Start Date : 05/28/2009
 Page No : 1

L n.	No.	Joined Queue	Released From Queue	Delay
1	1	3:03:01 PM	3:03:01 PM	0
1	2	3:09:02 PM	3:12:34 PM	212
1	3	3:17:22 PM	3:21:29 PM	247

3:03:00 PM - 3:18:00 PM				Lane 1
Total Vehicle Count:				3
Delayed Vehicle Count:				3
Through Vehicle Count:				0
Average Stopped Time:				153.00
Maximum Stopped Time:				247
Min. Secs. for Delay:				0
Average Queue:				0.41
Queue Density:				1.00
Maximum Queue:				1

L n.	No.	Joined Queue	Released From Queue	Delay
1	4	3:21:05 PM	3:26:15 PM	310

3:18:00 PM - 3:33:00 PM				Lane 1
Total Vehicle Count:				1
Delayed Vehicle Count:				1
Through Vehicle Count:				0
Average Stopped Time:				310.00
Maximum Stopped Time:				310
Min. Secs. for Delay:				0
Average Queue:				1.00
Queue Density:				1.00
Maximum Queue:				1

L n.	No.	Joined Queue	Released From Queue	Delay
1	5	3:35:53 PM	3:37:53 PM	120
1	6	3:36:47 PM	3:41:49 PM	302
1	7	3:37:57 PM	3:42:59 PM	302
1	8	3:40:37 PM	3:43:57 PM	200
1	9	3:41:31 PM	3:46:14 PM	283
1	10	3:44:03 PM	3:47:50 PM	227

3:33:00 PM - 3:48:00 PM				Lane 1
Total Vehicle Count:				6
Delayed Vehicle Count:				6
Through Vehicle Count:				0
Average Stopped Time:				239.00
Maximum Stopped Time:				302
Min. Secs. for Delay:				0
Average Queue:				2.00
Queue Density:				2.00
Maximum Queue:				4

L n.	No.	Joined Queue	Released From Queue	Delay
1	11	3:48:35 PM	3:52:57 PM	262
1	12	3:54:41 PM	3:57:54 PM	193
1	13	3:56:35 PM	3:59:50 PM	195
1	14	4:01:19 PM	4:03:39 PM	140
1	15	4:01:55 PM	4:08:32 PM	397

Maine Traffic Resources
 25 Vine Street
 Gardiner, ME 04345
 (207) 582-5252

File Name : westbrookcvsvdrivethru
 Site Code : 00004233
 Start Date : 05/28/2009
 Page No : 2

3:48:00 PM - 4:03:00 PM		Lane 1
Total Vehicle Count:		5
Delayed Vehicle Count:		5
Through Vehicle Count:		0
Average Stopped Time:		237.40
Maximum Stopped Time:		397
Min. Secs. for Delay:		0
Average Queue:		0.99
Queue Density:		1.18
Maximum Queue:		2

L n.	No.	Joined Queue	Released From Queue	Delay
1	16	4:06:50 PM	4:12:43 PM	353
1	17	4:08:34 PM	4:13:41 PM	307
1	18	4:09:43 PM	4:15:33 PM	350
1	19	4:10:39 PM	4:17:47 PM	428
1	20	4:15:57 PM	4:19:48 PM	231

4:03:00 PM - 4:18:00 PM		Lane 1
Total Vehicle Count:		5
Delayed Vehicle Count:		5
Through Vehicle Count:		0
Average Stopped Time:		333.80
Maximum Stopped Time:		428
Min. Secs. for Delay:		0
Average Queue:		2.14
Queue Density:		2.15
Maximum Queue:		4

L n.	No.	Joined Queue	Released From Queue	Delay
1	21	4:18:07 PM	4:24:53 PM	406
1	22	4:21:00 PM	4:29:53 PM	533
1	23	4:21:12 PM	4:31:28 PM	616

4:18:00 PM - 4:33:00 PM		Lane 1
Total Vehicle Count:		3
Delayed Vehicle Count:		3
Through Vehicle Count:		0
Average Stopped Time:		518.33
Maximum Stopped Time:		616
Min. Secs. for Delay:		0
Average Queue:		1.94
Queue Density:		1.94
Maximum Queue:		3

L n.	No.	Joined Queue	Released From Queue	Delay
1	24	4:42:33 PM	4:44:06 PM	93
1	25	4:45:14 PM	4:48:18 PM	184
1	26	4:45:55 PM	4:50:02 PM	247

4:33:00 PM - 4:48:00 PM		Lane 1
Total Vehicle Count:		3
Delayed Vehicle Count:		3
Through Vehicle Count:		0
Average Stopped Time:		174.67
Maximum Stopped Time:		247
Min. Secs. for Delay:		0
Average Queue:		1.16
Queue Density:		1.38
Maximum Queue:		2

L n.	No.	Joined Queue	Released From Queue	Delay
1	27	5:03:18 PM	5:05:38 PM	140

Maine Traffic Resources
 25 Vine Street
 Gardiner, ME 04345
 (207) 582-5252

File Name : westbrookcvsdrivethru
 Site Code : 00004233
 Start Date : 05/28/2009
 Page No : 3

4:48:00 PM - 5:03:00 PM		Lane 1
Total Vehicle Count:	0	
Delayed Vehicle Count:	0	
Through Vehicle Count:	0	
Average Stopped Time:	0.00	
Maximum Stopped Time:	0	
Min. Secs. for Delay:	0	
Average Queue:	0.00	
Queue Density:	0.00	
Maximum Queue:	0	

L n.	No.	Joined Queue	Released From Queue	Delay
1	28	5:04:06 PM	5:07:37 PM	211
1	29	5:05:22 PM	5:10:21 PM	299

5:03:00 PM - 5:18:00 PM		Lane 1
Total Vehicle Count:	3	
Delayed Vehicle Count:	3	
Through Vehicle Count:	0	
Average Stopped Time:	216.67	
Maximum Stopped Time:	299	
Min. Secs. for Delay:	0	
Average Queue:	1.53	
Queue Density:	1.54	
Maximum Queue:	3	

L n.	No.	Joined Queue	Released From Queue	Delay
1	30	5:24:35 PM	5:26:40 PM	125
1	31	5:27:39 PM	5:29:08 PM	89

5:18:00 PM - 5:33:00 PM		Lane 1
Total Vehicle Count:	2	
Delayed Vehicle Count:	2	
Through Vehicle Count:	0	
Average Stopped Time:	107.00	
Maximum Stopped Time:	125	
Min. Secs. for Delay:	0	
Average Queue:	0.78	
Queue Density:	1.00	
Maximum Queue:	1	

L n.	No.	Joined Queue	Released From Queue	Delay
1	32	5:39:06 PM	5:42:06 PM	180
1	33	5:42:05 PM	5:43:41 PM	96
1	34	5:42:35 PM	5:46:50 PM	255

5:33:00 PM - 5:48:00 PM		Lane 1
Total Vehicle Count:	4	
Delayed Vehicle Count:	4	
Through Vehicle Count:	0	
Average Stopped Time:	187.50	
Maximum Stopped Time:	255	
Min. Secs. for Delay:	0	
Average Queue:	1.32	
Queue Density:	1.32	
Maximum Queue:	2	

Maine Traffic Resources
25 Vine Street
Gardiner, ME 04345
(207) 582-5252

File Name : westbrookcvsdrivethru
Site Code : 00004233
Start Date : 05/28/2009
Page No : 4

3:03:00 PM - 5:48:00 PM	Lane 1
Total Vehicle Count:	35
Delayed Vehicle Count:	35
Through Vehicle Count:	0
Average Stopped Time:	250.06
Maximum Stopped Time:	616
Min. Secs. for Delay:	0
Average Queue:	0.88
Queue Density:	1.61
Maximum Queue:	4

From: Jean Fraser
To: Gautreau, Keith; Goyette, Dan; Margolis-Pineo, David; Peverada, John; Schmuckal, Marge
Date: 5/1/2009 4:59:20 PM
Subject: Fwd: Northgate Plaza May 1, 2009 submission

To all:

FYI- no formal comments needed at this stage.

Please see the submissions attached; the applicant has submitted further details and revised the parking near the H&R Block so there is:

- a reduction of the proposed parking for the H&R block to 8 spaces (from 13) with what looks like a 25-30 feet buffer between the parking and the Scotts;
- much more detail re the drive thru so that the stacking area can be seen and the pedestrian accommodations are clear (but no trip data);
- no change re the width of the "raingarden" nearest to Auburn as they still maintain that is unsafe and want to leave it to a Workshop.

These will be the subject of a PB Memo to the PB for a second Workshop on May 12th- only Tom and Jeff need to comment.

I will be getting paper copies on Monday morning so if any of you would like a set please let me know; also let me know if you spot any issues that I have overlooked!!!

Thanks
Jean

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 5/1/2009 2:12:52 PM >>>
Hi Jean,

Attached are pdfs of the cover letter and plans associated with this May 1, 2009 submission. Hard copies will be sent to you and will arrive on Monday morning via FedEx.

Thank you again for helping us to be on the May 12th workshop agenda, and we look forward to seeing you there.

Please let me know if you have any questions or need any additional information.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
177 Corporate Drive, Portsmouth, NH 03801
(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>
gyoung@appledoreeng.com
~ Best Small Civil Engineering Firm to Work For in the Country - CE News, Oct. 2008 ~

<<2042C_PLANS_(5-1-09).pdf>> <<2042C_COVER LETTER_(5-1-09).pdf>>



To: Dan Goyette; David Margolis-Pineo; Marge Schmuckal; Tom Errico; KeithGautreau; Jeff Tarling

From: Jean Fraser

Date: May 20, 2009

Additional information submitted for the following project:

Application ID #: 2009-0010

Project Name: Northgate Plaza/CVS Expansion/H&R Block Refurbishment

Project Address: 91 and 125 Auburn Street

Preliminary Comments required by: May 27, 2009 Dev Rev

FINAL comments required by: JUNE 3, 2009 Dev Rev

THIS GOES TO HEARING JUNE 9th

Received this morning- I understand these address all staff and PB comments.

Please note that we advised them to keep the rain garden nearest to Auburn as linear.

Tom liaising direct with applicant re drive thru traffic data.

**COMMITMENT & INTEGRITY
DRIVE RESULTS**

41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.com

T 800.426.4262
T 207.774.2112
F 207.774.6635

Attachment SW 3.1

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: May 6, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project

Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated May 6, 2009 prepared by Appledore Engineering, Inc.

Comments:

None of the comments in the March 26 memo have been addressed. They were as follows:

- The catch basins and manholes on the grading, drainage and erosion plan only show one invert in elevation regardless of the number of pipes entering the structure. It is not clear if this is meant to indicate that all invert ins are to be at the same elevation.
- It is not clear from the plans what is happening in terms of drainage in front of the UPS store. No grading information is shown and there appears to be a drain line leaving CB #5304 heading towards that area but it is not clear what it connects to. A curb bump out is being installed that will stop the runoff from following the curb line and flowing towards the rear of the property. Please clarify what is happening in this area.
- The plans indicate the use of precast concrete curb stops in the areas around the rain gardens. There installation is to allow stormwater runoff to flow between the curbs into the treatment areas. The City has not had good results with the use of these curbs. They tend to be moved during plowing and are constantly in need of being reset. In lieu of the precast curb stops, the applicant is encouraged to install a wooden guardrail in these areas. This would allow the runoff to enter the treatment areas unimpeded and would prevent snow from being plowed onto the treatment areas.
- A six foot high screening fence is being proposed along a portion of Fall Brook to help screen the lights from vehicles entering the drive thru. In the areas where no fencing is proposed, the applicant should install a wooden guardrail along the brook so that no snow is stored or plowed into the brook.
- It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the center of the parking lot. Also, the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for the crosswalk to be shortened.

Attachment SW 4

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 5/7/2009 10:10:18 AM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes my comments as it relates to the May 1, 2009 submission by Appledore Engineering, Inc.

1. Based on the fact that some parking for the "H&R Block" building will be provided within the main shopping center parking area, the applicant shall revise the plans to provide appropriate sidewalks and crosswalk connections between the building and the parking spaces anticipated or designated for use.

1. While my expectation is that little traffic uses pharmacy drive-through facilities, the applicant should provide documentation on the number of vehicles that are expected to use the drive-through on a peak hour basis and back-up data on the maximum queue length estimates noted in their submission.

1. A "Do Not Enter" sign shall be installed on the back side of the STOP sign at the terminus of the drive-through.

1. I continue to review the request to narrow the parking lot aisle nearest Auburn Street. The applicant has requested that discussion take place at the Planning Board workshop. I plan on being in attendance. I have not been convinced that a safe solution can't be implemented.

1. I have reviewed the crosswalk design at the entrance to the drive-through lane and believe it to be safe. I would note that this is premised on a maximum queue from the drive-through of 5 vehicles and low traffic usage. Following provision of the requested data in Item #2, I will render a final decision.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>

From: Jean Fraser
To: Errico, Thomas
Date: 5/1/2009 3:46:14 PM
Subject: (URGENT) Fwd: Northgate Plaza May 1, 2009 submission

Tom,

Please find attached the revised submission from Appledore regarding the Northgate plaza/CVS/H&R Block proposals. **This is going to the Planning Board (second Workshop on just these issues) on Tuesday May 12th afternoon and the Board has requested that you attend (see below).**

The docs include:

- reduction of the proposed parking for the H&R block to 8 spaces (from 13) with what looks like a 25-30 feet buffer between the parking and the Scotts;
- much more detail re the drive thru so that the stacking area can be seen and the pedestrian accommodations are clear (but no trip data - have they sent you any separately as the Board specifically requested trip generation details for the drive-thru)
- no change re the width of the "raingarden" nearest to Auburn as they still maintain that is unsafe and want to leave it to a Workshop

I have left you a voice-mail today re the PB meeting but hope that my previous request (4.15.09) for you to "pencil in" attendance at the May 12th PB workshop was noted and that you will be able to attend (the Board explicitly asked you to attend!!!!). We had to make a quick decision yesterday about the timing because of the legal ad (I will explain when we speak) so I am sorry this places some pressure on you re the comments etc

The paper set of plans will arrive on Monday and I can bring them to your office or leave them for you to collect if you are coming here for a meeting.

Gretchen's letter indicates that you have already had conversations etc so hopefully this will not be a surprise.

Thanks
Jean

874 8728

>>> "Gretchen Young, P.E." <GYoung@appledoreeng.com> 5/1/2009 2:12:52 PM >>>
Hi Jean,

Attached are pdfs of the cover letter and plans associated with this May 1, 2009 submission. Hard copies will be sent to you and will arrive on Monday morning via FedEx.

Thank you again for helping us to be on the May 12th workshop agenda, and we look forward to seeing you there.

Please let me know if you have any questions or need any additional information.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.

From: Jean Fraser
To: Tarling, Jeff
Date: 5/1/2009 3:50:09 PM
Subject: (Urgent)Fwd: Northgate Plaza May 1, 2009 submission

Jeff

Please find attached the revised submission from Appledore regarding the Northgate plaza/CVS/H&R Block proposals. This is going to the Planning Board (second Workshop on just these issues) on Tuesday May 12th afternoon and I need to complete the PB memo next week (by Thursday May 7th).

The docs include:

- reduction of the proposed parking for the H&R block to 8 spaces (from 13) with what looks like a 25-30 feet buffer between the parking and the Scotts;
- much more detail re the drive thru so that the stacking area can be seen and the pedestrian accommodations are clear (but no trip data - have they sent you any separately as the Board specifically requested trip generation details for the drive-thru)
- no change re the width of the "raingarden" nearest to Auburn as they still maintain that is unsafe and want to leave it to a Workshop

If you can, it would be helpful for you to comment on the revised layout and buffer between the H&R Block Building and the neighbors....

I will get a paper set of plans on Monday and arrange to get them to you urgently- there is only one plan that you need to look at and it is in this attachment.

Thanks
Jean

>>>"Gretchen Young, P.E." <GYoung@appledoreeng.com> 5/1/2009 2:12:52 PM >>>
Hi Jean,

Attached are pdfs of the cover letter and plans associated with this May 1, 2009 submission. Hard copies will be sent to you and will arrive on Monday morning via FedEx.

Thank you again for helping us to be on the May 12th workshop agenda, and we look forward to seeing you there.

Please let me know if you have any questions or need any additional information.

