355 A001001

1158-1158 Riverside st, Portland, Maine

the First Tee

Maine youth Golf faundation

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

2007-0049
Application I. D. Number

3/12/2007
Application Date

Maine Youth Golf Foundation
Applicant

1158 Riverside Street, Portland, ME 04103
Applicant's Mailing Address

The First Tee
Project Name/Description

Consultant/Agent

1158 - 1158 Riverside St, Portland, Maine
Address of Proposed Site

Agent Ph: **Agent Fax:**
Applicant or Agent Daytime Telephone, Fax

355 A001001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): ☐ New Building ☐ Building Addition ☐ Change Of Use ☐ Residential ☐ Office ☐ Retail
☐ Manufacturing ☐ Warehouse/Distribution ☐ Parking Lot ☐ Apt 0 ☐ Condo 0 ☑ Other (specify) **Golf Course**

Proposed Building square Feet or # of Units | Acreage of Site | **ROS** Zoning

Check Review Required:

☑ Site Plan (major/minor) ☐ Zoning Conditional - PB ☐ Subdivision # of lots
☐ Amendment to Plan - Board Review ☐ Zoning Conditional - ZBA ☐ Shoreland ☐ Historic Preservation ☐ DEP Local Certification
☐ Amendment to Plan - Staff Review ☐ Zoning Variance ☐ Flood Hazard ☐ Site Location
☐ After the Fact - Major ☐ Stormwater ☐ Traffic Movement ☐ Other
☐ After the Fact - Minor ☐ PAD Review ☐ 14-403 Streets Review

Fees Paid: Site Plan Subdivision Engineer Review Date

Planning Approval Status:

Reviewer

☐ **Approved** ☐ **Approved w/Conditions** See Attached ☐ **Denied**

Approval Date Approval Expiration Extension to ☐ Additional Sheets Attached

☐ OK to Issue Building Permit
signature date

Performance Guarantee ☐ **Required*** ☐ **Not Required**

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

☐ Performance Guarantee Accepted	date	amount	expiration date
☐ Inspection Fee Paid	date	amount	
☐ Building Permit Issue	date		
☐ Performance Guarantee Reduced	date	remaining balance	signature
☐ Temporary Certificate of Occupancy	date	☐ Conditions (See Attached)	expiration date
☐ Final Inspection	date	signature	
☐ Certificate Of Occupancy	date		
☐ Performance Guarantee Released	date	signature	
☐ Defect Guarantee Submitted	submitted date	amount	expiration date
☐ Defect Guarantee Released	date	signature	

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

March 30, 2007

Maine Youth Golf Foundation
c/o Gene Pierotti, Superintendent Riverside Golf Course
1158 Riverside Street
Portland, ME 04103

RE: The First Tee
CBL: 355-A001001

Dear Mr. Pierotti:

On March 30, 2007, the Portland Planning Authority approved the development of a seven (7) acre practice facility for The First Tee as shown in the approved application with the following conditions:

1. The approval is for the **practice facility only** and an amended plan is required for the clubhouse and education training facility. The plans shall be measurable plans that show the location of the proposed club house, access, parking, utility connections, dimensions and elevations of the proposed building.
2. The First Tee project will include an identified "tree save" area, which is currently marked on site along with the replanting of 12 to 24 deciduous and conifer trees. The tree sizes will conform to the City's Technical Standards. The trees to be planted are listed in exhibit 7 and Jeff Tarling, City Arborist, will assist the Riverside Golf Course in locating trees for landscaping (Attachment 1- Jeff Tarling, City Arborist Review).
3. The Fire Department approves the practice facility and will only need to review the classroom/proshop. (Attachment 2- Captain Cass review from Urban Insight).
4. The proposed site is located within the R0S zone and the Industrial I-M Zone. Marge Schmuckal, Zoning Administrator, determined that the proposed use meets both the ROS and IM zones. The zoning administrator's approval does **not** include a new building structure. Such a structure shall be located in the ROS zone and shall meet the requirements of the ROS zone. A better site plan showing the location shall be required at that time. (Attachment 3- Marge Schmuckal review from Urban Insight).
5. When this application is amended to include a site plan for the clubhouse and education training facility, the following items must be included to address the comments of Dan Goyette, Consulting Engineer, Woodard and Curran (Attachment 4):
    a. No detail has been provided for the pavement sawcut and repair patching required in the existing parking lot for the installation of utility lines.
    b. A utility pipe trench detail has not been provided.
    c. The plan shows the cart path surface as either bituminous pavement or aggregate surface. A bituminous pavement path detail has not been included.

The approval is based on the submitted application dated March 12, 2007. A revised site plan is required for the second phase of the above project for the clubhouse. If you need to make any other modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

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

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

2. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

3. 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 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 Barbara Barhydt at 874-8699 .

Sincerely,

Alexander Jaegerman
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Michael Bobinsky, Public Works Director
Kathi Earley, Public Works
Bill Clark, Public works
Jim Carmody, Transportation Manager
Michael Farmer, Public Works

Jessica Hanscom, Public Works
Jeff Tarling, City Arborist
Captain Greg Cass, Fire Prevention
Assessor's Office
Approval Letter File

Att. 1

MEMORANDUM

To: FILE

From: Jeff Tarling **Dept:** Parks

Subject: Application ID: 2007-0049

Date: 3/30/2007

I have reviewed the 'First Tee' project at Riverside Golf Course and it will include an identified 'tree save' area (already marked in the field) along with the replanting of 12 24 deciduous and conifer trees. The tree sizes will conform to the Technical Standards. The trees are shown on the 'Exhibit 7' page of their package. I will work with the Riverside Golf Course staff to locate the trees once the project is ready for landscaping.

Att 2

MEMORANDUM

To: FILE

From: Cptn Greg Cass **Dept:** Fire

Subject: Application ID: 2007-0049

Date:

I will only need to look at the class room/ proshop.

MEMORANDUM

To: FILE

From: Marge Schmuckal **Dept:** Zoning

Subject: Application ID: 2007-0049

Date: 3/30/2007

The submitted plans are not complete to show exactly where this is going. If it is going directly behind 360-A-004 where I think it is being located, then the zone is split between I-M and ROS. The I-M zone does not specifically mention golf courses, however it does allow recreational centers (not tied to indoor only by wording). I have determined that the First Tee golf course would meet both the I-M and ROS zones.

This approval does NOT include a new building structure. Such structure shall be located within the ROS zone and shall meet the requirements of the ROS zone. A better site plan showing the location shall be required at that time.

Marge

AH 4

MEMORANDUM

To: FILE

From: Dan Goyette **Dept:** DRC

Subject: Application ID: 2007-0049

Date: 3/29/2007

Woodard & Curran has reviewed the Minor Site Plan Application for a new pro shop/classroom facility and a seven acre practice course located at 1158 Riverside Street, Portland. The Maine Youth Golf Foundation will be constructing the facility adjacent to the existing 9-hole South Course at Riverside.

Documents Reviewed
Application for Minor Site Plan Approval and associated materials, dated March 12, 2007.
Master Plan, Dated June 3, 2005, by Cornish, Silva and Mungeam, Inc.
Engineering plan sheets 1-3, dated August 31, 2006, by Land Use Consultants, Inc.

Comments
No detail has been provided for the pavement sawcut and repair patching required in the existing parking lot for the installation of utility lines.
A utility pipe trench detail has not been provided.
The plan shows the cart path surface as either bituminous pavement or aggregate surface. A bituminous pavement path detail has not been included.

Minor Site Plan Application

The First Tee of Maine at Riverside Golf Course

Maine Youth Golf Foundation, Inc.
1158 Riverside Street
Portland, Maine 04103

Index

Exhibit 1 Cover Letter & Site Plan Application
Exhibit 2 DEP Stormwater Application & DEP Approval Order
Exhibit 3 Vicinity Maps, Assessors Map, & Existing Conditions
Exhibit 4 Aerial Site Plan
Exhibit 5 Medium Intensity Soils Map
Exhibit 6 FEMA Map
Exhibit 7 Site Sketches & Buffer Planting Plan
Exhibit 8 Right, title, and Interest
Exhibit 9 Financial Capacity
Exhibit 10 Project Personnel
Exhibit 11 Abutters List
Exhibit 12 Storm Water Report
Exhibit 13 Erosion & Sedimentation Control report
Exhibit 14 Pond Specifications and Maintenance Plan
Exhibit 15 11 X 17 Plans

March 12, 2007

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

Subject: **Maine Youth Golf Foundation DBA: The First Tee of Maine at Riverside Golf Course**

Dear Barbara,

Enclosed within this packet, I have submitted for your review an application for Minor Site Plan Review and all of the associated documents required.

On July 21, 2005, the City of Portland and MYG entered into a 15-year Lease and Use Agreement for the construction and operation of a youth golf learning and practice facility. All planning and construction costs are the responsibility of MYG. Maintenance of the facility is the responsibility of the City. Due to the poor condition and size of the existing proshop at the South Course, MYG proposes to construct a new 1,400 sq. ft proshop/classroom building. The City and MYG will share tenancy. Obviously this is a huge "win-win" situation for all involved.

Greater detail of this project is provided in LUC's cover letter to the DEP for the stormwater permit application (exhibit 3 of this packet).

Maine Youth Golf (MYG) is applying for approval to construct the 7 acre practice course adjacent to the existing 9 hole South Course at Riverside at this time. MYG plans to submit an application for the new building in the near future.

Should you or your staff have any questions, please call me at 317-6076.

Thank you.

Respectfully,

Gene Pierotti
Superintendent Riverside Golf Course

City of Portland Site Plan Application

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

Address of Proposed Development: 1159 RIVERSIDE ST		**Zone:** R O S	
Existing Building Size: 450 sq. ft.		**Proposed Building Size:** 1400 sq. ft.	
Existing Acreage of Site: 200 Acres sq. ft.		**Proposed Acreage of Site:** 7acres sq. ft.	
Tax Assessor's Chart, Block & Lot: Chart# 360 Block# Lot# 1	**Property owner's mailing address:** CITY OF PORTLAND 389 CONGRESS ST	**Telephone #:** 874 8720	
Consultant/Agent, mailing address, phone # & contact person: GENE PIEROTTI (207) 317-6076 1159 RIVERSIDE ST PORTLAND ME 04103	**Applicant's name, mailing address, telephone #/Fax#/Pager#:** MAINE YOUTH GOLF Foundation 1159 RIVERSIDE ST PORTLAND, ME 04103	**Project name:** The First Tee	

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 Golf course

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)

RECEIVED
MAR 12 2007
City of Portland
Planning Division

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)

~ Please see next page ~

City of Portland, Maine Site Plan Checklist

The First TEE 1154 RIVERSIDE ST

Project Name, Address of Project Number

Application

Submitted () & Date (b,c)	Item	Required Information	Section 14-525
	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
	(2)	Name and address of applicant and name of proposed development	a
	(3)	Scale and north points	b
	(4)	Boundaries of the site	c
	(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
	(9)	Location of water courses, marshes, rock outcroppings and wooded areas	b
	(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
	(11)	Approx location of buildings or other structures on parcels abutting the site	d
	(12)	Location of on-site waste receptacles	e
	(13)	Public utilities	e
	(14)	Water and sewer mains	e
	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
	(18)	Parking areas	g
	(19)	Loading facilities	g
	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
	(21)	Curb and sidewalks	g
	(22)	Landscape plan showing:	h
	(23)	Location of existing proposed vegetation	h
	(24)	Type of vegetation	h
	(25)	Quantity of plantings	h
	(26)	Size of proposed landscaping	h
	(27)	Existing areas to be preserved	h
	(28)	Preservation measures to be employed	h
	(29)	Details of planting and preservation specifications	h
	(30)	Location and dimensions of all fencing and screening	i
	(31)	Location and intensity of outdoor lighting system	j
	(32)	Location of fire hydrants, existing and proposed	k
	(33)	Written statement	c
	(34)	Description of proposed uses to be located on site	l
	(35)	Quantity and type of residential, if any	l
	(36)	Total land area of the site	b2
	(37)	Total floor area and ground coverage of each proposed building and structure	b2
	(38)	General summery of existing and proposed easements or other burdens	c3
	(39)	Method of handling solid waste disposal	4
	(40)	Applicant's evaluation of availability of off-site public facilities, including sewer, water and streets	5
	(41)	Description of any problems of drainage or topography, or a representation that there are none	6
	(42)	An estimate of the time period required for completion of the development	7
	(43)	A list of all state and federal regulatory approvals to which the development may be subject to. **	8

_____	(44)	The status of any pending applications	8
_____	(45)	Anticipated timeframe for obtaining such permits	h8
_____	(46)	A letter of non jurisdiction	h8
_____	(47)	Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that is has reviewed the planned development and would seriously consider financing it when approved.	

** If project consists of soil disturbance of over one acre, a Maine Construction General Permit is required from the Maine Department of Environmental Protection.

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

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

Other comments:

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

Maine Youth Golf, Inc. c/o Don Pilon
299 Ferry Rd
Saco, ME 04074

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

a. copy of application
b. cover letter stating the nature of the project
c. site plan containing the information found in the attached sample plans checklist
d. 1 set of 11 x 17 plans

Amendment to Plans: **Amendment applications should include 9 separate packets of the above (a, b, & c)**

ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process which is available on our web site: **portlandmaine.gov**

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

Signature of applicant:	Date: 3/12/07

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

Land Use Consultants Inc.

David A. Kamila PE
Frederic J. Licht PE
Thomas N. Emery RLA
J. David Haynes RLA

planners
engineers
landscape
architects

August 15, 2006

4393

Bill Bullard, Project Analyst
Department of Environmental Protection
Bureau of Land and Water Quality
312 Canco Road
Portland, Maine, 04103

The First Tee of Maine at Riverside Golf Course; City of Portland, (Map 360/ Lot 1) Stormwater Management Law Permit Application

Dear Bill:

On behalf of Maine Youth Golf Foundation, Inc. (a.k.a. The First Tee of Maine), we are pleased to present the enclosed materials for a Stormwater Law Permit Application for a proposed site plan. Enclosed please find 2 copies of the following:

- Stormwater Management Law Permit Application
- Site Plans Set dated August 15, 2006 (2 sets full size)
- Application Fees

This application includes the attached supporting information and Exhibits:

Exhibit 1 – Vicinity Maps and Assessors Map
Exhibit 2 – Aerial Site Plan
Exhibit 3 – Medium Intensity Soils Map
Exhibit 4 – FEMA Map
Exhibit 5 – Site Sketches
Exhibit 6 – Right, Title and Interest
Exhibit 7 – Financial Capacity
Exhibit 8 – Project Personnel
Exhibit 9 – Abutter List
Exhibit 10 – Storm Water Management
Exhibit 11 – Erosion and Sedimentation Control
Exhibit 12 – Pond Specifications and Maintenance Plan

Existing Conditions:

The applicant Maine Youth Foundation, Inc. in cooperation with the City of Portland, is submitting an application for an expansion of Riverside Golf Course to provide facilities to benefit The First Tee of Maine. This is a non-profit organization which provides opportunities for underprivileged youth offering leadership training and golf instruction.

966 RIVERSIDE STREET
PORTLAND, MAINE 04103

voice (207) 878 · 3313
fax (207) 878 · 0201
email: landuse@landuseinc.net

LUC

The subject property is a 7.3 acre± portion of a much larger 100 acre+ parcel currently occupied by Riverside Golf course and the Waste Transfer Facility. The proposal is for a new 7 acre ± golf practice facility and removal of existing golf shanty to be replaced by a new 2000 sf± clubhouse and educational training facility as shown on the attached Plans. The plan would require demolishing the existing small log cabin style clubhouse shanty while keeping the existing parking area and golf play areas of the Riverside south course.

The property is owned by the City of Portland and currently is used by the waste transfer facility and the Riverside Golf Course. The portion of the property to be developed as the new practice course is situated on the portion of the property used by the waste facility and is currently an undeveloped wooded area. The clubhouse site is at the existing location of the current clubhouse and first tee of the Riverside South Golf course. This area is located approximately 500 feet from the new practice holes and is currently well vegetated with grass and turf utilized by the existing golf course.

The existing site contains several existing gravel cart paths and paved parking for the current golf course and has access from Riverside Street. A large well vegetated swale is directly adjacent to the northeasterly side of the clubhouse site and currently receives runoff from this area. The existing property is serviced by overhead electric and on-site subsurface wastewater disposal and public water.

Development Plans:

The existing small clubhouse building will be removed. The new facility proposes an architectural design for a pitched roof building with a wrap-around porch. The interior of the building will include a small pro shop for the South course and a larger classroom for the First Tee education and training center. The building includes a full basement which will be used for storage. New paths and walkways will be constructed around the clubhouse and connect to the existing cart paths. There will be a moderate increase in total impervious area at the clubhouse site. The practice golf area will not include any impervious areas and will be completely revegetated. There will be no significant increase in traffic or golf course use as a result of this development.

