

375 - A - 2001

40 - 49 Auburn St, Portland, ME

Bath Savings Branch Bank

Bath Savings Institution

105 Front Street, Bath, ME 04530

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

Planning Copy

2003-0029

Application I. D. Number

02/14/2003

Application Date

Bath Savings Branch Bank

Project Name/Description

40 - 42 Auburn St, Portland, Maine

Address of Proposed Site

375 A002001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail

Other (specify)

Manufacturing Warehouse/Distribution Parking Lot

2882 s.f.

Proposed Building square Feet or # of Units

Average of Site

Zoning

Contract

Check Review Required:

Site Plan Subdivision # of lots PAD Review 14-403 Streets Review

Flood Hazard Shoreland Historic Preservation DEP Local Certification

Zoning Conditional Use (ZBA/PB) Zoning Variance Other

Fees Paid: Site Plan \$400.00 Subdivision \$3,110.70 Date 09/15/2003

Planning Approval Status:

Reviewer **Kandi Talbot**

Approved

Approved w/Conditions

Denied

See Attached

Approval Date 05/13/2003 Approval Extension to 05/13/2004 Extension to 09/18/2003 Additional Sheets Attached

OK to Issue Building Permit

Kandi Talbot signature

09/18/2003 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

09/18/2003 date

\$198,000.00 amount

expiration date

Inspection Fee Paid

09/15/2003 date

\$3,960.00 amount

expiration date

Building Permit Issue

date

Performance Guarantee Reduced

date

Temporary Certificate of Occupancy

date

Final Inspection

date

Certificate Of Occupancy

date

Performance Guarantee Released

date

Defect Guarantee Submitted

submitted date

amount

expiration date

Defect Guarantee Released

date

signature

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

DRC Copy

2003-0029

Application I. D. Number

02/14/2003

Application Date

Bath Savings Branch Bank

Project Name/Description

40 - 42 Auburn St, Portland, Maine

Address of Proposed Site

375 A002001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail

Other (specify)

Manufacturing Warehouse/Distribution Parking Lot

2882 s.f.

Proposed Building square Feet or # of Units

Average of Site

Zoning

Contract

Check Review Required:

Site Plan Subdivision # of lots

Flood Hazard Shoreland Historic Preservation

Zoning Conditional Use (ZBA/PB) Zoning Variance

DEP Local Certification Other

Fees Paid: Site Plan \$400.00 Subdivision

Engineer Review \$3,110.70 Date 09/15/2003

DRC Approval Status:

Reviewer **Sebago Technic**

Approved

Approved w/Conditions

Denied

See Attached

Approval Date 05/13/2003 Approval Expiration 05/13/2004 Extension to

Additional Sheets Attached

Condition Compliance

Kandi Talbot

09/18/2003

signature

date

Performance Guarantee

Required*

Not Required

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Performance Guarantee Accepted

09/18/2003

date

Inspection Fee Paid

09/15/2003

date

Building Permit Issue

date

Performance Guarantee Reduced

date

Temporary Certificate of Occupancy

date

Final Inspection

date

Certificate Of Occupancy

date

Performance Guarantee Released

date

Defect Guarantee Submitted

submitted date

Defect Guarantee Released

date

signature

amount

expiration date

signature

date

signature

date

Conditions (See Attached)

remaining balance

signature

expiration date

amount

\$3,960.00

amount

\$198,000.00

expiration date

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

2003-0029

Application I. D. Number

02/14/2003

Application Date

Bath Savings Branch Bank

Project Name/Description

40 - 42 Auburn St, Portland, Maine

Address of Proposed Site

375 A002001

Assessor's Reference: Chart-Block-Lot

Bath Savings Institution

Applicant

105 Front Street, Bath, ME 04530

Applicant's Mailing Address

Consultant/Agent

Applicant Ph: (800) 447-4559

Agent Fax:

Applicant or Agent Daytime Telephone, Fax

Approval Conditions of Planning

1. That the applicant revise the landscaping plan to change the tree specie from Colorado Green Spruce to either Serbian Spruce or Norway Spruce.

2. That the plans be revised in accordance with the Development Review Coordinator's Memo dated May 9, 2003 in regards to the existing structure in the southwest corner and the gas main.

3. That the applicant revise the site plan to include a 5-foot esplanade from where the esplanade ends at Washington Avenue along the frontage to the northeasterly corner where the property ends to generally follow the existing esplanade on Washington Avenue. A pedestrian easment shall also be submitted for staff review and approval.

Approval Conditions of DRC

1 see Planning conditions

attorneys at law

Lambert Coffin

January 8, 2003

Gary D. Vogel
gvogel@lambertcoffin.com

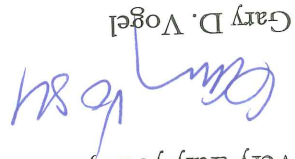
Kandace Talbot, Planner
City of Portland Planning Department
389 Congress Street
Portland, ME 04101

RE: Bath Savings Institution/40-42 Auburn Street
Our File No. 2431-454

Dear Kandi:

Enclosed is a fully executed Easement Deed for the sidewalk easement at 40-42 Auburn Street that will be recorded in the Cumberland County Registry of Deeds. This Deed was previously approved by Penny Littell in the Corporation Counsel's Office.

Very truly yours,



Gary D. Vogel

GDV/jwf
cc: Glenn Hutchinson, Bath Savings (w/o encls.)
Penny Littell, Esq.

477 Congress Street, Post Office Box 15215, Portland, Maine 04112-5215

207.874.4000 (p) 207.874.4040 (f)
www.lambertcoffin.com

SIDEWALK EASEMENT

In consideration of the payment of One Dollar (\$1.00), KENIKE, LLC a Maine limited liability company with a mailing address of 153 Caleb Street, Portland, Maine, 04103 ("Grantor"), hereby grants to the CITY OF PORTLAND, a body politic and corporate with a place of business at 389 Congress Portland, Maine 04101 ("Grantee") a perpetual easement over a strip of land being that portion of a sidewalk (the "Easement Area") along Auburn Street in Portland, Maine that extends beyond the street right of way of Auburn Street, so-called, on to the Grantor's property. The Easement Area is shown as the cross-hatched area along Auburn Street shown on the Easement Plan made for Bath Savings Institution by Platz Associates dated February 18, 2003, a reduced copy of which is attached hereto as Exhibit A. A full-scale copy of the Easement Plan is on file with the City of Portland Planning Department.

The purpose of this easement is for the right to maintain, replace, relocate and repair within the Easement Area a portion of a sidewalk up to five (5) feet in width, said sidewalk to be used for pedestrian, bicycle and similar non-motorized (other than wheelchair and emergency vehicles and snow removal equipment which shall be permitted) pedestrian recreational uses by the public, subject, however, to such rules or ordinances which Grantee may adopt from time to time in the interests of public safety.

Grantor further covenants and agrees on behalf of itself, its successors and assigns, that the land which lies within the Easement Area shall, except for the construction, maintenance, repair, relocation and/or replacement of the sidewalk and any appurtenances by Grantee, its successors or assigns shall, as provided and permitted herein, be maintained as a sidewalk for the uses set forth and described herein and Grantor shall not use or permit any use which would be contrary to such condition.

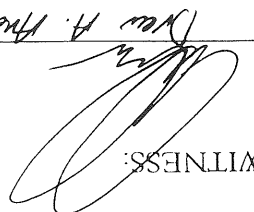
Both Grantor and Grantee acknowledge that this easement is being provided to Grantee for purposes of public pedestrian access and recreation without charge. It is understood that the use herein granted is non-exclusive and that the primary use which Grantor makes of its land (of which the Easement Area is a part) is a private commercial use.

To have and to hold the said Easement and all rights granted hereunder to the said Grantee and its successors and assigns forever.

Bath Savings Institution, being the Lessee under a ground lease over the property of the Grantor of which the Easement Area is a part, hereby joins in this Easement Deed to acknowledge its consent to the easement granted hereby and to subordinate its leasehold interest to the easement granted hereby.

IN WITNESS WHEREOF, Grantor has caused this easement to be executed by Joseph Esposito its duly authorized Member, this 11th day of July, 2003.

WITNESS:



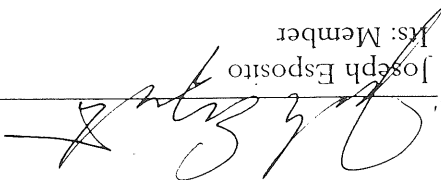
Dr. A. Anderson

Kenike, LLC

By:

Joseph Esposito

Its: Member

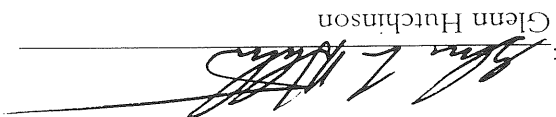


BATH SAVINGS INSTITUTION

By:

Glenn Hutchinson

Its: President



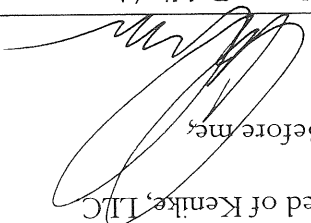
STATE OF MAINE

County of Cumberland, ss:

July 11, 2003

Personally appeared the above-named Joseph Esposito, Member of Kenike, LLC a Maine Limited Liability Company, as aforesaid, who acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Kenike, LLC

Before me,



Notary Public/Attorney-at-Law

Print name: Dr. A. Anderson

A

PLATZ ASSOCIATES
 Architects - Engineers
 Construction Managers
 Fax: 207-761-2951
 150 Chestnut Street, 11th Floor, Portland, Maine 04101

Bath Savings Institution
 Portland, Maine

BASEMENT PLAN

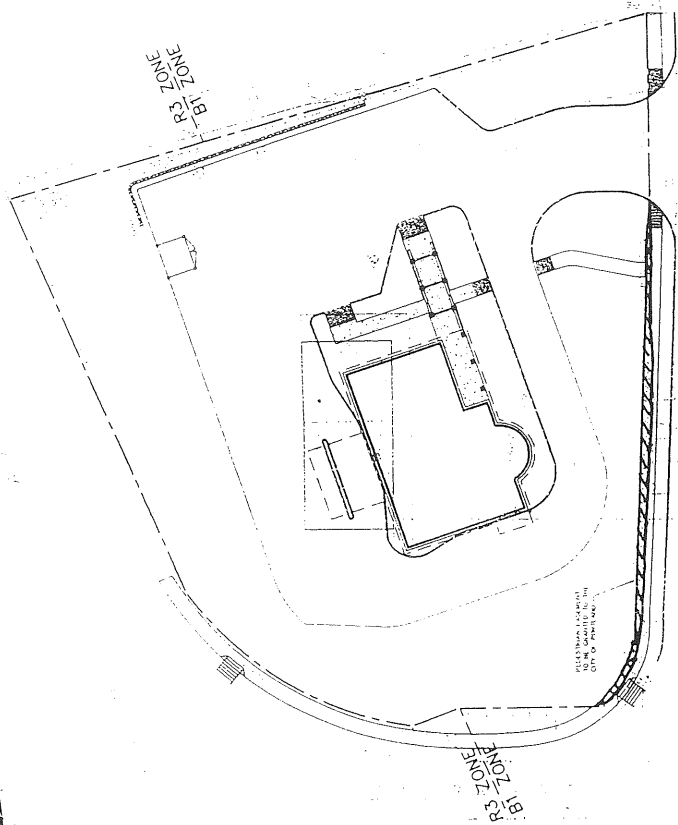
DATE: 08/07/03
 SHEET NO: 587.1

SCALE: 1" = 20'

18 FEB 2003

C102A

GP Gorrill-Palmer Consulting Engineers, Inc.
 PO Box 1537 Portland, ME 04112
 15 Shaker Road Portland, ME 04106
 Fax: 207-457-8810
 Fax: 207-457-8812
 E-Mail: mpa@gpce.com



NO.	DATE	BY

Jaimy Caron, Chair
Mark Malone, Vice Chair
Orlando E. Delogu
Kevin Beal
Lee Lowry III
Michael Patterson

Mr. William C. Haskell, P.E.

Project Engineer

Gorrill-Palmer Consulting Engineers, Inc.

P.O. Box 1237

15 Shaker Road

Gray, ME 04039

RE: Bath Savings Institution, 40-42 Auburn Street
Application ID #2003-0029, CBL #375-A-002

Dear Mr. Haskell:

On May 13, 2003, the Portland Planning Board voted unanimously 7-0 to approve the site plan for a 2,882 sq. ft. Bath Savings Institution branch bank located at 40-42 Auburn Street. The approval was granted for the project with the following conditions:

- i. that the applicant revise the landscaping plan to change the tree specie from Colorado Green Spruce to either Serbian Spruce or Norway Spruce.
- ii. that the plans be revised in accordance with the Development Review Coordinator's Memo dated May 9, 2003 in regards to the existing structure in the southwest corner and the gas main.
- iii. that the applicant revise the site plan to include a 5-foot esplanade from where the esplanade ends of Washington Avenue along the frontage to the northeastern corner where the property ends to generally follow the existing esplanade on Washington Avenue. A pedestrian easement shall also be submitted for staff review and approval.

The Planning Board also voted unanimously 7-0 that the plan is in conformance with 23MRSA 704-A and Chapter 305 Rules and Regulations pertaining to Traffic Movement Permit.

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report #19-03, which is attached.

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

- 1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files with seven (7) sets of the final plans.
- 2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
- 3. 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.



04/09/2003 13:42 FAX 2076576912

GORRILL PALMER

225 Douglass St. • P.O. Box 3553 • Portland, ME 04104-3553

(207) 774-5961
FAX (207) 761-8329
www.pwd.org

March 25, 2003

Mr. William Haskell, P.E.
Gorrill-Palmer Consulting Engineers, Inc.
P.O. Box 1237
22 Shaker Road
Gray, Maine 04039

Re: Bath Savings Institute, Portland

Dear Will:

The Portland Water District has a 12" water main in Auburn Street, Portland, near the proposed site. A test on a nearby hydrant produced the following results: static pressure 64 psi; pito pressure 54 psi; with a flow of 1233 gpm. With these results in mind, the District feels we have sufficient capacity available to serve this proposed project and meet all normal fire protection and domestic water service demands. Please notify your plumber of these results so that they can design your system to best fit the available pressure.

With certification by the developer that all required permits have been received, we look forward to serving this project.

Sincerely,

PORTLAND WATER DISTRICT

David W. Coffin, PLS
Engineering Supervisor

MAR 26 2003
02

Memorandum
Department of Planning and Development
Planning Division



To: Chair Caron and Members of the Portland Planning Board

From: Kandice Talbot, Planner

Date: April 8, 2003

Re: Branch Bank, 40-42 Auburn Street, Bath Savings Institution, Applicant

Introduction

Bath Savings Institution is proposing a 2,882 sq. ft. branch bank with associated drive-through teller and drive-through ATM facilities at 40-42 Auburn Street. The site is approximately 0.89 acres in size.

The site is a corner lot that is presently developed with a take-out and delivery pizza restaurant and a cellular communications retail store. The abutting properties to the north, south and east are all commercial in nature and include Paris Farmers Union, Mr. Bagel, Lib's Dairy Treats and the Shaw's Northgate Plaza. The site is bounded on three sides by roads, including Auburn Street to the east, Washington Avenue to the west and a connector road to the south. Across Washington Avenue to the west are residential homes and businesses located in buildings that were previously residential. The project will be reviewed for compliance with the site plan ordinance of the land use code and MDOT traffic permit.

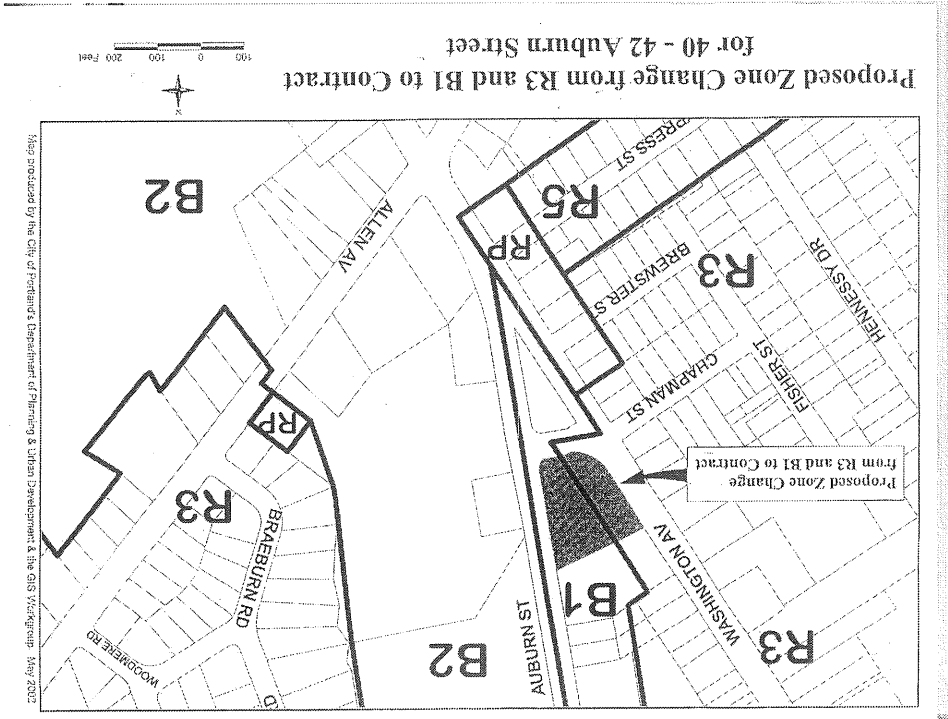
In January, the Planning Board recommended to the City Council a B-1/R-3 contract rezoning to allow the drive-through use in the B-1/R-3 zone. The Council approved the contract rezoning on February 19, 2003.

Contract Conditions

Below is a list of the conditions as approved by the City Council.

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.

2. The use of the property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty-four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gornill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb cut shall conform to that shown on Attachment B1, incorporated herein by reference. The existing curb cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb cut shall be permitted on Washington Avenue or the connector between Washington Avenue and Auburn Street.
6. The existing landscaping on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height or no less than six (6) feet by BSI and the property owner.



Map produced by the City of Portland's Department of Planning & Urban Development, & the GIS Working Group May 2002

7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza, shall install an exclusive left hand turn lane into Northgate Plaza, and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

8. The front yard setback need not comply with the setback requirements contained within the B-1 zone but shall comply with the setbacks as shown on Attachment B1. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition to the site plan standards of the Land Use Code, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
- a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
 - d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
 - e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.
9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the underlying B-1 and R-3 zones.

Access/Circulation

Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut. The applicant is proposing to construct a new 5 foot wide bituminous sidewalk with granite curbing along the Auburn Street in accordance with the City's standards.

A traffic study has been submitted and is included as Attachment 9. The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit, which the applicant has been submitted and Larry Ash, Traffic Engineer, is currently reviewing. As the existing site currently generates traffic, Gorrill-Palmer has determined that the net trip generation for the site will be 147 trip ends. The crash data indicates that there are no high crash locations within the study area and the sight distances at the proposed driveway are acceptable. The Traffic Study states that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. Currently, approximately one car a minute turns left into Shaw's, which delays through traffic. The island should be removed between the Shaw's driveway and the bank driveway to use this space to stripe a short left turn lane into Shaw's. In addition, this portion of Auburn Street should be striped to provide for two through lanes in each direction.

During the contract rezoning process, the Planning Board had concerns with the length of the left turn lane into Shaw's and the circulation of the proposed site. Larry Ash, Traffic Engineer, reviewed these concerns and feels that with the proposed left turn lane there will be stacking for 2 to 3 vehicles which, with a dedicated left turn lane, will be sufficient for this intersection. The Traffic Engineer is recommending however, that the left turn lanes be "protected-permissive" at this intersection. "Protected-permissive" signalization is when a green arrow is provided for each left turn lane, but when the arrow ends, left-turning vehicles may turn on a green ball when there are gaps in the traffic stream. The Traffic Engineer has also reviewed the proposed circulation at the proposed site and has no concerns.

Utilities

The site will be served by City sewer and public water. Electric and telephone will be underground. A sanitary sewer capacity letter is included as Attachment 10. The applicant has requested a water capacity letter from Portland Water District.

Drainage

Currently, approximately 57% of the site is impervious surface. The grading of the existing site directs stormwater flows off site towards catch basins located along Washington Avenue and Auburn Street.

The applicant is proposing to decrease the amount of impervious surface by 6%, which also correlates to a decrease in post-development stormwater flows. The applicant is proposing to develop an on-site stormwater collection system that will discharge to the existing stormwater system on Auburn Street.

The Development Review Coordinator has reviewed the plans and is requesting additional spot grades at the rear of the site to show how runoff will drain off the pavement edge to get collected in the swale along the front. Public Works has also reviewed the plans. Most of the DRC's and Public Works Engineer's comments are related to detail issues. The Development Review Coordinator's memo is included as Attachment 12 and Public Works' Memo is included as Attachment 13.

Lighting

The applicant is proposing three (3) light poles. The proposed poles are 14 ft. high with 250 watt mh bulbs. The applicant is also proposing recessed lights within the canopy over the drive-through teller lanes and the ATM drive-through. Catalogue cuts are included as Attachment 7 and a photometric plan is included as Attachment 16.

Landscaping

As discussed in the conditions of the contract, the applicant is retaining an existing Arborvitae hedge along Washington Avenue to provide buffer between the bank use and the residential uses on the opposite side of Washington Avenue.

The applicant is proposing ten (10) Summit Green Ash street trees along Auburn Street and the Connector Road. The applicant is proposing an additional thirty-six (36) trees around the site, which will include Flowering Crabs, Ornamental Cherry, Austrian Pine, Green Spruce, Emerald Green Arborvitae and Lilac.

The applicant is also proposing a number of planter beds around the site. The City Arborist is currently reviewing the plans.

Building Design

The applicant is proposing a 2,882 sq. ft. branch bank at the property located at 40-42 Auburn Street. The bank will have drive-through tellers and a drive-through ATM machine. The façade of the building will consist of brick veneer and aluminum clad windows.

Issues to be Resolved Prior to Public Hearing

1. Water capacity letter
2. Development Review Coordinator's comments
3. Public Works' comments
4. City Arborist Review

Attachments:

1. Zone Change Map
2. Contract as Approved by City Council
3. Applicant's Letter dated February 14, 2003
4. Financial Capability Letter
5. Applicant's Letter to Utility Companies
6. Sign Information
7. Lighting Information
8. Stormwater Information
9. Traffic Study
10. Sewer Capacity Letter
11. Fire Approval
12. DRC's Memo dated March 12, 2003
13. Public Works' Memo dated March 17, 2003
14. Staff Letters to Applicant dated March 17, 2003 and March 18, 2003
15. Applicant's Response to Staff Letters
16. Plans

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

Planning Copy

2003-0029 Application I. D. Number
02/14/2003 Application Date

Bath Savings Branch Bank
Project Name/Description

40 - 42 Auburn St, Portland, Maine
Address of Proposed Site

375 A002001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply):
 New Building
 Building Addition
 Change Of Use
 Residential
 Office
 Retail
 Other (specify) _____

2882 s.f. Proposed Building square Feet or # of Units
 Acreage of Site _____
 Zoning _____
 Contract _____

Check Review Required:
 Site Plan
 Subdivision
 # of lots
 Flood Hazard
 Shoreland
 Historic Preservation
 PAD Review
 14-403 Streets Review
 DEP Local Certification
 Other _____

Fees Paid: Site Plan \$400.00
 Subdivision _____
 Engineer Review _____
 Date 02/21/2003

Planning Approval Status:

Approved
 Approved w/Conditions
 Denied
 Reviewer _____

Approval Date _____
 Approval Expiration _____
 Extension to _____
 Additional Sheets Attached

Performance Guarantee Required* Not Required

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

Performance Guarantee Accepted

Inspection Fee Paid

Building Permit Issue

Performance Guarantee Reduced

Temporary Certificate of Occupancy

Final Inspection

Certificate Of Occupancy

Performance Guarantee Released

Defect Guarantee Submitted

Defect Guarantee Released

date _____

date _____

date _____

date _____

date _____

date _____

date _____

submitted date _____

date _____

amount _____

amount _____

amount _____

remaining balance _____

Conditions (See Attached)

signature _____

signature _____

signature _____

signature _____

expiration date _____

signature _____

signature _____

signature _____

expiration date _____

signature _____

signature _____

signature _____

signature _____



Benj. F. Packard

Bath Savings Institution

Since 1852

GLENN L. HUTCHINSON, PRESIDENT & CEO

February 12, 2003

Planning Department
City of Portland
389 Congress Street
Portland, ME 04011

To Whom It May Concern:

Over the past 10 years, Bath Savings Institution has expanded its physical presence throughout our market area. In each of these construction and/or renovation projects, the bank has utilized the services of Donald Peterson as project manager and Platz & Associates as our architect, the same team we are using on Auburn Street.

In 1993, the bank purchased and extensively renovated our 2,768 square foot office located at 239 US Route One in Falmouth.

Then in 1994, Bath Savings Institution built its 3,240 square foot office at 185 US Route One in Freeport.

From 1995 to 1997, Bath Savings Institution renovated its 23,000 square foot main office facility located at 105 Front Street in Bath. This project modernized the building while maintaining the historically significant features of the building. The bank was awarded Historic Preservation tax credits for the work done at its main office. In addition to the renovations of an entire city block, the bank built a 25,000 square foot new two level parking garage and operations center as well as renovated the 9,000 square foot adjacent building.

Finally, in 1999, the bank completed construction of its seventh full service office in Boothbay Harbor. This 2,040 square foot facility is located at Todd Avenue.

Bath Savings Institution will use its cash reserves to construct our office on Auburn Street in Portland and will be responsible for bond or letter of credit that may be required.

If you need further information, please contact us, as we would be happy to provide it.

Sincerely,

Glenn L. Hutchinson
President & CEO

:sjk

105 FRONT STREET, PO BOX 548, BATH, MAINE 04530
TEL. 207-442-7711 FAX 207-442-9137
1-800-447-4559
MEMBER FDIC

Site Location Diagram
Turning Movement Diagrams

Appendix A

Checked TLG	Job No. 587
Design JJB	Date 09/02
Drawn JJB	Scale NTS

Traffic and Civil Engineering Services
 PO Box 1237
 Gray, ME 0403
 26 Main Street
 Fax : (207) 657-6912
 E-mail: gpcet@maine.rr.com

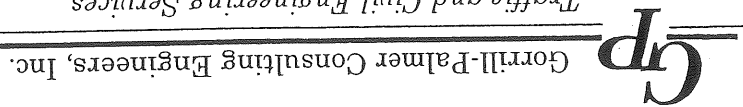
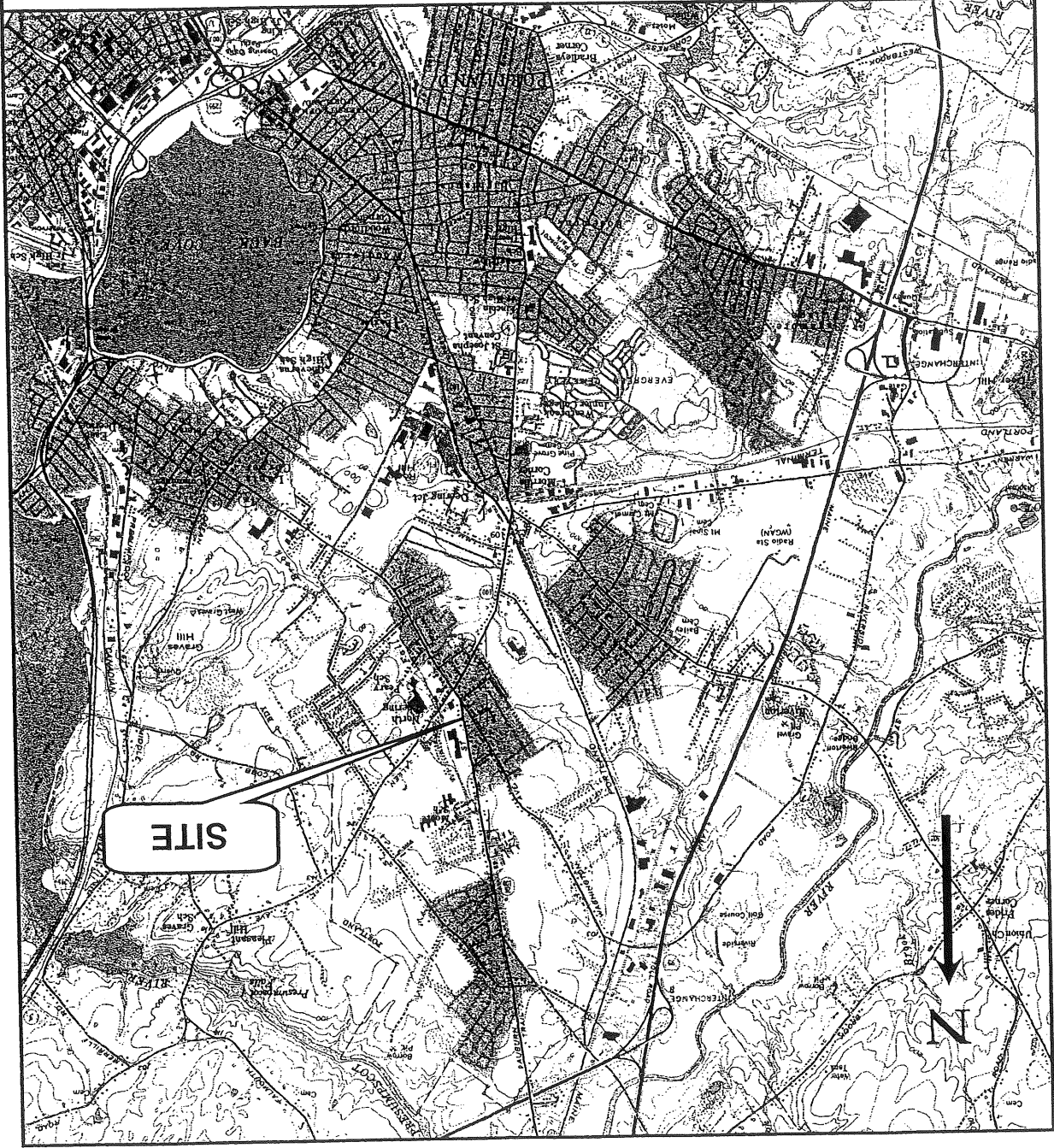


Figure 1

U.S.G.S. Location Map
 Proposed Bath Savings Bank - Portland, Maine
 U.S.G.S. Portland West - 7.5 Minute Series (Topographic)

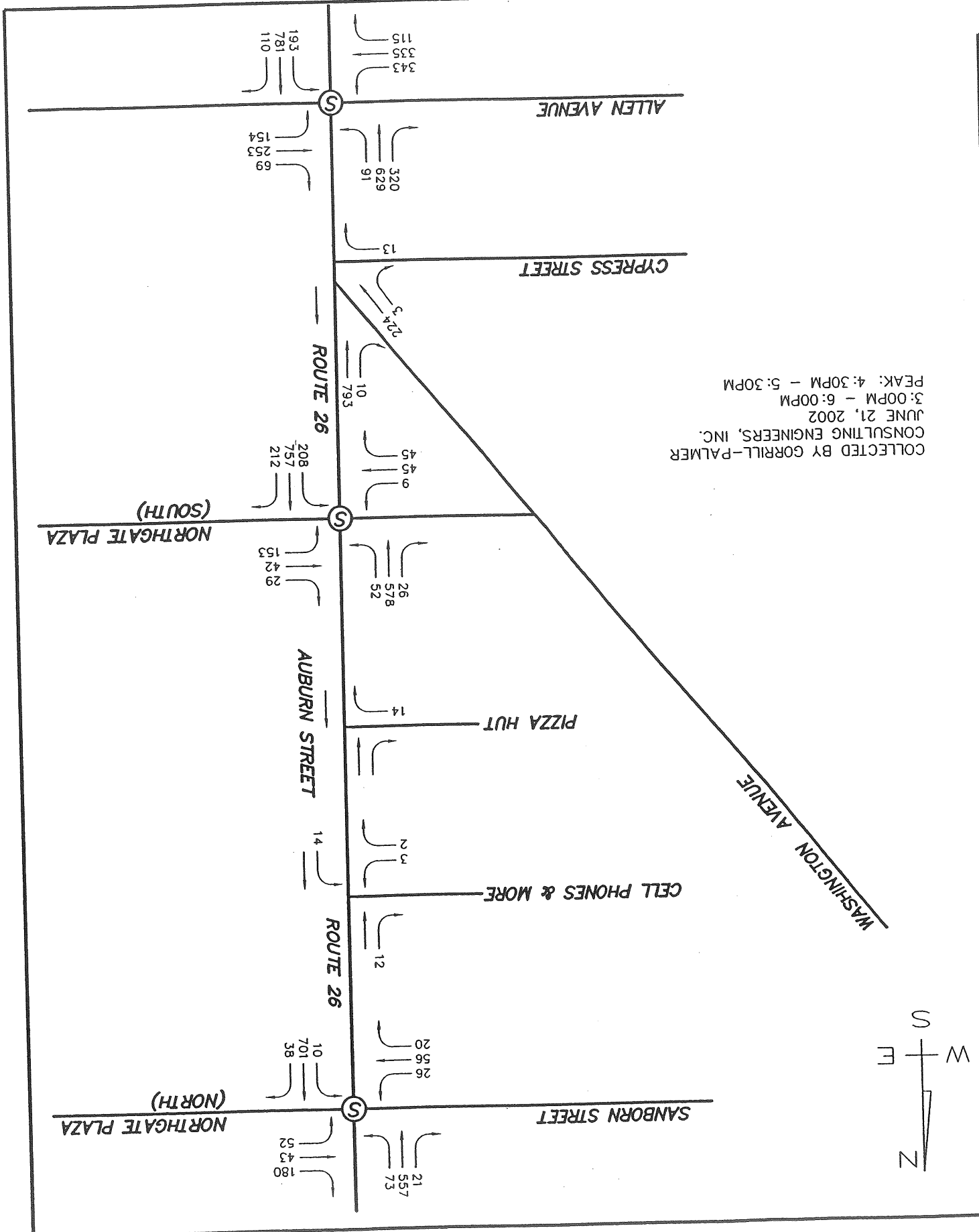


File Name: 587-TRAF.DWG
Checked: RLB
Scale: NTS
Job No.: 587
Date: JUNE 2002
Design: JRB
Draft: RDC

GP
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Traffic and Civil Engineering Services
PO Box 1237, 15 Shaker Road
Croy, ME 04039
207-657-6910

Drawing Name: Raw Data - PM Peak Hour
Project: Bath Savings Bank, Portland, Me.

Figure No. 2

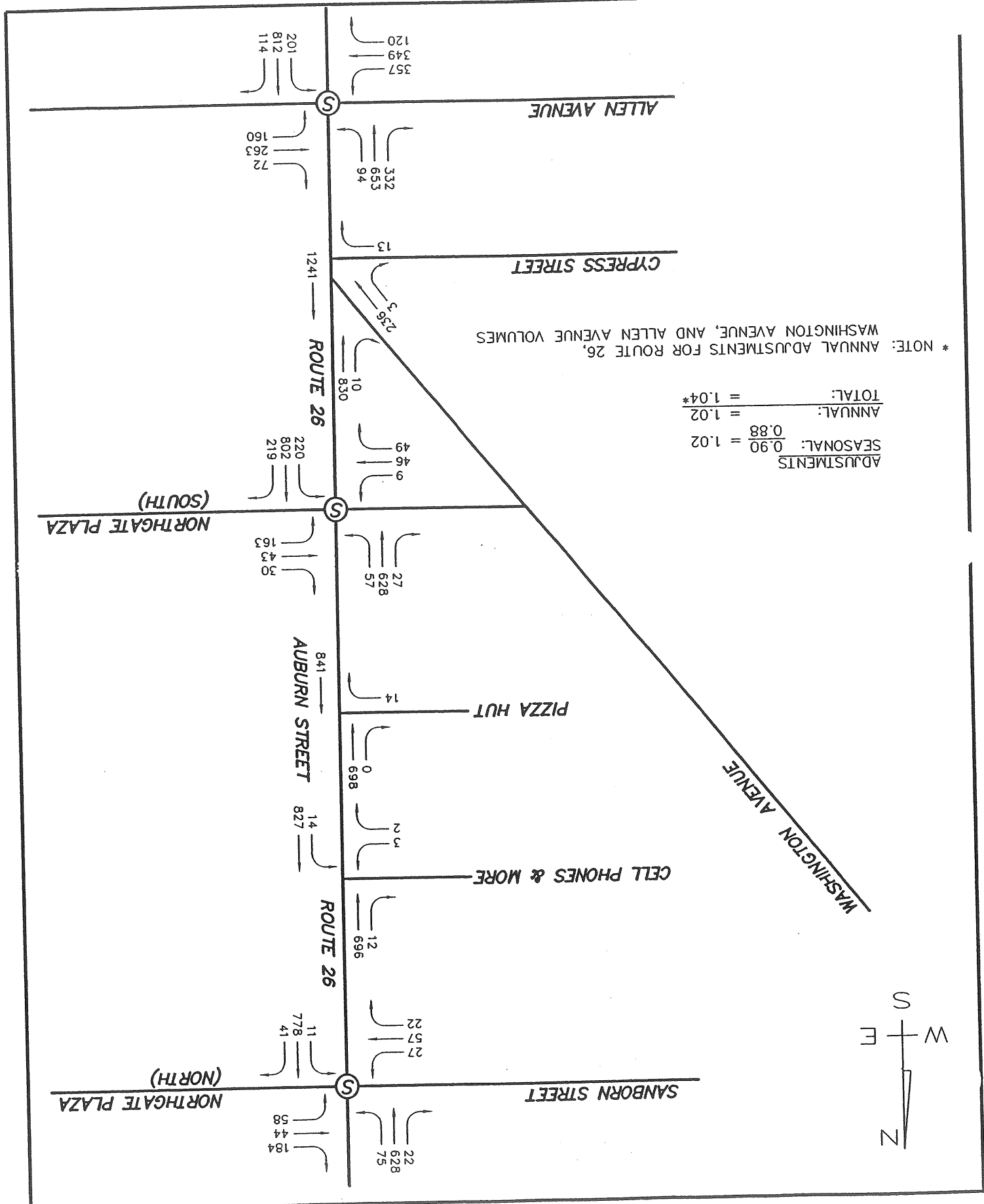


Design: JUB	Date: JUNE 2002
Draft: RDC	Job No.: 587
Checked: RLB	Scale: NTS
File Name: 587-TRAF.DWG	

GP
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 Traffic and Civil Engineering Services
 PO Box 1237, 15 Shaker Road
 Gray, ME 04039
 207-657-6910

Drawing Name: 2003 Adjusted and Balanced Volumes
 Project: Bath Savings Bank, Portland, Me.

Figure No. 3

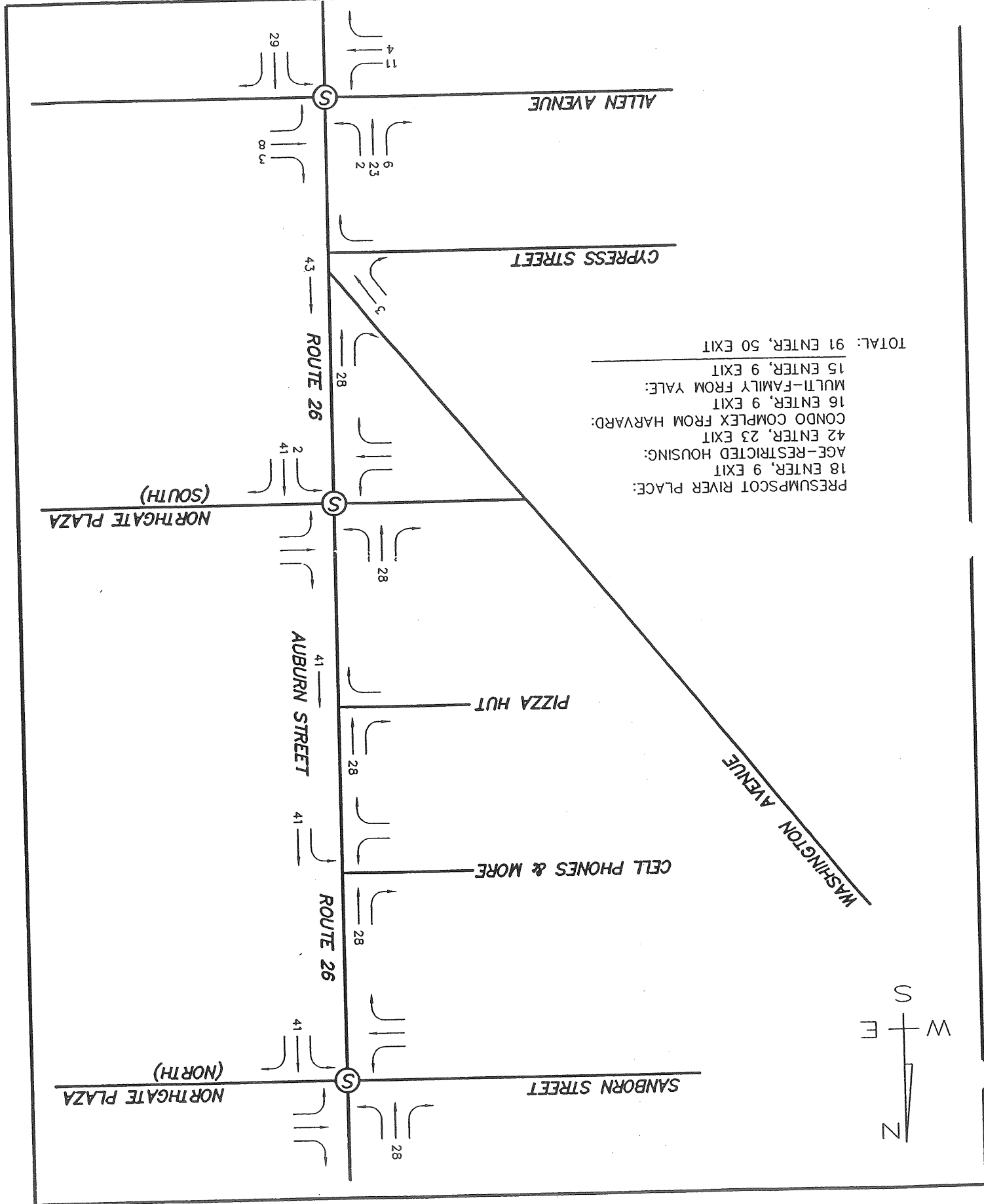


Design:	JJB	Date:	JUNE 2002
Draft:	RDC	Job No.:	587
Checked:	RLB	Scale:	NTS
File Name: 587-TRAF.DWG			


GP
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 Traffic and Civil Engineering Services
 PO Box 1237, 15 Shaker Road
 Groy, ME 04039
 207-657-6910

Drawing Name: **Other Development**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **4**

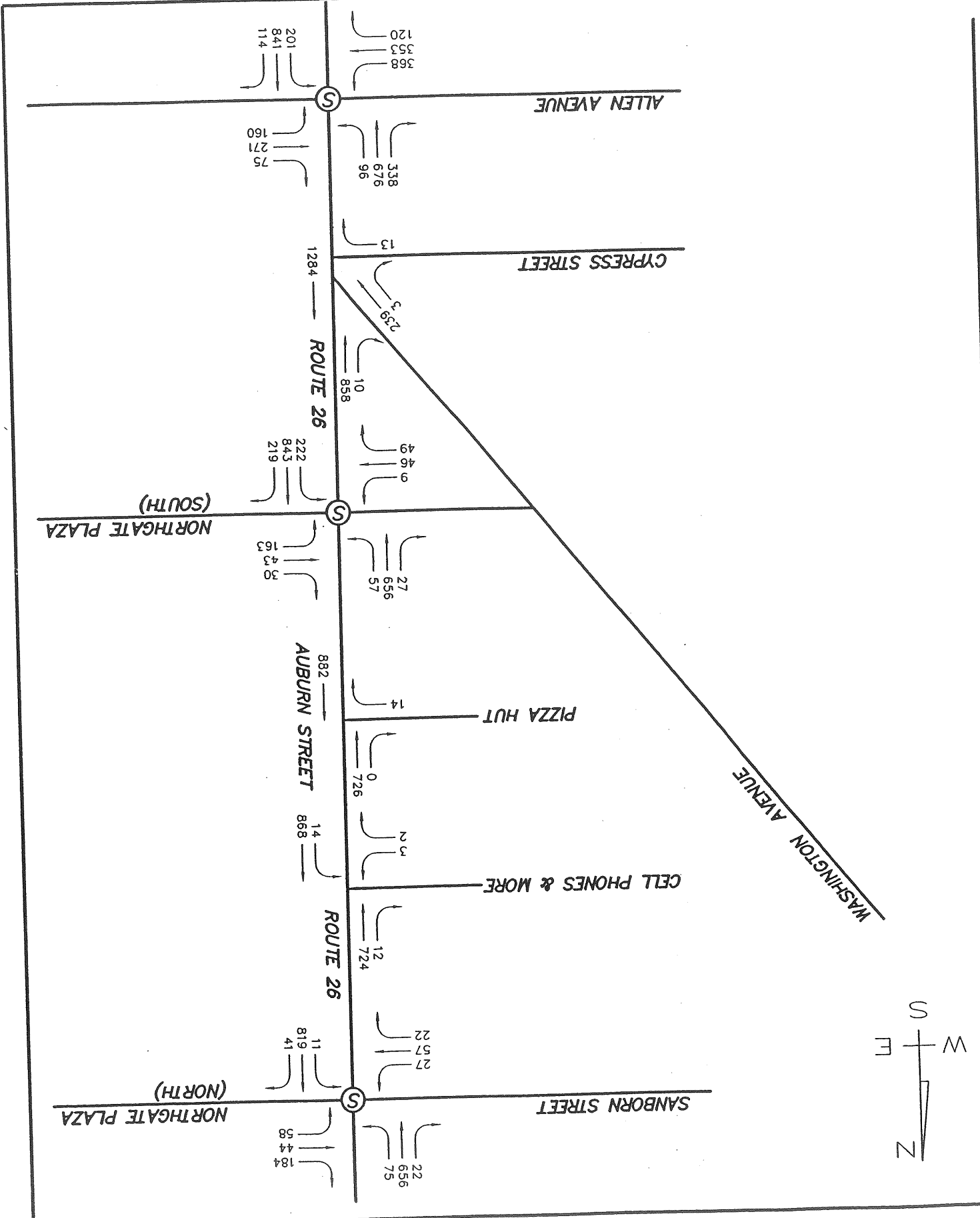


Design:	JUB	Date:	JUNE 2002
Draft:	RDC	Job No.:	587
Checked:	RLB	Scale:	NTS
File Name: 587-TRAF.DWG			



 Corroll-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 PO Box 1237, 15 Shaker Road
 Gray, ME 04039
 207-657-6910

Drawing Name: **2003 Redevelopment Volumes**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **5**



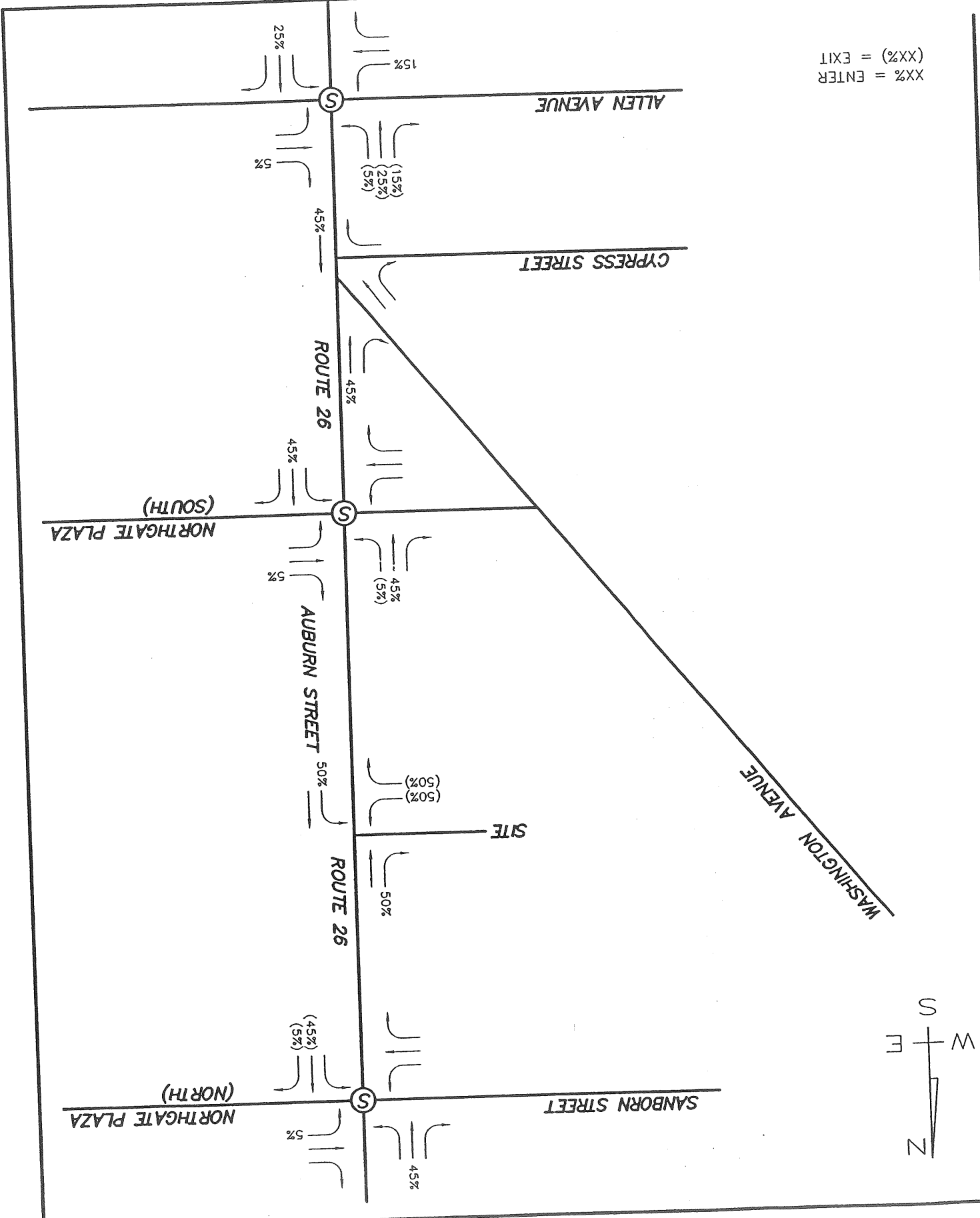
Design: JJB	Date: JUNE 2002
Draft: RDC	Job No.: 587
Checked: RLB	Scale: NTS
File Name: 587-TRAF.DWG	


 Gorrill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
 PO Box 1237, 15 Shaker Road
 Groy, ME 04039
 207-657-6910

Drawing Name: Trip Distribution
 Project: Bath Savings Bank, Portland, Me.

Figure No. 6

XX% = ENTER
 (XX%) = EXIT



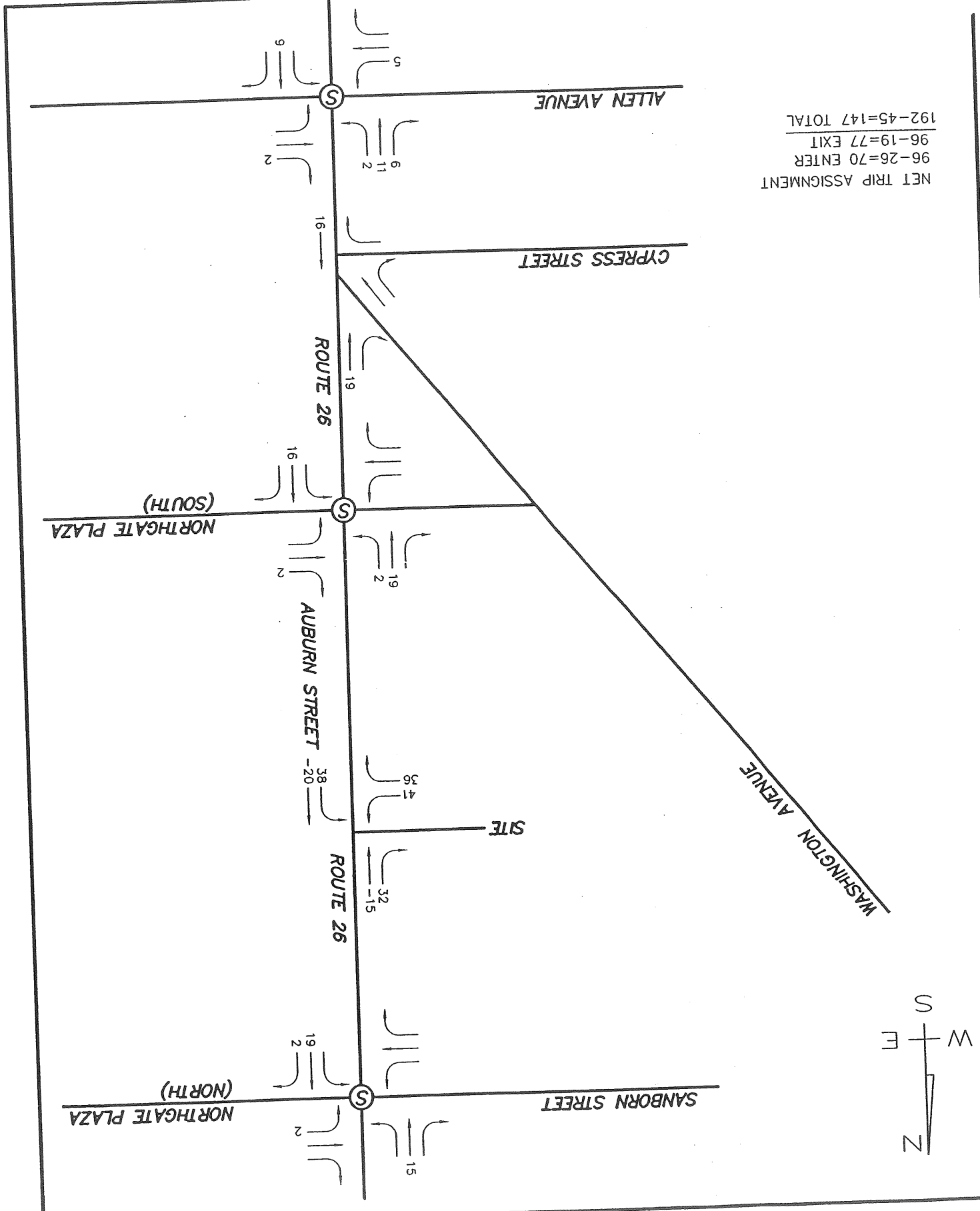
File Name: 587-TRAF.DWG	
Checked: RLB	Scale: NTS
Draft: ROC	Job No.: 587
Design: JUB	Date: JUNE 2002

GP
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 Traffic and Civil Engineering Services
 P.O. Box 1237, 15 Shaker Road
 Gray, ME 04039
 207-657-6910

Drawing Name: Trip Assignment
 Project: Bath Savings Bank, Portland, Me.