-Gretchen

Gretchen Young, PE, LEED AP
APPLEDORE ENGINEERING, Inc.
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(P): 603.433.8818 www.appledoreeng.com <<http://www.appledoreeng.com/>>
gyoung@appledoreeng.com
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News, Oct. 2008 ~

<<2042C_PLANS_(5-1-09).pdf>> <<2042C_COVER LETTER_(5-1-09).pdf>>

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quai 5/5/09



To: Dan Goyette; David Margolis-Pineo; Marge Schmuckal; Tom Errico; KeithGautreau; Jeff Tarling
From: Jean Fraser
Date: May 6, 2009

Additional information submitted for the following project:

Application ID #: 2009-0010
Project Name: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
Project Address: 91 and 125 Auburn Street

The attached is a paper copy of what I circulated to you by e-mail on Friday, May 1, 2009.

This is going to a second Planning Board Workshop May 12th, 2009 to further consider just the drive-thru (impact on pedestrian route and traffic issues) and the area between the H&R Block Building and the abutters.

Tom Errico will be attending the PB Workshop re the traffic and pedestrian safety issues; any other comments are welcome but not essential.

Any comments are needed Thursday, May 7th; would really appreciate comments from Tom and Jeff if poss.

Thanks
Jean



Memorandum
Department of Planning and Urban Development
Planning Division

To: Chair Silk and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: Prepared on: April 9, 2009
Prepared for: April 14, 2009 PB Workshop

Re: **Northgate Plaza/CVS Expansion with Pharmacy Drive –thru/
H&R Block Refurbishment
91 and 125 Auburn Street
A&D Realty Inc., Applicant**

INTRODUCTION

On behalf of the A&D Realty Inc., Appledore Engineering has requested Major Site Plan and Conditional Use approval for a project involving:

- Demolition of 12, 715 sq ft of the existing plaza at the north end, replaced with a new CVS building of 12, 900 sq ft with drive thru pharmacy ;
- Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street for an H&R Block office (including new 13 space parking area);
- Construction of a new ATM in the parking lot on the west side of the Plaza/new CVS; and
- Associated infrastructure and landscape improvements to the northern part of the Plaza.

The Northgate Plaza site at 91 Auburn Street totals 13.2 acres and is located in the B-2 (Community Business Zone) and abuts the R-3 Residential Zone. Section 14-183 of the City Code lists drive-thrus in the B-2 zone as a conditional use when they are adjacent to a residential zone. The former Boy Scout building is located on a .54 acre just north of the Plaza which is zoned R-P (Residence-Professional) and abuts the R-3 zone to the north.

Fall Brook (an urban impaired stream) runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City's Zoning Map. The proposed CVS building is 63 feet from the stream at the closest point (Attachment A11), with 430 sq ft of the building within the 75 foot setback zone.

The Northgate plaza was developed in the 1970's and Shaw's supermarket expanded by almost 11,000 sq ft in 2000 with associated modifications to the south side of the plaza at that time.

The project will require MDEP permits under NRPA but the City has delegated storm water review.

PROPOSED DEVELOPMENT

The application was originally submitted in January 2009 and the original Site Plan is included at Attachment A-15 for information. A revised submission to address staff comments was received on March 17, 2009 and is included in full in Attachment A and B (together in a separate document with blue cover).

- Demolition of 12, 715 sq ft (4 existing units);
- Construction of a new CVS building of 12, 900 sq ft as an extension of the existing plaza;
- Location of the pharmacy drive thru lane/ window and loading area in a central “gap” under the continuous roof that connects to the existing Plaza;
- Construction of a new ATM within the row of parking nearest to the Plaza on the side towards Auburn Street;
- Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street with new pitched roof and architectural treatment;
- New 13 space parking area between the refurbished Boy Scout building and the north boundary (adjacent to the single family home);
- Introduction of two new rain garden areas within the parking lot and a landscaped pervious area immediately to the rear of the new CVS building;
- Reorganized parking to facilitate drive thru and truck access;
- Landscaping to buffer/screen parking and enhance the vegetated area along Fall Brook.

ZONING ASSESSMENT

The City’s Zoning Administrator, Marge Schmuckal, has reviewed the proposal and her comments are included in Attachments 3, 4 and 5. In summary she has determined, based on what is shown on the revised plans and submitted information:

- That the proposals meet all use and dimensional zoning requirements;
- That the impact of the proposals on Fall Brook are less than existing;
- That the impervious surface ratios are acceptable in terms of zoning requirements;
- The H&R block use for the former Boy Scout building is a professional office use and therefore permitted on this site as it is within the R-P zone;
- That the indicative signage on three sides of the proposed building refurbishment for H&R Block are not allowed in the R-P zone

The abutters to the north of the Boy Scout Building have questioned whether it is correct to classify the H& R Block building as a professional office. They have submitted evidence to support their request for this to be appealed to the ZBA (Attachment 11b) and that process is proceeding in parallel with the Site Plan Review.

The applicant has requested, in Attachment A1, waivers from the Stream Protection Zone standards in 14-453 (see below). The applicant has submitted a Stream Protection Zone Impacts analysis in Attachment A11 which, together with Attachment A1, clarifies that the encroachment of the new CVS building will be 430 sq ft (the existing CVS encroaches by 519 sq ft); that the volume of building encroachment is reduced; that the impervious area within the Stream Protection Zone is reduced by 6,545 sq ft.

The Stream protection standards are:

parking rows). Tom Errico has confirmed that he has no further comments except that the parking aisle nearest to Auburn Street remains excessive.

Parking

Plaza

Reviewers questioned the need for a total of 588 spaces when the zoning requirement is 528 spaces for the Plaza part of the site. The applicant has confirmed that the existing total is 625 spaces so that the 588 is a reduction of 37 spaces (Attachment A1). Parking within the setback of the stream has been reduced from 18 spaces to 12 spaces.

H&R Block

The proposal includes a new parking area for 13 vehicles as part of the refurbishment of the Boy Scout Building for H&R Block. The zoning requirement is 13 parking spaces, based on the use being a professional office. Tom Errico advised that the parking spaces here could be 18 feet in length if this would help increase the buffer between the parking and the adjacent home.

The proposed bicycle parking meets the City standards and a waiver is not required (as requested in Attachment A1).

Pedestrian circulation

Along the northern part of the Plaza site pedestrian circulation has been improved by the provision of improved pedestrian links from Auburn Street to the Plaza and better definition of pedestrian routes and crossings within the site.

The introduction of the drive thru in the center of the Plaza frontage creates two potential pedestrian/vehicle conflict areas, one at the front and one to the rear. Along the frontage the proposals have addressed this issue through the incorporation of landscaped bump-outs and a marked pedestrian crossing. To the rear the vehicles exiting the drive thru cut across a well used pedestrian "desire line" across the rear servicing area which connects the Brook Road path to the sidewalk along the existing Video Store. The proposals relocate that link and connect it to a sidewalk within the "gap" opening, introducing a striped pedestrian crossing across the open pavement of the servicing and drive thru exit area.

Tom Errico has commented (Attachment 9):

"... the applicant shall explore redesigning the rear area such that the proposed crosswalk to the neighborhood trail is reduced in overall length. It is my understanding that there is a desire to shift green space such that it abuts the drainage area and this may provide opportunity for enhance this pedestrian crossing."

The applicant has recently submitted a "conceptual layout" (Attachment B28) for the drive aisle at the rear of the property where the drive thru lanes emerge. It is understood that they would like to discuss this concept with the Board as a way of addressing the issues raised by Tom Errico and other reviewers regarding the distribution of open area in relation to Fall Brook (see below).

Sewers, Storm drains, Water Soils, Consistent with City Infrastructure

Fall Brook is an urban impaired stream and currently receives most of the storm water from the parking lot associated with the Plaza and 125 Auburn Street (and the adjacent existing Mercy medical building). Flooding also occurs near the site.

Staff has discussed the project with the MDEP although the City has delegated review authority. The proposals largely constitute redevelopment and therefore are deemed exempt from the most

(existing and proposed) across this area (showing the Scott's home, the Boy Scout building, contours, existing and proposed vegetation etc); this was recently submitted and included in Attachment B26. The particular section chosen by the applicant provides an indication of how the grade changes interact with the placement of the screening fence, but does not effectively illustrate the buffer at its narrowest.

The City Arborist has commented (Attachment 10):

"The long existing 'residential' to 'commercial' buffer between the adjacent residential property and the 'H&R Block' building is greatly diminished with the proposed scheme. The proposed landscape treatment does save a large 24" dbh White Pine and 25" dbh Maple along with additional 'to-be-planted' screening using a line of 15 'Emerald Sentinel' Red Cedar 6'-7' in height, 1 Amelanchier clump form tree along with a six foot wooden cedar fence. "Ideally" the buffer width between an adjacent residential property to commercial parking or use should be 10' in width with dense plantings. The landscape buffer at this site is compromised due to the increased parking and travel lane requirements. (Prior or existing parking was nearby concentrated away from residential use.) The landscape treatment proposed, although greatly reduced from the existing green buffer with mature trees, will in time provide adequate screening.

Overall the landscape plan is acceptable as shown. It is unfortunate that long existing buffer between the adjacent residential properties is to be compromised due to this project. All options of 'shared' parking use, ie. the row closest to Auburn Street on the CVS side of the project should be explored before removing this valuable green area."

The abutters (Scotts) at 137 Auburn Street own the single family cape located about 16 feet from the boundary with 125 Auburn Street. Their letters of 2.16.09 and 4.7.09 (Attachment 11) identify the following issues (in summary):

- The proposed use is more intrusive than allowed in R-P zone (see above under **Zoning**);
- Loss of existing vegetation with inadequate/ineffective replacement planting/screening near their property;
- Loss of other existing vegetation which will open up the views of the Plaza generally;
- Introduction of parking about 20 feet from their house with associated noise and lights when there is underused parking in the Plaza nearby;
- Impacts of new exterior lighting and new windows facing their property;
- The layout will encourage potential use of the new parking area (and frontage near their house) as a cut through to the Plaza for pedestrian and bike users.

Staff had indicated to the applicant (letter 3.11.09) that the introduction of this scale of parking was not consistent with the objectives of the R-P zone and encouraged the applicant to place at least some of the required parking in the Plaza (as has been done for the Mercy building with an easement). The applicant has responded (Attachment A1.2, pages 5 & 6) that they seek to make Lot C-23 a conforming lot with the required parking on site and that the location of parking for this building in the Plaza area would "force pedestrians to cross the main entrance drive to get to the office building".

The proposed landscaping for the main Plaza area in conjunction with the CVS expansion and revised parking lot layout is considered acceptable (Attachment 10). The "concept plan" in Attachment B28 will allow an improved buffer along the stream.

Exterior Lighting

The applicant submitted a preliminary photometric plan which required further work (see staff e-mail of 3.26.09, Attachment 7) and a revised lighting plan has not been submitted.

Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.

The applicant has not submitted signage details except for traffic signing and signs on the proposed CVS building.

Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.

The main access location has not been revised from existing and the revised circulation is an improvement over the existing layout. The location of the drive-thru requires pedestrians on the Plaza sidewalk to cross the drive thru access lane.

Drive-thrus, where permitted, shall also specifically comply with the following conditions:

Location of Drive-thrus: *Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.*

The proposed drive-thru (window) is about 180 feet from the nearest residential zone. The stacking capacity has not been analyzed as the frequency of drive-thru visits is known to be low for a pharmacy. However, the applicant should be requested to submit documentation of their anticipated drive thru trips so that the possibility of stacking across the sidewalk can be assessed.

Noise: *Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.*

The applicant has not submitted this information.

Lighting: *Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.*

The lighting proposals are currently being revised but have not been submitted.

Screening and Enclosure: *Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and*

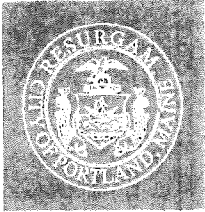
11. From Pamela and Charles Scott, abutters at 137 auburn Street
 - a. Letter regarding original Site Plan (February 16, 2009)
 - b. Letter requesting ZBA determination of H&R Block use
 - c. Letter to Planning Board regarding current revised proposals (April 7, 2009)
12. Site Photos (staff)
13. Aerial photograph (staff)

Attachment A: Application Submittal [dated March 13, 2009 unless otherwise indicated; separately bound with blue cover]

1. Appledore Engineering Application cover letter (revised submission) dated March 16, 2009 – addressing staff comments
2. Application forms and Checklist (dated January 9, 2009)
3. Site Plan Written statement
4. Capacity Letters (PWD dated December 12, 2008)
5. Letter of financial capability (dated January 23, 2009)
6. Right, Title and Interest
7. Design of ATM
8. Traffic Information dated March 12, 2009
9. Drainage Study (revised March 13, 2009) (appendices available at the PB meeting)
10. Recap of alternate CVS Plans (March 17, 2009) (incl. 4 conceptual plans)
11. Stream Protection Zone Impacts (Exhibit 1)
12. Existing Impervious Areas (Exhibit 2)
13. Proposed Impervious Area (Exhibit 3)
14. Delivery Truck Access Plan (Exhibit 4)
15. Original submitted Site Plan (now superceded)

Attachment B: Application Submittal Plan Set (post March 13, 2009)

1. Cover sheet
2. Existing Conditions – Notes
3. Existing Conditions Plan (north part of Plaza)
4. Existing Conditions Plan (south part of Plaza)
5. Demolition Plan C-1
6. Overall site Plan C-2
7. Site Plan C-2A
8. Grading, Drainage & Erosion Control Plan C-3
9. Utilities Plan C-4
10. Landscape Plan C-5
11. Erosion Control Notes C-6
12. Erosion Control Details Sheet C-7
13. Details Sheet C-8
14. Details Sheet C-9
15. Details Sheet C-10
16. Details Sheet C-11
17. Pre-Development Watershed Plan WS-1
18. Post-Development Watershed Plan WS-2
19. Subcatchment Plan WS-3
20. CVS Elevation - north side A-4.1.1
21. CVS Elevations - other 3 sides A-4.1
22. H&R Block building Refurbishment Elevation – Front onto Auburn St
23. H&R Block building Refurbishment Elevation – Rear
24. H&R Block building Refurbishment Elevation – Side towards Plaza
25. H&R Block building Refurbishment Elevation – Side towards 137 Auburn St
26. Section between H&R Block Parking area and abutter at 137 Auburn St – Existing
27. Section between H&R Block Parking area and abutter at 137 Auburn St – Proposed
28. Conceptual Reconfiguration for Drive Thru exit/rear drive aisle



Strengthening a Board of Directors' Authority to Approve Applications

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

Planning Division
Alexander Jaegerman, Director

March 11th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing with regard to the application for major site plan and conditional use approval for a proposed CVS expansion, H&R Block refurbishment and associated modifications to the Northgate Plaza.

This letter outlines preliminary review concerns, as discussed with you at a meeting on March 4th, 2009. The meeting also discussed the applicant's objectives for the proposals and possible revisions to address the staff concerns.

1. Please submit a corrected boundary survey and associated easements /restrictions (eg copies of recorded documents) to address the disparities in the survey and easement information.
2. Please submit plans and illustrations to clarify the scale of impact of the existing and proposed buildings, parking areas and snow storage within the 75 foot stream setback (eg an updated version of the pre-application submission entitled "Stream Protection Zone Exhibit"), showing new setback distances and addressing the question of volume increases as outlined by the Zoning Administrator at the meeting.
3. Please clarify the area of the existing plaza, as two figures are referred to in the submission (105,940SF in one place and 109,204SF in another).
4. Please illustrate the pervious surface areas on a plan along with impervious surface calculations for all parts of the site, both for the existing and the future lot configurations.