The development qualifies for a stormwater permit as a result of the total area of disturbance exceeding one acre. Although there will be significantly less than one acre of impervious area created by the development (9,000 sf±) it will create more than 5 acres of disturbance and therefore will not be eligible for a stormwater Permit-By-Rule. The project is located on a very large existing parcel owned by the City of Portland and is a longstanding parcel which is not subject, to date, to Site Location of Development Standards. Since this is not a Site Law project or an amendment, it does not have to meet the flooding standard of the Stormwater Law. This project is required to meet the BMP standards of the General standards. Because of the low impact development and the proximity of the project directly discharging to the Presumpscot River, the applicant is requesting a waiver of the local stormwater

LUC

quantity or detention standards from the City of Portland Codes. In addition, since the golf course area will discharge directly to the river, the applicant is also requesting a waiver of the channel protection portion of the BMP standards. The applicant is proposing a basic wet pond design for each of the development locations and will provide the pool volume for treatment of runoff but, as a result of the waiver request, will not provide the filtered outlet or the underdrained overflow above the permanent pool volume. There are no known streams or protected resources receiving runoff from the site prior to discharge into the river. The primary discharge courses from both locations are manmade drainage ditches and swales which convey the runoff to the river.

New underground electric utilities, water service and sanitary sewer connection will be provided as indicated on the drawings. Curbside collection will be utilized for normal solid waste and recycling. The project includes onsite swales, catch basins, field inlets and a two storm water wet ponds which will be utilized to collect and treat runoff from both areas.

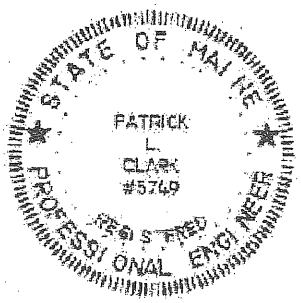
Land Use Consultants has assessed storm water management based on limited field survey and the SCS Medium Intensity Soils Maps.

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

Sincerely,

Patrick L. Clark, PE, CPESC
Senior Civil Engineer

encl: As noted





TORMWATER APPLICATION FORM → PLEASE TYPE OR PRINT IN *INK ONLY*

1. Name of Applicant:	Maine Youth Golf Foundation (aka The First Tee of Maine)	**5. Name of Agent: (if applicable)**	Land Use Consultants, Inc.
pplicant's ailing Address:	First Tee of Maine 1158 Riverside Street, Portland, Maine	**6. Agent's Mailing Address:**	966 Riverside Street Portland, Maine 04103
. Applicant's Daytime Phone #:	Don Pilon, President (207) 590-0507	**7. Agent's Daytime Phone # :**	(207) 878-3313
. Applicant's Fax #: (if available)		**8. Agent's Fax # and email address:**	(207) 878-0201 **temery@landuseinc.net**
. Location of Project: (Road, Street, Rt.#)	Riverside Golf Course 1158 Riverside Street	**10. Town:** **11. County:**	Portland, Maine 04103
12. Type of Direct Watershed: (Check all that apply)	❑ Lake not most at risk ❑ Lake most at risk ❑ Lake most at risk, severely blooming ✓ River, stream or brook ❑ Urban impaired stream ❑ Freshwater wetland ❑ Coastal wetland ❑ Wellhead of public water supply	**13. Amount of Developed Area:**	❑ 1 or more acres, but less than 5 acres ✓5 acres.or more
		14. Amount of Impervious Area:	✓ less than 20,000 sq.ft. ❑ 20,000 sq. ft. to 1 acre ❑ 1 to 3 acres. ❑ 3 or more acres
15. Applicable Standards: Check all that apply)	❑ Stormwater PBR ✓ Basic standards ✓ General standards: BMP ❑ General standards: phosphorus ❑ Flooding standard ❑ Urban impaired stream standards ❑ Other:	**16. Type of Stormwater Control:**	❑ Vegetative (e.g. buffers) ✓ Structural (wet ponds)

17. Exceptions &/or ivers Requested:	**BMP Standards ▼**	**Urban impaired stream standard ▼**	**Flooding Standard ▼**
	❑ Pretreatment measures ✓Discharge to ocean/major river segment ❑ Linear portion of project ❑ Utility corridor ❑ Redevelopment	❑ Developed area not landscaped or impervious ❑ Redevelopment	❑ Discharge to ocean/major river segment ❑ Insignificant increase in pea flow

18. Brief Project Description:	The project is a non-profit project consisting of a 3/4 hole practice golf facility with small clubhouse and education center for underprivlidged youth. The project will utilize existing vehicle circulation and parking facilities, and provide new stormwater treatment systems, erosion controls, and landscaping.
19. Size of Lot or Parcel:	❑ square feet, or 7 acre portion of Riverside Golf Course ✓ acres
0. Title, Right or Interest:	❑ own ❑ lease ❑ purchase option ❑ written agreement

21. Deed Reference Numbers:	Book#: 3634 Page: 331	**22. Map and Lot Numbers:**	Map #: 360	Lot #: 01	
23. DEP Staff Previously Contacted:	Bill Bullard Ben Viola	**24. Project started prior to application?**	❑ Yes ✓ No	**Completed?**	❑ Yes ❑ No
25. Resubmission of Application?	❑ Yes → ✓ No	**If yes, previous application #**		**Previous project manager:**	
26. Written Notice of Violation?	❑ Yes → ✓ No	**If yes, name of DEP enforcement staff involved:**			
27. Detailed Directions to the Project Site:	Riverside Street, Portland, off of existing parking area adjacent to existing small clubhouse on Riverside South course.				

28. Stormwater Permit by Rule Submissions ▼	**29. Stormwater Application Submissions ▼**
❑ form (including signature page) ❑ Topographic Map ❑ Plan or Drawing ❑ Photos of Area	✓ This form (including signature page) ✓ Fee ✓ Proof of title, right or interest ❑ Certificate of good standing (if applicable) ✓ Photos of Area ✓ Professional & Notice Certificatic ✓ Basic standards submissions ✓ General standards submissions ❑ Flooding standard submissions ❑ Other standard submissions

IMPORTANT: By signing below the applicant (or authorized agent), certifies that he or she has read and understood the following:

DEP SIGNATORY REQUIREMENT

"I certify under penalty of law that I have personally examined the information submitted in this document and all attachments thereto and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the information is true, accurate, and complete. I authorize the Department to enter the property that is the subject of this application, at reasonable hours, including buildings, structures or conveyances on the property, to determine the accuracy of any information provided herein. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment."

"I hereby authorize the person named below to act in my behalf as my agent in the processing of this application and to furnish, upon request, supplemental information in support of this permit application."

SIGNATURE OF APPLICANT, *if agent involved* DATE

"Application is hereby made for a permit or permits to authorize the work described in this application. I certify that the information in the application is complete and accurate. I further certify that I possess the authority to undertake the work described herein or am acting as the duly authorized agent of the applicant."

SIGNATURE OF AGENT/APPLICANT DATE

NOTE: Any changes in activity plans must be submitted to the DEP and the Corps in writing and must be approved by both agencies prior to implementation. Failure to do so may result in enforcement action and/or the removal of the unapproved changes to the activity.

FEE WORKSHEET

Use this form to help determine the permit fee. The fee is based upon the amount of disturbed or developed area created.

NOTE: Ditches, swales, ditch turn-outs, level spreaders, and similar Best Management Practices (BMPs) used solely to convey or discharge water to a vegetated buffer are not considered, by themselves, to constitute structural BMPs, provided that the applicant assumes that all water quality treatment takes place in the buffer. If any treatment is assumed within the BMPs used to convey water to the buffer, they are treated as structural BMPs for the purposes of determining the applicable fee (and review period). "Disturbed area" and "impervious area" are defined in Chapter 500, Section 2(C) and (E).

(a) If solely vegetative control measures are used (e.g. buffers), the fee is $250 for up to one acre of disturbed or developed area, plus $125 for each additional whole acre of disturbed or developed area.

Example. Project will create 2.34 acres of disturbed area.

Fee = $250 + [$125 x (1)] = $375.00

Your fee:

$250 + [$125 x (__)] =_____

(b) If any structural control measures are used (e.g. underdrained filters, ponds, infiltration systems), the fee is $500 for up to one acre of disturbed or developed area, plus $250 for each additional whole acre of disturbed or developed area.

Example. Project will create 2.34 acres of disturbed area.

Fee = $500 + [$250 x (1)]. Fee =$750.00

Your fee:

$500 + [$250 x (1)]= $750.00

FIRST TEE OF MAINE

Project. Project will create 7.79 acres of disturbed area.

Fee: $500 + [$250 x (6)]= $2000.00

APPLICATION CERTIFICATION

The person responsible for preparing this application and/or attaching pertinent site and design information hereto, by signing below, certifies that the application for project approval is complete and accurate to the best of his/her knowledge.

Signature: _____

Name (print): Patrick L. Clark

Date: August 15, 2006

Re/Cert/Lic No.:
Engineer P.E. # 5749
Geologist _____
Soil Scientist _____
Land Surveyor _____
Site Evaluator _____
Active Member of the Maine Bar _____
Professional Landscape Architect RLA. # 103
Other Thomas N. Emery RLA

****

NOTICE CERTIFICATION

By signing below, the applicant (or authorized agent) certifies that he or she has

1. Published a Notice of Intent to File once in a newspaper circulated in the area where the project site is located within thirty days prior to the filing of the application;

2. Sent by certified mail a completed copy of the Notice of Intent to File to the owners of the property abutting the land upon which the project site is located within thirty days prior to the filing of the application;

List below the names and addresses of the owners of abutting property. (Submit an additional sheet if necessary)

NAME	ADDRESS
See Exhibit 9	

3. Sent by certified mail a completed copy of the Notice of Intent to File and filed a duplicate of this application with the town clerk or city clerk of the municipality(ies) where the project is located;

4. Sent by certified mail to the appropriate water company, municipality, or water district if the project is in the direct watershed of a public water supply; and

4. Provided a copy of the notice with this application.

_____ 8/15/06
Signature of applicant or agent* Date

rick L. Clarck, Senior Civil Engineer August 15, 2006
Print name and title of applicant or agent* Date

*If signature is other than that of the applicant, attach letter of agent authorization signed by applicant.

NOTICE OF INTENT TO FILE

Please take notice that Maine Youth Golf Foundation,
The First Tee of Maine
1158 Riverside Street
Portland, ME 04103

is intending to file a Stormwater Management permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. § 420-D and a Natural Resources Protection Act permit application with the Maine Department of Environmental Protection pursuant to the provisions of 38 M.R.S.A. 480-A through 480-z on or about 08/15/06 (*anticipated filing date)*

The application is for: Construction of 3 hole practice golf course and clubhouse/classroom for the First Tee program of Maine. This program is a part of a national program offering life skills and leadership training along with golf instruction to underserved youth.

(*summary of project*)

at the following location: Riverside Street, Portland, adjacent to existing small clubhouse at Riverside South Golf Course

(*location, address, town, county*)

A request for a public hearing or a request that the Board of Environmental Protection assume jurisdiction over this application must be received by the Department, in writing, no later than 20 days after the application is found by the Department to be complete and is accepted for processing. A public hearing may or may not be held at the discretion of the Commissioner or Board of Environmental Protection. Public comment on the application will be accepted throughout the processing of the application.

The application will be filed for public inspection at the Department of Environmental Protection's office in

Portland during normal working hours. A copy of the application may also
(*Portland, Augusta or Bangor*)

be seen at the municipal offices in Portland, Maine.
(town)

Written public comments may be sent to the Department of Environmental Protection, Bureau of Land & Water Quality, 17 State House Station, Augusta, Maine 04333 or the appropriate regional office.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
Bureau of Land and Water Quality
17 State House Station, Augusta, Maine 04333-0017
Telephone: 287-2111 or 287-3901

CERTIFICATION – STORMWATER MANAGEMENT LAW

(To be completed and sent to the DEP after the contractor and any subcontractors have been shown a copy of the approval with conditions by the developer, and the owner and each contractor and subcontractor have certified, on this form provided by the department, that the approval and conditions have been received and read, and the work will be carried out in accordance with the approval and conditions.)

Name of Applicant: Maine youth Golf Foundation, aka The First tee of Maine

Town where project located: Portland, Cumberland County Maine

Type of project: Commercial, non-profit youth program, practice golf facility and youth training

Permit number: _____

Work done by a contractor or subcontractor pursuant to an approval under the Stormwater Management Law may not begin before the contractor and any subcontractors have been shown a copy of the approval with conditions by the developer, and the owner and each contractor and subcontractor have certified, on this form provided by the department, that the approval and conditions have been received and read, and the work will be carried out in accordance with the approval and conditions. Completed certifications forms must be forwarded to the department. See 06-096 CMR 500(9)(A)(7).

This certification form must be completed and mailed to sent to Shari Berry Goodwin, Department of Environmental Protection, Bureau of Land and Water Quality, 17 State House Station, Augusta, Maine 04333 prior to start of construction. Separate forms may be submitted for each person, or persons may be listed on a single form. List the name, address, phone number, of each person signing the form.

I certify that I have personally received and read the approval and conditions described below, and that the work will be carried out in accordance with the approval and conditions.

Owner (Applicant) Name (typed or printed), address, and phone number :	Maine Youth Golf Foundation Portland, Maine
Signature:	

Contractor Name (typed or printed), address, and phone number:	
Signature:	

Subcontractor Name (typed or printed), address, and phone number:	
Signature:	

SUBMITTAL CHECKLIST

Submissions for all stormwater projects, as applicable, except stormwater PBR:

- ☑ Completed application form with signatures
- ☑ Fee worksheet & fee
- ☑ Professional & notice certification
- ☑ Notice of intent to file
- ☑ Proof of title, right, or interest
- ☐ Certificate of Good Standing (corporations only)
- ☑ Photos of the project site

Basic standards submissions:

- ☑ Erosion and sedimentation control plan
  - Location plan
  - Site details
- ☑ Inspection and maintenance plan
  - List of measures
  - Inspection & maintenance tasks
  - Task frequency
  - Responsible parties
  - Maintenance plans
- ☑ Housekeeping plan

General standards submissions:

- ☑ Narrative
- ☑ Drainage plans
- ☑ Calculations
  - Water volume
  - Buffer sizing
- ☑ Details, designs, and specifications
  - Ponds
  - Underdrained vegetated filters
  - Infiltration systems
  - Buffers
- ☐ Phosphorus export calculations
- ☐ Maintenance contract

Flooding standard submissions:

- ☐ Control of peak flows
- ☐ Details, designs, and specifications

STATE OF MAINE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
STATE HOUSE STATION 17 AUGUSTA, MAINE 04333

LUC
JAN 16 2007
RECEIVED

DEPARTMENT ORDER

IN THE MATTER OF

MAINE YOUTH GOLF FOUNDATION	) STORMWATER MANAGEMENT LAW
Portland, Cumberland County	)
THE FIRST TEE OF MAINE	)
L-23245-NJ-A-N (approval)	) FINDINGS OF FACT AND ORDER

Pursuant to the provisions of 38 M.R.S.A. Section 420-D, and Chapters 500 and 502 of the Department's Regulations, the Department of Environmental Protection has considered the application of THE MAINE YOUTH GOLF FOUNDATION with the supportive data, agency review comments, and other related materials on file and FINDS THE FOLLOWING FACTS:

1. PROJECT DESCRIPTION:

A. History of Project: The project is located on a 100+ acre parcel of land owned by the City of Portland. The Riverside Golf Course and City of Portland Waste Transfer Facility currently are located on portions of the parcel. Development on this parcel is not subject to Site Location of Development Law.

B. Summary: The applicant proposes to construct a stormwater management system for an approximately seven-acre golf practice course and a 2,000 square foot clubhouse and educational training facility. The applicant has a lease and use agreement with the City of Portland for approximately 7.3 acres of land. The project is shown on a set of plans the first of which is entitled "First Tee of Maine at Riverside Golf Course," prepared by Land Use Consultants, and dated August 31, 2006 with a latest revision date on any of the sheets of December 12, 2006. The project site is located on Riverside Street in the City of Portland.

The project will alter 731 square feet of wetland near the outlet of the wetpond on the practice course. This amount of wetland alteration is exempt from permitting under the Natural Resources Protection Act (38 M.S.R.A. § 480(Q)(17)).

C. Current Use of the Site: The site of the proposed golf practice course is currently an undeveloped wooded area. The site of the clubhouse and educational training facility is developed with the current clubhouse, lawn area, the first tee of the Riverside South Golf Course and a parking lot.

P

Patrick Clark
Land Use Consultants
207-878-0201
from ME DEP Land Bureau

2. STORMWATER STANDARDS:

The proposed project results in 0.21 acres of impervious area and 7.1 acres of disturbed area. It is in the watershed of a lake most at risk and must meet Chapter 500 Basic and General Standards for stormwater treatment. The stormwater plan submitted by the applicant was reviewed by, and revised in response to, comments from the Division of Watershed Management of the Bureau of Land and Water Quality (DWM). Specific aspects of the plan are discussed below.

The applicant is proposing to utilize a stormwater management system consisting of two wetponds. One pond will serve the practice course area and the other pond will serve the clubhouse area.

A. Basic Standards: The applicant submitted a stormwater maintenance plan that addresses re-occurring regular maintenance and long term performance of the stormwater system for the project and an erosion and sedimentation control plan. DWM stated that these plans meet Chapter 500 standards for erosion and sedimentation control, inspection and maintenance, and housekeeping and recommended that the applicant contract with an approved third party inspector to regularly inspect the erosion control measures. The contract must not end until the site is fully stabilized. Grading and construction activity are designed so that they will not impede or otherwise alter drainage ways resulting in an unreasonable adverse impact on a protected natural resource.