Figure No. 2

NET TRIP ASSIGNMENT
 96-26=70 ENTER
 96-19=77 EXIT
 192-45=147 TOTAL



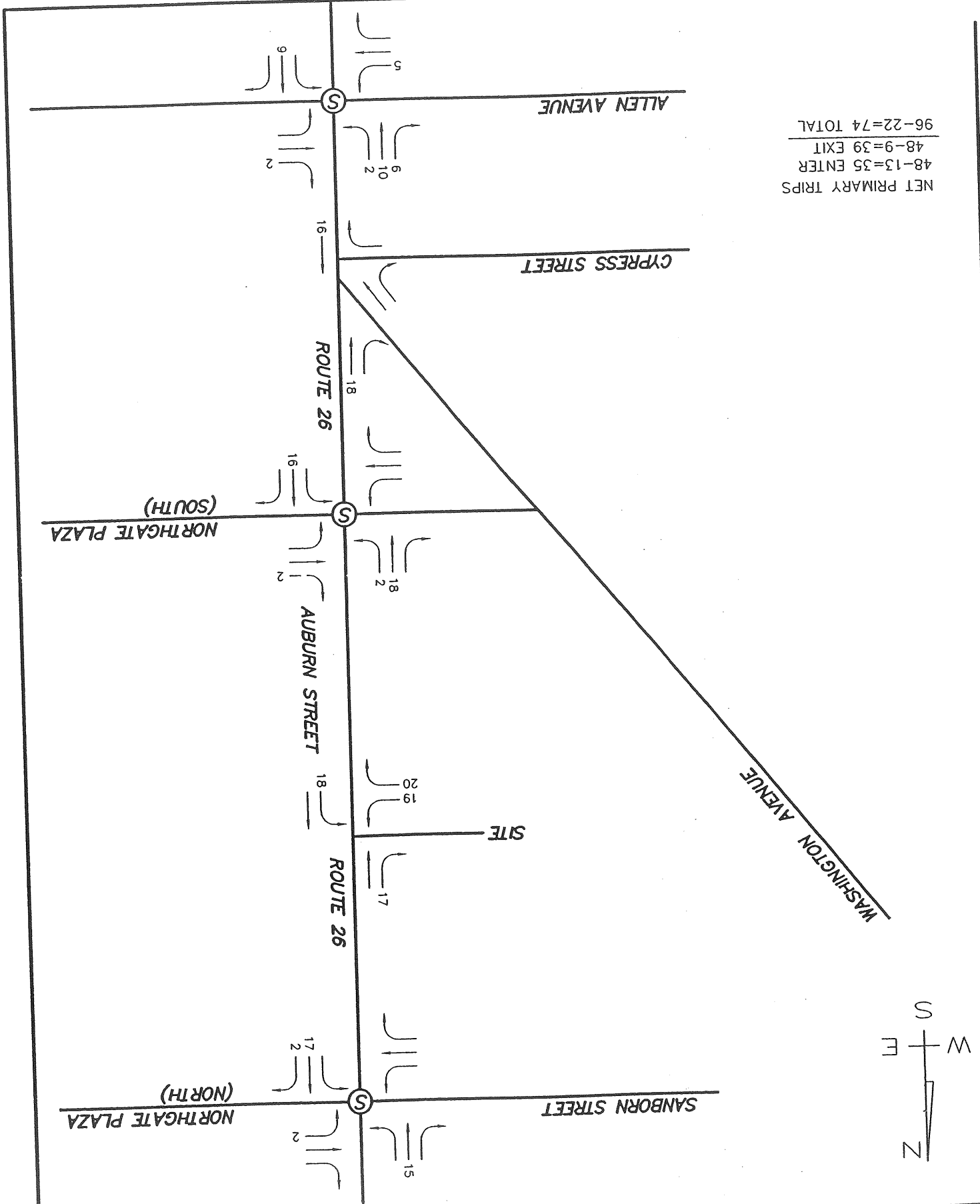
Design: JJB	Date: JUNE 2002
Draft: RDC	Job No.: 587
Checked: RLB	Scale: NTS
File Name: 587-TRAF.DWG	

GP
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 Gray, ME 04039
 207-657-6910

Drawing Name: **Primary Trips**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **7A**

NET PRIMARY TRIPS
 48-13=35 ENTER
 48-9=39 EXIT
 96-22=74 TOTAL



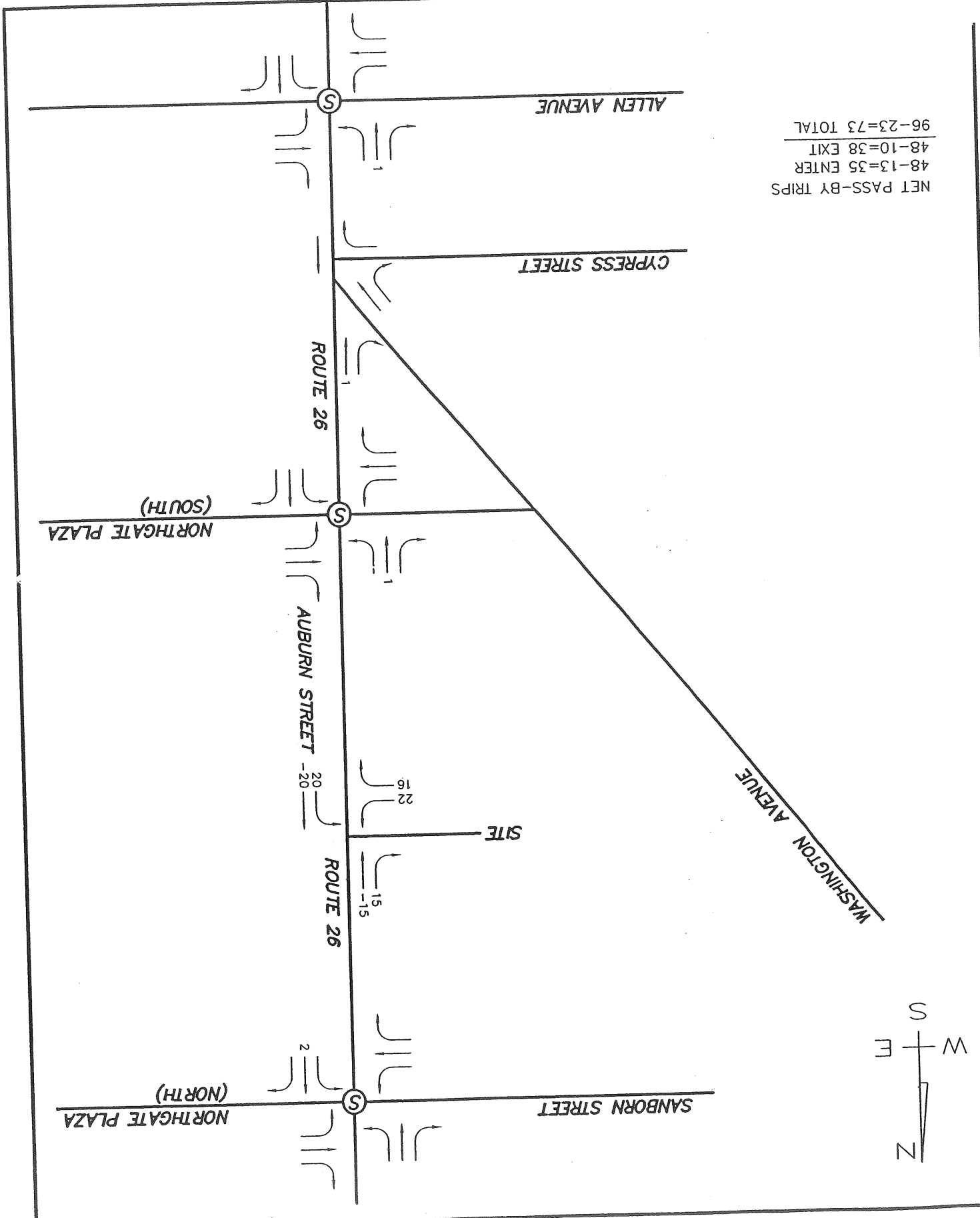
Design:	JUB	Date:	JUNE 2002
Draft:	RDC	Job No.:	587
Checked:	RLB	Scale:	NTS
File Name: 587-TRAF.DWG			

GP
 Gorrill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
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 Gray, ME 04039
 207-657-6910

Drawing Name: **Pass-By Trips**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **7B**

NET PASS-BY TRIPS
 48-13=35 ENTER
 48-10=38 EXIT
 96-23=73 TOTAL

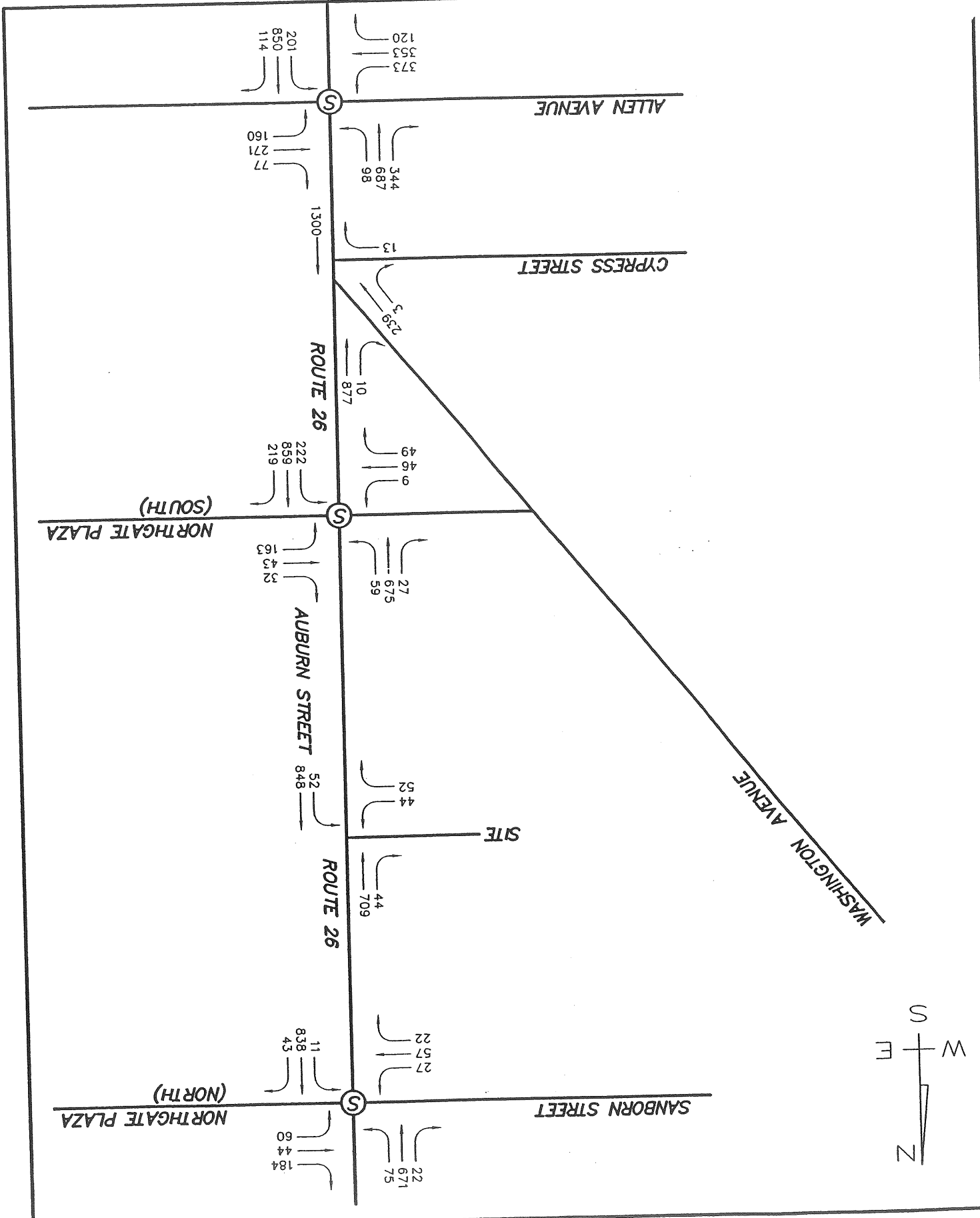


Design:	JJB	Date:	JUNE 2002
Draft:	RDC	Job No.:	587
Checked:	RLB	Scale:	NTS
File Name: 587-TRAF.DWG			

GP
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 Traffic and Civil Engineering Services
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 Groy, ME 04039
 207-657-6910

Drawing Name: **2003 Postdevelopment Volumes**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **8**



Capacity Analysis

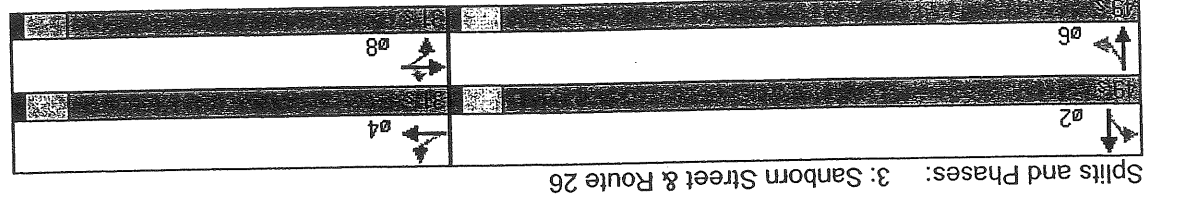
Appendix B

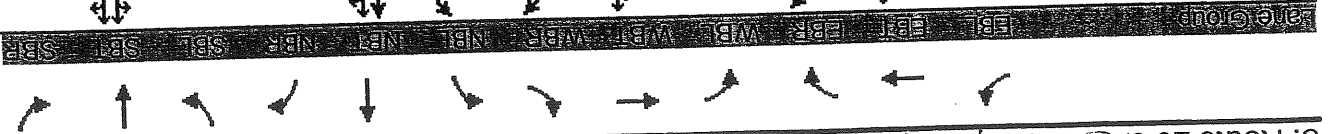


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Total Lost Time (s)	0	1789	0	0	1811	1583	0	3277	0	0	3274	0
EBL Permitted	1	0.924	0	0	0.808	0	0.924	0	0	0	0.753	0
Satd. Flow (prot)	0	1789	0	0	1811	1583	0	3277	0	0	3274	0
Satd. Flow (perm)	0	1673	0	0	1505	1583	0	3096	0	0	2477	0
Satd. Flow (RTOR)	18	18	18	186	186	11	11	11	11	11	11	11
Volume (vph)	27	57	22	58	44	184	11	819	43	75	656	22
Lane Group Flow (vph)	0	115	0	0	111	200	0	949	0	0	819	0
Turn Type	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm
Protected Phases	4	4	8	8	8	8	2	2	6	6	6	6
Permitted Phases	31.0	31.0	0.0	31.0	31.0	31.0	49.0	49.0	0.0	49.0	49.0	0.0
Total Split (s)	10.7	10.7	0.13	0.13	0.13	0.13	0.77	0.77	0.77	0.77	0.77	0.77
Act Effct Green (s)	10.7	10.7	0.48	0.56	0.61	0.40	0.40	0.40	0.43	0.43	0.43	0.43
v/c Ratio	0.48	0.48	0.56	0.61	0.40	0.40	0.43	0.43	0.43	0.43	0.43	0.43
Uniform Delay (s)	27.0	27.0	31.7	31.7	11.6	2.4	2.4	2.4	3.2	3.2	3.2	3.2
Delay	26.1	26.1	18.8	18.8	2.4	2.4	2.4	2.4	3.7	3.7	3.7	3.7
LOS	C	C	C	C	B	A	A	A	A	A	A	A
Approach Delay	26.1	26.1	18.8	18.8	2.4	2.4	2.4	2.4	3.7	3.7	3.7	3.7
Approach LOS	C	C	B	B	A	A	A	A	A	A	A	A
Queue Length 50th (ft)	35	35	53	53	20	0	0	0	55	55	55	55
Queue Length 95th (ft)	89	89	97	97	87	0	0	0	107	107	107	107
Internal Link Dist (ft)	1183	1183	1009	1009	582	1026	1026	1026	1026	1026	1026	1026

50th Up Block Time (%)
 50th Bay Block Time (%)
 95th Bay Block Time (%)
 Queuing Penalty (veh)

Intersection Summary
 Cycle Length: 80
 Activated Cycle Length: 80
 Offset: 40 (50%), Referenced to phase 2:NBTL and 6:SBTL, Start of Green
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.61
 Intersection LOS: A
 Intersection Capacity Utilization 72.0%
 ICU Level of Service C

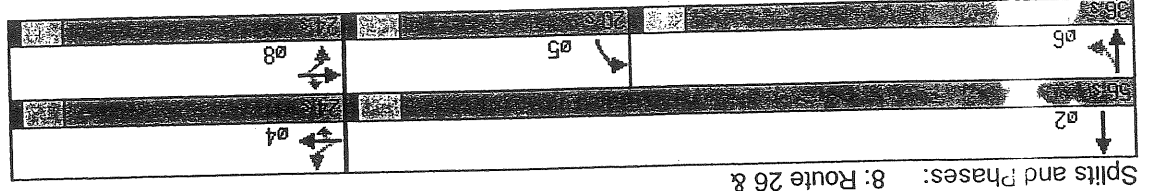




Lane Configurations	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Satd. Flow (prot)	0	1848	1583	0	1792	1583	1770	3430	0	0	3507	0
Eligible Permitted	0	0.947	0.731	0	0.950	0.731	1.000	3430	0	0	0.742	0
Satd. Flow (perm)	0	1764	1583	0	1362	1583	1770	3430	0	0	2613	0
Satd. Flow (RTOR)	58	58	58	33	33	33	83	83	0	0	656	27
Volume (vph)	9	46	49	163	43	30	222	843	219	57	656	27
Lane Group Flow (vph)	0	60	58	0	224	38	241	1154	0	0	804	0
Turn Type	Perm	Perm	Perm	Perm	Perm	Perm	Prot	Perm	Perm	Perm	Perm	Perm
Protected Phases	4	4	4	8	8	8	2	2	6	6	6	6
Permitted Phases	4	4	4	8	8	8	2	2	6	6	6	6
Total Spills	24.0	24.0	24.0	24.0	24.0	24.0	20.0	55.0	0.0	36.0	36.0	0.0
Act Effect Green (s)	16.8	16.8	16.8	16.8	16.8	16.8	16.0	55.3	0.0	35.3	35.3	0.0
Actuated v/c Ratio	0.21	0.21	0.21	0.21	0.21	0.21	0.20	0.69	0.00	0.44	0.44	0.00
v/c Ratio	0.16	0.14	0.14	0.09	0.09	0.09	0.68	0.48	0.00	0.70	0.70	0.00
Uniform Delay (s)	25.9	0.0	0.0	30.0	0.0	29.6	5.2	17.9	0.00	17.0	17.0	0.00
Delay	24.5	7.5	7.5	31.0	8.8	20.7	2.7	17.0	0.00	17.0	17.0	0.00
OS	C	A	A	C	A	C	A	A	A	B	B	B
Approach Delay	16.5	28.1	28.1	17.0	5.8	5.8	17.0	17.0	0.00	17.0	17.0	0.00
Approach LOS	B	C	C	B	A	A	B	B	B	B	B	B
Queue Length 50th (ft)	24	0	0	104	0	76	2	155	0.00	155	155	0.00
Queue Length 95th (ft)	58	25	25	188	19	105	95	238	0.00	238	238	0.00
Internal Link Dist (ft)	1191	1073	1073	520	160	160	11%	11%	0.00	11%	11%	0.00

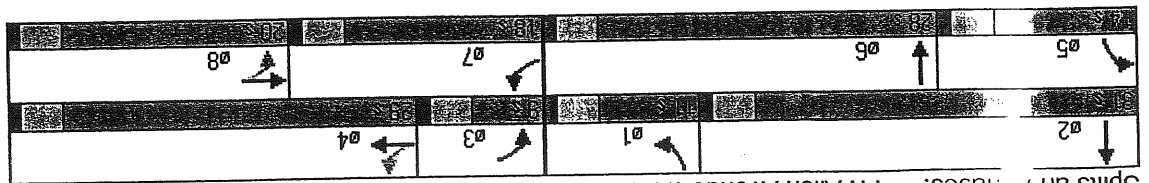
Intersection Summary	95th Up Block Time (%)	50th Up Block Time (%)	50th Bay Block Time %	95th Bay Block Time %	Queueing Penalty (veh)
44	11%	3%	160	160	44

Cycle Length: 80
 Actuated Cycle Length: 80
 Offset: 52 (65%), Referenced to phase 2:NBT and 6:SBTL, Start of Green
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.79
 Intersection LOS: B
 Intersection Capacity Utilization 84.3%
 ICU Level of Service D
 # 95th percentile volume exceeds capacity, queue may be longer
 Queue shown is maximum after two cycles.
 # Volume for 95th percentile queue is metered by upstream signal





Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBR
Lane Configurations	↖	↖	↖	↖	↖	↖	↖	↖	↖	↖	↖
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Satd. Flow (prot)	1770	1770	1792	0	1770	1801	0	1770	3476	0	1770
Flt. Permitted	0	0	0	0	0	0	0	0	0	0	0
Satd. Flow (perm)	373	1792	0	466	1801	0	1770	3476	0	1770	3362
Satd. Flow (RTOR)	22	16	0	16	0	0	20	0	0	0	0
Volume (veh)	368	353	120	160	271	75	201	841	114	96	676
Volume (vph)	400	514	0	174	377	0	238	1008	0	104	1102
Turn Type	pm+pt	pm+pt	7	4	8	3	8	5	2	1	6
Protected Phases	4	0	0	0	0	0	0	0	0	0	0
Permitted Phases	18.0	29.0	0.0	9.0	20.0	0.0	14.0	31.0	0.0	11.0	28.0
Act Effct Green (s)	34.0	25.0	21.0	16.0	10.0	29.2	7.0	24.0	0.09	0.30	0.67
Actuated V/C Ratio	0.48	0.34	0.26	0.20	0.13	0.37	0.09	0.30	0.09	0.30	0.67
v/c Ratio	0.99	0.89	0.85	1.01	0.99	0.81	0.67	1.01	0.67	1.01	0.67
Uniform Delay, d1	18.3	25.0	16.4	30.6	34.9	28.1	36.7	25.1	36.7	25.1	36.7
Delay	56.1	37.2	43.4	72.9	83.0	27.3	31.6	45.0	31.6	45.0	43.9
Approach Delay	45.4	63.6	36.9	43.9	36.9	43.9	36.9	43.9	36.9	43.9	43.9
Approach LOS	D	D	D	D	D	D	D	D	D	D	D
Approach LOS	D	D	D	D	D	D	D	D	D	D	D
Queue Length 50th (ft)	149	233	54	~186	111	248	44	~113	44	~113	44
Queue Length 95th (ft)	#330	#418	#143	#362	#245	#365	#87	#245	#87	#245	#87
Internal Lk Dist (ft)	1176	1104	986	254	986	254	986	254	986	254	986
50th Up E Lock Time (%)	3%										
95th Up E Lock Time (%)											
Turn Bay Length (ft)											
50th Bay Lock Time %											
95th Bay Lock Time %											
Queueing Penalty (veh)											

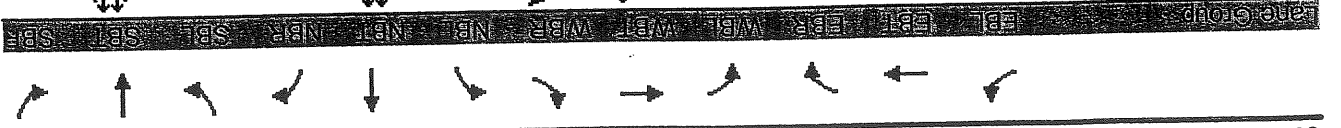


Splits and Phases: 11: Allen Avenue & Route 26



Lane Group	NBT	NBT	SBT	SBT	SRT	SRT
Fit Permitted	0	5085	3592	0	0	1614
Satd Flow (Prof)	0	5085	3592	0	0	1614
Volume (vph)	0	1284	858	10	0	242
Lane Group Flow (vph)	0	1396	974	0	0	263
Sign Control	Free	Free	Free	Stop		

Intersection Summary
 Control Type: Unsignalized
 Intersection Capacity Utilization: 49.1%
 ICU Level of Service: A

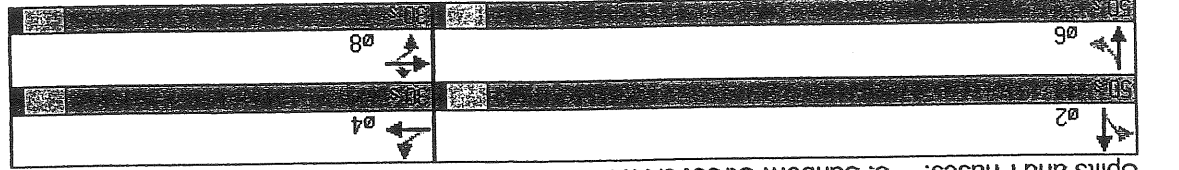


Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBR
Lane Configurations	4	4	4	4	4	4	4	4	4	4	4
Total Lost Time (s)	40	40	40	40	40	40	40	40	40	40	40
Satd. Flow (prot)	0	1789	0	0	1811	1583	0	3277	0	3274	0
El. Permitted	0.928		0.803		0.974		0.974		0.754		
Satd. Flow (perm)	0	1671	0	0	1496	1583	0	3096	0	2481	0
Satd. Flow (RTOR)	18		136		11		11		6		
Volume (vph)	27	57	22	60	44	184	11	838	43	75	671
Lane Group Flow (vph)	0	115	0	0	118	200	0	970	0	0	895
Turn Type	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm	Perm
Protected Phases	4		8		8		2		6		6
Permitted Phases	30.0	30.0	0.0	30.0	30.0	30.0	50.0	50.0	0.0	50.0	0.0
Total Split (s)	10.8	10.8	10.8	10.8	10.8	10.8	61.2	61.2	61.2	61.2	0.0
Act Effct Green (s)	0.14	0.14	0.14	0.14	0.14	0.14	0.77	0.77	0.77	0.77	0.0
Actuated g/c Ratio	0.48	0.48	0.56	0.61	0.61	0.41	0.44	0.44	0.44	0.44	0.0
Uniform Delay, d1	26.8	26.8	32.4	10.2	32.4	10.2	3.2	3.2	3.8	3.8	0.0
Delay	26.0	26.0	31.6	11.7	31.6	11.7	0.6	0.6	3.8	3.8	0.0
Approach Delay	26.0	26.0	18.9	0.6	18.9	0.6	0.6	0.6	3.8	3.8	0.0
Approach LOS	C	C	B	A	B	A	A	A	A	A	A
Queue Length 50th (ft)	41	41	54	25	54	25	7	7	57	57	0
Queue Length 95th (ft)	89	89	98	87	98	87	15	15	112	112	0
Internal Link Dist (ft)	1183	1183	1009	582	1009	582	1026	1026	1026	1026	0

50th Up Block Time (%)	95th Up Block Time (%)	Turn Bay Length (ft)	50th Bay Block Time %	95th Bay Block Time %	Queuing Penalty (veh)
100	100	100	100	100	100

Intersection Summary
 Cycle Length: 80
 Actuated Cycle Length: 80
 Offset: 46 (58%), Referenced to phase 2:NBTL and 6:SBTL, Start of Green
 Control Type: Actuated-Coordinated
 Maximum v/c Ratio: 0.61
 Intersection Signal Delay: 3.7
 Intersection LOS: A
 ICU Level of Service: C
 Intersection Capacity Utilization: 73.1%

Splits and Phases: 3: Sanborn Street & Route 26



Control Type	Unsignalized	Intersection Capacity Utilization	61.0%	IOU Level of Service	B
Intersection Summary					
Sign Control	Stop	Free	Free	Free	Free
Lane Group Flow (vph)	105	0	0	979	819
Volume (vph)	44	52	52	848	709
Satd Flow (perm)	1689	0	0	3293	3274
Fit Permitted	0.978	0.997			
Satd Flow (prop)	1689	0	0	3293	3274
Lane Configurations	W	4	4	4	4
Lane Group	EBL	EBP	NBL	NBP	SPR





Lane Group	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	4	4	4	4	4	4	4	4	4	4	4	4
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Satd. Flow (prot)	0	1848	1583	0	1792	1583	1770	3433	0	0	3507	0
Elc Permitted	0.947			0.731			0.950			0.771		
Satd. Flow (perm)	0	1764	1583	0	1362	1583	1770	3433	0	0	2715	0
Satd Flow (RTOR)	53			35			81			5		
Volume (vph)	9	46	49	163	43	32	222	859	219	59	675	27
Lane Group Flow (vph)	0	60	53	0	224	35	241	1172	0	0	827	0
Turn Type	Perm	Perm	Perm	Perm	Perm	Perm	Prot	Prot	Perm	Perm	Perm	Perm
Protected Phases	4	4	4	8	8	8	5	2	6	6	6	6
Permitted Phases	4	4	4	8	8	8	5	2	6	6	6	6
Total Spill (s)	24.0	24.0	24.0	24.0	24.0	24.0	26.0	56.0	0.0	36.0	36.0	0.0
Act Effct Green (s)	16.8	16.8	16.8	16.8	16.8	16.8	13.8	55.3	37.4	0.47	0.65	16.1
Actuated g/c Ratio	0.21	0.21	0.21	0.21	0.21	0.21	0.17	0.69	0.47	0.47	0.65	16.1
v/c Ratio	0.16	0.14	0.14	0.16	0.14	0.14	0.09	0.49	0.65	0.47	0.65	16.1
Uniform Delay, d1	25.9	0.0	0.0	30.0	0.0	0.0	31.7	5.3	16.1	16.1	16.1	16.1
Delay	24.5	7.5	7.5	31.0	8.7	26.6	3.5	15.0	15.0	15.0	15.0	15.0
LOS	C	A	A	C	A	A	C	A	B	B	B	B
Approach Delay	16.5	28.0	28.0	7.4	15.0	15.0	15.0	15.0	15.0	15.0	15.0	15.0
Approach LOS	B	C	C	A	B	B	B	B	B	B	B	B
Queue Length 50th (ft)	24	0	104	0	79	0	0	120	120	120	120	120
Queue Length 95th (ft)	53	26	188	21	103	166	166	166	166	166	166	166
Internal Link Dist (ft)	1191	1073	520	160	160	160	160	160	160	160	160	160
95th Up Block Time (%)	7%											
95th Up Block Time (ft)												
Turn Bay Length (ft)												
50th Bay Block Time %												
95th Bay Block Time %												
Queueing Penalty (veh)												

Intersection Summary

Cycle Length: 80

Activated Cycle Length: 80

Offset: 40 (50%), Referenced to phase 2:NBT and 6:SBTL, Start of Green

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.79

Intersection Signal Delay: 2.3

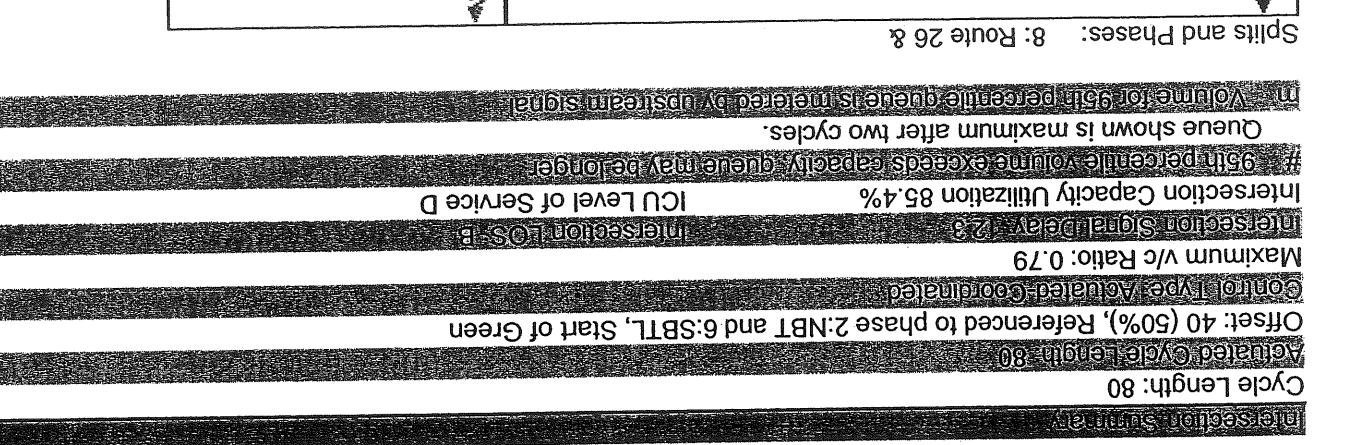
Intersection LOS: B

ICU Level of Service D

95th percentile volume exceeds capacity, queue may be longer

Queue shown is maximum after two cycles.

Volume for 95th percentile queues metered by upstream signal





Lane Group EBL EBRT EBR WBL WBRT WBR NBL NBR SBL SBR

Lane Configurations 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0

Satd. Flow (prot) 1770 1792 0 1770 1801 0 1770 3476 0 1770 3362 0

Elc Permitted 0.200 0.250 0.950

Satd. Flow (perm) 373 1792 0 466 1801 0 1770 3476 0 1770 3362 0

Satd. Flow (RTOR) 22 16 6

Volume (vph) 373 353 119 160 271 76 201 851 114 98 687 344

Lane Group Flow (vph) 408 518 0 174 378 0 218 1049 0 107 1121 0

Turn Type pm+pt pm+pt

Protected Phases 7 4

Permitted Phases 8

Total Spill (s) 18.0 29.0 0.0 9.0 20.0 0.0 14.0 31.0 0.0 11.0 28.0 0.0

Act Effct Green (s) 34.0 25.0 21.0 16.0 10.0 29.2 7.0 24.0

Actuated G/C Ratio 0.748 0.31 0.26 0.20 0.18 0.97 0.09 0.30

V/C Ratio 1.00 0.89 0.85 1.01 0.99 0.82 0.69 1.03

Uniform Delay, dt 18.4 25.0 16.4 30.6 34.1 28.2 36.8 25.4

Delay 59.3 37.0 43.4 73.6 83.0 27.9 36.1 52.1

LOS E D D D F C D D

Approach Delay 46.9 64.0 37.4 50.7

Approach LOS D D E D

Queue Length 50th (ft) ~153 233 54 ~187 111 252 52 ~133

Queue Length 95th (ft) #336 #447 #143 #364 #245 #370 #101 #417

Internal Link Dist (ft) 1176 1104 986 254

50th Up Block Time (%) 50th Up Block Time (%)

Turn Bay Length (ft) 50th Bay Block Time %

Queueing Penalty (veh) 79

Intersection Summary

Cycle Length: 80

Actuated Cycle Length: 80

Offset: 72 (90%), Referenced to phase 2:NBT and 6:SBT, Start of Green

Control Type: Actuated-Coordinated

Maximum V/C Ratio: 1.03

Intersection LOS: D

Intersection Capacity Utilization 101.0%

ICU Level of Service: F

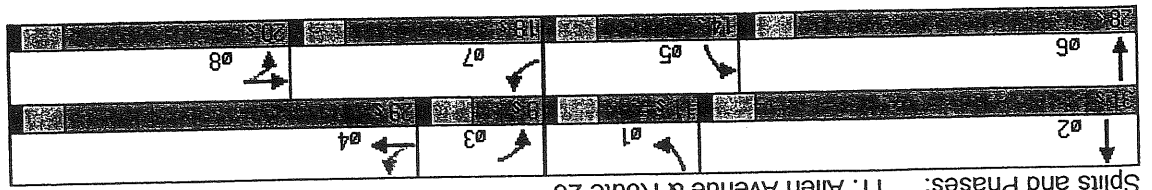
Volume exceeds capacity, queue is theoretically infinite

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer

Queue shown is maximum after two cycles.

Volume for 95th percentile queue is metered by upstream signal



TWO-WAY STOP CONTROL SUMMARY

General Information		Site Information	
Analyst	Tom Gorrill	Intersection	Bank Drive & Route 26
Agency/Co.	Gorrill-Palmer	Jurisdiction	2003-Predevelopment
Date Performed	09/10/2002	Analysis Year	JN 587
Analysis Time Period	5:00 pm	Project ID	

East/West Street: Proposed Bank DW	North/South Street: Auburn Street
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments					
Major Street	Northbound	Southbound	Major Street	Northbound	Southbound
Movement	1	4	Movement	5	6
L	3	4	L	5	6
T	2	3	T	5	6
R	2	3	R	5	6
Volume	868	0	Volume	724	12
Peak-Hour Factor, PHF	0.92	1.00	Peak-Hour Factor, PHF	0.92	0.92
Hourly Flow Rate, HFR	15	0	Hourly Flow Rate, HFR	786	13
Percent Heavy Vehicles	2	0	Percent Heavy Vehicles	0	0
Median Type	Undivided		Median Type	Undivided	
RT Channelized	0	0	RT Channelized	0	0
Lanes	2	0	Lanes	2	0
Configuration	LT	T	Configuration	T	TR
Upstream Signal	1		Upstream Signal	1	

Minor Street					
Westbound	Eastbound	Westbound	Eastbound	Westbound	Eastbound
Movement	7	10	Movement	11	12
L	9	10	L	11	12
T	8	9	T	11	12
R	8	9	R	11	12
Volume	0	0	Volume	0	16
Peak-Hour Factor, PHF	1.00	1.00	Peak-Hour Factor, PHF	1.00	0.92
Hourly Flow Rate, HFR	0	0	Hourly Flow Rate, HFR	0	17
Percent Heavy Vehicles	0	0	Percent Heavy Vehicles	0	2
Percent Grade (%)	0	0	Percent Grade (%)	0	0
Flared Approach	N	N	Flared Approach	N	0
Storage	0	0	Storage	0	0
RT Channelized	0	0	RT Channelized	0	0
Lanes	0	0	Lanes	0	0
Configuration			Configuration	LR	

Delay, Queue Length, and Level of Service					
Approach	NB	SB	Westbound	Eastbound	Approach
Movement	1	4	Movement	11	12
Lane Configuration	LT	LT	Lane Configuration	LR	LR
v (vph)	15	15	v (vph)	20	20
C (m) (vph)	959	959	C (m) (vph)	603	603
v/c	0.02	0.02	v/c	0.03	0.03
95% queue length	0.05	0.05	95% queue length	0.10	0.10
Control Delay	8.8	8.8	Control Delay	11.2	11.2
LOS	A	A	LOS	B	B
Approach Delay	--	--	Approach Delay	11.2	11.2
Approach LOS	--	--	Approach LOS	B	B

HCS2000™

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Version 4.1

TWO-WAY STOP CONTROL SUMMARY

Site Information		General Information			
Intersection	Bank Drive & Route 26	Analyst	Tom Gorrill	Agency/Co.	Gorrill-Palmer
Jurisdiction	2003 Post Development	Date Performed	09/10/2002	Analysis Time Period	5:00 pm
Project ID					

EastWest Street: Proposed Bank DW	North/South Street: Auburn Street
Intersection Orientation: North-South	
Study Period (hrs): 1.00	

Vehicle Volumes and Adjustments					
Northbound			Southbound		
Movement	1	2	3	4	5
Volume	52	848	0	709	44
Peak-Hour Factor, PHF	0.92	0.92	1.00	0.92	0.92
Hourly Flow Rate, HFR	56	921	0	770	47
Percent Heavy Vehicles	2	--	--	0	--
Median Type	Undivided				
RT Channelized	0	0	0	0	0
Lanes	0	2	0	2	0
Configuration	LT	T		T	TR
Upstream Signal		1			1

Minor Street					
Westbound			Eastbound		
Movement	7	8	9	10	11
Volume	0	0	0	44	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.92	1.00
Hourly Flow Rate, HFR	0	0	0	47	0
Percent Heavy Vehicles	0	0	0	2	0
Percent Grade (%)	0				
Flared Approach	N			N	
Storage	0			0	
RT Channelized			0		
Lanes	0		0		0
Configuration				LR	

Delay, Queue Length, and Level of Service					
NB			SB		
Approach	1	4	7	8	9
Movement	LT				
Lane Configuration	56				
v (vph)	963				
C (m) (vph)	0.06				
v/c	0.19				
95% queue length	9.0				
Control Delay	A				
LOS					
Approach Delay					
Approach LOS					

Trip Generation Calculations

Appendix C

Weekday
 AM Peak Hour (of Adjacent Street Traffic)
 $T = 174,529(3.5) + 385,789 \Rightarrow T = 997$ trips
 $T = 12.63(3.5) \Rightarrow T = 44$ trips
 PM Peak Hour (of Adjacent Street Traffic)
 $T = 54,77(3.5) \Rightarrow T = 192$ trips
 Saturday
 $T = 90,621(3.5) - 107,195 \Rightarrow T = 210$ trips
 Saturday Peak Hour (of Generator)
 $T = 42,18(3.5) \Rightarrow T = 148$ trips
 50% in, 50% out

Trip Generation for
 Proposed Bath Savings
 LUC 912 - Based on 3,500 s.f.

GORRILL-PALMER
 CONSULTING ENGINEERS, INC.
 P.O. Box 1237
 GRAY, MAINE 04039
 (207) 657-6910
 FAX (207) 657-6912

JOB 587 - Bath Savings Bank
 SHEET NO. 1 OF 1
 CALCULATED BY J. Bartlett
 DATE 6/29/02
 CHECKED BY _____
 DATE _____
 SCALE _____

Trip Gen for other projects
Bath Savings Bank

JOB _____

SHEET NO. _____

OF _____

DATE _____

CALCULATED BY J. Barthelet

DATE _____

CHECKED BY _____

DATE _____

SCALE _____

GORRILL-PALMER
CONSULTING ENGINEERS, INC.
P.O. Box 1237
GRAY, MAINE 04039
(207) 657-6910
FAX (207) 657-6912

Presumpscot River Place - 36 Units

LUC 270 (PRUD) $\Rightarrow \ln(T) = 0.896 \ln(30) + 0.265 \Rightarrow T = 27$ trips

18 in, 9 out \Rightarrow say 60% go to S.A. \Rightarrow 11 NB, 5 SB

Age-Restricted Housing - 79 Units

LUC 270 (PRUD) $\Rightarrow \ln(T) = 0.896 \ln(79) + 0.265 \Rightarrow T = 65$ trips

42 in, 23 out \Rightarrow say 60% go to S.A. \Rightarrow 25 NB, 14 SB

Condo complex off of Harvard - 33 Units

LUC 230 (Resid. Cond./TH.) $\Rightarrow \ln(T) = 0.827 \ln(33) + 0.309 \Rightarrow T = 25$ trips

16 in, 9 out \Rightarrow say 40% go to S.A. \Rightarrow 4 NB, 6 SB

Multi-Family off of Berry/Chelsea/Harvard - est 25 units

LUC 270 (PRUD) $\Rightarrow \ln(T) = 0.896 \ln(25) + 0.265 \Rightarrow T = 23$ trips

15 in, 8 out \Rightarrow say 40% go to S.A. \Rightarrow 3 NB, 6 SB

**Request for Official Zoning Map Update
from the GIS Workgroup**

Date: February 26, 2003

Planner: Kandice Talbot

Location: 40-42 Auburn Street

If the Zone Change is based on parcel lines please list the Assessor's CBLs.

375-A-002

Council Order Number: 161-02/03

Date passed by City Council: February 19, 2003

Effective Date: March 21, 2003

Zone Change from B-1/R-3 to Contract Zone

Changes made, if any, by the City Council to the advertised map:

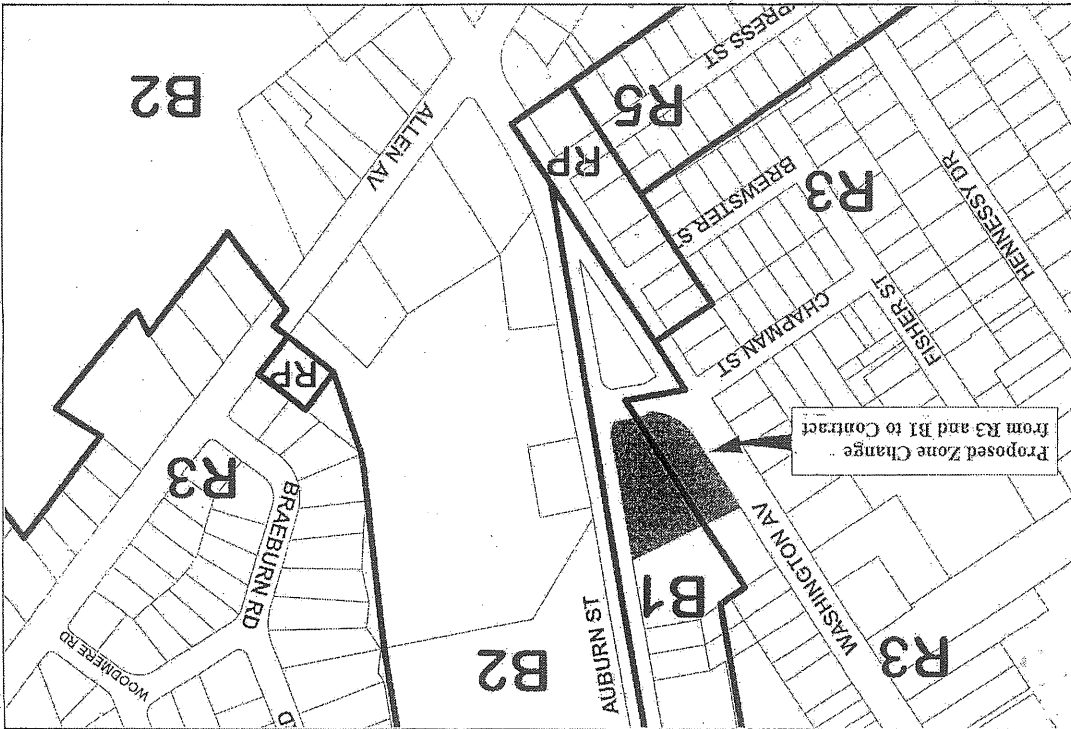
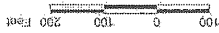
Copy of Council Order attached

Copy of map accepted by City Council attached

Mandatory copy of the accepted map has been sent to Alex Wong at
DEP if this zone change is within the Shoreland Zone

Please send this request, a copy of the Council Order and the approved map to
Leslie Kaynor in Public Works as soon as the zone change is approved.
If the zone change is denied, please forward a copy of the Council Order for our records.
For questions: Call 756-8346 or email lmk@ci.portland.me.us

Proposed Zone Change from R3 and B1 to Contract for 40 - 42 Auburn Street



Map produced by the City of Portland's Department of Planning & Urban Development & its GIS Workgroup, May 2002

*Order 161-02/03
106 14 2-3-03*

JAMES F. CLOUTIER (MAYOR) (A/L)
PETER E. O'DONNELL (1)
KAREN A. GERRAGHTY (2)
NATHAN H. SMITH (3)
CHERYL A. LEBMAN (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

JAMES I. COHEN (5)
JOHN W. GRIFFIN (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

**ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONTRACT FOR REZONING FOR 40-42 AUBURN STREET**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to conform with the conditions contained within the following "Contract Zone Agreement," provided that the Contract Zone Agreement is executed and recorded in the Cumberland County Registry of Deeds within ninety (90) days from the date of this Order.

CONTRACT ZONE AGREEMENT

**Bath Savings Institution
40-42 Auburn Street, Portland, Maine**

This contract made this _____ day of _____, 2003 by **BATH SAVINGS INSTITUTION**, a Maine Banking Institution ("BSI"), with the consent of Kenike, LLC ("Kenike"), the fee owner of 40-42 Auburn Street, Portland, Maine ("Property").

WHEREAS, BSI is the tenant of property at 40-42 Auburn Street, Portland, Maine, under the terms of a long-term Ground Lease between BSI and Kenike, LLC, as fee owner thereof; and

WHEREAS, Kenike has authorized BSI to file a Zone Change Application with the City of Portland ("City") and joins in this Agreement, as fee owner, for the express purpose of consenting to the terms and conditions of this Contract Zone Agreement; and

WHEREAS, BSI requested a rezoning of a portion of the property at 40-42 Auburn Street, in the City in order to permit the use of a bank branch with drive-through windows and an ATM machine, and with incidental sales of financial and insurance products and services; and

WHEREAS, the 40-42 Auburn Street property is more specifically described and shown on the Portland Assessors Map, Parcels: Chart 375, Block A, Lot 002 (the "Property"); and

First reading 2/3/03

Passed 2/19/03 5-0 (Cohen abstaining, Leeman & O'Donnell gone, Mavodones absent)

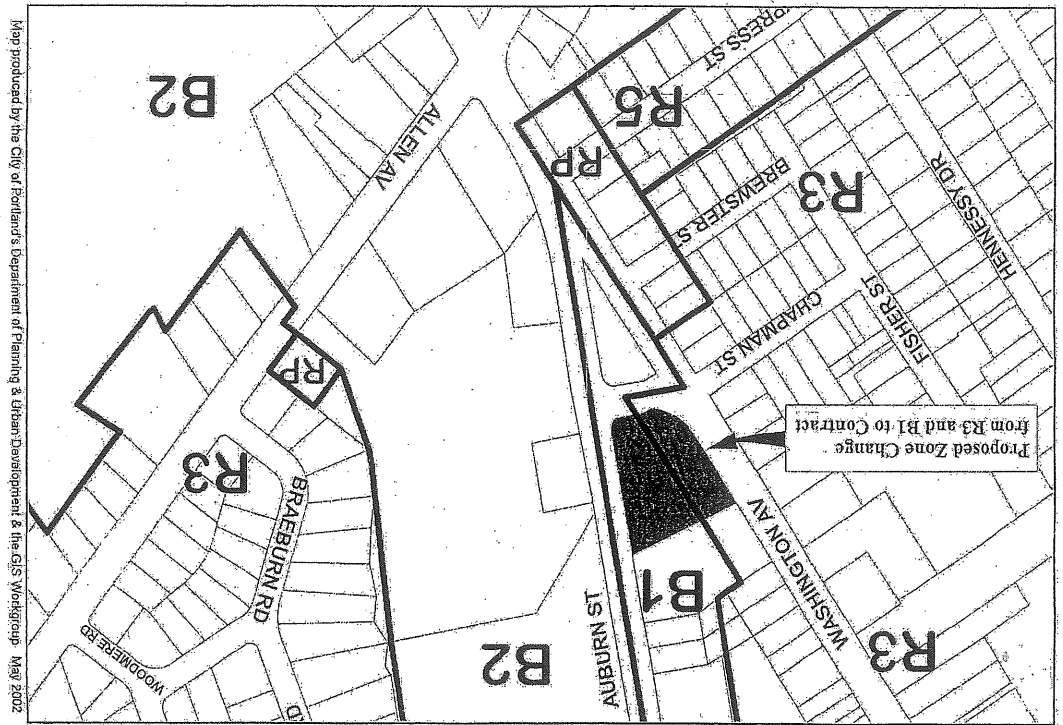
WHEREAS, the Portland Planning Board, pursuant to 30-A M.R.S.A. §4352(8), and after notice and hearing and due deliberations, recommended the rezoning of the Property, subject, however, to certain conditions; and

WHEREAS, the City, by and through its City Council, has determined that the rezoning, with conditions and restrictions, would be pursuant to and consistent with the City's comprehensive plan and would not unreasonably interfere with the existing and permitted uses within the underlying B-1 and R-3 zones; and

WHEREAS, the BSI, with the consent of Kenike, has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind BSI; and

NOW, THEREFORE, in consideration of the rezoning of the Property, BSI contracts to be bound by the following terms and conditions:

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.



Map produced by the City of Portland's Department of Planning & Urban Development & the GIS Workgroup. May 2002

Proposed Zone Change from R3 and B1 to Contract
for 40 - 42 Auburn Street

2. The use of the Property shall consist of a bank branch with incidental sales of financial lanes (hereinafter "Teller) and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan"). See Attachment I.
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb-cut shall conform to that shown on Attachment I, incorporated herein by reference. The existing curb-cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb-cut shall be permitted on the Washington Avenue or the connector between Washington Avenue and Auburn Street.
6. The existing landscaping hedge on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height of six (6) feet by BSI and the property owner.
7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.
8. The front yard setback need not comply with the setback requirements contained within the B-1 zone but shall comply with the setbacks as shown on Attachment I. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition to the Site Plan Standards of the Land Use Code, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
 - a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and

c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.

d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the underlying B-1 and R-3 zones.

So long as the property continues to be used as a bank branch the above stated

restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the

Property, shall bind and benefit BSI, and any of its successors and assigns, and shall inure to the

benefit of and be enforceable by the City, by and through its duly authorized representatives.

BSI shall file a copy of this Agreement in the Cumberland County Registry of Deeds, along with

a reference to the Book and Page locations of the deeds for the Property, and the memorandum

of Lease between BSI and Kenike, LLC.

If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for

any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion

shall be deemed as a separate, distinct, and independent provision and such determination shall

not affect the validity of the remaining portions hereof.

Kenike, LLC, fee owner of the property and Landlord under the Ground Lease to BSI

joins in this Agreement to acknowledge its consent to the zone change and the terms and

conditions of this agreement and to acknowledge that the property will be and remain subject to

the terms and conditions set forth herein.

Except as expressly modified herein, the development, use, and occupancy of the subject

premises shall be governed by and comply with the provisions of the Land Use Code of the City

of Portland and any applicable amendments thereto or replacement thereof.

In the event that BSI, Kenike or any successor fails to continue to utilize the Property in

accordance with this Agreement, or in the event of a breach of any condition(s) set forth in this

Agreement, the Planning Board shall have the authority, after hearing, to resolve the issue

resulting in the breach. The resolution may include a recommendation to the City Council that

the Agreement be terminated requiring cessation of the use of the addition authorized herein.

WITNESS:

BATH SAVINGS INSTITUTION

By _____

Glenn Hutchinson

Its President

Consenting to the terms hereof:

KENIKE, LLC

By: Joseph Esposito, its Member

State of Maine
Cumberland, ss.

Date:

Personally appeared the above-named Glenn Hutchinson, President of Bath Savings Institution, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Bath Savings Institution.

Notary Public

Cumberland, ss.

Date:

Personally appeared the above-named Joseph Esposito, Member of Kenike LLC, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Kenike LLC.

Notary Public

2. The use of the property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty-four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gortill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb cut shall conform to that shown on Attachment 2, incorporated herein by reference. The existing curb cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb cut shall be permitted on Washington Avenue or the connector between Washington Avenue and Auburn Street.
6. The existing landscaping on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height or no less than six (6) feet by BSI and the property owner.
7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.
8. The front yard setback need not comply with the setback requirements contained within the B-1 zone. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
 - a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and

8. Upon receiving final Planning Board or Department approval, the applicant must submit a CADD file of this development proposal to Public Works and the attention of Jon Gilles. This is for the purpose of continuing to update and develop the City's GIS database.
- If you have any questions, please do not hesitate to contact me at 874-8901.

Sincerely,


Kandice Talbot
Planner

IX. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by Bath Savings Institution, the policies of the B-2 Community Business Zone, Comprehensive Plan, the information provided in Planning Board Report #44-02, and/or other findings as follows:

- i. The Board finds that the proposed B-1/R-3 Contract Rezoning [is or is not] consistent with the policies of the B-1 Neighborhood Business Zone, R-3 Residential Zone and Comprehensive Plan of the City of Portland. The Planning Board therefore [recommends or does not recommend] to the City Council approval of the proposed rezoning at 40-42 Auburn Street.

Attachments:

1. Zone Change Application
2. Applicant's Letter dated October 22, 2002
3. Proposed Zone Change Map
4. Proposed Contract
5. Applicant's Letter dated November 19, 2002
6. Signage Information
7. Letters to Utility Companies regarding Capacity
8. Traffic Study Narrative
9. Lighting Catalogue Cuts
10. Traffic Engineer's Memo dated December 16, 2002
11. Neighborhood Meeting Minutes and Sign-In Sheet
12. Letter from the Public
13. Plans
14. Elevations

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services
Alexander Q. Jaegerman, AICP
Planning
John N. Lutkin
Economic Development

March 17, 2003

Mr. William C. Haskell, P.E.
Project Engineer
Gorrill-Palmer Consulting Engineers, Inc.
P.O. Box 1237
15 Shaker Road
Gray, ME 04039

RE: Bath Savings Institution, 40-42 Auburn Street
Application ID #2003-0029, CBL #375-A-002

Dear Will:

After review of the plans submitted for the Bath Savings Institution proposed at 40-42 Auburn Street, the following comments have been generated:

1. The applicant shall discuss with Public Works regarding pipe connections to the City's storm drain/catch basins. There is a typo error in the rim elevation proposed for the modified catch basin in Auburn Street. The elevation should be 88.87 not 83.97.
2. CB-3 shall be installed with a casco trap since it is the last collection structure prior to entering the City's storm drain.
3. It is recommended that the 10' x 12' dumpster pad be placed to the west of the wall end and just off the proposed edge of pavement. This will accommodate parking movements and allow for a less visible dumpster while still providing excellent access for trash removal.
4. Snow removal should be dedicated to the rear of the site along the Washington Avenue side of the property. No storage shall be allowed on the Auburn Street side or along the connector.
5. Additional spot grades are needed at the rear of the site, to show how runoff will drain off the pavement edge to get collected in the swale along the front. There appears to be an existing structure on the SW corner of the pavement, which is indicated as a catch basin. Will the structure remain and be utilized as a catch basin? The Demo Plan says to remain but no indication is referenced on the Grading/Drainage Plan.
6. A note shall be added to the plans discussing the status of the existing gas main. Is it remaining or is it to be removed? If it's remaining, will it need to be sleeved where it is under pavement or vehicular traffic?

V. DEVELOPMENT PLAN

The applicant is proposing a 2,882 sq. ft. branch bank with two drive-through teller lanes and a drive-through ATM. Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut.

A traffic study has been submitted and is included as Attachment 8. The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation. As the existing site currently generates traffic, Gorrill-Palmer has determined that the net trip generation for the site will be 147 trip ends. The crash data indicates that there are no high crash locations within the study area and the sight distances at the proposed driveway are acceptable. The Traffic Study states that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. Currently, approximately one car a minute turns left into Shaw's, which delays through traffic. The island should be removed between the Shaw's driveway and the bank driveway to sue this space to stripe a short left turn lane into Shaw's. In addition, this portion of Auburn Street should be striped to provide for two through lanes in each direction.

At the workshop meeting, the Planning Board had concerns with the length of the left turn lane into Shaw's and the circulation of the proposed site. Larry Ash, Traffic Engineer, has reviewed these concerns and feels that with the proposed left turn lane there will be stacking for 2 to 3 vehicles which, with a dedicated left turn lane, will be sufficient for this intersection. The Traffic Engineer is recommending however, that the left turn lanes be "protected-permissive" at this intersection. "Protected-permissive" signalization is when a green arrow is provided for each left turn lane, but when the arrow ends, left-turning vehicles may turn on a green ball when there are gaps in the traffic stream. The Traffic Engineer has also reviewed the proposed circulation at the proposed site and has no concerns. The Traffic Engineer's memo is included as Attachment 10.

VI. CONDITIONS FOR REZONING

The applicant is requesting a contract zone to limit the uses of the site as redeveloped to a branch bank use and to preclude other uses permitted in the B-2 zone such as fast food restaurants that would have a much greater impact upon residential uses in the vicinity. The conditions also address, but are not limited to, the front setback, which the proposed building does not meet for B-1 zoning; landscaping; traffic improvements and conditional standards for drive-throughs. A condition would also require that the Planning Board review the site plan.

This rezoning shall be subject to the following proposed conditions, as outlined in the executed agreement between the City and the applicant.

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.

Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.

- d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
- e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

- 9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the underlying B-1 and R-3 zones.

VII. POLICY CONSIDERATIONS

The applicant is requesting this contract zone to allow a drive-through. The current zone allows a bank use but does not allow the drive-through. The current zone for the site is B-1 along the easterly portion of the site and R-3 along the westerly portion of the site. It is possible that the zone line was created this way to form a buffer for the residential neighborhood. The contract zone would allow this buffer to remain and also address other concerns by the neighbors. Traffic improvements would be required and access would be limited to Auburn Street. If the bank use were to be discontinued in the future, the property would be reverted back to the B-1 zone.

VIII. STAFF RECOMMENDATION

Staff suggests that the Planning Board recommend the contract rezoning to the City Council. This site is already being used as a commercial use. Auburn Street is an arterial street, which is appropriate for a bank use, particularly in this area. Redevelopment of the site could also provide an opportunity to improve the layout of building and parking. The conditions of the contract address concerns regarding access, traffic, and buffer.

40-42 AUBURN STREET
R-3/B-1 CONTRACT ZONE REQUEST
BATH SAVINGS INSTITUTE, APPLICANT

Submitted to:

Portland Planning Board
Portland, Maine
January 14, 2003

Submitted by:
Kandice Talbot, Planner

I. INTRODUCTION

Bath Savings Institution is requesting a R-3/B-1 contract zone at 40-42 Auburn Street. The purpose of the zone change would allow Bath Savings Institute to redevelop the site with a branch bank with a drive-through window and drive-through ATM. The B-1 zone does not allow drive-through uses.

The applicant is proposing to remove the existing cinderblock structure on the site. Current tenants of the building are Pizza Hut Delivery and Take-Out facility and a cell phone business. The site is approximately 39,548 sq. ft. and is located at the corner of Auburn Street and Washington Avenue.

160 notices were sent to area property owners. Two notices of the public hearing appeared in the Portland Press Herald. The notice was posted in the City Clerks office 14 days prior to the Public Hearing. A neighborhood meeting was held on December 30, 2002. Sign-in sheet and minutes from the neighborhood meeting are included as Attachment 11.

II. HISTORY

As the Planning Board may recall, the Planning Board held a public hearing on June 11, 2002 for Bath Savings Institution's request for a zone change from R-3/B-1 to the B-2 zone. At that time, the neighbors had a number of concerns including traffic and access onto Washington Avenue, the existing landscaping along Washington Avenue being removed and the possibility of other B-2 uses being allowed at this site. The applicant then withdrew their request for a B-2 zone.

III. FINDINGS

Current Zoning: R-3 Residential/B-1 Neighborhood Business
Proposed Zoning: Contract Zone
Land Area: .90 acres
Existing Use: Pizza Hut and cell phone business
Proposed Use: Branch Bank with drive-through
Land Uses in the Vicinity: Retail, office and residential

IV. EXISTING USES

The uses along Auburn Street consist primarily of retail uses and office business uses, such as Shaw's, Holllywood Video, Mobil Gas Station and Convenience Store, Mr. Bagel, Paris Farmer's Union, Fleet Bank and Boy Scouts of America.

The uses along Washington Avenue, from Auburn Street towards Riverside Street, are primarily single-family residential uses.