5. Please provide further information regarding the proposed ATM structure.
6. I confirm the receipt of photometric plans at the meeting on March 4, 2009 and they are under review.
7. Issues re the Fall Brook
 - a. It is noted that parking (13 spaces), travel lanes, new building and snow storage are proposed to be within the 75' stream protection zone and require a waiver from City requirements. The construction of a building and the addition of two drive through lanes could constitute an intensification of the land use within the 75' stream setback. Revisions to reduce this impact are requested.
 - b. The proposals are adjacent to an urban impaired stream and the City expects any development in this watershed to reduce the amounts of storm water and to increase quality of any storm water entering this Brook. At the meeting staff outlined options for your project to increase infiltration and permeable areas, including the use of islands in the parking area. We encourage you to incorporate the concept (suggested by Tom Errico during the March 6th, 2009 discussion of his comments on the excessive drive aisle widths) of a new linear island (potential vegetated "rain garden") between the current double row of parking spaces parallel to Auburn Street, as this appears to have a number of benefits.
 - c. Please note that the Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP.
 - d. Please clarify re snow storage arrangements as these should be located away from the Fall Brook.
 - e. The City requires a copy of the MDEP NRPA approvals prior to a final decision on this proposed site plan.
8. Issues re 125 Auburn Street (refurbishment of Boy Scout building for H&R Block)
 - a. I confirm that the proposed use for the Boy Scout building (H&R Block) is considered (in terms of Zoning) to be a professional office use and therefore allowable within the R-P zone.
 - b. Staff are concerned regarding the impacts of the parking area at the side of the building, which results in the loss of trees; altered topography and drainage; and impact on residential abutter re noise, glare, loss of trees etc (see the letter from the abutter, the Scotts, of 137 Auburn Street, dated February 16, 2009, as forwarded previously).
 - c. Staff considers that such impacts are inconsistent with the objectives of the R-P zone, and requests you consider relocation of some of the proposed parking into the plaza parking area; an effective and landscaped (trees) buffer is a minimum requirement.
 - d. The parking stall lengths may be reduced to 18 feet in this location if it assists in achieving an improved and satisfactory layout.

3.

- e. If this scale of parking remains part of the proposal, please submit information on lighting levels, location of parking in relation to existing buildings and trees on the site and on the abutter's property, and submit plans showing trees to be removed with details of landscaped buffer etc.

9. Traffic, Pedestrian Circulation and Parking

- a. Please note the comments of the City's Traffic Engineering consultant, Tom Errico, which were forwarded to you (also attached) and were the subject of a follow-up "conference call" with Tom Errico on March 6th, 2009.
- b. Please note that the recent Walgreen pharmacy approvals (340 Allen Avenue and 606 Forest Avenue) were for single drive thru lanes, and we request additional explanation as to why two drive thru lanes are required for the proposed CVS.
- c. Please provide more information regarding the provision of safe pedestrian circulation, including the link between the front of the Plaza and the existing path from Brook Road.
- d. We will clarify regarding the question of the scale of bicycle parking required.
- e. Please note that the signal at the access with Auburn Street may be part of this review.

10. I confirm that the proposals as submitted are acceptable to the Fire Department and that they require a 20 foot wide access to the rear of the retail buildings for fire access.

11. The landscaping proposals have not yet been formally reviewed, but please revise the Landscape Plan to show all existing trees (and whether they are to be removed), and show proposed trees with a different notation. Dumpster locations (existing and proposed) for all Plaza uses adjoining the rear service area near the proposed CVS should be identified on the plans and may need to be rationalized and screened.

Please feel free to contact me if you have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,


Jean Fraser, Planner

Attachment 1: Comments from Tom Errico, Traffic Engineering Reviewer of 2.24.2009

cc: Alex Jaegerman, Director, Planning division
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
David Margolis-Pineo, Deputy City Engineer
Keith Gautreau, Fire Department
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Engineering Reviewer
Frank Normandin, A& D Realty, LLC, 5 Militia Drive, Lexington, MA 02421

Set. 1.4

ATTACHMENT 1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 2/24/2009 4:37:06 PM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes my initial comments for the above project according to the January 30, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.
2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.
3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.
4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.
5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.
6. The parking aisle widths in front of the shopping center are excessive at 30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.
7. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Please note that these are my initial comments and additional comments can be expected. If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com
www.WilburSmith.com <<http://www.wilbursmith.com/>>

CC: "David Margolis-Pineo" <DMP@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>
O:\PLAN\Dev Rev\Auburn St. - 125 (Northgate Plaza renovations)\Correspondence\review letter 03.11.09 125 Auburn NorthgateCVS.doc

MEMORANDUM

To: FILE

From: Keith Gautreau

Dept: Fire

Subject: Application ID: 2009-0010

Date:

Access to site looks good on the plans. Must maintain min. 20' access road to rear of complex.

(he entered " approved w/ conditions 3-4-09)

MEMORANDUM

To: FILE
From: Marge Schmuckal **Dept:** Zoning
Subject: Application ID: 2009-0010
Date: 3/4/2009

This project consists of two separate developments: 1) The H & R Block building on lot 375-C-23 and 2) The demolition of a couple of the existing buildings with the addition of a new CVS drive-thru building.

H&R Block Bldg located in the R-P Zone: The submittal shows a survey plan configuration and lot size which is different than what is shown on the site plan. The applicant stated that they will submit confirming information supporting what is shown on the site plan. This will change my final analysis. However, the H&R use is considered to be a professional office use and not a retail use. The professional office use is allowable in the R-P Zone. This lot is not located within a Stream Protection Zone. There is only superficial exterior work to the building that does not increase the existing floor area. There is a new 13 space parking lot which abuts a residential use. There is no parking within the required 20' front yard area. There is a 6' fence that is being proposed between the parking and the adjoining residential lot as required under 14-339. The impervious surface and floor area ratio is apparently being met. I await the revised plans.

Northgate Plaza - new CVS drive-thru: This project is within the B-2 Business Zone. The Northgate Plaza was originally building in 1970, prior to many current regulations. Because a double drive-thru is proposed, and the property abuts a residential zone in the rear, a conditional use approval by the Planning Board is required. All regular setbacks are being met. The applicant states that 78.6% of impervious surface will be created compared to 80% required in the B-2 Zone. The biggest concern is the location of this project abutting an Urban Impaired Stream (Fallbrook) in the rear. Currently the existing pavement abuts the stream. Currently part of their building is within the 75' required setback from the Stream. Currently 19 parking spaces are located within 75' of the stream. The new proposal reduces those 19 parking spaces to 13 parking spaces within 75' of the stream. The new building will have a smaller portion of their building within 75' of the stream. Under 14-453 The planning board may approve alterations to structures inexistence as of June 15, 1992. They may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent. The applicant has not submitted all this information at this time. The area of this portion of the lot is not located within a floodplain. (panel 2). The applicant has been asked to further mitigate influences on the impaired stream by not storing snow adjacent to the stream before trucking it out. The applicant has also been asked to consider a raingarden to reduce sheeting run-off to the stream.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

To: FILE
From: Marge Schmuckal **Dept:** Zoning
Subject: Application ID: 2009-0010
Date: 3/30/2009

I have reviewed new plans dated March 13, 2009 and received on March 18, 2009.

Regarding the H & R lot: The survey has been revised to show the lot to be 23,478 square feet. This is the figure I have used instead of the rounded up figure that the applicant has used. The new submittal, by my measuring and calculation shows an impervious surface of 62% (38% pervious) which is under the maximum 70% allowed based upon the adjoining R-3 Zone. Section 14-339 States: Where off-street parking for more than six (6) vehicles is required or provided on a lot in any business zone, the project shall provide and maintain a fence not less than 48" height between such off-street parking and that part of the lot line involved. The applicant is proposing a 6' screened fence to meet this requirement as shown on the submitted plans. Any artificial lighting shall be shaded or screened. I am not seeing any such lighting proposed. The revised plans meet the R-P Zone requirements.

Northgate Plaza: The current submittal reduces the double drive-thru to a single drive-thru. The applicant is also stating that snow storage will no longer be stored along the edge of the Fallbrook, but instead will be stored elsewhere before trucking it from the site. The new submittal also addresses the square footage and volume pre and post development. Predevelopment shows an area of 519 sq feet and 10,380 cubic feet 59' from the edge of wetlands of the Fallbrook. The postdevelopment shows a reduction to 430 sq feet and 10,169 cubic feet which is 63 feet from the edge of wetlands of the Fallbrook. The new development has reduced the impact on the Fallbrook.

Marge Schmuckal
Zoning Administrator

MEMORANDUM

Attachment 5

To: FILE
From: Marge Schmuckal Dept: Zoning
Subject: Application ID: 2009-0010
Date: 4/1/2009

I've been asked to further explain several previous comments.

First of all, separate permits and approvals are required for any new signage. It should be pointed out at this time that the R-P Residence-Professional Zone only allows free-standing signs. Building signs are not allowed, other than incidental and/or directory signs. Signage Table 2.3 regarding R-P zones allow a maximum area for free-standing signs to be no more than 30 square feet, with a maximum height of 8 feet, and a minimum 5 foot setback from property lines. Only one sign is allowed per lot. The depicted building signs shown on the submitted plans do not meet the criteria of the sign ordinance.

As stated previously, I have determined that H & R Block is a professional office. There is a definition in 14-47 that states that a professional office is "the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional.". The R-6 zone goes further in the definition. It is pointed out that it is valid to use the further description as written in the R-6 zone, because there is only one grouping of professional office. The term professional office does not change from zone to zone. The R-6 zone elaborates further by stating: "Professional offices of member of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. The illustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent". I consider H & R Block to be a similar profession to an accountant. I do know for a fact that their agents must take courses and pass tests to be certified on a yearly basis in order to work for H & R Block. It is a professional office, not a retail use. The ordinance does not make any restrictions on professional offices for hours of operations, or numbers of clients. It is recognized that all businesses such as retail, professional offices, personal services and other types of uses are always trying to increase their customer service base. That is a standard of our economic system. If anything, with current home computer applications readily accessible, professional services such as H & R Block may be losing their customer base. If an abutter feels that my determination is flawed, they would have 30 days from the date of this memo to submitted an interpretation appeal to the Zoning Board of Appeals. Failure to appeal within the 30 days renders my decision final and binding and not subject to further appeals.

Marge Schmuckal
Zoning Administrator

Attachment 6.1

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: March 26, 2009
RE: Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project

Woodard & Curran has reviewed the documents for the Northgate Plaza – CVS Relocation and H&R Block Refurbishment Project. The project involves the demolition of a portion of the existing shopping center, construction of a new 12,900 square foot stand alone building, drive thru lanes and associated parking and building improvements.

Documents Reviewed

- Additional Information for Site Plan Application, dated March 16, 2009 prepared by Appledore Engineering, Inc.
- Drainage Study, dated January 30, 2009 revised March 13, 2009 prepared by Appledore Engineering, Inc.
- Site Plan Sheets, C-1 thru C-11; dated January 30, revised March 13, 2009, by Appledore Engineering Inc.

Comments:

- The catch basins and manholes on the grading, drainage and erosion plan only show one invert in elevation regardless of the number of pipes entering the structure. It is not clear if this is meant to indicate that all invert ins are to be at the same elevation.
- It is not clear from the plans what is happening in terms of drainage in front of the UPS store. No grading information is shown and there appears to be a drain line leaving CB #5304 heading towards that area but it is not clear what it connects to. A curb bump out is being installed that will stop the runoff from following the curb line and flowing towards the rear of the property. Please clarify what is happening in this area.
- The plans indicate the use of precast concrete curb stops in the areas around the rain gardens. There installation is to allow stormwater runoff to flow between the curbs into the treatment areas. The City has not had good results with the use of these curbs. They tend to be moved during plowing and are constantly in need of being reset. In lieu of the precast curb stops, the applicant is encouraged to install a wooden guardrail in these areas. This would allow the runoff to enter the treatment areas unimpeded and would prevent snow from being plowed onto the treatment areas.
- A six foot high screening fence is being proposed along a portion of Fall Brook to help screen the lights from vehicles entering the drive thru. In the areas where no fencing is proposed, the applicant should install a wooden guardrail along the brook so that no snow is stored or plowed into the brook.
- It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the

6.2



center of the parking lot. Also, the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for the crosswalk to be shortened.

- An elevation drawing for the rear of the new H&R Block building should be submitted. The stairway as proposed will be below vehicle traffic. Bollards or a guardrail should be used to prevent a vehicle from falling into the stairwell.

DRG
203939.

cc: File

From: Jean Fraser
To: GYoung@appledoreeng.com
Date: 3/26/2009 12:30:30 PM
Subject: Northgate plaza - Lighting

Attachment 7

Gretchen,

I attach the City's Technical Standards for **Lighting** (Section 15) and you will see that the un-numbered Photometric Plan that you gave me in early March needs to be reconsidered and revised:

1. The Photometric Plan does not include the lighting levels at the property boundaries along the north side and around 125 Auburn St (which need to be .1 fc or less) ; we particularly requested details of lighting impacts near the residential zone/properties;
2. I need catalog cuts for the proposed lamp fixtures and the height of the poles for all parts of the site including up to the ATM and around 125 Auburn (they need to be full cut-off type)(please clarify if new or existing if any are being reused);
3. The standard specifies a max of 250 watts and the proposed lights appear to be 465 watts. While you may submit an explanation of why such high wattage lamps are being used, in my experience it is unlikely the Board will consider a waiver on this. Even 250 watt lamps have been avoided in most places as they are too bright; more smaller lamps are preferable.
4. The City's allowable max is 5.0 footcandles and the plan shows 11.2 fc as the max- the issue here is glare and again I believe the Board will not support this (a waiver would be required). I suggest a different approach needs to be taken to ensure better distribution of light and to avoid "hot spots" and glare.
5. Please note that the Conditional Use requirements for drive thru in B2 (Section 14-183) specifically refers to lighting, as does 14-526 (Site Plan Standards para (9)).
6. The plan needs to show more clearly the location of the lights and whether there will be any wall-mounted lights on the CVS/refurbished Boy Scout building.
7. Since the area of the project includes the portion of the Plaza and parking lot up to and around the ATM and the drive thru/new pedestrian route/new truck access/turning area at the rear, the proposed lighting and the photometric plan need to include those areas as well (ie up to the "Limit of Work" shown in Sheet C-2).
8. The Plan needs to reflect the layout/site plan revisions submitted March 17, 2009.

On this review issue you can submit a revised plan (for inclusion in the PB Memo so it can be considered at the Planning Board Workshop 4.14.09) any time up to April 7th (11x17s that are readable and 1 full size paper copy please).

Please do not hesitate to call me if you have any questions regarding these comments.

Jean

Jean Fraser, Planner
City of Portland
(207) 874 8728

March 27, 2009

To: Either Jean Fraser or Molly Casto
From: David Margolis-Pineo and Public Services Staff
Re: CVS - Northgate
Public Services Review Comments

Note: This project resides in the Urban Impaired Stream Watershed of Fall Brook and that Northgate Plaza, as a whole represents nearly 11 acres of impervious surface area which discharges untreated stormwater to Fall Brook.

1. The City recognizes that the applicant has made a tremendous effort to protect and treat some of the stormwater generated on site. However, it appears the drive thru lane could be designed to move the roadway several feet from the stream to allow for five to eight foot vegetated buffer from edge of pavement to the stream. The installation of a guard rail is strongly recommended along the edge of pavement in this area to prohibit snow from being plowed or placed in Fall Brook.
2. Again, the City recognizes the applicant's effort in placing a six foot island the length of the front parking lot. However, the potential exist to widen this island by another six feet to decrease imperious area and increase vegetation and allow better growing conditions for vegetation.
3. The applicant needs to submit a manhole channel detail showing their proposed C.V.S. building sewer lateral coming into the City manhole showing the crown of the lateral matching the crown elevation of the out going pipe. The shell area shall be rebuilt to accommodate the lateral a sweep the lateral flow into the channel.
4. The capacity letter was completed on 3/13/09.

Attachment 9.1

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: Jean Fraser <JF@portlandmaine.gov>
Date: 3/31/2009 8:07:07 AM
Subject: Northgate Shopping Center - CVS

Jean -

The following summarizes a status report on my February 24, 2009 comments according to the March 16, 2009 submittal by Appledore Engineering, Inc.

1. The applicant shall provide a summary of traffic generation changes regarding the project and whether a Traffic Movement Permit would be required. Following the receipt of this information, I in conjunction with others at the Department of Public Services will render a decision on off-site traffic evaluation requirements.

Status: The applicant has provided a trip generation analysis and I concur that a Traffic Movement Permit is not required. I would like to review conditions of approval for the prior expansion to ensure the project is in compliance.

2. The parking demand analysis seems to illustrate the site will provide more parking than what is needed according to zoning regulations. The applicant should also provide a parking demand/shared use analysis using local or national parking generation methods. If the parking supply exceeds demand, the applicant should provide justification for the additional parking spaces.

Status: I continue to review this issue.

3. It is unclear how large delivery truck deliveries occur on-site. The applicant shall provide "Auto-turn" templates that illustrate how trucks will maneuver on and off the project site.

Status: The requested information has been provided and I have no further comment.

4. The parking aisles nearest the medical office building exceed City standards. The applicant shall provide justification for this additional pavement width.

Status: The site plan has been revised and I have no further comment.

5. The applicant shall provide additional detail and justification for what appears like two drive-through lanes and a by-pass lane.