B. General Standards: Best Management Practices (BMP): The applicant's stormwater management plan includes BMP treatment measures that will mitigate for the increased frequency and duration of channel erosive flows due to runoff from smaller storms, provide for effective treatment of pollutants in stormwater, and mitigate potential temperature impacts. This mitigation is being achieved by using two wetponds that will control runoff from no less than 95% of the impervious area and no less than 80% of the developed area. The wetpond for the practice course area will control runoff from 81% of the developed area. There is no new impervious area created for the golf practice area. The wetpond for the clubhouse area will control runoff from 95% of the proposed impervious area. There is no new developed area in the vicinity of the proposed clubhouse.

The applicant is requesting an alternate treatment method for the channel protection and temperature requirements pursuant to Department Rules, Chapter 500(4)(B)(1)(b). This section provides that the Department may, on a case-by-case basis, consider alternate treatment measures. The practice course area wetpond will discharge to an existing channel, which discharges into an existing pond on the existing portion of the golf course prior to discharging into the Presumpscot River. The clubhouse area wetpond will discharge into a vegetated channel, which eventually flows into the existing stormdrain system, which then discharges into another vegetated channel prior to discharging into the Presumpscot River. The Department approves the applicant's alternate treatment measures.

DWM stated that the proposed stormwater management system complies with the Chapter 500 General Standards.

Based on the stormwater system's design and DWM's review, the Department finds that the applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500, Basic and General Standards. The Department further finds that the proposed project will meet the Chapter 500 standards for management of stormwater discharges.

BASED on the above findings of fact, and subject to the conditions listed below, the Department makes the following conclusions pursuant to 38 M.R.S.A. Section 420-D, and Chapters 500 and 502 of the Department's Regulations:

A. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 Basic Standards for: (1) erosion and sediment control; (2) inspection and maintenance; (3) housekeeping; and (4) grading and construction activity provided that the applicant contracts with an approved third party inspector to regularly inspect the erosion control measures.

B. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 General Standard for best management practices.

C. The applicant has made adequate provision to ensure that the proposed project will meet the Chapter 500 standards for: (1) easements and covenants; (2) management of stormwater discharges; (3) discharge to freshwater or coastal wetlands; (4) threatened or endangered species; and (5) discharges to public storm sewer systems.

THEREFORE, the Department APPROVES the above noted application of MAINE YOUTH GOLF FOUNDATION to construct a stormwater management system as described above in Portland, Maine, SUBJECT TO THE FOLLOWING CONDITIONS, and all applicable standards and regulations:

1. The Standard Conditions of Approval, a copy attached.

2. In addition to any specific erosion control measures described in this order, the applicant shall take all necessary actions to ensure that its activities or those of its agents do not result in noticeable erosion of soils or fugitive dust emissions on the site during the construction and operation of the project covered by this approval.

3. Severability. The invalidity or unenforceability of any provision, or part thereof, of this License shall not affect the remainder of the provision or any other provisions. This License shall be construed and enforced in all respects as if such invalid or unenforceable provision or part thereof had been omitted.

4. The applicant or other responsible party shall, within three months of the expiration of each five-year interval from the date of this Order, submit a report certifying that the items listed in Department Rules, Chapter 500, Appendix B(4) have been completed in accordance with the approved plans.

5. The applicant shall retain a third party inspector in accordance with the Third Party Inspector Program, a copy of which is attached to this Order.

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

DONE AND DATED AT AUGUSTA, MAINE, THIS 16TH DAY OF JANUARY, 2007.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
DAVID P. LITTELL, COMMISSIONER

PLEASE NOTE THE ATTACHED SHEET FOR GUIDANCE ON APPEAL PROCEDURES...

Date of initial receipt of application: September 28, 2006
Date of application acceptance: October 19, 2006

Date filed with Board of Environmental Protection
CGW/ATS#60882/L23245AN

FILED
JAN 17 2007
BOARD OF ENVIRONMENTAL PROT.
STATE OF MAINE

STRICT CONFORMANCE WITH THE STANDARD AND SPECIAL CONDITIONS OF THIS APPROVAL IS NECESSARY FOR THE PROJECT TO MEET THE STATUTORY CRITERIA FOR APPROVAL

Standard conditions of approval. Unless otherwise specifically stated in the approval, a department approval is subject to the following standard conditions pursuant to Chapter 500 Stormwater Management Law.

(1) Approval of variations from plans. The granting of this approval is dependent upon and limited to the proposals and plans contained in the application and supporting documents submitted and affirmed to by the applicant. Any variation from these plans, proposals, and supporting documents must be reviewed and approved by the department prior to implementation. Any variation undertaken without approval of the department is in violation of 38 M.R.S.A. § 420-D(8) and is subject to penalties under 38 M.R.S.A. § 349.

(2) Compliance with all terms and conditions of approval. The applicant shall submit all reports and information requested by the department demonstrating that the applicant has complied or will comply with all terms and conditions of this approval. All preconstruction terms and conditions must be met before construction begins.

(3) Advertising. Advertising relating to matters included in this application may not refer to this approval unless it notes that the approval has been granted WITH CONDITIONS, and indicates where copies of those conditions may be obtained.

(4) Transfer of project. Unless otherwise provided in this approval, the applicant may not sell, lease, assign, or otherwise transfer the project or any portion thereof without written approval by the department where the purpose or consequence of the transfer is to transfer any of the obligations of the developer as incorporated in this approval. Such approval may only be granted if the applicant or transferee demonstrates to the department that the transferee agrees to comply with conditions of this approval and the proposals and plans contained in the application and supporting documents submitted by the applicant. Approval of a transfer of the permit must be applied for no later than two weeks after any transfer of property subject to the license.

(5) Initiation of project within two years. If the construction or operation of the activity is not begun within two years, this approval shall lapse and the applicant shall reapply to the department for a new approval. The applicant may not begin construction or operation of the project until a new approval is granted. A reapplication for approval may include information submitted in the initial application by reference.

(6) Reexamination after five years. If the project is not completed within five years from the date of the granting of approval, the department may reexamine its approval and impose additional terms or conditions or prescribe other necessary corrective action to respond to significant changes in circumstances or requirements which may have occurred during the five-year period.

(7) Certification. Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the developer, and the owner and each contractor and subcontractor has certified, on a form provided by the department, that the approval and conditions

received and read, and that the work will be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the department.

(8) Maintenance. The components of the stormwater management system must be adequately maintained to ensure that the system operates as designed, and as approved by the department.

(9) Recertification requirement. Within three months of the expiration of each five-year interval from the date of issuance of the permit, the permittee shall certify the following to the department.

(a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
(b) All aspects of the stormwater control system have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the facilities.
(c) The erosion and stormwater maintenance plan for the site is being implemented as written, or modifications to the plan have been submitted to and approved by the department, and the maintenance log is being maintained

November 16, 2005

DEP INFORMATION SHEET

Appealing a Commissioner's Licensing Decision

Dated: May 2004 **Contact: (207) 287-2811**

SUMMARY

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

I. ADMINISTRATIVE APPEALS TO THE BOARD

LEGAL REFERENCES

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

HOW LONG YOU HAVE TO SUBMIT AN APPEAL TO THE BOARD

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

HOW TO SUBMIT AN APPEAL TO THE BOARD

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

WHAT YOUR APPEAL PAPERWORK MUST CONTAIN

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

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

5. *All the matters to be contested.* The Board will limit its consideration to those arguments specifically raised in the written notice of appeal.

6. *Request for hearing.* The Board will hear presentations on appeals at its regularly scheduled meetings, unless a public hearing is requested and granted. A request for public hearing on an appeal must be filed as part of the notice of appeal.

7. *New or additional evidence to be offered.* The Board may allow new or additional evidence as part of an appeal only when the person seeking to add information to the record can show due diligence in bringing the evidence to the DEP's attention at the earliest possible time in the licensing process or show that the evidence itself is newly discovered and could not have been presented earlier in the process. Specific requirements for additional evidence are found in Chapter 2, Section 24(B)(5).

Other Considerations in Appealing a Decision to the Board

1. *Be familiar with all relevant material in the DEP record.* A license file is public information made easily accessible by DEP. Upon request, the DEP will make the material available during normal working hours, provide space to review the file, and provide opportunity for photocopying materials. There is a charge for copies or copying services.

2. *Be familiar with the regulations and laws under which the application was processed, and the procedural rules governing your appeal.* DEP staff will provide this information on request and answer questions regarding applicable requirements.

3. *The filing of an appeal does not operate as a stay to any decision.* An applicant proceeding with a project pending the outcome of an appeal runs the risk of the decision being reversed or modified as a result of the appeal.

What to Expect Once You File a Timely Appeal with the Board

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

II. Appeals to Maine Superior Court

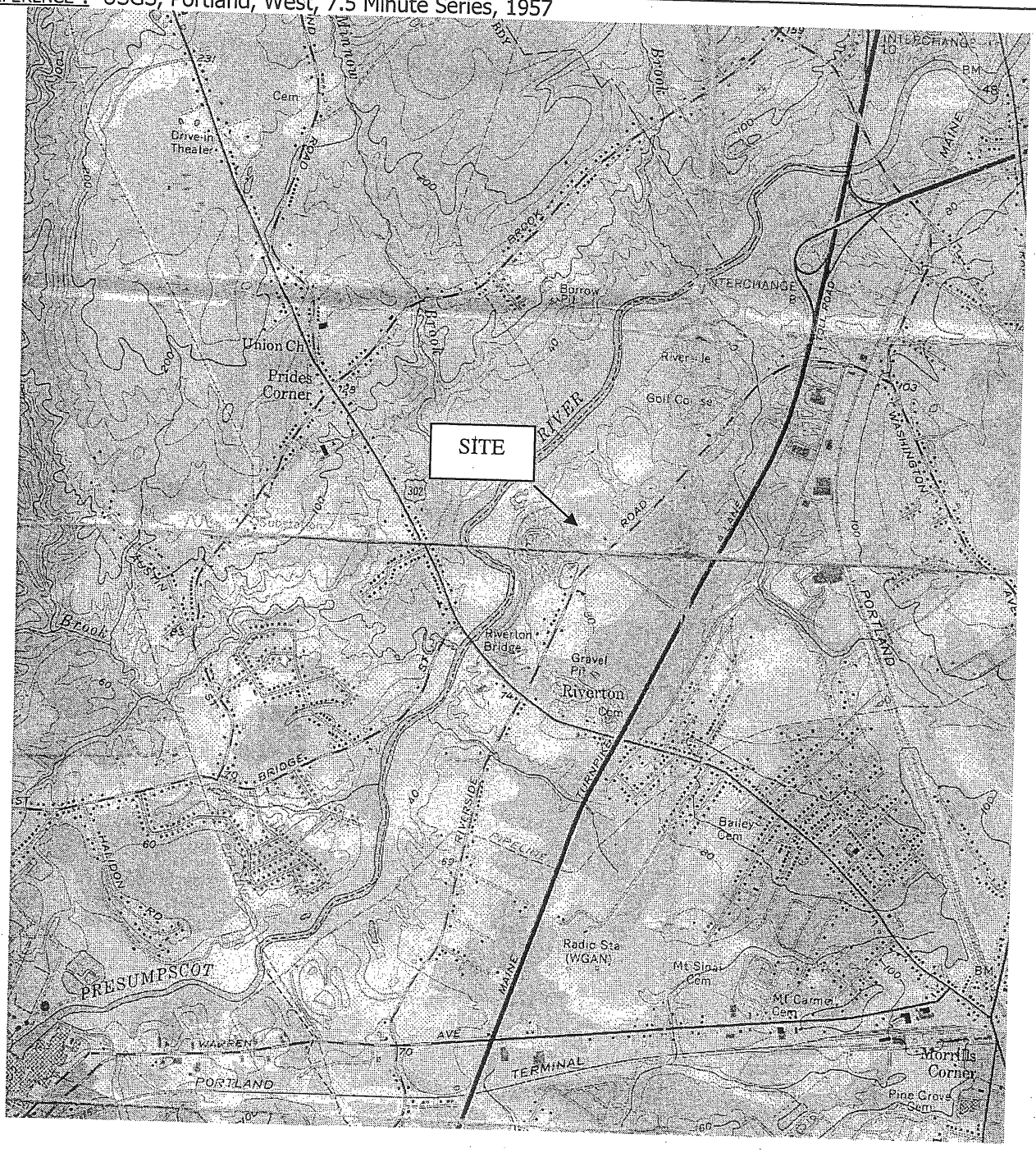
Maine law allows aggrieved persons to appeal final Commissioner licensing decisions to Maine's Superior Court, see 38 M.R.S.A. § 346(1); 06-096 CMR 2.26; 5 M.R.S.A. § 11001; & MRCivP 80C. Parties to the licensing decision must file a petition for review within 30 days after receipt of notice of the Commissioner's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

Additional Information

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

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

REFERENCE : USGS, Portland, West, 7.5 Minute Series, 1957



Land Use Consultants, Inc.

PREPARED FOR:

First Tee of Maine
1158 Riverside Street
Portland, Maine 04103

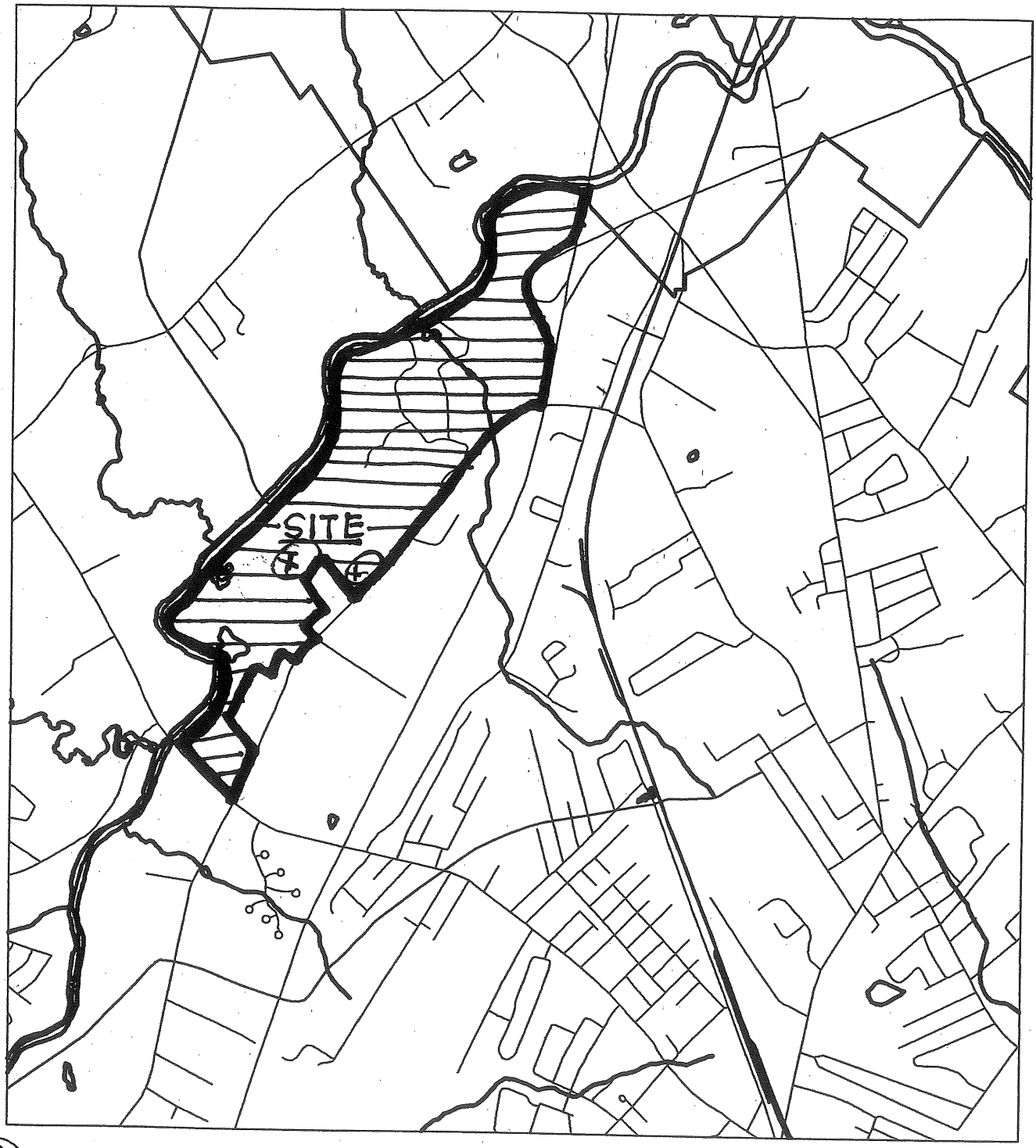
TITLE:

USGS Locus Map

DATE: 8/152006 SCALE: 1"=2000' JOB NO: 4493

Figure

REFERENCE:



LUC
Land Use Consultants, Inc.