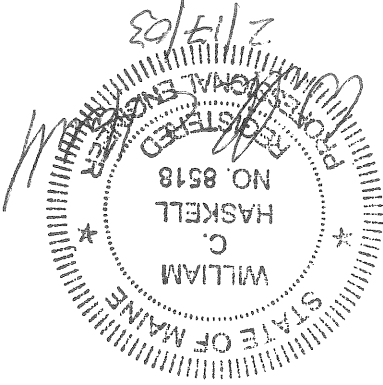
**City of Portland
Site Plan Application**

**Bath Savings Institution
Branch Bank
40-42 Auburn Street
Portland, Maine**

Prepared for:

**Bath Savings Institution
PO Box 548
Bath, Maine 04530**

February 2003



Prepared by:



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

Tel: (207) 657-6910
Fax: (207) 657-6912
E-mail: mailbox@gorrillpalmer.com

PO Box 1237
15 Shaker Road
Gray, ME 04039

April 1, 2003

Ms. Kandice Talbot
City of Portland – Planning Department
389 Congress Street
Portland, ME 04101

RE: Bath Savings Institution, 40-42 Auburn Street
Application ID# 2003-0029, CBL#375-A-002

Dear Kandice:

Gorrill-Palmer Consulting Engineers, Inc. is pleased to respond to the review comments we received from you in two letters, the first dated March 17, 2003 and the second dated March 18, 2003 regarding the above referenced project. For ease of review, each of your comments is repeated below followed by our response. We will wait to submit revised plans until after the planning board workshop meeting on April 8.

Comments from the March 17, 2003 letter:

Comment 1 – The applicant shall discuss with Public Works regarding pipe connections to the City's storm drain/catch basins. There is a typo error in the rim elevation proposed for the modified catch basin in Auburn Street. The elevation should be 88.87 not 83.97.

Response – A representative from Gorrill-Palmer Consulting Engineers, Inc. contacted Tony Lombardo at Public Works to discuss the pipe connection to the City storm drain system. The typographic error and a note detailing the connection has been added to Drawing C104.

Comment 2 – CB-3 shall be installed with a Casco trap since it is the last collection structure prior to entering the City's storm drain.

Response – The drainage schedule on Drawing C104 has been revised to include a Casco trap on CB-3.

Comment 3 – It is recommended that the 10' x 12' dumpster pad be placed to the west of the wall end and just off the proposed edge of pavement. This will accommodate parking movements and allow for a less visible dumpster while still providing excellent access for trash removal.

Response – The current layout of the dumpster does not impede traffic or parking circulation. The dumpster will be enclosed with a stockade fence. We are concerned about

moving the dumpster pad further west and would prefer to keep it as shown so it does not impact the existing arborvitae hedge.

Comment 4 – Snow removal should be dedicated to the rear of the site along the Washington Avenue side of the property. No storage shall be allowed on the Auburn Street side or along the connector.

Response – A note has been added to Drawing C102 that restricts snow storage along Auburn Street or along the Connector Road.

Comment 5 – Additional spot grades are needed at the rear of the site, to show how runoff will drain off the pavement edge to get collected in the swale along the front. There appears to be an existing structure on the SW corner of the pavement, which is indicated as a catch basin. Will the structure remain and be utilized as a catch basin? The Demo Plan says to remain but no indication is referenced on the Grading/Drainage Plan.

Response – Additional spot grades have been added, as requested, to Drawing C104. The existing structure was labeled as a catch basin on the existing conditions survey, but it is actually a manhole. We are currently trying to determine the function of the structure and we will provide additional information when it becomes available.

Comment 6 – A note shall be added to the plans discussing the status of the existing gas main. It is remaining or is it to be removed? If it's remaining, will it need to be sleeved where it is under pavement or vehicular traffic?

Response – Drawing C101 has been revised to clarify the demolition limits for the existing gas service. Northern Utilities will determine if the new gas service needs to be sleeved under the pavement.

Comment 7 – The same measurers should be considered for any duct banks or feeds from the HVAC system located just off the pavement, which will be needed to serve the building.
Response – Drawing C 103 has been revised to show two four inch (2-4") pvc sleeves to be used with the HVAC system.

Comment 8 – The bituminous sidewalk detail at driveway crossings shall be added to the plan. The cross section requires a deeper base at that location.

Response – The sidewalk detail on Drawing C201 has been revised to clarify the sidewalk and driveway details.

Comment 9 – Letters must be obtained from Utility Companies stating that adequate utility capacity exists.

Response – Copies of the aforementioned letters have been attached to this letter.

Comments from the March 18, 2003 letter

Comment 1 – On sheet C104, there is an existing catch basin located at the rear westerly edge of the proposed parking lot. This plan nor any of the other plans identify this structure to be altered or removed. The plans should clearly specify where this structure outlets. If this structure is to be removed, it's outlet pipe must be sealed or removed. If it is to be altered, this must be specified on the plans.

Response – Refer to the response to Comment 5 received in the March 17, 2003 comment letter.

Comment 2 – Sheet C104 must specify a "Casco trap" to be installed in CBI, which outlets to the Auburn Street System.

Response – Refer to the response to Comment 2 in the March 17, 2003 comment letter.

Comment 3 – On Sheet C104, "modifying existing catch basin" in Auburn Street must clearly specify that the "new invert in" must be core drilled and fit with a flexible fitting.

Response – Refer to the response to Comment 1 in the March 17, 2003 comment letter.

Comment 4 – The Detail Sheet must include a construction detail for the proposed sanitary sewer service connection into Washington Avenue.

Response – A profile of the proposed sanitary sewer service has been added to Drawing C103. The profile clearly shows the connection of the new service to the existing 10 inch sewer in Washington Avenue.

Comment 5 – The Detail Sheet must include a construction detail from the proposed driveway entrance/exit onto Auburn Street.

Response – Refer to the response to Comment 1 in March 17, 2003 comment letter.

Comment 6 – *The proposed limits of excavation within the paved roadway of Auburn Street and Washington Avenue, must be clearly specified on the plans.*

Response – The pavement saw cut lines are shown on the plans. In general, for the Auburn Street curb and island work, the saw cut lines are located approximately 1 foot outside of the curb line. Saw cut lines for utility trenches are generally 2.5 feet on either side of the center line of the trench.

Comment 7 – *The applicant is advised to contact Carol Merritt at Public Works regarding the required permits and corresponding fees associated with excavation within the right of way and utility connections.*

Response – The applicant will address this comment at the time of construction.

Comment 8 – *Upon receiving Planning Board or Department approval, the applicant must submit a CADD file of this development proposal to Public Works and the attention of Jon Giles. This is for the purpose of continuing to update and develop the City's GIS database.*

Response – No response required at this time.

Gorill-Palmer Consulting Engineers, Inc. appreciates the input received from City staff and looks forward to the planning board workshop on April 8. Should you have any questions or require any additional information please contact our office.

Sincerely,

Gorill-Palmer Consulting Engineers, Inc.

William C. Haskell, P.E.
Project Engineer

Copy: Sheri Shaw, Platz Associates, Inc.
Donald Peterson
Gary Vogel, Lambert Coffin
Glenn Hutchinson, Bath Savings Institution

Enc.

**DRAFT 4 (1-13-03)(Showing changes requested by Planning Board)
CONTRACT ZONE AGREEMENT**

**Bath Savings Institution
40-42 Auburn Street, Portland, Maine**

This contract made this _____ day of _____, 2003 by BATH SAVINGS INSTITUTION, a Maine Banking Institution ("BSI"), with the consent of Kenike, LLC ("Kenike"), the fee owner of 40-42 Auburn Street, Portland, Maine ("Property").

WHEREAS, BSI is the tenant of property at 40-42 Auburn Street, Portland, Maine, under the terms of a long-term Ground Lease between BSI and Kenike, LLC, as fee owner thereof; and

WHEREAS, Kenike has authorized BSI to file a Zone Change Application with the City of Portland ("City") and joins in this Agreement, as fee owner, for the express purpose of consenting to the terms and conditions of this Contract Zone Agreement; and

WHEREAS, BSI requested a rezoning of a portion of the property at 40-42 Auburn Street, in the City in order to permit the use of a bank branch with drive-through windows and an ATM machine, and with incidental sales of financial and insurance products and services; and

WHEREAS, the 40-42 Auburn Street property is more specifically described and shown on the Portland Assessors Map, Parcels: Chart 375, Block A, Lot 002 (the "Property"); and

WHEREAS, the Portland Planning Board determined the rezoning would provide needed services in an area underserved; and

WHEREAS, the Portland Planning Board, pursuant to 30-A M.R.S.A. §4352(8), and after notice and hearing and due deliberations, recommended the rezoning of the Property, subject, however, to certain conditions; and

WHEREAS, the City, by and through its City Council, has determined that the rezoning, with conditions and restrictions, would be pursuant to and consistent with the City's comprehensive plan and would not unreasonably interfere with the existing and permitted uses within the underlying B-1 and R-3 zones; and

WHEREAS, the BSI, with the consent of Kenike, has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind BSI; and

NOW, THEREFORE, in consideration of the rezoning of the Property, BSI contracts to be bound by the following terms and conditions:

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.

INSERT MAP CHANGE

2. The use of the Property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller) and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb-cut shall conform to that shown on Attachment 2, incorporated herein by reference. The existing curb-cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb-cut shall be

permitted on the Washington Avenue or the connector between Washington Avenue and Auburn Street.

- 6. The existing landscaping hedge on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height of six (6) feet by BSI and the property owner.

- 7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

- 8. The front yard setback need not comply with the setback requirements contained within the B-1 zone, but shall comply with the setbacks shown on attachment 2. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition to the site plan, standards of the land use code, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
 - a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
 - d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and

subject premises shall be governed by and comply with the provisions of the Land Use
Except as expressly modified herein, the development, use, and occupancy of the

subject to the terms and conditions set forth herein.
and conditions of this agreement and to acknowledge that the property will be and remain
BSI joins in this Agreement to acknowledge its consent to the zone change and the terms
Kenike, LLC, fee owner of the property and Landlord under the Ground Lease to
hereof.

provision and such determination shall not affect the validity of the remaining portions
jurisdiction, such portion shall be deemed as a separate, distinct, and independent
herein is for any reason held invalid or unconstitutional by any court of competent
If any of the restrictions, provisions, conditions, or portions thereof set forth

the Property, and the memorandum of Lease between BSI and Kenike, LLC.
Registry of Deeds, along with a reference to the Book and Page locations of the deeds for
representatives. BSI shall file a copy of this Agreement in the Cumberland County

inure to the benefit of and be enforceable by the City, by and through its duly authorized
the Property, shall bind and benefit BSI, and any of its successors and assigns, and shall
restrictions, provisions, and conditions are an essential part of the rezoning, shall run with

So long as the property continues to be used as a bank branch the above stated

to the underlying B-1 and R-3 zones.
bank branch, this contract shall become null and void and the Property shall revert back
years from the date of this contract rezoning, or should the Property cease to be used as a
8. In the event the development described herein is not commenced within two (2)

e. drive-through lanes shall be designed and placed to minimize crossing
principal pedestrian access-ways or otherwise impeding pedestrian access.

Code of the City of Portland and any applicable amendments thereto or replacement

thereof.

In the event that BSI, Kenike or any successor fails to continue to utilize the

Property in accordance with this Agreement, or in the event of a breach of any

condition(s) set forth in this Agreement, the Planning Board shall have the authority, after

hearing, to resolve the issue resulting in the breach. The resolution may include a

recommendation to the City Council that the Agreement be terminated requiring

cessation of the use of the addition authorized herein.

WITNESS:

BATH SAVINGS INSTITUTION

By _____

Glenn Hutchinson
Its President

Consenting to the terms hereof:

KENIKE, LLC

By: _____

Joseph Esposito, its Member

Personally appeared the above-named Glenn Hutchinson, President of Bath Savings Institution, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Bath Savings Institution.

State of Maine
Cumberland, ss.

Date:

Notary Public

BRANCH BANK
VICINITY OF 40-42 AUBURN STREET
SITE PLAN REVIEW AND TRAFFIC MOVEMENT PERMIT
BATH SAVINGS INSTITUTION, APPLICANT

Submitted to:
Portland Planning Board
Portland, Maine
May 13, 2003

Submitted by:
Kandice Talbot, Planner

BRANCH BANK
VICINITY OF 40-42 AUBURN STREET
SITE PLAN REVIEW AND TRAFFIC MOVEMENT PERMIT
BATH SAVINGS INSTITUTION, APPLICANT

Submitted to:
Portland Planning Board
Portland, Maine
May 13, 2003

Submitted by:
Kandice Talbot, Planner

Bath Savings Institution is proposing a 2,882 sq. ft. branch bank with associated drive-through teller and drive-through ATM facilities at 40-42 Auburn Street. The site is approximately 0.89 acres in size.

The site is a corner lot that is presently developed with a take-out and delivery restaurant and a retail store. The abutting properties to the north, south and east are all commercial in nature and include Paris Farmers Union, Mr. Bagel, Lib's Dairy Treats and the Shaw's Northgate Plaza. The site is bounded on three sides by roads, including Auburn Street to the east, Washington Avenue to the west and a connector road to the south. Across Washington Avenue to the west are residential homes and businesses located in buildings that were previously residential. The project will be reviewed for compliance with the site plan ordinance of the land use code and MDOT traffic permit.

In January, the Planning Board recommended to the City Council a B-1/R-3 contract rezoning to allow the drive-through use in the B-1/R-3 zone. The Council approved the contract rezoning on February 19, 2003.

160 notices were sent to area residents. A notice also appeared in the May 4th and May 5th editions of the *Portland Press Herald*. A neighborhood meeting was not required because this project would not defined as a major site plan, but is before the Planning Board because the contract specified that the Planning Board review the site plan.

II. SUMMARY OF FINDINGS

Zoning:	Contract Zone
Parcel Size:	0.89 acres
Parking Spaces:	
Required:	8 spaces
Provided:	16 spaces
Building Floor Area:	2,882 sq. ft.
Uses:	Branch Bank with Drive-Through Tellers and ATM

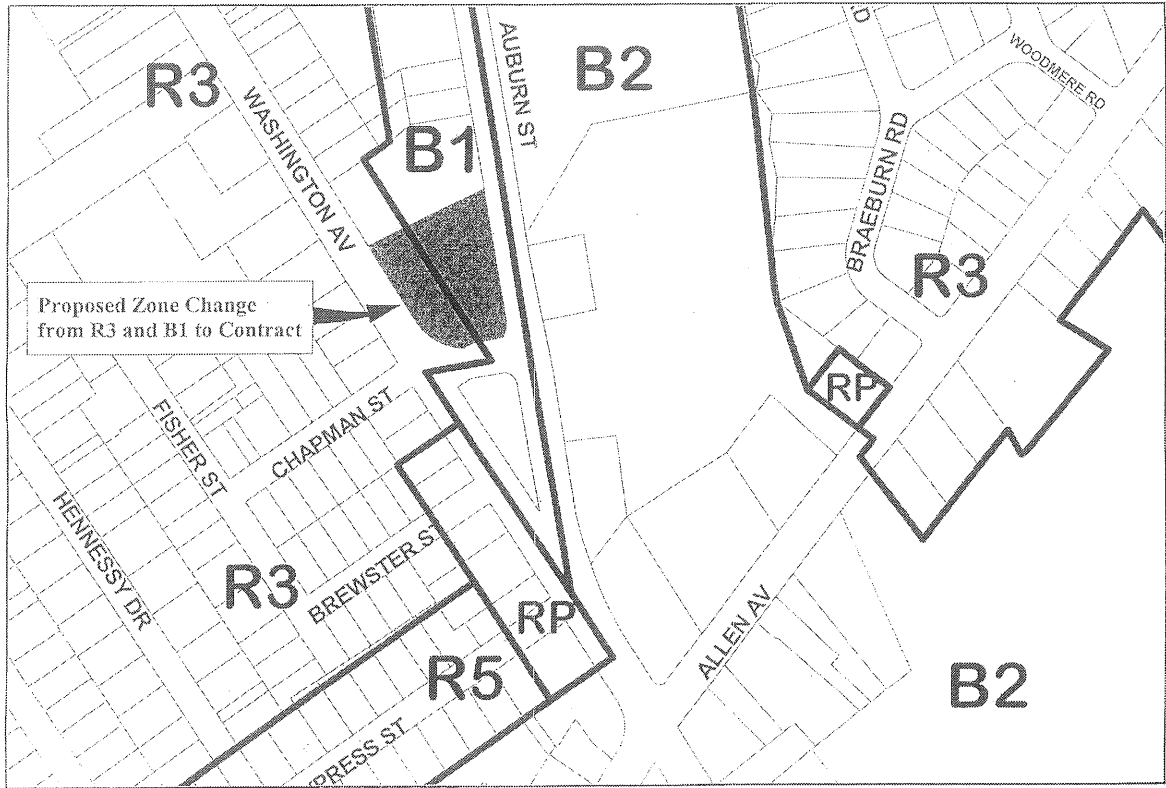
III. CONTRACT REZONING

In January, the Planning Board recommended to the City Council a B-1/R-3 contract rezoning to allow the drive-through use in the B-1/R-3 zone. The Council approved the contract rezoning on February 19, 2003.

Contract Conditions

Below is a list of the conditions as approved by the City Council.

1. The **CITY** shall amend the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.



Map produced by the City of Portland's Department of Planning & Urban Development & the GIS Workgroup May 2002

**Proposed Zone Change from R3 and B1 to Contract
for 40 - 42 Auburn Street**

2. The use of the property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty-four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb cut shall conform to that shown on Attachment B1, incorporated herein by reference. The existing curb cut shall be removed by BSI prior to the issuance

of a Certificate of Occupancy. No curb cut shall be permitted on Washington Avenue or the connector between Washington Avenue and Auburn Street.

6. The existing landscaping on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height or no less than six (6) feet by BSI and the property owner.
7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

8. The front yard setback need not comply with the setback requirements contained within the B-1 zone but shall comply with the setbacks as shown on Attachment B1. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition to the site plan standards of the Land Use Code, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
 - a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicles circulation or creating hazards to vehicular circulation on adjoining streets; and
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in §14-526.

- d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
- e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the

IV. STAFF REVIEW

The proposed development has been reviewed by staff for conformance with the relevant review standards of the site plan ordinance. Staff comments are highlighted in this report.

V. SITE PLAN REVIEW

1/2. Traffic

Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut. The applicant is proposing to construct a new 5 foot wide bituminous sidewalk with granite curbing along the Auburn Street in accordance with the City's standards.

A traffic study has been submitted and is included as Attachment 9. The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit, which the applicant has submitted and Larry Ash, Traffic Engineer, has reviewed. As the existing site currently generates traffic, Gorrill-Palmer has determined that the net trip generation for the site will be 147 trip ends. The crash data indicates that there are no high crash locations within the study area and the sight distance at the proposed driveway are acceptable. The Traffic Study states that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. Currently, approximately one car a minute turns left into Shaw's, which delays through traffic. The island should be removed between the Shaw's driveway and the bank driveway to use this space to strip a short left turn lane into Shaw's. In addition, this portion of Auburn Street should be striped to provide for two through lanes in each direction.

During the contract rezoning process, the Planning Board had concerns with the length of the left turn lane into Shaw's and circulation of the proposed site. Larry Ash, Traffic Engineer, reviewed these concerns and feels that with the proposed left turn lane there will be stacking for 2 to 3 vehicles which, with a dedicated left turn lane, will be sufficient for this intersection. The Traffic Engineer is recommending, however, that the left turn lanes be "protected-permissive" at this intersection. "Protected-permissive" signalization is when a green arrow is provided for each left turn lane, but when the arrow ends, left-turning vehicles may turn on a green ball when there are gaps in the traffic stream. The Traffic Engineer has also reviewed the proposed circulation at the proposed site and has no concerns.

At the workshop meeting, the Planning Board had raised a couple of issues. First, they asked the applicant if they had looked at providing a pedestrian access to the proposed bank from Washington Avenue. The applicant has stated that a sidewalk has not been provided from zoning meetings that they did not want any access, either vehicular or pedestrian, onto Washington Avenue. Also, the applicant would prefer not to encourage pedestrian access to the rear of the building and the vehicle-oriented drive-through teller and ATM area.

The second issue was whether the applicant had considered providing an esplanade between the proposed sidewalk and Auburn Street along the front of the site. The applicant states that there are several reasons why an esplanade was not proposed. First, an esplanade would push the sidewalk partially over the existing right-of-way and would require the taking of additional right-

Currently, approximately 57% of the site is impervious surface. The grading of the existing site directs stormwater flows off site towards catch basins located along Washington Avenue and Auburn Street.

6. Soils and Drainage

- that the applicant revise the landscaping plan to change the tree specie from Colorado Green Spruce to either Serbian Spruce or Norway Spruce.

The applicant is also proposing a number of planter beds around the site. The City Arborist has reviewed the plans and is recommending that the proposed Colorado Green Spruce be changed to the Serbian Spruce or Norway Spruce. A potential condition of approval is:

The applicant is proposing ten (10) Summit Green Ash street trees along Auburn Street and the Connector Road. The applicant is proposing an additional thirty-six (36) trees around the site, which will include Flowering Crabs, Ornamental Cherry, Austrian Pine, Green Spruce, Emerald Green Arborvitae and Lilac.

As discussed in the conditions of the contract, the applicant is retaining an existing Arborvitae hedge along Washington Avenue to provide buffer between the bank use and the residential uses on the opposite side of Washington Avenue.

5. Landscaping and Existing Vegetation

- that the applicant provide a water capacity letter from the Portland Water District.

The site will be served by City sewer and public water. Electric and telephone will be underground. A sanitary sewer capacity letter is included as Attachment 10. The applicant has requested a water capacity letter from Portland Water District. A potential condition of approval is:

4. Sewers, Stormdrains, Water

The applicant is proposing a 2,882 sq. ft. branch bank at the property located at 40-42 Auburn Street. The bank will have drive-through tellers and a drive-through ATM machine. The facade of the building will consist of brick veneer and aluminum clad windows.

3. Bulk, Location, Height of Proposed Buildings

of-way. Second, the proposed sidewalk extends across the Auburn Street frontage of the parcel and ends at the property line between the site and the Paris Farmers Union. An esplanade would require an unnatural "kink" in the alignment where it connects to the existing walk at the Connector Road and again where it would come back to the curb line at the Paris Farmers Union. If an esplanade were required, the applicant would need to submit to the City a pedestrian access easement for the sidewalk within the applicant's property. Jeff Tarling, City Arborist, has stated that an esplanade in this area would not work for street trees because of the amount of traffic in this area. The amount of traffic would not allow anything to grow within the esplanade.

The applicant is proposing to decrease the amount of impervious surface by 6%, which also correlates to a decrease in post-development stormwater flows. The applicant is proposing to develop an on-site stormwater collection system that will discharge to the existing stormwater system on Auburn Street.

The Development Review Coordinator had requested additional spot grades at the rear of the site to show how runoff will drain off the pavement edge to get collected in the swale along the front, which the applicant has submitted. The Development Review Coordinator has reviewed the plans. There is an existing structure on the southwest corner of the pavement, which is indicated, as a catch basin is a manhole, but no solution to how it will be used has been provided. The applicant needs to indicate rim elevation and whether or not it will remain and be used as a catch basin or manhole. Also no determination has been made on the gas main location and construction detail. Prior to construction the applicant shall submit intent, or location and service line installation detail of the propane gas. The Development Review Coordinator's memo is included as Attachment 18. A potential condition of approval is:

- that the plans be revised in accordance with the Development Review Coordinator's Memo dated May 9, 2003 in regards to the existing structure in the southwest corner and the gas main.

Public Works has reviewed the plans and states that the applicant has addressed their concerns at this time. Public Works' memo is included as Attachment 17.

7. Exterior Lighting

The applicant is proposing three (3) light poles. The proposed poles are 14 ft. high with 250-watt mh bulbs. The applicant is also proposing recessed lights within the canopy over the drive-through teller lanes and the ATM drive-through. Catalogue cuts are included as Attachment 7 and a photometric plan is included as Attachment 20.

8. Fire

The Fire Department has reviewed and approved the plans.

9. Right, Title, Interest

The applicant has provided a lease, which is included as Attachment 19.

10. Financial Capability

A letter of financial capability is included as Attachment 4.

VI. **TRAFFIC PERMIT**

As stated previously, Larry Ash, Traffic Engineer has reviewed and approved the plans regarding traffic.

VII. **STAFF RECOMMENDATION**

Staff recommends that the Planning Board approve the Bath Savings Institution's site plan with the

proposed conditions of approval. With the completion of the off-site improvements, this project will not burden the surrounding area.

VIII. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #19-03 relevant to standards for site plan regulations, and other findings as follows:

i. That the plan [is/is not] in conformance with 23MRSA 704-A and Chapter 305 Rules and Regulations pertaining to Traffic Movement Permits.

ii. That the plan is in conformance with the site plan standards of the land use code.

Potential Conditions of Approval

i. that the applicant provide a water capacity letter from the Portland Water District.

that the applicant revise the landscaping plan to change the tree specie from Colorado Green Spruce to either Serbian Spruce or Norway Spruce.

that the plans be revised in accordance with the Development Review Coordinator's Memo dated May 9, 2003 in regards to the existing structure in the southwest corner and the gas main.

That applicant revise site plan to include ^{5 ft wide} easement to property northeast corner where easement to northeast ends to generally follow easement on working line - and protection for staff review + approval

Zone Change Map
Contract as Approved by City Council
Applicant's Letter dated February 14, 2003
Financial Capability Letter
Applicant's Letter to Utility Companies
Sign Information
Lighting Information

Attachments:
1. Zone Change Map
2. Contract as Approved by City Council
3. Applicant's Letter dated February 14, 2003
4. Financial Capability Letter
5. Applicant's Letter to Utility Companies
6. Sign Information
7. Lighting Information

3.

28.

18.

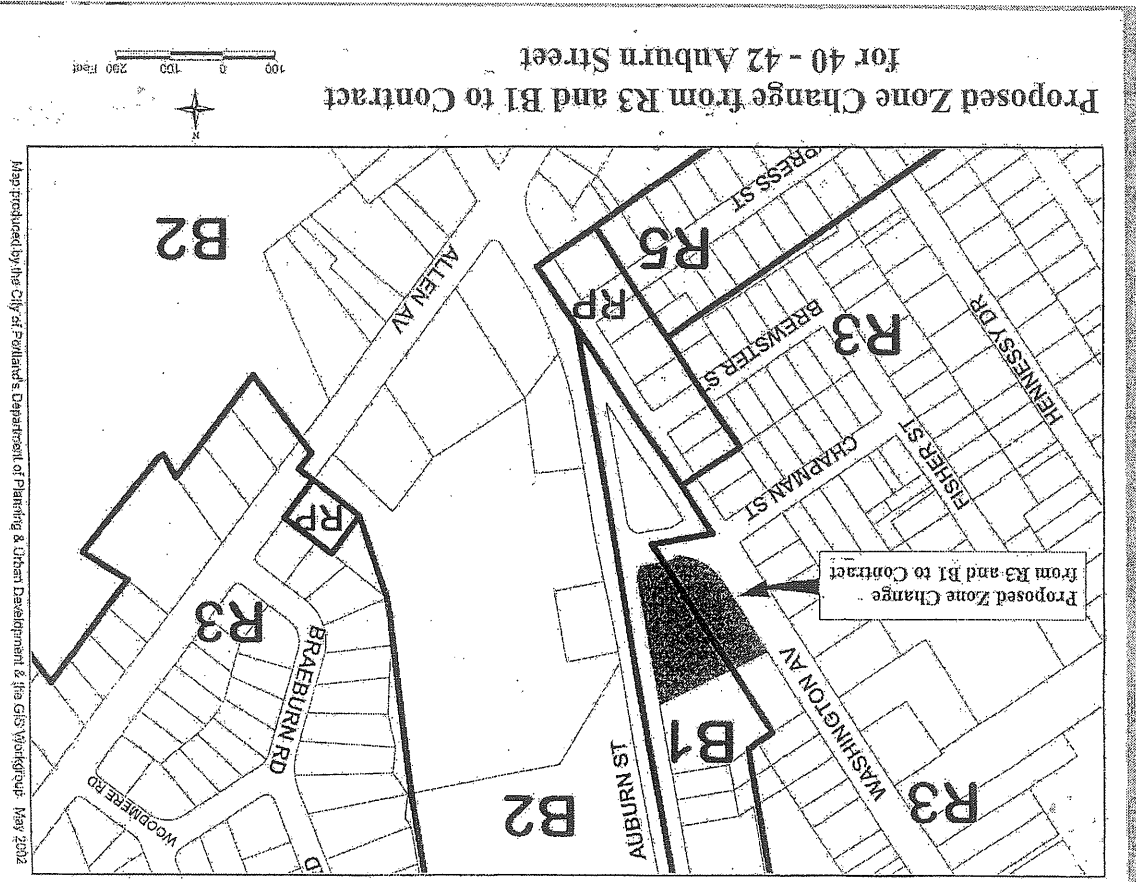
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1-4 Key - from Home through to - use site
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1-4 Key - Home through to - use site

8. Stormwater Information
9. Traffic Study
10. Sewer Capacity Letter
11. Fire Approval
12. DRC's Memo dated March 12, 2003
13. Public Works' Memo dated March 17, 2003
14. Staff Letters to Applicant dated March 17, 2003 and March 18, 2003
15. Applicant's Response to Staff Letters
16. Applicant's Letter dated April 18, 2003
17. Public Works' Memo dated May 8, 2003
18. DRC's Memo dated May 9, 2003
19. Lease
20. Plans

Att. 1



Map produced by the City of Portland's Department of Planning & Urban Development & the GIS Workgroup, May 2002

Order 161-02/03
106 14 2-3-03
Att. 2

JAMES I. COHEN (S)
JOHN W. GRIFFIN (A/L)
JILL C. DUSON (A/L)
NICHOLAS M. MAVODONES (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

JAMES F. CLOUTIER (MAYOR) (A/L)
PETER E. O'DONNELL (1)
KAREN A. GERAGHTY (2)
NATHAN H. SMITH (3)
CHERYL A. LEBMAN (4)

ORDER AUTHORIZING AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONTRACT FOR REZONING FOR 40-42 AUBURN STREET

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to conform with the conditions contained within the following "Contract Zone Agreement," provided that the Contract Zone Agreement is executed and recorded in the Cumberland County Registry of Deeds within ninety (90) days from the date of this Order.

CONTRACT ZONE AGREEMENT

Bath Savings Institution
40-42 Auburn Street, Portland, Maine

This contract made this _____ day of _____, 2003 by BATH SAVINGS INSTITUTION, a Maine Banking Institution ("BSI"), with the consent of Kenike, LLC ("Kenike"), the fee owner of 40-42 Auburn Street, Portland, Maine ("Property").

WHEREAS, BSI is the tenant of property at 40-42 Auburn Street, Portland, Maine, under the terms of a long-term Ground Lease between BSI and Kenike, LLC, as fee owner thereof; and WHEREAS, Kenike has authorized BSI to file a Zone Change Application with the City of Portland ("City") and joins in this Agreement, as fee owner, for the express purpose of consenting to the terms and conditions of this Contract Zone Agreement; and

WHEREAS, BSI requested a rezoning of a portion of the property at 40-42 Auburn Street, in the City in order to permit the use of a bank branch with drive-through windows and an ATM machine, and with incidental sales of financial and insurance products and services; and

WHEREAS, the 40-42 Auburn Street property is more specifically described and shown on the Portland Assessors Map, Parcels: Chart 375, Block A, Lot 002 (the "Property"); and

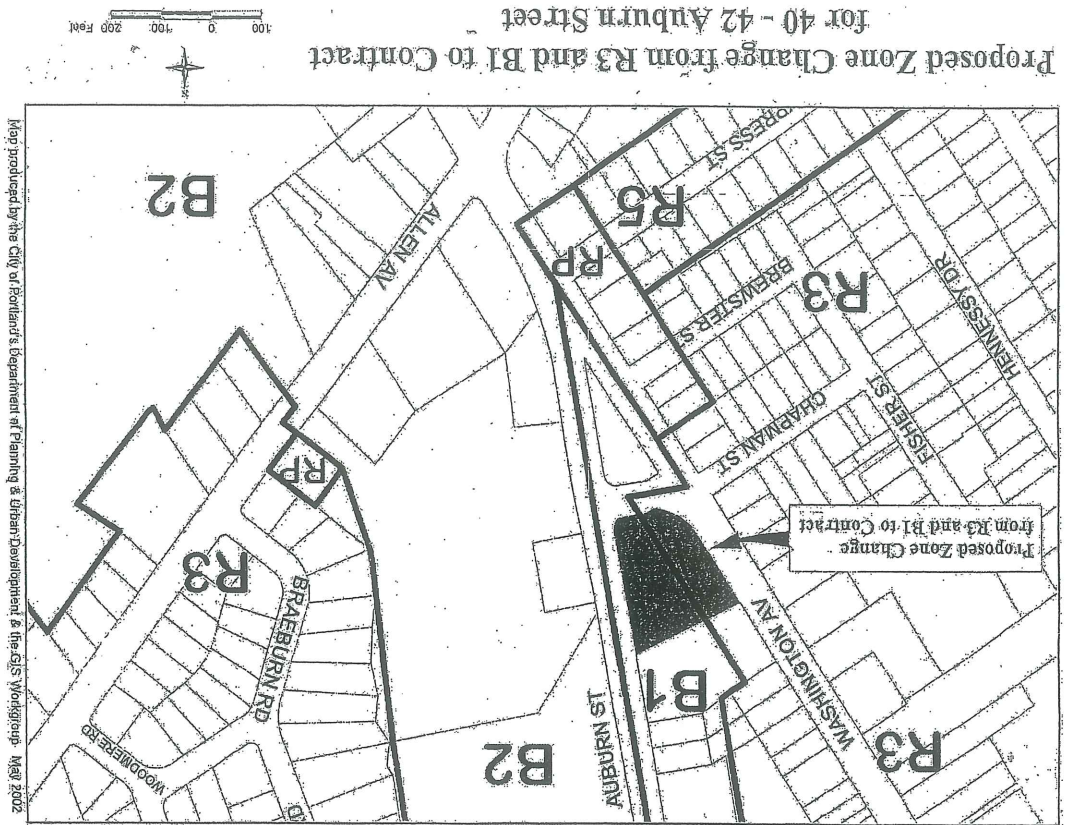
WHEREAS, the Portland Planning Board, pursuant to 30-A M.R.S.A. §4352(8), and after notice and hearing and due deliberations, recommended the rezoning of the Property, subject, however, to certain conditions; and

WHEREAS, the City, by and through its City Council, has determined that the rezoning, with conditions and restrictions, would be pursuant to and consistent with the City's comprehensive plan and would not unreasonably interfere with the existing and permitted uses within the underlying B-1 and R-3 zones; and

WHEREAS, the BSI, with the consent of Kenike, has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind BSI; and

NOW, THEREFORE, in consideration of the rezoning of the Property, BSI contracts to be bound by the following terms and conditions:

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.



Proposed Zone Change from R3 and B1 to Contract for 40 - 42 Auburn Street

2. The use of the Property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller) and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan"). See Attachment 1.
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb-cut shall conform to that shown on Attachment 1, incorporated herein by reference. The existing curb-cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb-cut shall be permitted on the Washington Avenue or the connector between Washington Avenue and Auburn Street.
6. The existing landscaping hedge on the westerly boundary of the property; bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height of six (6) feet by BSI and the property owner.
7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.
8. The front yard setback need not comply with the setback requirements contained within the B-1 zone but shall comply with the setbacks as shown on Attachment 1. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition to the Site Plan Standards of the Land Use Code, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
 - a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and

If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion

of Lease between BSI and Kenike, LLC.

BSI shall file a copy of this Agreement in the Cumberland County Registry of Deeds, along with a reference to the Book and Page locations of the deeds for the Property, and the memorandum of Lease between BSI and Kenike, LLC. Property, shall bind and benefit BSI, and any of its successors and assigns, and shall inure to the benefit of and be enforceable by the City, by and through its duly authorized representatives. BSI shall file a copy of this Agreement in the Cumberland County Registry of Deeds, along with a reference to the Book and Page locations of the deeds for the Property, and the memorandum of Lease between BSI and Kenike, LLC.

9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the underlying B-1 and R-3 zones. So long as the property continues to be used as a bank branch the above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit BSI, and any of its successors and assigns, and shall inure to the benefit of and be enforceable by the City, by and through its duly authorized representatives.

- c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
- d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

2D

shall be deemed as a separate, distinct, and independent provision and such determination shall not affect the validity of the remaining portions hereof.

Kenike, LLC, fee owner of the property and Landlord under the Ground Lease to BSI

joins in this Agreement to acknowledge its consent to the zone change and the terms and

conditions of this agreement and to acknowledge that the property will be and remain subject to

the terms and conditions set forth herein.

Except as expressly modified herein, the development, use, and occupancy of the subject

premises shall be governed by and comply with the provisions of the Land Use Code of the City

of Portland and any applicable amendments thereto or replacement thereof.

In the event that BSI, Kenike or any successor fails to continue to utilize the Property in

accordance with this Agreement, or in the event of a breach of any condition(s) set forth in this

Agreement, the Planning Board shall have the authority, after hearing, to resolve the issue

resulting in the breach. The resolution may include a recommendation to the City Council that

the Agreement be terminated requiring cessation of the use of the addition authorized herein.

WITNESS:

BATH SAVINGS INSTITUTION

By _____

Glenn Hutchinson

Its President

Consenting to the terms hereof:

KENIKE, LLC

By: _____
Joseph Esposito, its Member

State of Maine
Cumberland, ss.

Date:

Personally appeared the above-named Glenn Hutchinson, President of Bath Savings Institution, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Bath Savings Institution.

Notary Public

Cumberland, ss.

Date:

Personally appeared the above-named Joseph Esposito, Member of Kenike LLC, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Kenike LLC.

Notary Public

Att. 3



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

207-657-6910

FAX: 207-657-6912

E-Mail: mailbox@gorrillpalmer.com

February 14, 2002

Ms. Kandi Talbot

City of Portland

389 Congress Street

Portland, ME 04101-3503

Subject: Site Plan Application
Bath Savings Institution Branch Bank—40-42 Auburn Street

Dear Kandi,

Gorrill-Palmer Consulting Engineers, Inc. and Platz Associates, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed branch bank. The proposed branch location is at 40-42 Auburn Street, near the intersection of Auburn Street and Washington Avenue.

The materials submitted include the proposed contract zone agreement containing the revisions made by the Planning Board as a condition of the Planning Board's recommendation to the Portland City Council for adoption of the Contract Zone. As of the date of submission of this application, the City Council has not yet approved the Contract Zone application. A public hearing of the Portland City Council to consider approval of the Contract Zone is scheduled for February 19, 2003. In the event that the City Council makes any further changes to the Contract Zone Agreement upon approval thereof, we will supplement this application to include the final Contract Zone Agreement and make any necessary conforming changes to the site plan application. In the event that the Portland City Council fails to approve the Contract Zone, this application will be withdrawn or a request will be made that this application be tabled until the Contract Zone issues are resolved. Because the City Council hearing is scheduled to occur before the Planning Board workshop on the site plan application, the status of the contract zone will be known before any action by the Planning Board on the site plan application.

Site Description

The site is identified as Chart # 375 Block A, Lot 002 in the City of Portland Assessor's records and consists of approximately 0.89 acres. The site is a corner lot that is presently developed with a take-out and delivery pizza restaurant and a cellular communications retail store. The abutting properties to the north, south and east are all commercial in nature and include Paris Farmers Union, Mr. Bagel, Bagel, Lib's Dairy Treats and the Shaw's Northgate Plaza. The site is bounded on three sides by roads, including Auburn Street to the east, Washington Avenue to the west and a connector road to the south. Across Washington Avenue to the west are residential homes and businesses located in buildings that were previously residential.

Letters of ability to serve for the proposed project have been sent out to the utility companies. Copies of the letters are included in this application package.

Water use records were obtained from the Portland Water District for a similar facility located at 239 Route 1 in Falmouth. The monthly water usage data for the similar Bath Savings Institution facility are included with the ability to serve letters. The estimated peak domestic water demand and peak sewage production is 431 gpd.

Utilities

The proposed site will reduce the impervious surfaces from 22,200 ft² to 19,700 ft², which is a 6% decrease of the 38,750 ft² site. The reduction in imperviousness, also correlates to decrease in post-development stormwater flows; 1, 3, and 4 cfs respectively for the 2, 10, and 25 year storm events. Other stormwater improvements to the site include the development of an on-site stormwater collection system that will discharge to the existing stormwater system on Auburn Street.

The existing site has approximately 22,200 ft² of impervious surfaces, which composes 57% of the site. Existing stormwater flows for the 2, 10, and 25 year storm events are 2, 4, and 5 cfs respectively. The grading of the existing site directs stormwater flows off site towards catch basins located along Washington Ave. and Auburn St.

Stormwater

The applicant also proposes to close one of the existing curb cuts along Auburn Street and will construct a new 5 foot wide bituminous sidewalk with granite curbing along the Auburn Street frontage.

A landscaping plan has been included as part of this package. The plan includes maintaining and improving the existing arborvitae hedge located along the westerly right-of-way line and a portion of the northerly property line. In addition, street trees will be planted along the Connector Road and Auburn Street in accordance with the City's standards.

Landscaping & Site Improvement

The applicant proposes to construct a 2,882 ft² branch bank with associated drive-through teller and drive-through ATM facilities. The proposed development will include 16 parking spaces, which exceeds the 8 spaces required at 1 space per 400 ft² of floor area. Upon approval of this application, construction is planned to commence in June of 2003 and complete by January of 2004.

Proposed Use

Ms. Kandi Talbot
February 14, 2003
Page 2 of 3

Ms. Kandi Talbot
February 14, 2003
Page 3 of 3

Lighting

Site lighting will be provided to facilitate customer safety, while minimizing the impact of glare on the adjacent properties. Catalog cut sheets for the light fixtures and a photometric plan are included with this package.


Traffic

Refer to the attached traffic study, which has been reviewed and approved by Larry Ash as part of the contract zone approval.

Conclusion

Gorrill-Palmer Consulting Engineers, Inc. and the applicant look forward to discussing this project with the Planning Department. Please contact us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.


William C. Haskell, P.E.
Project Engineer

Copy: Platz Associates, Inc.
Donald Peterson

U:\587.1\Talbot 2-14-02.doc

City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property with the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Dept.

Address of Construction: 40-42 Auburn Street **Zone:** Contract

Total Square Footage of Proposed Structure: 2,882 s.f. **Square Footage of Lot:** 38,750 s.f.

Tax Assessor's Chart, Block & Lot	Chart #375Block #A Lot #002
Property owner mailing address:	Kenike, LLC c/o Joseph Esposito 133 Caleb St. Portland, Me 04102

Consultant/Agent, mailing address, phone & contact person	Gortill-Palmer Consulting Engineers ATTN: William C. Haskell P.O. Box 1237, Gray, Me 04039 (207) 657-6910
Applicant name, mailing address, Telephone #/Fax#/Pager#:	Bath Savings Institution ATTN: Glenn L. Hutchinson, Pres. 105 Front Street, Bath, Me 04530 1-800-447-4559
Project name: Bath Savings Institute	Branch Bank --40-42 Auburn St.

Proposed Development (check all that apply) New Building Building Addition Change of Use
 Residential Office Retail Manufacturing Warehouse/Distribution Parking lot
 Subdivision, amount of lots \$25.00 per lot \$ _____
 Site Location of Development \$3,000, except for residential lots which are then \$200 per lot _____
 Traffic Movement (\$1,000) _____ Stormwater Quality \$250.00 _____ Other _____
 After the fact review - Major project \$1,500.00 _____ After the fact review - Minor project \$1,200.00 _____
 Major Development \$500.00 _____ Minor Development \$400.00
 Plan Amendments: Board review \$200.00 Staff review \$100.00
 Who billing will be sent to: Same as Applicant Information

Mailing address: _____ State and Zip: _____
 Contact person: _____ Phone: _____

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 check list
- Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, and c)

ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM

Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x 11) you may also visit the web site: ci.portland.me.us chapter 14

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 confirm 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: W.C. Haskell Date: 2/14/03

This application is for site review ONLY, a Building Permit application and associated fees will be required Prior to construction

3D



Benj. F. Packard

Bath Savings Institution

Since 1852

GLENN L. HUTCHINSON, PRESIDENT & CEO

February 12, 2003

Planning Department
City of Portland
389 Congress Street
Portland, ME 04101

To Whom It May Concern:

The purpose of this letter is to advise you that Bath Savings Institution is utilizing the services of Gorrill-Palmer Consulting Engineers, Inc.

Gorrill-Palmer has full authorization to act on behalf of Bath Savings Institution with respect to the proposed branch bank on Auburn Street in Portland, Maine.

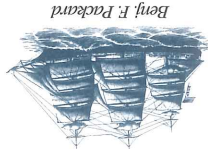
Sincerely,

Glenn L. Hutchinson
President & CEO

:sjk

105 FRONT STREET, PO Box 548, BATH, MAINE 04530
TEL. 207-442-7711 FAX 207-442-9137
1-800-447-4559
MEMBER FDIC

Att. 4



Bath Savings Institution

Since 1852

GLENN L. HUTCHINSON, PRESIDENT & CEO

February 12, 2003

Planning Department
City of Portland
389 Congress Street
Portland, ME 04011

To Whom It May Concern:

Over the past 10 years, Bath Savings Institution has expanded its physical presence throughout our market area. In each of these construction and/or renovation project, the bank has utilized the services of Donald Peterson as project manager and Platz & Associates as our architect, the same team we are using on Auburn Street.

In 1993, the bank purchased and extensively renovated our 2,768 square foot office located at 239 US Route One in Falmouth.

Then in 1994, Bath Savings Institution built its 3,240 square foot office at 185 US Route One in Freeport. From 1995 to 1997, Bath Savings Institution renovated its 23,000 square foot main office facility located at 105 Front Street in Bath. This project modernized the building while maintaining the historically significant features of the building. The bank was awarded Historic Preservation tax credits for the work done at its main office. In addition to the renovations of an entire city block, the bank built a 25,000 square foot new two level parking garage and operations center as well as renovated the 9,000 square foot adjacent building.

Finally, in 1999, the bank completed construction of its seventh full service office in Boothbay Harbor. This 2,040 square foot facility is located at Todd Avenue. Bath Savings Institution will use its cash reserves to construct our office on Auburn Street in Portland and will be responsible for bond or letter of credit that may be required.

If you need further information, please contact us, as we would be happy to provide it.

Sincerely,

Glenn L. Hutchinson
President & CEO

:sjk

0011415

Att. 5

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Gorrill-Palmer Consulting Engineers, Inc.



Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorillpalmer.com

November 18, 2002

Mr. Mark Kreider
Central Maine Power Company
162 Canco Road
Portland, ME 04103

Re: Bath Savings Institute
Letter of Ability to Serve
Dear Mr. Kreider:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. A new pole-mounted transformer will be required to service the new bank. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Central Maine Power Company to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Central Maine Power would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Copy: Sheri Shaw, Platz Associates w/o encl.

Enclosure

Project Engineer

William Haskell, P.E.



Gorrill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Mr. Mark Kreider
November 18, 2002
Page 2 of 2

5B



Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

November 18, 2002

Mr. Bill Howard
Northern Utilities
P.O. Box 3586
1075 Forest Avenue
Portland, Me 04104

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Mr. Howard:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from the existing main on Washington Avenue. Service demand calculations will be provided upon its assessment. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Northern Utilities to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Northern Utilities would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Mr. Bill Howard
November 18, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.


William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates w/o encl.

JL/JNS87.1/Howard11/18/02



Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Groy, ME 04039

5D

Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com

November 18, 2002

Mr. Frank Brancely
Portland Public Works
55 Portland Street
Portland, ME 04101

Re: Bath Savings Institution
Letter of Ability to Serve

Dear Frank:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Anticipated Flows

The facility is estimated to produce 431 gpd based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules and water use records from a similar facility located in Falmouth (refer to attached calculations).

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Public Works to serve the project for conveyance of the flow. In addition, we are interested in receiving:

- Information as to any easements that the Public Works may require on-site.
- Any other information that you believe would be useful as this project proceeds.

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.
William Haskell, P.E.

William Haskell, P.E.
Project Engineer

Enclosures

JML/JN587.1/Branchely11-18-02

Copy: Sheri Shaw, Platz Associates, w/o encl.

Mr. Frank Branchely
November 18, 2002
Page 2 of 2

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

5F

Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com

November 18, 2002

Mr. David Coffin
Portland Water District
225 Douglas Street
Portland, ME 04104-3553

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Dave:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institute to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

Water and fire protection service will be needed. At this time it is anticipated that a 6-inch fire and 3/4-inch domestic water service will be extended from the existing 12-inch in Auburn St. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Anticipated Flows

The estimated water demand for the bank is 431 gpd based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules and water use records from a similar facility located in Falmouth (refer to attached calculations).

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Water District to serve the project. In addition, we are interested in receiving:


- An estimate for any work the Water District would perform.
- Information as to any easements that the District may require on-site.
- Any results of hydrant tests in the vicinity of the site.
- Any other information that you believe would be useful as this project proceeds.

56

Mr. David Coffin
November 18, 2002
Page 2 of 2

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.


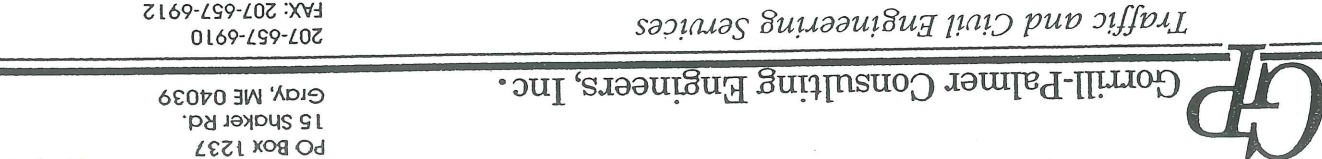
William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates, w/o encl.

jml/JN687.1/Cofm11-18-02

PO Box 1237
15 Shaker Rd.
Gray, ME 04039
207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com



November 18, 2002

Ms. Debbie Palement
Time Warner Cable
118 Johnson Road
Portland, ME 04102

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Ms. Palement:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Time Warner Cable to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Time Warner Cable would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Ms. Paiement
November 18, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.
William C. Haskell

William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates, w/o encl.

55
PO Box 1237
15 Shaker Rd.
Gray, ME 04039
207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com

Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

November 18, 2002

Mr. John Caprio

Verizon
5 Davis Farm Road
Portland, ME 04103

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Mr. Caprio:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Verizon to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Verizon would perform within the right-of-way.
- Information as to any additional easements that Verizon may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Copy: Sheri Shaw, Platz Associates, w/o encl.

Enclosure

Project Engineer

William Haskell, P.E.

William C. Haskell

Gorrill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Mr. John Caprio
November 18, 2002
Page 2 of 2

AH: 6

top section with logo and
is 3'8" x 4'6"
PMS 302 Blue with white
letters

Columns are 10" x 12'
Structural fiberglass
"Tuscan", Plain, white
columns with standard
caps and bases

scale is 1/2" = 1'



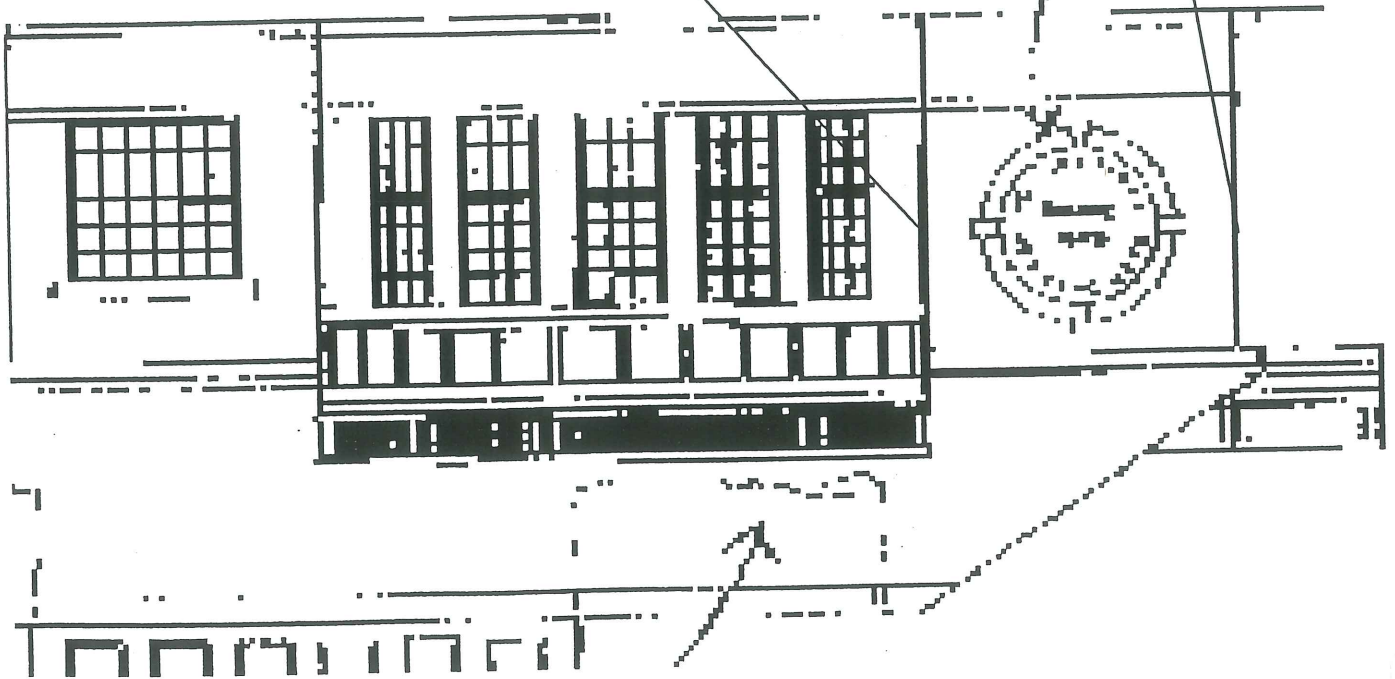
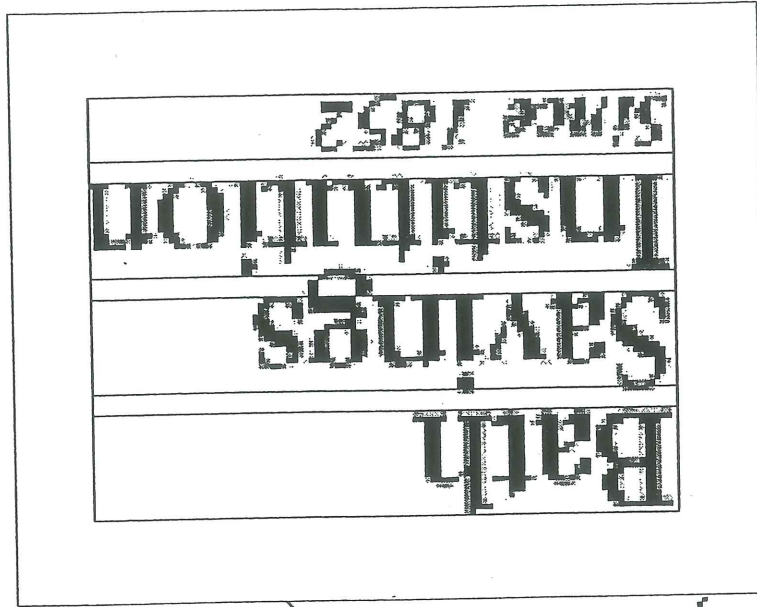
Bath
Savings
Institution
Since 1852

Bath
Savings
Institution
Since 1852

GA

Therefore, logo space could be up to 10.5' wide by 7.5' high, centered.
This could make the capital letters up to 22" high.

Per Stew's assumption of 1/16" = 1' scale, the available space is 13.5' wide by 10.5' high.



GB

Att. 7

Project: Bath Savings Branch Bank, Portland, Maine
Architects: Platz Associates
 Auburn, Maine
Engineers: Gorill-Palmer Consulting Engineering, Inc
 Gray, Maine
Date: November 18, 2002

Proposed Exterior Lighting Design

The proposed design of exterior lighting system has been designed provide area lighting for parking spaces and access drives. Given the close proximity of the adjacent property, the project goal has been to provide a low-impact lighting solution that produces modest lighting levels. The proposed exterior lighting design consists of pole mounted, full cut-off type area lights at drives and parking areas, decorative wall lights at the pergola, and recessed downlights at the canopies.

Pole mounted area lights are proposed to be full cut-off type with a rectangular fixture housing. Lamps utilized by these fixtures shall be metal halide type, 250 watts, with an initial lumen rating of 23,000 lumens (horizontal lamp position). The proposed metal halide lamp provides a "white" light output. The 250 watt metal halide lamp has a rated lamp life of 10,000 hours.

The fixture includes a flush, flat diffuse lens at the bottom opening. Fixtures will be controlled by photocell.

The pole mounted area lights are proposed to be installed on fourteen (14) foot high poles that are to be mounted on concrete bases that extend above grade 6 inches. Lighting poles are four (4) inches square, and are aluminum with a painted black finish.

Two types of photometric distribution patterns are proposed for the proposed pole lights. The lighting pole designated as Type S4 on the Lighting Plan includes a forward throw lighting distribution pattern. For this fixture type, the maximum light output occurs at 52.5 degrees above vertical, directly in front of the fixture. The lighting poles that are designated as Type S1 on the Lighting Plan include a broad lighting distribution pattern. For this fixture type, the maximum light output occurs at 55 degrees above vertical, at 75 degrees to either side of the fixture. For both fixture types, no direct light is emitted from above 90 degrees vertically.

Recessed downlight fixtures are proposed at the main entrance canopy, and at the two drive-up canopy locations. These fixtures are approximately 8" inches in diameter. They include a flat, recessed tempered glass diffuser, and they utilize 70 watt metal halide lamps. These lamps have an initial lumen rating of 5,500 lumens (vertical lamp position), with a rated lamp life of 15,000 hours.

Fig 4: Wall Sign Light

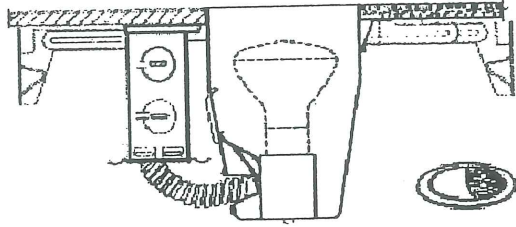
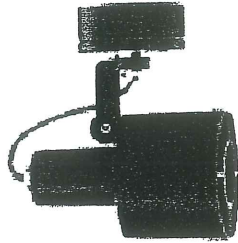


Fig 5: Free-Standing Sign Light



Additionally, the free-standing sign at the front entrance will also be lighted. It is proposed to have two, ground mounted accent lights aimed at each side of the sign. The accent lights will include a front face, concentric ring louver to minimize fixture brightness as might otherwise be seen from off-site. They utilize 120 watt halogen PAR38 wide spot lamps. These lamps an initial lumen rating of 1,800 lumens, with a rated lamp life of 3,000 hours.