Status: The site plan has been revised and I have no further comment.

6. The parking aisle widths in front of the shopping center are excessive at

9.2

30 feet (6 feet wider than City standards). It is an existing condition, so I need to review this issue further.

Status: The parking aisle nearest the shopping center building has been reduced to 24 feet. The applicant shall provide conceptual plans that illustrate reducing the aisle width nearest Auburn Street to 24 feet for review and comment.

7. Parking information for the "H&R Block" does not appear to be provided. The applicant shall provide documentation supporting a parking supply of 13 spaces.

Status: Information has been provided and I have no further comment.

In addition to the above the applicant shall explore redesigning the rear area such that the proposed crosswalk to the neighborhood trail is reduced in overall length. It is my understanding that there is a desire to shift green space such that it abuts the drainage area and this may provide opportunity for enhance this pedestrian crossing.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
w: 207.871.1785 f: 207.871.5825
TErrico@WilburSmith.com<mailto:TErrico@WilburSmith.com>
www.WilburSmith.com<http://www.wilbursmith.com/>

CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>

Attachment 10

From: Jeff Tarling
To: Jean Fraser
Date: 4/9/2009 1:33:17 PM
Subject: Northgate

Jean -

I have reviewed the Northgate project landscape plan and offer the following comments:

a) The long existing 'residential' to 'commercial' buffer between the adjacent residential property and the 'H&R Block' building is greatly diminished with the proposed scheme. The proposed landscape treatment does save a large 24" dbh White Pine and 25" dbh Maple along with additional 'to-be-planted' screening using a line of 15 'Emerald Sentinel' Red Cedar 6'-7' in height, 1 Amelanchier clump form tree along with a six foot wooden cedar fence. "Ideally" the buffer width between an adjacent residential property to commercial parking or use should be 10' in width with dense plantings. The landscape buffer at this site is compromised due to the increased parking and travel lane requirements. (Prior or existing parking was nearby concentrated away from residential use.) The landscape treatment proposed, although greatly reduced from the existing green buffer with mature trees, will in time provide adequate screening.

b) Parking lot landscape - The proposed CVS / parking lot landscape treatment places additional trees & shrub plantings to the existing parking lot. The center island landscape treatment combines landscape shrub planting with 'rain garden' stormwater treatment. The plan also plants 4 Red Maples at the rear of the project along the wetland.

Overall the landscape plan is acceptable as shown. It is unfortunate that long existing buffer between the adjacent residential properties is to be compromised due to this project. All options of 'shared' parking use, ie. the row closest to Auburn Street on the CVS side of the project should be explored before removing this valuable green area.

Jeff Tarling
City Arborist

CC: Barbara Barhydt

February 16, 2009

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Barbara Barhydt, *Development Review Services Manager*

Dear Ms. Barhydt:

We have visited your offices and viewed the major site plan application and other accompanying documents submitted on behalf of A & D Realty LLC for the redevelopment of the Northgate Plaza (Lot C-1; tax map 375; Zone B-2) on Auburn Street and the redevelopment of their adjacent property on Lot C-23 (Zone R-P). We ask that this letter be provided to the Planning Board Members and also to be included in the site plan application file.

We are the owners of the lot directly adjacent to Lot-23 (Lot B-4; tax map 374; Zone C-3), located at 137 Auburn Street. We oppose the planned redevelopment of Lot-23 on the basis that the redevelopment as described in the major site plan application will result in substantial diminution of the value and utility of our property.

The following are our objections and concerns:

- I. **H & R Block¹ is a commercial retail operation that does not conform to the intended use and permitted business of the Residential-Professional Zone.**
 - a) Open seven days per week:
Hours according to their website are 8 a.m.-10 p.m., Monday through Friday, 9 a.m. - 9 p.m. on Saturday and 9 a.m. - 5 p.m. on Sunday.
 - b) Customer volume exceeds that of similar sized professional offices and the business goals of this corporation and its franchises is to further increase their customer volume.
 - c) H & R Block offices are “storefronts” with large neon corporate logos and signs and posters on their façade and windows advertising their services and special offers similar to those found on the storefronts of supermarkets, pet stores and other retail establishments.

- II. **Proposed plans will significantly change the topography of the lot.**
 - a) Plans suggest that all of the existing trees, bushes and shrubs and at least some of the lawn (if not all) will be removed.
 - b) A paved 13 space parking lot and associated driveway will be added.
 - c) Additional impervious materials in the form of concrete walkways, pads, retaining walls and stairs will be added in place of the current lawn.

¹**H&R Block** (NYSE: HRB) is a tax preparation company in the United States, claiming more than 22 million customers worldwide, with offices in Canada, Australia and the United Kingdom. The Kansas City, Mo.-based company also offers banking, personal finance and business consulting services. Founded in 1955 by brothers Henry W. and Richard Bloch, Block today operates 12,500 retail tax offices in the United States, plus another 1,400 abroad. In addition to Block's retail stores, they offer their own consumer tax software called TaxCut, as well as online tax preparation and electronic filing from their website.

11a.2

III. Proposed plans will significantly alter the visual esthetics of the lot.

- a) The addition of a 13 space parking lot, driveway and concrete walkways.
- b) The parking lot will be visually exposed to Auburn Street.
- c) The loss of mature trees, shrubs and lawn area.
- d) The addition of a commercial waste dumpster.
- e) The addition of outdoor lighting and neon signage with the corporate logo.
- f) We assume that changes to the building façade will result in more of a retail store look.
- g) It is proposed that that the snow storage for this lot will be on the front setback facing Auburn Street.

IV. Proposed plans will significantly impact the enjoyment and value of our property.

- a) The removal of the trees, shrubs and bushes on Lot C-23 will remove the visual and noise barrier and expose us to the Lot C-1 plaza, the plaza entrance, the intersection and the other businesses located on Auburn Street across from the plaza. The removal of the mature trees will expose us to additional wind and dust and remove the natural shading and cooling they provide.
- b) The plaza entrance on Auburn Street is currently overused for its size and close proximity to a residential zone, especially by large and noisy trucks - including 18 wheeler tractor trailers - that deliver to the plaza businesses continually throughout the night and early morning hours. Accidents at this intersection are frequent.
- c) The CVS expansion, with the addition of a drive-thru and the proposed pattern of travel for cars exiting, combined with the absence of trees, shrubs and other natural screens, will expose us to even more direct car noise and headlights shining directly into our windows and continually moving across our property in a sweeping motion.
- d) The addition of a parking lot directly on our property line and so close to our home will further expose us to noise aggravation, outdoor lighting spilling over onto our property and house, pollution from car emissions and headlights seven days a week possibly as late as 11:00 p.m. on weekdays. In the winter months, there will also be snowplowing.
- e) The addition of a commercial dumpster directly on our property line and so close to our home will expose us to further noise aggravation as a result of the opening and closing of the dumpster and emptying of the dumpster by a commercial waste service.
- f) The addition and the grading of a parking lot, driveway and other impervious materials directly on our property line and so close to our home could cause water run-off and/or flooding.
- g) The additional proposed paved materials on this lot will encourage and aid trespassers on foot and bicycle going to and from the plaza and Auburn Street. This property and a portion of ours will become a new "cut-thru."
- h) Due to the sloping nature of the properties, the proposed 6 foot screening fence will not conceal the Lot C-23 parking lot, driveway, dumpster or the Lot C-1 plaza from the direct view out our 1st floor windows. The benefits of the proposed screening fence will be minimal and will in no way recreate the lost privacy or sufficiently shield us from noise and light pollution.
- i) Our property value will be significantly diminished by the proposed changes. When we purchased the property in August 2007, it was assessed at \$211,000. With the poor economy and the proposed changes and use of Lot C-23, (which essentially changes the use from Residential-Professional to a Business Zone), it is estimated that the market value of our property could drop to as low as \$100,000.

11a.3

We would also like the Board to know of our objection to the manner in which A & D Realty and their representation has bundled two proposed redevelopments into one application thus placing the focus on the CVS building and other alleged improvements to the plaza. We consider this an attempt to circumvent the laws of the R-P zone and to draw the Board's attention away from this and the damages A & D Realty's plans will inflict on our well-being and property value.

The proposed redevelopment of Lot C-1 will offer little or no value to the community and could possibly impact negatively on the neighborhood due to the over-saturation of "Big-Box" pharmacies with a drive-thru, and the addition and redirection of traffic. Many homes on Brook Road will be exposed to additional and more direct car noise, headlights, dust and pollution.

The proposed redevelopment of Lot C-23 will result in the lack of a transition or buffer between our property located in a residential zone and the more intensive nonresidential zones. In addition to the above outlined objections and concerns, we will suffer a major loss of enjoyment of our yard, gardens and deck. These amenities are the reasons why we purchased this particular property.

The proposed redevelopment of Lot C-23 will inflict a disastrous financial hardship and burden on us. Our property will be significantly devalued. We will not be able to re-finance our mortgage due to a lowered assessed value. We will not be able to sell the property in the current or future market for the amount we paid for it and/or for the amount of our mortgage balance. We will be required to continue to pay a mortgage that could be almost twice the amount of the market value.

In conclusion, we are vehemently opposed to all of the proposed changes and redevelopment of Lot C-23 and we have concerns about the redevelopment of Lot C-1.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

April 7, 2009

Zoning Board of Appeals
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Marge Schmuckal, Zoning Administrator

Dear Ms. Schmuckal:

Please consider this letter an appeal to the zoning determination that H & R Block is a professional office and therefore complies with the R-P zone.

H&R Block (NYSE: HRB) - with revenues in excess of \$4 billion, is a publicly traded, multinational corporation with more than 22 million customers worldwide. The corporation provides tax, investment, retail banking, accounting and business consulting services and products. It operates in three segments: Tax Services, Consumer Financial Services and Business Services. H&R Block provides its products and services through a network of approximately 13,000 company-owned and franchised retail and office locations.

H & R Block Operating Segments:

- 1) The Tax Services segment provides tax and other related services and products. In addition to their own tax preparation offices, Block offers tax preparation through third-party retail stores such as Sears and Wal-Mart. Block is the maker/distributor of TaxCut[®] software (similar to TurboTax[®]). Block also has various online options, do-it-yourself tax preparation, tax review and tax advice. They offer their customers a variety of options for receiving an income tax refund. Options specific to Block's tax offices are a prepaid Block Emerald MasterCard and refund anticipation loans (RAL) and refund anticipation checks (RAC).
- 2) The Consumer Financial Services segment offers brokerage services, investment planning and related financial advice, as well as retail banking services. It provides annuities, insurance, fee-based accounts, online account access, equity research and focus lists, model portfolios, asset allocation strategies, and other investment tools and information. This segment also offers various banking services, including checking and savings accounts, lines of credit, individual retirement accounts, CDs and prepaid debit card accounts.
 - a) The H&R Block Bank (HRBB) a Federal Savings Bank and member FDIC, was chartered in 2006. Bank customers can establish accounts with their tax refund money and then access those funds with pre-paid Emerald MasterCards through ATM networks bearing the MasterCard brand. At this time, Block Bank accounts are available only to the company's tax clients in Block offices. Currently, the bank is primarily an online operation with one bricks-and-mortar office located in Kansas City.
- 3) The Business Services segment provides accounting, tax and business consulting services, wealth management and capital markets services to middle-market

companies primary through their wholly-owned subsidiary RSM McGladrey Business Services. A fortune 500 company on its own, RSM McGladrey Business Services was created in 1999 when H&R Block acquired the assets and business of the former McGladrey & Pullen, based in Bloomington, MN. McGladrey has 100 offices in 25 states and offers accounting, consulting, tax services, and international business services to mid-sized companies. Now two separate and independent legal entities work together through an alternative practice structure. RSM McGladrey (RSM) offers business and tax consulting, wealth management, retirement resources and corporate finance, while McGladrey & Pullen (M&P), a CPA firm, offers audit and attest services. Additionally, through an international alliance, this Block subsidiary also operates in 70 countries under the RSM International name.

As you say in your memo of 4/1/2009, there is a definition in 14-47 that states that a professional office is "the office of a doctor, dentist, optometrist, psychologist, accountant, lawyer, architect, engineer or similar professional. You note that the R-6 zone further elaborates by stating: "Professional offices of members of a recognized profession maintained for the conduct of that profession. Professional office uses exclude personal services, retail services, and veterinarians. The illustrative examples that follow indicate the type of professional offices permitted: health care practitioner, attorney, social worker, engineer, architect, accountant, real estate agent, insurance agent." You also state, "I consider H & R Block to be a similar profession to an accountant. I do know for a fact that their agents must take courses and pass tests to be certified on a yearly basis in order to work for H & R Block."

In their Tax Services segment, H & R Block offers training to prospective employees and current employees to work as 'tax preparers.' This training is specific to qualifying or continuing to work at H & R Block only. Students must be at least 18 years of age and some states (not Maine) require that they be high school graduates. They are not accountants or CPAs. Without outside training (a minimum of a BA and two years work, plus continuing education each year), testing and licensing and other requirements by the State of Maine, these individuals cannot be considered members of the accounting profession. Additionally, the State of Maine has not licensed any H&R Block tax office as any type of accounting firm or branch.

The operations of the Tax Services segment at H & R Block cannot be described as, nor should be confused for an accounting firm. Years ago, Richard Bloch once compared his company to Sears, and a journalist once called it "the McDonald's of tax preparation." Today, H & R Block is one of the most widely recognized brands in the U.S. The company is an innovative provider of diversified tax services, financial services and related products.

When customers of Block's tax offices arrange to have their tax refund, RAL or RAC deposited to a Block Emerald MasterCard or a Block Bank account, the office is operating as a financial institution under the auspices of The H&R Block Bank. The R-P zone does not allow financial institutions nor is there mention of similar financial services - neither described as professional offices in the 14-47 definition nor further described as professional offices in the R-6 zone.

If you reject our interpretation of H & R Block as a financial institution than you must also reject your own interpretation that H & R Block is an accounting office. To pigeon-hole this unusual corporation into one particular industry segment would be incorrect. While your interpretation

might be the most obvious at first glance, we believe it is less factual and less accurate than our interpretation.

For 50 years, H & R Block has evolved through mergers and acquisitions. One of their most noted accomplishments was the acquisition and later very lucrative divestiture of CompuServe. They have successfully entered into and exited the temporary personnel business, sub-prime mortgage and loan servicing, legal service business, business seminar services and computer information service businesses. To quote a recent press release, they will continue to “Block-on.”

To allow a corporation such as H&R Block to establish offices in the R-P zone is inconsistent with the intended use of the zone designation. Should Block start selling their TaxCut® software or any new product or service from their tax offices or extend their hours to midnight, the Portland Planning Committee and the Zoning Board will have no knowledge and essentially no control over any changes that might additionally be inconsistent with R-P, unless a building or sign permit request is submitted.

To quote your memo of 4/1/2009 again, you state “The ordinance does not make any restrictions on professional offices for hours of operations, or numbers of clients.” “It is recognized that all businesses such as retail, professional offices, personal services and other types of uses are always trying to increase their customer service base. That is a standard of our economic system.” While Section 14-146 does not make mention of hours or operation it does give the purpose of the R-P zone as to provide a location for low-intensity office use and to also serve as a buffer zone between residential and more intensive nonresidential zones. In Sec. 14-147.5, it states that conditional uses of this zone should be no more objectionable than those associated with professional offices and noise levels and hours of operation shall also be considered. We believe that H & R Block is a retail business and therefore more objectionable than a professional office and that their hours of operation being 7 days a week and well into the evening each of those days has not been properly considered.

There is no H & R Block office in Portland currently located in an R-P zone. Of Block’s 13,000 locations worldwide, it would be difficult to find many in an urban or suburban environment that are located in any zone other than a business-designated zone. There are many vacant business-zoned locations in Portland that need tenants, some of which are located nearby. From the plans the Northgate Plaza developers have submitted to the Portland Planning Committee, it appears that they also have a vacant space in the Plaza. The fact they choose to exclude H & R Block from their redevelopment plan within the Plaza and that they prefer to relocate H & R Block outside of the Plaza to an abutting lot that they also own, and thus far have been unsuccessful in securing a suitable tenant, should not influence the Zoning Board to uphold a decision that would in essence circumvent their own laws.

There is no benefit to the H & R Tax office in question to be located within an R-P zone. Should Block decide to establish retail bricks-and-mortar banking branches in conjunction with their tax offices, install RSM McGladrey or add any other new venture or new service, this particular office would be at a disadvantage as the R-P zone designation would prevent them from this type of business expansion.