engineers
planners
landscape
architects

966 RIVERSIDE STREET
PORTLAND, MAINE 04103

Voice (207) 878 – 3313
Fax (207) 878 – 0201
landuse @ landuseinc.net

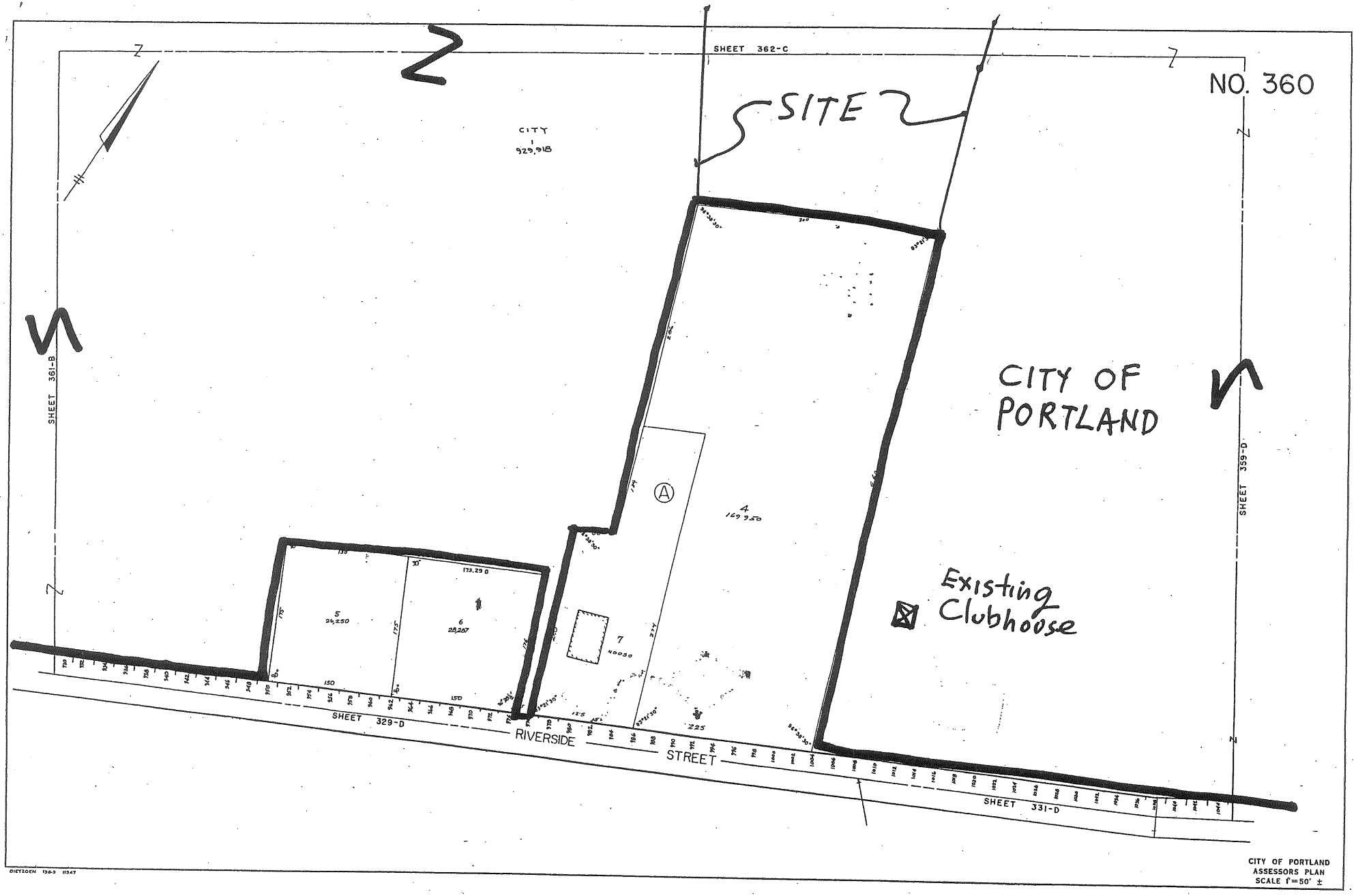
PREPARED FOR:
MAINE YOUTH GOLF FOUNDATION, INC.
FIRST TEE OF MAINE
RIVERSIDE MUNICIPAL GOLF COURSE
PORTLAND, MAINE

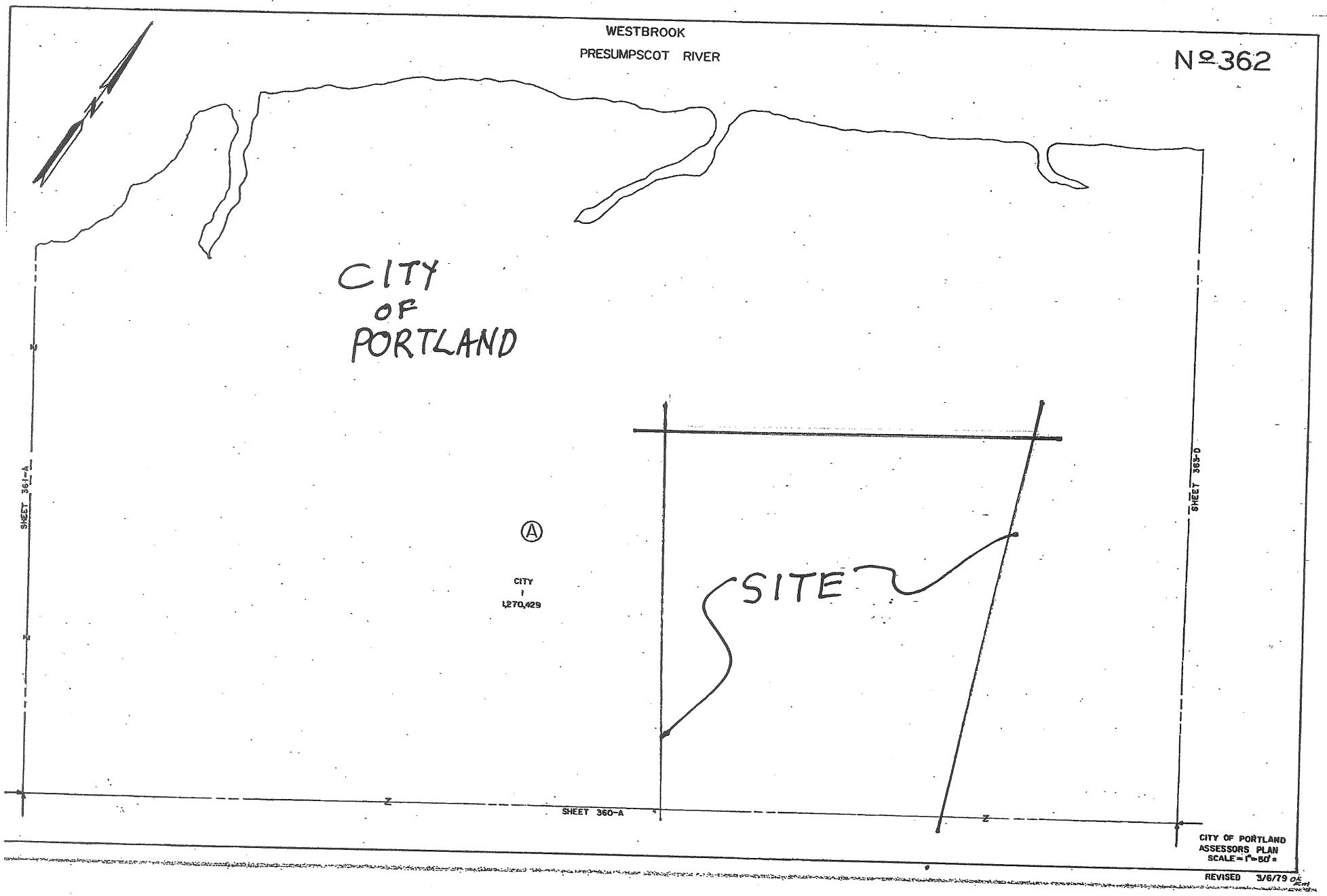
TITLE:
LOCATION MAP

SCALE: 1"=2000'±
DATE: 8/15/06

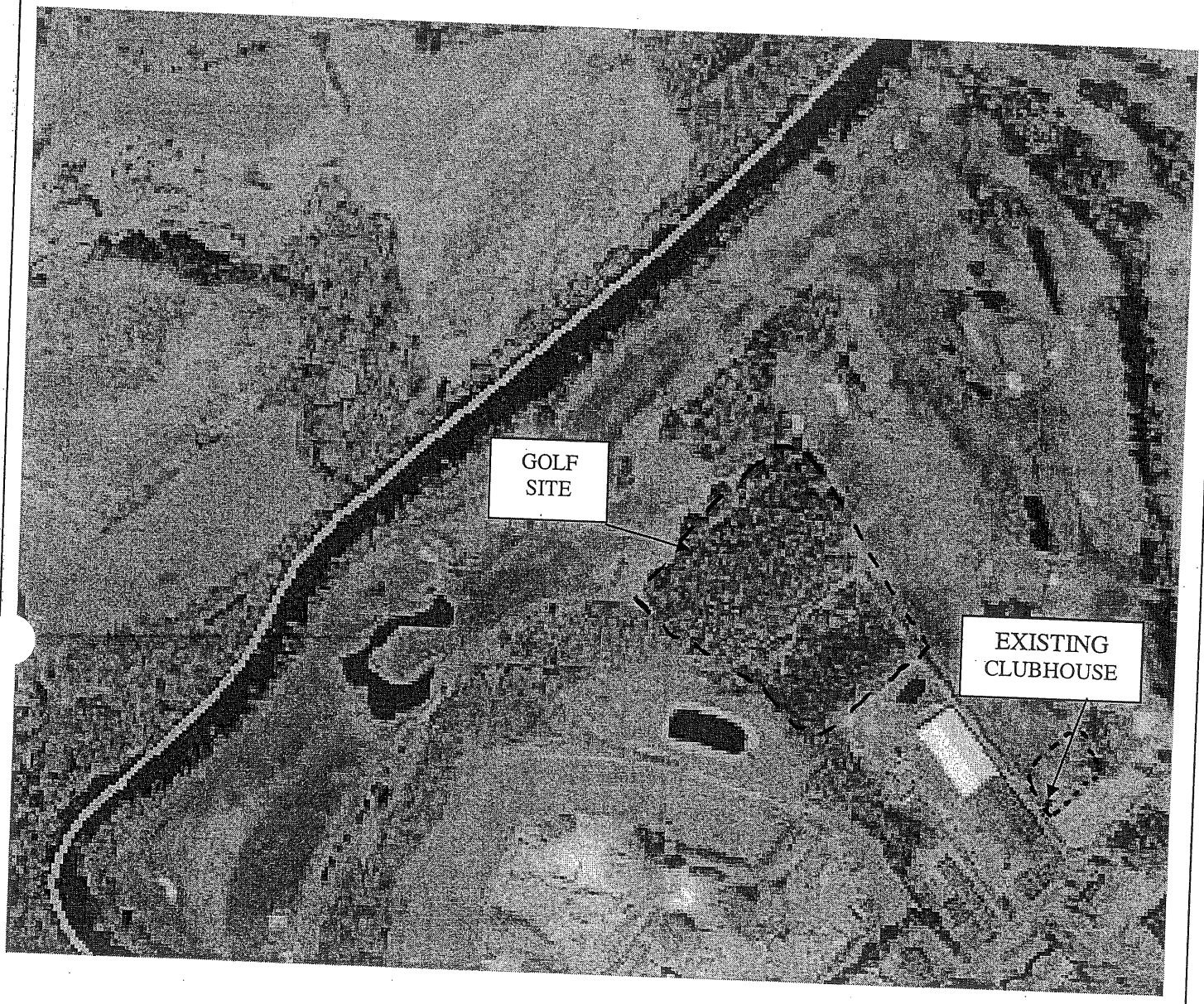
JOB #: 4493

EXHIBIT #:


SHEET 362-C
NO. 360
SITE
CITY
1
929,918
SHEET 361-B
CITY OF
PORTLAND
SHEET 359-D
Existing
Clubhoose
A
4
169,950
5
26,250
6
28,287
7
40,050
173.29 D
150
150
225
SHEET 329-D
RIVERSIDE
STREET
SHEET 331-D
DIETZGEN 1363 11347
CITY OF PORTLAND
ASSESSORS PLAN
SCALE 1"=50' ±


WESTBROOK
PRESUMPSCOT RIVER
N° 362
CITY OF PORTLAND
SITE
Ⓐ
CITY
1,270,429
SHEET 361-A
SHEET 363-D
SHEET 360-A
CITY OF PORTLAND
ASSESSORS PLAN
SCALE = 1" = 80' ±
REVISED 3/6/79

REFERENCE : AERIAL PHOTGRAPH



LUC

Land Use Consultants, Inc.

PREPARED FOR:

First Tee of Maine
1158 Riverside Street
Portland, Maine 04103

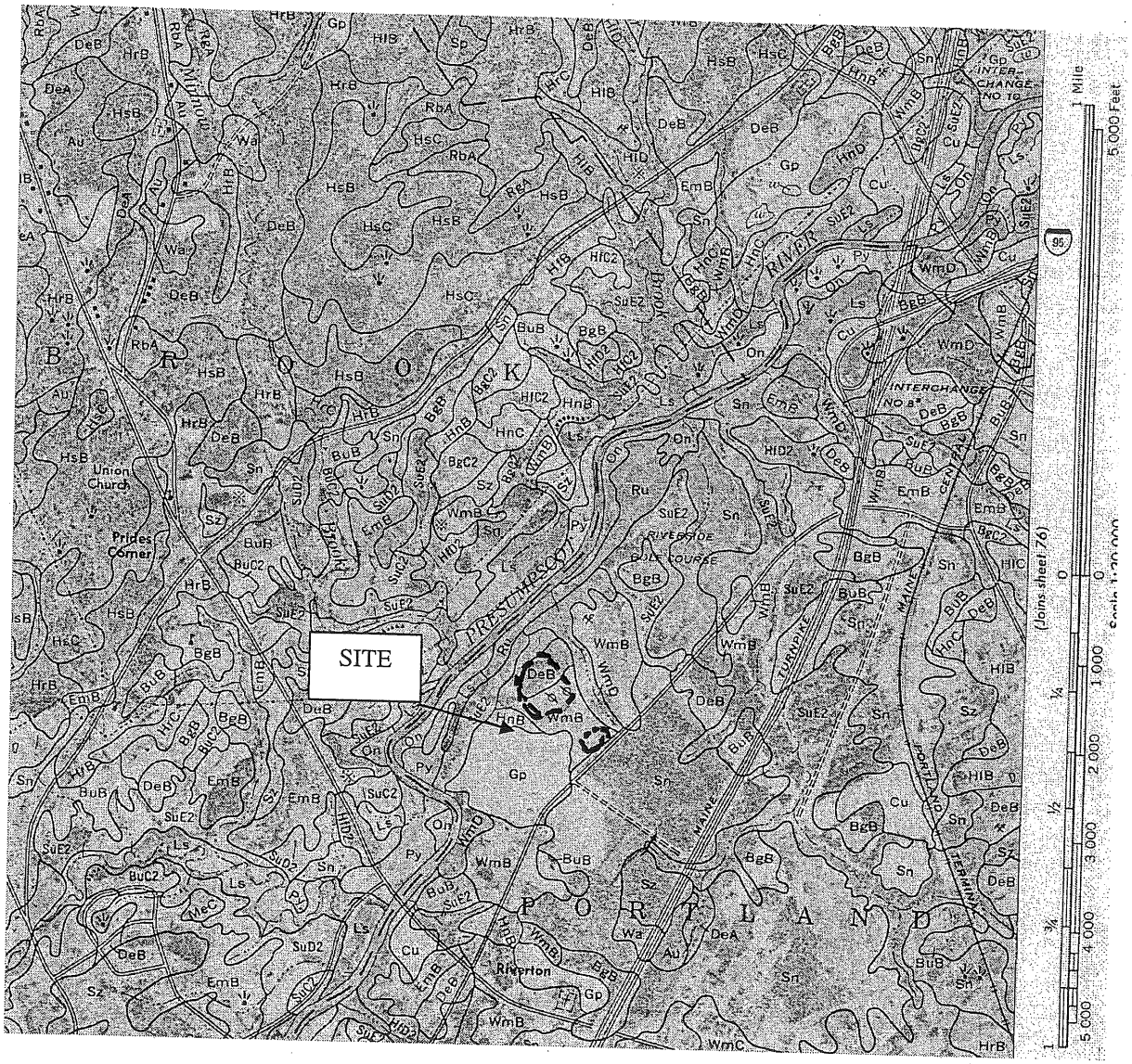
TITLE:

AERIAL SITE PHOTO

DATE: 8/15/2006 SCALE: 1"=1667' JOB NO: 9493

Figure

REFERENCE : SCS Medium Intensity Soil Survey, Cumberland county, Map #75



Land Use Consultants, Inc.