Sign lighting is proposed for the project in two forms. Signs that consist of raised letters attached to the building will be illuminated by accent lights that are recessed into the building soffit above. These fixtures have a 4-1/4 inch diameter aperture with an aperture lid that directs light to the wall surface being lighted. They utilize 50 watt halogen PAR20 wide flood lamps. These lamps an initial lumen rating of 550 lumens, with a rated lamp life of 2,500 hours.

Decorative lights are proposed at the entrance pergola. These light fixtures are small, low powered lights whose purpose are to provide a means of accent illumination for the pergola structure and attached planting. The pergola accent lights utilize 10 watt, low voltage lamps which have a lumen rating of 130 lumens and a rated lamp life of 2,000 hours. Because the purpose of these lights is to only provide a very low level of accent light for landscaping at the pergola, the lamps selected for these fixtures are not intended to produce a significant amount of light. The specified 12 volt, 10 watt lamps produce a light output that is approximately equivalent to a common 15 watt household incandescent lamp. The light output from the total of all six of the pergola lights is only 14% of that of the initial light output from a single proposed recessed canopy light, or only 3% of that of the initial light output from a single proposed pole light

Fig 2: Canopy Light

Aperture Diameter = 8 inches

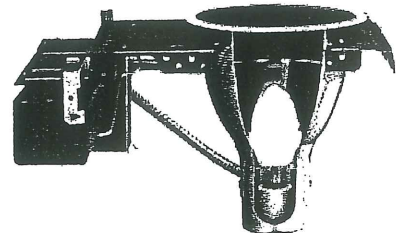
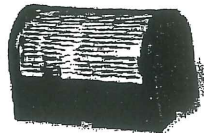


Fig 3: Decorative Pergola Light

Width = 3-3/8 inches Height = 1-7/8 inches
 Projection = 2-3/16 inches



7A

7B

Calculated Lighting Performance

Computer generated lighting calculations have been performed with use of lighting design software developed by *Lighting Technologies, Inc.* Calculations have been prepared to predict maintained illuminance values that include depreciation factors for an anticipated light loss factor of 62% for metal halide lamps. Horizontal illuminance levels have been calculated at grade.

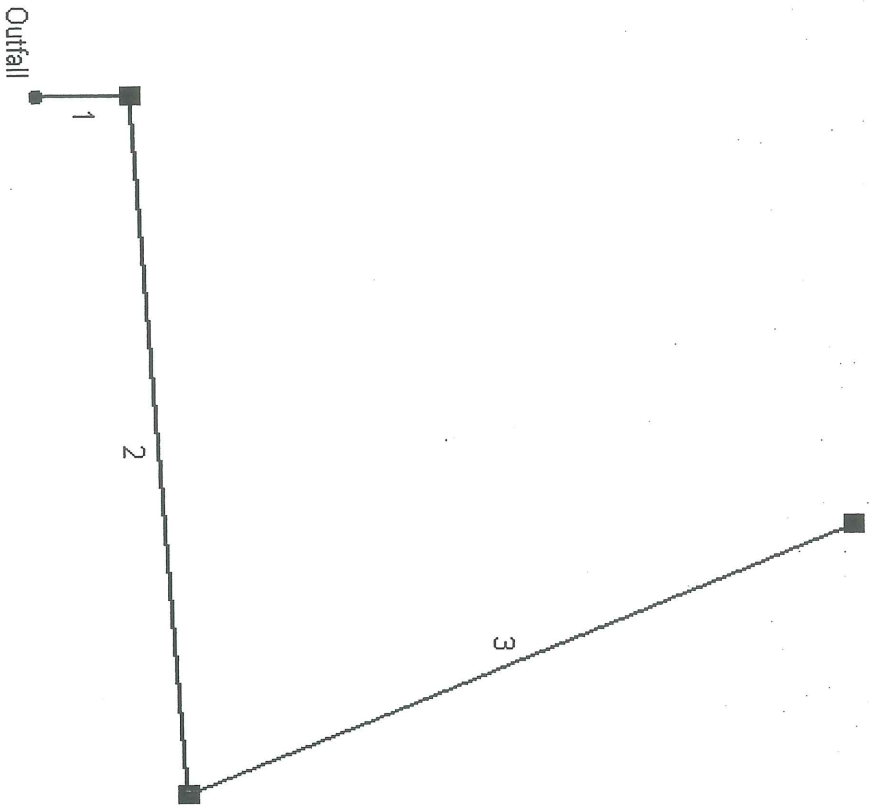
As part of this application submission, lighting plans have been included that indicate calculated illuminance levels. Calculations have been developed with the lamp lumen ratings listed in the fixture descriptions above. These lumen ratings have been obtained from lamp data published by the *General Electric* lamp company. A summary of the calculation results is listed in Table I below.

TABLE I

	<i>Portland</i>	<i>Front Parking</i>
	<i>Ordinance</i>	<i>Calculated Illuminance</i>
Average Horizontal Illuminance	n/a	1.06 footcandles
Maximum Horizontal Illuminance	6.0 footcandles	5.58 footcandles
Minimum Horizontal Illuminance	0.2 footcandles	0.09 footcandles
Maximum at Property Line	0.1 footcandles	0.05 footcandles

The proposed site currently has a fair bit of ambient light. We have considered this in our design. Illuminance levels have intentionally been left low to minimize any light trespass from occurring across the property line. Given the close proximity of the parking areas to adjacent properties, in our opinion, these low illuminance levels should not be problematic.

Hydra _{2D} Plan View



Project file: 587.1 - Drainage System.stm

IDF file: Portland.IDF

No. Lines: 3

02-10-2003

Att. SA

Hydratflow Summary Report

BB

Line No.	Line ID	Flow rate (cfs)	Line size (in)	Line length (ft)	Invert EL Dn (ft)	Invert EL Up (ft)	Line slope (%)	HGL down (ft)	HGL up (ft)	Minor loss (ft)	Dns line No.
1	Exist - CB1	2.67	12 c	11.0	84.20	84.70	4.545	84.89	85.39	0.49	End
2	CB1 - CB2	1.46	12 c	91.0	84.80	86.40	1.758	85.89	86.91	0.30	1
3	CB2 - CB3	1.22	12 c	86.0	86.50	87.80	1.512	87.22	88.27	0.18	2
Project File: 587.1 - Drainage System.sitDF File: Portland.IDF Total No. Lines: 3 Run Date: 02-10-2003											
NOTES: c = circular; e = elliptical; b = box; Return period = 25 Yrs.; * Indicates surcharge condition.											

Hydraulic Grade Line Computations

Line	Size (in)	Q (cfs)	Downstream										Len (ft)	Upstream										Check			JL coeff (K)	Minor loss (ft)
			Invert elev (ft)	HGL elev (ft)	Depth (ft)	Area (sqft)	Vel (ft/s)	Vel head (ft)	EGL elev (ft)	Sf (%)	Invert elev (ft)	HGL elev (ft)		Depth (ft)	Area (sqft)	Vel (ft/s)	Vel head (ft)	EGL elev (ft)	Sf (%)	Ave Sf (%)	Energy loss (ft)							
1	12	2.67	84.20	84.89	0.69	0.58	4.60	0.33	85.22	0.824	11.0	84.70	85.39	0.69**	0.58	4.60	0.33	85.72	0.824	0.824	N/A	1.50	0.49					
2	12	1.46	84.80	85.89	1.00	0.79	1.86	0.05	85.94	0.168	91.0	86.40	86.91	0.51**	0.41	3.60	0.20	87.11	0.619	0.394	N/A	1.50	0.30					
3	12	1.22	86.50	87.22	0.72	0.60	2.04	0.06	87.28	0.159	86.0	87.80	88.27	0.47**	0.36	3.38	0.18	88.45	0.588	0.374	N/A	1.00	0.18					

Project File: 587.1 - Drainage System.stm

IDF File: Portland.IDF

Total number of lines: 3

Run Date: 02-10-2003

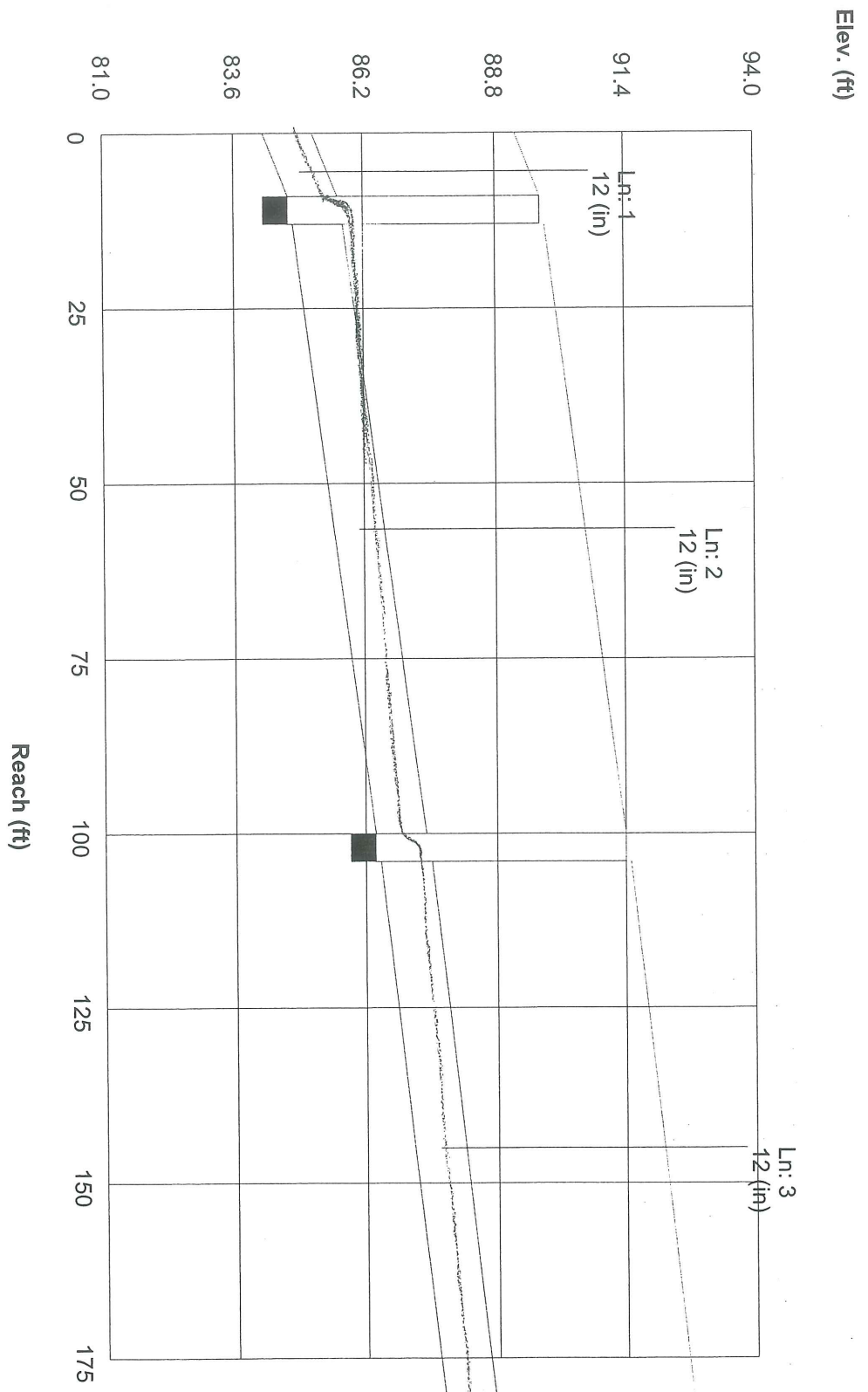
NOTES: Initial tailwater elevation = 84.8933 (ft), * Normal depth assumed, ** Critical depth assumed, † Under inlet control.

Hydr Low Storm Sewer Tabulation

Station	Len	Drng Area		Rnoff coeff	Area x C		Tc		Rain (l)	Total flow	Cap full	Vel	Pipe		Invert Elev		HGL Elev		Grnd / Rim Elev		Line ID					
		Incr	Total		Incr	Total	Inlet	Syst					Size	Slope	Up	Dn	Up	Dn	Up	Dn						
Line To Line	(ft)	(ac)	(ac)	(C)			(min)	(min)	(in/hr)	(cfs)	(cfs)	(ft/s)	(in)	(%)	(ft)	(ft)	(ft)	(ft)	(ft)	(ft)						
1	End	11.0	0.34	0.66	0.66	0.22	0.47	5.0	6.7	5.7	2.67	7.59	4.60	12	4.55	84.70	84.20	85.39	84.89	0.00	0.00	Exist - CB1 -				
2	1	91.0	0.07	0.32	0.72	0.05	0.25	5.0	5.9	5.9	1.46	4.72	2.73	12	1.76	86.40	84.80	86.91	85.89	0.00	0.00	CB1 - CB2				
3	2	86.0	0.25	0.25	0.79	0.20	0.20	5.0	5.0	6.2	1.22	4.38	2.71	12	1.51	87.80	86.50	88.27	87.22	0.00	0.00	CB2 - CB3				
Project File: 587.1 - Drainage System.stm											IDF File: Portland.IDF											Total number of lines: 3		Run Date: 02-11-2003		

NOTES: Intensity = 31.76 / (inlet time + 6.70) ^ 0.66; Return period = 25 Yrs; Initial tailwater elevation = 84.89 (ft)

Storage Sewer Profile



00 FT

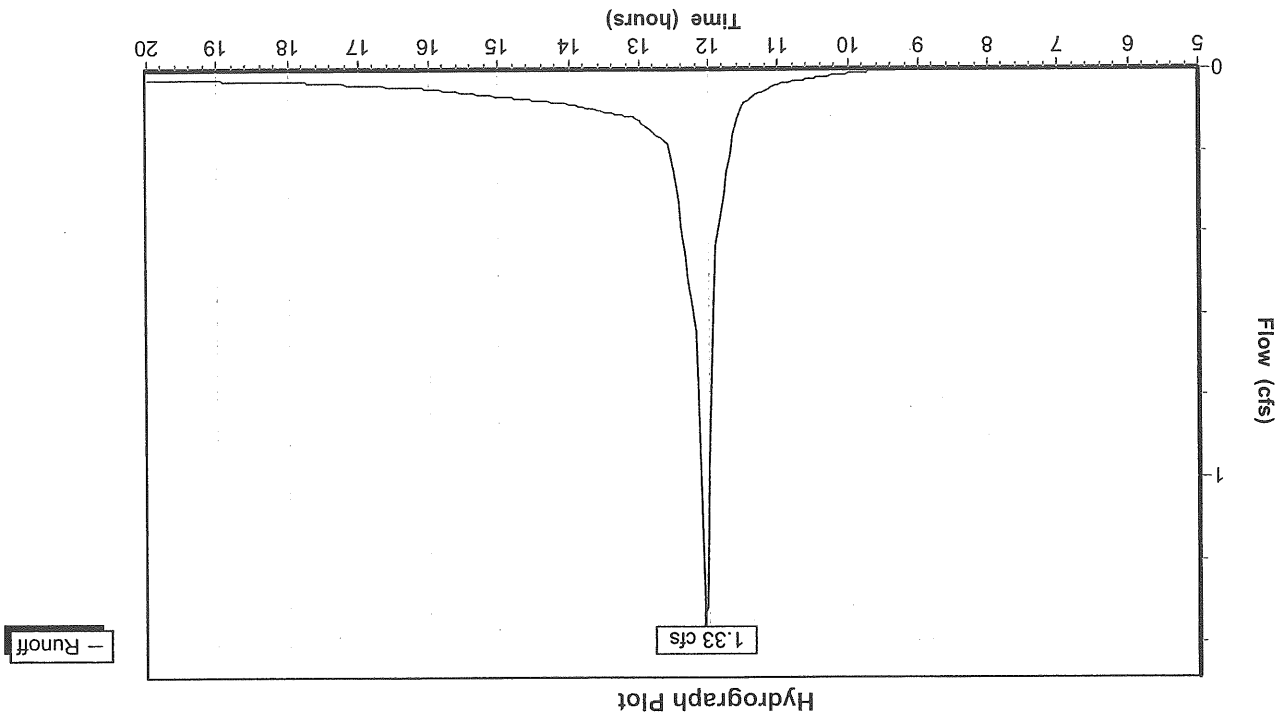
8F

Subcatchment 1S: (new node)

Runoff = 1.33 cfs @ 12.06 hrs, Volume = 0.082 af
 Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=2.60"

Area (sf)	CN	Description		
19,720	98	Paved roads w/curbs & sewers		
19,023	70	Grass Cover		
38,743	84	Weighted Average		
Tc Length (min)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.1	0.2	0.2000	0.2	Sheet Flow, AB Grass: Dense n= 0.240 P2= 2.60"
1.0	78	0.0250	1.3	Sheet Flow, BC Smooth surfaces n= 0.011 P2= 2.60"
0.4	188	0.0150	8.6	Channel Flow, BC Area= 1.0 sf Perim= 3.1' r= 0.32' n= 0.010
3.5	291	Total		

Subcatchment 1S: (new node)



86

Subcatchment 1S: (new node)

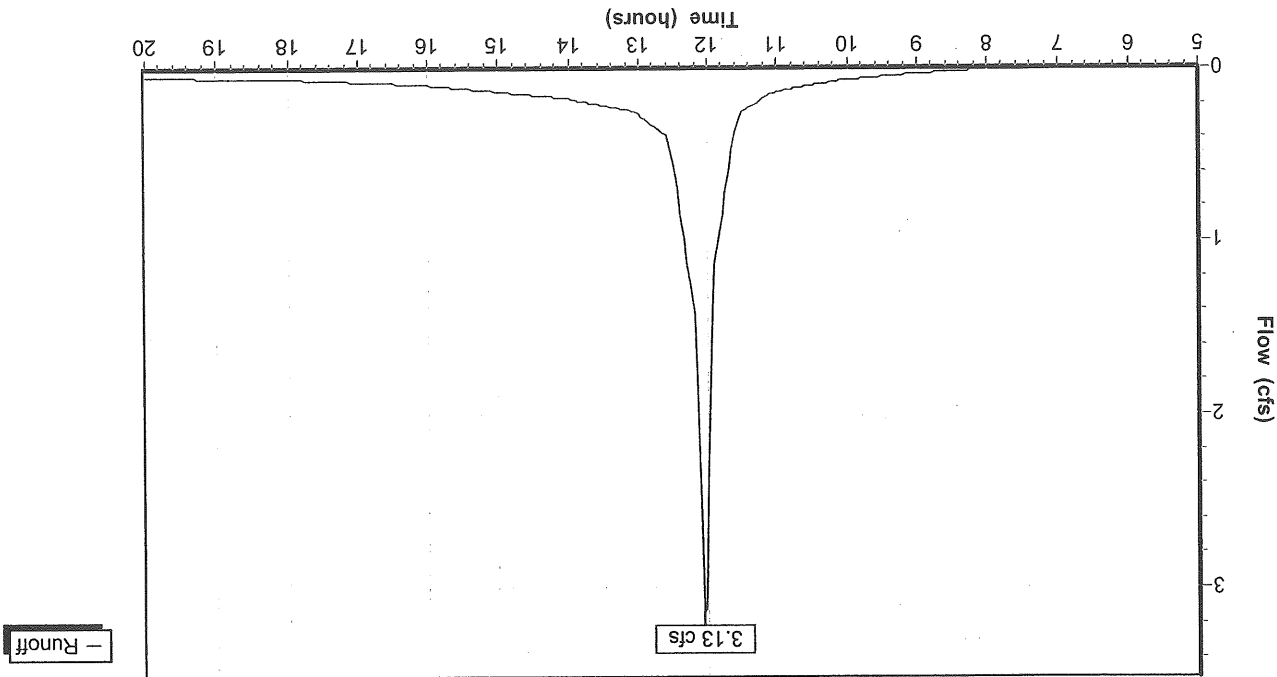
Runoff = 3.13 cfs @ 12.06 hrs, Volume = 0.196 af

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

Area (sf)	CN	Description		
19,720	98	Paved roads w/curbs & sewers		
19,023	70	Grass Cover		
38,743	84	Weighted Average		
Tc Length (min)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.1	0.2000	0.2		Sheet Flow, AB Grass: Dense n= 0.240 P2= 2.60"
1.0	0.0250	1.3		Sheet Flow, BC Smooth surfaces n= 0.011 P2= 2.60"
0.4	0.0150	8.6	8.56	Channel Flow, BC Area= 1.0 sf Perim= 3.1' r= 0.32' n= 0.010
3.5	291	Total		

Subcatchment 1S: (new node)

Hydrograph Plot



8H

Subcatchment 1S: (new node)

Runoff = 4.02 cfs @ 12.05 hrs, Volume = 0.254 af

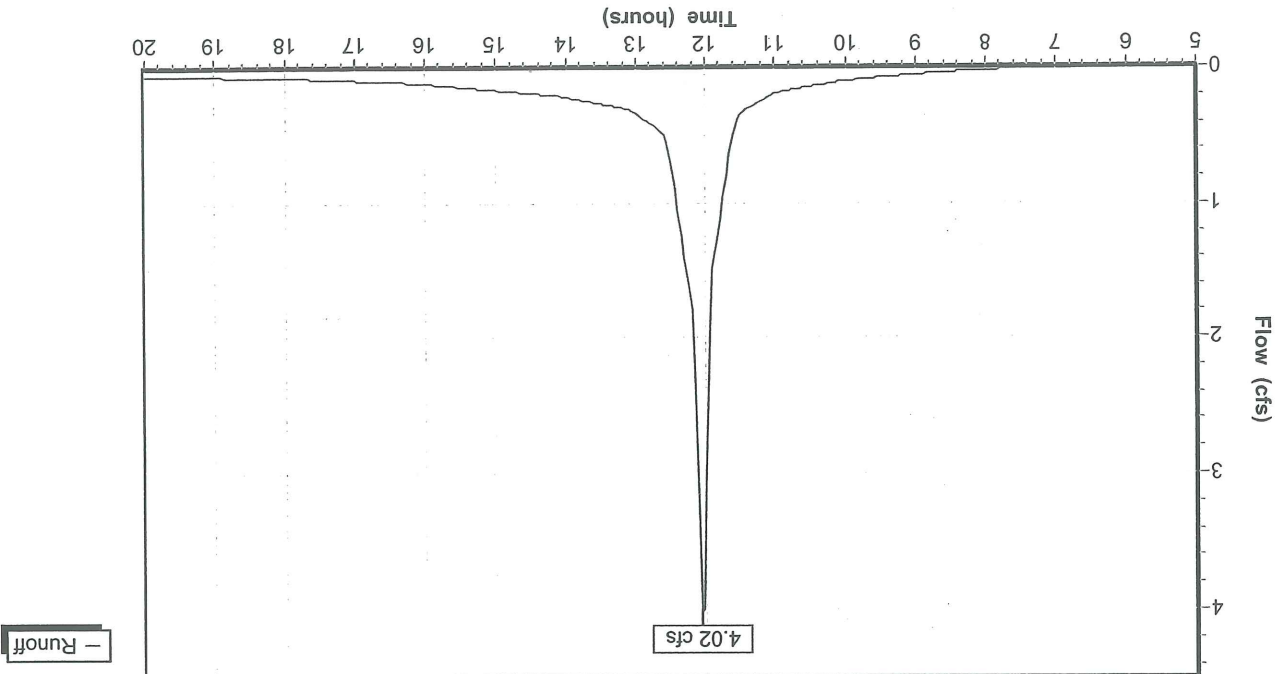
Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
 Type III 24-hr Rainfall=5.40"

Area (sf)	CN	Description
19,720	98	Paved roads w/curbs & sewers
19,023	70	Grass Cover
38,743	84	Weighted Average

Tc (min)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
2.1	0.2000	0.2		Sheet Flow, AB Grass: Dense n=0.240 P2=2.60"
1.0	0.0250	1.3		Sheet Flow, BC Smooth surfaces n=0.011 P2=2.60"
0.4	0.0150	8.6	8.56	Channel Flow, BC Area= 1.0 sf Perim= 3.1' r= 0.32' n= 0.010
3.5	291	Total		

Subcatchment 1S: (new node)

Hydrograph Plot



TP Path

AB \Rightarrow 25' Street on Grass Slope = 20%

BC \Rightarrow 78' Street on Pav Slope = 25%

CD \Rightarrow 188' Pipe flow Slope = 1.1%

CB3

Impervious: 2.15
 2.24 - 2.26 = 2.15
 885 ft

Total: 2.764
 2.745

Grass \Rightarrow 2164 ft

CB2

Impervious: 5.29
 5.22 \Rightarrow 2102 ft

Total: 7.03
 7.01 \Rightarrow 3155 ft

Grass \Rightarrow 1053 ft

CB1

Rim = 91.30'

Inn. out = 88.5'

Total: 2.343 m² @ 1.00' \Rightarrow 2343 m²

Impervious: 13.70 - 2.22 = 11.48
 13.72 - 2.06 = 11.66

4640 ft² + 9.234 = 9.234

9.234

Grass \Rightarrow 6342 ft²

1335
 1351

4382 ft²

14756 ft²

SCALE

GORRILL-PALMER CONSULTING ENGINEERS, INC.
 P.O. Box 1237
 GRAY, MAINE 04039
 (207) 657-6910
 FAX (207) 657-6912

JOB: 5871 - Post Development + Stormwater
 SHEET NO. OF
 CALCULATED BY: JMC
 DATE: 2/10/02
 CHECKED BY: **8I**
 DATE:

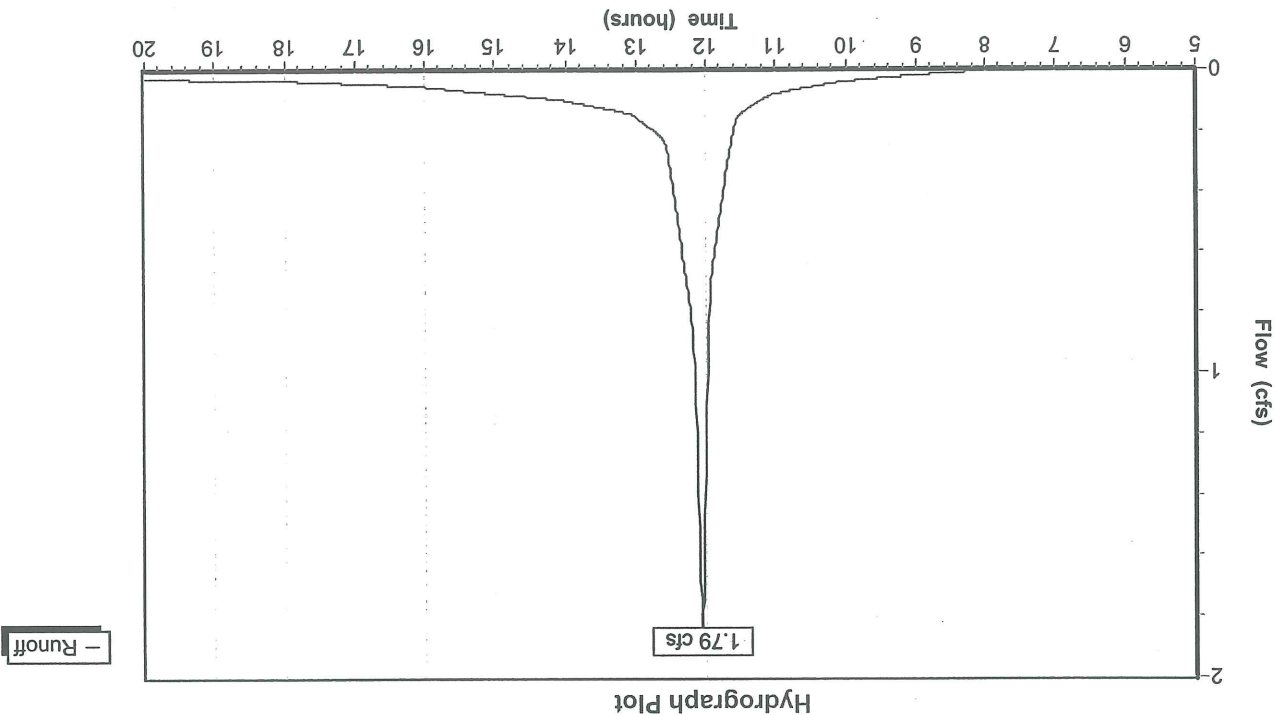
587.1
I

Pre-Development 2-Year Storm (Type III 24-hr Rainfall=2.60")
Subcatchment 1S: Pre-Development Footprint
Runoff = 1.79 cfs @ 12.06 hrs, Volume = 0.113 af

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.01 hrs
Type III 24-hr Rainfall=2.60"

Area (sf)	CN	Description
16,565	79	50-75% Grass cover, Fair, HSG C
22,178	98	Paved parking & roofs
38,743	90	Weighted Average
Tc Length (min)	Slope (ft/ft)	Velocity (ft/sec)
1.8	0.3	0.1666
Sheet Flow, Grass	Grass: Short n=0.150 P2=2.60"	Sheet Flow, Grass
1.9	1.3	0.0200
Sheet Flow, pavement	Smooth surfaces n=0.011 P2=2.60"	Sheet Flow, pavement
0.6	2.9	0.0204
Shallow Concentrated Flow, sidewalk	Paved Kv=20.3 fps	Shallow Concentrated Flow, sidewalk
4.3	290	Total

Subcatchment 1S: Pre-Development Footprint



Subcatchment 1S: Pre-Development Footprint

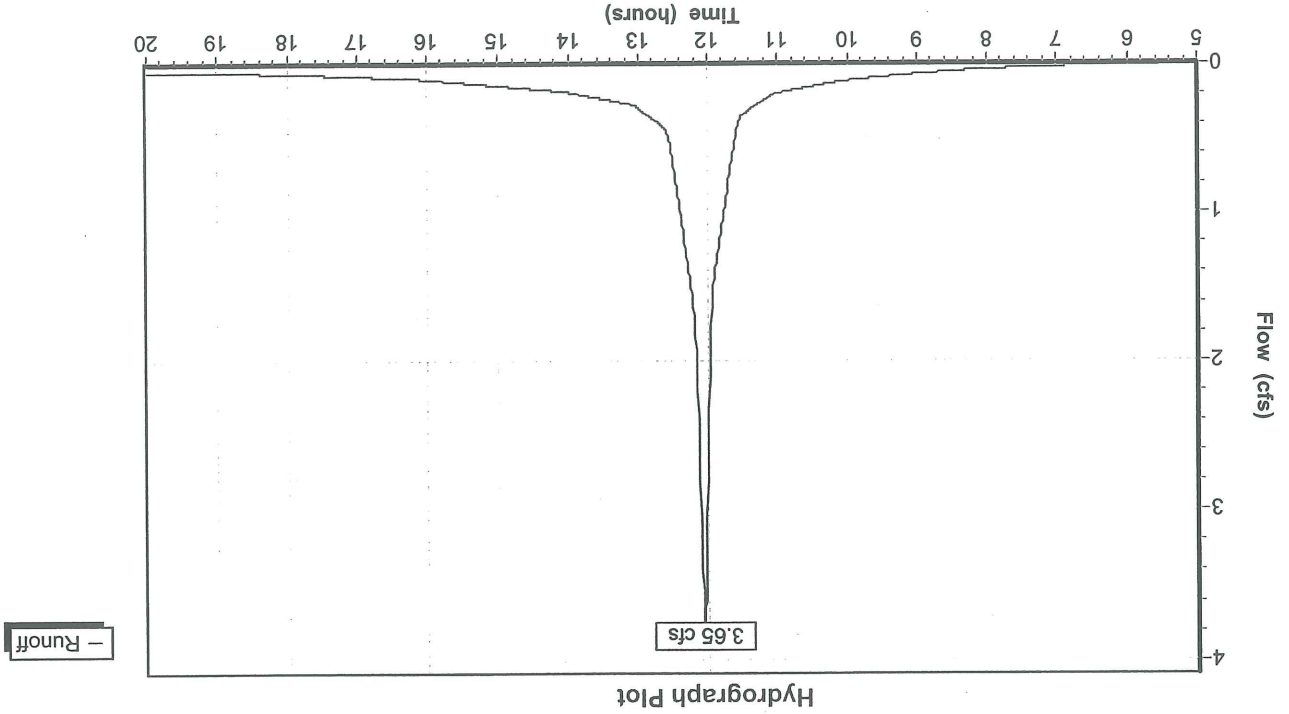
Runoff = 3.65 cfs @ 12.06 hrs, Volume = 0.238 af

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.01 hrs
 Type III 24-hr Rainfall=4.50"

Area (sf)	CN	Description
16,565	79	50-75% Grass cover, Fair, HSG C
22,178	98	Paved parking & roofs
38,743	90	Weighted Average

Tc Length (min)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
1.8	0.3	0.1666	0.3	Sheet Flow, Grass
1.9	1.3	0.0200	1.3	Sheet Flow, pavement
0.6	110	0.0204	2.9	Smooth surfaces n=0.011 P2=2.60"
4.3	290	Total		Paved K _v =20.3 fps
				Shallow Concentrated Flow, sidewalk

Subcatchment 1S: Pre-Development Footprint

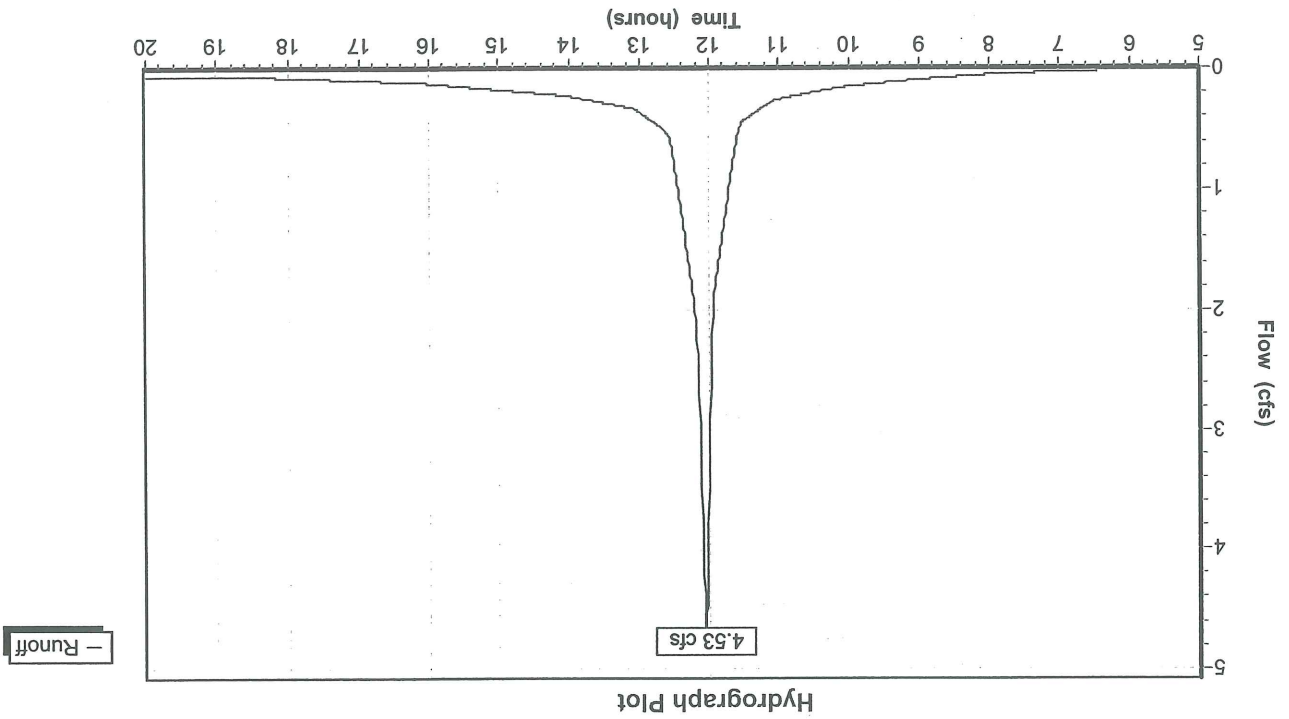


Pre-Development 25-Year Storm (Type III 24-hr Rainfall=5.40")
 Subcatchment 1S: Pre-Development Footprint
 Runoff = 4.53 cfs @ 12.06 hrs, Volume = 0.299 af

Runoff by SCS TR-20 method, UH=SCS, Time Span= 5.00-20.00 hrs, dt= 0.01 hrs
 Type III 24-hr Rainfall=5.40"

Area (sf)	CN	Description
16,565	79	50-75% Grass cover, Fair, HSG C
22,178	98	Paved parking & roofs
38,743	90	Weighted Average
Tc Length (min)	Slope (ft/ft)	Velocity (ft/sec)
1.8	0.3	0.1666
30	0.1666	0.3
Sheet Flow, Grass	Grass: Short n= 0.150 P2= 2.60"	Sheet Flow, Grass
1.9	150	0.0200
1.3	Sheet Flow, pavement	Smooth surfaces n= 0.011 P2= 2.60"
0.6	110	0.0204
2.9	Shallow Concentrated Flow, sidewalk	Paved K _v = 20.3 fps
4.3	290	Total

Subcatchment 1S: Pre-Development Footprint



Att. 9

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Gorrill-Palmer Consulting Engineers, Inc.



Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com

November 18, 2002

Mr. Donald Peterson

Bath Savings Bank

276 State Street

Portland, Maine 04101

RE: Proposed Bath Savings Bank

Trip Generation

Portland, Maine

Dear Donald:

Our office was requested to evaluate the potential effects of trip generation with the proposed Washington Avenue facility being reduced in size to 2,882 s.f. from 3,500 s.f. What follows in this memorandum are our findings regarding trip generation and traffic impacts.

Originally proposed for the bank facility was a project was a 3,500 s.f. Bath Savings Institution with two drive-up windows and a drive-up ATM. This size has been proposed to be reduced to 2,882 s.f. Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation*, 6th Edition, for Land Use Code 912, Drive-in Bank. This publication references counts performed at similar facilities throughout the country. The trip generation for the project is shown in the following table and is compared to that submitted in the original study:

Size of Bank	AM Peak Hour	PM Peak Hour	Saturday Peak Hour
Based on 2,882 s.f.	36	148	122
Based on 3,500 s.f.	44	192	148
Decrease	8	44	26

Trip Generation Summary

As can be seen by the above table, the reduction in size of the bank would result in a maximum reduction of 44 trip ends for the PM peak hour. However, to understand the impact to the street network, a comparison of trips based on distribution and composition is required. This comparison is shown on the following table for the PM peak hour:

Decrease	Primary			Pass-by			Total
	In	Out	Total	In	Out	Total	
Based on 2,788 s.f.	37	37	74	37	37	74	148
Based on 3,500 s.f.	48	48	96	48	48	96	192
Decrease	11	11	22	11	11	22	44

Trip Composition Summary

9A

As can be seen from the above table, although the total traffic at the site driveway will be reduced by approximately 44 trip ends, the decrease in new trips to the system will be approximately half that amount, or 22 trip ends. Accounting for existing traffic at the site, the original study anticipated 35 entering and 39 exiting primary net trip ends. With the reduction in size, the net primary trips would be 24 entering and 28 exiting trip ends.

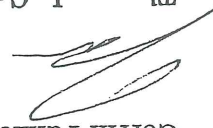
Although this change will result in traffic reductions on-site, it remains the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. This need is driven by ambient volumes on Washington Avenue and the proximity of the site drive to the signalized Shaw's intersection as well as the volume of left turning traffic. In addition, this portion of Washington Avenue should be striped to provide for two through lanes in each direction.

As the study concluded that other off-site improvements were not necessary with the larger facility, this conclusion remains with the smaller facility.

Please contact our office with any questions regarding this memorandum.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Thomas L. Gorrill, P.E., P.T.O.E.
President

9B

Traffic Impact Study
Bath Savings Institution
Portland, Maine

Prepared for:

Bath Savings Institution
105 Front Street
PO Box 548
Bath, Maine 04530

October 2002

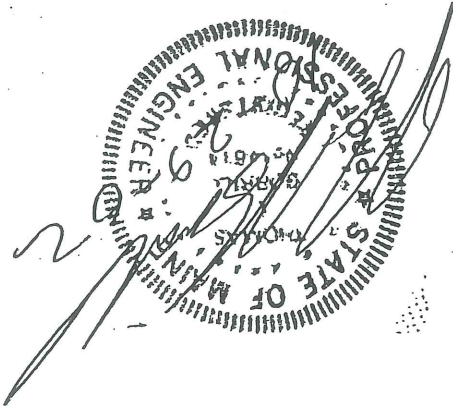
Prepared by:

GP
Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

(207) 657-6910
Fax: (207) 657-6912
E-mail: mail@gorrillpalmer.com

PO Box 1237
15 Shaker Road
Gray, ME 04039



90

Traffic Impact Study
Proposed Bath Savings Bank
Portland, Maine

<i>Section</i>	<i>Description</i>	<i>Page</i>
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I.	Introduction	3
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VI.	Trip Assignment	6
VII.	Study Area	6
VIII.	Capacity Analysis	7-9
IX.	Sight Distance	9-10
X.	Site Circulation	10
XI.	Conclusions	10-11
<div style="display: flex; justify-content: space-between;"> <div style="width: 30%;"> <p><i>Appendix A</i> Site Location Diagram Turning Movement Diagrams</p> </div> <div style="width: 30%;"> <p><i>Appendix B</i> Capacity Analyses</p> </div> <div style="width: 30%;"> <p><i>Appendix C</i> Trip Generation Calculations</p> </div> </div>		

Based on these conclusions, it is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the existing traffic network can safely and effectively accommodate the traffic generated by the proposed development.

4) The sight distances at the proposed driveway are acceptable. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

3) The crash data indicates that there are no high crash locations within the study area.

2) The level of service analyses show that the study area and site driveway intersection with Auburn Street (Route 26) will operate acceptably for the weekday PM peak hour for the 2003 post development condition. No improvements to the street system are required. However, proper striping of Auburn Street northbound as two lanes or merged to a single lane between the Northgate driveways would reduce driver confusion in this area. We also recommend that the City consider removing the island between the Shaw's driveway and the bank driveway and using this space to stripe a short left turn lane into Shaw's. Currently, approximately one car a minute turns left into Shaw's which delays through traffic.

1) The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation (MDOT). As the existing site currently generates traffic, our office has determined that the net trip generation for the site will be 147 trip ends during the PM peak hour of traffic.

The following is a summary of the major findings of the traffic study:

The proposed site would be operational by 2003. The proposed site would be operational by 2003. of a 3,500 s.f. Bath Savings Institution with 2 drive-up windows and a drive-up ATM. Northgate Shopping Center, and the Washington Avenue connector. The site will consist of a 3,500 s.f. Bath Savings Institution with 2 drive-up windows and a drive-up ATM. Northgate Shopping Center, and the Washington Avenue connector. The site will consist of a 3,500 s.f. Bath Savings Institution with 2 drive-up windows and a drive-up ATM. Northgate Shopping Center, and the Washington Avenue connector. The site will consist of a 3,500 s.f. Bath Savings Institution with 2 drive-up windows and a drive-up ATM.

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Executive Summary

9D

9E

I. Introduction

Existing Conditions

Existing Site

The site is located in Portland across from the Northgate Shopping Plaza. The existing site contains a cell phone store and a Pizza Hut delivery facility. The site is currently serviced by two driveways along Route 26. The northerly driveway is full movement and the southerly driveway is right-in/right-out in close proximity to the traffic signal at Northgate Plaza/Washington Avenue Connector. A site location map has been included in Appendix A.

Existing Roads

Auburn Street along the site frontage has two eastbound travel lanes and two westbound travel lanes that transition to a single lane immediately west of the site. There is a median along the easterly portion of the site. There is a sidewalk along the north side of Auburn Street in the vicinity of the site. The posted speed on Auburn Street is 30 MPH. The site has no access to Washington Avenue Extension.

Proposed Conditions

The site will include a 3,500 s.f. bank with two drive-through windows as well as an ATM for 24-hour access, and will include parking and landscaping. The existing southerly driveway will be eliminated leaving only the northerly full movement driveway located 190 feet from the traffic signal at Northgate Plaza/Washington Avenue Connector.

II.

Background Traffic Conditions

Gorrill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan prepared by Platz Associates, dated August 7, 2002.
- Crash data for the period 1999-2001 supplied by the MDOT.
- Turning movement volumes collected by Gorrill-Palmer Consulting Engineers, Inc. on Friday June 21, 2002 from 3:00 PM to 6:00 PM at the following intersections which are shown in Figure 2 of Appendix A:
 - Route 26 at Summit Street and Northgate North Drive
 - Route 26 at Cell phone store/Pizza Hut Drives
 - Route 26 at Washington Connector and Northgate South Drive
 - Route 26 at Washington Avenue and Cypress Street
 - Route 26 at Allen Avenue
- "Other development" projects provided by the Portland Planning Department.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual crash rate to the rate for similar intersection in the state. A CRF of less than 1.00 indicates a rate of less than average) and:
 2. A minimum of 8 crashes over a three-year period.
- In order to evaluate whether a location has a crash problem, MDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order to be classified as an HCL.

Gorrill-Palmer Consulting Engineers, Inc. examined the crash data from MDOT for the period of 1998 to 2000, the most recent period available.

Crash Information

> The adjusted volumes were added to the "other development" volumes to obtain the 2002 predevelopment volumes, shown in Figure 5 of Appendix A.

Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation, 6th Edition* to determine the trip generation for these projects. These volumes are shown in Figure 4 of Appendix A.

- Planned Residential Unit Development off of Route 26 north of the site
- Age-Restricted Housing Project off of Route 26 north of the site
- Condominium Development off of Route 26/Allen Avenue south of the site
- Multi-Family Housing off of Route 26/Allen Avenue south of the site

include the following:
 residential projects were included in the predevelopment traffic volumes. They ahead of this project in the approval process. Based on these discussions, several determine whether there are any other projects that have been approved or are Gorrill-Palmer Consulting Engineers, Inc. has contacted the City of Portland to

> shown on Figure 3 of Appendix A.
 obtain projected volumes for the year 2003. The fully adjusted volumes are The seasonally adjusted volumes were annually adjusted by 2 percent per year to

> The raw turning movement volumes collected by Gorrill-Palmer Consulting Engineers, Inc. were seasonally adjusted by 2% based on weekly group mean factors published by MDOT to reach the 30th highest hour.

The project is expected to be fully occupied in the year 2003. The year 2003 predevelopment design hour volumes were determined utilizing the following methodology:

Predevelopment Traffic Volumes

97

Land Use		912 - Drive-in Bank
Entering	96	
Exiting	96	
Total	192	

PM Peak Hour

Trip Distribution Summary for Proposed Bank

Gorrill-Palmer Consulting Engineers, Inc. has estimated the trip distribution for the weekday PM period based on the ITE Land Use Codes indicated in the previous table. The results are shown on the following table:

IV. Trip Distribution

The computations are contained in Appendix C. The existing site contains a cell phone store and a Pizza Hut delivery facility. Our office completed traffic counts for the existing uses and determined that the net trip generation increase for the re-development of the site will be 147 trip ends during the PM peak hour of traffic.

Land Use Code	AM Peak Hour	PM Peak Hour	Saturday Peak Hour	Weekday
912 - Drive-in Bank	44	192	148	997

Trip Generation Summary

The proposed project is planned to consist of a 3,500 s.f. Bath Savings Institution with two drive-up windows and a drive-up ATM. Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation*, 6th Edition, for Land Use Code 912, Drive-in Bank. This publication references counts performed at similar facilities throughout the country. The trip generation for the project is shown in the following table:

III. Trip Generation

As can be seen from the above charts, there are no High Crash Locations in the study area.

Node(s)	Intersection/Roadway Segment	# of Collisions	CRF	HCL?
7483	Route 26 at School Drive	1	0.10	No
7482	Route 26 at Sanborn Street/Northgate North	14	0.52	No
7481	Route 26 at Northgate South	5	0.18	No
7480	Route 26 at Washington Avenue	0	0.00	No
3754	Route 26 at Cypress Street	14	0.39	No
7479	Route 26 at Allen Avenue	22	0.42	No
7478	Route 26 at Maplewood Street	6	0.46	No
7482-7483	Route 26 from School Drive to Northgate North	3	0.25	No
7481-7482	Route 26 from Northgate North to Northgate South	10	0.78	No
7480-7481	Route 26 from Washington Avenue to Northgate South	7	0.61	No
7480-3754	Route 26 from Washington Avenue to Cypress Street	1	0.52	No
7479-3754	Route 26 from Allen Avenue to Cypress Street	4	0.46	No
7478-7479	Route 26 from Allen Avenue to Maplewood Street	13	0.99	No

MDOT Crash History - 1999-2001

The crash history is summarized in the following table:

96

94

V. Trip Composition

Gorrill-Palmer Consulting Engineers, Inc. has based the trip composition on data contained in the ITE Trip Generation Handbook. The trip composition summary is shown on the following table:

Trip Composition Summary for Proposed Bank

PM Peak Hour			
Land Use	Primary		Total
	50%	50%	
912 - Drive-in Bank	50%	50%	100%

In reality, over 20% of all trips to the site would be diverted in nature, resulting in fewer primary trips. This results in a conservative analysis. The combination of the trip distribution and composition results in the following driveway trip assignments:

Trip Composition Totals for Proposed Bank

PM Peak Hour									
912 - Drive-in Bank	Primary		Pass-by		Total		Total		Total
	In	Out	Total	In	Out	Total	In	Out	
48	48	96	48	48	96	96	96	96	192

VI. Trip Assignment

Gorrill-Palmer Consulting Engineers, Inc. has based the street system trip assignment on existing traffic volumes along Auburn Street as well as traffic counts at the driveway. The resulting trip distribution and assignment are shown in Figures 6 & 7 of Appendix A.

VII. Study Area

The Maine Department of Transportation (MDOT) traffic permit requirements apply to facilities projected to generate 100 or more trip ends during the peak hour of the over that currently occurring at the site during the PM peak hour, a traffic permit will be required. However, the City of Portland has delegated review authority for MDOT permits, so the traffic permitting process will be undertaken via City Staff. For the purposes of this study, we have evaluated the following intersections:

- > Auburn Street at Sanborn Street and Northgate North Drive (signalized)
- > Auburn Street at the cell phone store/Pizza Hut Drives (Site Drive)
- > Auburn Street at Washington Connector and Northgate South Drive (signalized)
- > Auburn Street at Washington Avenue and Cypress Street
- > Washington Avenue at Allen Avenue (signalized)

9I

VIII. Capacity Analysis

Gorrill-Palmer Consulting Engineers, Inc. completed capacity analyses for the intersections mentioned above.

The signalized intersections were evaluated with the Synchro software package, and the unsignalized locations were analyzed with the HCS 2000 software package. Level of service rankings are similar to the academic ranking system where an 'A' is very good with little control delay and an 'F' represents very poor conditions. At an unsignalized intersection, if the level of service falls below a 'D', an evaluation should be made to determine if a traffic signal is warranted.

The following table summarizes the relationship between control delay and level of service for an unsignalized intersection:

Level of Service Criteria for Unsignalized Intersections

Level of Service	Total Control Delay per Vehicle (sec/veh)
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The following table summarizes the relationship between control delay and level of service for a signalized intersection:

Level of Service Criteria for Signalized Intersections

Level of Service	Total Control Delay per Vehicle (sec/veh)
A	Up to 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

Gorrill-Palmer Consulting Engineers, Inc. based our analyses on the existing roadway configuration for the predevelopment and post development conditions.

Signalized Intersections

The results of the capacity analyses for the weekday PM peak hour at the signalized intersections are as follows:

Level of Service for Auburn Street at Sanborn Street and Northgate

2003 PM Peak Hour	
Predevelopment	Delay (sec/veh) LOS
Auburn St NB	2 A
Auburn St SB	4 A
Sanborn EB	26 C
Northgate WB	19 B
Overall Intersection	6 A
Approach	Delay (sec/veh) LOS
Postdevelopment	Delay (sec/veh) LOS
Auburn St NB	2 A
Auburn St SB	4 A
Sanborn EB	26 C
Northgate WB	19 B
Overall Intersection	6 A

Level of Service for Auburn Street at Connector and Northgate

2003 PM Peak Hour	
Predevelopment	Delay (sec/veh) LOS
Route 26 NB	6 A
Route 26 SB	17 B
Connector EB	17 B
Northgate WB	28 C
Overall Intersection	12 B
Approach	Delay (sec/veh) LOS
Postdevelopment	Delay (sec/veh) LOS
Route 26 NB	6 A
Route 26 SB	17 B
Connector EB	17 B
Northgate WB	28 C
Overall Intersection	12 B

Level of Service for Washington Avenue at Allen Avenue

2003 PM Peak Hour	
Predevelopment	Delay (sec/veh) LOS
Route 26 NB	37 D
Route 26 SB	44 D
Allen EB	45 D
Allen WB	64 E
Overall Intersection	45 D
Approach	Delay (sec/veh) LOS
Postdevelopment	Delay (sec/veh) LOS
Route 26 NB	37 D
Route 26 SB	51 D
Allen EB	47 D
Allen WB	64 E
Overall Intersection	49 D

95

9K

Unsignalized Intersections

The results of the capacity analyses for the weekday PM peak hour at the unsignalized intersections are as follows:

Level of Service for Route 26 at Bank (Pizza Hut/cell phone) Drive

2003 PM Peak Hour		Predevelopment		Postdevelopment	
Approach		Delay (sec/veh)	LOS	Delay (sec/veh)	LOS
Route 26 NB (LT)	9	A	10	A	10
Drive EB	11	B	30	B	30

As can be seen from the tables above, all the intersections will operate at an acceptable overall level of service upon the completion of the development. However, Allen's Corner is forecast to operate at a level of service E for one approach. It is important to note that the proposed development will not reduce the existing level of service and that the MDOT is currently redesigning the intersection to improve its operation.

IX. Sight Distance

The Maine Department of Transportation has recently adopted new guidelines for sight distance based on new entrance rules. Minimum sight distances for a driveway are as follows:

MDOT Standards for Sight Distance

Posted Speed (mph)	Sight Distance
25	200
30	250
35	305
40	360
45	425
50	495
55	570

Gorri-Palmer Consulting Engineers, Inc. has evaluated the available sight lines at the proposed driveway in accordance with MDOT standards.

The MDOT standards are as follows:

- Driveway observation point: 10 feet off major street travel way
- Height of eye at driveway: 3 ½ feet above ground
- Height of approaching vehicle: 4 ¼ feet above road surface

2) The level of service analyses show that the study area and site driveway intersection with Auburn Street (Route 26) will operate acceptably for the weekday PM peak hour for the 2003 post development condition. No improvements to the street system are required. However, proper striping of Auburn Street northbound as two lanes or merged to a single lane between the Northgate driveways would reduce driver confusion in this area. We also recommend that the City consider removing the island between the Shaw's driveway and the bank driveway and using this space to stripe a short left turn

1) The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation (MDOT). As the existing site currently generates traffic, our office has determined that the net trip generation for the site will be 147 trip ends during the PM peak hour of traffic.

The following is a summary of the major findings of the traffic study:

XI. Conclusions

The site is set for counter-clockwise traffic circulation around the rear of the building to serve the drive through lanes. The parking areas have been located to the north and west of the building. The drive-through lanes have been designed to provide storage for a minimum of 4 vehicles in each lane before they would block access to any parking spaces. Gorriil-Palmer Consulting Engineers, Inc. anticipates that this storage length will be sufficient for anticipated traffic volumes at the site.

X. Site Circulation and Storage

As shown, the sight distances for the driveway exceed MDOT requirements. Gorriil-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Direction		Posted Travel Speed (mph)	Recommended Sight Line (ft)	Actual Sight Line (ft)
Exiting onto Route 26 Looking:				
Left	30	250	>1000	
Right	30	250	>700	

Driveway Sight Distance Evaluation

The results of this sight distance analysis, exiting the site drive are summarized in the following tables:

9L

lane into Shaw's. Currently, approximately one car a minute turns left into Shaw's which delays through traffic.

3) The crash data indicates that there are no high crash locations within the study area.

4) The sight distances at the proposed driveway are acceptable. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Based on these conclusions, it is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the existing traffic network can safely and effectively accommodate the traffic generated by the proposed development

9M



CITY OF PORTLAND

10 March 2003

Mr. William C. Haskill, P.E.,
Gortill-Palmer Consulting Engineers, Inc.,
15 Shaker Road,
Gray, Maine 04039

RE: The Capacity to Handle Wastewater Flows, from the Site of the Proposed Bath Savings Institution, 40 Auburn Street, Portland Maine.

Dear Mr. Haskill:

This letter supercedes the letter of Friday 3 March 2003. Please discharge your building sanitary flows to the ten-inch vitrified clay sanitary sewer, not to the eighteen inch vitrified clay storm drain. The existing ten-inch diameter vitrified clay sewer pipe located in Washington Avenue has adequate capacity to **transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the total anticipated wastewater flows of -196 GPD, from the proposed project.

Anticipated Wastewater Flows from the Proposed Savings Institution
Wastewater Flows from Seven Proposed Employees @ 15 GPD/Employee = 105 GPD
Less Wastewater Flows from Previous Occupant = 301 GPD
Total Proposed Decrease in Wastewater Flows for this Project = (196 GPD)

The City combined sewer overflow (C.S.O.) abatement consent agreement, with the U.S.E.P.A. and The Maine D.E.P. requires C.S.O. abatement, as well as Storm water mitigation, from all projects, in order to offset any increase in sanitary flows.

If I can be of further help, please call me at 874-8832.

Sincerely,
CITY OF PORTLAND
Frank J Brancely
Frank J Brancely, B.A., and M.A.
Senior Engineering Technician

FJB

cc: Alexander Q. Jaegerman, Acting Co-Director, Department of Planning, and Urban Development, City of Portland
Kandice Talbot, Planner, Department of Planning, and Urban Development, City of Portland
Eric Labelle, P.E., City Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Anthony W. Lombardo, P.E., Project Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Todd Merkle, Field Inspections Coordinator, City of Portland
Desk file

Att. 10

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

Fire Copy

2003-0029

Application I. D. Number

02/14/2003

Application Date

Bath Savings Branch Bank

Project Name/Description

40 - 42 Auburn St, Portland, Maine

Address of Proposed Site

375 A002001

Assessor's Reference: Chart-Block-Lot

Consultant/Agent

Agent Ph: (800) 447-4559 Agent Fax:

Applicant's Mailing Address

105 Front Street, Bath, ME 04530

Applicant

Bath Savings Institution

Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail

Manufacturing Warehouse/Distribution Parking Lot

Other (specify)

2882 s.f.