Northgate Plaza purchased Lot C-23 from a non-profit institution approximately three years ago. We purchased the adjacent lot B-4 in September 2007. In February of 2008, we were formally

contacted by mail by Ryan Bishop of the Dunham Group as representative on the behalf of an unnamed business developer. They invited us to engage in discussions for the sale of our property. They stated their intention was to purchase our property and the adjoining two lots belonging to our neighbor, Lewis MacDonald. We engaged the services of Barschdorf & Cartmell Associates of Keller Williams Realty to represent us and negotiate on our behalf. The Dunham Group exited the discussions citing that they had been informed that the Portland Planning and Zoning Committees would not consider an application for re-zoning of these properties or a portion of the three properties for commercial use. We were informed by Barschdorf & Cartmell and by Mr. MacDonald who represented himself that the developer was Walgreen Pharmacy. At the time, we did not consider this informal decision by the City of Portland or by a representative(s) of the City to be in any way incorrect, unfair or partial to any other possibly concerned party.

We believe that by allowing the Northgate developers to put H & R Block in an R-P zone, you are not only essentially rezoning Lot C-23 to a business-use zone, but are unintentionally and inadvertently showing partiality to the Northgate Plaza developers and to their client CVS Pharmacy. We believe that you are also opening the floodgates for applications from other non-conforming businesses that may identify with H & R Block, to relocate to and further develop into an R-P zoned property.

By allowing H & R Block to use Lot-23 for their business, we would lose a major portion of the enjoyment of our property, but most importantly, our property will be devalued. It will not make a difference to a prospective buyer or a bank appraiser that the lot next door is technically R-P. H & R Block is not a professional office; it is not similar to a professional office and does not look or operate like a professional office as described in 14-47. The appraised value of our home will drop dramatically and we will be financially devastated. This combined with our current situation of the loss of one income due to a lay off by KeyBank and the lack of employment possibilities locally, could lead us to foreclosure and homelessness.

We respectfully request the Zoning Board of Appeals to consider the facts and information that we have presented and rescind the earlier decision to allow H & R Block to occupy the R-P Residence-Professional Zone.

Sincerely,

Pamela S. Scott
Charles M. Scott
137 Auburn Street
Portland, ME 04103
207-450-6580
781-710-4450

cc: Jean Fraser, Planner, City of Portland
Lewis MacDonald, 135 Auburn St., Portland, ME 04103

April 7, 2009

Attachment 11c.1

Department of Planning and Development
Portland Planning Board
Portland City Hall
389 Congress Street
Portland, ME 04101

Attn: Ms. Jean Fraser, Planner

Dear Ms. Fraser:

This letter is in response to Appledore Engineering's changes to the Site Plan Review that was submitted on 3/16/2009 on behalf of A & D, Realty Inc., concerning the Northgate Plaza and more specifically, the adjacent Lot C-23. We have reviewed their changes and have the following concerns in addition to those noted previously in our letter of February 16, 2009:

Parking:

- From the Overall Site Plan it appears that while the parking spaces closest to our property line have been pushed back a few feet away from Auburn Street, the row of parking closest to the proposed H & R Block building remains the same. This parking will be in complete view from our front yard and from looking out our living room windows. The row juts out from the building along the side setback and impacts the overall appearance of the sites from Auburn Street when viewing Lot C-23 and B-4 together.
- While the proposed fence and new landscaping between the edge of the parking area and the property line are to provide increased screening for us, we believe it will not provide sufficient screening owing to the natural slope of the two properties.
- We acknowledge that it is the developer's intention is to make Lot C-23 a conforming lot. There is sufficient space in the Plaza for parking and Sec. 14-334 allows for off-street parking to be located a reasonable distance from the principal building if the premises to be used for parking are held under the same ownership or lease. They have cited their decision to reject this possibility of parking on the adjacent Lot C-1 as safety reasons that "would force pedestrians to cross the main entrance drive to get to the office building". From their Overall Site Plan, it appears that pedestrians coming to the Plaza from the north on Auburn Street will also have to cross the main entrance drive and then cross on to a subsequent access sidewalk to get to the Plaza. We fail to see the difference in respect to safety.
- We would like to suggest that the developer could utilize the side setback adjacent to the Plaza and the rear setback for at least some, if not all, of their parking.

Landscaping:

- The Demolition Plan does not accurately depict all of the trees that currently exist on Lot C-23 and, therefore, the trees to be removed may not all be identified.
- The Demolition Plan does identify what is described as a 32 foot pine along the side setback closest to our property line to be removed. All of the three trees along this side which is adjacent to the front

11 c. 2

facing Auburn Street, especially the two pines,* are integral to providing a visual and noise barrier from the Plaza entrance drive. This particular tree is very essential.

**We believe they may have incorrectly identified/depicted the location the two pines in respect to size.*

Other:

- The Overall Plan and the Landscape Plan show a proposed concrete sidewalk pad that leads from Auburn Street along the side of the building (facing us) and then along the back of the building. At the corner of the front and side it adjoins a sidewalk that leads from the proposed parking lot to the front door. Because the sidewalk leading from Auburn Street does not directly lead to the front entrance, this will most definitely encourage/embolden pedestrians and bike riders to trespass and use this as a “short-cut” to the Plaza (because the building is vacant pedestrians do this already by walking through the lawn when weather permits). There appears to be no reason (other than choice) why the sidewalk leading from Auburn Street cannot be located directly in front of and leading to their front entrance along Auburn Street, or along the side setback closest to the Plaza and then leading to the front entrance.
- The proposed side elevation plan that faces our property depicts the installation of 1 new set of double windows on their first level, two new sets of double windows on their second level (which is at our first floor level) and an unidentified object that may be a window or a sign on the side of the proposed new pitched roof (at our second floor level). The addition of windows facing us will further destroy our overall privacy and the usability of our deck and hot tub. The spillage of light from these windows during the evening hours (all 7 days a week) will only further exacerbate the situation.
- Appledore’s letter of March 16th states that they no longer plan a dumpster for this lot, but a dumpster for this lot is still depicted on the Details Sheet.
- We have not seen a specific plan for lighting or signage.
- The Overall Plan, along with the Landscape Plan and other descriptions depict the developer’s intention to project the “best face” of this property to the front and side that is adjacent to the Plaza, while placing parking lots, driveways, pedestrian walkways, bicycle racks, outdoor lighting, additional windows, possible signage and limited landscaping on the side and the adjacent front that is closest to our home. The front and side of this property that faces the Plaza, as shown in the plans, depicts lawns and lush plantings of landscape materials.

We continue to believe that the proposal will significantly devalue our property and request that the Planning Board reject A & D Realty’s Site Plan application to redevelop Lot-23, at the very least, until they can show that they are willing to work with us as abutters of the property and submit plans that indicate that they are serious and will comply with the laws and the intentions of the Resident-Professional Zone.

Respectfully,

Pamela S. Scott
Charles M. Scott

137 Auburn Street
Portland, ME 04103
781-710-4469
781-710-4450

137 Auburn (abutter) in background c/o Boy Scout Bldg to right Att. 12



Staff
Photo

Looking from Auburn St at vegetation between 125 + 137 Auburn



Staff
Photo

Rear sensor area behind CVS - Fall Brook to left

HT 12.7

Staff
Photo



Looking from C/O Video Store towards Brook Rd + path.

Staff
Photo



Mezquita

125 Auburn St - Workshop. 4-14-09.
JF-presentation

Brad Mezquita - Apple done

Confirmed reduced impact on Brook

Confirmed concept for reusing layout at rear.

Widening rain garden between parking rows. -

His concerns re safety of revising drive aisle.

Public Comment:

Charles Scott:

137 Auburn St.

Last Friday started discussing issues
w/ devs - making progress re.

right lines/trees/prox. of parking

have letter of commitment to address.

D. Silk: what do they actually see

CS - look down a few feet

many trees on lot shield plaza + street

L. Lowry - CS not sure if whether to proceed

were concerned that intent of R-P not met

Close public comment

Board questions:

JT - ? how will drive thru traffic work

BM explained; says drive exit one-way w/ sign saying one-way.

? volume - JT wants some #'s

BM - will give #'s

? narrow rain garden -

↳ concerned about parking + removal of buffer at 125 Auburn - look at more extensively.

BH - same concern - find compromise re BS Bldg. hoping work with abutter

MP - echo others - major

BB conf. that can have parking 100 ft. w/ lease etc.

who parking - empl vs visitors

wants employees to park elsewhere (app)

take a look at that

wants adequate screening now (not "a time")

SO - echo others; clean up a bit; prev prob for neighbors

concerned about drive thru - location - a lot of children around that area ? stacking out into

Plaza - why that place / does not

AS - went thru quite a few scenarios; this seemed most sensible.

BB - highlighted window to rear; + relocated path

SO - why need parking - can it be waived?
why can't people walk across?
like to xpk traffic people for a "stop" before
access. Doesn't think staff or customers
need to park there - revisit.

MP - likes B28 pulls back away fr. stream

DS - add'l comment - concerned re drive-thru
un mid mall - as drive-thrus at side/back
always affect peds. - if going to run with
this, need to ^{more detail} illustrate more clearly what's
proposed, has this been done elsewhere.

- need Tom to give more feedback

- 125 Auburn - trees look old + is concerned
about loss of buffer & would not approve as
shown. likes MP idea to have employees park
elsewhere. Need to re-look to maintain.
some buffering w/ some parking.

- ensure lighting fixtures consistent w/ stds.

- may need another workshop, & have Tom attend.

Agreed another workshop needed.

enc. by appl.
PB workshop 5/12/09.

Winslow Property Management

May 8, 2009

Mr. Bradlee Mezquita
Appledore Engineering, Inc
177 Corporate Drive
Portsmouth, NH 03801

RE: Information on Drive Thru

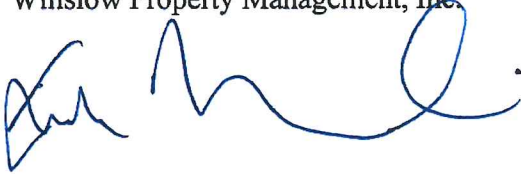
Dear Brad:

Enclosed is information provided to me by CVS relative to trip generation and vehicle stacking for our proposal at the Northgate Shopping Center in Portland.

Please contact me with any questions or concerns.

Sincerely,

Winslow Property Management, Inc.



Frank Normandin

DRIVE-THROUGH OPERATION

As requested, additional trip generation information is being provided from an existing CVS Pharmacy featuring a drive-through window operation. A CVS site on Route 12 in West Boylston, Massachusetts was previously observed by another traffic consultant to quantify drive-through utilization. While the current proposal for the Northgate Plaza CVS only involves a single drive-through lane, it is not expected that trip generation would be higher with only one lane as opposed to the observed two-lane site in West Boylston. The counts were conducted on Tuesday, July 18, 2006 and Saturday, July 15, 2006. The weekday counts were conducted between 4-6 PM and the Saturday counts were conducted between 11AM -1PM. Customers using the CVS drive-through were counted in 15-minute intervals, and their time at the window was also recorded. Over the two-hour weekday period observed, 21 customers used the drive-through window operation, and on the Saturday, only 12 customers used the window during the two hours observed. The average stopped time for customers at the window on both days was between three and four minutes. Due to the minimal volume at the windows, the maximum queue did not exceed three vehicles during either day.

The observed conditions noted above are consistent with a recent study conducted by the Institute of Transportation Engineers (ITE)¹. In that study, traffic counts were conducted at two existing sites featuring single drive-through lanes. The counts, which were conducted in November 2004, indicate that both sites averaged fewer than 20 customer vehicles per hour during the weekday 3 PM – 6 PM period observed. With this level of activity the maximum observed vehicle queue was four vehicles. As previously noted, with the currently proposed plan five vehicles can be accommodated in a queue (including a vehicle at the drive-through window) without the queue extending into the east/west plaza circulation aisle adjacent to CVS.

Information provided by CVS indicates that drive-through usage is fairly level over the course of a week, though activity on weekends can be thirty percent lower than that of a typical weekday. Drive-through usage over the course of the day typically follows the same patterns of regular customer traffic. Customer activity is typically negligible during the morning hours, but starts to increase near the midday lunch period when many people do errands. Activity typically increases slightly over the course of the afternoon, before peaking during the same 3PM – 6 PM period that the store peaks.

¹ "A Traffic Simulation for a Drive-Through Pharmacy" ITE Journal; Institute of Transportation Engineers; Washington, D.C.; October 2006.

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Memorandum
Department of Planning and Urban Development
Planning Division

To: Chair Silk and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: Prepared on: May 8, 2009
Prepared for: May 12, 2009 PB Workshop

Re: **Northgate Plaza/CVS Expansion with Pharmacy Drive –thru/
H&R Block Refurbishment
91 and 125 Auburn Street
A&D Realty Inc., Applicant**

INTRODUCTION

This is a second workshop to further consider specific issues that arose during the first Workshop (4.14.09) on this project. A&D Realty Inc. are proposing an expanded CVS building with drive-thru pharmacy at the north end of the Northgate Plaza, and refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street for an H&R Block office.

The Northgate Plaza site at 91 Auburn Street totals 13.2 acres and is located in the B-2 (Community Business Zone) and abuts the R-3 Residential Zone. Section 14-183 of the City Code lists drive-thrus in the B-2 zone as a conditional use when they are adjacent to a residential zone. The former Boy Scout building is located on a .54 acre just north of the Plaza which is zoned R-P (Residence-Professional) and abuts the R-3 zone to the north. The expanded CVS building abuts Fall Brook (an urban impaired stream), which runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City's Zoning Map.

This Memorandum focuses on two issues where the Planning Board expressed concerns:

- The applicant has submitted revised proposals to address concerns regarding the impacts of the new parking area proposed between the Boy Scout building and the abutter at 137 Auburn Street; and
- The applicant has submitted additional information and illustrations to clarify the traffic and pedestrian implications of the location and design of the CVS Drive-thru.

In addition there remained a question over the feasibility of narrowing the currently over-wide drive aisle nearest to Auburn Street to allow for an enlarged rain garden. This issue remains unresolved. The applicant and Tom Errico are prepared to discuss the points regarding this issue at the Workshop.

Notices were sent to 136 neighbors/interested parties on May 1, 2009 and this project was included in the Legal Advertisement for this Workshop; no public comments had been received at the time of writing this Memorandum.

PROJECT DATA

Northgate/CVS Lot (91 Auburn Street)

Total area of Lot: 13.2 acres (575,009 sq ft)
Zone: B2 Community Business
Existing Uses: Retail & restaurant (105,940 sq ft); Credit Union (3030 sq ft)
Proposed Use: Retail & restaurant (106,125 sq ft); Credit Union (3030sq ft); ATM (49 sq ft)
Proposed bldg height: New CVS Building: 31.5 ft approx.
Proposed floorspace: New CVS; 12,900 sq ft (net 185 sq ft larger than CVS being demolished)
Existing parking: 625 spaces
Proposed parking: 588 spaces
Proposed bicycle pkg.: 22 spaces (2 racks)
Existing Impervious surface ratio: 80%
Proposed Impervious surface ratio: 78%

Boy Scout Building Lot (125 Auburn Street)

Site area: 23,480 sq ft
Zone: R-P Residence Professional
Existing Use: Vacant; formerly offices for Boy Scouts
Existing floorspace: 5200 sq ft over 2 floors
Existing parking: none
Proposed parking: 8 spaces on site (plus 5 in proposed easement in Plaza)
Proposed bicycle pkg: 5 spaces
Existing Impervious surface ratio: 19%
Proposed Impervious surface ratio: not submitted in relation to revisions, but less than the 56% associated with the proposal in April

PROPOSED DEVELOPMENT

The proposal as outlined in the April Workshop included the following elements (the entire April PB Memo has been returned to Board members with this Memorandum for reference):

- Demolition of 12, 715 sq ft (4 existing units) of the north end of the existing Plaza;
- Construction of a new CVS building of 12, 900 sq ft as an extension of the Plaza;
- Location of the pharmacy drive thru lane/ window and loading area in a central “gap” under the continuous roof that connects to the existing Plaza;
- Construction of a new ATM within the row of parking nearest to the Plaza on the side towards Auburn Street;
- Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street with new pitched roof and architectural treatment;
- New 13 space parking area between the refurbished Boy Scout building and the adjacent single family home (now revised- see below);
- Introduction of two new rain garden areas within the parking lot (one of these is still under discussion –see below);
- Landscaping to buffer/screen parking and enhance the vegetated area along Fall Brook, including a landscaped pervious area immediately to the rear of the new CVS building (a “Concept Plan” shown to the Board at the April Workshop, which revised this layout at the rear of the new CVS, was supported by the Board);
- Reorganized parking to facilitate drive thru and truck access.