PREPARED FOR:

First Tee of Maine
1158 Riverside Street
Portland, Maine 04103

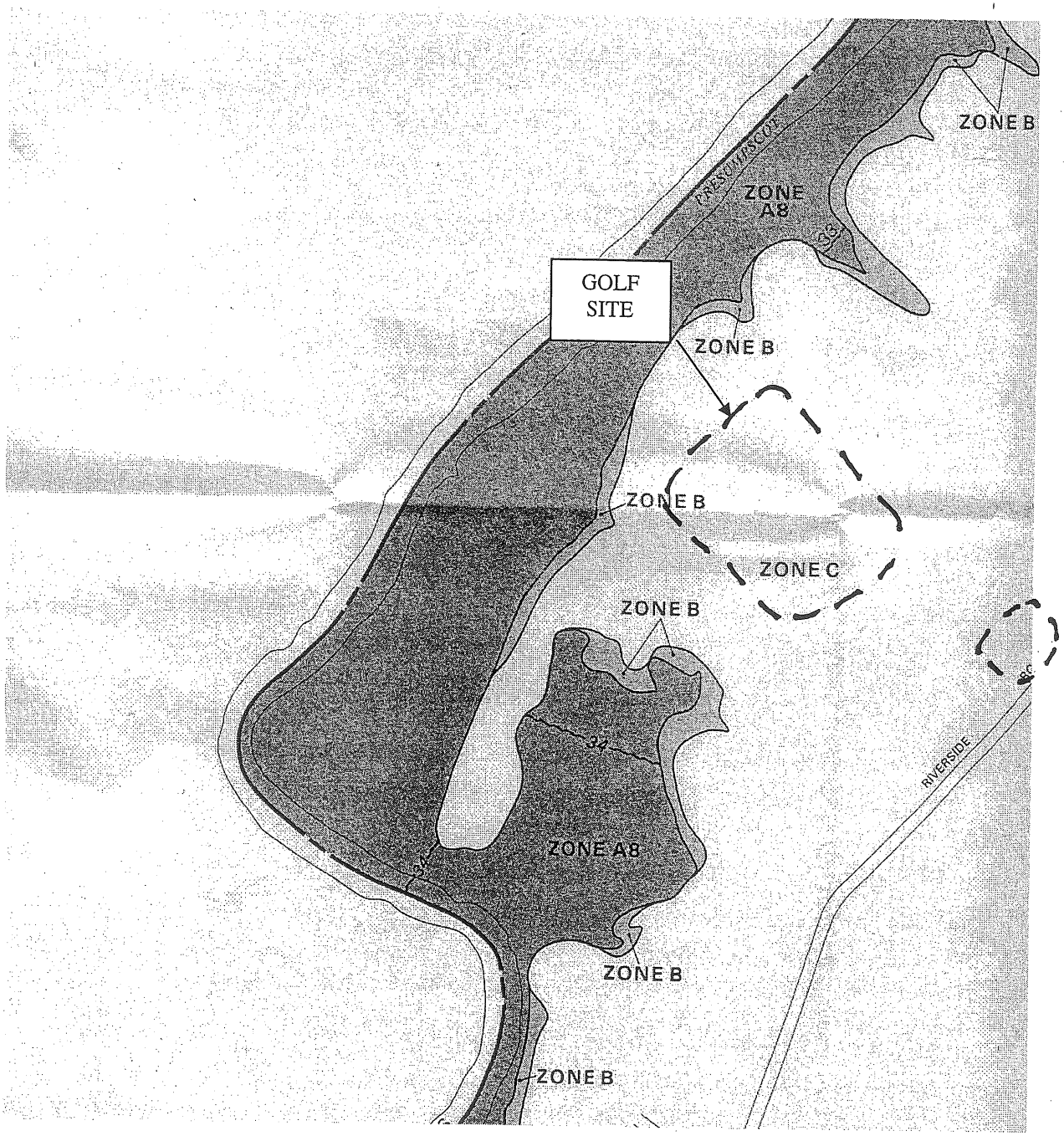
TITLE:

SCS Soils Map

DATE: 8/15/2006 SCALE: 1"=1667' JOB NO: 9493

Figure

REFERENCE : FEMA MAP, PORTLAND, 1 OF 17



Land Use Consultants, Inc.

PREPARED FOR:

First Tee of Maine
1158 Riverside Street
Portland, Maine 04103

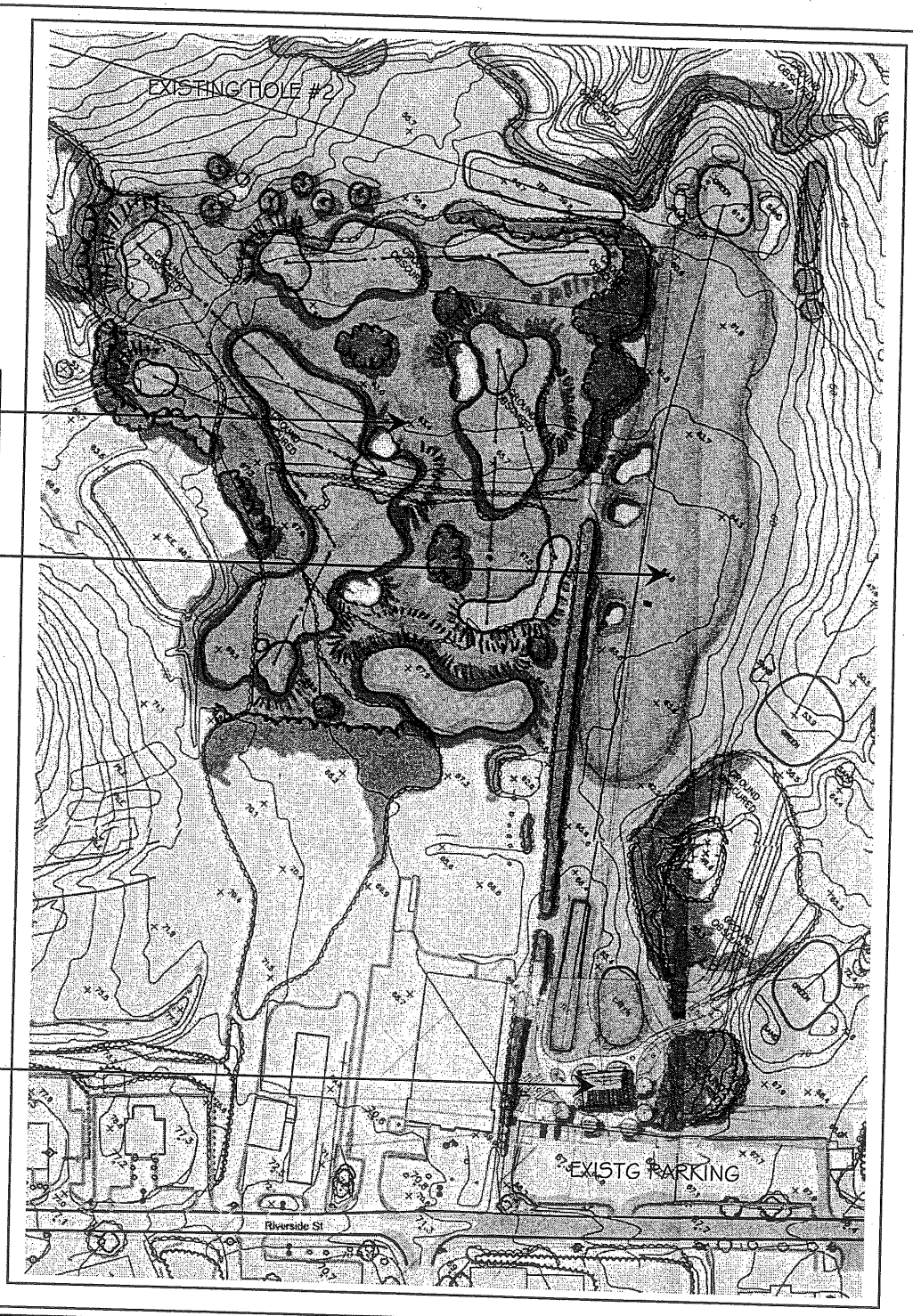
TITLE:

FEMA FLOOD MAP

DATE: 8/15/2006 SCALE: 1"= 400' JOB NO: 9493

Figure

REFERENCE:



Land Use Consultants, Inc.
966 RIVERSIDE ST
PORTLAND, ME 04103
207.878.3313

- PREPARED FOR:

The 1st Tee
at Riverside Golf Course

- DATE: Sept 2005
- 1st Tee Golf Course Design by Cornish, Silva & Mungeam, Inc

- TITLE:

Prelim
Site Context Plan
Class Room/ Proshop Building

- JOB NO: 4444

Exhibit
CP-1

Buffer Planting Plan Description

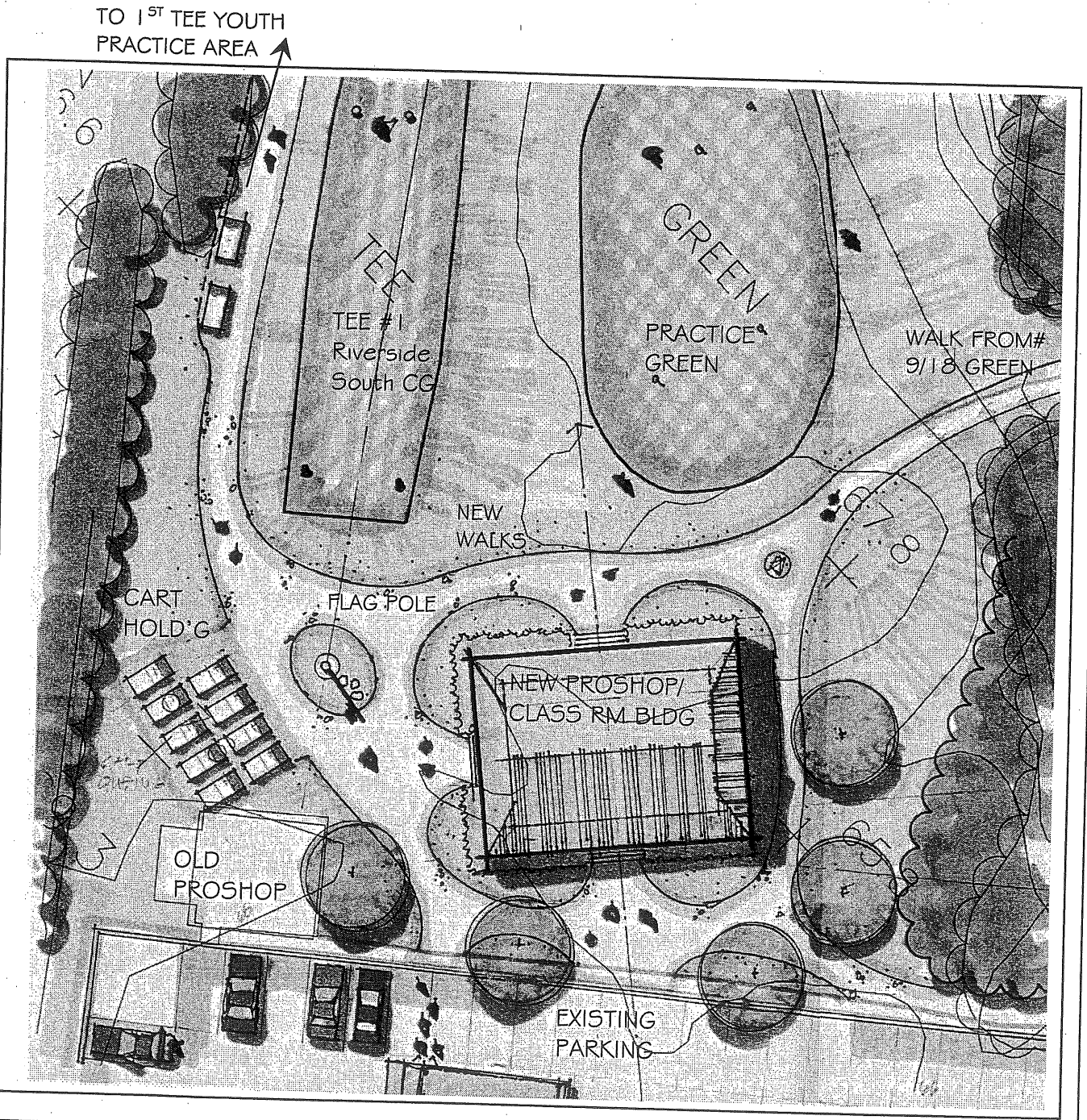
This project entails clearing approximately 7 acres of the wooded site in order to construct the practice golf course. On the master plan as well as the preceding plan, there will be some planting of materials to re-establish a buffer around the project.

The planting will consist of the following;

The property line abutting the easterly side of the project will have a row of arborvitaes so as to not interfere with sunlight for the golf course. The number will be approximately 25 with a height of 4-5 feet.

The remaining boundry lines and interior sections will have red pines and white birches 4-5 feet high and planted after the course has grown in. The quantity will be approximately 12 to 24 depending on the spacing available due to the restrictions from the planned under-drains, irrigation system, and undesirable shade to the golf course. The exact location will be evaluated and determined by the City's arborist and golf course superintendent.

REFERENCE:



Land Use Consultants, Inc.
966 RIVERSIDE ST
PORTLAND, ME 04103
207.878.3313

- PREPARED FOR:

The 1st Tee at Riverside Golf Course

- TITLE:

Prelim Site Plan
Class Room/ Proshop Building

- DATE: Sept 2005
- JOB NO: 4444

Exhibit CP-2

FILE COPY



·PROPOSED GOLF SHOP·
·MUNICIPAL GOLF COURSE·
·CITY OF PORTLAND PARK COMMISSION·

LEASE AND USE AGREEMENT

BY AND BETWEEN THE CITY OF PORTLAND

AND MAINE YOUTH GOLF FOUNDATION

This Agreement is made this 21st day of July, 2005 by and between the City of Portland, a body politic and corporate with a place of business at 389 Congress Street, Portland, Maine (hereinafter "City") and Maine Youth Golf Foundation, a Maine non-profit corporation with a registered office at c/o Donald Dion, 299 Ferry Road, Saco, Maine (hereinafter "MYG").

WHEREAS, City is the owner of a golf course facility known as the Riverside Golf Course (hereinafter "Golf Facility"); and

WHEREAS, MYG is a non-profit corporation that seeks to operate a program of golf instruction for youth at the Golf Facility, which program is known as The First Tee Program sponsored by the World Golf Foundation, Inc., located in St. Augustine, Florida;

WHEREAS, MYG seeks to operate The First Tee Program at Golf Facility and City is agreeable to such use;

NOW THEREFORE, in consideration of the mutual covenants and agreements contained below, the parties agree as follows:

1. Area to be Utilized. City shall lease to MYG, and MYG shall utilize the area shown on the plan attached hereto as Exhibit A incorporated herein by reference (hereinafter "Premises"), which area consists of approximately seven (7) acres.

2. Use.

(a) MYG shall use the Premises to conduct a program of life skills and golf instruction known as The First Tee Life Skills Experience. Said program shall serve youths from throughout the region between the ages of seven (7) and eighteen (18) years of age. The program shall provide instruction in proper techniques, etiquette, rules and technology of golf integrated with life skills character education related to the game. The program shall be approved by the Director of Parks and Recreation or her designee. At a minimum, City of Portland residents shall have priority access to the program, with non-resident participants having access when space is available. MYG shall establish fees for the program, to be reviewed by the Director of Parks and Recreation; City of Portland residents shall be provided access to the program at discounted rates from non-resident participants.

(b) The premises shall be used jointly with City, four holes for play, an independent free standing building that is approximately 30' x 44', a practice green, a practice area, and shared use of the existing parking lot.

(c) Limited retail activity shall be permitted upon the site, with approval of City's Director of Parks and Recreation.

(d) The free-standing building shall be used jointly by City and MYG. City shall occupy approximately 540 square feet of the building for use as a pro shop. The City will be responsible for fit up of the space it will utilize as a pro shop. City shall also be responsible for janitorial supplies and cleaning of the common area and pro shop, water and sewer charges for the complete building, and telephone, heat and electricity related to the pro shop operation. City shall further maintain casualty insurance on its interest in the building. Given MYG's programs for children, the City will not display advertising or promotions of alcohol or tobacco products in the pro shop.

3. Responsibilities of MYG for Construction and Permitting. MYG shall be responsible for constructing the improvements on the premises described in paragraph 2 (b) of this Agreement and contained on Exhibit B attached hereto, at its cost. Prior to construction, MYG shall obtain site plan approvals and any and all permits required to construct the improvements on the premises. The Director of Parks and Recreation or her designee shall approve all construction and signage prior to commencement of the construction improvements.

4. City's Responsibilities.

(a) City will maintain, repair, mow, fertilize, water, aerate and take care of pest control on the premises. Services shall be provided on a seasonable basis.

(b) City will be responsible for those expense items noted in paragraph 2 (d) of this Agreement.

(c) City will also provide four (4) rounds of golf per month on the south golf course only at discounted rates to graduates of The First Tee Program for the period of one year after graduation.

5. Term. The Lease Agreement shall commence upon the issuance of a building permit for the improvements noted in paragraph 2 (b) of this Agreement, and end July 21st., 2021 unless sooner terminated under the terms of this Agreement.

6. Lease Payments. In lieu of periodic lease payments, City agrees that the capital improvements and related expenditures made by MYG in improving the premises shall be considered its rental financial obligation to City. A list of the improvements to be made by MYG and the associated costs are attached hereto as Exhibit B and are incorporated herein by reference. Failure to complete the improvements without consent of City shall constitute a

default under the terms of this Agreement and may subject this Agreement to termination within the provisions of paragraph 11.