Proposed Building square Feet or # of Units

Acragage of Site

Contract

Zoning

Check Review Required:

Site Plan

Subdivision

of lots

(major/minor)

Shoreland

Flood Hazard

Zoning Conditional

Zoning Variance

Use (ZBA/PB)

Fees Paid: Site Plan \$400.00

Subdivision

Engineer Review

Date 02/21/2003

Fire Approval Status:

Approved

Approved w/Conditions

Denied

Reviewer **Kandi Talbot**

Condition Compliance

Lt. McDougall

02/24/2003

Additional Sheets Attached

Approval Date 02/24/2003

Approval Expiration 02/24/2004

Extension to

Performance Guarantee

Required*

Not Required

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

Performance Guarantee Accepted

Inspection Fee Paid

Building Permit Issue

Performance Guarantee Reduced

Temporary Certificate of Occupancy

Final Inspection

Certificate Of Occupancy

Performance Guarantee Released

Defect Guarantee Submitted

Defect Guarantee Released

date

amount

expiration date

date

amount

date

remaining balance

signature

date

Conditions (See Attached)

expiration date

date

signature

date

date

signature

submitted date

amount

expiration date

date

signature

03P029

TO: Kandi Talbot - Planner
FROM: Jim Seymour - Development Review Coordinator, Sebago Technics, Inc.
RE: 40 Auburn Street - Bath Savings Institution
DATE: March 12, 2003

Sebago Technics made a site visit and has reviewed the Site Plan Package and supporting documentation for the proposed Bath Savings Institution property located at 40 Auburn Street. The following comments are submitted in outline format:

1. Stormwater Management

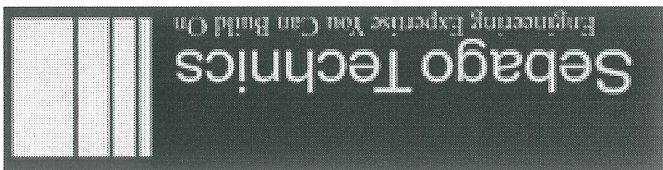
- A. The existing site envelope is previously developed. The proposed impervious area and structure coverage is a reduction from the existing condition and will not result in increased runoff. The applicant's agent did submit a stormwater analysis/report with the site plan package submittal. The applicant shall discuss with Public Works regarding pipe connections to the City's storm drain/catch basins. There is a typo error in the rim elevation proposed for the modified catch basin in Auburn Street the elevation should be 88.87 not 83.97.
- B. CB-3 shall be installed with a Casco Trap since it is the last collection structure prior to entering the City's storm drain.

2. Road Access/Circulation

- A. The site appears to be well planned out, the striping of stalls and aisle are appropriate and meet technical standards. The only request would be to place a dumpster pad 10' x 12' to the west of the wall end and just off the proposed edge of paving. This will accommodate parking movements and allow for a less visible dumpster while still providing excellent access for trash removal.
- B. Snow removal should be dedicated to the rear of the site along the Washington Avenue side of the property no storage shall be allowed on the Auburn Street side or along the Connector.

3. Grading/Erosion Control

- A. The rear of the site may need additional spot grades to show how runoff will drain off the pavement edge to get collected in the swale along the front. There



Att. 12

March 12, 2003

12A

appears to be an existing structure on the SW corner of the pavement which is indicated as a catch basin. Will the structure remain and be utilized as a catch basin? The Demo Plan says to remain but no indication is referenced on the Grading/Drainage Plan.

4. Utility Installation/Location

- A. A note should be added to the plans discussing the status of the existing Gas Main. Is it remaining or is it to be removed. If it's staying, will it need to be sleeved where it is under pavement or vehicular traffic?
- B. The same measures should be considered for any duct banks or feeds from the HVAC system located just off the pavement which will be needed to serve the building.

5. General

- A. Please see Public works comments for issues with traffic improvements, pedestrian access, or construction within the Right-of-Way.

6. Details

- A. The bituminous sidewalk detail at driveway crossings shall be added to the plan the cross section requires a deeper base at that location.

Please contact our office with any questions.

TS:ts/jc

Att. 13

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

Engineering Copy

2003-0029

Application I. D. Number

02/14/2003

Application Date

Bath Savings Branch Bank

Project Name/Description

40 - 42 Auburn St, Portland, Maine

Address of Proposed Site

375 A002001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail

Other (specify)

Manufacturing Warehouse/Distribution Parking Lot

2882 s.f.

Contract

Proposed Building square Feet or # of Units

Acraege of Site

Zoning

Check Review Required:

14-403 Streets Review

Subdivision

PAD Review

Site Plan

of lots

DEP Local Certification

Shoreland

Historic Preservation

Flood Hazard

Zoning Variance

Other

Zoning Conditional Use (ZBA/PB)

Date 02/21/2003

Engineer Review

Subdivision

\$400.00

Site Plan

Fees Paid:

Engineering Comments

PUBLIC WORKS ENGINEERING REVIEW...3/17/03

I have reviewed the plans and application dated February 2003 and offer the following comments:

1. On sheet C104, there is an existing catch basin located at the rear westerly edge of the proposed parking lot. This plan nor any of the other plans identify this structure to be altered or removed. The plans should clearly specify where this structure outlets. If this structure is to be removed, it's outlet pipe must be sealed or removed. If it is to be altered, this must be specified on the plans.
2. Sheet C104 must specify a "casco trap" to be installed in CB1, which outlets to the Auburn Street system.
3. On Sheet C104, "modifying existing catch basin" in Auburn Street must clearly specify that the "new invert in" must be core drilled and fit with a flexible fitting.
4. The Detail Sheet must include a construction detail for the proposed sanitary sewer service connection into Washington Avenue.
5. The Detail Sheet must include a construction detail for the proposed driveway entrance/exist onto Auburn Street.
6. The proposed limits of excavation within the paved roadway of Auburn Street and Washington Avenue, must be clearly specified on the plans.
7. The applicant is advised to contact Carol Merritt at Public Works regarding the required permits and corresponding fees associated with excavation within the right of way and utility connections.
8. Upon receiving final Planning Board or Department approval, the applicant must submit a CAD file of this development proposal to Public Works and the attention of Jon Giles. This is for the purpose of continuing to update and develop the City's GIS database.

Performance Guarantee Required* Not Required

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

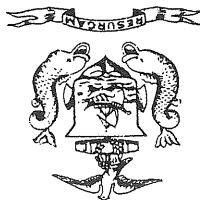
Performance Guarantee Accepted

date

amount

expiration date

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services
Alexander Q. Jaegerman, AICP
Planning
John N. Lufkin
Economic Development

March 17, 2003

Mr. William C. Haskell, P.E.

Project Engineer

Gorrill-Palmer Consulting Engineers, Inc.

P.O. Box 1237

15 Shaker Road

Gray, ME 04039

RE: Bath Savings Institution, 40-42 Auburn Street

Application ID #2003-0029, CBL #375-A-002

Dear Will:

After review of the plans submitted for the Bath Savings Institution proposed at 40-42 Auburn Street, the following comments have been generated:

1. The applicant shall discuss with Public Works regarding pipe connections to the City's storm drain/catch basins. There is a typo error in the rim elevation proposed for the modified catch basin in Auburn Street. The elevation should be 88.87 not 83.97.
2. CB-3 shall be installed with a casco trap since it is the last collection structure prior to entering the City's storm drain.
3. It is recommended that the 10' x 12' dumpster pad be placed to the west of the wall end and just off the proposed edge of pavement. This will accommodate parking movements and allow for a less visible dumpster while still providing excellent access for trash removal.
4. Snow removal should be dedicated to the rear of the site along the Washington Avenue side of the property. No storage shall be allowed on the Auburn Street side or along the connector.
5. Additional spot grades are needed at the rear of the site, to show how runoff will drain off the pavement edge to get collected in the swale along the front. There appears to be an existing structure on the SW corner of the pavement, which is indicated as a catch basin. Will the structure remain and be utilized as a catch basin? The Demo Plan says to remain but no indication is referenced on the Grading/Drainage Plan.
6. A note shall be added to the plans discussing the status of the existing gas main. Is it remaining or is it to be removed? If it's remaining, will it need to be sleeved where it is under pavement or vehicular traffic?

AH. 14

Signalized Intersections

The results of the capacity analyses for the weekday PM peak hour at the signalized intersections are as follows:

Level of Service for Auburn Street at Sanborn Street and Northgate

2003 PM Peak Hour	
Approach	Predevelopment
Delay (sec/veh)	LOS
Auburn St NB	A 2
Auburn St SB	A 4
Sanborn EB	C 26
Northgate WB	B 19
Overall Intersection	A 6
Postdevelopment	Delay (sec/veh)
LOS	A 2
A 4	A 4
C 26	C 26
B 19	B 19
A 6	A 6

Level of Service for Auburn Street at Connector and Northgate

2003 PM Peak Hour	
Approach	Predevelopment
Delay (sec/veh)	LOS
Route 26 NB	A 6
Route 26 SB	B 17
Connector EB	B 17
Northgate WB	C 28
Overall Intersection	B 12
Postdevelopment	Delay (sec/veh)
LOS	A 7
A 7	A 7
B 17	B 17
B 17	B 17
C 28	C 28
B 12	B 12

Level of Service for Washington Avenue at Allen Avenue

2003 PM Peak Hour	
Approach	Predevelopment
Delay (sec/veh)	LOS
Route 26 NB	D 37
Route 26 SB	D 44
Allen EB	D 45
Allen WB	E 64
Overall Intersection	D 45
Postdevelopment	Delay (sec/veh)
LOS	D 37
D 37	D 37
D 51	D 51
D 47	D 47
E 64	E 64
D 45	D 45

The MDOT standards are as follows:
 Driveaway observation point:
 Height of eye at driveway:
 Height of approaching vehicle:
 10 feet off major street travel way
 3 1/2 feet above ground
 4 1/4 feet above road surface

Gorrill-Palmer Consulting Engineers, Inc. has evaluated the available sight lines at the proposed driveway in accordance with MDOT standards.

MDOT Standards for Sight Distance	Posted Speed (mph)	Sight Distance
	25	200
	30	250
	35	305
	40	360
	45	425
	50	495
	55	570

The Maine Department of Transportation has recently adopted new guidelines for a sight distance based on new entrance rules. Minimum sight distances for a driveway are as follows:

IX. Sight Distance

As can be seen from the tables above, all the intersections will operate at an acceptable overall level of service upon the completion of the development. However, Allen's Corner is forecast to operate at a level of service E for one approach. It is important to note that the proposed development will not reduce the existing level of service and that the MDOT is currently redesigning the intersection to improve its operation.

Level of Service for Route 26 at Bank (Pizza Hut/cell phone) Drive			
Approach	2003 PM Peak Hour		LOS
	Predevelopment	Postdevelopment	
Route 26 NB (LT)	9	10	A
Drive EB	11	30	D

The results of the capacity analyses for the weekday PM peak hour at the unsignalized intersections are as follows:

Unsignalized Intersections

2) The level of service analyses show that the study area and site driveway intersection with Auburn Street (Route 26) will operate acceptably for the weekday PM peak hour for the 2003 post development condition. No improvements to the street system are required. However, proper striping of Auburn Street northbound as two lanes or merged to a single lane between the Northgate driveways would reduce driver confusion in this area. We also recommend that the City consider removing the island between the Shaw's driveway and the bank driveway and using this space to stripe a short left turn

1) The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation (MDOT). As the existing site currently generates traffic, our office has determined that the net trip generation for the site will be 147 trip ends during the PM peak hour of traffic.

The following is a summary of the major findings of the traffic study:

XI. Conclusions

The site is set for counter-clockwise traffic circulation around the rear of the building to serve the drive through lanes. The parking areas have been located to the north and west of the building. The drive-through lanes have been designed to provide storage for a minimum of 4 vehicles in each lane before they would block access to any parking spaces. Gorill-Palmer Consulting Engineers, Inc. anticipates that this storage length will be sufficient for anticipated traffic volumes at the site.

X. Site Circulation and Storage

As shown, the sight distances for the driveway exceed MDOT requirements. Gorill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Direction		Posted Travel Speed (mph)	Recommended Sight Line (ft)	Actual Sight Line (ft)
Exiting onto Route 26 Looking:				
Left	30	250	>1000	
Right	30	250	>700	

Driveway Sight Distance Evaluation

The results of this sight distance analysis exiting the site drive are summarized in the following tables:

lane into Shaw's. Currently, approximately one car a minute turns left into Shaw's which delays through traffic.

3) The crash data indicates that there are no high crash locations within the study area.

4) The sight distances at the proposed driveway are acceptable. Gorriill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Based on these conclusions, it is the opinion of Gorriill-Palmer Consulting Engineers, Inc. that the existing traffic network can safely and effectively accommodate the traffic generated by the proposed development

Att. A7

Project: Bath Savings Branch Bank, Portland, Maine
Architects: Platz Associates
 Auburn, Maine
Engineers: Gorrell-Palmer Consulting Engineering, Inc.
 Gray, Maine
Date: November 18, 2002

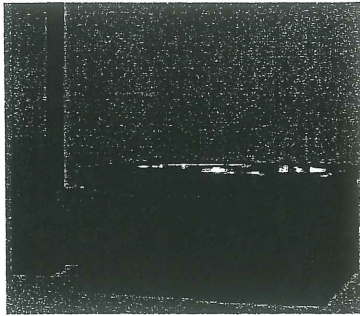
Proposed Exterior Lighting Design

The proposed design of exterior lighting system has been designed provide area lighting for parking spaces and access drives. Given the close proximity of the adjacent property, the project goal has been to provide a low-impact lighting solution that produces modest lighting levels. The proposed exterior lighting design consists of pole mounted, full cut-off type area lights at drives and parking areas, decorative wall lights at the pergola, and recessed downlights at the canopies.

Pole mounted area lights are proposed to be full cut-off type with a rectangular fixture housing. Lamps utilized by these fixtures shall be metal halide type, 250 watts, with an initial lumen rating of 23,000 lumens (horizontal lamp position). The proposed metal halide lamp provides a "white" light output. The 250 watt metal halide lamp has a rated lamp life of 10,000 hours.

The fixture includes a flush, flat diffuse lens at the bottom opening. Fixtures will be controlled by photocell.

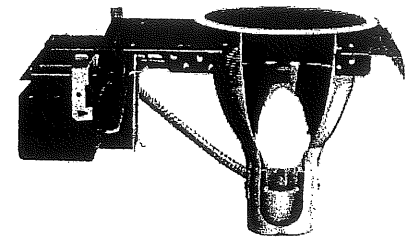
Fig 1: Area Pole Light



The pole mounted area lights are proposed to be installed on fourteen (14) foot high poles that are to be mounted on concrete bases that extend above grade 6 inches. Lighting poles are four (4) inches square, and are aluminum with a painted black finish.

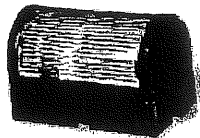
Two types of photometric distribution patterns are proposed for the proposed pole lights. The lighting pole designated as Type S4 on the Lighting Plan includes a forward throw lighting distribution pattern. For this fixture type, the maximum light output occurs at 52.5 degrees above vertical, directly in front of the fixture. The lighting poles that are designated as Type S1 on the Lighting Plan include a broad lighting distribution pattern. For this fixture type, the maximum light output occurs at 55 degrees above vertical, at 75 degrees to either side of the fixture. For both fixture types, no direct light is emitted from above 90 degrees vertically.

Recessed downlight fixtures are proposed at the main entrance canopy, and at the two drive-up canopy locations. These fixtures are approximately 8" inches in diameter. They include a flat, recessed tempered glass diffuser, and they utilize 70 watt metal halide lamps. These lamps have an initial lumen rating of 5,500 lumens (vertical lamp position), with a rated lamp life of 15,000 hours.



Aperture Diameter = 8 inches

Fig 2: Canopy Light



Width = 3-3/8 inches Height = 1-7/8 inches
 Projection = 2-3/16 inches

Fig 3: Decorative Pergola Light

Decorative lights are proposed at the entrance pergola. These light fixtures are small, low powered lights whose purpose are to provide a means of accent illumination for the pergola structure and attached planting. The pergola accent lights utilize 10 watt, low voltage lamps which have a lumen rating of 130 lumens and a rated lamp life of 2,000 hours. Because the purpose of these lights is to only provide a very low level of accent light for landscaping at the pergola, the lamps selected for these fixtures are not intended to produce a significant amount of light. The specified 12 volt, 10 watt lamps produce a light output that is approximately equivalent to a common 15 watt household incandescent lamp. The light output from the total of all six of the pergola lights is only 14% of that of the initial light output from a single proposed recessed canopy light, or only 3% of that of the initial light output from a single proposed pole light

Sign lighting is proposed for the project in two forms. Signs that consist of raised letters attached to the building will be illuminated by accent lights that are recessed into the building soffit above. These fixtures have a 4-1/4 inch diameter aperture with an aperture lid that directs light to the wall surface being lighted. They utilize 50 watt halogen PAR20 wide flood lamps. These lamps an initial lumen rating of 550 lumens, with a rated lamp life of 2,500 hours.

Additionally, the free-standing sign at the front entrance will also be lighted. It is proposed to have two, ground mounted accent lights aimed at each side of the sign. The accent lights will include a front face, concentric ring louver to minimize fixture brightness as might otherwise be seen from off-site. They utilize 120 watt halogen PAR38 wide spot lamps. These lamps an initial lumen rating of 1,800 lumens, with a rated lamp life of 3,000 hours.

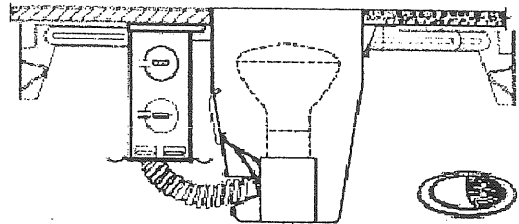


Fig 4: Wall Sign Light

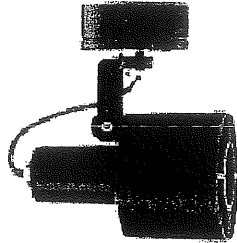


Fig 5: Free-Standing Sign Light

Calculated Lighting Performance

Computer generated lighting calculations have been performed with use of lighting design software developed by *Lighting Technologies, Inc.* Calculations have been prepared to predict maintained illuminance values that include depreciation factors for an anticipated light loss factor of 62% for metal halide lamps. Horizontal illuminance levels have been calculated at grade.

As part of this application submission, lighting plans have been included that indicate calculated illuminance levels. Calculations have been developed with the lamp lumen ratings listed in the fixture descriptions above. These lumen ratings have been obtained from lamp data published by the *General Electric* lamp company. A summary of the calculation results is listed in **Table 1** below.

TABLE 1

	<i>Portland Ordinance</i>	<i>From Parking Calculated Illuminance</i>
Average Horizontal Illuminance	n/a	1.06 footcandles
Maximum Horizontal Illuminance	6.0 footcandles	5.58 footcandles
Minimum Horizontal Illuminance	0.2 footcandles	0.09 footcandles
Maximum at Property Line	0.1 footcandles	0.05 footcandles

The proposed site currently has a fair bit of ambient light. We have considered this in our design. Illuminance levels have intentionally been left low to minimize any light trespass from occurring across the property line. Given the close proximity of the parking areas to adjacent properties, in our opinion, these low illuminance levels should not be problematic.

Att. A8

From:

Larry Ash

To:

Kandi Talbot

Date:

12/16/02 10:11AM

Subject:

Bath Savings Bank: 40-42 Auburn St

Kandi: Gorrill-Palmer has estimated that about 58 vehicles will turn left at this location during the peak hour and I am in agreement with this number. With the proposed left turn lane there will be stacking for 2 to 3 vehicles which, with a dedicated left turn lane, will be sufficient for this intersection.

My recommendation is for the proposed AND the existing left turn lanes be "protected-permissive": i.e., a green arrow be provided for each left turn lane but when the arrow ends that left-turning vehicles may do so on a green ball when there are gaps in the traffic stream. Should this operation become problematic at some time in the future, the operation can be returned to the restricted mode of operation only for both left turn lanes.

I do not have issues with proposed circulation in the parking lot.

CC:

Alex Jaegerman

Lambert Coffin

attorneys at law

June 14, 2002

gary.d.vogel@lambertcoffin.com

Gary D. Vogel

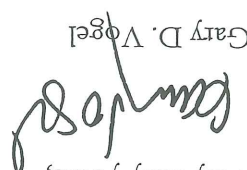
Kandace Talbot, Planner
City of Portland Planning Department
389 Congress Street
Portland, ME 04101

RE: Zone Change Application of Bath Savings Institution for Property at
40-42 Auburn Street, Assessor's Map #375, Block A, Lot 2
Our File No. 2431-454

Dear Kandi:

A neighborhood meeting held in accordance with the City of Portland Land Use Ordinance was conducted at the Deering Grange at 1408 Washington Avenue on December 30, 2002 to present the project to neighboring property owners. Notices were mailed to all property owners within 500 feet of the property based upon the mailing labels provided by the City Assessor's Office. Minutes of the neighborhood meeting are enclosed for your review and distribution to the Planning Board members with their package of information that they will receive in advance of the January 14, 2002 Planning Board meeting at which a public hearing on the zone change is to be undertaken.

Please feel free to contact me if you have any questions.

Very truly yours,

Gary D. Vogel

GDV/jwf
cc: Glenn Hutchinson, Bath Savings (w/encs.)
Don Peterson (w/encs.)
Sherry Shaw (w/encs.)
Tom Gorrill (w/encs.)

477 Congress Street, Post Office Box 15215, Portland, Maine 04112-5215

207.874.4000 (p) 207.874.4040 (f)
www.lambertcoffin.com

Att. A9

MINUTES
OF NEIGHBORHOOD MEETING
REGARDING CONTRACT ZONE
FOR 40-42 AUBURN STREET
DECEMBER 30, 2002

A neighborhood meeting to present the proposed Contract Zone Application of Bath Savings Institution for the contract zoning of the property at 40-42 Auburn Street in Portland, Maine was held on December 30, 2002, at the Deering Grange at 1408 Washington Avenue, Portland, Maine at 6 p.m. A notice of the neighborhood meeting was mailed to property owners within 500 feet of the subject property utilizing the mailing labels provided by the City Assessing Department. A copy of the Notice sent to each such property owner is attached hereto as Exhibit A.

Present at the meeting on behalf of Bath Savings Institution were Glenn Hutchinson, President, Bath Savings Institution, Gary D. Vogel of Lambert Coffin, attorney for Bath Savings Institution, Thomas Gortill and Will Haskell of Gortill Palmer Associates, Civil Engineers for the Project, and Donald Peterson, a real estate consultant retained by Bath Savings Institution.

The meeting was called to order at 6:05 p.m. In addition to the representatives of Bath Savings Institution, five interested persons attended the meeting. Each signed the sign-up sheet attached hereto as Exhibit B.

Representatives of Bath Savings Institution presented the revised conceptual site plan that was presented to the Planning Board as part of the Contract Zone Application. Representatives of Bath Savings Institution also presented photographs of similar Bath Savings Institution branches and the schematic conceptual site plan presented at the last neighborhood meeting six months ago when the project was moving forward as a zone change.

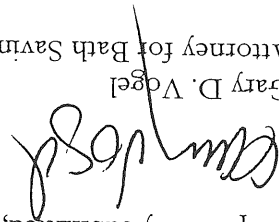
Representatives of Bath Savings Institution explained that the project was essentially the same project as presented at the neighborhood meeting and at the Planning Board six months ago. However, as recommended by the Planning Board, the project is now seeking a contract zone rather than a zone change which will limit the use of the property to a bank branch or the uses permitted under the existing zoning. Representatives of Bath Savings Institution also explained that a number of other minor changes have been made to the project to respond to concerns raised by the Planning Board or by neighboring residents. These changes included moving the location of the automated teller machine to the side of the building from the rear of the building; angling the building to the street to create more room for cars queuing at the drive-through teller lanes and the creation of a left turn lane into the Shaw's Shopping Center on Auburn Street across from the project.

Those present at the meeting reviewed the plans and had a number of questions for representatives of the Bank primarily concerning traffic issues. In response to questions, representatives of the Bank indicated that the project did take into account intersection improvements planned by the

Maine DOT as well as other projects that had submitted applications to the Planning Board but were not yet built. One attendee at the meeting inquired as to whether the Bank would build the bank branch if it could not have a drive-through. Glenn Hutchinson, President of the Bank indicated the Bank would not proceed unless a drive-through was available.

The meeting adjourned at approximately 6:40 p.m.

Respectfully submitted,



Gary D. Vogel
Attorney for Bath Savings Institution

Notice of Neighborhood Meeting
Regarding Proposed Contract Zone
For 40-42 Auburn Street

To: Property Owners In The Vicinity
of 40-42 Auburn Street, Portland, Maine

Date: December 30, 2002

Time: 6:00 P.M.

Place: Deering Grange #535
1408 Washington Avenue
Portland, Maine

Bath Savings Institution has filed an Application with the City of Portland Planning Department seeking a contract zone for the property at 40-42 Auburn Street, at the corner of Auburn Street and Washington Avenue, currently used as a Pizza Hut Take Out and Delivery Store, to convert the zoning from B-1 and R-3 zoning to a Contract Zone to permit the construction of a Bath Savings Institution bank branch with a drive through window and ATM. The Contract Zone limits the use of the property to a bank with drive through or other uses allowed under the present zoning. Bath Savings Institution intends to remove the existing under block building and replace it with a new branch bank building.

On December 30, 2002 at 6:00 PM, representatives of Bath Savings Institution will hold a Neighborhood Meeting at the Deering Grange No. 535, 1408 Washington Avenue to discuss the Contract Zone Application and proposed development and to answer any questions that neighboring property owners may have. This Neighborhood Meeting is being held in accordance with the provisions of the City of Portland Land Use Ordinance in advance of the City Planning Board's Public Hearing on the Contract Zone Application.

Att A10

December 12, 2002

Dear Ms. Talbot,

We received notification regarding reference application #176 pertaining to Bath Savings Institution and a proposed zone change.

I did attempt to e-mail this letter but we are having complications with our e-mail server, I'm not sure whether or not you received this. Unfortunately due to our work schedules we were unable to attend the meeting and would like to state some concerns that we have.

We live directly behind 40-42 Auburn St., the proposed zone change site. For anyone that is familiar with the Northgate shopping area, the traffic flow is already very high and dangerous at times. We notice the high speed traffic coming and going from the stoplight at the Washington Ave. and Auburn St. intersection. Also, the curve located directly behind Lib's is very dangerous, despite the posted 25 mph speed and pedestrian crosswalks! We feel that any added traffic volume in this area will make this even more treacherous and dangerous for the local neighborhood.

We have summarized the following concerns-

-With the proposed zone change, would this give the applicant approval, if they decide to at anytime, to place an entry/exit driveway onto Washington Ave. Ext.
-If the zone is changed for this applicant, and if the applicant failed at this site, would the site return to its previous zoning level

-Do you as the Planning Board feel the necessity to have another bank in this area. We already have four busy, working banks and an abandoned "bank" building located in the Shaws parking lot

As local taxpaying citizens and people that enjoy their home and surrounding area, we feel very strongly about further zone

changes and new construction in the area. We hope that the
Planning Board will take a long hard look at the effects of
a zone change and the future of maintaining our neighborhood
community.

Thankyou for your time and future response.

Sincerely,

Nicole Pradetto and Bill Cochran
1462 Washington Ave., Ext.
Portland, ME 04103

npradetto@hotmail.com



Central Maine Power, Customer Service Center

1-800-750-4000

162 Canco Road, Portland, Maine 04103

November 26, 2002

William Haskell

Gorrill-Palmer Consulting Engineers

PO Box 1237

15 Shaker Road

Gray, ME 04039

Re: Bath Savings Institution, Washington Avenue, Portland

Dear Mr. Haskell:

I have received and reviewed the preliminary site plans for Bath Savings on Washington Avenue in Portland. Central Maine Power has the ability to serve this customer. The electrical requirements of the bank will determine costs and locations of any CMP construction.

For the customer to connect a three-phase, underground secondary service would require the installation of a transformer, pole, and miscellaneous material on Auburn Street. The cost to provide this material and labor, estimated at around \$7,000, would need to paid prior to the commencement of work. Only single-phase power is available on Washington Avenue, where a new riser pole may be required, estimated cost of about \$1,500.

To determine the exact amount the service will cost, we will need an account established and all the loads to be served. Once this information is available, CMP will schedule a field planner to meet on site and determine distances and locations. I have enclosed some forms for loads and a general fact sheet.

CMP recommends installing protective devices on equipment to prevent damage due to single phasing or abnormal voltage conditions which are inherent in all supply systems. If you have any questions regarding this matter, please call me at (207) 828-2854.

Sincerely,

Christopher Bond, P.E.
Energy Services Advisor

RECEIVED
DEC 02 2002
BY: _____

November 26, 2002

Gary D. Vogel

gvogel@lambertcoffin.com

VIA FAX

Penny Littell

Associate Corporation Counsel

City of Portland

389 Congress Street

Portland, ME 04101

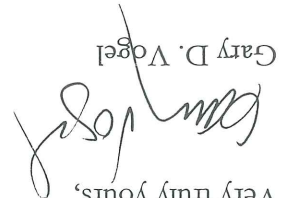
RE: Proposed Contract Zone Agreement for 40-42 Auburn Street, Portland, Maine

Dear Penny:

Enclosed is a draft Contract Zone Agreement that I have prepared based upon a form provided to me by Kandi Talbot. The City of Portland Planning Board will be addressing the proposed Contract Zone at its first workshop meeting in December. I would appreciate it if you would review and comment on any aspects of the form or the language prior to the presentation to the Planning Board. I would like the draft Agreement to be forwarded to the Planning Board members with the package of materials to be reviewed.

Please take note that this proposed Agreement has not yet been reviewed by my client, Bath Savings Institution and therefore I must reserve the right to make additional revisions upon their review.

Very truly yours,



Gary D. Vogel

GDV/jwf

Enc.

Cc: Glenn Hutchinson, President (via email w/ encs.)

Kandi Talbot (with encs.)

Drew Anderson, Esq. (via email w/ encs.)

Donald Peterson (w/ encs.)

Sherri Shaw (w/ encs.)

14B

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

March 18, 2003

Mr. William C. Haskell, P.E.
Project Engineer
Gorrill-Palmer Consulting Engineers, Inc.
P.O. Box 1237
15 Shaker Road
Gray, ME 04039

RE: Bath Savings Institution, 40-42 Auburn Street
Application ID #2003-0029, CBL #375-A-002

Dear Will:

Following are comments from Public Works regarding the Bath Savings Institution proposed at 40-42 Auburn Street.

1. On sheet C104, there is an existing catch basin located at the rear westerly edge of the proposed parking lot. This plan nor any of the other plans identify this structure to be altered or removed. The plans should clearly specify where this structure outlets. If this structure is to be removed, it's outlet pipe must be sealed or removed. If it is to be altered, this must be specified on the plans.

2. Sheet C104 must specify a "casco trap" to be installed in CB1, which outlets to the Auburn Street system.

3. On Sheet C104, "modifying existing catch basin" in Auburn Street must clearly specify that the "new invert in" must be core drilled and fit with a flexible fitting.

4. The Detail Sheet must include a construction detail for the proposed sanitary sewer service connection into Washington Avenue.

5. The Detail Sheet must include a construction detail for the proposed driveway entrance/exit onto Auburn Street.

6. The proposed limits of excavation within the paved roadway of Auburn Street and Washington Avenue, must be clearly specified on the plans.

7. The applicant is advised to contact Carol Merritt at Public Works regarding the required permits and corresponding fees associated with excavation within the right of way and utility connections.

140

- 8. Upon receiving final Planning Board or Department approval, the applicant must submit a CADD file of this development proposal to Public Works and the attention of Jon Giles. This is for the purpose of continuing to update and develop the City's GIS database.

If you have any questions, please do not hesitate to contact me at 874-8901.

Sincerely,

Kandice Talbot
Kandice Talbot
Planner



Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

207-657-6910

FAX: 207-657-6912

E-Mail: mail@gorrillpalmer.com

April 1, 2003

Ms. Kandice Talbot
City of Portland - Planning Department
389 Congress Street
Portland, ME 04101

RE: Bath Savings Institution, 40-42 Auburn Street
Application ID# 2003-0029, CBL #375-A-002

Dear Kandice:

Gorrill-Palmer Consulting Engineers, Inc. is pleased to respond to the review comments we received from you in two letters, the first dated March 17, 2003 and the second dated March 18, 2003 regarding the above referenced project. For ease of review, each of your comments is repeated below followed by our response. We will wait to submit revised plans until after the planning board workshop meeting on April 8.

Comments from the March 17, 2003 letter:

Comment 1 - The applicant shall discuss with Public Works regarding pipe connections to the City's storm drain/catch basins. There is a typo error in the rim elevation proposed for the modified catch basin in Auburn Street. The elevation should be 88.87 not 83.97.

Response - A representative from Gorrill-Palmer Consulting Engineers, Inc. contacted Tony Lombardo at Public Works to discuss the pipe connection to the City storm drain system. The typographic error and a note detailing the connection has been added to Drawing C104.

Comment 2 - CB-3 shall be installed with a Casco trap since it is the last collection structure prior to entering the City's storm drain.

Response - The drainage schedule on Drawing C104 has been revised to include a Casco trap on CB-3.

Comment 3 - It is recommended that the 10' x 12' dumpster pad be placed to the west of the wall end and just off the proposed edge of pavement. This will accommodate parking movements and allow for a less visible dumpster while still providing excellent access for trash removal.

Response - The current layout of the dumpster does not impede traffic or parking circulation. The dumpster will be enclosed with a stockade fence. We are concerned about

AH. 15

moving the dumpster pad further west and would prefer to keep it as shown so it does not impact the existing arborvitae hedge.

Comment 4 - Snow removal should be dedicated to the rear of the site along the Washington Avenue side of the property. No storage shall be allowed on the Auburn Street side or along the connector.

Response - A note has been added to Drawing C102 that restricts snow storage along Auburn Street or along the Connector Road.

Comment 5 - Additional spot grades are needed at the rear of the site, to show how runoff will drain off the pavement edge to get collected in the swale along the front. There appears to be an existing structure on the SW corner of the pavement, which is indicated as a catch basin. Will the structure remain and be utilized as a catch basin? The Demo Plan says to remain but no indication is referenced on the Grading/Drainage Plan.

Response - Additional spot grades have been added, as requested, to Drawing C104. The existing structure was labeled as a catch basin on the existing conditions survey, but it is actually a manhole. We are currently trying to determine the function of the structure and we will provide additional information when it becomes available.

Comment 6 - A note shall be added to the plans discussing the status of the existing gas main. It is remaining or is it to be removed? If it's remaining, will it need to be sleeved where it is under pavement or vehicular traffic?

Response - Drawing C101 has been revised to clarify the demolition limits for the existing gas service. Northern Utilities will determine if the new gas service needs to be sleeved under the pavement.

Comment 7 - The same measurers should be considered for any duct banks or feeds from the HVAC system located just off the pavement, which will be needed to serve the building.
Response - Drawing C 103 has been revised to show two four inch (2-4") pvc sleeves to be used with the HVAC system.

Comment 8 - The bituminous sidewalk detail at driveway crossings shall be added to the plan. The cross section requires a deeper base at that location.

Response - The sidewalk detail on Drawing C201 has been revised to clarify the sidewalk and driveway details.

Comment 9 – Letters must be obtained from Utility Companies stating that adequate utility capacity exists.

Response – Copies of the aforementioned letters have been attached to this letter.

Comments from the March 18, 2003 letter

Comment 1 – On sheet C104, there is an existing catch basin located at the rear westerly edge of the proposed parking lot. This plan nor any of the other plans identify this structure to be altered or removed. The plans should clearly specify where this structure outlets. If this structure is to be removed, it's outlet pipe must be sealed or removed. If it is to be altered, this must be specified on the plans.

Response – Refer to the response to Comment 5 received in the March 17, 2003 comment letter.

Comment 2 – Sheet C104 must specify a "Casco trap" to be installed in CBI, which outlets to the Auburn Street System.

Response – Refer to the response to Comment 2 in the March 17, 2003 comment letter.

Comment 3 – On Sheet C104, "modifying existing catch basin" in Auburn Street must clearly specify that the "new invert in" must be core drilled and fit with a flexible fitting.

Response – Refer to the response to Comment 1 in the March 17, 2003 comment letter.

Comment 4 – The Detail Sheet must include a construction detail for the proposed sanitary sewer service connection into Washington Avenue.

Response – A profile of the proposed sanitary sewer service has been added to Drawing C103. The profile clearly shows the connection of the new service to the existing 10 inch sewer in Washington Avenue.

Comment 5 – The Detail Sheet must include a construction detail from the proposed driveway entrance/exit onto Auburn Street.

Response – Refer to the response to Comment 1 in March 17, 2003 comment letter.

150

Ms. Kandice Talbot
April 1, 2003
Page 4 of 4

Comment 6 – The proposed limits of excavation within the paved roadway of Auburn Street and Washington Avenue, must be clearly specified on the plans.

Response – The pavement saw cut lines are shown on the plans. In general, for the Auburn Street curb and island work, the saw cut lines are located approximately 1 foot outside of the curb line. Saw cut lines for utility trenches are generally 2.5 feet on either side of the center line of the trench.

Comment 7 – The applicant is advised to contact Carol Merritt at Public Works regarding the required permits and corresponding fees associated with excavation within the right of way and utility connections.

Response – The applicant will address this comment at the time of construction.

Comment 8 – Upon receiving Planning Board or Department approval, the applicant must submit a CADD file of this development proposal to Public Works and the attention of Jon Giles. This is for the purpose of continuing to update and develop the City's GIS database.

Response – No response required at this time.

Gorrill-Palmer Consulting Engineers, Inc. appreciates the input received from City staff and looks forward to the planning board workshop on April 8. Should you have any questions or require any additional information please contact our office.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William C. Haskell, P.E.

Project Engineer

Copy: Sheri Shaw, Platz Associates, Inc.

Donald Peterson

Gary Vogel, Lambert Coffin

Glenn Hutchinson, Bath Savings Institution

Att. 16



Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorillpalmer.com

April 18, 2003

Ms. Kandi Talbot
City of Portland
389 Congress Street
Portland, ME 04101

Re: Bath Savings Institution
Response to Planning Board Workshop Comments

Dear Kandi:

This letter documents our response to comments received at the April 8, 2003 planning board workshop. In addition we have attached revised plans addressing our comment response letter dated April 1, 2003.

There were two comments from the planning board at the workshop meeting. The comments are paraphrased below, followed by our response.

Comment: Have you looked at providing pedestrian access to the proposed bank from Washington Avenue?

Response: A sidewalk has not been provided from Washington Street because of specific comments received from the public during the contract zoning meetings. The general idea of the public comment was that they did not want any access, either vehicular or pedestrian, onto Washington Avenue. The applicant would prefer not to encourage pedestrian access to the rear of the building and the vehicle-oriented drive-through teller and ATM area. There is an existing sidewalk along Washington Street and the Connector Road which connects to the proposed sidewalk along Auburn Street. This access will direct pedestrians to the front entrance of the bank rather than to the rear of the facility.

Comment: Have you considered providing an esplanade between the proposed sidewalk and Auburn Street along the front of the site?

Response: There are several reasons why an esplanade was not considered for this project. First, an esplanade would push the sidewalk partially over the existing right-of-way and would require the taking of additional right-of-way. Second, the proposed sidewalk extends across the Auburn Street frontage of the parcel and ends at the property line between the site and the Paris Farmers Union. An esplanade would require an unnatural "kink" in the alignment where it connects to the existing walk at the Connector Road and again where it would come back to the curb line at the Paris Farmers Union. It does not appear feasible to provide an esplanade north of the site between Paris Farmers Union and Sanborn Street.

10A

Ms. Kandi Talbot
Bath Savings Institution

April 18, 2003
Page 2 of 2

Other Items

- The unidentified manhole structure appears to be a drainage structure that may have been used by the gas station that was located at the site prior to the last tenants. The structure is constructed of brick and has an inverted tee on the outlet which heads towards Washington Avenue. The structure appears to be an old oil & sand trap. The structure does not appear to be connected to the existing building. We suggest confirming the status of the structure during the construction phase of the new bank and if it is determined that the structure currently serves no purpose, it would be removed and the outlet pipe plugged.
- Refer to the attached "Memorandum of Lease" to satisfy the title, right and interest.

Gorrill-Palmer Consulting Engineers, Inc. and the applicant appreciates the input from the City staff and planning board and looks forward to final approval of this project on May 13. Please contact me with any questions or if I can provide additional information.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

William C. Haskell, P.E.

Project Engineer

Enc.

C:

Sheri Shaw
Donald Peterson

Gary Vogel (letter only)

Glenn Hutchinson (letter only)

I haven't been able to gain access to "urban insight" today. However, I have reviewed the plans and application and find the applicant's engineer has addressed the comments in my most recent review.

From: Anthony Lombardo
To: Kandi Talbot
Date: Thu, May 8, 2003 2:23 PM
Subject: Bath Savings

Att. 17

4. Utility Installation/Location
- The rear of the site has been supplied with the needed additional spot grades to show how runoff will drain off the pavement edge to get collected in the swale along the front. The existing structure on the SW corner of the pavement, which is indicated as a catch basin is a manhole, but no solution to how it will be used has been provided. Prior to approval the applicant needs to indicate rim elevation and whether or not it will remain, be used as a catch basin, or manhole. Details as necessary shall also be provided at that time.
3. Grading/Erosion Control
- A. The applicant has requested not to relocate the proposed dumpster pad 10' x 12' to the west of the wall end and just off the proposed edge of paving. They feel the shown location will accommodate parking movements and relocation will require hedge removal. Since the site technically provides access for trash removal and traffic, I have no objections. The original statement was merely for aesthetic improvements.
- B. Snow removal has been dedicated to the rear of the site along the Washington Avenue side of the property as requested.
2. Road Access/Circulation
- The applicant has adequately addressed the previous comments with regards to stormwater management. No additional comments have been added.
1. Stormwater Management
- Sebago Technics has reviewed the revised Site Plan Package and supporting documentation dated May 1st, 2003 for the proposed Bath Savings Institution property located at 40 Auburn Street. The following comments are submitted in outline format:

TO: Kandi Talbot – Planner

FROM: Jim Seymour – Development Review Coordinator, Sebago Technics, Inc.

RE: 40 Auburn Street - Bath Savings Institution

DATE: May 9, 2003

03P029



Att. 18

18A

- A. No determination has been made on the gas main location and construction detail. Prior to construction the applicant shall submit intent, or location and service line installation detail of the propane gas.
- B. The measures for the duct banks or feeds from the HVAC system located just off the pavement, which will be needed to serve the building have been rectified and are acceptable.

5. General

- A. Please see Public works comments for issues with traffic improvements, pedestrian access, or construction within the Right-of Way. It appears that comments have been addressed , but other issue may be of concern especially with sidewalk and esplanade that should be answered by Public Works directly.

6. Details

- A. The bituminous sidewalk detail at driveway crossings has been added to the plan per City requirement.

Please contact our office with any questions.

TS:ts/jc

MEMORANDUM OF LEASE

Revised 01/31/02

Att. 19

587.11

This is a Memorandum of Lease by and between KENIKE, LLC, a Maine limited liability company ("Landlord") and BATH SAVINGS INSTITUTION, a Maine banking institution ("Tenant").

1. Date of Lease: February //, 2002.

2. Description of Leased Premises:

SEE EXHIBIT "A" ATTACHED HERETO

3. Commencement Date: The Primary Term of this Lease shall commence on the Commencement Date as defined in the Lease.

4. Term: Twenty-five (25) years.

5. Extension Options: Two (2) options of Ten (10) years each.

6. Right of First Refusal: Tenant has a right of first refusal to purchase the Leased Premises on terms set forth in the Lease.

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered as of the day and year first above written.

LANDLORD:

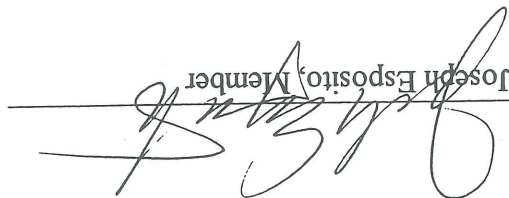
TENANT:

KENIKE, LLC

BATH SAVINGS INSTITUTION

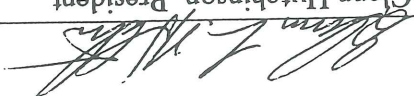
By: _____

Joseph Esposito, Member



By: _____

Glenn Hutchinson, President



19A

STATE OF MAINE
COUNTY OF CUMBERLAND

This instrument was acknowledged on the 1st day of Feb., 2002, by Joseph Esposito, Member of KENNIKE, LLC, a Maine limited liability company, on behalf of said LLC.

Before me,


~~Notary Public/Attorney at Law~~
Drew A. Andrus
Printed Name

STATE OF MAINE
COUNTY OF CUMBERLAND

This instrument was acknowledged on the 7th day of February, 2002, by Glenn Hutchinson, President of Bath Savings Institution, a Maine banking institution, on behalf of said Bank.

Before me,

Stephanie K. Hays
Notary Public/Attorney at Law

Printed Name
Stephanie K. Hays
Notary Public/Attorney at Law

My Commission Expires August 26, 2003

19B

EXHIBIT A

A certain tract or parcel of land with the buildings thereon, situated on the westerly sideline of Auburn Street, Portland, County of Cumberland, State of Maine, bounded and described as follows: Beginning at an iron pipe in the westerly sideline of said Auburn Street at the northeasterly corner of land now or formerly of DeRice Bros., Inc., and the southeasterly corner of the parcel herein described; thence running North 82 degrees 38' 30" West sixty-eight and eighty hundredths (68.80) feet to an iron pipe, and South 75 degrees 20' 00" West sixty-seven and thirty-one hundredths (67.31) feet, all by land of said DeRice Bros., Inc. to an iron pipe in the easterly sideline of Washington Avenue; thence turning and running North 15 degrees 36' 30" West by said Washington Avenue two hundred twenty-seven and forty hundredths (227.40) feet to an iron pipe in the westerly sideline of Auburn Street; thence turning and running South 7 degrees 21' 30" West by said Auburn Street two hundred forty-six and seventeen hundredths (246.17) feet to land of DeRice Bros., Inc. and the point of beginning. Containing 41,058 square feet.

Being the same premises conveyed to Kenike LLC by Barbara A. Esposito by Quitclaim Deed with Covenant, dated September 20, 2000, recorded in the Cumberland County Registry of Deeds in Book 15835, Page 276.

**CITY OF PORTLAND, MAINE
PLANNING BOARD**

Jaimey Caron, Chair
Deborah Kritchels, Vice Chair
Mark Malone
Orlando E. Delogu
Sarah Luck
Kevin Beal
Lee Lowry III

January 28, 2003

Mr. Gary Vogel, Esq.
477 Congress Street
P.O. Box 15215
Portland, ME 04112

Re: Bath Savings Institute Contract Rezoning, 40-42 Auburn Street
(ID #176, CBL #375-A-002)

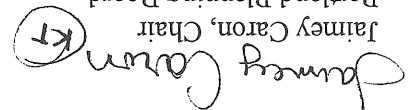
Dear Mr. Vogel:

On January 14, 2003 the Planning Board voted 4-1 (Beal opposed, Malone absent) to recommend the proposed rezoning at 40-42 Auburn Street for a B-1/R-3 contract rezoning to the City Council.

The City Council is tentatively scheduled to vote on the rezoning on Wednesday, February 19, 2003.

If there are any questions, please contact Kandice Talbot at 874-8901.

Sincerely,


Jaimey Caron, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Chief Planner
Kandice Talbot, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jodine Adams, Inspections
William Bray, Director of Public Works
Larry Ash, Traffic Engineer
Tony Lombardo, Project Engineer
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littlell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Don Hall, Appraiser, Assessor's Office
Susan Doughty, Assessor's Office
Approval Letter File
Correspondence File

CITY OF PORTLAND, MAINE
CITY COUNCIL AGENDA REQUEST FORM

TO: Sonia Bean, Senior Executive Secretary
Elizabeth Boynton, Associate Corporation Counsel

FROM: Alexander Jaegerman, Chief Planner

DATE: January 22, 2003

SUBJECT: Rezoning from B-1/R-3 to Contract Zone in the Vicinity of 40-42 Auburn Street

1) Council Meeting at which action is requested (Date): First Reading: February 3, 2003
Public Hearing: February 19, 2003

2) Can action be taken at a later date? YES NO

Public Notice is scheduled to appear in the Portland Press Herald on February 5, 6, 12, and 13, 2003 and posted in the City Clerk's Office on February 5, 2003 and 160 notices sent to area property owners.

I. SUMMARY OF ISSUE

Bath Savings Institution is requesting a zone change for the property located at 40-42 Auburn Street to allow a branch bank with a drive-through window and drive-through ATM.

II. REASON FOR SUBMISSION (What issue/problem will this address?)

The applicant is proposing to develop a 2,882 sq. ft. branch bank with a drive-through window and drive-through ATM. The parcel is located at 40-42 Auburn Street and is approximately 39,548 sq. ft. The property is zoned B-1/R-3. The B-1 zone allows banks, but does not allow drive-through uses.

III. INTENDED RESULT (How does it resolve the issue/problem?)

The contract zone is intended to allow a drive-through use at this location, however retain the B-1/R-3 zoning of the site. The applicant had originally requested a rezoning to B-2 for this property. At that time, the neighbors had a number of concerns including traffic and access onto Washington Avenue, the existing landscaping along Washington Avenue being removed and the possibility of other B-2 uses being allowed at this site. The applicant then withdrew their request for a rezoning to B-2 and requested a contract rezoning with conditions that address these concerns.

IV. FINANCIAL IMPACT

There are no known financial impacts to the City.

V. STAFF ANALYSIS & RECOMMENDATION

The Planning Board held a public hearing on January 14, 2003, at which time the Board voted unanimously (4-1 Beal opposed, Malone absent) to recommend the approval of the proposed B-1/R-3 Contract Rezoning of the property located at 40-42 Auburn Street. The contract is attached.

CONTRACT ZONE AGREEMENT

Bath Savings Institution
40-42 Auburn Street, Portland, Maine

This contract made this 19th day of February, 2003 by BATH SAVINGS INSTITUTION, a Maine Banking Institution ("BSI"), with the consent of Kenike, LLC ("Kenike"), the fee owner of 40-42 Auburn Street, Portland, Maine ("Property").

WHEREAS, BSI is the tenant of property at 40-42 Auburn Street, Portland, Maine, under the terms of a long-term Ground Lease between BSI and Kenike, LLC, as fee owner thereof; and

WHEREAS, Kenike has authorized BSI to file a Zone Change Application with the City of Portland ("City") and joins in this Agreement, as fee owner, for the express purpose of consenting to the terms and conditions of this Contract Zone Agreement; and

WHEREAS, BSI requested a rezoning of a portion of the property at 40-42 Auburn Street, in the City in order to permit the use of a bank branch with drive-through windows and an ATM machine, and with incidental sales of financial and insurance products and services; and

WHEREAS, the 40-42 Auburn Street property is more specifically described and shown on the Portland Assessors Map, Parcels: Chart 375, Block A, Lot 002 (the "Property"); and

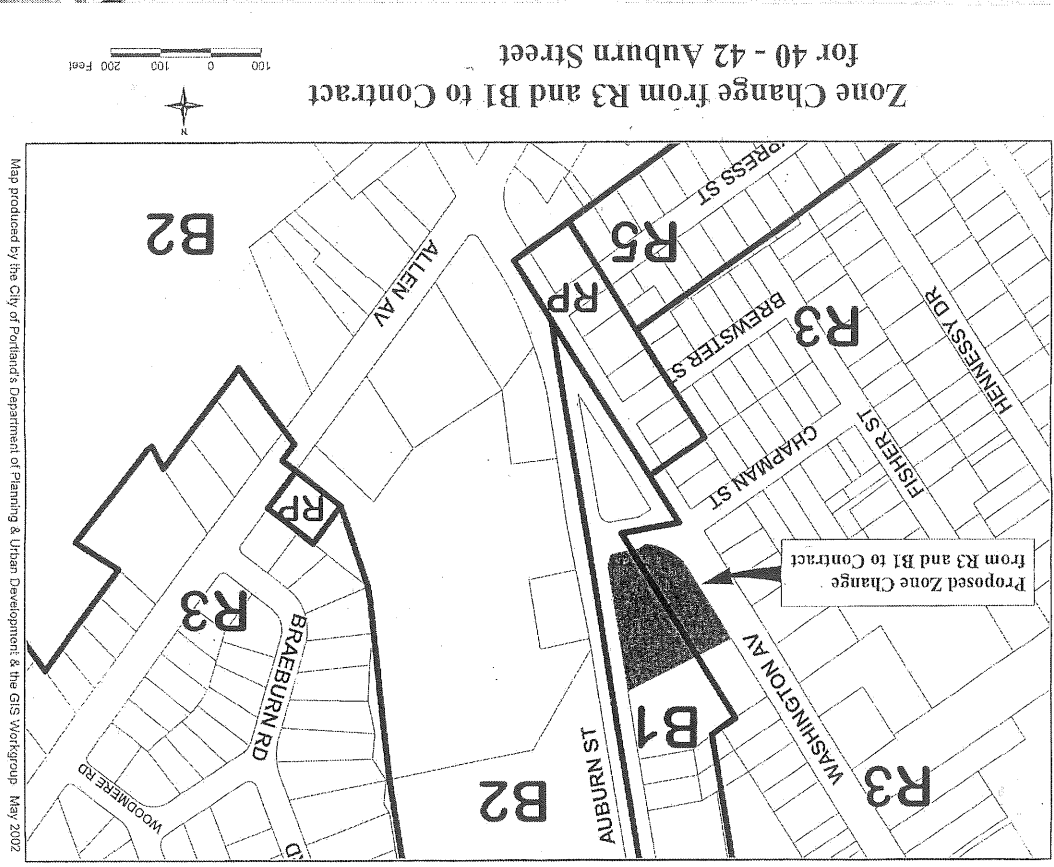
WHEREAS, the Portland Planning Board, pursuant to 30-A M.R.S.A. §4352(8), and after notice and hearing and due deliberations, recommended the rezoning of the Property, subject, however, to certain conditions; and

WHEREAS, the City, by and through its City Council, has determined that the rezoning, with conditions and restrictions, would be pursuant to and consistent with the City's comprehensive plan and would not unreasonably interfere with the existing and permitted uses within the underlying B-1 and R-3 zones; and

WHEREAS, the BSI, with the consent of Kenike, has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind BSI; and NOW, THEREFORE, in consideration of the rezoning of the Property, BSI contracts to be bound by the following terms and conditions:

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Development,

and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.



2. The use of the Property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan"). See Attachment 1.

5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb-cut shall conform to that shown on Attachment 1, incorporated herein by reference. The existing curb-cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb-cut shall be permitted on the Washington Avenue or the connector between Washington Avenue and Auburn Street.
6. The existing landscaping hedge on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height of six (6) feet by BSI and the property owner.
7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.
8. The front yard setback need not comply with the setback requirements contained within the B-1 zone but shall comply with the setbacks as shown on Attachment 1. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition to the Site Plan Standards of the Land Use Code, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
 - a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
 - d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential

Kenike, LLC, fee owner of the property and Landlord under the Ground Lease to BSI joins in this Agreement to acknowledge its consent to the zone change and the terms and conditions of this agreement and to acknowledge that the property will be and remain subject to the terms and conditions set forth herein.

hereof. provision and such determination shall not affect the validity of the remaining portions jurisdiction, such portion shall be deemed as a separate, distinct, and independent herein is for any reason held invalid or unconstitutional by any court of competent If any of the restrictions, provisions, conditions, or portions thereof set forth

the Property, and the memorandum of Lease between BSI and Kenike, LLC. Registry of Deeds, along with a reference to the Book and Page locations of the deeds for

representatives. BSI shall file a copy of this Agreement in the Cumberland County inure to the benefit of and be enforceable by the City, by and through its duly authorized the Property, shall bind and benefit BSI, and any of its successors and assigns, and shall restrictions, provisions, and conditions are an essential part of the rezoning, shall run with

So long as the property continues to be used as a bank branch the above stated

shall revert back to the underlying B-1 and R-3 zones. years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property

- 9. In the event the development described herein is not commenced within two (2) e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access. properties and to further contain all associated impacts; and drive-through fixtures and lanes so as to buffer abutting residential property line which is exposed to the drive-through or the enclosure of the

Except as expressly modified herein, the development, use, and occupancy of the subject premises shall be governed by and comply with the provisions of the Land Use Code of the City of Portland and any applicable amendments thereto or replacement thereof.

In the event that BSI, Kenike or any successor fails to continue to utilize the Property in accordance with this Agreement, or in the event of a breach of any condition(s) set forth in this Agreement, the Planning Board shall have the authority, after hearing, to resolve the issue resulting in the breach. The resolution may include a recommendation to the City Council that the Agreement be terminated requiring cessation of the use of the addition authorized herein.

WITNESS: **BATH SAVINGS INSTITUTION**

By _____
Glenn Hutchinson
Its President

Consenting to the terms hereof:
KENIKE, LLC

By: _____
Joseph Esposito, its Member

State of Maine

Cumberland, ss. Date:
Personally appeared the above-named Glenn Hutchinson, President of Bath Savings Institution, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Bath Savings Institution.

Notary Public

Cumberland, ss. Date:
Personally appeared the above-named Joseph Esposito, Member of Kenike LLC, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Kenike LLC.

Notary Public

40-42 AUBURN STREET
R-3/B-1 CONTRACT ZONE REQUEST
BATH SAVINGS INSTITUTE, APPLICANT

Submitted to:

Portland Planning Board
Portland, Maine
January 14, 2003

Submitted by:
Kandice Talbot, Planner

I. INTRODUCTION

Bath Savings Institution is requesting a R-3/B-1 contract zone at 40-42 Auburn Street. The purpose of the zone change would allow Bath Savings Institute to redevelop the site with a branch bank with a drive-through window and drive-through ATM. The B-1 zone does not allow drive-through uses.

The applicant is proposing to remove the existing cinderblock structure on the site. Current tenants of the building are Pizza Hut Delivery and Take-Out facility and a cell phone business. The site is approximately 39, 548 sq. ft. and is located at the corner of Auburn Street and Washington Avenue.

160 notices were sent to area property owners. Two notices of the public hearing appeared in the Portland Press Herald. The notice was posted in the City Clerks office 14 days prior to the Public Hearing. A neighborhood meeting was held on December 30, 2002. Sign-in sheet and minutes from the neighborhood meeting are included as Attachment 11.

II. HISTORY

As the Planning Board may recall, the Planning Board held a public hearing on June 11, 2002 for Bath Savings Institution's request for a zone change from R-3/B-1 to the B-2 zone. At that time, the neighbors had a number of concerns including traffic and access onto Washington Avenue, the existing landscaping along Washington Avenue being removed and the possibility of other B-2 uses being allowed at this site. The applicant then withdrew their request for a B-2 zone.

III. FINDINGS

Current Zoning: R-3 Residential/B-1 Neighborhood Business
Proposed Zoning: Contract Zone
Land Area: .90 acres
Existing Use: Pizza Hut and cell phone business
Proposed Use: Branch Bank with drive-through
Land Uses in the Vicinity: Retail, office and residential

IV. EXISTING USES

The uses along Auburn Street consist primarily of retail uses and office business uses, such as Shaw's, Hollywood Video, Mobil Gas Station and Convenience Store, Mr. Bagel, Paris Farmer's Union, Fleet Bank and Boy Scouts of America.

The uses along Washington Avenue, from Auburn Street towards Riverside Street, are primarily single-family residential uses.