125 AUBURN STREET/H&R BLOCK REFURBISHMENT

Proposals as in April

The proposals considered at the April Workshop showed a new 13 space parking area, with parking on both sides of the associated vehicle access drive, between the Boy Scout building and the north property boundary. This resulted in the removal of existing vegetation and a replacement buffer of 7-8 feet wide between the parking and the property line.

The abutters at 137 Auburn Street (Pamela and Charles Scott) expressed strong objections to the loss of the existing mature trees, minimal replacement buffer and introduction of parking and associated noise, lighting etc 20 feet from their home (see two letters in the April PB Memo). Some of their concerns were echoed in staff review comments at that time.

The Planning Board asked the applicant to reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn Street, including a reduction in the number of parking spaces (the Board indicated some options for this, including the placement of the parking in the Plaza parking lot), to reduce the impact on the existing buffer, and to achieve an adequate buffer along the boundary between the R-P zone and the abutting residential zone.

Proposed Revisions

The revised proposals are described in the letter and plans of 5.1.09 (Attachment SW2). The parking has been reduced to 8 spaces on one side of the drive aisle, thus leaving a 14-15 foot wide buffer between the parking and the property line (approximately 25 feet between the house and the parking lot). The revisions allow the retention of the 32 inch DBA Pine Tree at the corner of the existing building (previously shown as removed) and more of the existing vegetation along the boundary. Revised landscape proposals have not been submitted and at the time of writing no further comments have been received from the Scotts.

The reduction in parking from 13 to 8 spaces will require a parking easement for 5 spaces on the Northgate Plaza property (see Attachment SW2, page 1). The location of this easement has not been shown, but since the nearest spaces are already subject to an easement with Mercy it is assumed by staff that these 5 would be on the other side of the main access drive to the Plaza.

The proposals do not include a sidewalk link between the walkways around the H&R block building and the Plaza parking/nearest crosswalk. The Traffic Engineering Reviewer has commented: "*Based on the fact that some parking for the "H&R Block" building will be provided within the main shopping center parking area, the applicant shall revise the plans to provide appropriate sidewalks and crosswalk connections between the building and the parking spaces anticipated or designated for use.*"

DRIVE – THRU TRAFFIC AND PEDESTRIAN IMPLICAITONS

The inclusion of the drive –thru feature triggers a conditional use review and one of the conditions the drive thru must meet is:

Pedestrian access: *Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.*

(A full list of conditional review criteria is on the second page of the Staff letter in Attachment SW1 and has been addressed by the applicant in Attachment SW2, pages 3 & 4).

The proposed drive thru is located at the side/rear of the proposed CVS, but it is accessed via a one way single lane that crosses the sidewalk that runs along the front of the Plaza from the new CVS entrance (north end) to Shaw's (south end).

At the April Workshop the Planning Board requested that the applicant provide information on the volume of drive thru vehicles; confirmation re the stacking area; explanation for its location; and submission of details to illustrate the proposed traffic management and how it is designed to ensure safety/protection for pedestrians/children using the principal route along the front of the Plaza.

The applicant has responded in a letter and detailed plans in Attachment SW2. These clarify the stacking (up to 5 cars possible); visibility for drivers; pedestrian walkway details; and signage. The landscaping at the front of the Plaza has been slightly revised since the April Workshop to maximize pedestrian safety. The signage and road markings where the drive-thru exits at the rear of the CVS have also been revised to improve safety.

The City's Traffic Engineering Reviewer will be at the Workshop to provide detailed comments, but has provided the following comments on the drive-thru issue (also in Attachment SW4):

1. *While my expectation is that little traffic uses pharmacy drive-through facilities, the applicant should provide documentation on the number of vehicles that are expected to use the drive-through on a peak hour basis and back-up data on the maximum queue length estimates noted in their submission.*
2. *A "Do Not Enter" sign shall be installed on the back side of the STOP sign at the terminus of the drive-through.*
3. *I have reviewed the crosswalk design at the entrance to the drive-through lane and believe it to be safe. I would note that this is premised on a maximum queue from the drive-through of 5 vehicles and low traffic usage. Following provision of the requested data in Item #1, I will render a final decision.*

In view of comment #3 and assuming that the data is submitted and supports the stacking assessment for CVS drive thru use, the Board may wish to consider whether explicit limits to the level of use of this drive-thru (in the event of a different use/occupier) are warranted.

DRIVE AISLE NEAREST AUBURN STREET

The drive aisle between the parking aisles nearest Auburn Street is approximately 31 feet wide, which exceeds the City's standard of 24 feet. Staff had suggested in April that reducing this drive aisle would not only help meet the City standard, but also allow the rain garden to be widened; the April staff comments are repeated in Attachment SW3 and below:

"It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the center of the parking lot."

At the Workshop the applicants engineering representative indicated that they did not consider that it would be safe to reduce this drive aisle. It is understood that this is because it would introduce a "bump out" directly into the oncoming traffic coming from the wider section of that drive aisle. This view is confirmed in their 5.1.09 letter (Attachment SW2, p.2). Tom Errico, the City's Traffic Engineering Reviewer, has indicated that there may be a way of redesigning a narrowed drive aisle in a safe manner:

"I continue to review the request to narrow the parking lot aisle nearest Auburn Street. The applicant has requested that discussion take place at the Planning Board workshop. I plan on being in attendance. I have not been convinced that a safe solution can't be implemented." (Attachment SW4)

The applicant and Mr. Errico are prepared to discuss this concept at the Workshop.

ISSUES TO BE ADDRESSED

The applicant will need to address the Planning Board comments regarding the three issues discussed above and in addition address the outstanding issues that have been raised in the staff reviews:

- Identify the designated parking easement for the H&R Block building;
- Revise the H&R Block Proposals to ensure safe pedestrian connections with the designated parking for this building;
- Submit revised landscaping plans for the H&R Block building;
- Provide drive- thru trip data and revise drive-thru signing to the satisfaction of the Traffic Engineering reviewer;
- Consider the Board's guidance regarding the request to narrow the drive aisle nearest Auburn Street;
- Address detailed Engineering Reviewer comments (Attachment SW3);
- Provide Photometric Plans for the exterior lighting and confirm that the proposals meet City standards;
- Address any other issues that arise at this Workshop;
- Hold a Neighborhood Meeting

Attachments:

- As received since the PB Workshop on April 14, 2009;
- Are in chronological order;
- SW refers to "second workshop" to avoid any confusion with numbering of other PB documents.

The April 14, 2009 PB Memo and its attachments (as returned to staff after the 4.14.09 meeting) are also included in Planning Board member's packets for reference; these are also available on the City of Portland web-site at http://www.ci.portland.me.us/planning.htm#Current_Backup_Material (under 4-14-09 PB Memo Northgate Shopping Center).

- SW1. Staff letter confirming issues to be addressed at a second PB Workshop, April 16, 2009**
- SW2. Appledore Engineering Inc, letter/plans on behalf of A& D Realty Inc, May 1, 2009**
- SW3. Dan Goyette, PE, Woodard & Curran, Engineering Reviewer, Memo of May 6, 2009**
- SW4. Tom Errico, PE, Wilbur Smith Assoc., Traffic Engineering Reviewer, e-mail of May 7, 2009**



Attachment SW 1.1

Strengthening a Remarkable City, Building a Community for Life

www.portlandmaine.gov

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

Planning Division
Alexander Jaegerman, Director

file copy

April 16th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing to follow up the Planning Board Workshop held April 14, 2009 and to confirm the staff understanding of the issues that need to be addressed for a second Workshop.

The Planning Board requested:

1. 125 Auburn Street/H&R Block refurbishment: Reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn street, including a reduction in the number of parking spaces (the Board indicated some options for this), to reduce the impact on the existing buffer, and to achieve an adequate buffer along the boundary between the R-P zone and the abutting residential zone.
2. Drive-thru (note the specific review criteria, attached for information): Provide information on the volume of drive thru vehicles; confirmation re the stacking area; explanation for its location; and submission of details to illustrate the proposed traffic management and how it is designed to ensure safety/protection for pedestrians/children using the principal route along the front of the Plaza.

I would also note that lighting information is awaited by staff and the Board offered several comments on that issue.

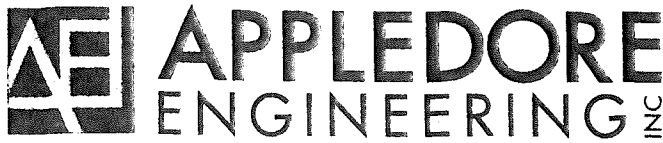
Please note that you may hold the required Neighborhood Meeting any time as from now (and up to seven days prior to the final Hearing). The dates for the next two Planning Board Workshop meetings are May 12th and May 26th; the Workshop date will be confirmed once we know the timetable for any review meetings and/or further submittal dates.

Please let me know if you would like to arrange a meeting with reviewers or have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,

Jean Fraser
Jean Fraser
Planner

cc: [see next page]



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May 1, 2009

Attachment SW 2.1

Ms. Jean Fraser
City of Portland
Planning Department
389 Congress Street
Portland, Maine 04104

Re: Site Plan Review/Conditional Use Application
Northgate Plaza Redevelopment
Auburn Street
Portland, Maine
AEI/2042C

Dear Ms. Fraser:

On behalf of A & D, Realty Inc., Appledore Engineering submitted a Site Plan Review and Conditional Use Application for the above referenced project on January 30, 2009 with revisions dated March 13, 2009. We have made additional revisions to the submission based on feedback from the Planning Board received during the April 14th workshop. Enclosed please find the following information relative to the Site Plan Review/Conditional Use Applications:

- Seven (7) complete packets including:
 - Cover Letter dated May 1, 2009
 - Drive Thru/Crosswalk Plan dated May 1, 2009
 - Drive Aisle Reconfiguration Plan dated May 1, 2009
 - 125 Auburn Street Site Revisions Plan dated May 1, 2009

The following are responses to an e-mail sent on April 15, 2009 and the Comment Letter dated April 16, 2009, which summarized the Planning Board's comments. Comments are in *italics* followed by our responses in **bold**:

Comment: *Reconsider proposals for the area between the Boy Scout building and the abutter at 137 Auburn Street, including a reduction in the number of parking spaces (the Board indicated some options for this) to reduce the impact on the existing buffer and to achieve an adequate buffer along the boundary between the R-P zone and the abutting residential zone.*

Response: **The proposed site has been revised to include a wider buffer between the proposed development and the adjacent property. The parking on the lot has been reduced from thirteen (13) spaces (as required by zoning) down to eight (8) spaces. This reduction will require a parking easement for five (5) spaces on the Northgate Plaza property (see the enclosed 125 Auburn Street Site Revisions Plan). The abutter has reviewed the proposed revisions and is satisfied with the changes.**

SW 2.3

Standard: *Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.*

Response: **No new pylon signage is proposed; wall signs will meet the B-2 architectural standards.**

Standard: *No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.*

Response: **No new driveways are proposed.**

Standard: *Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.*

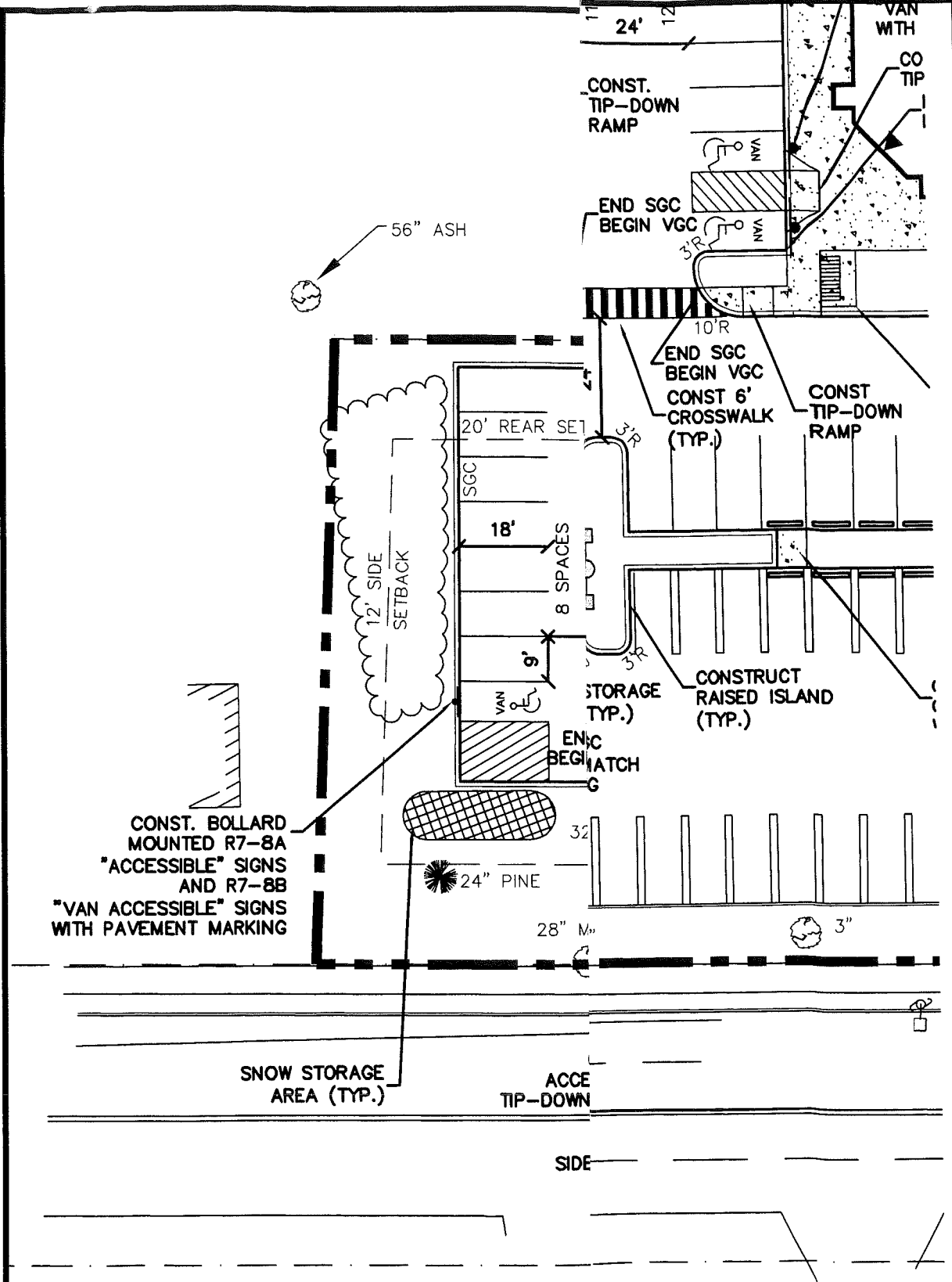
Response:

- **Drive-thru is located at the side/rear of the building.**
- **The proposed drive-thru is greater than forty (40) feet from the nearest residential zone.**
- **The proposed drive-thru is greater than twenty-five (25) feet from a street line.**
- **The maximum anticipated stacking for this CVS drive-thru is four (4) cars; the drive-thru lane has been designed to accommodate five (5) cars before interfering with the pedestrian crosswalk and will not interfere with vehicular circulation on the site.**

Standard: *Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.*

Response: **The applicant agrees to provide all audible services at a level not to exceed 55 dB and agrees not to play a prerecorded message.**

Ref. SW2.7

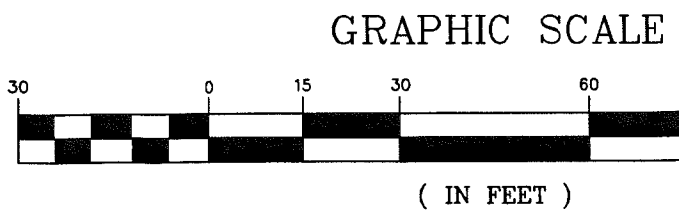


REVISIONS	
No.	Date
Appd	

DATE: MAY 1, 2009
 SCALE: AS SHOWN
 DESIGNED BY: SAM
 DRAWN BY: SAM
 APPROVED BY: GY/BLM
 PROJECT NO: 2042B
 FILE NO: 2042B-SITE.DWG

**NORTGATE PLAZA
 AUBURN STREET
 PORTLAND, MAINE**

AEI APPLIEDORE ENGINEERING
 177 CORPORATE DRIVE
 PORTSMOUTH, NEW HAMPSHIRE 03801
 (603) 433-8818
 ae@appliedoreeng.com



ITE REVISIONS

1 OF 1



Memorandum
Department of Planning and Urban Development
Planning Division

To: Chair Silk and Members of the Portland Planning Board

From: Jean Fraser, Planner

Date: Prepared on: April 9, 2009
Prepared for: April 14, 2009 PB Workshop

Re: **Northgate Plaza/CVS Expansion with Pharmacy Drive –thru/
H&R Block Refurbishment
91 and 125 Auburn Street
A&D Realty Inc., Applicant**

INTRODUCTION

On behalf of the A&D Realty Inc., Appledore Engineering has requested Major Site Plan and Conditional Use approval for a project involving:

- Demolition of 12, 715 sq ft of the existing plaza at the north end, replaced with a new CVS building of 12, 900 sq ft with drive thru pharmacy ;
- Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street for an H&R Block office (including new 13 space parking area);
- Construction of a new ATM in the parking lot on the west side of the Plaza/new CVS; and
- Associated infrastructure and landscape improvements to the northern part of the Plaza.