7. Operation of The First Tee Program. The program shall operate from the premises from April 1 to mid November of each year. The program's season shall be similar to the golf season at the Golf Facility. The hours of operation shall be from one and one half hours after sunrise to dusk, at the discretion of MYG.

8. Insurance. MYG shall obtain comprehensive general liability insurance in the minimum amount of $400,000 combined single limit covering bodily injury, death or property damage and shall name the City as additional insured thereon. A certificate evidencing such coverage shall be provided to City at commencement of the lease term. MYG shall also provide premises liability insurance for the premises.

9. Indemnification. To the extent allowed by law, each party shall defend, indemnify and hold harmless the other party and the other party's respective officers, agents, elected officials, employees, inhabitants and assigns, from and against any and all claims, demands, suits and judgments by or on behalf of any person or entity, arising out of the use or occupancy of the premises during the original term of this Lease or any extension or renewal hereof, including any holdover period. Without limiting the generality of this Article, each party expressly agrees to defend, indemnify and hold harmless the other from and against the following:

(a) Employee Claims. Claims of their respective employees or their estates for workplace-related injuries or death sustained on the premises during the course of such employees' employment, including subrogated claims of such employees' workers' compensation insurance carriers pursuant to 39-A M.R.S.A. §107, as amended.

(b) Other Claims. Claims of any person, entity or estate for personal injury, property damage, or death occurring on the premises during MYG's tenancy, including any holdover tenancy, or arising out of MYG's business operations on or off the premises.

(c) Noting contained herein shall constitute a waiver by City of any and all immunities and defenses provided by law to City, including, but not limited to the immunities and defenses provided by the Maine Tort Claims Act, 14 M.R.S.A. §8101 et seq.

10. Termination for Convenience.

(a) Either party may terminate this Agreement for convenience upon a one (1) year prior written notice to the other party.

(b) In the event the City decides to lease/transfer the premises, The First Tee shall have the ability to pursue its interest with the potential lessee/transferee of the premises.

11. Termination for Cause. This Agreement may be terminated for cause, including a default under the terms of this Agreement. In the event of a default, the defaulting party shall be given a written notice of the default and a reasonable opportunity to cure. In the event that the default is not cured within the time period prescribed, this Agreement shall terminate.

12. Property Disposition upon Termination or Expiration of Agreement. At the expiration of this Agreement, or termination as provided herein, all improvements made to premises by MYG shall remain on the premises and become property of City, with no further compensation to either party.

13. Miscellaneous. Neither party may assign its rights under the Agreement without the express written consent of the other party. This Agreement shall be governed by Maine law and binding upon and inure the benefit of City, MYG and their duly authorized successors and assigns. This Agreement shall not be modified or amended except by a writing signed by all parties. This Agreement constitutes the entire Agreement of the parties and supersedes all prior written and oral agreements and understandings related to the subject matter herein unless incorporated herein.

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed the day and date above written.

WITNESS:

CITY OF PORTLAND

By: _____
Joseph E. Gray, Jr.
Its City Manager

WITNESS

MAINE YOUTH GOLF FOUNDATION

By: _____
DONALD E. PILON
Print or Type Name
Its President

O:\OFFICE\CONTRACT\LEASE\MYG Lease Final 6.13.05.doc

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: SEP 18 2003

MAINE YOUTH GOLF FOUNDATION
C/O DONALD PILON
299 FERRY RD
SACO, ME 04072

Employer Identification Number:
86-1068354
DLN:
17053195001013
Contact Person:
PAUL D KERR
ID# 31104
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Foundation Status Classification:
509(a)(1)
Advance Ruling Period Begins:
April 28, 2003
Advance Ruling Period Ends:
December 31, 2007
Addendum Applies:
No

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in sections 509(a)(1) and 170(b)(1)(A)(vi).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make

a final determination of your foundation status.

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of $100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally $25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally $25,000 or less, and sign the return. Because you will be treated as a public charity for return filing purposes during your entire advance ruling period, you should file Form 990 for each year in your advance ruling period

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

Lois G. Lerner
Director, Exempt Organizations
Rulings and Agreements

Enclosure(s):
Form 872-C

Form **872-C**

Rev. September 1998)

Department of the Treasury
Internal Revenue Service

Consent Fixing Period of Limitation Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code

(See instructions on reverse side.)

OMB No. 1545-0056

To be used with Form 1023. Submit in duplicate.

Under section 6501(c)(4) of the Internal Revenue Code, and as part of a request filed with Form 1023 that the organization named below be treated as a publicly supported organization under section 170(b)(1)(A)(vi) or section 509(a)(2) during an advance ruling period,

MAINE YOUTH GOLF FOUNDATION
(Exact legal name of organization as shown in organizing document)
299 FERRY RD C/O DONALD PILON
SACO, ME 04072
(Number, street, city or town, state, and ZIP code)

and the District Director of Internal Revenue, or Assistant Commissioner (Employee Plans and Exempt Organizations)

consent and agree that the period for assessing tax (imposed under section 4940 of the Code) for any of the 5 tax years in the advance ruling period will extend 8 years, 4 months, and 15 days beyond the end of the first tax year.

However, if a notice of deficiency in tax for any of these years is sent to the organization before the period expires, the time for making an assessment will be further extended by the number of days the assessment is prohibited, plus 60 days.

Ending date of first tax year 12/31/2003
(Month, day, and year)

Name of organization (as shown in organizing document)	Date
MAINE YOUTH GOLF FOUNDATION	6/30/03
Officer or trustee having authority to sign Signature ▶ Donald Pilon	Type or print name and title DONALD PILON, PRES
For IRS use only	
District Director or Assistant Commissioner (Employee Plans and Exempt Organizations) Lois G. Lerner Director, Exempt Organizations Rulings and Agreements	Date 9/18/03
By ▶ Peggy Combs Group Manager	

For Paperwork Reduction Act Notice, see page 7 of the Form 1023 Instructions.

8134 2.000

Form **872-C**

(Rev. September 1998)

Department of the Treasury
Internal Revenue Service

Consent Fixing Period of Limitation Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code

(See instructions on reverse side.)

OMB No. 1545-0056

To be used with Form 1023. Submit in duplicate.

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MAINE YOUTH GOLF FOUNDATION
(Exact legal name of organization as shown in organizing document)

299 FERRY RD C/O DONALD PILON
SACO, ME 04072
(Number, street, city or town, state, and ZIP code)

and the District Director of Internal Revenue, or Assistant Commissioner (Employee Plans and Exempt Organizations)

consent and agree that the period for assessing tax (imposed under section 4940 of the Code) for any of the 5 tax years in the advance ruling period will extend 8 years, 4 months, and 15 days beyond the end of the first tax year.

However, if a notice of deficiency in tax for any of these years is sent to the organization before the period expires, the time for making an assessment will be further extended by the number of days the assessment is prohibited, plus 60 days.

Ending date of first tax year 12/31/2003
(Month, day, and year)

Name of organization (as shown in organizing document)	Date
MAINE YOUTH GOLF FOUNDATION	6/30/03
Officer or trustee having authority to sign Signature ▶ Donald Pilon	Type or print name and title DONALD PILON, PRES

For IRS use only

District Director or Assistant Commissioner (Employee Plans and Exempt Organizations)	Date
Lois G. Lerner — Director, Exempt Organizations Rulings and Agreements	9/18/03
By ▶ Peggy Combs — Group Manager	

For Paperwork Reduction Act Notice, see page 7 of the Form 1023 Instructions.

SA

W8134 2.000

United States Golf Association
1631 Mesa Ave., Suite D, Colorado Springs, CO 80906
T 719 471-4810 F 719 471-4976
www.usga.org

Grants Initiative
Fellowship Program

May 15, 2006

Mr. Don Pilon
President
Maine Youth Golf Foundation, Inc.
1158 Riverside St.
Portland, ME 04103

Dear Mr. Pilon:

It is a pleasure to inform you that the United States Golf Association, Inc. (hereinafter USGA) has awarded a one-year grant in the amount of $40,000 to the Maine Youth Golf Foundation, Inc. (hereinafter MYGF) for the construction of The First Tee of Maine short course.

We understand the overall goals are those stated in the grant request from MYGF dated January 1, 2006, which are incorporated by reference herein. Enclosed with this letter is a copy of the Executive Summary and Budget forms from which the Grants Committee based their decision as to your award. Your organization will be expected to operate in a manner consistent with the project structure as described and the budget numbers as delineated as much as possible.

USGA grant funds are restricted to tee and greens construction and irrigation as described in your application.

The USGA is interested in discussing appropriate recognition opportunities in conjunction with this gift. Payment of this grant is contingent on representatives of MYGF having determined appropriate recognition opportunities with USGA staff members.

Payment of this grant is also contingent upon all construction financing being in place, groundbreaking for the project having occurred, and ownership of the land on which the construction is to occur having been verified (or a proper lease and/or user agreement demonstrated to be in place). To verify that these contingencies have been met, the authorized representative of MYGF should send the following to the USGA for approval: 1) a final budget for the project, including a summary of all revenue received by MYGF for the project; 2) written correspondence that groundbreaking has occurred; and 3) documents verifying ownership, a long-term lease (15-year minimum), and/or a user agreement that would guarantee that this project is under the full control of the organization receiving the grant award and will remain in control of this project and the intended purposes of this award for the long-term.

Furthermore, payment of this grant is contingent on the attached General Grant Terms and Conditions. Please read this document carefully. Your Chief Executive Officer or other authorized representative must sign on behalf of your organization, that person acknowledging and accepting responsibility for the grant and all associated terms and conditions. Return one copy of the signed General Grant Terms and Conditions to the USGA Grants Office as soon as possible.

The period of the grant is from the date of this letter to May 31, 2007. Please note the requirement that the enclosed Final Report and, if possible, before and after photos of the project, be returned to this office not later than June 15, 2007. Please understand that non-compliance with any conditions or terms of this grant, including those described in this award letter, may jeopardize this award and /or may require the return of some or all of the funds provided.

Any changes to or deviations from the terms of this grant award letter or accompanying General Grant Terms and Conditions must receive prior, written approval from the USGA. It is imperative that you maintain frequent communication with the USGA Fellow assigned to your grant, and fully disclose any potential changes in the project or other grant terms. Any USGA grant funds not used as specified during the grant period should be returned promptly to the USGA.

Please be aware that the end of this grant period has no bearing on application deadlines for future grant requests. It is the responsibility of the applicant to be aware of these deadlines.

The USGA extends its best wishes for success with this venture.

Sincerely,

James T. Bunch
Chairman, Grants Committee

Steve Czarnecki
Manager, Grants & Fellowship

Kate Coakley
USGA Fellow

Enclosures:
General Grant Terms & Conditions (2 copies – one to be returned to USGA)
Discounted Golf Clubs and Bags memo
Information Regarding Rules of Amateur Status
"Flag and Banner" memo
Final Report (to be returned to USGA by June 15, 2007)
Executive Summary
Budget forms
USGA Publications Offer (to be returned to USGA)
Communications Tool Kit/Fundraising Guide CD

EXHIBIT 8

PROJECT PERSONNEL DESCRIPTION

Applicant

Maine Youth Golf Foundation, Inc.
Dba First Tee of Maine
1158 Riverside Street
Portland, Maine 04103

Architect

Grant Hays Associates
Architecture Interior Design
PO Box 6179
Falmouth, Maine 04105
(207) 871-9308

Land Planning, Engineering, Permitting

Land Use Consultants, Inc.
966 Riverside Street
Portland, Maine 04103
(207) 878-3313

Golf Course Design

Cornish Silva and Mungeam, Inc.
Golf Course Architecture
207 North Main Street
Uxbridge, MA 01569
(508) 278-3407

Abutters List
Maine Youth Golf Foundation
The First Tee of Maine at Riverside Municipal Golf Course

Spectrum Printing & Graphics, Inc.
Owners:Alexander McCulloch, Michael Fournier
1000 Riverside Street
Portland, Maine 04103
Telephone (207) 797-6063

Bellino & Grosso Plumbing & Heating
Owners: Bob Grosso, John Bellino
980 Riverside Street
Portland, Maine 04103
Telephone (207) 878-2087

Land Use Consultants, Inc.
Owner: Blackstrap Associates, David Haynes, Dave Kamila
966 Riverside Street
Portland, Maine 04103
Telephone (207) 878-3313

Folage Consultant LLC. Tenant Orkin
Owners: Jack Johnson
P.O. Box 103
Slingerlands, NY 12159
(207) 878-0043

Stormwater Management Report

FIRST TEE OF MAINE
AT RIVERSIDE MUNICIPAL GOLF COURSE
1158 RIVERSIDE STREET
PORTLAND, MAINE

Prepared for:

Maine Youth Golf Foundation, Inc.
Portland, Maine

Prepared by:

Land Use Consultants, Inc.
966 Riverside Street
Portland, Maine 04103
(207) 878-3313

August 2006

Land Use Consultants Inc.

planners
engineers
landscape
architects

David A. Kamila PE
Frederic J. Licht PE
Thomas N. Emery RLA
J. David Haynes RLA

STORMWATER MANAGEMENT REPORT
FIRST TEE OF MAINE
PORTLAND, MAINE

GENERAL

The applicant Maine Youth Golf Foundation, Inc., a.k.a. The First Tee of Maine, is a non profit company located in Portland who provides education and training to underprivileged youth through leadership training and instructional golf lessons.

The subject property is a 7.3 ± acre portion of a much larger parcel owned by the City of Portland currently occupied by Riverside Municipal Golf Course and Waste Transfer Facility. The proposal is for a new 7 acre ± golf practice facility and removal of existing golf shanty to be replaced by a new 2000 sf± clubhouse and educational training facility as shown on the attached Plans.

EXISTING SITE CHARACTERISTICS

The subject property is situated on the westerly side of Riverside Street adjacent to the Riverside South (9-hole) Municipal Golf Course and City's Transfer Station. This site encompasses two separate areas of proposed construction. The first area which includes the least amount of disturbance is the existing and proposed Clubhouse Area (0.5 acres). The second area includes the majority of the disturbance activities for the proposed 1st Tee 3-hole golf course practice/ learning center area (7.3 acres). The Clubhouse site and existing parking area is situated along Riverside Street and currently contains one small building – the Riverside South Golf Course Proshop.

The clubhouse site abuts the second hole and first hole of the Riverside South Municipal Golf Course, to the west and north respectively. The proposed golf practice area abuts the City's Transfer Station and an existing light manufacturing facility and is adjacent to the first fairway of the existing golf course. The location of the facility is shown on the USGS quadrangle Locus map in Exhibit 1.

The existing topography of the site is very regular with moderate slopes throughout the site. Drainage from the clubhouse site will preserve the existing drainage patterns. Underdrains and field inlets will be used to collect runoff from areas which form low pockets. Runoff from the clubhouse will drain to a small proposed wet pond to meet the Stormwater Law BMP standards for treatment of impervious areas. The practice golf course will alter the existing topography in order to properly shape and contour the golf areas, but will be designed to essentially drain internally to the extent practicable and

966 RIVERSIDE STREET
PORTLAND, MAINE 04103

voice (207) 878 · 3313
fax (207) 878 · 0201
email: landuse@landuseinc.net

collect the runoff from the golf holes in the proposed wet pond adjacent to the third practice tee. This runoff will be released to a stable drainage swale which currently receives runoff from the outlet of the retention pond behind the waste transfer facility. The existing drainage patterns will be effectively preserved for the area which discharges directly to the Presumpscot River.

DESIGN CRITERIA AND REFERENCES

The development qualifies for a stormwater permit as a result of the total area of disturbance exceeding one acre. Although there will be significantly less than one acre of impervious area created by the development (9,000 sf±) it will create more than 5 acres of disturbance and therefore will not be eligible for a stormwater Permit-By-Rule. The project is located on a very large existing parcel owned by the City of Portland and is a longstanding parcel which is not subject, to date, to Site Location of Development Standards. Since this is not a Site Law project or an amendment, it does not have to meet the flooding standard of the Stormwater Law. This project is required to meet the BMP standards of the General standards. Because of the low impact development and the proximity of the project directly discharging to the Presumpscot River, the applicant is requesting a waiver of the local stormwater quantity or detention standards from the City of Portland Codes. In addition, since the golf course area will discharge directly to the river, the applicant is also requesting a waiver of the channel protection portion of the BMP standards. The applicant is proposing a basic wet pond design for each of the development locations and will provide the pool volume for treatment of runoff but, as a result of the waiver request, will not provide the filtered outlet or the underdrained overflow above the permanent pool volume. There are no known streams or protected resources receiving runoff from the site prior to discharge into the river. The primary discharge courses from both locations are manmade drainage ditches and swales which convey the runoff to the river.

The golf course practice area will create approximately 7.3 acres of disturbance involving the clearing of wooded areas which will be revegetated as grass and meadow. The site is graded to capture and treat at least 5.9 acres of the disturbed area, or about 81% of the total disturbed area. There will be no impervious area created for the golf course practice area. The volume of runoff required to be treated using a wet pond, therefore, is 0.6 inches x 7.3 acres = 16,000 CF ±. The applicant is requesting a waiver for the detention volume above the wet pond permanent pool and the underdrained outlet since the pond will discharge directly to the Presumpscot River. Detention is not proposed at this site since the applicant is requesting a waiver of the local standards for runoff quantity from the City of Portland. The pond will also serve as a golf course feature and water hazard.