V. DEVELOPMENT PLAN

The applicant is proposing a 2,882 sq. ft. branch bank with two drive-through teller lanes and a drive-through ATM. Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut.

A traffic study has been submitted and is included as Attachment 8. The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation. As the existing site currently generates traffic, Gorrill-Palmer has determined that the net trip generation for the site will be 147 trip ends. The crash data indicates that there are no high crash locations within the study area and the sight distances at the proposed driveway are acceptable. The Traffic Study states that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. Currently, approximately one car a minute turns left into Shaw's, which delays through traffic. The island should be removed between the Shaw's driveway and the bank driveway to sue this space to stripe a short left turn lane into Shaw's. In addition, this portion of Auburn Street should be striped to provide for two through lanes in each direction.

At the workshop meeting, the Planning Board had concerns with the length of the left turn lane into Shaw's and the circulation of the proposed site. Larry Ash, Traffic Engineer, has reviewed these concerns and feels that with the proposed left turn lane there will be stacking for 2 to 3 vehicles which, with a dedicated left turn lane, will be sufficient for this intersection. The Traffic Engineer is recommending however, that the left turn lanes be "protected-permissive" at this intersection. "Protected-permissive" signalization is when a green arrow is provided for each left turn lane, but when the arrow ends, left-turning vehicles may turn on a green ball when there are gaps in the traffic stream. The Traffic Engineer has also reviewed the proposed circulation at the proposed site and has no concerns. The Traffic Engineer's memo is included as Attachment 10.

VI. CONDITIONS FOR REZONING

The applicant is requesting a contract zone to limit the uses of the site as redeveloped to a branch bank use and to preclude other uses permitted in the B-2 zone such as fast food restaurants that would have a much greater impact upon residential uses in the vicinity. The conditions also address, but are not limited to, the front setback, which the proposed building does not meet for B-1 zoning; landscaping; traffic improvements and conditional standards for drive-throughs. A condition would also require that the Planning Board review the site plan. This rezoning shall be subject to the following proposed conditions, as outlined in the executed agreement between the City and the applicant.

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.

2. The use of the property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").

3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty-four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.

4. The Property will be developed substantially in accordance with the Site Layout Plan by Gortill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").

5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb cut shall conform to that shown on Attachment 2, incorporated herein by reference. The existing curb cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb cut shall be permitted on Washington Avenue or the connector between Washington Avenue and Auburn Street.

6. The existing landscaping on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height or no less than six (6) feet by BSI and the property owner.

7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

8. The front yard setback need not comply with the setback requirements contained within the B-1 zone. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:

- a. the drive-throughs must be accessory to a principal use located on the same site; and
- b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
- c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and

Staff suggests that the Planning Board recommend the contract rezoning to the City Council. This site is already being used as a commercial use. Auburn Street is an arterial street, which is appropriate for a bank use, particularly in this area. Redevelopment of the site could also provide an opportunity to improve the layout of building and parking. The conditions of the contract address concerns regarding access, traffic, and buffer.

VIII. STAFF RECOMMENDATION

The applicant is requesting this contract zone to allow a drive-through. The current zone allows a bank use but does not allow the drive-through. The current zone for the site is B-1 along the easterly portion of the site and R-3 along the westerly portion of the site. It is possible that the zone line was created this way to form a buffer for the residential neighborhood. The contract zone would allow this buffer to remain and also address other concerns by the neighbors. Traffic improvements would be required and access would be limited to Auburn Street. If the bank use were to be discontinued in the future, the property would be reverted back to the B-1 zone.

VII. POLICY CONSIDERATIONS

9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the underlying B-1 and R-3 zones.

e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and

526. Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-

B-1/R-3

IX. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by Bath Savings Institution, the policies of the B-2 Community Business Zone, Comprehensive Plan, the information provided in Planning Board Report #41-02, and/or other findings as follows:

01-03

- i. The Board finds that the proposed B-1/R-3 Contract Rezoning [is or is not] consistent with the policies of the B-1 Neighborhood Business Zone, R-3 Residential Zone and Comprehensive Plan of the City of Portland. The Planning Board therefore [recommends or does not recommend] to the City Council approval of the proposed rezoning at 40-42 Auburn Street.

Attachments:

- 1. Zone Change Application
- 2. Applicant's Letter dated October 22, 2002
- 3. Proposed Zone Change Map
- 4. Proposed Contract
- 5. Applicant's Letter dated November 19, 2002
- 6. Signage Information
- 7. Letters to Utility Companies regarding Capacity
- 8. Traffic Study Narrative
- 9. Lighting Catalogue Cuts
- 10. Traffic Engineer's Memo dated December 16, 2002
- 11. Neighborhood Meeting Minutes and Sign-In Sheet
- 12. Letter from the Public
- 13. Plans
- 14. Elevations



APPLICATION FOR ZONING AMENDMENT
 City of Portland, Maine
 Department of Planning and Urban Development
 Portland Planning Board

PH. 1

1. Applicant Information:

Subject Property: 40-42 Auburn Street
 Address: Portland, Maine 04103

Name: Bath Savings Institution
 c/o Gary D. Vogel, Esq.
 Lambert Coffin

Address: 477 Congress Street, 14th Floor
 P.O. Box 15215, Portland, ME 04112-5215

Phone: (207) 874-4000
 Fax: (207) 874-4040

Property Owner: Applicant Other

Name: Kenike, LLC

Address: 153 Caleb Street
 Portland, Maine 04102

Phone: _____
 Fax: _____

2. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:
 Applicant is the Lessee under a Ground Lease that authorizes Applicant to redevelop the land and to obtain permits.

3. Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)
 A copy of the Memorandum of Lease is attached as Exhibit A.

4. Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)
 The Vicinity Map is attached as Exhibit B. An Abutters Map and List of abutters is attached as Exhibit C.

6. Existing Use:

Describe the existing use of the subject property: Duplex commercial building housing a

Pizza Hut take-out and a tanning salon.

7. Current Zoning Designation(s): B-1 and R-5

8. Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

The Applicant proposes to demolish the existing cinderblock building and

construct a new branch bank building of 3000 +/- sf in the style of its

other suburban branches with a drive-up window and drive-up ATM. The site

will be landscaped and off street parking sufficient to meet the off street

parking requirements of the Ordinance will be provided. Existing curb cuts

will be reduced to one curb cut as shown on the proposed sketch plan.

9. Sketch Plan: On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'). See attached sketch plans showing existing conditions and proposed redevelopment, attached as Exhibits D and E, respectively.
10. Proposed Zoning: Please check all that apply:

A. _____ Zoning Map Amendment, from _____ to _____

B. _____ Zoning Text Amendment to Section 14-_____

For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example), and language to be added is depicted with underline (example).

C. Conditional or Contract Zone

A conditional or contract rezoning may be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan and compatible with the surrounding neighborhood. (Please refer to Division 1.5, Sections 14-60 to 62)

1A

Application Fee: A fee for this application for a zoning amendment must be submitted, by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Public Hearing Notice as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

	1-25 Units	26-50 Units	51-75 Units	75 & Over
Residential Zones	\$350.00	\$400.00	\$450.00	\$500.00
Nonresidential Zones	\$350.00	\$400.00	\$450.00	\$500.00
	0-15,000 sq. ft. or 0-5 acres (which-ever is less)	15,000-30,000 sq. ft. or 6-10 acres (which-ever is less)	30,000-45,000 sq. ft. or 10-15 acres (which-ever is less)	45,000-60,000 sq. ft. or 15-20 acres (which-ever is less)
Legal Advertisements (one for workshop and one for public hearing)			percent of total bill	
Notices (one for workshop and one for public hearing)			40 cents each	
Text Amendments				\$300.00

12.

Signature: The above information is true and accurate to the best of my knowledge.

Example

Signature of Applicant

Gary D. Vogel
attorney for applicant

Date of Filing

3.25.02

10.22.02 (Filed as Contract Zone)

Further Information:

Please contact the Planning Office for further information regarding the rezoning process. Applicants are encouraged to make an appointment to discuss their rezoning requests before filing the application.

Applicants are encouraged to include a letter or narrative to accompany the rezoning application which can provide additional background or context information, and describe the proposed rezoning and reasons for the request in a manner that best suits the situation.

In the event of withdrawal of the zoning amendment application by the applicant in writing prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the City of Portland.

Portland Planning Board
Portland, Maine

Effective: July 6, 1998

1B

Applicant shall assume payment of cost of all notices, including newspaper publication.
(b) ~~Text change: Minimum fee of one hundred dollars (\$100.00) Applicant shall assume payment of cost of all notices, including newspaper publication.~~

					Residential zones
					Residence zones
					Nonresidential zones
					Contract and Conditional Rezoning
1-25 Units	\$350.00	0-15,000 sq. ft. or 0-5 acres (whichever is less) \$350.00	\$500750.00	\$500750.00	
26-50 Units	\$400.00	15,000-30,000 sq. ft. or 6-10 acres (whichever is less) \$400.00	\$500750.00	\$500750.00	
51-75 Units	\$450.00	30,000-45,000 sq. ft. or 10-15 acres (whichever is less) \$450.00	\$500750.00	\$500750.00	
75 & Over	\$500.00	45,000-60,000 sq. ft. or 15-20 acres (whichever is less) \$500.00	\$500750.00	\$500750.00	

- (a) Zoning Map Changes/Amendments: \$500.00
- (b) Zoning Text Amendments: \$500.00
- (c) Contract and Conditional Rezoning: \$750.00

The following schedule of fees will be charged by the city for applications for changes of zone according to the following major zoning classifications and pertinent data relating to the specific zone change:

Sec. 14-54. Zone change/zone map fees.

2. That Chapter 14 of the Portland City Code (Zone change fees), §14-54 be amended as follows:

"Except as otherwise provided herein, permit fees shall be based upon estimated or actual cost of work, whichever is greater, for which the permit is required, including towers, permanent swimming pools and any other structures altered, constructed or demolished. Ten (10) percent of any fee, or ten dollars (\$10.00), whichever is greater, shall be nonrefundable to cover the administrative costs."

- Q. Traffic Movement Permit \$1,000.00
- R. Stormwater Quality Permit \$250.00

10

New construction - any new construction (including building additions) whose building footprint exceeds 200 square feet. This shall not include replacement or reconstruction of existing or documented historic features.

For purposes of this section, the following definitions shall apply:

- D. After the Fact Review \$500.00
 - C. New Construction, Comprehensive Rehabilitation, Major Additions \$200.00
 - B. Historic Preservation Committee Review \$50.00
 - A. Certificate of Appropriateness, including sign review \$25.00
1. Review

Any project may be subject to one or more of the following fees:

Sec. 14-677. Costs-of-notices.

as follows:

3. That Chapter 14 of the Portland City Code (Costs), §14-677 be amended

Paper Maps:	Large \$20.00 per sheet	Small (11 x 17) \$5.00 per sheet	
Digital Zone Map	\$20.00		

2. The following schedule of fees will be charged by the city for zone maps:

(d) *Withdrawal of application*: If a zone change application is withdrawn by an applicant prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the city.

(e) *Waiver of fees*: The fee for zone change applications will be waived or reduced by the Planning Authority in the case of an application submitted by any governmental body or where an applicant can establish financial hardship.

Administrative policy: All ordinances that would cost more than the maximum to publish should be printed in separate pamphlet form and advertised only by reference.

1D

1E

Revised 01/31/02

Exhibit

A

MEMORANDUM OF LEASE

This is a Memorandum of Lease by and between KENIKE, LLC, a Maine limited liability company ("Landlord") and BATH SAVINGS INSTITUTION, a Maine banking institution ("Tenant").

1. Date of Lease: February __, 2002.

2. Description of Leased Premises:

SEE EXHIBIT "A" ATTACHED HERETO

3. Commencement Date: The Primary Term of this Lease shall commence on the Commencement Date as defined in the Lease.

4. Term: Twenty-five (25) years.

5. Extension Options: Two (2) options of Ten (10) years each.

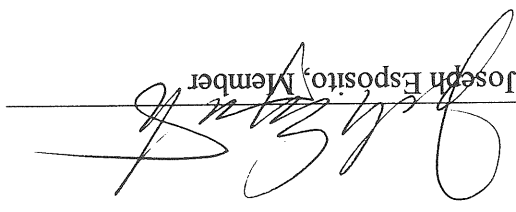
6. Right of First Refusal: Tenant has a right of first refusal to purchase the Leased Premises on terms set forth in the Lease.

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered as of the day and year first above written.

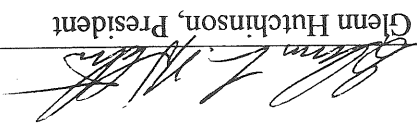
LANDLORD:

KENIKE, LLC

By: 
Joseph Esposito, Member

TENANT:

BATH SAVINGS INSTITUTION

By: 
Glenn Hutchinson, President

Printed Name
Notary Public/Attorney at Law

Stephanie Kays
Notary Public/Attorney at Law

Before me,

This instrument was acknowledged on the 7th day of February, 2002, by Glenn Hutchinson, President of Bath Savings Institution, a Maine banking institution, on behalf of said Bank.

STATE OF MAINE
COUNTY OF CUMBERLAND

Printed Name
Notary Public/Attorney at Law

Drew A. Andrews
Notary Public/Attorney at Law

Before me,

This instrument was acknowledged on the 1st day of Feb., 2002, by Joseph Esposito, Member of KENNIKE, LLC, a Maine limited liability company, on behalf of said LLC.

STATE OF MAINE
COUNTY OF CUMBERLAND

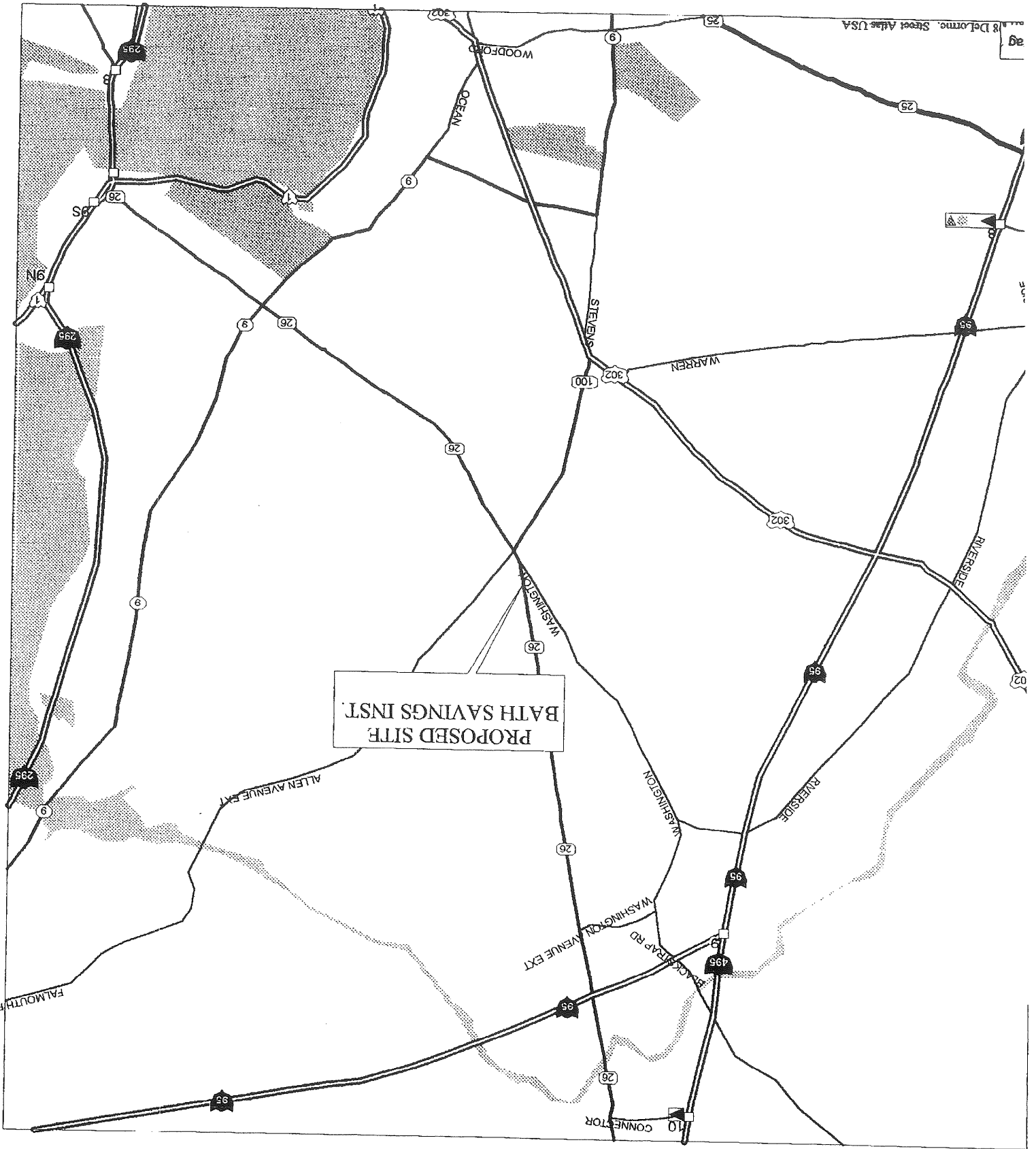
1F

1G

EXHIBIT A

A certain tract or parcel of land with the buildings thereon, situated on the westerly sideline of Auburn Street, Portland, County of Cumberland, State of Maine, bounded and described as follows: Beginning at an iron pipe in the westerly sideline of said Auburn Street at the northeasterly corner of land now or formerly of DeRice Bros., Inc., and the southeasterly corner of the parcel herein described; thence running North 82 degrees 38' 30" West sixty-eight and eighty hundredths (68.80) feet to an iron pipe, and South 75 degrees 20' 00" West sixty-seven and thirty-one hundredths (67.31) feet, all by land of said DeRice Bros., Inc. to an iron pipe in the easterly sideline of Washington Avenue; thence turning and running North 15 degrees 36' 30" West by said Washington Avenue two hundred twenty-seven and forty hundredths (227.40) feet to an iron pipe in the westerly sideline of Auburn Street; thence turning and running South 7 degrees 21' 30" West by said Auburn Street two hundred forty-six and seventeen hundredths (246.17) feet to land of DeRice Bros., Inc. and the point of beginning. Containing 41,058 square feet.

Being the same premises conveyed to Kenike LLC by Barbara A. Esposito by Quitclaim Deed with Covenant, dated September 20, 2000, recorded in the Cumberland County Registry of Deeds in Book 15835, Page 276.



Delorme, Street Atlas USA

SITE LOCATION

Exhibit

VICINITY MAP
PARK SQUARES AREA
NORTHWEST QUINCY

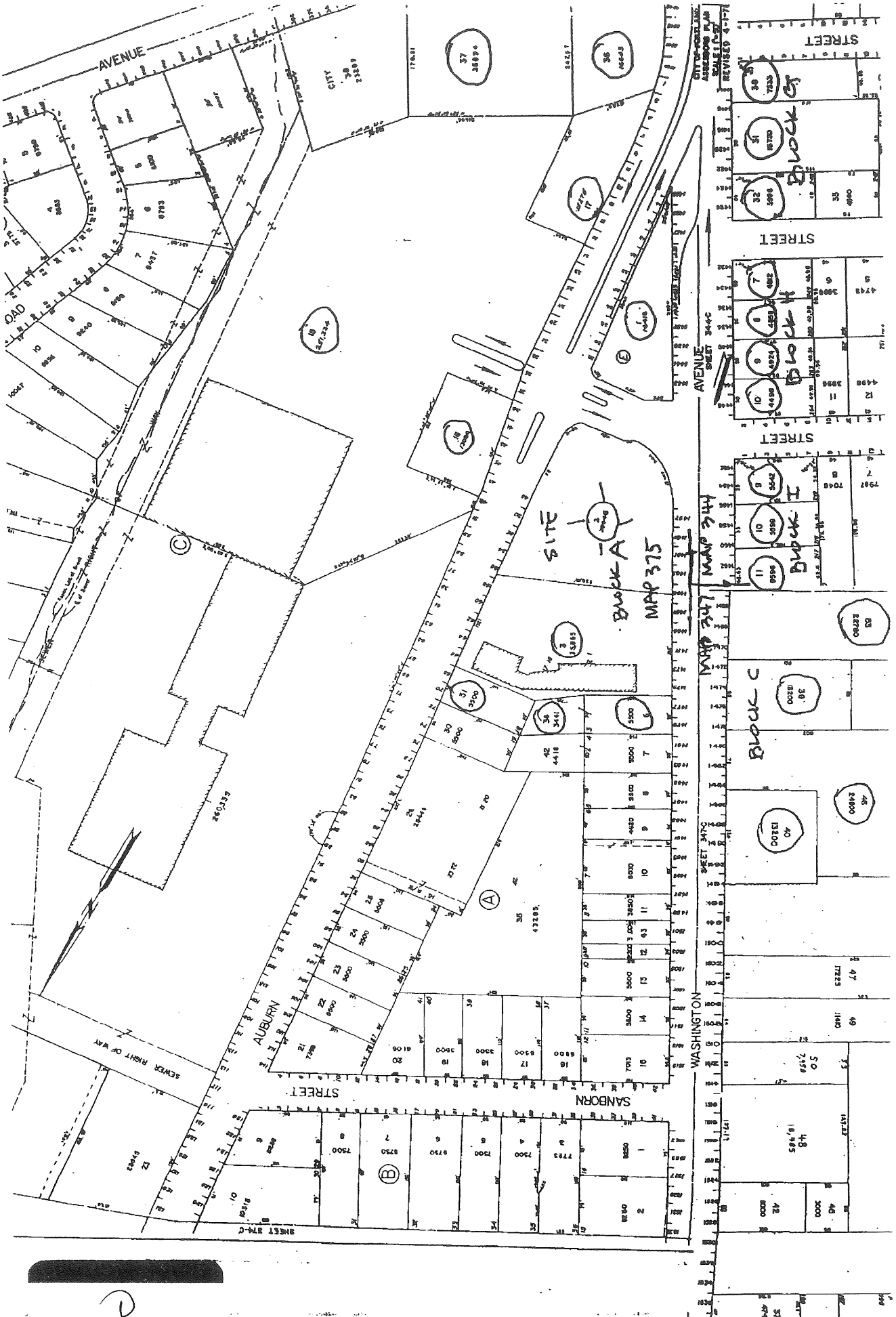


Exhibit I

(207) 774-010

DMPeterson

Mar 25 02 12:16P

IMMEDIATE ABUTTERS

Property of Kenike LLC
 Map 375 Block A Lot 2
 40 Auburn Street
 Portland Maine

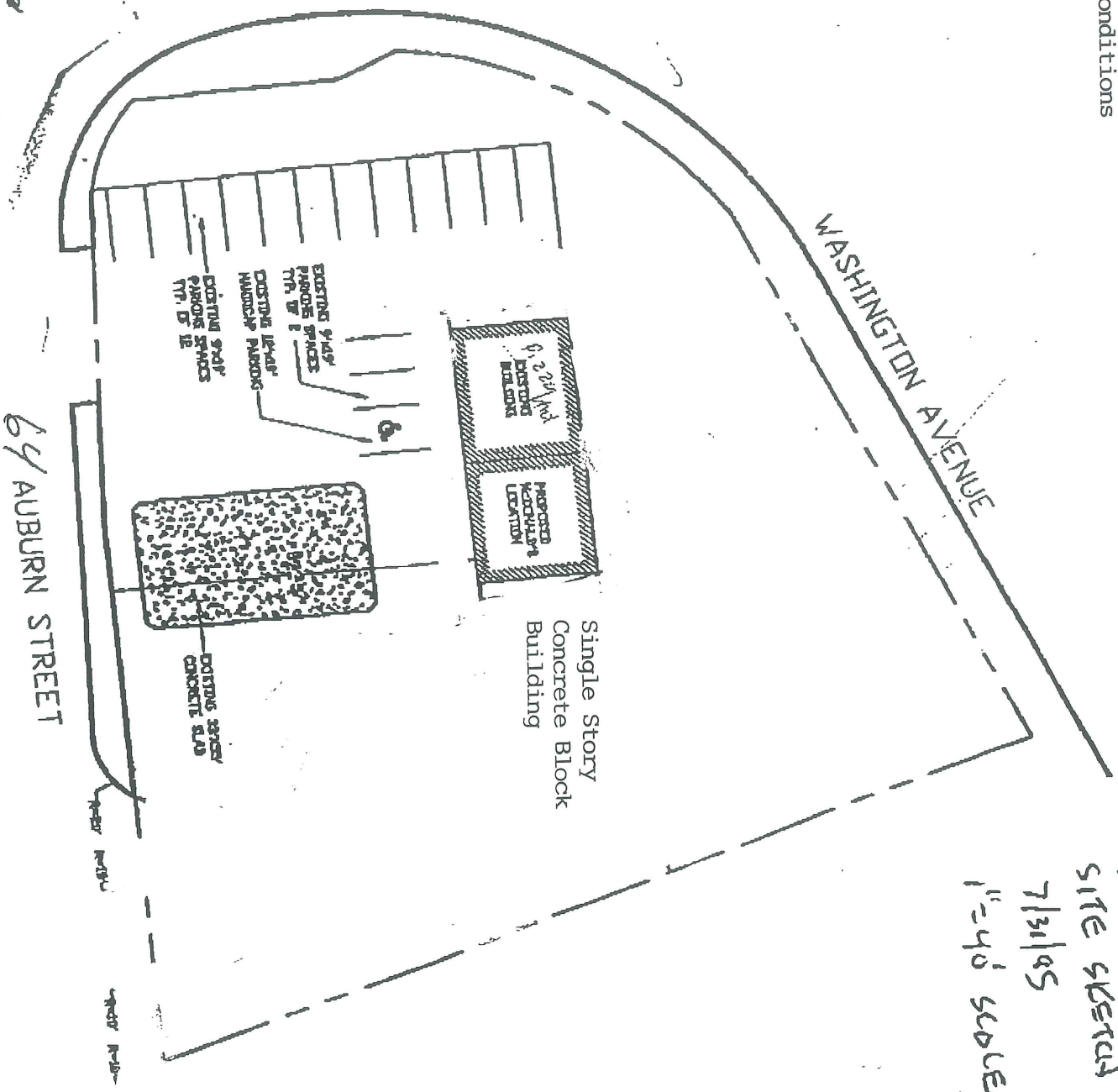
MAP BLOCK & LOT	LOT ADDRESS	OWNER	OWNER'S ADDRESS		
375	E-1	Ruth Libby	252 Virginia Street	Portland	ME 04103
	A-2	Kenike LLC	153 Caleb Street	Portland	ME 04102
	A-3	Christy Marions	1479 Washington Avenue	Portland	ME 04103
	A-6	Christy Marions	1479 Washington Avenue	Portland	ME 04103
	A-36	Christy Marions	1479 Washington Avenue	Portland	ME 04103
	A-31	Phillip O'Hern Nationwide Insurance	1087 Forest Avenue	Portland	ME 04103
	C-18	Fleet Bank of Maine	1 Maine Savings Plaza	Portland	ME 04101
	C-15	Shaws Realty Co	PO Box 600	E Bridgewater	MA 02333
	C-17	Shaws Realty Co	PO Box 600	E Bridgewater	MA 02333
	C-36	Mobil Oil Corp	Property Tax Division PO Box 4973	Houston	TX 77210
C-37	Citibank	100 Foden Road	S Portland	ME 04106	
344	G-38	Deering Grange #535	c/o Dorothy Nichols	Portland	ME 04103
	G-31	Ralph Thurston	88 Curtis Road	Portland	ME 04103
	G-32	Craig Perron	1420 Washington Ave	Portland	ME 04103
	H-7	Peter+Melissa Ocampo	184 Foreside Road	Falmouth	ME 04105
	H-8	Peter+Melissa Ocampo	1438 Washington Ave	Portland	ME 04103
	H-9	Donna Schack	1438 Washington Ave	Portland	ME 04103
	H-10	Les+Jacquelyn Cambell	1442 Washington Ave	Portland	ME 04103
	I-9	Joan Tsotsones	1446 Washington Ave	Portland	ME 04103
	I-10	Ethel Blanchette	55 Lambert Street Apt #2	Portland	ME 04103
	I-11	Richard+Diann Pradetto	1458 Washington Ave	Portland	ME 04103
				1462 Washington Ave	Portland
347	C-39	Dana Hurtubise+Debra Diamond	210 Coyle Street	Portland	ME 04103
	C-40	John Fusco+Angelo Fusco	1492 Washington Ave	Portland	ME 04103
	C-46	Dana Hurtubise+Debra Diamond	1399 Congress Street	Portland	ME 04102
	C-53	Michael +Hillary Townsend	1468 Washington Ave	Portland	ME 04103

DMP

Source: City of Portland / Assessor's Web Site

3/13/02

40-42 Auburn Street
Existing Conditions



PORTLAND, ME
SITE SKETCH
7/31/85
1"=40' SCALE

64 AUBURN STREET

WASHINGTON AVENUE

1K

Exhibit

D

attorneys at law

Lambert Coffin

October 22, 2002

Gary D. Vogel
gvogel@lambertcoffin.com

City of Portland
Planning Department
Attn: Kandice Talbot
389 Congress Street
Portland, ME 04101

RE: Application for Zoning Amendment/Contract Zone for Property at 40-42 Auburn Street
Assessors Map 375, Block A, Lot 2 Our File No. 2431-454

Dear Kandice:

As you know, we submitted a Zoning Map Amendment Application on March 25, 2002, for the property at 40-42 Auburn Street that is being leased by my client, Bath Savings Institution in connection with its proposed redevelopment of the property as a branch bank. The Zoning Amendment is necessary to allow the development of the property into a branch bank with a drive-through window and drive-through ATM. The site is currently zoned B-1 and R-5. The zoning change is necessary because drive-through facilities are not permitted in the B-1 zone. Drive-through facilities are permitted in the B-2 zone as a conditional use.

A public hearing was held on June 11, 2002 before the Planning Board. At that time, the members of the Planning Board recommended that we resubmit our application as a Contract Zone Request in order to limit the uses of the site as redeveloped to a branch bank use and to preclude other uses permitted in the B-2 zone such as fast food restaurants that would have a much greater impact upon residential uses in the vicinity.

I have enclosed a revised Application for Zoning Amendment requesting a conditional or contract zone. The Application is the same Application that was filed in March of this year except that Section 10 has been changed to request a conditional or contract zone and Exhibit F, a sketch plan of the proposed redevelopment has been replaced with a new Exhibit F showing a more detailed conceptual site plan for the redevelopment of the property.

Proposed conditions for the contract zone are that the contract zone permit a use as a bank branch with drive-through teller window and drive-through ATM in accordance with the conceptual site plan to be approved by the Planning Board.

477 Congress Street, Post Office Box 15215, Portland, Maine 04112-5215

207.874.4000 (p) 207.874.4040 (f)
www.lambertcoffin.com

Att. 2

2A

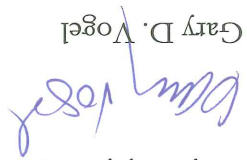
As we discussed on the telephone, Bath Savings Institution previously paid a \$500.00 filing fee for the Zoning Map Change Application that was withdrawn. I am submitting with this resubmitted Application an additional fee in the amount of \$250.00 as the zone change fees for a contract and condition rezoning are \$750.00 rather than \$500.00.

As with our Application for a Map Change, we believe that this zone change makes sense from both land use and business perspectives. The Northgate Shopping Center, Zone B-2, is located across the street from the property. The Northgate area is a destination for the entire North Decring as well as adjoining parts of Falmouth. The approval of the contract zone will facilitate and enable the substantial investment in the site to be made by Bath Savings Institution. The property will receive a major upgrading with the addition of a new branch bank building following the removal of the existing cinderblock structure. The actual development of the bank will be governed by the site plan review process. The Applicant, Bath Savings Institution, will present to the Planning Board and City Council at public hearings on this application photographs of recent branches they have constructed as an indication of how the Auburn Street branch may appear.

The site is fairly large and gives ample room to develop the branch bank on the site. The drive-through window and ATM will be located at the rear of the bank building, naturally screened from view from Auburn Street. A large row of mature evergreens along the westerly property line will screen the drive-through from the neighboring properties across Washington Avenue.

Please schedule this matter to be placed on the City Council's agenda as soon as possible. Bath Savings Institution has engaged the services of Gorrill-Palmer Consulting Engineers, Inc. to assist with traffic study issues. It will be prepared to present the traffic study information to the Planning Board in connection with the Contract Zone Application.

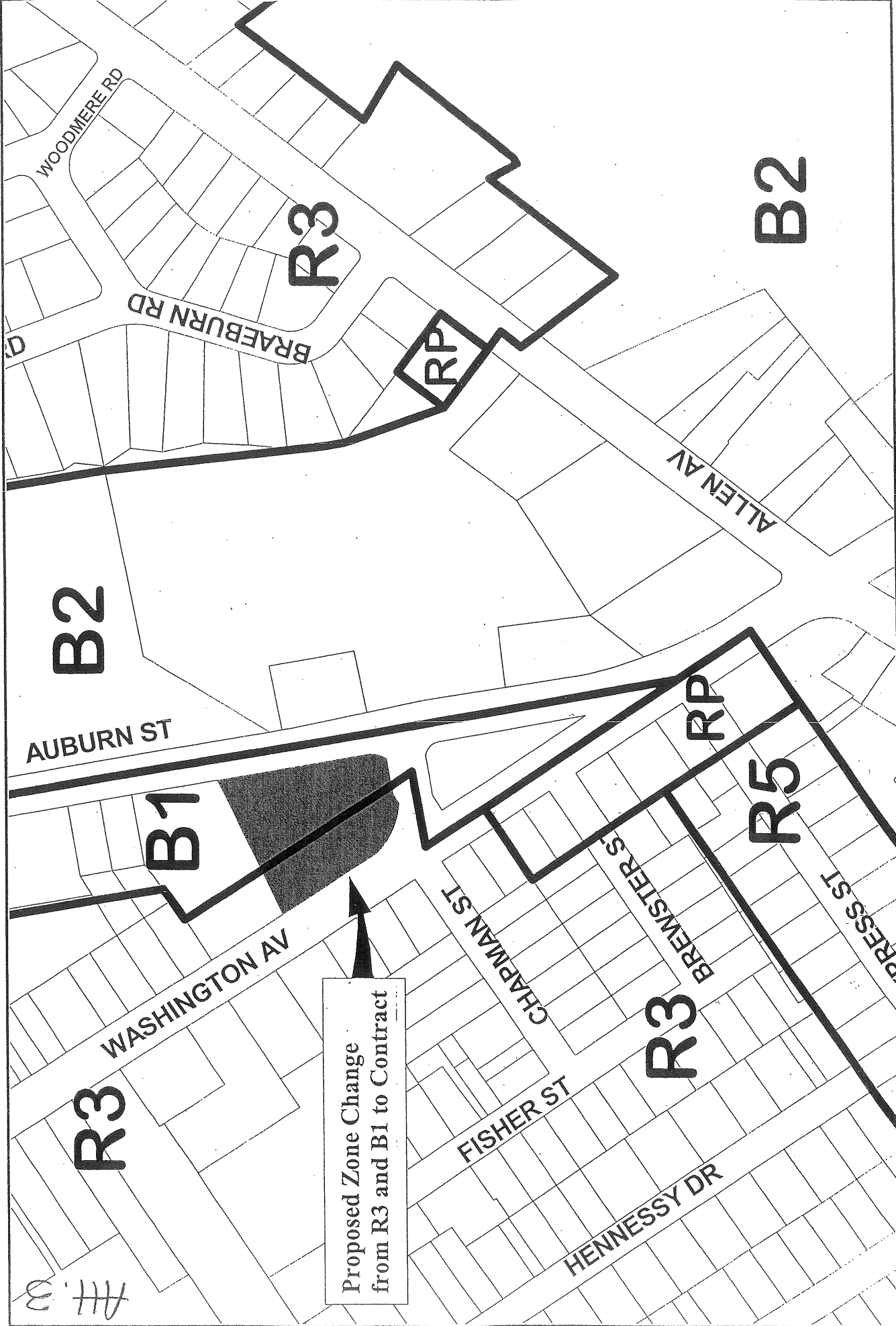
Please notify me as soon as a schedule has been set for the initial meeting before the Planning Board.

Very truly yours,

Gary D. Vogel

GDV/jwf

Enc.

Cc: Bath Savings Institution, Attn: Glenn Hutchinson, President (w/encs.)
Donald M. Peterson (w/encs.)
Platz Associates, Attn: Sherri Shaw (w/encs.)
Drew Anderson, Esq. (w/encs.)



**Proposed Zone Change from R3 and B1 to Contract
for 40 - 42 Auburn Street**

Att. 3

Att. 4

**DRAFT 3 (1-07-03)
CONTRACT ZONE AGREEMENT**

**Bath Savings Institution
40-42 Auburn Street, Portland, Maine**

This contract made this _____ day of _____, 2003 by BATH SAVINGS INSTITUTION, a Maine Banking Institution ("BSI"), with the consent of Kenike, LLC ("Kenike"), the fee owner of 40-42 Auburn Street, Portland, Maine ("Property").

WHEREAS, BSI is the tenant of property at 40-42 Auburn Street, Portland, Maine, under the terms of a long-term Ground Lease between BSI and Kenike, LLC, as fee owner thereof; and

WHEREAS, Kenike has authorized BSI to file a Zone Change Application with the City of Portland ("City") and joins in this Agreement, as fee owner, for the express purpose of consenting to the terms and conditions of this Contract Zone Agreement; and

WHEREAS, BSI requested a rezoning of a portion of the property at 40-42 Auburn Street, in the City in order to permit the use of a bank branch with drive-through windows and an ATM machine, and with incidental sales of financial and insurance products and services; and

WHEREAS, the 40-42 Auburn Street property is more specifically described and shown on the Portland Assessors Map, Parcels: Chart 375, Block A, Lot 002 (the "Property"); and

WHEREAS, the Portland Planning Board determined the rezoning would provide needed services in an area underserved and would not negatively impact the surrounding community; and

WHEREAS, the Portland Planning Board, pursuant to 30-A M.R.S.A. §4352(8), and after notice and hearing and due deliberations, recommended the rezoning of the Property, subject, however, to certain conditions; and

WHEREAS, the City, by and through its City Council, has determined that the rezoning, with conditions and restrictions, would be pursuant to and consistent with the City's comprehensive plan and would not unreasonably interfere with the existing and permitted uses within the underlying B-1 and R-3 zones; and

WHEREAS, the BSI, with the consent of Kenike, has agreed to enter into this contract, with its concomitant terms and conditions, which shall hereinafter bind BSI; and

HA

NOW, THEREFORE, in consideration of the rezoning of the Property, BSI contracts to be bound by the following terms and conditions:

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.

INSERT MAP CHANGE

2. The use of the Property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty-four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb cut shall conform to that shown on Attachment 7, incorporated herein by reference. The existing curb cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb cut shall be

4B

permitted on Washington Avenue or the connector between Washington Avenue and Auburn Street.

6. The existing landscaping on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height or no less than six (6) feet by BSI and the property owner.

7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

8. The front yard setback need not comply with the setback requirements contained within the B-1 zone. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:

- a. the drive-throughs must be accessory to a principal use located on the same site; and
- b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
- c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.

- d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
- e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

to the plan Standards of the Land Use Code

but shall comply w/ setbacks shown on Att. 2

In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the underlying B-1 and R-3 zones.

So long as the property continues to be used as a bank branch the above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit BSI, and any of its successors and assigns, and shall inure to the benefit of and be enforceable by the City, by and through its duly authorized representatives. BSI shall file a copy of this Agreement in the Cumberland County Registry of Deeds, along with a reference to the Book and Page locations of the deeds for the Property, and the memorandum of Lease between BSI and Kenike, LLC.

If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision and such determination shall not affect the validity of the remaining portions hereof.

Kenike, LLC, fee owner of the property and Landlord under the Ground Lease to BSI joins in this Agreement to acknowledge its consent to the zone change and the terms and conditions of this agreement and to acknowledge that the property will be and remain subject to the terms and conditions set forth herein.

Except as expressly modified herein, the development, use, and occupancy of the subject premises shall be governed by and comply with the provisions of the Land Use

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Code of the City of Portland and any applicable amendments thereto or replacement

thereof.

In the event that BSI, Kenike or any successor fails to continue to utilize the

Property in accordance with this Agreement, or in the event of a breach of any

condition(s) set forth in this Agreement, the Planning Board shall have the authority, after

hearing, to resolve the issue resulting in the breach. The resolution may include a

recommendation to the City Council that the Agreement be terminated requiring

cessation of the use of the addition authorized herein.

WITNESS:

BATH SAVINGS INSTITUTION

By _____

Glenn Hutchinson
It's President

Consenting to the terms hereof:

KENIKE, LLC

By: _____

Joseph Esposito, its Member

State of Maine
Cumberland, ss.

Date:

4E

Personally appeared the above-named Glenn Hutchinson, President of Bath Savings Institution, and acknowledged the foregoing Agreement to be his free act and deed in his said capacity and the free act and deed of Bath Savings Institution.

Notary Public

Notary Public

O:\OFFICE\PENNY\CONTRACT\rezone\Bath Savings Bank version 3.doc

Att. 5



Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910

FAX: 207-657-6912

E-Mail: mailbox@gorrillpalmer.com

November 19, 2002

Ms. Kandi Talbot

City of Portland

389 Congress Street

Portland, ME 04101-3503

Subject: Site Plan Submission
Bath Savings Institution Branch Bank—40-42 Auburn Street

Dear Kandi,

Gorrill-Palmer Consulting Engineers, Inc. and Platz Associates, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed branch bank located at 40-42 Auburn Street, near the intersection of Auburn Street and Washington Avenue. The site is identified as Chart # 375 Block A, Lot 002 in the City of Portland Assessor's records and consists of approximately 0.89 acres. The project includes the construction of a 2,882 square foot (s.f.) building with two drive-through teller bays and one drive-through automatic teller machine (ATM).

The site is currently zoned Business-1 (B-1) and Residential-3 (R-3). The applicant has previously submitted a zoning map amendment application on March 25, 2002. A public hearing was held on June 11, 2002 and the Planning Board recommended that the applicant resubmit the application as a Contract Zone request. Refer to the attached Contract Zone application for additional information. It is our understanding that the current submittal is not a formal site plan application; however, we have included many of the required site plan documents to assist the City Staff and Planning Board with their review.

This letter and the attached background information and plans describe the applicant's plans to develop the above-referenced parcel. Based on previous conversations with you on November 13, 2002, we are submitting 4 sets of application packages. We look forward to discussing this project with you during your review.

Site Description

The site is a corner lot that is presently developed with a take-out and delivery pizza restaurant and a cellular communications retail store. The abutting properties to the north, south and east are all commercial in nature and include Paris Farmers Union, Mr. Bagel, Lib's Dairy Treats and the Shaw's Northgate Plaza. The site is bounded on three sides by roads, including Auburn Street to the east, Washington Avenue to the west and a connector road to the south. Across Washington Avenue to the west are residential homes and businesses located in buildings that were previously residential. The existing site includes approximately 22,220 s.f. (57 percent) of impervious surface.

Proposed Use

The applicant proposes to construct a 2,882 s.f. branch bank with the associated drive-through teller and drive-through ATM facilities. The proposed development will include 16 parking spaces, which exceeds the 8 spaces required at 1 space per 400 s.f. of floor area. The proposed development includes approximately 19,600 s.f. (51 percent) of impervious surface.

Landscaping & Site Improvement

A conceptual landscaping plan has been included as part of this package. The plan includes maintaining and improving the existing arborvitae hedge located along the westerly right-of-way line and a portion of the northerly property line. In addition, street trees will be planted along the Connector Road and Auburn Street in accordance with the City's standards.

The applicant also proposes to close one of the existing curb cuts along Auburn Street will construct a new 5 foot wide bituminous sidewalk with granite curbing along the Auburn Street frontage.

Stormwater

Gorrill-Palmer Consulting Engineers, Inc. is preparing a detailed stormwater analysis and report. This information will be submitted under separate cover.

Generally, the existing stormwater flows off the site via sheet flow and into the existing municipal storm drainage system located in Auburn Street. The existing site includes approximately 22,220 s.f. of impervious surface.

The proposed development includes approximately 19,600 s.f. of impervious surface and the stormwater will be collected on site in a closed stormwater pipe system, and then discharged into the same existing municipal storm drainage system in Auburn Street. Since the proposed project results in a decrease in impervious surface, the applicant is not proposing any stormwater quantity control. Also, based on previous discussions with City Staff, the project does not require stormwater quality treatment.

Zoning

The site is located in the B-1 and R-3 zones. The applicant submitted an application for a Contract Zone request. Proposed conditions for the contract zone are that the contract zone permit a use as a branch bank with drive-through teller window and drive-through ATM in accordance with the site plan submitted as part of this package.

Utilities

Water use records were obtained from the Portland Water District for a similar facility located at 239 Route 1 in Falmouth. The monthly water usage data for the similar Bath Savings Institution facility are included with the ability to serve letters. The estimated peak domestic water demand and peak sewage production is 431 gpd.

Letters of ability to serve for the proposed project have been sent out to the utility companies. Copies of the letters are included in this application package.

Lighting

Site lighting will be provided to facilitate customer safety, while minimizing the impact of glare on the adjacent properties. Catalog cut sheets for the light fixtures and a photometric plan are attached to this letter.

Ms. Kandi Talbot
November 19, 2002
Page 4 of 4

Traffic

Refer to the attached traffic study, which has been reviewed and approved by Larry Ash.

Conclusion

Gorrill-Palmer Consulting Engineers, Inc. and the applicant look forward to discussing this project with the Planning Department. Please contact us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William C. Haskell, P.E.

Project Engineer

Copy: Platz Associates, Inc.
Donald Peterson

U:\587.1\587-1 Site Plan Talbot.doc

Att. 6

top section with logo and
is 3'8" x 4'6"
PMS 302 Blue with white
letters

Columns are 10" x 12"
Structural fiberglass
"Tuscan", Plain, white
columns with standard
caps and bases

scale is 1/2" = 1'

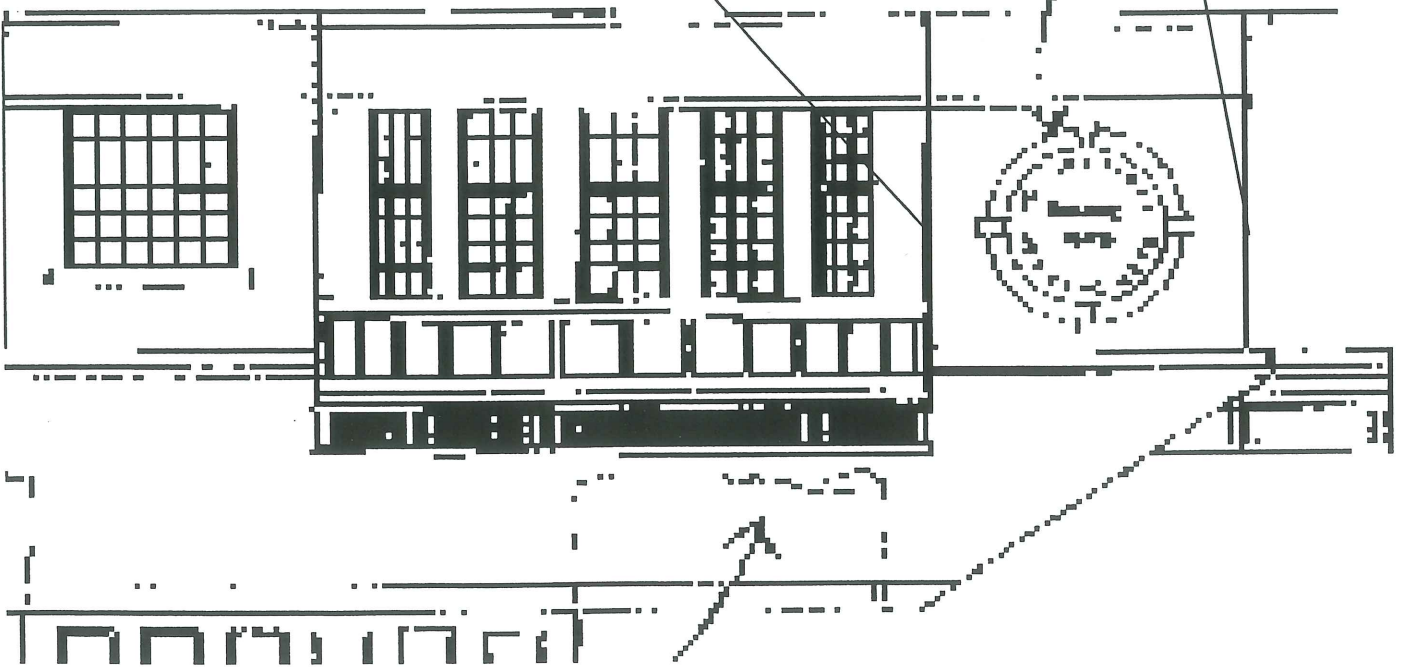
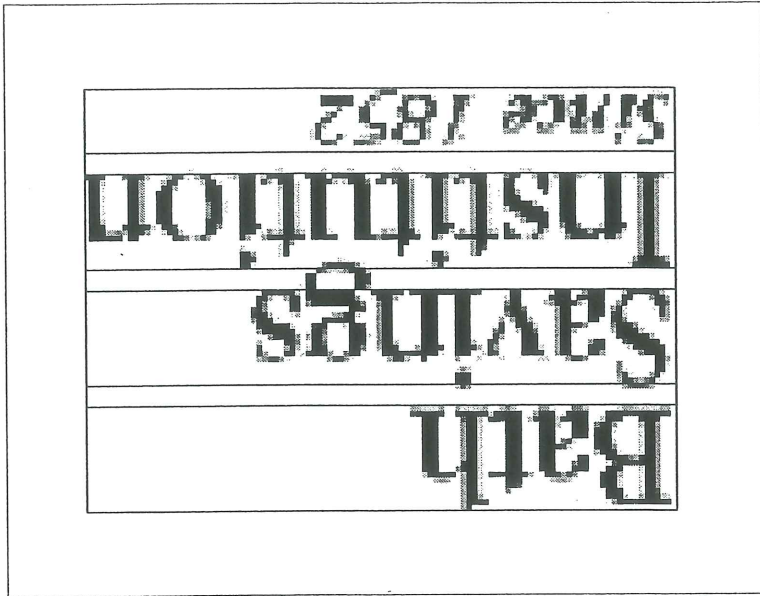


Bath
Savings
Institution
Since 1852

6A

Therefore, logo space could be up to 10.5' wide by 7.5' high, centered.
This could make the capital letters up to 22" high.

Per Stew's assumption of 1/16" = 1' scale, the available space is 13.5' wide by 10.5' high.



- An estimate for any work the Water District would perform.
- Information as to any easements that the District may require on-site.
- Any results of hydrant tests in the vicinity of the site.
- Any other information that you believe would be useful as this project proceeds.

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Water District to serve the project. In addition, we are interested in receiving:

Ability to Serve

The estimated water demand for the bank is 431 gpd based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules and water use records from a similar facility located in Falmouth (refer to attached calculations).

Anticipated Flows

Water and fire protection service will be needed. At this time it is anticipated that a 6-inch fire and 3/4-inch domestic water service will be extended from the existing 12-inch in Auburn St. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Utility Improvements

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Dear Dave:

Re: Bath Savings Institute
Letter of Ability to Serve

Mr. David Coffin
Portland Water District
225 Douglas Street
Portland, ME 04104-3553

November 18, 2002

207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

Traffic and Civil Engineering Services

Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039




Att 7

7A

Mr. David Coffin
November 18, 2002
Page 2 of 2

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.


William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates, w/o encl.

jml/JN687.1/Coffin11-18-02

Enclosures

Project Engineer

William Haskell, P.E.


Gorrill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

- Any other information that you believe would be useful as this project proceeds.
- Information as to any easements that the Public Works may require on-site.

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Public Works to serve the project for conveyance of the flow. In addition, we are interested in receiving:

Ability to Serve

The facility is estimated to produce 431 gpd based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules and water use records from a similar facility located in Falmouth (refer to attached calculations).

Anticipated Flows

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Dear Frank:

Re: Bath Savings Institution
Letter of Ability to Serve

Mr. Frank Brancely
Portland Public Works
55 Portland Street
Portland, ME 04101

November 18, 2002

207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

Traffic and Civil Engineering Services

Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039



7B

JML/JN587.1/Branchely11-18-02

Copy: Sheri Shaw, Platz Associates, w/o encl.

Mr. Frank Branchely
November 18, 2002
Page 2 of 2

7c

- An estimate for any work that Verizon would perform within the right-of-way.
 - Information as to any additional easements that Verizon may require on-site.
 - Any other information that you believe would be useful as this project proceeds.
- In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Verizon to serve the project. In addition, we are interested in receiving:

Ability to Serve

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Utility Improvements

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Dear Mr. Caprio:

Re: Bath Savings Institute
Letter of Ability to Serve

Mr. John Caprio
Verizon
5 Davis Farm Road
Portland, ME 04103

November 18, 2002

207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

Traffic and Civil Engineering Services

Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039



7D

Copy: Sheri Shaw, Platz Associates, w/o encl.

Enclosure

Project Engineer

William Haskell, P.E.

William C. Haskell
Gorrill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Mr. John Caprio
November 18, 2002
Page 2 of 2

7F



Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

November 18, 2002

Mr. Mark Kreider
Central Maine Power Company
162 Canco Road
Portland, ME 04103

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Mr. Kreider:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institute to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. A new pole-mounted transformer will be required to service the new bank. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Central Maine Power Company to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Central Maine Power would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Copy: Sheri Shaw, Platz Associates w/o encl.

Enclosure

Project Engineer

William Haskell, P.E.



Gorrill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Mr. Mark Kreider
November 18, 2002
Page 2 of 2

7H

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Gorrill-Palmer Consulting Engineers, Inc.



Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com

November 18, 2002

Ms. Debbie Paiement
Time Warner Cable
118 Johnson Road
Portland, ME 04102

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Ms. Paiement:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Time Warner Cable to serve the project. In addition, we are interested in receiving:


- An estimate for any work that Time Warner Cable would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

71

Ms. Paiement
November 18, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.


William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates, w/o encl.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039
207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorillpalmer.com

75

Gorill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

November 18, 2002

Mr. Bill Howard
Northern Utilities
P.O. Box 3586
1075 Forest Avenue
Portland, Me 04104

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Mr. Howard:

Platz Associates and Gorill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from the existing main on Washington Avenue. Service demand calculations will be provided upon its assessment. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Northern Utilities to serve the project. In addition, we are interested in receiving:


- An estimate for any work that Northern Utilities would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

7k

Mr. Bill Howard
November 18, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorill-Palmer Consulting Engineers, Inc.


William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates w/o encl.

JL/JNS87.1/Howard11/18/02

8
All



Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

November 18, 2002

Mr. Donald Peterson
Bath Savings Bank
276 State Street
Portland, Maine 04101

RE: Proposed Bath Savings Bank
Trip Generation
Portland, Maine

Dear Donald:

Our office was requested to evaluate the potential effects of trip generation with the proposed Washington Avenue facility being reduced in size to 2,882 s.f. from 3,500 s.f. What follows in this memorandum are our findings regarding trip generation and traffic impacts.

Originally proposed for the bank facility was a project was a 3,500 s.f. Bath Savings Institution with two drive-up windows and a drive-up ATM. This size has been proposed to be reduced to 2,882 s.f. Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation*, 6th Edition, for Land Use Code 912, Drive-in Bank. This publication references counts performed at similar facilities throughout the country. The trip generation for the project is shown in the following table and is compared to that submitted in the original study:

Size of Bank	AM Peak Hour	PM Peak Hour	Saturday Peak Hour
Based on 2,882 s.f.	36	148	122
Based on 3,500 s.f.	44	192	148
Decrease	8	44	26

Trip Generation Summary

As can be seen by the above table, the reduction in size of the bank would result in a maximum reduction of 44 trip ends for the PM peak hour. However, to understand the impact to the street network, a comparison of trips based on distribution and composition is required. This comparison is shown on the following table for the PM peak hour:

PM Peak Hour	Primary			Pass-by			Total		
	In	Out	Total	In	Out	Total	In	Out	Total
Based on 2,788 s.f.	37	37	74	37	37	74	74	74	148
Based on 3,500 s.f.	48	48	96	48	48	96	96	96	192
Decrease	11	11	22	11	11	22	22	22	44

Trip Composition Summary

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As can be seen from the above table, although the total traffic at the site driveway will be reduced by approximately 44 trip ends, the decrease in new trips to the system will be approximately half that amount, or 22 trip ends. Accounting for existing traffic at the site, the original study anticipated 35 entering and 39 exiting primary net trip ends. With the reduction in size, the net primary trips would be 24 entering and 28 exiting trip ends.

Although this change will result in traffic reductions on-site, it remains the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. This need is driven by ambient volumes on Washington Avenue and the proximity of the site drive to the signalized Shaw's intersection as well as the volume of left turning traffic. In addition, this portion of Washington Avenue should be striped to provide for two through lanes in each direction.

As the study concluded that other off-site improvements were not necessary with the larger facility, this conclusion remains with the smaller facility.

Please contact our office with any questions regarding this memorandum.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Thomas L. Gorrill, P.E., P.T.O.E.
President

BB

**Traffic Impact Study
Bath Savings Institution
Portland, Maine**

Prepared for:

**Bath Savings Institution
105 Front Street
PO Box 548
Bath, Maine 04530**

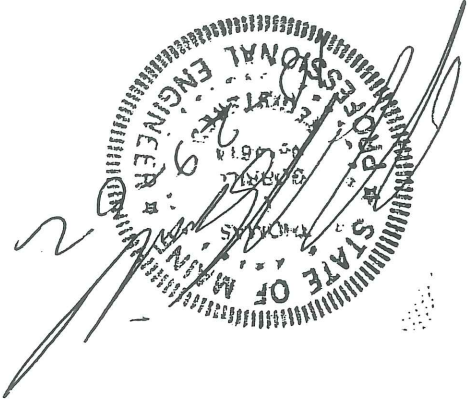
October 2002

Prepared by:

GP
Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Road
Gray, ME 04039
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(207) 657-6910



**Traffic Impact Study
Proposed Bath Savings Bank
Portland, Maine**

8C

<i>Section</i>	<i>Description</i>	<i>Page</i>
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VI.	Trip Assignment	6
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<p><i>Appendix A</i> Site Location Diagram Turning Movement Diagrams</p>	<p><i>Appendix B</i> Capacity Analyses</p>	<p><i>Appendix C</i> Trip Generation Calculations</p>
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Executive Summary

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Gorill-Palmer Consulting Engineers, Inc. was retained by Bath Savings Institution of Portland, Maine to complete a traffic impact study for the proposed construction of a Bath Savings Institution in Portland, Maine. The site will be serviced by a single driveway approximately 240 feet north of the intersection of Route 26 (Auburn Street), Northgate Shopping Center, and the Washington Avenue connector. The site will consist of a 3,500 s.f. Bath Savings Institution with 2 drive-up windows and a drive-up ATM. The proposed site would be operational by 2003.