The Northgate Plaza site at 91 Auburn Street totals 13.2 acres and is located in the B-2 (Community Business Zone) and abuts the R-3 Residential Zone. Section 14-183 of the City Code lists drive-thrus in the B-2 zone as a conditional use when they are adjacent to a residential zone. The former Boy Scout building is located on a .54 acre just north of the Plaza which is zoned R-P (Residence-Professional) and abuts the R-3 zone to the north.

Fall Brook (an urban impaired stream) runs north-south along the east side of the Plaza site and is identified as a Stream Protection zone on the City's Zoning Map. The proposed CVS building is 63 feet from the stream at the closest point (Attachment A11), with 430 sq ft of the building within the 75 foot setback zone.

The Northgate plaza was developed in the 1970's and Shaw's supermarket expanded by almost 11,000 sq ft in 2000 with associated modifications to the south side of the plaza at that time.

The project will require MDEP permits under NRPA but the City has delegated storm water review.

PROJECT DATA

Northgate/CVS Lot (91 Auburn Street)

Total area of Lot: 13.2 acres (575,009 sq ft)
Zone: B2 Community Business
Existing Uses: Retail & restaurant (105,940 sq ft); Credit Union (3030 sq ft)
Proposed Use: Retail & restaurant (106,125 sq ft); Credit Union (3030sq ft); ATM (49 sq ft)
Proposed bldg height: New CVS Building: 31.5 ft approx.
Proposed floorspace: New CVS; 12,900 sq ft (net 185 sq ft larger than CVS being demolished)
Existing parking: 625 spaces
Proposed parking: 588 spaces
Proposed bicycle pkg.: 22 spaces (2 racks)
Existing Impervious surface ratio: 80%
Proposed Impervious surface ratio: 78%

Boy Scout Building Lot (125 Auburn Street)

Site area: 23,480 sq ft
Zone: R-P Residence Professional
Existing Use: Vacant; formerly offices for Boy Scouts
Existing floorspace: 5200 sq ft over 2 floors
Existing parking: none
Proposed parking: 13 spaces
Proposed bicycle pkg: 5 spaces
Existing Impervious surface ratio: 19%
Proposed Impervious surface ratio: 56%

PROPOSAL SITE

Photographs and an aerial photograph (prepared by staff) are included in Attachments 12 and 13 for both of the development lots included in this application:

One known as **Lot C-1** is the Northgate Shopping Plaza at 91 Auburn which comprises 13.2 acres and 11 retail units of various sizes plus the credit union building; the Bank of America and Mercy Healthcare buildings are not within this lot. The plaza was developed before current design and storm water regulations were in place, so the plaza building is set back with parking to the front and sides and storm water largely sheet flows into the Fall Brook. Some upgrades were required when Shaw's expanded in 2000, and drainage concerns were addressed through a requirement for a substantial contribution to the Allen Avenue sewer separation project.

Fall Brook is within the site along the eastern boundary, which directly abuts residential properties located on Brook Road. Nine residential properties are directly affected by the proposed CVS expansion and associated modifications to the site; these homes are uphill from the site and currently have a view of the rear servicing area and a number of randomly located dumpsters. A well used pedestrian path cuts through from Brook Road to the rear of the site (See Staff Photographs in Attachment 12.2).

Lot C-23 comprises the former Boy Scout building which is set into the hill to the north of the plaza and has a small access drive which is accessed from the main Plaza access, set in a grassed area with trees to the rear and sides. It abuts the Mercy 2-story medical building on the east and a single family home that is 15 feet from its north boundary.(see Staff photographs in Attachment 12.1).

PROPOSED DEVELOPMENT

The application was originally submitted in January 2009 and the original Site Plan is included at Attachment A-15 for information. A revised submission to address staff comments was received on March 17, 2009 and is included in full in Attachment A and B (together in a separate document with blue cover).

- Demolition of 12, 715 sq ft (4 existing units);
- Construction of a new CVS building of 12, 900 sq ft as an extension of the existing plaza;
- Location of the pharmacy drive thru lane/ window and loading area in a central “gap” under the continuous roof that connects to the existing Plaza;
- Construction of a new ATM within the row of parking nearest to the Plaza on the side towards Auburn Street;
- Refurbishment of the existing, vacant former Boy Scout building at 125 Auburn Street with new pitched roof and architectural treatment;
- New 13 space parking area between the refurbished Boy Scout building and the north boundary (adjacent to the single family home);
- Introduction of two new rain garden areas within the parking lot and a landscaped pervious area immediately to the rear of the new CVS building;
- Reorganized parking to facilitate drive thru and truck access;
- Landscaping to buffer/screen parking and enhance the vegetated area along Fall Brook.

ZONING ASSESSMENT

The City’s Zoning Administrator, Marge Schmuckal, has reviewed the proposal and her comments are included in Attachments 3, 4 and 5. In summary she has determined, based on what is shown on the revised plans and submitted information:

- That the proposals meet all use and dimensional zoning requirements;
- That the impact of the proposals on Fall Brook are less than existing;
- That the impervious surface ratios are acceptable in terms of zoning requirements;
- The H&R block use for the former Boy Scout building is a professional office use and therefore permitted on this site as it is within the R-P zone;
- That the indicative signage on three sides of the proposed building refurbishment for H&R Block are not allowed in the R-P zone

The abutters to the north of the Boy Scout Building have questioned whether it is correct to classify the H& R Block building as a professional office. They have submitted evidence to support their request for this to be appealed to the ZBA (Attachment 11b) and that process is proceeding in parallel with the Site Plan Review.

The applicant has requested, in Attachment A1, waivers from the Stream Protection Zone standards in 14-453 (see below). The applicant has submitted a Stream Protection Zone Impacts analysis in Attachment A11 which, together with Attachment A1, clarifies that the encroachment of the new CVS building will be 430 sq ft (the existing CVS encroaches by 519 sq ft); that the volume of building encroachment is reduced; that the impervious area within the Stream Protection Zone is reduced by 6,545 sq ft.

The Stream protection standards are:

Sec. 14-453.

(a) *Minimum building setback from normal high water line of stream: Seventy-five (75) feet. Notwithstanding this requirement, when a lot is a lot of record as defined in section 14-433 or cannot otherwise meet the setback requirement of this section due to physical limitations of the site, the Planning Board may approve a reduction of the setback requirement for a principal structure to the least amount necessary to achieve a building dimension of twenty-eight (28) feet, provided that the setback is not reduced to less than forty (40) feet. Structures in existence on June 15, 1992, may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent.*

(c) *Minimum parking setback from normal high water line of stream: Seventy-five (75) feet. Notwithstanding this requirement, the Planning Board may reduce the parking setback where the required setback cannot be met to the least extent necessary, provided that such setback shall not be less than the setback of the principal structure from the stream.*

STAFF REVIEW - SITE PLAN STANDARDS

Staff reviewed the original submitted proposal (Superceded site plan attached for information in Attachment A15) and identified a number of concerns as set out a review letter dated 3.11.09 (Attachment 1). The main concerns at that time were some inconsistencies in the survey information; inadequate storm water management proposals given the proximity of Fall Brook; and impacts associated with the proposed 2-lane drive thru area and the new parking area to the north of 125 Auburn (Boy Scout building).

The applicant submitted a completely revised proposal on 3.16.2009 that addresses most of the earlier staff concerns. The following comments are based on a review of the revised submission and focus on the residual staff concerns.

Traffic/ Access

The proposals utilize the existing signalized access from Auburn Street but introduce an improved traffic pattern so that the vehicle and pedestrian movements are more clearly directed. The original proposals included a 2-lane drive thru and a loading bay in the central gap (between the existing retail units and the new CVS building); the revised proposals indicate a single lane drive thru but the opening and window locations appear similar to the 2-lane proposal.

The delivery loading area is through a loading door located on the side elevation and within the "gap"; the "Truck Access Plan" (Attachment A14) shows that a delivery truck would reach this location by going around the rear of the Plaza (where other service vehicles enter for Shaw's and other units) and then back alongside the sidewalk and park opposite this door. The frequency of deliveries has not been submitted.

The City's Traffic Engineer Reviewer, Tom Errico, had requested additional information related to traffic generation and the servicing flows/routes resulting from the proposals. He also noted that the original proposals did not modify the existing layout of the parking rows nearest Auburn Street, which include long aisles of over 30 feet wide (the City's maximum is 24 feet) (Attachment 9).

The applicant addressed these requests (letter of 3.16.2009 and revised plan set, Attachments A1, A3, A7, A8 and B), by reducing the drive thru to one lane with by pass lane, and reducing one of the parking drive aisles to 24 feet (which allows a narrow rain garden island between the

parking rows). Tom Errico has confirmed that he has no further comments except that the parking aisle nearest to Auburn Street remains excessive.

Parking

Plaza

Reviewers questioned the need for a total of 588 spaces when the zoning requirement is 528 spaces for the Plaza part of the site. The applicant has confirmed that the existing total is 625 spaces so that the 588 is a reduction of 37 spaces (Attachment A1). Parking within the setback of the stream has been reduced from 18 spaces to 12 spaces.

H&R Block

The proposal includes a new parking area for 13 vehicles as part of the refurbishment of the Boy Scout Building for H&R Block. The zoning requirement is 13 parking spaces, based on the use being a professional office. Tom Errico advised that the parking spaces here could be 18 feet in length if this would help increase the buffer between the parking and the adjacent home.

The proposed bicycle parking meets the City standards and a waiver is not required (as requested in Attachment A1).

Pedestrian circulation

Along the northern part of the Plaza site pedestrian circulation has been improved by the provision of improved pedestrian links from Auburn Street to the Plaza and better definition of pedestrian routes and crossings within the site.

The introduction of the drive thru in the center of the Plaza frontage creates two potential pedestrian/vehicle conflict areas, one at the front and one to the rear. Along the frontage the proposals have addressed this issue through the incorporation of landscaped bump-outs and a marked pedestrian crossing. To the rear the vehicles exiting the drive thru cut across a well used pedestrian “desire line” across the rear servicing area which connects the Brook Road path to the sidewalk along the existing Video Store. The proposals relocate that link and connect it to a sidewalk within the “gap” opening, introducing a striped pedestrian crossing across the open pavement of the servicing and drive thru exit area.

Tom Errico has commented (Attachment 9):

“... the applicant shall explore redesigning the rear area such that the proposed crosswalk to the neighborhood trail is reduced in overall length. It is my understanding that there is a desire to shift green space such that it abuts the drainage area and this may provide opportunity for enhance this pedestrian crossing.”

The applicant has recently submitted a “conceptual layout” (Attachment B28) for the drive aisle at the rear of the property where the drive thru lanes emerge. It is understood that they would like to discuss this concept with the Board as a way of addressing the issues raised by Tom Errico and other reviewers regarding the distribution of open area in relation to Fall Brook (see below).

Sewers, Storm drains, Water Soils, Consistent with City Infrastructure

Fall Brook is an urban impaired stream and currently receives most of the storm water from the parking lot associated with the Plaza and 125 Auburn Street (and the adjacent existing Mercy medical building). Flooding also occurs near the site.

Staff has discussed the project with the MDEP although the City has delegated review authority. The proposals largely constitute redevelopment and therefore are deemed exempt from the most

stringent Chapter 500 requirements. However, staff concluded that the increased intensity of the use and snow storage issues warranted requesting the applicant to revise their original approach to storm water management and recommended maximizing landscaped areas in the parking lot to achieve infiltration.

The revised proposals introduce two small “rain garden” areas into the parking lot of the Plaza and convert an area previously identified as ‘snow storage’ to lawn. While these represent an improvement, staff consider more could be achieved with minor changes to the proposal:

It is acknowledged that the applicant has made a significant effort to treat stormwater on-site before it enters Fall Brook. It appears that there may still be a few more areas where the applicant could increase their protection of the stream with minor plan adjustments. The drive aisle at the front of the property is 32'. This could be narrowed thru the use of a tapered island similar to what was done for the aisle closest to the buildings. This would allow for a larger rain garden in the center of the parking lot. Also, the large planting area at the rear of the CVS building could be narrowed allowing for a larger buffer between the drive aisle and the stream. This would also allow for the crosswalk to be shortened. (Dan Goyette/David Margolis-Pineo, Attachment 6 and 8).

The recently submitted “concept plan” (Attachment B28 and mentioned above in relation to the pedestrian link to Brook Road)) includes a redesigned area to the rear of the new CVS to address the comments regarding a widened buffer to the stream. This has not been formally reviewed by staff, but is considered a welcome improvement. It is understood the applicant is also exploring potential options to address staff comments regarding the front drive aisle in the parking area near Auburn Street.

Dan Goyette’s review of stormwater and drainage identified a number of small issues which need to be addressed by the applicant (Attachment 6).

Landscaping and Buffering and impact on Existing Vegetation

The proposal for 125 Auburn Street (Boy Scout building) includes the removal of vegetation, the construction of a 13-space parking area within the northerly part of the site, and the introduction of windows in the north-facing elevation (see Attachments B5, B7, B25). The abutters at 137 Auburn Street (Pamela and Charles Scott) have sent comments regarding the impacts of the original proposals (Attachment 11a) and also regarding the revised proposals (Attachment 11c). (see discussion below).

The original Site Plan (Attachment A15) showed a buffer between their home and the proposed parking area of 7 feet maximum at the west end and 6 feet at the east end, with the parking 23 feet from the side of their house and 2-3 feet below their yard.

Staff had suggested the dumpster (shown in the original proposal, Attachment A15) could be omitted to allow the parking along the north boundary to slide eastward so that fewer spaces are immediately against the neighbor’s side elevation. This is reflected in the revised proposals, which show the parking area moved further towards the Mercy building (away from Auburn Street). The revisions also show a slightly increased buffer (achieved by shortening the length of the parking spaces, as agreed with Tom Errico). The comparable buffer widths are 21 feet (west end) which reduces to 8 feet opposite the rear part of the abutter’s house and to 7 feet at the east end of the parking against the boundary.

The proposals include shrub and tree planting within the buffer area alongside a 6 foot high cedar fence (shown in Attachment B7 with a detail in Attachment B16). Staff requested sections

(existing and proposed) across this area (showing the Scott's home, the Boy Scout building, contours, existing and proposed vegetation etc); this was recently submitted and included in Attachment B26. The particular section chosen by the applicant provides an indication of how the grade changes interact with the placement of the screening fence, but does not effectively illustrate the buffer at its narrowest.

The City Arborist has commented (Attachment 10):

"The long existing 'residential' to 'commercial' buffer between the adjacent residential property and the 'H&R Block' building is greatly diminished with the proposed scheme. The proposed landscape treatment does save a large 24" dbh White Pine and 25" dbh Maple along with additional 'to-be-planted' screening using a line of 15 'Emerald Sentinel' Red Cedar 6'-7' in height, 1 Amelanchier clump form tree along with a six foot wooden cedar fence. "Ideally" the buffer width between an adjacent residential property to commercial parking or use should be 10' in width with dense plantings. The landscape buffer at this site is compromised due to the increased parking and travel lane requirements. (Prior or existing parking was nearby concentrated away from residential use.) The landscape treatment proposed, although greatly reduced from the existing green buffer with mature trees, will in time provide adequate screening.