The proposed clubhouse area will also drain to a proposed wet pond. There is no vegetated developed area to be treated from this site. The existing conditions in the vicinity of the existing clubhouse are predominantly lawn and turf areas. Except for the areas to be paved or impervious all of the disturbed areas will be returned to the original vegetative condition and are not considered developed area. There will be approximately 9000 sf of impervious areas associated with the new building and paths. The volume of

runoff required to be treated using a wet pond, therefore, is 1.5 inches x 9,000 sf = 1,125 CF ±. The design and grading of the clubhouse site captures all of the impervious area into the proposed wet pond except for approximately 520 sf which drains to the existing pavement and drainage swale. This represents approximately 94% of the total impervious area. This calculation does not include deductions for the removal or redevelopment of existing impervious areas and therefore effectively meets the 95% requirement for treating new impervious areas. The applicant is requesting a waiver for the detention volume above the wet pond permanent pool and the underdrained outlet since the pond will discharge directly to the Presumpscot River. Detention is not proposed at this site since the applicant is requesting a waiver of the local standards for runoff quantity from the City of Portland.

The stormwater analysis and BMP design of this project is based upon sound engineering and conservation practices such as those specified in the SCS TR-20 methodology, The Maine Erosion and Sedimentation Control BMP's Manual, Stormwater Management for Maine, Best Management Practices and the requirements of the City of Portland.

Reference should be made to the Engineering Drawings, for more detailed information regarding site design, utility designs, grading and drainage.

The applicant proposes to control post-development runoff from the site by contouring the site to drain inward, providing wide vegetated drainage swales and adding field inlets to collect runoff from the developed areas. A predevelopment and post development analysis was not performed since detention is not proposed. Pond volumes for water quality treatment were determined based upon the wet pond BMP requirements and standards.

Additionally, an NRPA Application will not be required for activities involving freshwater wetlands since the wetlands fills are well below the exemption threshold of 4,300 sf. The total wetland impacts and fill required for the project is approximately 731 sf, which occurs to a small wetland finger near the outlet of pond #1.

STORMWATER QUALITY BEST MANAGEMENT PRACTICES

The proposed development includes two areas of development totaling 7.8 acres of disturbance including 0.21 acres of impervious area and is required to meet the standards of the Maine Stormwater Management Law pursuant to 38 M.R.S.A. § 420-D.1, *Standards*, and Chapter 500 for stormwater quality. The stormwater management system has been designed to collect more than 95% of the runoff from the impervious areas and at least 80% of the developed area and direct it to the wet ponds. The wet pond volume has been sized using the new DEP Stormwater Design Standards. A waiver of the channel protection volume has been requested based on the projects proximity and direct drainage to the Presumpscot River.

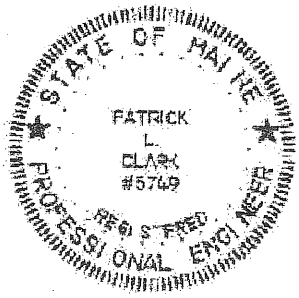
SUMMARY AND CONCLUSION

LUC

The proposed First Tee of Maine project has been designed with a stormwater management system that drains to proposed wet ponds for treatment and from there drains directly to the Presumpscot River. The applicant is requesting a waiver from the city standards for stormwater detention and is not required to meet quantity standards for the Stormwater Law Permit. The project has been designed to include stormwater quality BMPs to meet the DEP'S Stormwater Law General Standards. With the stormwater BMPs and erosion controls incorporated into the project downstream degradation and downstream flooding is not anticipated due to the construction of this project.

Prepared By

Patrick L. Clark, PE, CPESC
Senior Project Engineer





Erosion & Sedimentation Control Report

FIRST TEE OF MAINE

At riverside Municipal Golf Course

1158 Riverside street

Portland, Maine

Prepared for:

Maine Youth golf Foundation, Inc.
Portland, Maine

Prepared by:

Land Use Consultants, Inc.
966 Riverside Street
Portland, Maine 04103
(207) 878-3313

August 2006

Land Use Consultants Inc.

David A. Kamila PE
Frederic J. Licht PE
Thomas N. Emery RLA
J. David Haynes RLA

planners
engineers
landscape
architects

EROSION AND SEDIMENTATION CONTROL PLAN
1ST TEE OF MAINE, INC
RIVERSIDE MUNICIPAL GOLF COURSE
PORTLAND, MAINE

Prepared by
LAND USE CONSULTANTS, Inc.
966 Riverside Street
Portland, Maine

The following plan has been developed to provide a strategy for controlling sedimentation and erosion from this project during and after construction of walkways, cart paths, buildings, utilities, landscaping and other site work and improvements. This plan is based upon sound conservation practices such as those outlined in the *Maine Erosion and Sediment Control, BMP Manual,* by the Maine Department of Environmental Protection, dated March, 2003 (or current version). It is not the intent of this document to supercede project Specifications, Drawings or other Contract Documents issued for this project which the Contractor shall also be responsible for. Please refer to these sources and the Erosion Control Drawings and Details included within the Drawing Set for more detailed information.

1.00 INTRODUCTION

The study property is situated on the westerly side of Riverside Street adjacent to the Riverside South (9-hole) Municipal Golf Course and City's Transfer Station. This site encompasses two separate building areas: The existing and proposed Clubhouse Area (.35 acres) and the 1st Tee 3-hole golf course practice/ learning center area (8.3 acres). The Clubhouse site includes about 200ft of frontage along Riverside Street. The property currently contains one building – the Riverside South Golf Course Proshop.

The western and northern boundaries of the site abut the second hole and first hole of the Riverside South Municipal Golf Course, respectively. The southern boundary abuts the City's Transfer Station and the easterly boundary borders an existing light manufacturing facility. The location of the facility is shown on the USGS quadrangle map in Figure 1.

Land Use Consultants, Inc. has also prepared Layout and Grading Plans for the new building site, and an Erosion Control Drawing for the 3-hole

966 RIVERSIDE STREET
PORTLAND, MAINE 04103

voice (207) 878 · 3313
fax (207) 878 · 0201
email: landuse@landuseinc.net

golf practice course. The accompanying Drawings for The 1st Tee of Maine Development illustrate the project scope, locations and methods of erosion control practices and measures required for this project.

1.01 **Stormwater Management Measures** – Additional measures may be required to protect existing and new stormwater conveyance or management systems. It is very important to protect new and existing storm sewers with special measures such as drop inlet sediment barriers, sediment traps or similar measures to prevent sediment from entering conveyance systems and being transported long distances or to off-site locations.

1.02 **Additional Permits** – All work requiring additional permits, including local permits from DEP, NRPA, or municipalities, shall be performed in accordance with all applicable standards therein.

2.00 CONSTRUCTION CALENDAR

2.01 **General** – Construction of the project is expected to begin immediately after obtaining all approvals and permits. The projected schedule is as follows:

GOLF PRACTICE FACILITY	
Lot Clearing	**March 15 to April 15, 2006**
Grubbing and Stumping	**April 1 to April 30, 2006**
Shaping, irrigation Course	**May 1 to May 30, 2006**
Finish Work and Seed	**June 1 to June 7, 2006**
Grow-in	**June 8 to Sept 1, 2006**
1ST TEE & PROSHOP BUILDING	
New Building Construction	**Spring - Fall 2006.**

It is likely that the construction will begin spring of 2006 and will be completed by fall 2006. However, unanticipated delays, scheduling problems or weather conditions may significantly alter these dates. The Contractor should give special attention to the sections pertaining to **fall** and **winter** construction as well as to sensitive areas and requirements for temporary seeding, dormant seeding and mulching.

2.02 **Definitions** – The following definitions are terms commonly used throughout this report.

2.02.a Seasons - The following dates define the seasons as referred to herein:

Seasons	Dates*
Winter	November 1st to March 15th
Mud-Season	March 16th to April 30th *
Spring	May 1st to June 14th *
Summer	June 15th to September 15th *
Fall	September 16th to October 31st

*Seasonal dates may vary according to weather. The Engineer or DEP must approve any changes in these dates.

2.02.b Erosion & Sedimentation Controls - are defined as the installation of silt fence, sedimentation barriers, hay bales, erosion control berms, rip-rap, mulching, or erosion control matting or netting, check dams, inlet protection, construction entrances, diversions, level spreaders, sedimentation ponds, temporary risers or filters, and any other temporary or permanent measures required herein.

2.02.c Clearing - includes cutting and removing of over-story vegetative cover. It does not include grubbing. Limited cutting, thinning, use of heavy equipment and other clearing restrictions may apply to sensitive areas and wetland crossings.

2.02.d Grubbing - is the removal of grass, roots and scrub required to begin earthwork.

2.02.e Interim Period - a period of time that an unvegetated area sits unworked, awaiting the next phase of work.

2.02.f Earthwork - consists of the movement of soil by mechanical means including excavation, filling, grading, trenching, and shaping and pond construction.

2.02.g Temporary - as used herein shall refer to the use or placement of erosion or sedimentation controls, seeding or other measures intended to be either removed, replaced, reworked, reseeded, or followed with permanent measures.

2.02.h Permanent or Final - as used herein shall refer to the use or placement of erosion or sedimentation controls, seeding or

other measures, which will remain through final project completion.

2.02.i Acceptance – as used herein shall mean verification by Owner and/or Engineer that the specific erosion control measure or device to be accepted is adequately constructed, performs satisfactorily as intended and is complete. Acceptance of a measure or device by Owner or Engineer shall be based upon visual observations and inspection and is not a warranty of compliance, compaction, structural integrity, workmanship or other construction related or qualitative factors which may require testing or other means of certification of compliance.

2.02.j Engineer – as used herein shall mean a representative of Land Use Consultants, Inc. and/or an engineer, representative or inspector designated by DEP, Architect, or person designated by Owner as the Construction Site Engineer.

2.03 **Schedule of Activities** – The following activities, erosion control measures, or other items are required for the construction of this project or require specific measures or scheduling of activities to be conducted or restricted during the various construction seasons as herein defined above.

2.03.a Erosion & Sedimentation Controls Installation - erosion control installation may occur all year long, except that such measures shall be installed prior to commencement of disturbance activities related to each erosion control measure. However, to the extent practical, erosion control measures should be installed during summer or fall in advance of construction anticipated or scheduled in the winter and mud season. See Drawings and Details for locations and installation procedures.

2.03.b Clearing - clearing may occur all year long except during "mud season".

2.03.c Driveway/ cart paths - This construction may occur in the spring, summer and fall seasons. It may be allowed in the winter season. However, the winter construction schedule must be followed.

3.00 EROSION CONTROL MEASURES

3.01 **General** – The construction of this project may require or incorporate the following measures or practices as needed or applicable. Such measures, where indicated on Drawings shall be implemented as shown or required herein. Additional measures not shown on Drawings may be required as specified herein or requested by the Engineer, as needed, in order to ensure the protection of resources or off-site properties.

3.01.a Silt Fence - shall be installed along the contours in the locations and as detailed on the Drawings. Silt fence may be required in additional or other locations, not indicated on Drawings, as warranted or determined by field conditions or as directed by Engineer. Silt fence may also be required in addition to straw bales or other measures in sensitive areas as shown on Drawings. Where staking and embedding fabric is impractical due to excessive roots, ledge, or other construction hazards, silt fence may be substituted with erosion control mix berms or placement of six inches of crushed gravel along fabric flap on upslope side of fence, in lieu of burying fabric in trench, only where approved by Engineer.

3.01.b Storm Drain Inlet Protection – Temporary storm drain drop inlet or curb inlet barriers shall be used on all storm drain inlets unless otherwise indicated on Drawings to prevent sediment from entering the storm drain system during construction. The intent is to provide a continuous sediment filter around the storm drain inlets. The filter may be constructed of silt fence, crushed stone, gravel, concrete blocks, hay bales, geotextiles or other proprietary products as detailed on the Drawings.

3.01.c Erosion Control Mix - Sediment Barrier - shall be installed along the contours in the locations and as detailed on the Drawings. Sedimentation barriers may be required in additional or other locations, not indicated on Drawings, as warranted or determined by field conditions or as directed by Engineer.

3.01.d Mulching - shall consist of spreading of straw (or hay) mulch over bare or disturbed areas. It shall be applied at the rates described herein. It will be substituted by matting where necessary or as specified herein. Alternate mulch materials or

methods such as hydro seeding may be used only when approved by the Engineer. Mulching shall be substituted with matting in locations where it has proven to be ineffective in the field. Mulching rates shall be doubled where requested by Engineer based on observations in the field or in locations undergoing winter construction.

3.01.e Construction Entrance - A crushed stone-stabilized construction entrance will be installed wherever construction traffic will enter the public road system. The size, type and locations of these shall be as shown and detailed in the Drawings. Entrances shall be constructed with a 6-inch minimum layer of 2 inch crushed stone. Stone entrance shall be placed on geotextile fabric and shall include a 10-foot x 10 foot taper on both sides of the entrance to allow for turning vehicles.

3.01.f Dust Control – Contractor shall take necessary steps to prevent blowing and airborne movement of dust from exposed soil surfaces. Maintaining natural or temporary vegetation and or mulching shall be used where practical. Mechanical sweepers or washing of pavement shall be used where necessary to prevent and remove dust buildup on paved surfaces. All exposed soil surfaces shall be maintained to minimize dust by periodically moistening bare areas with adequate water to prevent dust. Calcium Chloride solution spray should be used in areas experiencing significant dust problems and to reduce frequency of watering. Repetitive treatment shall be applied as necessary to accomplish adequate dust control (refer to Section B-5 Dust Control in the *Maine Erosion and Sediment Control, BMP Manual,*)

4.00 EROSION CONTROL EXECUTION

4.01 **General Construction Phase** - The following general practices will be used to prevent erosion during construction of this project. Refer to Drawings and Details for applications, locations and installation methods. If Contractor is unclear regarding the use, location, installation, intended performance or maintenance of any prescribed erosion control measures, Contractor shall refer to the *"Maine Erosion and Sediment Control Best Management Practices"* (BMP) Manual for detailed procedures or contact Engineer for assistance.

NOTE: Locations of silt fence/sediment barriers are shown on Drawings for general purposes only to indicate the intent. Final locations should be modified based on actual field conditions and as site conditions warrant. Such field changes or modifications shall be approved by the Engineer.

4.01.a Following clearing only those areas under active construction shall be left in an untreated or unvegetated condition.

4.01.b Erosion Control Installation - Prior to the start of construction, silt fence, stabilized construction entrances, inlet protection, or other appropriate measures, shall be installed adjacent to construction areas, around catch basins, at the toe of slopes and in areas as shown on Drawings, or as otherwise required to protect against any construction related erosion.

4.01.c Topsoil will be mixed off and stockpiled off-site at the Municipal Transfer Station property and temporarily stockpiled on-site when necessary in areas that have minimum potential for erosion, such as flat slopes or on-site borrow pits, and will be kept as far as possible from existing drainage areas. All stockpiles expected to remain longer than 15 days shall be:

4.01.c.i Encircled with haybales or silt fence at the down gradient sides of the stockpile.

4.01.c.ii Mulched with a second application of hay mulch and anchored with biodegradable netting if expected to remain over winter or beyond October 15th.

4.01.d Temporary Seeding and Mulching Schedule - During construction, all disturbed areas shall adhere to the schedules specified in TABLE 1 and SEEDING SCHEDULE below: (Note: refer to Section 4.02-Permanent Seeding and Mulching Plan for permanent seeding and mulching requirements.)

4.01.d.i The Contractor shall be responsible for monitoring daily weather reports when working in the identified sensitive areas and for monitoring weekly reports in other areas. Contractor shall adjust the work schedule in anticipation of rains and shall stabilize the site as indicated or required.

4.01.d.ii All completed areas that have been loamed and/or finish graded shall be permanently revegetated in accordance with Section 4.02-Permanent Seeding and Mulching Plan.

4.01.d.iii Temporary mulching and/or seeding shall commence immediately following initial fine grading of any area expected to remain bare for an interim period of more than 15 days (7 days for sensitive and -*critical areas). Stabilization or seeding requirements shall be determined in accordance with TABLE 1 and shall be implemented at the beginning of the expected interim period. In no case shall any bare areas remain untreated for more than 15 days (7 days for sensitive and critical areas).

4.01.d.iv Mulch application rate shall be doubled during winter construction. Where practicable mulch should be applied at the end of each days work for areas that have been fine graded or if snow is predicted or eminent. In no case shall any areas be left bare for more than 7 days.

4.01.d.v Permanent seeding shall not be attempted during the fall or winter seasons (after September 15th) unless otherwise approved by Engineer. Should seeding be approved by Engineer during winter season, the Contractor shall follow procedures for dormant seeding. Refer to Section 4.02-Permanent Seeding and Mulching Plan for dormant seeding requirements. However, vegetation must be inspected and reseeded by Contractor as necessary in the following Spring (April 15th) to ensure good vegetative cover. Acceptance of dormant seeding shall not occur until after May 1, in the following spring.

4.01.d.vi Temporary seeding and mulch shall be inspected and maintained or repaired weekly. At a minimum, 75% of the soil surface should be covered by vegetation. If any evidence of erosion or sedimentation is apparent, repairs shall be made and other temporary measures used in the interim (mulch, filter barriers, check dams, etc.). Mulch shall be reapplied as necessary to completely cover soil.