The following is a summary of the major findings of the traffic study:

1) The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation (MDOT). As the existing site currently generates traffic, our office has determined that the net trip generation for the site will be 147 trip ends during the PM peak hour of traffic.

2) The level of service analyses show that the study area and site driveway intersection with Auburn Street (Route 26) will operate acceptably for the weekday PM peak hour for the 2003 post development condition. No improvements to the street system are required. However, proper striping of Auburn Street northbound as two lanes or merged to a single lane between the Northgate driveways would reduce driver confusion in this area. We also recommend that the City consider removing the island between the Shaw's driveway and the bank driveway and using this space to stripe a short left turn lane into Shaw's. Currently, approximately one car a minute turns left into Shaw's which delays through traffic.

3) The crash data indicates that there are no high crash locations within the study area.

4) The sight distances at the proposed driveway are acceptable. Gorill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Based on these conclusions, it is the opinion of Gorill-Palmer Consulting Engineers, Inc. that the existing traffic network can safely and effectively accommodate the traffic generated by the proposed development.

8E

I. Introduction

Existing Conditions

Existing Site

The site is located in Portland across from the Northgate Shopping Plaza. The existing site contains a cell phone store and a Pizza Hut delivery facility. The site is currently serviced by two driveways along Route 26. The northerly driveway is full movement and the southerly driveway is right-in/right-out in close proximity to the traffic signal at Northgate Plaza/Washington Avenue Connector. A site location map has been included in Appendix A.

Existing Roads

Auburn Street along the site frontage has two eastbound travel lanes and two westbound travel lanes that transition to a single lane immediately west of the site. There is a median along the easterly portion of the site. There is a sidewalk along the north side of Auburn Street in the vicinity of the site. The posted speed on Auburn Street is 30 MPH. The site has no access to Washington Avenue Extension.

Proposed Conditions

The site will include a 3,500 s.f. bank with two drive-through windows as well as an ATM for 24-hour access, and will include parking and landscaping. The existing southerly driveway will be eliminated leaving only the northerly full movement driveway located 190 feet from the traffic signal at Northgate Plaza/Washington Avenue Connector.

II. Background Traffic Conditions

Gorriill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan prepared by Platz Associates, dated August 7, 2002.
- Crash data for the period 1999-2001 supplied by the MDOT.
- Turning movement volumes collected by Gorriill-Palmer Consulting Engineers, Inc. on Friday June 21, 2002 from 3:00 PM to 6:00 PM at the following intersections which are shown in Figure 2 of Appendix A:
 - Route 26 at Summit Street and Northgate North Drive
 - Route 26 at Cell phone store/Pizza Hut Drives
 - Route 26 at Washington Connector and Northgate South Drive
 - Route 26 at Washington Avenue and Cypress Street
 - Route 26 at Allen Avenue
- "Other development" projects provided by the Portland Planning Department.

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Predevelopment Traffic Volumes

The project is expected to be fully occupied in the year 2003. The year 2003 predevelopment design hour volumes were determined utilizing the following methodology:

> The raw turning movement volumes collected by Gorriil-Palmer Consulting Engineers, Inc. were seasonally adjusted by 2% based on weekly group mean factors published by MDOT to reach the 30th highest hour.

> The seasonally adjusted volumes were annually adjusted by 2 percent per year to obtain projected volumes for the year 2003. The fully adjusted volumes are shown on Figure 3 of Appendix A.

> Gorriil-Palmer Consulting Engineers, Inc. has contacted the City of Portland to determine whether there are any other projects that have been approved or are ahead of this project in the approval process. Based on these discussions, several residential projects were included in the predevelopment traffic volumes. They include the following:

- Planned Residential Unit Development off of Route 26 north of the site
- Age-Restricted Housing Project off of Route 26 north of the site
- Condominium Development off of Route 26/Allen Avenue south of the site
- Multi-Family Housing off of Route 26/Allen Avenue south of the site

Gorriil-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation, 6th Edition* to determine the trip generation for these projects. These volumes are shown in Figure 4 of Appendix A.

> The adjusted volumes were added to the "other development" volumes to obtain the 2002 predevelopment volumes, shown in Figure 5 of Appendix A.

Crash Information

Gorriil-Palmer Consulting Engineers, Inc. examined the crash data from MDOT for the period of 1998 to 2000, the most recent period available.

In order to evaluate whether a location has a crash problem, MDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual crash rate to the rate for similar intersection in the state. A CRF of less than 1.00 indicates a rate of less than average) and:
2. A minimum of 8 crashes over a three-year period.

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The crash history is summarized in the following table:

MDOT Crash History – 1999-2001

Node(s)	Intersection/Roadway Segment	# of Collisions	CRF	HCL?
7483	Route 26 at School Drive	1	0.10	No
7482	Route 26 at Sanborn Street/Northgate North	14	0.52	No
7481	Route 26 at Northgate South	5	0.18	No
7480	Route 26 at Washington Avenue	0	0.00	No
3754	Route 26 at Cypress Street	14	0.39	No
7479	Route 26 at Allen Avenue	22	0.42	No
7478	Route 26 at Maplewood Street	6	0.46	No
7482-7483	Route 26 from School Drive to Northgate North	3	0.25	No
7481-7482	Route 26 from Northgate North to Northgate South	10	0.78	No
7480-7481	Route 26 from Washington Avenue to Northgate South	7	0.61	No
7480-3754	Route 26 from Washington Avenue to Cypress Street	1	0.52	No
7479-3754	Route 26 from Allen Avenue to Cypress Street	4	0.46	No
7478-7479	Route 26 from Allen Avenue to Maplewood Street	13	0.99	No

As can be seen from the above charts, there are no High Crash Locations in the study area.

III. Trip Generation

The proposed project is planned to consist of a 3,500 s.f. Bath Savings Institution with two drive-up windows and a drive-up ATM. Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation*, 6th Edition, for Land Use Code 912, Drive-in Bank. This publication references counts performed at similar facilities throughout the country. The trip generation for the project is shown in the following table:

Land Use Code	AM Peak Hour	PM Peak Hour	Saturday Peak Hour	Weekday
912 – Drive-in Bank	44	192	148	997

The computations are contained in Appendix C. The existing site contains a cell phone store and a Pizza Hut delivery facility. Our office completed traffic counts for the existing uses and determined that the net trip generation increase for the re-development of the site will be 147 trip ends during the PM peak hour of traffic.

IV. Trip Distribution

Gorrill-Palmer Consulting Engineers, Inc. has estimated the trip distribution for the weekday PM period based on the TFE Land Use Codes indicated in the previous table. The results are shown on the following table:

Land Use	Entering	Exiting	Total
	912 – Drive-in Bank	96	96

8H

V. Trip Composition

Gorrill-Palmer Consulting Engineers, Inc. has based the trip composition on data contained in the ITE Trip Generation Handbook. The trip composition summary is shown on the following table:

Trip Composition Summary for Proposed Bank

PM Peak Hour		
Land Use	Primary	Pass-by
912 - Drive-in Bank	50%	50%
Total	100%	100%

In reality, over 20% of all trips to the site would be diverted in nature, resulting in fewer primary trips. This results in a conservative analysis. The combination of the trip distribution and composition results in the following driveway trip assignments:

Trip Composition Totals for Proposed Bank

PM Peak Hour		
Primary	Pass-by	Total
In	In	In
Out	Out	Out
Total	Total	Total
48	48	96
48	48	96
96	96	192

VI. Trip Assignment

Gorrill-Palmer Consulting Engineers, Inc. has based the street system trip assignment on existing traffic volumes along Auburn Street as well as traffic counts at the driveway. The resulting trip distribution and assignment are shown in Figures 6 & 7 of Appendix A.

VII. Study Area

The Maine Department of Transportation (MDOT) traffic permit requirements apply to facilities projected to generate 100 or more trip ends during the peak hour of the generator. As this project is anticipated to generate an increase of 147 trip ends over that currently occurring at the site during the PM peak hour, a traffic permit will be required. However, the City of Portland has delegated review authority for MDOT permits, so the traffic permitting process will be undertaken via City Staff. For the purposes of this study, we have evaluated the following intersections:

- Auburn Street at Sanborn Street and Northgate North Drive (signalized)
- Auburn Street at the cell phone store/Pizza Hut Drives (Site Drive)
- Auburn Street at Washington Connector and Northgate South Drive (signalized)
- Auburn Street at Washington Avenue and Cypress Street
- Washington Avenue at Allen Avenue (signalized)

VIII. Capacity Analysis

Gorrill-Palmer Consulting Engineers, Inc. completed capacity analyses for the intersections mentioned above.

The signalized intersections were evaluated with the Synchro software package, and the unsignalized locations were analyzed with the HCS 2000 software package. Level of service rankings are similar to the academic ranking system where an 'A' is very good with little control delay and an 'F' represents very poor conditions. At an unsignalized intersection, if the level of service falls below a 'D', an evaluation should be made to determine if a traffic signal is warranted.

The following table summarizes the relationship between control delay and level of service for an unsignalized intersection:

Level of Service Criteria for Unsignalized Intersections

Level of Service	Total Control Delay per Vehicle (sec/veh)
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The following table summarizes the relationship between control delay and level of service for a signalized intersection:

Level of Service Criteria for Signalized Intersections

Level of Service	Total Control Delay per Vehicle (sec/veh)
A	Up to 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

Gorrill-Palmer Consulting Engineers, Inc. based our analyses on the existing roadway configuration for the predevelopment and post development conditions.

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Signalized Intersections

The results of the capacity analyses for the weekday PM peak hour at the signalized intersections are as follows:

Level of Service for Auburn Street at Sanborn Street and Northgate

2003 PM Peak Hour	
Approach	Predevelopment
Approach	Delay (sec/veh) LOS
Auburn St NB	2 A
Auburn St SB	4 A
Sanborn EB	26 C
Northgate WB	19 B
Overall Intersection	6 A

Level of Service for Auburn Street at Connector and Northgate

2003 PM Peak Hour	
Approach	Predevelopment
Approach	Delay (sec/veh) LOS
Route 26 NB	6 A
Route 26 SB	17 B
Connector EB	17 B
Northgate WB	28 C
Overall Intersection	12 B

Level of Service for Washington Avenue at Allen Avenue

2003 PM Peak Hour	
Approach	Predevelopment
Approach	Delay (sec/veh) LOS
Route 26 NB	37 D
Route 26 SB	44 D
Allen EB	45 D
Allen WB	64 E
Overall Intersection	45 D

2003 PM Peak Hour	
Approach	Postdevelopment
Approach	Delay (sec/veh) LOS
Route 26 NB	37 D
Route 26 SB	51 D
Allen EB	47 D
Allen WB	64 E
Overall Intersection	49 D

OK

Unsignalized Intersections

The results of the capacity analyses for the weekday PM peak hour at the unsignalized intersections are as follows:

Level of Service for Route 26 at Bank (Pizza Hut/cell phone) Drive

2003 PM Peak Hour				
Approach	Predevelopment		Postdevelopment	
	LOS	Delay (sec/veh)	LOS	Delay (sec/veh)
Route 26 NB (LT)	9	A	10	A
Drive EB	11	B	30	D

As can be seen from the tables above, all the intersections will operate at an acceptable overall level of service upon the completion of the development. However, Allen's Corner is forecast to operate at a level of service E for one approach. It is important to note that the proposed development will not reduce the existing level of service and that the MDOT is currently redesigning the intersection to improve its operation.

IX. Sight Distance

The Maine Department of Transportation has recently adopted new guidelines for a sight distance based on new entrance rules. Minimum sight distances for a driveway are as follows:

MDOT Standards for Sight Distance

Posted Speed (mph)	Sight Distance
25	200
30	250
35	305
40	360
45	425
50	495
55	570

Gorill-Palmer Consulting Engineers, Inc. has evaluated the available sight lines at the proposed driveway in accordance with MDOT standards.

The MDOT standards are as follows:

- Driveway observation point: 10 feet off major street travel way
- Height of eye at driveway: 3 ½ feet above ground
- Height of approaching vehicle: 4 ¼ feet above road surface

2) The level of service analyses show that the study area and site driveway intersection with Auburn Street (Route 26) will operate acceptably for the weekday PM peak hour for the 2003 post development condition. No improvements to the street system are required. However, proper striping of Auburn Street northbound as two lanes or merged to a single lane between the Northgate driveways would reduce driver confusion in this area. We also recommend that the City consider removing the island between the Shaw's driveway and the bank driveway and using this space to stripe a short left turn

1) The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation (MDOT). As the existing site currently generates traffic, our office has determined that the net trip generation for the site will be 147 trip ends during the PM peak hour of traffic.

The following is a summary of the major findings of the traffic study:

XI. Conclusions

The site is set for counter-clockwise traffic circulation around the rear of the building to serve the drive through lanes. The parking areas have been located to the north and west of the building. The drive-through lanes have been designed to provide storage for a minimum of 4 vehicles in each lane before they would block access to any parking spaces. Gorrill-Palmer Consulting Engineers, Inc. anticipates that this storage length will be sufficient for anticipated traffic volumes at the site.

X. Site Circulation and Storage

As shown, the sight distances for the driveway exceed MDOT requirements. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Direction		Posted Travel Speed (mph)	Recommended Sight Line (ft)	Actual Sight Line (ft)
Exiting onto Route 26 Looking:				
Left	30	250	>1000	
Right	30	250	>700	

Driveway Sight Distance Evaluation

The results of this sight distance analysis exiting the site drive are summarized in the following tables:

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BM

lane into Shaw's. Currently, approximately one car a minute turns left into Shaw's which delays through traffic.

3) The crash data indicates that there are no high crash locations within the study area.

4) The sight distances at the proposed driveway are acceptable. Gorri-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Based on these conclusions, it is the opinion of Gorri-Palmer Consulting Engineers, Inc. that the existing traffic network can safely and effectively accommodate the traffic generated by the proposed development

Att. 9

Project: Bath Savings Branch Bank, Portland, Maine
Architects: Platz Associates
 Auburn, Maine
Engineers: Gorrell-Palmer Consulting Engineering, Inc
 Gray, Maine
Date: November 18, 2002

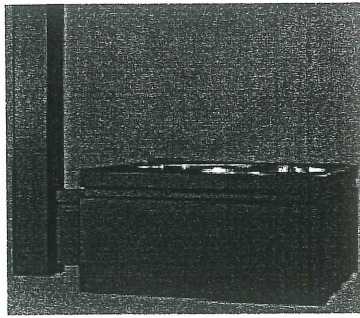
Proposed Exterior Lighting Design

The proposed design of exterior lighting system has been designed provide area lighting for parking spaces and access drives. Given the close proximity of the adjacent property, the project goal has been to provide a low-impact lighting solution that produces modest lighting levels. The proposed exterior lighting design consists of pole mounted, full cut-off type area lights at drives and parking areas, decorative wall lights at the pergola, and recessed downlights at the canopies.

Pole mounted area lights are proposed to be full cut-off type with a rectangular fixture housing. Lamps utilized by these fixtures shall be metal halide type, 250 watts, with an initial lumen rating of 23,000 lumens (horizontal lamp position). The proposed metal halide lamp provides a "white" light output. The 250 watt metal halide lamp has a rated lamp life of 10,000 hours.

The fixture includes a flush, flat diffuse lens at the bottom opening. Fixtures will be controlled by photocell.

Fig 1: Area Pole Light



The pole mounted area lights are proposed to be installed on fourteen (14) foot high poles that are to be mounted on concrete bases that extend above grade 6 inches. Lighting poles are four (4) inches square, and are aluminum with a painted black finish.

Two types of photometric distribution patterns are proposed for the proposed pole lights. The lighting pole designated as Type S4 on the Lighting Plan includes a forward throw lighting distribution pattern. For this fixture type, the maximum light output occurs at 52.5 degrees above vertical, directly in front of the fixture. The lighting poles that are designated as Type S1 on the Lighting Plan include a broad lighting distribution pattern. For this fixture type, the maximum light output occurs at 55 degrees above vertical, at 75 degrees to either side of the fixture. For both fixture types, no direct light is emitted from above 90 degrees vertically.

Recessed downlight fixtures are proposed at the main entrance canopy, and at the two drive-up canopy locations. These fixtures are approximately 8" inches in diameter. They include a flat, recessed tempered glass diffuser, and they utilize 70 watt metal halide lamps. These lamps have an initial lumen rating of 5,500 lumens (vertical lamp position), with a rated lamp life of 15,000 hours.

Fig 4: Wall Sign Light

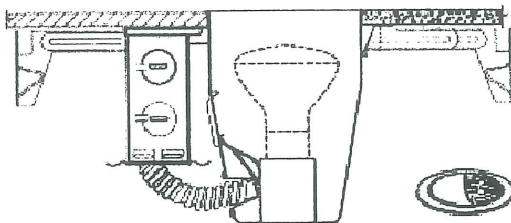
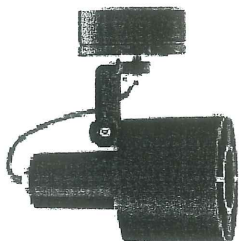


Fig 5: Free-Standing Sign Light



Additionally, the free-standing sign at the front entrance will also be lighted. It is proposed to have two, ground mounted accent lights aimed at each side of the sign. The accent lights will include a front face, concentric ring louver to minimize fixture brightness as might otherwise be seen from off-site. They utilize 120 watt halogen PAR38 wide spot lamps. These lamps an initial lumen rating of 1,800 lumens, with a rated lamp life of 3,000 hours.

Sign lighting is proposed for the project in two forms. Signs that consist of raised letters attached to the building will be illuminated by accent lights that are recessed into the building soffit above. These fixtures have a 4-1/4 inch diameter aperture with an aperture lid that directs light to the wall surface being lighted. They utilize 50 watt halogen PAR20 wide flood lamps. These lamps an initial lumen rating of 550 lumens, with a rated lamp life of 2,500 hours.

Decorative lights are proposed at the entrance pergola. These light fixtures are small, low powered lights whose purpose are to provide a means of accent illumination for the pergola structure and attached planting. The pergola accent lights utilize 10 watt, low voltage lamps which have a lumen rating of 130 lumens and a rated lamp life of 2,000 hours. Because the purpose of these lights is to only provide a very low level of accent light for landscaping at the pergola, the lamps selected for these fixtures are not intended to produce a significant amount of light. The specified 12 volt, 10 watt lamps produce a light output that is approximately equivalent to a common 15 watt household incandescent lamp. The light output from the total of all six of the pergola lights is only 14% of that of the initial light output from a single proposed recessed canopy light, or only 3% of that of the initial light output from a single proposed pole light

Fig 2: Canopy Light

Aperture Diameter = 8 inches

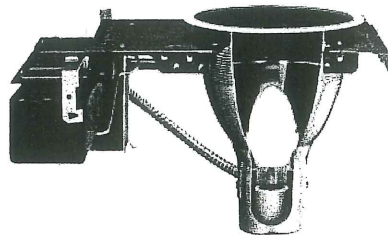
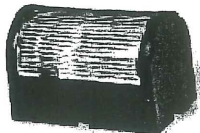


Fig 3: Decorative Pergola Light

Width = 3-3/8 inches Height = 1-7/8 inches
 Projection = 2-3/16 inches



9A

Calculated Lighting Performance

Computer generated lighting calculations have been performed with use of lighting design software developed by *Lighting Technologies, Inc.* Calculations have been prepared to predict maintained illuminance values that include depreciation factors for an anticipated light loss factor of 62% for metal halide lamps. Horizontal illuminance levels have been calculated at grade.

As part of this application submission, lighting plans have been included that indicate calculated illuminance levels. Calculations have been developed with the lamp lumen ratings listed in the fixture descriptions above. These lumen ratings have been obtained from lamp data published by the *General Electric* lamp company. A summary of the calculation results is listed in **Table 1** below.

TABLE 1

	<i>Portland Ordinance</i>	<i>From Parking Calculated Illuminance</i>
Average Horizontal Illuminance	n/a	1.06 footcandles
Maximum Horizontal Illuminance	6.0 footcandles	5.58 footcandles
Minimum Horizontal Illuminance	0.2 footcandles	0.09 footcandles
Maximum at Property Line	0.1 footcandles	0.05 footcandles

The proposed site currently has a fair bit of ambient light. We have considered this in our design. Illuminance levels have intentionally been left low to minimize any light trespass from occurring across the property line. Given the close proximity of the parking areas to adjacent properties, in our opinion, these low illuminance levels should not be problematic.

9B

Att. 10

From: Larry Ash
To: Kandi Talbot
Date: 12/16/02 10:11AM
Subject: Bath Savings Bank: 40-42 Auburn St

Kandi: Gorill-Palmer has estimated that about 58 vehicles will turn left at this location during the peak hour and I am in agreement with this number. With the proposed left turn lane there will be stacking for 2 to 3 vehicles which, with a dedicated left turn lane, will be sufficient for this intersection.

My recommendation is for the proposed AND the existing left turn lanes be "protected-permissive": i.e., a green arrow be provided for each left turn lane but when the arrow ends that left-turning vehicles may do so on a green ball when there are gaps in the traffic stream. Should this operation become problematic at some time in the future, the operation can be returned to the restricted mode of operation only for both left turn lanes.

I do not have issues with proposed circulation in the parking lot.

CC: Alex Jaegerman

attorneys at law

Lambert Coffin

June 14, 2002

Gary D. Vogel
gvogel@lambertcoffin.com

Kandace Talbot, Planner
City of Portland Planning Department
389 Congress Street
Portland, ME 04101

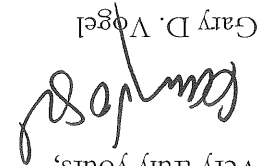
RE: Zone Change Application of Bath Savings Institution for Property at
40-42 Auburn Street, Assessor's Map #375, Block A, Lot 2
Our File No. 2431-454

Dear Kandi:

A neighborhood meeting held in accordance with the City of Portland Land Use Ordinance was conducted at the Deering Grange at 1408 Washington Avenue on December 30, 2002 to present the project to neighboring property owners. Notices were mailed to all property owners within 500 feet of the property based upon the mailing labels provided by the City Assessor's Office. Minutes of the neighborhood meeting are enclosed for your review and distribution to the Planning Board members with their package of information that they will receive in advance of the January 14, 2002 Planning Board meeting at which a public hearing on the zone change is to be undertaken.

Please feel free to contact me if you have any questions.

Very truly yours,



Gary D. Vogel

GDV/jwf

cc: Glenn Hutchinson, Bath Savings (w/encs.)
Don Peterson (w/encs.)
Sherry Shaw (w/encs.)
Tom Gorrell (w/encs.)

477 Congress Street, Post Office Box 15215, Portland, Maine 04112-5215

207.874.4000 (p) 207.874.4040 (f)
www.lambertcoffin.com

Att. 11

11A

MINUTES
OF NEIGHBORHOOD MEETING
REGARDING CONTRACT ZONE
FOR 40-42 AUBURN STREET

DECEMBER 30, 2002

A neighborhood meeting to present the proposed Contract Zone Application of Bath Savings Institution for the contract zoning of the property at 40-42 Auburn Street in Portland, Maine was held on December 30, 2002, at the Deering Grange at 1408 Washington Avenue, Portland, Maine at 6 p.m. A notice of the neighborhood meeting was mailed to property owners within 500 feet of the subject property utilizing the mailing labels provided by the City Assessing Department. A copy of the Notice sent to each such property owner is attached hereto as Exhibit A.

Present at the meeting on behalf of Bath Savings Institution were Glenn Hutchinson, President, Bath Savings Institution, Gary D. Vogel of Lambert Coffin, attorney for Bath Savings Institution, Thomas Gorrill and Will Haskell of Gorrill Palmer Associates, Civil Engineers for the Project, and Donald Peterson, a real estate consultant retained by Bath Savings Institution.

The meeting was called to order at 6:05 p.m. In addition to the representatives of Bath Savings Institution, five interested persons attended the meeting. Each signed the sign-up sheet attached hereto as Exhibit B.

Representatives of Bath Savings Institution presented the revised conceptual site plan that was presented to the Planning Board as part of the Contract Zone Application. Representatives of Bath Savings Institution also presented photographs of similar Bath Savings Institution branches and the schematic conceptual site plan presented at the last neighborhood meeting six months ago when the project was moving forward as a zone change.

Representatives of Bath Savings Institution explained that the project was essentially the same project as presented at the neighborhood meeting and at the Planning Board six months ago. However, as recommended by the Planning Board, the project is now seeking a contract zone rather than a zone change which will limit the use of the property to a bank branch or the uses permitted under the existing zoning. Representatives of Bath Savings Institution also explained that a number of other minor changes have been made to the project to respond to concerns raised by the Planning Board or by neighboring residents. These changes included moving the location of the automated teller machine to the side of the building from the rear of the building; angling the building to the street to create more room for cars queuing at the drive-through teller lanes and the creation of a left turn lane into the Shaw's Shopping Center on Auburn Street across from the project.

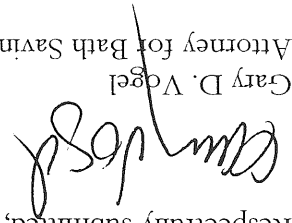
Those present at the meeting reviewed the plans and had a number of questions for representatives of the Bank primarily concerning traffic issues. In response to questions, representatives of the Bank indicated that the project did take into account intersection improvements planned by the

11B

Maine DOT as well as other projects that had submitted applications to the Planning Board but were not yet built. One attendee at the meeting inquired as to whether the Bank would build the bank branch if it could not have a drive-through. Glenn Hutchinson, President of the Bank indicated the Bank would not proceed unless a drive-through was available.

The meeting adjourned at approximately 6:40 p.m.

Respectfully submitted,



Gary D. Vogel
Attorney for Bath Savings Institution

Notice of Neighborhood Meeting
Regarding Proposed Contract Zone
For 40-42 Auburn Street

Exhibit
A
11D

To: Property Owners In The Vicinity
of 40-42 Auburn Street, Portland, Maine

Date: December 30, 2002

Time: 6:00 P.M.

Place: Deering Grange #535
1408 Washington Avenue
Portland, Maine

Bath Savings Institution has filed an Application with the City of Portland Planning Department seeking a contract zone for the property at 40-42 Auburn Street, at the corner of Auburn Street and Washington Avenue, currently used as a Pizza Hut Take Out and Delivery Store, to convert the zoning from B-1 and R-3 zoning to a Contract Zone to permit the construction of a Bath Savings Institution bank branch with a drive through window and ATM. The Contract Zone limits the use of the property to a bank with drive through or other uses allowed under the present zoning. Bath Savings Institution intends to remove the existing under block building and replace it with a new branch bank building

On December 30, 2002 at 6:00 PM, representatives of Bath Savings Institution will hold a Neighborhood Meeting at the Deering Grange No. 535, 1408 Washington Avenue to discuss the Contract Zone Application and proposed development and to answer any questions that neighboring property owners may have. This Neighborhood Meeting is being held in accordance with the provisions of the City of Portland Land Use Ordinance in advance of the City Planning Board's Public Hearing on the Contract Zone Application.

Att. 12

December 12, 2002

Dear Ms. Talbot,

We received notification regarding reference application #176 pertaining to Bath Savings Institution and a proposed zone change.

I did attempt to e-mail this letter but we are having complications with our e-mail server, I'm not sure whether or not you received this. Unfortunately due to our work schedules we were unable to attend the meeting and would like to state some concerns that we have.

We live directly behind 40-42 Auburn St., the proposed zone change site. For anyone that is familiar with the Northgate shopping area, the traffic flow is already very high and dangerous at times. We notice the high speed traffic coming and going from the stoplight at the Washington Ave. and Auburn St. intersection. Also, the curve located directly behind Lib's is very dangerous, despite the posted 25 mph speed and pedestrian crosswalks; we feel that any added traffic volume in this area will make this even more treacherous and dangerous for the local neighborhood.

We have summarized the following concerns-

-With the proposed zone change, would this give the applicant approval, if they decide to at anytime, to place an entry/exit driveway onto Washington Ave. Ext.

-If the zone is changed for this applicant, and if the applicant failed at this site, would the site return to its previous zoning level

-Do you as the Planning Board feel the necessity to have another bank in this area. We already have four busy, working banks and an abandoned "bank" building located in the Shaws parking lot

As local taxpayers citizens and people that enjoy their home and surrounding area, we feel very strongly about further zone

12A

changes and new construction in the area. We hope that the Planning Board will take a long hard look at the effects of a zone change and the future of maintaining our neighborhood community.

Thankyou for your time and future response.

Sincerely,

Nicole Pradeto and Bill Cochran
1462 Washington Ave., Ext.
Portland, ME 04103

npradeto@hotmail.com

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

Division Directors
Mark B. Adelson
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP
Planning

John N. Lufkin
Economic Development

December 19, 2002

Ms. Nicole Pradetto
Mr. Bill Cochran
1462 Washington Avenue Ext.
Portland, ME 04103

RE: Bath Savings Institute Contract Zone Change Proposal, 40-42 Auburn Street
ID #176, CBL #375-A-002

Dear Ms. Pradetto and Mr. Cochran:

This letter is in response to your letter dated December 12, 2002 concerning your issues related to the Bath Savings Institution proposed zone change.

The Planning Board held a public hearing on June 11, 2002 for Bath Savings Institution's request for a zone change from R-3/B-1 to the B-2 zone. At that time, the neighbors had a number of concerns including traffic and access onto Washington Avenue, the existing hedge along Washington Avenue being removed and the possibility of other B-2 uses being allowed at this site. The applicant withdrew their request for a B-2 zone. Bath Savings Bank then requested a B-1/R-3 contract zone for this site.

Below is the list of your concerns with a response.

1. "With the proposed zone change, would this give the applicant approval, if they decide to at anytime, to place an entry/exit driveway onto Washington Avenue?"
2. "If the zone is changed for this applicant, and if the applicant failed at this site, would the site return to its previous zoning level?"

A contract zoning is for rezoning of property, where, for reasons such as the unusual nature or unique location of the development proposed, the city council finds it necessary or appropriate to impose, by agreement with the property owner or otherwise, certain conditions or restrictions in order to ensure that the rezoning is consistent with the city's comprehensive plan.

The draft contract is attached for your review. It has very specific conditions pertaining to the site and site plan. One condition states that they would not be allowed to have a driveway onto Washington Avenue or the connector road between Washington Avenue and Auburn Street.

The draft contract also states that the underlying zone for this property is B-1/R-3, which is what the property currently is zoned. The contract allows the use of a bank with a drive-through.

DRAFT 1 (12-06-02)
CONTRACT ZONE AGREEMENT

Bath Savings Institution
40-42 Auburn Street, Portland, Maine

AGREEMENT made this _____ day of _____, 2003 by and between the **CITY OF PORTLAND**, a body corporate and politic, located in Cumberland County and State of Maine (hereinafter the "City") and **BATH SAVINGS INSTITUTION**, a Maine banking Institution ("BSI"), with the consent of the fee owner, Kenike, LLC ("Kenike").

WHEREAS, BSI is the tenant of property at 40-42 Auburn Street, Portland, Maine, under the terms of a long-term Ground Lease between BSI and Kenike, LLC, as fee owner thereof; and

WHEREAS, Kenike has authorized BSI to file a Zone Change Application with the City of Portland and joins in this Agreement, as fee owner, for the express purpose of consenting to the terms and conditions of this Contract Zone Agreement; and

WHEREAS, BSI requested a rezoning of a portion of the property at 40-42 Auburn Street, in the City in order to permit the use of a bank branch with drive-through windows and ATM machine, and with incidental sales of financial and insurance products and services; and

WHEREAS, the 40-42 Auburn Street property is more specifically described and shown on the Portland Assessors Map, Parcels: Chart 375, Block A, Lot 002 (the "Property"); and

WHEREAS, the Portland Planning Board determined the rezoning would provide needed services in an area underserved and would not negatively impact the surrounding community; and

WHEREAS, the Portland Planning Board, pursuant to 30-A M.R.S.A. §4352(8), and after notice and hearing and due deliberations, recommended the rezoning of the Property, subject, however, to certain conditions; and

WHEREAS, the City, by and through its City Council, has determined that the rezoning would be pursuant to and consistent with the City's comprehensive plan and would not unreasonably interfere with the existing and permitted uses within the underlying B-1 and R-3 zones; and

to Northgate Plaza, shall install an exclusive left hand turn lane into Northgate Plaza, and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

7. The front yard setback need not comply with the setback requirements contained within the B-1 zone. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:

- a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
 - d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
 - e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.
8. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, this contract shall become null and void.

In the event that BSI, Kenike or any successor fails to continue to utilize the Property in accordance with this Agreement, or in the event of a breach of any condition(s) set forth in this Agreement, the Planning Board shall have the authority, after hearing, to resolve the issue resulting in the breach. The resolution may include a recommendation to the City Council that the Agreement be terminated requiring cessation of the use of the addition authorized herein.

WITNESS:

CITY OF PORTLAND

By Joseph E. Gray
City Manager

WITNESS:

BATH SAVINGS INSTITUTION

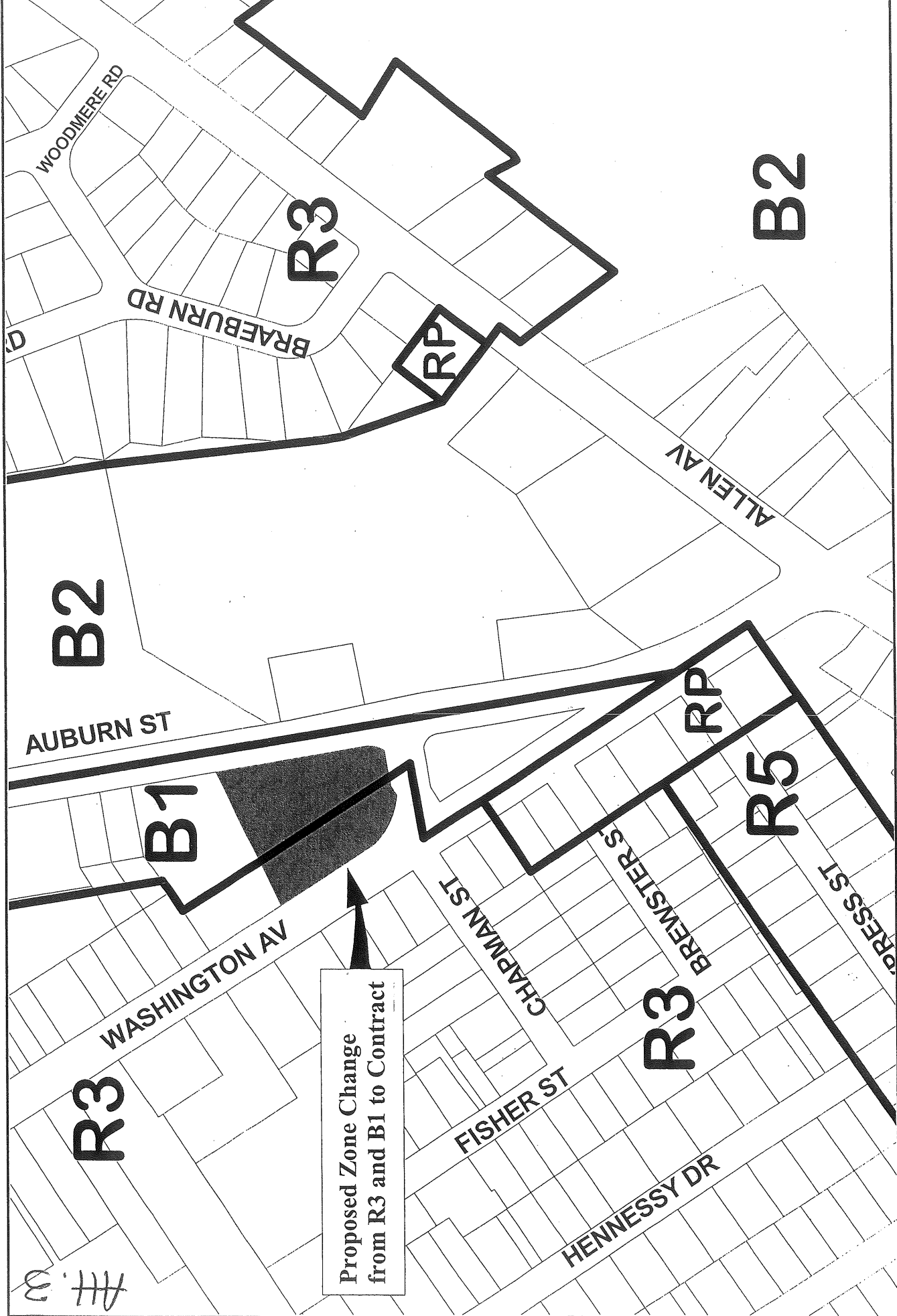
By Glenn Hutchinson
Its President

Consenting to the terms hereof:

KENIKE, LLC

By: _____
Joseph Esposito, its Member

State of Maine



Proposed Zone Change from R3 and B1 to Contract for 40 - 42 Auburn Street

#1. W

AH. A

40-42 AUBURN STREET
R-3/B-1 CONTRACT ZONE REQUEST
BATH SAVINGS INSTITUTE, APPLICANT

Submitted to:

Portland City Council
Portland, Maine
January 22, 2003

I. INTRODUCTION

Bath Savings Institution is requesting a R-3/B-1 contract zone at 40-42 Auburn Street. The purpose of the zone change would allow Bath Savings Institute to redevelop the site with a branch bank with a drive-through window and drive-through ATM. The B-1 zone does not allow drive-through uses.

The applicant is proposing to remove the existing cinderblock structure on the site. Current tenants of the building are Pizza Hut Delivery and Take-Out facility and a cell phone business. The site is approximately 39, 548 sq. ft. and is located at the corner of Auburn Street and Washington Avenue.

II. HISTORY

The Planning Board held a public hearing on June 11, 2002 for Bath Savings Institution's request for a zone change from R-3/B-1 to the B-2 zone. At that time, the neighbors had a number of concerns including traffic and access onto Washington Avenue, the existing landscaping along Washington Avenue being removed and the possibility of other B-2 uses being allowed at this site. The applicant then withdrew their request for a B-2 zone.

III. FINDINGS

Current Zoning: R-3 Residential/B-1 Neighborhood Business
Proposed Zoning: Contract Zone
Land Area: .90 acres
Existing Use: Pizza Hut and cell phone business
Proposed Use: Branch Bank with drive-through
Land Uses in the Vicinity: Retail, office and residential

IV. EXISTING USES

The uses along Auburn Street consist primarily of retail uses and office business uses, such as Shaw's, Hollywood Video, Mobil Gas Station and Convenience Store, Mr. Bagel, Paris Farmer's Union, Fleet Bank and Boy Scouts of America.

The uses along Washington Avenue, from Auburn Street towards Riverside Street, are primarily single-family residential uses.

V. DEVELOPMENT PLAN

The applicant is proposing a 2,882 sq. ft. branch bank with two drive-through teller lanes and a drive-through ATM. Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut.

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the following map change.

This rezoning shall be subject to the following proposed conditions, as outlined in the executed agreement between the City and the applicant.

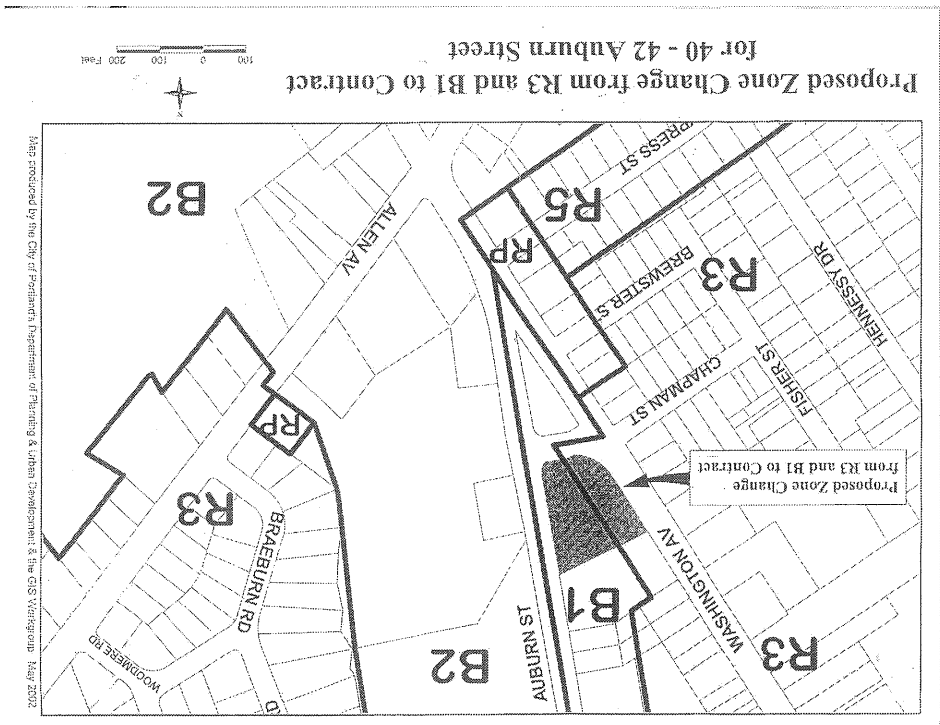
The applicant is requesting a contract zone to limit the uses of the site as redeveloped to a branch bank use and to preclude other uses permitted in the B-2 zone such as fast food restaurants that would have a much greater impact upon residential uses in the vicinity. The conditions also B-1 zoning; landscaping; traffic improvements and conditional standards for drive-throughs. A condition would also require that the Planning Board review the site plan.

VI. CONDITIONS FOR REZONING

A traffic study has been submitted and is included as Attachment A6. The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation. As the existing site currently generates traffic, Gorrill-Palmer has determined that the net trip generation for the site will be 147 trip ends. The crash data indicates that there are no high crash locations within the study area and the sight distances at the proposed driveway are acceptable. The Traffic Study states that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. Currently, approximately one car a minute turns left into Shaw's which delays through traffic. The island should be removed between the Shaw's driveway and the bank driveway to sue this space to stripe a short left turn lane into Shaw's. In addition, this portion of Auburn Street should be striped to provide for two through lanes in each direction.

The Planning Board had concerns with the length of the left turn lane into Shaw's and the circulation of the proposed site. Larry Ash, Traffic Engineer, has reviewed these concerns and feels that with the proposed left turn lane there will be stacking for 2 to 3 vehicles which, with a dedicated left turn lane, will be sufficient for this intersection. The Traffic Engineer is recommending however, that the left turn lanes be "protected-permissive" at this intersection. "Protected-permissive" signalization is when a green arrow is provided for each left turn lane, but when the arrow ends, left-turning vehicles may turn on a green ball when there are gaps in the traffic stream. The Traffic Engineer has also reviewed the proposed circulation at the proposed site and has no concerns. The Traffic Engineer's memo is included as Attachment A8.

2. The use of the property shall consist of a bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").
3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty-four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.
4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").
5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb cut shall conform to that shown on Attachment B1, incorporated herein by reference. The existing curb cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb cut shall be permitted on Washington Avenue or the connector between Washington Avenue and Auburn Street.
6. The existing landscaping on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height or no less than six (6) feet by BSI and the property owner.



Map produced by the City of Portland's Department of Planning & Urban Development & the GIS Group, May 2002

7. BSI, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza; shall install an exclusive left hand turn lane into Northgate Plaza; and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

8. The front yard setback need not comply with the setback requirements contained within the B-1 zone but shall comply with the setbacks as shown on Attachment B1. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition to the site plan standards of the Land Use Code, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:
- a. the drive-throughs must be accessory to a principal use located on the same site; and
 - b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular circulation on adjoining streets; and
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
 - d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
 - e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.
9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, or should the Property cease to be used as a bank branch, this contract shall become null and void and the Property shall revert back to the underlying B-1 and R-3 zones.

VII. POLICY CONSIDERATIONS

The applicant is requesting this contract zone to allow a drive-through. The current zone allows a bank use but does not allow the drive-through. The current zone for the site is B-1 along the easterly portion of the site and R-3 along the westerly portion of the site. It is possible that the zone line was created this way to form a buffer for the residential neighborhood. The contract zone would allow this buffer to remain and also address other concerns by the neighbors. Traffic improvements would be required and access would be limited to Auburn Street. If the bank use were to be discontinued in the future, the property would be reverted back to the B-1 zone.

VIII. PLANNING BOARD RECOMMENDATION

A public hearing was held by the Planning Board on January 14, 2003, at which time the Board voted unanimously (4-1 Beal opposed, Malone absent) to recommend the approval of the proposed B-1/R-3 Contract Rezoning of the property located at 40-42 Auburn Street.

Attachments:

- A1. Zone Change Application
- A2. Applicant's Letter dated October 22, 2002
- A3. Applicant's Letter dated November 19, 2002
- A4. Signage Information
- A5. Letters to Utility Companies regarding Capacity
- A6. Traffic Study Narrative
- A7. Lighting Catalogue Cuts
- A8. Traffic Engineer's Memo dated December 16, 2002
- A9. Neighborhood Meeting Minutes and Sign-In Sheet
- A10. Letter from the Public
- A11. Plans
- A12. Elevations

Att. A1

APPLICATION FOR ZONING AMENDMENT
City of Portland, Maine
Department of Planning and Urban Development
Portland Planning Board



1. Applicant Information:

Bath Savings Institution

Name
c/o Gary D. Vogel, Esq.
Lambert Coffin

Address
477 Congress Street, 14th Floor
P.O. Box 15215, Portland, ME 04112-5215

(207) 874-4000 Phone
(207) 874-4040 Fax

2.

Subject Property:

40-42 Auburn Street

Address

Portland, Maine 04103

Map 375, Block A, Lot 2
Assessor's Reference (Chart-Block-Lot)

3.

Property Owner: Kenlike, LLC

Name

153 Caleb Street

Address

Portland, Maine 04102

Phone
Fax

4.

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Applicant is the Lessee under a Ground Lease that authorizes Applicant to redevelop the land and to obtain permits.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)
A copy of the Memorandum of Lease is attached as Exhibit A.

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

The Vicinity Map is attached as Exhibit B. An Abutters Map and List of abutters is attached as Exhibit C.

6. Existing Use:

Describe the existing use of the subject property: Duplex commercial building housing a

Pizza Hut take-out and a tanning salon.

7. Current Zoning Designation(s): B-1 and R-5

8. Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

The Applicant proposes to demolish the existing cinderblock building and

construct a new branch bank building of 3000 +/- sf in the style of its

other suburban branches with a drive-up window and drive-up ATM. The site

will be landscaped and off street parking sufficient to meet the off street

parking requirements of the Ordinance will be provided. Existing curb cuts

will be reduced to one curb cut as shown on the proposed sketch plan.

9.

Sketch Plan: On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'). See attached sketch plans showing existing conditions and proposed redevelopment, attached as Exhibits D and E, respectively

10.

Proposed Zoning: Please check all that apply:

A. Zoning Map Amendment, from _____ to _____

B. Zoning Text Amendment to Section 14-_____

For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example), and language to be added is depicted with underline (example).

C. Conditional or Contract Zone

A conditional or contract rezoning may be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan and compatible with the surrounding neighborhood. (Please refer to Division 1.5, Sections 14-60 to 62)

Effective: July 6, 1998

Portland Planning Board
Portland, Maine

In the event of withdrawal of the zoning amendment application by the applicant in writing prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the City of Portland.

Applicants are encouraged to include a letter or narrative to accompany the rezoning application which can provide additional background or context information, and describe the proposed rezoning and reasons for the request in a manner that best suits the situation.

Please contact the Planning Office for further information regarding the rezoning process. Applicants are encouraged to make an appointment to discuss their rezoning requests before filing the application.

Further Information:

Signature: The above information is true and accurate to the best of my knowledge.

Date of Filing: 3.25.02
 Date of Filing: 10.22.02 (Filed as Contract Zone)

Signature of Applicant: Campbell
 Signature of Applicant: Gary D. Vogel
 Signature of Applicant: Campbell 10/22/02
 Signature of Applicant: attorney for applicant

12.

Amount of Fee

Residential Zones	Nonresidential Zones	Legal Advertisements (one for workshop and one for public hearing)	Notices (one for workshop and one for public hearing)	Text Amendments
1-25 Units	0-15,000 sq. ft. or 0-5 acres (which ever is less)	15,000-30,000 sq. ft. or 6-10 acres (which ever is less)	30,000-45,000 sq. ft. or 10-15 acres (which ever is less)	45,000-60,000 sq. ft. or 15-20 acres (which ever is less)
\$350.00	\$350.00	\$400.00	\$450.00	\$500.00
26-50 Units	15,000-30,000 sq. ft. or 6-10 acres (which ever is less)	30,000-45,000 sq. ft. or 10-15 acres (which ever is less)	45,000-60,000 sq. ft. or 15-20 acres (which ever is less)	45,000-60,000 sq. ft. or 15-20 acres (which ever is less)
\$400.00	\$400.00	\$450.00	\$500.00	\$500.00
51-75 Units	30,000-45,000 sq. ft. or 10-15 acres (which ever is less)	45,000-60,000 sq. ft. or 15-20 acres (which ever is less)	60,000-75,000 sq. ft. or 20-30 acres (which ever is less)	60,000-75,000 sq. ft. or 20-30 acres (which ever is less)
\$450.00	\$450.00	\$500.00	\$500.00	\$500.00
75 & Over	60,000-75,000 sq. ft. or 20-30 acres (which ever is less)	75,000-90,000 sq. ft. or 25-35 acres (which ever is less)	90,000-105,000 sq. ft. or 30-40 acres (which ever is less)	90,000-105,000 sq. ft. or 30-40 acres (which ever is less)
\$500.00	\$500.00	\$500.00	\$500.00	\$500.00

Application Fee: A fee for this application for a zoning amendment must be submitted, by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Public Hearing Notice as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

11.

Applicant shall assume payment of cost of all notices, including newspaper publication.
 Applicant shall assume payment of cost of all notices, including newspaper publication.

Residence-zones	1-25-Units	\$350.00	0-15,000-sq-ft. or 0-5 acres (whichever is less) \$350.00	\$500750.00	Contract and Conditional Rezoning
Residence-zones	26-50-Units	\$400.00	15,000-30,000-sq-ft. or 6-10-acres (whichever is less) \$400.00	\$500750.00	Contract and Conditional Rezoning
Residence-zones	51-75-Units	\$450.00	30,000-45,000-sq-ft. or 10-15-acres (whichever is less) \$450.00	\$500750.00	Contract and Conditional Rezoning
Residence-zones	75-&-Over	\$500.00	45,000-60,000-sq-ft. or 15-20-acres (whichever is less) \$500.00	\$500750.00	Contract and Conditional Rezoning

- (a) Zoning Map Changes/Amendments: \$500.00
- (b) Zoning Text Amendments: \$500.00
- (c) Contract and Conditional Rezoning: \$750.00

1. The following schedule of fees will be charged by the city for applications for changes of zone according to the following major zoning classifications and pertinent data relating to the specific zone change:

Sec. 14-54. Zone change/zone map fees.

be amended as follows:

2. That Chapter 14 of the Portland City Code (Zone change fees), §14-54

"Except as otherwise provided herein, permit fees shall be based upon estimated or actual cost of work, whichever is greater, for which the permit is required, including towers, permanent swimming pools and any other structures altered, constructed or demolished. Ten (10) percent of any fee, or ten dollars (\$10.00), whichever is greater, shall be nonrefundable to cover the administrative costs."

- O. Traffic Movement Permit \$1,000.00
- R. Stormwater Quality Permit \$250.00

~~Administrative policy:~~ All ordinances that would cost more than the maximum to publish should be printed in separate pamphlet form and advertised only by reference.

(eđ) *Waiver of fees:* The fee for zone change applications will be waived or reduced by the Planning Authority in the case of an application submitted by any governmental body or where an applicant can establish financial hardship.

(de) *Withdrawal of application:* If a zone change application is withdrawn by an applicant prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the city.

2. The following schedule of fees will be charged by the city for zone maps:

Paper Maps:	Large	\$20.00 per sheet	Digital Zone Map	\$20.00
	Small (11 x 17)	\$5.00 per sheet		

3. That Chapter 14 of the Portland City Code (Costs), §14-677 be amended as follows:

Sec. 14-677. Costs-of-notices.

Any project may be subject to one or more of the following fees:

1. Review

A. Certificate of Appropriateness, including sign review \$25.00

B. Historic Preservation Committee Review \$50.00

C. New Construction, Comprehensive Rehabilitation, Major Additions \$200.00

D. After the Fact Review \$500.00

For purposes of this section, the following definitions shall apply:

New construction – any new construction (including building additions) whose building footprint exceeds 200 square feet. This shall not include replacement or reconstruction of existing or documented historic features.

A

MEMORANDUM OF LEASE

This is a Memorandum of Lease by and between KENIKE, LLC, a Maine limited liability company ("Landlord") and BATH SAVINGS INSTITUTION, a Maine banking institution ("Tenant").

1. Date of Lease: February //, 2002.

2. Description of Leased Premises:

SEE EXHIBIT "A" ATTACHED HERETO

3. Commencement Date: The Primary Term of this Lease shall commence on the Commencement Date as defined in the Lease.

4. Term: Twenty-five (25) years.

5. Extension Options: Two (2) options of Ten (10) years each.

6. Right of First Refusal: Tenant has a right of first refusal to purchase the Leased Premises on terms set forth in the Lease.

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered as of the day and year first above written.

TENANT:

LANDLORD:

BATH SAVINGS INSTITUTION

KENIKE, LLC

By: Glenn Hutchinson, President

By: Joseph Esposito, Member

Printed Name
Notary Public/Attorney at Law

Stephanie Hume
Notary Public/Attorney at Law

Before me,

This instrument was acknowledged on the 7th day of February, 2002, by Glenn Hutchinson, President of Bath Savings Institution, a Maine banking institution, on behalf of said Bank.

STATE OF MAINE
COUNTY OF CUMBERLAND

Printed Name
Notary Public/Attorney at Law

Drew A. Andrews
Notary Public/Attorney at Law

Before me,

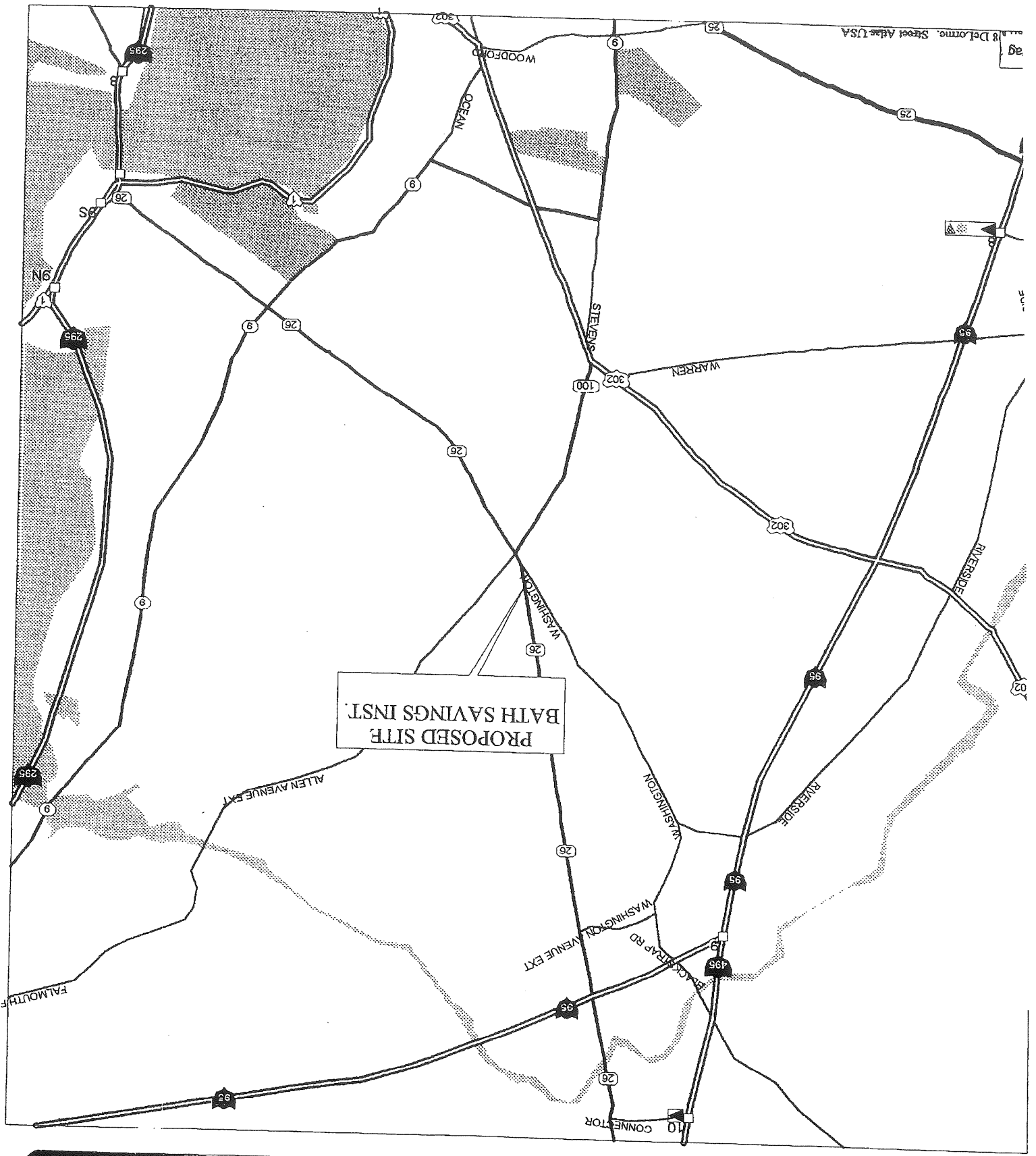
This instrument was acknowledged on the 1st day of Feb., 2002, by Joseph Esposito, Member of KENNIKE, LLC, a Maine limited liability company, on behalf of said LLC.