Overall the landscape plan is acceptable as shown. It is unfortunate that long existing buffer between the adjacent residential properties is to be compromised due to this project. All options of 'shared' parking use, ie. the row closest to Auburn Street on the CVS side of the project should be explored before removing this valuable green area."

The abutters (Scotts) at 137 Auburn Street own the single family cape located about 16 feet from the boundary with 125 Auburn Street. Their letters of 2.16.09 and 4.7.09 (Attachment 11) identify the following issues (in summary):

- The proposed use is more intrusive than allowed in R-P zone (see above under **Zoning**);
- Loss of existing vegetation with inadequate/ineffective replacement planting/screening near their property;
- Loss of other existing vegetation which will open up the views of the Plaza generally;
- Introduction of parking about 20 feet from their house with associated noise and lights when there is underused parking in the Plaza nearby;
- Impacts of new exterior lighting and new windows facing their property;
- The layout will encourage potential use of the new parking area (and frontage near their house) as a cut through to the Plaza for pedestrian and bike users.

Staff had indicated to the applicant (letter 3.11.09) that the introduction of this scale of parking was not consistent with the objectives of the R-P zone and encouraged the applicant to place at least some of the required parking in the Plaza (as has been done for the Mercy building with an easement). The applicant has responded (Attachment A1.2, pages 5 & 6) that they seek to make Lot C-23 a conforming lot with the required parking on site and that the location of parking for this building in the Plaza area would "force pedestrians to cross the main entrance drive to get to the office building".

The proposed landscaping for the main Plaza area in conjunction with the CVS expansion and revised parking lot layout is considered acceptable (Attachment 10). The "concept plan" in Attachment B28 will allow an improved buffer along the stream.

Exterior Lighting

The applicant submitted a preliminary photometric plan which required further work (see staff e-mail of 3.26.09, Attachment 7) and a revised lighting plan has not been submitted.

Fire and Emergency Access

The Fire Department has confirmed that this project is approved (Attachment 2).

Residence Professional Zone – Design Standard (Section 14-526 (a) 13)

This standard states:

“For development within the R-P zone, where there is a consistent established architectural style or character to the existing structures in the immediate vicinity in which the development is proposed, that the concurrently visible architectural style or character of the proposed development would not be incongruous to that established style or character;”

The proposed refurbishment of the Boy Scout building includes the addition of a pitched roof (no additional floor space), new entrance portico and other façade modifications (Attachments B20-B24). Staff suggests that these architectural features are consistent with the established character of structures in the vicinity.

Design Standards for B-1, B-1b, B-2 and B-2b (Section 14-526 (a) 27)

This standard requires windows on buildings within the B2 Zone to be *“along the street frontage of a building. Windows shall be transparent and installed at a height to allow views into the building by passersby”* and facades to be *“located adjacent to the public sidewalk to create an active presence along the sidewalk”*. Commercial buildings *“shall be designed to be compatible with their residential and commercial neighbors”* and facade materials *“shall be compatible with those materials of surrounding residential and commercial uses”*.

The proposed CVS elevations are included in Attachments B20 & B21 and the applicant will have samples of materials at the PB Workshop.

Within the B2 Zone *“...buildings and associated parking areas must be screened to buffer abutting properties. A densely planted landscape buffer and/or fencing will be required to protect neighboring properties from the impacts associated with the development, including lighting, parking, traffic, noise, odor, smoke, or other incompatible uses. Where buildings are setback from the street, a landscaped area must be planted along the front yard street line.”*

The proposals introduce new plantings and screening and are a significant improvement over the existing Plaza which was approved prior to the adoption of the B2 Design Standards.

This standard also encourages development to meet Section XIV of the City's Technical and Design Standards and Guidelines, which includes references to buildings/entrances being located near the street. During pre-application discussion staff encouraged the applicant to locate the new CVS building and associated drive-thru nearer to Auburn Street. The applicant explored a number of options and these are included in Attachment A10. It was concluded that these were not feasible due to traffic circulation and safety issues.

STAFF REVIEW – CONDTIONAL USE (14-183)

Sec. 14-183 - Conditional Uses identifies drive-thrus in the B-2 zone that are adjacent to any residential use or zone as being a permitted conditional business use if they meet the following requirements:

Signs: Signs shall not adversely affect visibility at intersections or access drives. Such signs shall be constructed, installed and maintained so as to ensure the safety of the public. Such signs shall advertise only services or goods available on the premises.

The applicant has not submitted signage details except for traffic signing and signs on the proposed CVS building.

Circulation: No ingress and egress driveways shall be located within thirty (30) feet from an intersection. No entrance or exit for vehicles shall be in such proximity to a playground, school, church, other places of public assembly, or any residential zone that the nearness poses a threat or potential danger to the safety of the public.

The main access location has not been revised from existing and the revised circulation is an improvement over the existing layout. The location of the drive-thru requires pedestrians on the Plaza sidewalk to cross the drive thru access lane.

Drive-thrus, where permitted, shall also specifically comply with the following conditions:

Location of Drive-thrus: Features, such as windows, vacuum cleaners and menu/order boards, stacking lanes, must be placed, where practicable, to the side and rear of the principal building except where such placement will be detrimental to an adjacent residential zone or use, and shall be located no nearer than forty (40) feet from any residential zone. This distance shall be measured from the outermost edge of the outside drive-through feature to any property line. In addition, drive-through features shall not extend nearer than twenty-five (25) feet to the street line. The site must have adequate stacking capacity for vehicles waiting to use these service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets.

The proposed drive-thru (window) is about 180 feet from the nearest residential zone. The stacking capacity has not been analyzed as the frequency of drive-thru visits is known to be low for a pharmacy. However, the applicant should be requested to submit documentation of their anticipated drive thru trips so that the possibility of stacking across the sidewalk can be assessed.

Noise: Any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater.

The applicant has not submitted this information.

Lighting: Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.

The lighting proposals are currently being revised but have not been submitted.

Screening and Enclosure: Where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and

The proposals include a 6 foot high screening fence (see Attachments B7 and B16) along the rear edge of pavement to screen nearby properties from glare from the exiting drive thru customers. This screening will also reduce any impacts from service vehicles.

***Pedestrian access:** Drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.*

The drive thru lane crosses a principal pedestrian sidewalk along the front of the Plaza and new CVS store. A narrowed drive lane access and striped pedestrian crossing are proposed.

***Hours of Operation:** The Board, as part of its review, may take into consideration the impact hours of operation may have on adjoining uses.*

This issue has not been reviewed.

NEXT STEPS

The applicant has addressed many of the staff comments but there are several areas needing resolution, as indicated below. The applicant will also need to hold a Neighborhood Meeting.

Plaza

- Reconsider width of the rain garden between the parking rows near Auburn Street, which could be widened by reducing the width of the drive aisle;
- Confirm that the “concept plan” (Attachment B28) will be incorporated into the final proposals;
- Address detailed comments from Dan Goyette;
- Provide more detail regarding the interaction of the drive thru lane access and its pedestrian crossing at the front of the Plaza;
- Address any concerns raised at the Planning Board Workshop.

H&R Block building refurbishment

- Reconsider proposed parking space numbers/configuration/screening;
- Address any concerns confirmed or raised at the Planning Board Workshop.

Attachments:

Planning Board Memorandum Attachments

Staff comments

1. Planning review letter March 11, 2009
2. Keith Gautreau, Fire Prevention, Fire Department, March 3, 2009
3. Marge Schmuckal, Zoning Administrator, March 3, 2009 regarding the original site plan/submissions
4. Marge Schmuckal, Zoning Administrator, March 30, 2009 comments on revised Site Plan
5. Marge Schmuckal, Zoning Administrator, April 1, 2009 re signage and H&R Block use
6. Dan Goyette, PE. Woodard & Curran, memo, March 26, 2009
7. Jean Fraser, Planner e-mail regarding lighting March 26, 2009
8. David Margolis-Pineo, Deputy City Engineer, memo, March 27, 2009
9. Tom Errico, Traffic Engineering Reviewer, e-mail dated March 31, 2009 updating original comments of February 24, 2009
10. Jeff Tarling, City Arborist, e-mail, April 9, 2009

(continued)

Public comments

11. From Pamela and Charles Scott, abutters at 137 auburn Street
 - a. Letter regarding original Site Plan (February 16, 2009)
 - b. Letter requesting ZBA determination of H&R Block use
 - c. Letter to Planning Board regarding current revised proposals (April 7, 2009)
12. Site Photos (staff)
13. Aerial photograph (staff)

Attachment A: Application Submittal [dated March 13, 2009 unless otherwise indicated; separately bound with blue cover]

1. Appledore Engineering Application cover letter (revised submission) dated March 16, 2009 – addressing staff comments
2. Application forms and Checklist (dated January 9, 2009)
3. Site Plan Written statement
4. Capacity Letters (PWD dated December 12, 2008)
5. Letter of financial capability (dated January 23, 2009)
6. Right, Title and Interest
7. Design of ATM
8. Traffic Information dated March 12, 2009
9. Drainage Study (revised March 13, 2009) (appendices available at the PB meeting)
10. Recap of alternate CVS Plans (March 17, 2009) (incl. 4 conceptual plans)
11. Stream Protection Zone Impacts (Exhibit 1)
12. Existing Impervious Areas (Exhibit 2)
13. Proposed Impervious Area (Exhibit 3)
14. Delivery Truck Access Plan (Exhibit 4)
15. Original submitted Site Plan (now superceded)

Attachment B: Application Submittal Plan Set (post March 13, 2009)

1. Cover sheet
2. Existing Conditions – Notes
3. Existing Conditions Plan (north part of Plaza)
4. Existing Conditions Plan (south part of Plaza)
5. Demolition Plan C-1
6. Overall site Plan C-2
7. Site Plan C-2A
8. Grading, Drainage & Erosion Control Plan C-3
9. Utilities Plan C-4
10. Landscape Plan C-5
11. Erosion Control Notes C-6
12. Erosion Control Details Sheet C-7
13. Details Sheet C-8
14. Details Sheet C-9
15. Details Sheet C-10
16. Details Sheet C-11
17. Pre-Development Watershed Plan WS-1
18. Post-Development Watershed Plan WS-2
19. Subcatchment Plan WS-3
20. CVS Elevation - north side A-4.1.1
21. CVS Elevations - other 3 sides A-4.1
22. H&R Block building Refurbishment Elevation – Front onto Auburn St
23. H&R Block building Refurbishment Elevation – Rear
24. H&R Block building Refurbishment Elevation – Side towards Plaza
25. H&R Block building Refurbishment Elevation – Side towards 137 Auburn St
26. Section between H&R Block Parking area and abutter at 137 Auburn St – Existing
27. Section between H&R Block Parking area and abutter at 137 Auburn St – Proposed
28. Conceptual Reconfiguration for Drive Thru exit/rear drive aisle



Strawberry Hill Farm, Inc. No. 125 Auburn Street, Portland, ME 04101

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

Planning Division
Alexander Jaegerman, Director

March 11th, 2009

Bradlee Mezquita/Gretchen Young
Appledore Engineering, Inc.
177 Corporate Drive
Portsmouth, NH 03801

RE: Northgate Plaza/CVS Expansion/H&R Block Refurbishment
125 Auburn Street,
Application # 2009-0010

Dear Mr Mezquita and Ms Young:

I am writing with regard to the application for major site plan and conditional use approval for a proposed CVS expansion, H&R Block refurbishment and associated modifications to the Northgate Plaza.

This letter outlines preliminary review concerns, as discussed with you at a meeting on March 4th, 2009. The meeting also discussed the applicant's objectives for the proposals and possible revisions to address the staff concerns.

1. Please submit a corrected boundary survey and associated easements /restrictions (eg copies of recorded documents) to address the disparities in the survey and easement information.
2. Please submit plans and illustrations to clarify the scale of impact of the existing and proposed buildings, parking areas and snow storage within the 75 foot stream setback (eg an updated version of the pre-application submission entitled "Stream Protection Zone Exhibit"), showing new setback distances and addressing the question of volume increases as outlined by the Zoning Administrator at the meeting.
3. Please clarify the area of the existing plaza, as two figures are referred to in the submission (105,940SF in one place and 109,204SF in another).
4. Please illustrate the pervious surface areas on a plan along with impervious surface calculations for all parts of the site, both for the existing and the future lot configurations.

5. Please provide further information regarding the proposed ATM structure.
6. I confirm the receipt of photometric plans at the meeting on March 4, 2009 and they are under review.
7. Issues re the Fall Brook
 - a. It is noted that parking (13 spaces), travel lanes, new building and snow storage are proposed to be within the 75' stream protection zone and require a waiver from City requirements. The construction of a building and the addition of two drive through lanes could constitute an intensification of the land use within the 75' stream setback. Revisions to reduce this impact are requested.
 - b. The proposals are adjacent to an urban impaired stream and the City expects any development in this watershed to reduce the amounts of storm water and to increase quality of any storm water entering this Brook. At the meeting staff outlined options for your project to increase infiltration and permeable areas, including the use of islands in the parking area. We encourage you to incorporate the concept (suggested by Tom Errico during the March 6th, 2009 discussion of his comments on the excessive drive aisle widths) of a new linear island (potential vegetated "rain garden") between the current double row of parking spaces parallel to Auburn Street, as this appears to have a number of benefits.
 - c. Please note that the Downstream Defender is not recognized as an acceptable stormwater treatment by the MeDEP.
 - d. Please clarify re snow storage arrangements as these should be located away from the Fall Brook.
 - e. The City requires a copy of the MDEP NRPA approvals prior to a final decision on this proposed site plan.
8. Issues re 125 Auburn Street (refurbishment of Boy Scout building for II&R Block)
 - a. I confirm that the proposed use for the Boy Scout building (H&R Block) is considered (in terms of Zoning) to be a professional office use and therefore allowable within the R-P zone.
 - b. Staff are concerned regarding the impacts of the parking area at the side of the building, which results in the loss of trees; altered topography and drainage; and impact on residential abutter re noise, glare, loss of trees etc (see the letter from the abutter, the Scotts, of 137 Auburn Street, dated February 16, 2009, as forwarded previously).
 - c. Staff considers that such impacts are inconsistent with the objectives of the R-P zone, and requests you consider relocation of some of the proposed parking into the plaza parking area; an effective and landscaped (trees) buffer is a minimum requirement.
 - d. The parking stall lengths may be reduced to 18 feet in this location if it assists in achieving an improved and satisfactory layout.

3.

- e. If this scale of parking remains part of the proposal, please submit information on lighting levels, location of parking in relation to existing buildings and trees on the site and on the abutter's property, and submit plans showing trees to be removed with details of landscaped buffer etc.

9. Traffic, Pedestrian Circulation and Parking

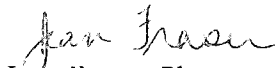
- a. Please note the comments of the City's Traffic Engineering consultant, Tom Errico, which were forwarded to you (also attached) and were the subject of a follow-up "conference call" with Tom Errico on March 6th, 2009.
- b. Please note that the recent Walgreen pharmacy approvals (340 Allen Avenue and 606 Forest Avenue) were for single drive thru lanes, and we request additional explanation as to why two drive thru lanes are required for the proposed CVS.
- c. Please provide more information regarding the provision of safe pedestrian circulation, including the link between the front of the Plaza and the existing path from Brook Road.
- d. We will clarify regarding the question of the scale of bicycle parking required.
- e. Please note that the signal at the access with Auburn Street may be part of this review.

10. I confirm that the proposals as submitted are acceptable to the Fire Department and that they require a 20 foot wide access to the rear of the retail buildings for fire access.

11. The landscaping proposals have not yet been formally reviewed, but please revise the Landscape Plan to show all existing trees (and whether they are to be removed), and show proposed trees with a different notation. Dumpster locations (existing and proposed) for all Plaza uses adjoining the rear service area near the proposed CVS should be identified on the plans and may need to be rationalized and screened.

Please feel free to contact me if you have any questions; I can be reached on (207) 874 8728 or at jf@portlandmaine.gov.

Sincerely,


Jean Fraser, Planner

Attachment 1: Comments from Tom Errico, Traffic Engineering Reviewer of 2.24.2009

cc: Alex Jaegerman, Director, Planning division
Barbara Barhydt, Development Review Services Manager
Marge Schmuckal, Zoning Administrator
David Margolis-Pineo, Deputy City Engineer
Keith Gautreau, Fire Department
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Engineering Reviewer
Frank Normandin, A&D Realty, LLC, 5 Militia Drive, Lexington, MA 02421