TABLE 1		
Maximum Expected Interim Period* - (Days)	Temporary Mulching (Hay)	Temporary Seeding
0-15 (0-7)	None	None
15-45 (7-21)	2-bales/1000 sq.ft.	None
45-60 (21-30)	2-bales/1000 sq.ft.	(Per temporary seeding schedule)
More than 7 days during winter season	2-bales/1000 sq.ft.	Dormant seeding only
* Values in parentheses indicates interim period for sensitive & critical areas. ** Mulch application rates shall be doubled for winter construction		

TEMPORARY SEEDING SCHEDULE			
Seed	Seeding Rate (Lbs/1000 sq. ft.)	Seeding Depth (Inches)	Recommended Seeding Dates
Annual Rye Grass	0.9	1/4	4/1 to 7/1
Sudan Grass	0.9	1/2	7/1 to 8/15
Perennial Rye Grass	1.8	1/4	8/15 to 9/15
Winter Rye Grass	2.6	1	9/15 to 10/15
Dormant Seeding 50% Winter Rye 50% Annual Rye	3.5 (2.6) (0.9)	1	10/15 to 3/31

4.01.e Grading All finish-graded areas shall be stabilized with permanent seeding and mulching immediately after final grading is complete. If final grading will not be completed immediately, refer to the Temporary Seeding and Mulching Schedule. It is understood that immediately means within 5 days of the completion of work. Refer to Section 4.02-Permanent Seeding and Mulching Plan, herein. See Contract Specifications for additional, more specific, permanent seeding requirements.

4.01.f Construction traffic - will be directed over the stabilized construction entrances. Any areas subject to rutting will be stabilized immediately. The crushed stone construction entrances shall be maintained by the addition of more crushed

stone as needed as the voids become filled. The public roadway shall be swept daily should mud be tracked onto it.

4.01.g Monitoring Schedule - The Contractor shall be responsible for installing, monitoring, maintaining, repairing, replacing and/or removing all of the temporary erosion and sedimentation controls as specified herein or directed by the Engineer. All applicable requirements for maintenance, monitoring, repairs, reporting, record keeping, inspections and conditions of approval for DEP Stormwater Permit shall be the responsibility of the Owner/ Applicant including permit recertification in accordance with Chapter 500, Stormwater Management Rules, Section 10.

4.01.g.i Maintenance measures will be performed as needed during the entire construction cycle. After each rainfall, and *prior to* predicted significant rainfall events (> 1"), a visual erosion controls inspection will be made by the Contractor to insure their continuing function as designed.

4.01.g.ii Silt fence and mulch shall be inspected and repaired once a week or immediately following any significant rainfall. Sediment trapped behind these barriers shall be removed when it reaches a depth of 6 inches and redistributed to areas undergoing final grading.

4.01.g.iii Water quality inlets and catch basin sumps shall be inspected and maintained at scheduled one-month intervals. The sediments shall be removed once it attains a depth of 6 inches.

4.01.g.iv Near completion of the construction and after the site is revegetated and stabile, the Contractor shall inspect, clean, maintain, and repair storm drains prior to acceptance by the Owner.

4.02 **Permanent Seeding and Mulching Plan** - The following general practices will be used to re-establish final vegetation.

4.02.a Loaming - A minimum of 6 inches (unless otherwise specified) of loam will be spread over disturbed areas and graded to a uniform depth and a natural appearance. All loam shall be as specified or approved by the Engineer.

4.02.b Final Seeding: - All final seeding shall be completed immediately (within 7 days) following final grading. All final fertilizing and seeding shall adhere to the Specifications unless otherwise approved by the Engineer. Refer to Specification Section 02930.

4.02.c Mulching: - All areas shall be mulched immediately after seeding. Immediately upon first signs of any evidence of significant erosion occurring, Contractor shall repair and mulch all such areas until area is stabilized. Mulching shall consist of hay mulch, hydro-mulch or any suitable substitute deemed acceptable by the Engineer.

4.02.c.i Straw mulch shall be applied at the rate of 2 tons per acre (90 lbs. or 2 bales/1,000 sq. ft.) unless otherwise specified.

4.02.c.ii Hydro-mulch shall consist of a mixture of asphalt, wood fiber or paper fiber and water sprayed over a seeded area. Hydro-mulch shall not be used during the fall, winter or mud season.

4.02.c.iii Mulching shall be monitored according to the monitoring schedule (Section 4.01.j). Should mulching prove to be ineffective, then netting or matting shall be used in its place.

4.02.d Dormant Seeding: - Construction shall be planned to eliminate the need for seeding during the fall, winter or mud season. Dormant seeding shall not be used unless approved by Engineer. Should seeding be necessary between these dates, the following procedure shall be followed:

4.02.d.i Only unfrozen loam shall be used.

4.02.d.ii Loaming, seeding and mulching will not be done over snow cover. If snow exists, it must be removed prior to placement of seed.

4.02.d.iii No permanent seeding will be done during fall, winter or mud season unless specifically approved by the Engineer. If attempted, the normal seed application rate shall be doubled. Reseeding in spring by Contractor will be required in all areas with insufficient growth.

4.02.d.iv Where temporary seeding is required, the rates specified in the Temporary Seeding and Mulching Schedule shall be adhered.

4.02.d.v Fertilizing, seeding and mulching shall be done on loam the same day the loam is spread. Winter mulch rates shall apply as specified in the temporary seeding and mulching schedule.

4.03 **Erosion Control Removal** – Removal of temporary erosion control measures shall be the responsibility of the Contractor. All erosion controls shall remain in place and maintained by the Contractor until all related construction is complete and the area is stable.

4.03.a An area is considered stable if:

4.03.a.i An 80% cover of grass has been established.

4.03.a.ii It is paved.

4.03.b Sediment barriers and silt fence shall be removed once the areas upstream are stable. The sediment barriers and silt fence shall be disposed of legally and properly off-site. All sediment trapped behind these controls shall be:

4.03.b.i Distributed to an area undergoing final grading.

4.03.b.ii Graded in an aesthetic manner to conform to the topography, and fertilized, seeded and mulched in accordance with the rates previously stated.

5.00 CONCLUSION

5.01 The 1st Tee 3-hole Practice facility and the new Clubhouse-Proshop building site if constructed in conformance with the project Drawings and the Erosion and Sedimentation Control Report, herein, should not result in any significant erosion or sedimentation either on or off the site.

Prepared by:

Patrick L. Clark, PE
Senior Civil Engineer

Thomas N. Emery, RLA
VP Landscape Architecture and Planning

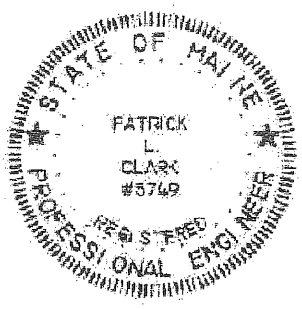




Exhibit 12

Pond Specifications and Maintenance Plan

FIRST TEE OF MAINE
WET POND EMBANKMENT SPECIFICATIONS

EARTH DAMS

PART 1 - GENERAL

1.01 GENERAL PROVISIONS:

A. The "Standard Specifications" referred to herein is the book entitled *"State of Maine Department of Transportation Standard Specifications" Revision of December 2002* as supplemented, excluding the following portions thereof:

Those Sections of the aforementioned Standard Specifications, which are cited herein, are applicable to the Work of this Contract as they may be modified, amplified or added to by this Section.

B. Reference is made to the latest Erosion Control Report and Drawings for this project. Strict adherence to Drawings and erosion control requirements and Specifications is required in order to prevent adverse downstream impacts from Erosion and Sedimentation, originating from on-site construction activity.

1.02 DESCRIPTION OF WORK:

A. Provide all labor, material, equipment and services required to complete the following:

1. Excavation, placement and compaction of embankment fill, grading, etc. as required, for the construction of earth dams, detention basins, etc., including removal and replacement of any unsuitable subsurface materials.

2. Maintenance of all excavations free from water.

3. Pre-compact undisturbed original soil or existing fill as appropriate and as specified, prior to construction and placement of new fill and backfill.

4. Perform field density tests as required herein and as directed by the Engineer.

1.03 QUALITY CONTROL; SUBMITTALS:

A. Testing and Inspection:

1. The Engineer will inspect and approve the dam foundation subgrade prior to the placement of any embankment fill, and will also inspect all phases of earth fill placement and compaction during the dam construction. The Contractor shall notify the Engineer when he is ready to begin placing fill material, to facilitate such inspection.

2. Tolerances:

a) Maintain the moisture content of fill material as it is being placed, within minus zero to plus four percent of the optimum moisture content of the material, as determined by laboratory testing (ASTM D-689).

B. Submittals:

1. Soils material test results for embankment fill for the dam.

2. Field density test results.

PART 2 - PRODUCTS

2.01 MATERIALS:

A. Fill Material:

1. Suitable excavated material from on-site or off-site, meeting the requirements for common borrow as defined below, may be used for detention pond embankment fill, etc., provided the soil can be compacted to required density.

2. Unsuitable soils are materials that cannot be compacted to required density or contain organic material, peat, mulch, coal, ash or debris.

3. Excavated bedrock may not be used as fill material for earth dams.

B. Common Borrow: Common borrow may be used as embankment fill for earth dams. Common borrow shall be clean earth, free of organic materials, stones greater than 6 inches in diameter, loam, lumps or balls of clay, trash, snow, ice, frozen soil or other objectionable material. The moisture content shall be sufficient to provide the required compaction and a suitable embankment. In no case shall the moisture content exceed 4 percent above optimum for the material being used. The optimum moisture content shall be determined in accordance with ASTM D-698.

PART 3 - EXECUTION

3.01 EARTH DAMS:

A. Clearing and Grubbing: The embankment foundation area shall be cleared of trees, logs, roots, stumps, boulders, brush, sod, rubbish and topsoil, to a depth of at least 1 foot below the embankment subgrade.

B. Foundation Preparation:

1. Foundation for earth embankment fill shall be stripped to remove vegetation, topsoil and other unsuitable materials. Topsoil shall be stockpiled at approved locations. Earth foundation surfaces shall be graded to remove surface irregularities and shall be scarified parallel to the axis of the fill to a minimum depth of 4 inches. The foundation surface shall be at such moisture content as to effect a good bond between it and the earth fill. Rock foundations shall be cleared of all loose materials and shall be free of standing water when fill is placed upon them. The Engineer shall inspect the subgrade upon notification by Contractor prior to placement of any fill.

C. Materials:

1. All fill material shall be obtained from designated borrow areas either on or off-site. Material shall be as specified in Part 2 of this Section.

D. Placement:

1. Fill shall not be placed until the required excavation and foundation preparation have been completed, and the foundation has been inspected and approved. Fill shall not be placed upon a frozen surface, nor shall snow, ice or frozen material be incorporated in the fill.

2. All fill shall be placed in lifts of 12 inches, maximum, and each lift compacted to the required density, as specified below. The Contractor shall perform regular compaction testing, as directed by the Architect/Engineer, throughout the placement of the fill.

E. Compaction:

1. Fill material shall be compacted to at least 92% of maximum dry density, as determined by ASTM D-2922 (nuclear in-place density). Each layer of fill shall be compacted by routing appropriate compaction equipment so that all parts of each layer are equally compacted. In no instances shall any areas not meeting the above compaction specification be accepted. In the case of failing compaction tests, further compaction and subsequent testing shall be performed to ensure compliance with this specification.

2. Fill adjacent to outlet structures and anti-seep collars shall be placed in 3" to 4" horizontal layers, and compacted by means of hand tamping or manually directed power tampers. Heavy equipment shall not operate with 2 feet of the sides or 2 feet of the top of any structure or conduit. Coordinate filling and backfilling operations with installation of outlet structure and anti-seep collar, where required.

F. Final Grades and Surface Treatment:

1. Final grades and elevations of detention basins and outlet structures shall be as indicated on the Plans. In no case shall embankment slopes exceed 3 H to 1 V.

2. Disturbed areas and embankments shall be loamed, fertilized, and seeded or sodded, in accordance with the Plans and these Specifications.

3. Outlet protection/rip-rap shall conform to the Plans and Details, and the Erosion and Sedimentation Control Specifications.

END OF SECTION

STORMWATER SYSTEM
AND WET POND
MAINTENANCE PLAN
FIRST TEE OF MAINE
1158 RIVERSIDE STREET
PORTLAND, MAINE

1. Maintenance Responsibility:

   It shall be the responsibility of Riverside Golf Course Superintendent to implement the Stormwater Maintenance Plan in accordance with the provisions set forth herein:

   A. Owner: Riverside Municipal Golf Course
   1158 Riverside Street
   Portland, Maine 04103

   B. Telephone: (207) 797-8531

   C. Contact Person: Gene Pierotti, Golf Course Superintendent

2. Inspection of Drainage Structures:

   A. Inspect all catch basins, field inlets, culverts, ponds and outlet structures and spillways once each month inclusive from March through November. Owner may designate a responsible party such as a facilities manager to perform monthly inspections. Inspection shall include as a minimum:

      1) Visual inspection of grates and covers. Report any defective or damaged frames and covers and repair or replace such defects prior to the next month's inspection.
      2) Visual inspection of catch basins and pond outlet structures and spillways. Report any loose, broken or defective parts. Report any cracked or leaking structures including top section, barrel sections, bottom section, and seals. Repair or waterproof defects as needed to restore integrity of structure prior to next inspection.
      3) Visual inspection of catch basin sumps. Remove sediment from each basin as required when sediment level reaches a level of six inches below outlet pipe. Sediment shall be removed and disposed of off-site to an acceptable location in such a manner so as not to be washed into stormwater flowpaths or other drainage structures.
      4) Visual inspection of pipe inlets and outlets. Remove accumulated debris or sediment from pipe inverts to prevent obstruction of flow.
      5) Visual inspection of outlet control devices. Inspect pond outlets to insure that they are firmly attached or connected as designed. Remove accumulated debris that may cause flow to be obstructed.

6) Visual inspection of pond including sideslopes, embankments vegetated areas, riprap channels, spillways, aprons and outlets. Remove accumulated debris or sediment from pond bottom (dry basin) and floatable or submerged debris from wet basin. Mow, trim, cut, reseed, repair or replant vegetated areas. Mowing should be performed on a limited basis in order to maintain grass areas between 4 inches and 8 inches in height.

7) Upon completion of final monthly inspection each November report all outstanding defects, damage or maintenance deficiencies to Owner in writing identifying each location, defect or deficiency and take corrective action to restore all components of the stormwater management system immediately prior to significant snow and icing conditions.

3. Emergency Measures:

Owner or designated responsible party shall report any problems in performance, damage or other defects, which may significantly reduce the efficiency, or performance of the system. Such problems shall be reported immediately to Owner without waiting until next scheduled maintenance inspection. Owner shall authorize responsible party, where applicable, to perform emergency repairs as required insuring proper operation of system.

4. Annual Maintenance:

A. Prior to, or at the time of, the initial monthly inspection in March of each year the Owner or his designated party shall perform, or engage a contractor to perform, maintenance to remove accumulated winter sand and debris from all walkways and pavement areas draining to ponds, to prevent washing of sediment into ponds, structures and pipes. The following measures may be used:

1) Mechanical sweepers
2) Vacuum sweepers
3) Pavement flushing may be used only if followed by sump cleaning of all structures.

B. Following pavement cleaning, a visual inspection shall be made of all catch basin sumps. Sediment and debris shall be removed if sediment has reached a depth of at least six inches in any basin sump.

5. General Maintenance:

General maintenance shall include preventive measures related to the site, which may help preserve and maintain the stormwater management system. Such measure should include, but not be limited to:

A. Removal of trash, debris, leaves, broken or fallen twigs and branches, etc. from the site, especially in areas where such objects may be washed into the stormwater management system.

B. Removal of spills, broken glass, etc. which may have the potential to enter the stormwater management system.

C. Repairs to culverts, rip-rap, ditches, spillways, eroded areas, landscaping, lawns, etc. of the site to reduce the potential for sedimentation and to improve the efficiency of the stormwater management system.

First Tee of Maine
1158 Riverside Street
Portland, ME

4493

STORMWATER MAINTENANCE LOG
First Tee of Maine
Portland, Maine

Refer to Stormwater Maintenance Plan for responsible party, and description of; monthly inspections and maintenance; annual maintenance; general maintenance; and emergency measures. Record date of inspections, initials of person performing inspections, defects noted, defects corrected and description of defects and corrective actions taken in accordance with the required activities and schedules described in the Stormwater Maintenance Plan.

Mo.	By: (INT)	Visual Inspect (Y/N)	Defects Noted: (Y/N)	Defects Corrected: (Y/N)	Special Instructions:	Description of Defects and Actions Taken: (use space on back if needed)
Jan					**	
Feb					**	
Mar					Annual Maintenance Required	
Apr					*	
May					*	
Jun					*	
Jul					*	
Aug					*	
Sept					*	
Oct					*	
Nov					Notice of Outstanding Defects	
Dec					**	

* Monthly Inspections required, report and correct defects as required
** Monthly Inspections not required, perform general maintenance and emergency repairs as needed