STATE OF MAINE
COUNTY OF CUMBERLAND

EXHIBIT A

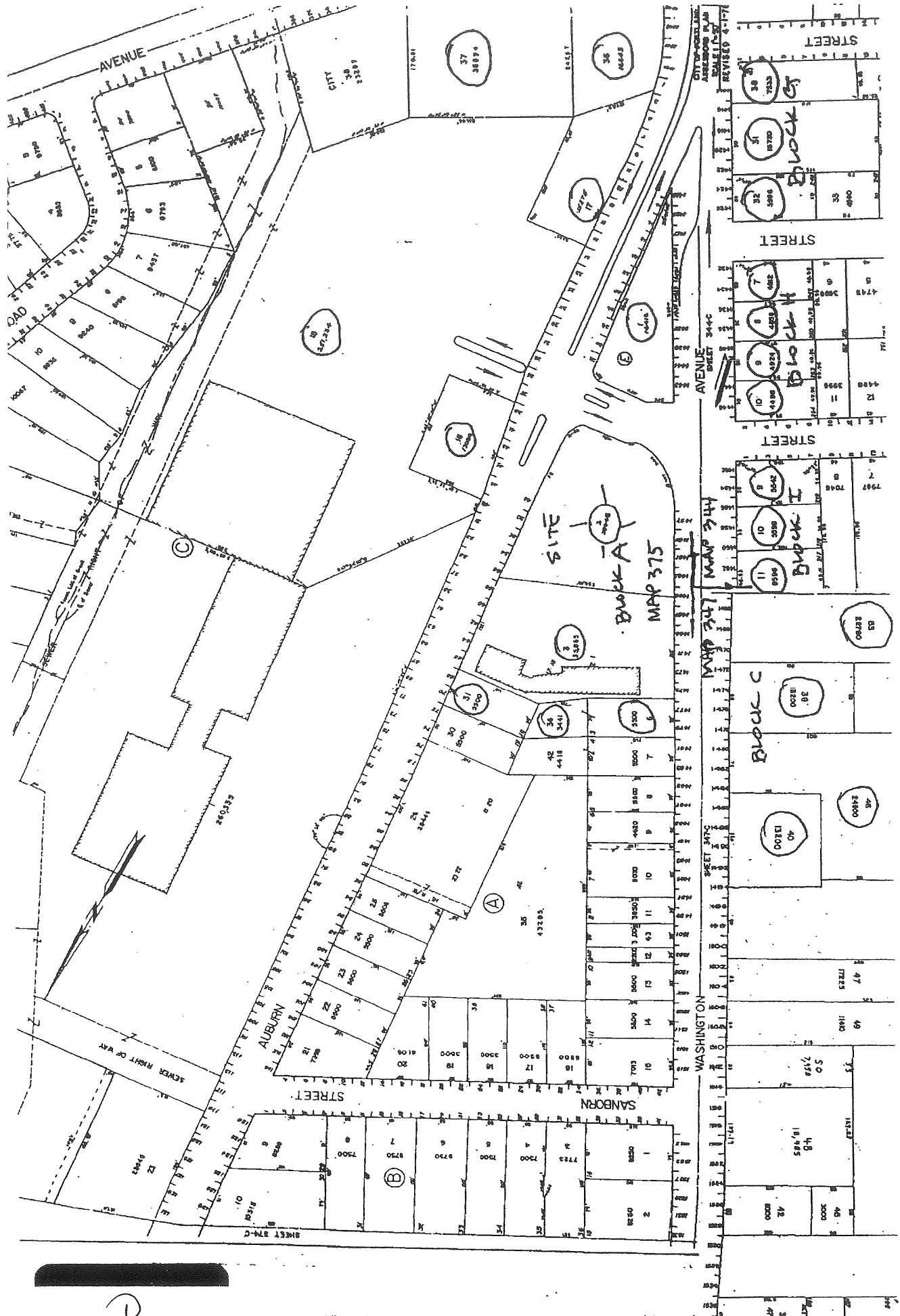
A certain tract or parcel of land with the buildings thereon, situated on the westerly sideline of Auburn Street, Portland, County of Cumberland, State of Maine, bounded and described as follows: Beginning at an iron pipe in the westerly sideline of said Auburn Street at the northeasterly corner of land now or formerly of DeRice Bros., Inc., and the southeasterly corner of the parcel herein described; thence running North 82 degrees 38' 30" West sixty-eight and eighty hundredths (68.80) feet to an iron pipe, and South 75 degrees 20' 00" West sixty-seven and thirty-one hundredths (67.31) feet, all by land of said DeRice Bros., Inc. to an iron pipe in the easterly sideline of Washington Avenue; thence turning and running North 15 degrees 36' 30" West by said Washington Avenue two hundred twenty-seven and forty hundredths (227.40) feet to an iron pipe in the westerly sideline of Auburn Street; thence turning and running South 7 degrees 21' 30" West by said Auburn Street two hundred forty-six and seventeen hundredths (246.17) feet to land of DeRice Bros., Inc. and the point of beginning. Containing 41,058 square feet.

Being the same premises conveyed to Kenike LLC by Barbara A. Esposito by Quitclaim Deed with Covenant, dated September 20, 2000, recorded in the Cumberland County Registry of Deeds in Book 15835, Page 276.

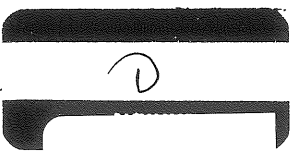


PROPOSED SITE
BATH SAVINGS INST.

SITE LOCATION



VICINITY MAP
 PLAT SANBORN
 PLAT SANBORN



(207) 774-010

DMPeterson

Mar 25 02 12:16P

IMMEDIATE ABUTTERS

Property of Kenike LLC
 Map 375 Block A Lot 2
 40 Auburn Street
 Portland Maine

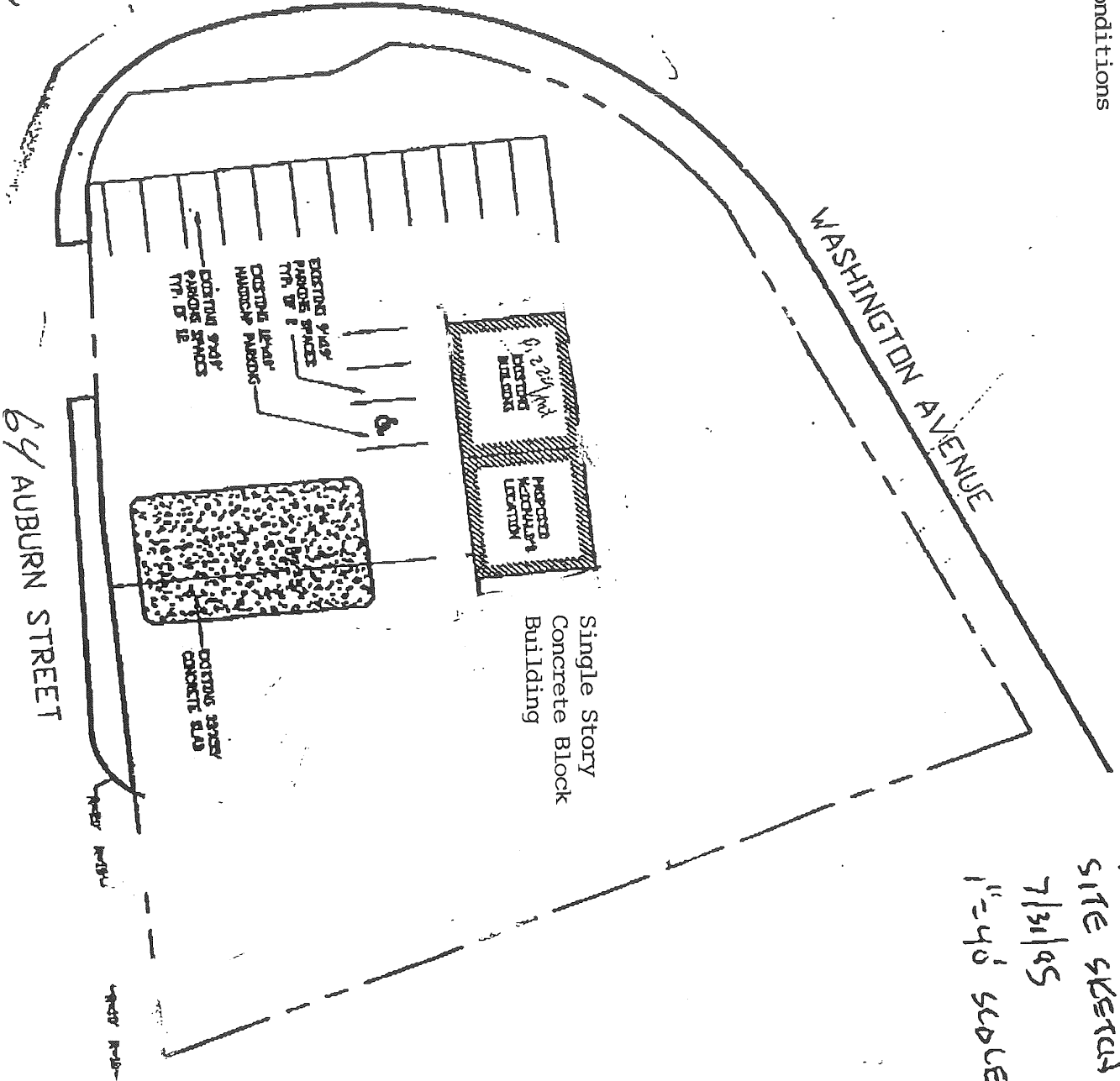
MAP BLOCK & LOT	LOT ADDRESS	OWNER	OWNER'S ADDRESS	ME	04103
375	E-1	Ruth Libby	252 Virginia Street	Portland	ME 04103
	A-2	Kenike LLC	153 Caleb Street	Portland	ME 04102
	A-3	Christy Marions	1479 Washington Avenue	Portland	ME 04103
	A-6	Christy Marions	1479 Washington Avenue	Portland	ME 04103
	A-36	Christy Marions	1479 Washington Avenue	Portland	ME 04103
	A-31	Phillip O'Hern Nationwide Insurance	1087 Forest Avenue	Portland	ME 04103
	C-18	Fleet Bank of Maine	1 Maine Savings Plaza	Portland	ME 04101
	C-15	Shaws Realty Co	PO Box 600	E Bridgewater	MA 02333
	C-17	Shaws Realty Co	PO Box 600	E Bridgewater	MA 02333
	C-36	Mobil Oil Corp	Property Tax Division PO Box 4973	Houston	TX 77210
C-37	Citibank	100 Foden Road	S Portland	ME 04106	
344	G-38	Deering Grange #535	c/o Dorothy Nichols	Portland	ME 04103
347	G-31	Ralph Thurston	88 Curtis Road	Portland	ME 04103
	G-32	Craig Perron	1420 Washington Ave	Portland	ME 04103
	H-7	Peter+Melissa Ocampo	184 Foreside Road	Falmouth	ME 04105
	H-8	Peter+Melissa Ocampo	1438 Washington Ave	Portland	ME 04103
	H-9	Donna Schack	1438 Washington Ave	Portland	ME 04103
	H-10	Les+Jacquelyn Cambell	1442 Washington Ave	Portland	ME 04103
	I-9	Joan Tsotsones	1446 Washington Ave	Portland	ME 04103
	I-10	Ethel Blanchette	55 Lambert Street Apt #2	Portland	ME 04103
	I-11	Richard+Diann Pradetto	1458 Washington Ave	Portland	ME 04103
	I-11	Richard+Diann Pradetto	1462 Washington Ave	Portland	ME 04103
347	C-39	Dana Hurtubise+Debra Diamond	210 Coyle Street	Portland	ME 04103
	C-40	John Fusco+Angelo Fusco	1492 Washington Ave	Portland	ME 04103
	C-46	Dana Hurtubise+Debra Diamond	1399 Congress Street	Portland	ME 04102
	C-53	Michael +Hilliary Townsend	1468 Washington Ave	Portland	ME 04103

DMP

Source: City of Portland / Assessor's Web Site

3/13/02

40-42 Auburn Street
Existing Conditions



PORTLAND, ME
SITE SKETCH
7/31/95
1"=40' SCALE

Exhibit

D

October 22, 2002

Gary D. Vogel
gvogel@lambertcoffin.com

City of Portland
Planning Department
Attn: Kandice Talbot
389 Congress Street
Portland, ME 04101

RE: Application for Zoning Amendment/Contract Zone for Property at 40-42 Auburn Street
Assessors Map 375, Block A, Lot 2 Our File No. 2431-454

Dear Kandice:

As you know, we submitted a Zoning Map Amendment Application on March 25, 2002, for the property at 40-42 Auburn Street that is being leased by my client, Bath Savings Institution in connection with its proposed redevelopment of the property as a branch bank. The Zoning Amendment is necessary to allow the development of the property into a branch bank with a drive-through window and drive-through ATM. The site is currently zoned B-1 and R-5. The zoning change is necessary because drive-through facilities are not permitted in the B-1 zone. Drive-through facilities are permitted in the B-2 zone as a conditional use.

A public hearing was held on June 11, 2002 before the Planning Board. At that time, the members of the Planning Board recommended that we resubmit our application as a Contract Zone Request in order to limit the uses of the site as redeveloped to a branch bank use and to preclude other uses permitted in the B-2 zone such as fast food restaurants that would have a much greater impact upon residential uses in the vicinity.

I have enclosed a revised Application for Zoning Amendment requesting a conditional or contract zone. The Application is the same Application that was filed in March of this year except that Section 10 has been changed to request a conditional or contract zone and Exhibit E, a sketch plan of the proposed redevelopment has been replaced with a new Exhibit E showing a more detailed conceptual site plan for the redevelopment of the property.

Proposed conditions for the contract zone are that the contract zone permit a use as a bank branch with drive-through teller window and drive-through ATM in accordance with the conceptual site plan to be approved by the Planning Board.

AH. A2

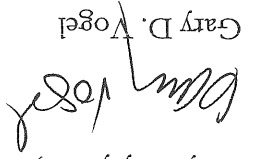
As we discussed on the telephone, Bath Savings Institution previously paid a \$500.00 filing fee for the Zoning Map Change Application that was withdrawn. I am submitting with this resubmitted Application an additional fee in the amount of \$250.00 as the zone change fees for a contract and condition rezoning are \$750.00 rather than \$500.00.

As with our Application for a Map Change, we believe that this zone change makes sense from both land use and business perspectives. The Northgate Shopping Center, Zone B-2, is located across the street from the property. The Northgate area is a destination for the entire North Deering as well as adjoining parts of Falmouth. The approval of the contract zone will facilitate and enable the substantial investment in the site to be made by Bath Savings Institution. The property will receive a major upgrading with the addition of a new branch bank building following the removal of the existing cinderblock structure. The actual development of the bank will be governed by the site plan review process. The Applicant, Bath Savings Institution, will present to the Planning Board and City Council at public hearings on this application photographs of recent branches they have constructed as an indication of how the Auburn Street branch may appear.

The site is fairly large and gives ample room to develop the branch bank on the site. The drive-through window and ATM will be located at the rear of the bank building, naturally screened from view from Auburn Street. A large row of mature evergreens along the westerly property line will screen the drive-through from the neighboring properties across Washington Avenue.

Please schedule this matter to be placed on the City Council's agenda as soon as possible. Bath Savings Institution has engaged the services of Corhill-Palmer Consulting Engineers, Inc. to assist with traffic study issues. It will be prepared to present the traffic study information to the Planning Board in connection with the Contract Zone Application.

Please notify me as soon as a schedule has been set for the initial meeting before the Planning Board.

Very truly yours,

Gary D. Vogel

GDV/jwf
Enc.

Cc: Bath Savings Institution, Attn: Glenn Hutchinson, President (w/encs.)
Donald M. Peterson (w/encs.)
Platz Associates, Attn: Sherri Shaw (w/encs.)
Drew Anderson, Esq. (w/encs.)

This letter and the attached background information and plans describe the applicant's plans to develop the above-referenced parcel. Based on previous conversations with you on November 13, 2002, we are submitting 4 sets of application packages. We look forward to discussing this project with you during your review.

The site is currently zoned Business-1 (B-1) and Residential-3 (R-3). The applicant has previously submitted a zoning map amendment application on March 25, 2002. A public hearing was held on June 11, 2002 and the Planning Board recommended that the applicant resubmit the application as a Contract Zone request. Refer to the attached Contract Zone application for additional information. It is our understanding that the current submittal is not a formal site plan application; however, we have included many of the required site plan documents to assist the City Staff and Planning Board with their review.

The site is currently zoned Business-1 (B-1) and Residential-3 (R-3). The applicant has previously submitted a zoning map amendment application on March 25, 2002. A public hearing was held on June 11, 2002 and the Planning Board recommended that the applicant resubmit the application as a Contract Zone request. Refer to the attached Contract Zone application for additional information. It is our understanding that the current submittal is not a formal site plan application; however, we have included many of the required site plan documents to assist the City Staff and Planning Board with their review.

Gorrill-Palmer Consulting Engineers, Inc. and Platz Associates, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed branch bank located at 40-42 Auburn Street, near the intersection of Auburn Street and Washington Avenue. The site is identified as Chart # 375 Block A, Lot 002 in the City of Portland Assessor's records and consists of approximately 0.89 acres. The project includes the construction of a 2,882 square foot (s.f.) building with two drive-through teller bays and one drive-through automatic teller machine (ATM).

Dear Kandi,

Subject: Site Plan Submission
Bath Savings Institution Branch Bank—40-42 Auburn Street

Ms. Kandi Talbot
City of Portland
389 Congress Street
Portland, ME 04101-3503

November 19, 2002

207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com

Traffic and Civil Engineering Services

Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039



Att. A3

Site Description

The site is a corner lot that is presently developed with a take-out and delivery pizza restaurant and a cellular communications retail store. The abutting properties to the north, south and east are all commercial in nature and include Paris Farmers Union, Mr. Bagel, Lab's Dairy Treats and the Shaw's Northgate Plaza. The site is bounded on three sides by roads, including Auburn Street to the east, Washington Avenue to the west and a connector road to the south. Across Washington Avenue to the west are residential homes and businesses located in buildings that were previously residential. The existing site includes approximately 22,220 s.f. (57 percent) of impervious surface.

Proposed Use

The applicant proposes to construct a 2,882 s.f. branch bank with the associated drive-through teller and drive-through ATM facilities. The proposed development will include 16 parking spaces, which exceeds the 8 spaces required at 1 space per 400 s.f. of floor area. The proposed development includes approximately 19,600 s.f. (51 percent) of impervious surface.

Landscaping & Site Improvement

A conceptual landscaping plan has been included as part of this package. The plan includes maintaining and improving the existing arborvitae hedge located along the westerly right-of-way line and a portion of the northerly property line. In addition, street trees will be planted along the Connector Road and Auburn Street in accordance with the City's standards.

The applicant also proposes to close one of the existing curb cuts along Auburn Street will construct a new 5 foot wide bituminous sidewalk with granite curbing along the Auburn Street frontage.

Stormwater

Gorrill-Palmer Consulting Engineers, Inc. is preparing a detailed stormwater analysis and report. This information will be submitted under separate cover.

Generally, the existing stormwater flows off the site via sheet flow and into the existing municipal storm drainage system located in Auburn Street. The existing site includes approximately 22,220 s.f. of impervious surface.

The proposed development includes approximately 19,600 s.f. of impervious surface and the stormwater will be collected on site in a closed stormwater pipe system, and then discharged into the same existing municipal storm drainage system in Auburn Street. Since the proposed project results in a decrease in impervious surface, the applicant is not proposing any stormwater quantity control. Also, based on previous discussions with City Staff, the project does not require stormwater quality treatment.

Zoning

The site is located in the B-1 and R-3 zones. The applicant submitted an application for a Contract Zone permit. Proposed conditions for the contract zone are that the contract zone permit a use as a branch bank with drive-through teller window and drive-through ATM in accordance with the site plan submitted as part of this package.

Utilities

Water use records were obtained from the Portland Water District for a similar facility located at 239 Route 1 in Falmouth. The monthly water usage data for the similar Bath Savings Institution facility are included with the ability to serve letters. The estimated peak domestic water demand and peak sewage production is 431 gpd.

Letters of ability to serve for the proposed project have been sent out to the utility companies. Copies of the letters are included in this application package.

Lighting

Site lighting will be provided to facilitate customer safety, while minimizing the impact of glare on the adjacent properties. Catalog cut sheets for the light fixtures and a photometric plan are attached to this letter.

Ms. Kandi Talbot
November 19, 2002
Page 4 of 4

Traffic

Refer to the attached traffic study, which has been reviewed and approved by Larry Ash.

Conclusion

Gorrill-Palmer Consulting Engineers, Inc. and the applicant look forward to discussing this project with the Planning Department. Please contact us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



William C. Haskell, P.E.

Project Engineer

Copy: Platz Associates, Inc.
Donald Peterson

U:\587.1\587-1 Site Plan Talbot.doc

Att. A4

top section with logo and
is 3'8" x 4'6"
PMS 302 Blue with white
letters

Columns are 10" x 12"
Structural fiberglass
"Tuscan". Plain, white
columns with standard
caps and bases

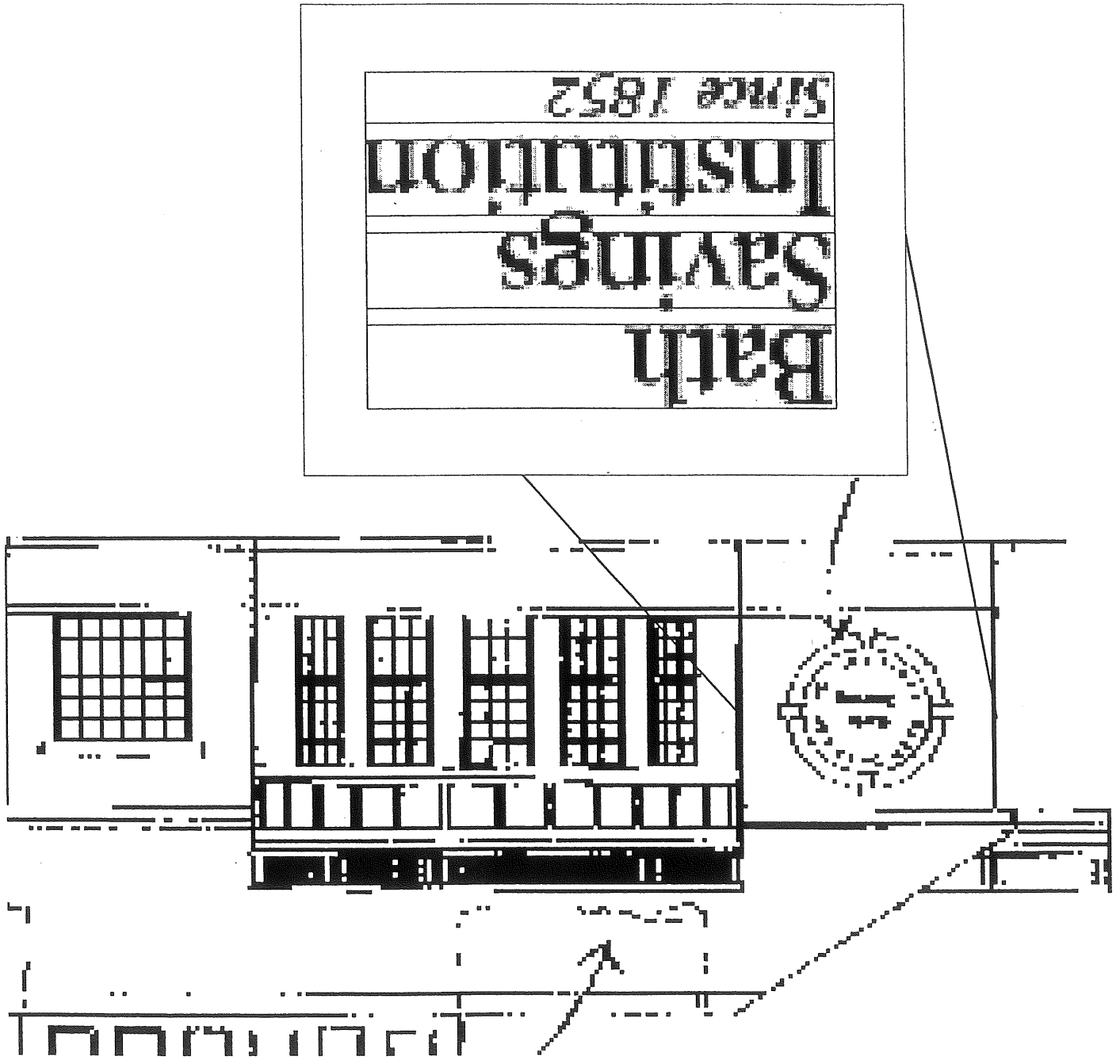
scale is 1/2" = 1'



Bath
Savings
Institution
Since 1852

Therefore, logo space could be up to 10.5' wide by 7.5' high, centered.
This could make the capital letters up to 22" high.

Per Stew's assumption of 1/16" = 1' scale, the available space is 13.5' wide by 10.5' high.



- An estimate for any work the Water District would perform.
- Information as to any easements that the District may require on-site.
- Any results of hydrant tests in the vicinity of the site.
- Any other information that you believe would be useful as this project proceeds.

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Water District to serve the project. In addition, we are interested in receiving:

Ability to Serve

The estimated water demand for the bank is 431 gpd based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules and water use records from a similar facility located in Falmouth (refer to attached calculations).

Anticipated Flows

Water and fire protection service will be needed. At this time it is anticipated that a 6-inch fire and 3/4-inch domestic water service will be extended from the existing 12-inch in Auburn St. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Utility Improvements

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Dear Dave:

Re: Bath Savings Institute
Letter of Ability to Serve

Mr. David Coffin
Portland Water District
225 Douglas Street
Portland, ME 04104-3553

November 18, 2002

Traffic and Civil Engineering Services

Gorrill-Palmer Consulting Engineers, Inc.



PO Box 1237
15 Shaker Rd.
Gray, ME 04039


207-657-6910
FAX: 207-657-6912
E-Mail: mail@gorrillpalmer.com

AH. AS

Mr. David Coffin
November 18, 2002
Page 2 of 2

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.


William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates, w/o encl.

jml/JN587.1/Coffin11-18-02



Gorrill-Palmer Consulting Engineers, Inc.

PO Box
15 Shore
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910

FAX: 207-657-6912

E-Mail: mail@gorrillpalmer.com

November 18, 2002

Mr. Frank Brancely
Portland Public Works
55 Portland Street
Portland, ME 04101

Re: Bath Savings Institution
Letter of Ability to Serve

Dear Frank:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Anticipated Flows

The facility is estimated to produce 431 gpd based on Chapter 5, Design Flows in the Maine Subsurface Waste Water Disposal Rules and water use records from a similar facility located in Falmouth (refer to attached calculations).

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Public Works to serve the project for conveyance of the flow. In addition, we are interested in receiving:

- Information as to any easements that the Public Works may require on-site.
- Any other information that you believe would be useful as this project proceeds.

We have appreciated your assistance to date on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.
William Haskell, P.E.

William Haskell, P.E.
Project Engineer

Enclosures

Mr. Frank Brancely
November 18, 2002
Page 2 of 2

Copy: Sheri Shaw, Platz Associates, w/o encl.

JML/JN587.1/Brancely11-18-02



Gorrill-Palmer Consulting Engineers, Inc.

PO Box
15 Shaker Rd.
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910

FAX: 207-657-6912

E-Mail: mailbox@gorillpalmer.com

November 18, 2002

Mr. John Caprio

Verizon

5 Davis Farm Road

Portland, ME 04103

Re: Bath Savings Institute

Letter of Ability to Serve

Dear Mr. Caprio:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institute to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Verizon to serve the project. In addition, we are interested in receiving:

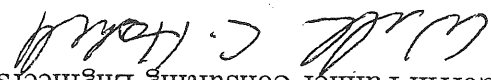
- An estimate for any work that Verizon would perform within the right-of-way.
- Information as to any additional easements that Verizon may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Copy: Sheri Shaw, Platz Associates, w/o encl.

Enclosure

Project Engineer

William Haskell, P.E.


Gorill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Mr. John Caprio
November 18, 2002
Page 2 of 2

November 18, 2002

Mr. Mark Kreider
Central Maine Power Company
162 Canco Road
Portland, ME 04108

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Mr. Kreider:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institution to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. A new pole-mounted transformer will be required to service the new bank. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Central Maine Power Company to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Central Maine Power would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Copy: Sheri Shaw, Platz Associates w/o encl.

Enclosure

Project Engineer

William Haskell, P.E.



Gorrill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Mr. Mark Kreider
November 18, 2002
Page 2 of 2



Gorrill-Palmer Consulting Engineers, Inc.

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

Traffic and Civil Engineering Services

207-657-6910
FAX: 207-657-6912
E-Mail: mailbox@gorrillpalmer.com

November 18, 2002

Ms. Debbie Paiement
Time Warner Cable
118 Johnson Road
Portland, ME 04102

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Ms. Paiement:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institute to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from an existing pole on Washington Avenue. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve

In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Time Warner Cable to serve the project. In addition, we are interested in receiving:

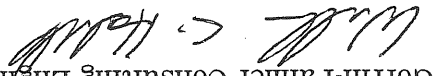
- An estimate for any work that Time Warner Cable would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Copy: Sheri Shaw, Platz Associates, w/o encl.

Enclosure

Project Engineer

William Haskell, P.E.


Gorrill-Palmer Consulting Engineers, Inc.

Sincerely,

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Ms. Paieiment
November 18, 2002
Page 2 of 2

November 18, 2002

Mr. Bill Howard
Northern Utilities
P.O. Box 3586
1075 Forest Avenue
Portland, Me 04104

Re: Bath Savings Institute
Letter of Ability to Serve

Dear Mr. Howard:

Platz Associates and Gorrill-Palmer Consulting Engineers, Inc. have been retained by Bath Savings Institute to prepare plans and permit applications for the development of a proposed bank. The site is located near the intersection of Auburn Street and Washington Avenue. The current occupant of the site is Capitol Pizza Hut, 10 Auburn Street.

Utility Improvements

At this time it is anticipated that underground conduit will extend to the proposed structure from the existing main on Washington Avenue. Service demand calculations will be provided upon its assessment. The Site Layout & Utility Plan has been provided with this letter for your convenience.

Ability to Serve


In support of the applications to the reviewing authorities, we are writing to request a letter indicating the ability of Northern Utilities to serve the project. In addition, we are interested in receiving:

- An estimate for any work that Northern Utilities would perform within the right-of-way.
- Information as to any additional easements that you may require on-site.
- Any other information that you believe would be useful as this project proceeds.

Mr. Bill Howard
November 18, 2002
Page 2 of 2

We have appreciated your assistance on this project. Please contact me if you have any questions relative to this matter.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.


William Haskell, P.E.
Project Engineer

Enclosure

Copy: Sheri Shaw, Platz Associates w/o encl.

JL/JN587.1/Howard11/18/02

GP
 Gorrill-Palmer Consulting Engineers, Inc.
 PO Box 1237
 15 Shaker Rd.
 Gray, ME 04039

Traffic and Civil Engineering Services

November 18, 2002

Mr. Donald Peterson
 Bath Savings Bank
 276 State Street
 Portland, Maine 04101

RE: Proposed Bath Savings Bank
 Trip Generation
 Portland, Maine

Dear Donald:

Our office was requested to evaluate the potential effects of trip generation with the proposed Washington Avenue facility being reduced in size to 2,882 s.f. from 3,500 s.f. What follows in this memorandum are our findings regarding trip generation and traffic impacts.

Originally proposed for the bank facility was a project was a 3,500 s.f. Bath Savings Institution with two drive-up windows and a drive-up ATM. This size has been proposed to be reduced to 2,882 s.f. Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation*, 6th Edition, for Land Use Code 912, Drive-in Bank. This publication references counts performed at similar facilities throughout the country. The trip generation for the project is shown in the following table and is compared to that submitted in the original study:

Trip Generation Summary

Size of Bank	AM Peak Hour	PM Peak Hour	Saturday Peak Hour
Based on 2,882 s.f.	36	148	122
Based on 3,500 s.f.	44	192	148
Decrease	8	44	26

As can be seen by the above table, the reduction in size of the bank would result in a maximum reduction of 44 trip ends for the PM peak hour. However, to understand the impact to the street network, a comparison of trips based on distribution and composition is required. This comparison is shown on the following table for the PM peak hour:

Trip Composition Summary

	PM Peak Hour			Pass-by			Primary			Total
	In	Out	Total	In	Out	Total	In	Out	Total	
Based on 2,788 s.f.	37	37	74	37	37	74	37	37	74	148
Based on 3,500 s.f.	48	48	96	48	48	96	48	48	96	192
Decrease	11	11	22	11	11	22	11	11	22	44

AH. A6

As can be seen from the above table, although the total traffic at the site driveway will be reduced by approximately 44 trip ends, the decrease in new trips to the system will be approximately half that amount, or 22 trip ends. Accounting for existing traffic at the site, the original study anticipated 35 entering and 39 exiting primary net trip ends. With the reduction in size, the net primary trips would be 24 entering and 28 exiting trip ends.

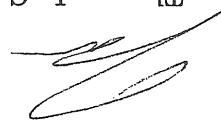
Although this change will result in traffic reductions on-site, it remains the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. This need is driven by ambient volumes on Washington Avenue and the proximity of the site drive to the signalized Shaw's intersection as well as the volume of left turning traffic. In addition, this portion of Washington Avenue should be striped to provide for two through lanes in each direction.

As the study concluded that other off-site improvements were not necessary with the larger facility, this conclusion remains with the smaller facility.

Please contact our office with any questions regarding this memorandum.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Thomas L. Gorrill, P.E., P.T.O.E.
President

**Traffic Impact Study
Proposed Bath Savings Bank
Portland, Maine**

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III.	Trip Generation	5
IV.	Trip Distribution	5
V.	Trip Composition	6
VI.	Trip Assignment	6
VII.	Study Area	6
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	Site Location Diagram	
	Turning Movement Diagrams	
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	Capacity Analyses	
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	Trip Generation Calculations	

Executive Summary

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Gorill-Palmer Consulting Engineers, Inc. was retained by Bath Savings Institution of Portland, Maine to complete a traffic impact study for the proposed construction of a Bath Savings Institution in Portland, Maine. The site will be serviced by a single driveway approximately 240 feet north of the intersection of Route 26 (Auburn Street), Northgate Shopping Center, and the Washington Avenue connector. The site will consist of a 3,500 s.f. Bath Savings Institution with 2 drive-up windows and a drive-up ATM. The proposed site would be operational by 2003.

The following is a summary of the major findings of the traffic study:

1) The proposed development is forecast to generate 192 trip ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation (MDOT). As the existing site currently generates traffic, our office has determined that the net trip generation for the site will be 147 trip ends during the PM peak hour of traffic.

2) The level of service analyses show that the study area and site driveway intersection with Auburn Street (Route 26) will operate acceptably for the weekday PM peak hour for the 2003 post development condition. No improvements to the street system are required. However, proper striping of Auburn Street northbound as two lanes or merged to a single lane between the Northgate driveways would reduce driver confusion in this area. We also recommend that the City consider removing the island between the Shaw's driveway and the bank driveway and using this space to stripe a short left turn lane into Shaw's. Currently, approximately one car a minute turns left into Shaw's which delays through traffic.

3) The crash data indicates that there are no high crash locations within the study area.

4) The sight distances at the proposed driveway are acceptable. Gorill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right of way, not exceed 3 feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Based on these conclusions, it is the opinion of Gorill-Palmer Consulting Engineers, Inc. that the existing traffic network can safely and effectively accommodate the traffic generated by the proposed development.

I. Introduction

Existing Conditions

Existing Site

The site is located in Portland across from the Northgate Shopping Plaza. The existing site contains a cell phone store and a Pizza Hut delivery facility. The site is currently serviced by two driveways along Route 26. The northerly driveway is full movement and the southerly driveway is right-in/right-out in close proximity to the traffic signal at Northgate Plaza/Washington Avenue Connector. A site location map has been included in Appendix A.

Existing Roads

Auburn Street along the site frontage has two eastbound travel lanes and two westbound travel lanes that transition to a single lane immediately west of the site. There is a median along the easterly portion of the site. There is a sidewalk along the north side of Auburn Street in the vicinity of the site. The posted speed on Auburn Street is 30 MPH. The site has no access to Washington Avenue Extension.

Proposed Conditions

The site will include a 3,500 s.f. bank with two drive-through windows as well as an ATM for 24-hour access, and will include parking and landscaping. The existing southerly driveway will be eliminated leaving only the northerly full movement driveway located 190 feet from the traffic signal at Northgate Plaza/Washington Avenue Connector.

II. Background Traffic Conditions

Gorrill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan prepared by Platz Associates, dated August 7, 2002.
- Crash data for the period 1999-2001 supplied by the MDOT.
- Turning movement volumes collected by Gorrill-Palmer Consulting Engineers, Inc. on Friday June 21, 2002 from 3:00 PM to 6:00 PM at the following intersections which are shown in Figure 2 of Appendix A:
 - Route 26 at Summit Street and Northgate North Drive
 - Route 26 at Cell phone store/Pizza Hut Drives
 - Route 26 at Washington Connector and Northgate South Drive
 - Route 26 at Washington Avenue and Cypress Street
 - Route 26 at Allen Avenue
- "Other development" projects provided by the Portland Planning Department.

Predevelopment Traffic Volumes

The project is expected to be fully occupied in the year 2003. The year 2003 predevelopment design hour volumes were determined utilizing the following methodology:

- The raw turning movement volumes collected by Gorrill-Palmer Consulting Engineers, Inc. were seasonally adjusted by 2% based on weekly group mean factors published by MDOT to reach the 30th highest hour.
- The seasonally adjusted volumes were annually adjusted by 2 percent per year to obtain projected volumes for the year 2003. The fully adjusted volumes are shown on Figure 3 of Appendix A.

- Gorrill-Palmer Consulting Engineers, Inc. has contacted the City of Portland to determine whether there are any other projects that have been approved or are ahead of this project in the approval process. Based on these discussions, several residential projects were included in the predevelopment traffic volumes. They include the following:

- Planned Residential Unit Development off of Route 26 north of the site
- Age-Restricted Housing Project off of Route 26 north of the site
- Condominium Development off of Route 26/Allen Avenue south of the site
- Multi-Family Housing off of Route 26/Allen Avenue south of the site

Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation, 6th Edition* to determine the trip generation for these projects. These volumes are shown in Figure 4 of Appendix A.

- The adjusted volumes were added to the "other development" volumes to obtain the 2002 predevelopment volumes, shown in Figure 5 of Appendix A.

Crash Information

Gorrill-Palmer Consulting Engineers, Inc. examined the crash data from MDOT for the period of 1998 to 2000, the most recent period available.

In order to evaluate whether a location has a crash problem, MDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual crash rate to the rate for similar intersection in the state. A CRF of less than 1.00 indicates a rate of less than average) and:

2. A minimum of 8 crashes over a three-year period.

Trip Distribution Summary for Proposed Bank		
Land Use	Entering	96
	Exiting	96
Total		192

Gorrill-Palmer Consulting Engineers, Inc. has estimated the trip distribution for the weekday PM period based on the ITE Land Use Codes indicated in the previous table. The results are shown on the following table:

IV. Trip Distribution

The computations are contained in Appendix C. The existing site contains a cell phone store and a Pizza Hut delivery facility. Our office completed traffic counts for the existing uses and determined that the net trip generation increase for the re-development of the site will be 147 trip ends during the PM peak hour of traffic.

Trip Generation Summary				
Land Use Code	AM Peak Hour	PM Peak Hour	Saturday Peak Hour	Weekday
912 - Drive-in Bank	44	192	148	997

The proposed project is planned to consist of a 3,500 s.f. Bath Savings Institution with two drive-up windows and a drive-up ATM. Gorrill-Palmer Consulting Engineers, Inc. referenced the Institute of Transportation Engineers publication, *Trip Generation*, 6th Edition, for Land Use Code 912, Drive-in Bank. This publication references counts performed at similar facilities throughout the country. The trip generation for the project is shown in the following table:

III. Trip Generation

As can be seen from the above charts, there are no High Crash Locations in the study area.

Node(s)	Intersection/Roadway Segment	# of Collisions	CRF	HCL?
7483	Route 26 at School Drive	1	0.10	No
7482	Route 26 at Sanborn Street/Northgate North	14	0.52	No
7481	Route 26 at Northgate South	5	0.18	No
7480	Route 26 at Washington Avenue	0	0.00	No
3754	Route 26 at Cypress Street	14	0.39	No
7479	Route 26 at Allen Avenue	22	0.42	No
7478	Route 26 at Maplewood Street	6	0.46	No
7482-7483	Route 26 from School Drive to Northgate North	3	0.25	No
7481-7482	Route 26 from Northgate North to Northgate South	10	0.78	No
7480-7481	Route 26 from Washington Avenue to Northgate South	7	0.61	No
7480-3754	Route 26 from Washington Avenue to Cypress Street	1	0.52	No
7479-3754	Route 26 from Allen Avenue to Cypress Street	4	0.46	No
7478-7479	Route 26 from Allen Avenue to Maplewood Street	13	0.99	No

MDOT Crash History - 1999-2001

The crash history is summarized in the following table:

- Auburn Street at Sanborn Street and Northgate North Drive (signalized)
- Auburn Street at the cell phone store/Pizza Hut Drives (Site Drive)
- Auburn Street at Washington Connector and Northgate South Drive (signalized)
- Auburn Street at Washington Avenue and Cypress Street
- Washington Avenue at Allen Avenue (signalized)

The Maine Department of Transportation (MDOT) traffic permit requirements apply to facilities projected to generate 100 or more trip ends during the peak hour of the generator. As this project is anticipated to generate an increase of 147 trip ends over that currently occurring at the site during the PM peak hour, a traffic permit will be required. However, the City of Portland has delegated review authority for MDOT permits, so the traffic permitting process will be undertaken via City Staff. For the purposes of this study, we have evaluated the following intersections:

VII. Study Area

Gorrill-Palmer Consulting Engineers, Inc. has based the street system trip assignment on existing traffic volumes along Auburn Street as well as traffic counts at the driveway. The resulting trip distribution and assignment are shown in Figures 6 & 7 of Appendix A.

VI. Trip Assignment

Trip Composition Totals for Proposed Bank									
PM Peak Hour									
Primary			Pass-by			Total			
In	Out	Total	In	Out	Total	In	Out	Total	Total
48	48	96	48	48	96	96	96	192	192
912 - Drive-in Bank									

In reality, over 20% of all trips to the site would be diverted in nature, resulting in fewer primary trips. This results in a conservative analysis. The combination of the trip distribution and composition results in the following driveway trip assignments:

Trip Composition Summary for Proposed Bank			
PM Peak Hour			
Land Use		Total	
Primary	Pass-by	50%	100%
50%	50%	50%	100%
912 - Drive-in Bank			

Gorrill-Palmer Consulting Engineers, Inc. has based the trip composition on data contained in the ITE Trip Generation Handbook. The trip composition summary is shown on the following table:

V. Trip Composition

VIII. Capacity Analysis

Gorrill-Palmer Consulting Engineers, Inc. completed capacity analyses for the intersections mentioned above.

The signalized intersections were evaluated with the Synchro software package, and the unsignalized locations were analyzed with the HCS 2000 software package. Level of service rankings are similar to the academic ranking system where an 'A' is very good with little control delay and an 'F' represents very poor conditions. At an unsignalized intersection, if the level of service falls below a 'D', an evaluation should be made to determine if a traffic signal is warranted.

The following table summarizes the relationship between control delay and level of service for an unsignalized intersection:

Level of Service	Total Control Delay per Vehicle (sec/veh)
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The following table summarizes the relationship between control delay and level of service for a signalized intersection:

Level of Service	Total Control Delay per Vehicle (sec/veh)
A	Up to 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

Gorrill-Palmer Consulting Engineers, Inc. based our analyses on the existing roadway configuration for the predevelopment and post development conditions.



FAX TRANSMISSION

TO: Randice Talbot
City of Portland
FROM: Steve Snow
JOB: BSI
DATE: 11.14.02
FAX NO.: 756.8258
PAGES TO FOLLOW: 3

Urgent For Review Please Comment For Your Information

COMMENTS: Lighting details we discussed yesterday. Case if you have any questions/comments.

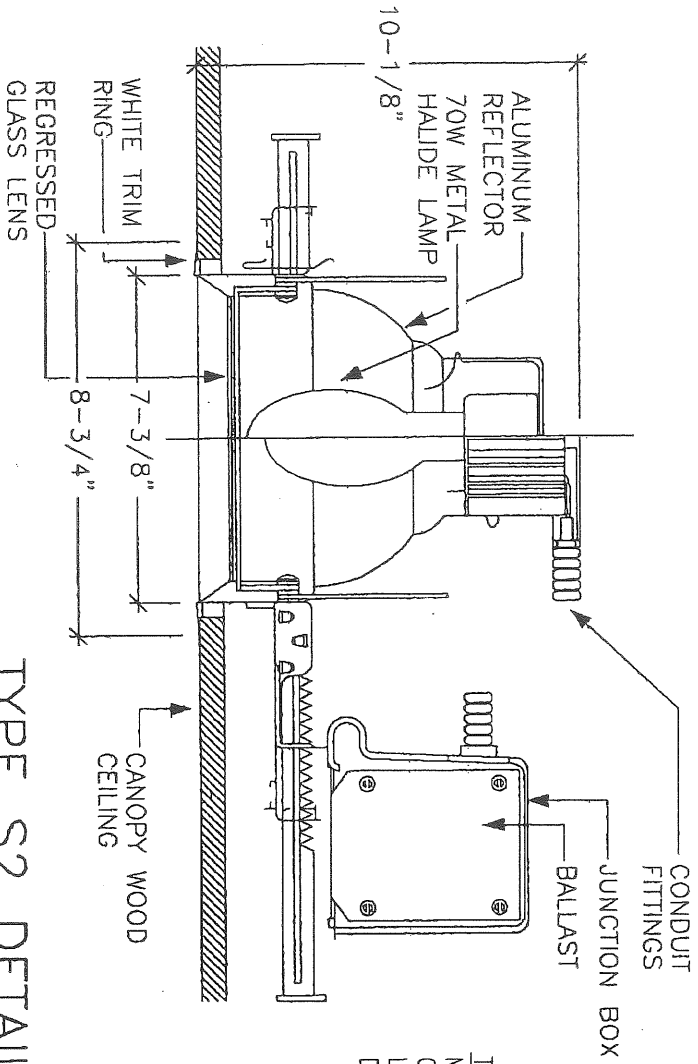
Steve

Hard Copy To Follow

cc: Will Haskell, G-P 1057.6912
Ben Peterson, 774.0101

TYPE S3
 MANUF.:
 CAT. NO.:

HADCO
 RL13-A



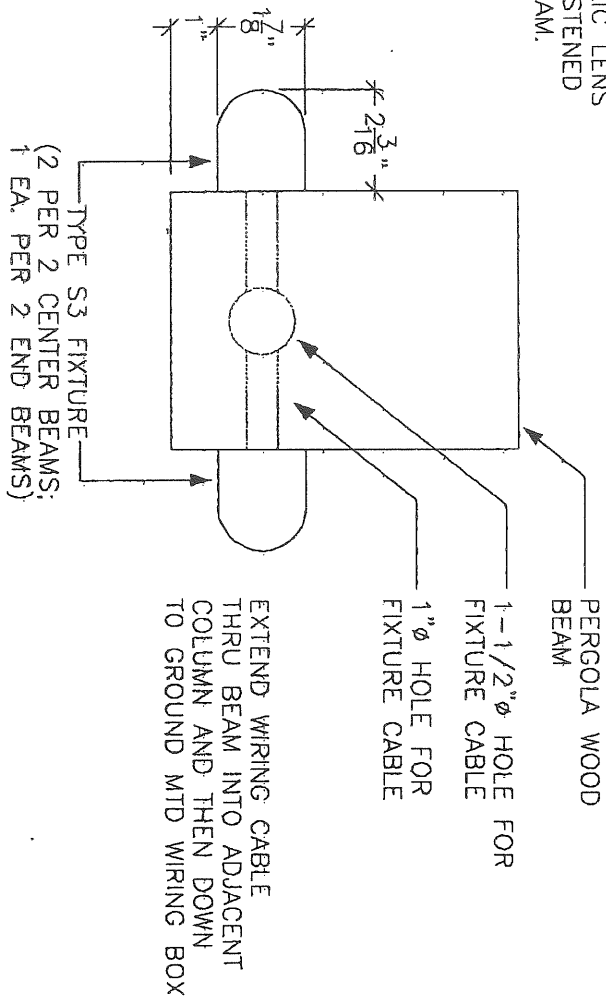
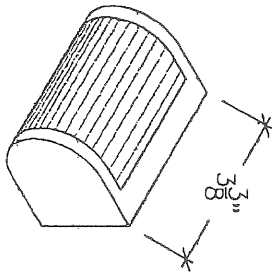
TYPE S2 DETAIL
 3" = 1'-0"

TYPE S2
 MANUF.:
 CAT. NO.:
 LAMP:
 DESCRIPTION:

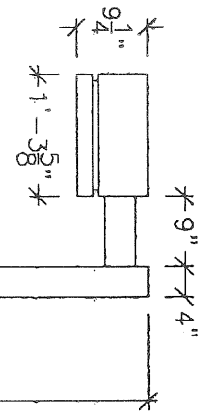
HALO
 M7800T-730-43800LI-TRM7P
 70 WATT MH
 RECESSED DOWNLIGHT WITH
 RECESSED TEMPERED GLASS
 LENS AND WHITE TRIM.
 UL LISTED FOR DAMP
 LOCATIONS.



TYPE S3
 MANUF.: HADCO
 CAT. NO.: RL13-A
 LAMP: 10 WATT T3 HALOGEN
 DESCRIPTION: SURFACE MOUNTED PATH LIGHT WITH PRISMATIC ACRYLIC LENS AND BLACK FINISH FASTENED TO PERGOLA CROSSBEAM.



TYPE S3 DETAIL
 3" = 1'-0"



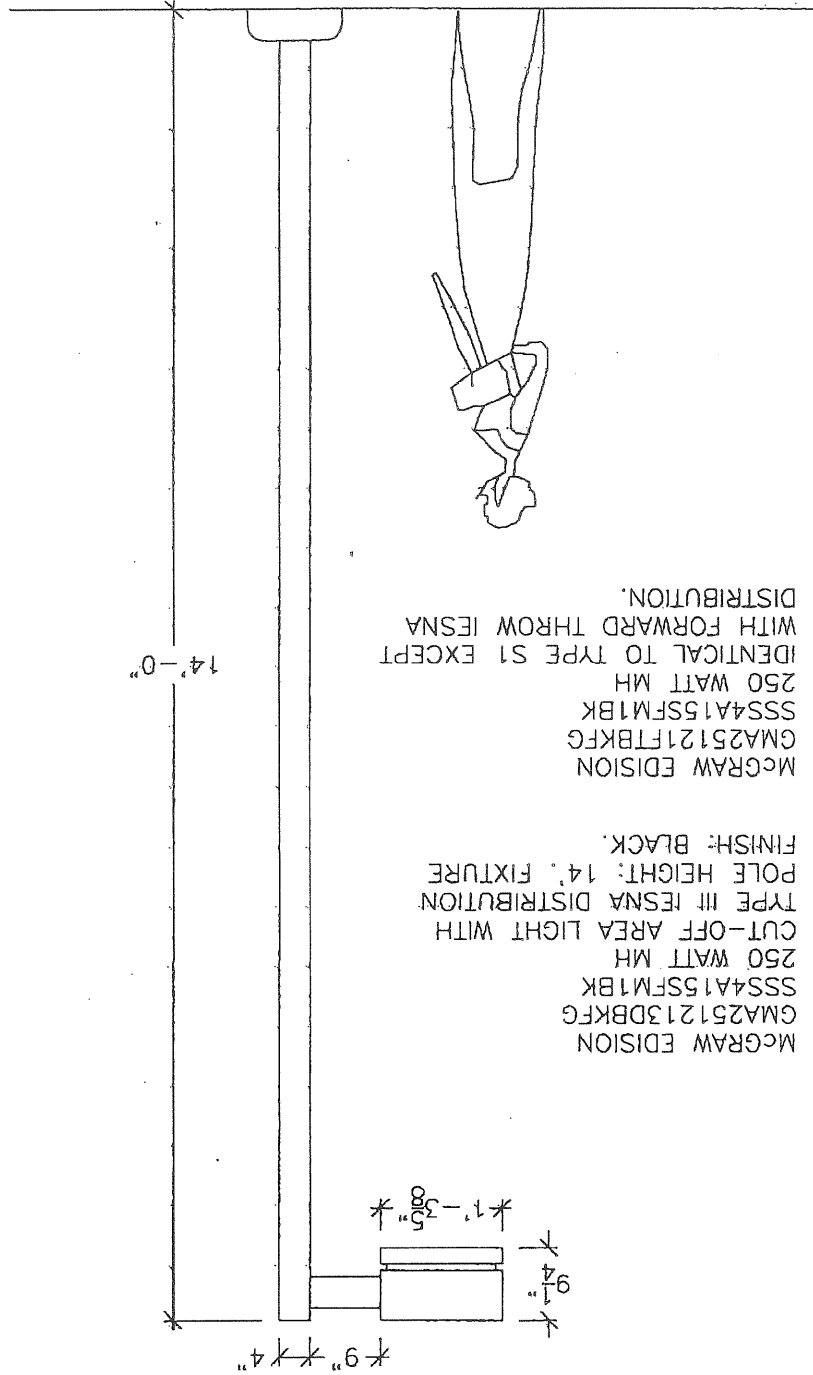
BY 70

TYPE S1/S4 DETAIL

3" = 1'-0"

TYPE S1/S4 DETAIL

1/2" = 1'-0"



McGraw Edison
GMA251213DBKFG
SSS4A155FM1BK
250 WATT MH
CUT-OFF AREA LIGHT WITH
TYPE III IESNA DISTRIBUTION
POLE HEIGHT: 14', FIXTURE
FINISH: BLACK.

McGraw Edison
GMA25121FTBKFG
SSS4A155FM1BK
250 WATT MH
IDENTICAL TO TYPE S1 EXCEPT
WITH FORWARD THROW IESNA
DISTRIBUTION.

The proposed site currently has a fair bit of ambient light. We have considered this in our design. Illuminance levels have intentionally been left low to minimize any light trespass from occurring across the property line. Given the close proximity of the parking areas to adjacent properties, in our opinion, these low illuminance levels should not be problematic.

	Portland <i>Ordinance</i>	Front Parking <i>Calculated Illuminance</i>
Average Horizontal Illuminance	n/a	1.06 footcandles
Maximum Horizontal Illuminance	6.0 footcandles	5.58 footcandles
Minimum Horizontal Illuminance	0.2 footcandles	0.09 footcandles
Maximum at Property Line	0.1 footcandles	0.05 footcandles

TABLE 1

As part of this application submission, lighting plans have been included that indicate calculated illuminance levels. Calculations have been developed with the lamp lumen ratings listed in the fixture descriptions above. These lumen ratings have been obtained from lamp data published by the *General Electric* lamp company. A summary of the calculation results is listed in **Table 1** below.

Computer generated lighting calculations have been performed with use of lighting design software developed by *Lighting Technologies, Inc.* Calculations have been prepared to predict maintained illuminance values that include depreciation factors for an anticipated light loss factor of 62% for metal halide lamps. Horizontal illuminance levels have been calculated at grade.

Calculated Lighting Performance

Decorative lights are proposed at the entrance pergola. These light fixtures are small, low powered lights whose purpose are to provide a means of accent illumination for the pergola structure and attached planting. The pergola accent lights utilize 10 watt, low voltage lamps which have a lumen rating of 130 lumens and a rated lamp life of 2,000 hours

Fig 2: Canopy Light

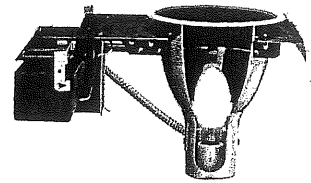
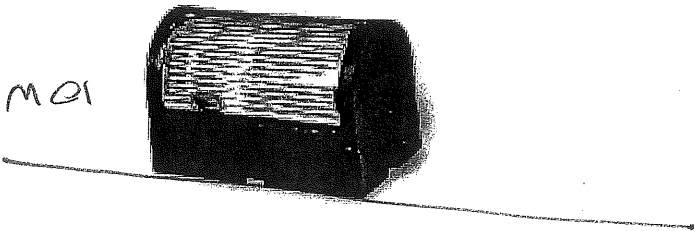


Fig 3: Decorative Pergola Light



5871 H

Project: Bath Savings Branch Bank, Portland, Maine
Architects: Platz Associates
 Auburn, Maine
Engineers: Gorill-Palmer Consulting Engineering, Inc
 Gray, Maine
Date: November 7, 2002

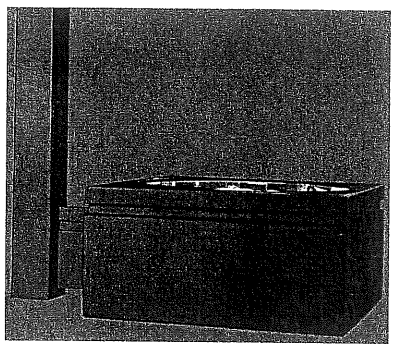
Proposed Exterior Lighting Design

The proposed design of exterior lighting system has been designed provide area lighting for parking spaces and access drives. Given the close proximity of the adjacent property, the project goal has been to provide a low-impact lighting solution that produces modest lighting levels. The proposed exterior lighting design consists of pole mounted, full cut-off type area lights at drives and parking areas, decorative wall lights at the pergola, and recessed downlights at the canopies.

Pole mounted area lights are proposed to be full cut-off type with a rectangular fixture housing. Lamps utilized by these fixtures shall be metal halide type, 250 watts, with an initial lumen rating of 23,000 lumens (horizontal lamp position). The proposed metal halide lamp provides a "white" light output. The 250 watt metal halide lamp has a rated lamp life of 10,000 hours.

The fixture includes a flush, flat diffuse lens at the bottom opening. Fixtures will be controlled by photocell.

Fig 1: Area Pole Light



The pole mounted area lights are proposed to be installed on fourteen (14) foot high poles that are to be mounted on concrete bases that extend above grade 6 inches. Lighting poles are four (4) inches square, and are aluminum with a painted black finish.

Two types of photometric distribution patterns are proposed for the proposed pole lights. The lighting pole designated as Type S4 on the Lighting Plan includes a forward throw lighting distribution pattern. For this fixture type, the maximum light output occurs at 52.5 degrees above vertical, directly in front of the fixture. The lighting poles that are designated as Type S1 on the Lighting Plan include a broad lighting distribution pattern. For this fixture type, the maximum light output occurs at 55 degrees above vertical, at 75 degrees to either side of the fixture. For both fixture types, no direct light is emitted from above 90 degrees vertically.

Recessed downlight fixtures are proposed at the main entrance canopy, and at the two drive-up canopy locations. These fixtures are approximately 8" inches in diameter. They include a flat, regressed tempered glass diffuser, and they utilize a 70 watt metal halide lamps. These lamps an initial lumen rating of 5,500 lumens (vertical lamp position). The 70 watt metal halide lamp has a rated lamp life of 15,000 hours.

June 14, 2002

Gary D. Vogel

gvogel@lambertcoffin.com

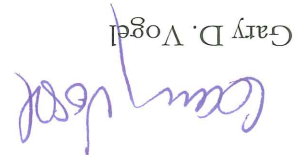
Kandi Talbot, Planner
City of Portland Planning Department
389 Congress Street
Portland, ME 04101

RE: Zone Change Application of Bath Savings Institution for Property at
40-42 Auburn Street, Assessor's Map #375, Block A, Lot 2
Our File No. 2431-454

Dear Kandi:

Please treat this letter as Bath Savings Institution's withdrawal of its Zone Change Application for the property of 40-42 Auburn Street, Maine. As we discussed at the public hearing on June 11, 2002, we will be re-filing for a contract zone for the property shortly. I will be in contact with you in the next week or two to schedule a meeting to address initial contract zone provisions.

Very truly yours,


Gary D. Vogel

GDV/maj

cc: Glenn Hutchinson, Bath Savings

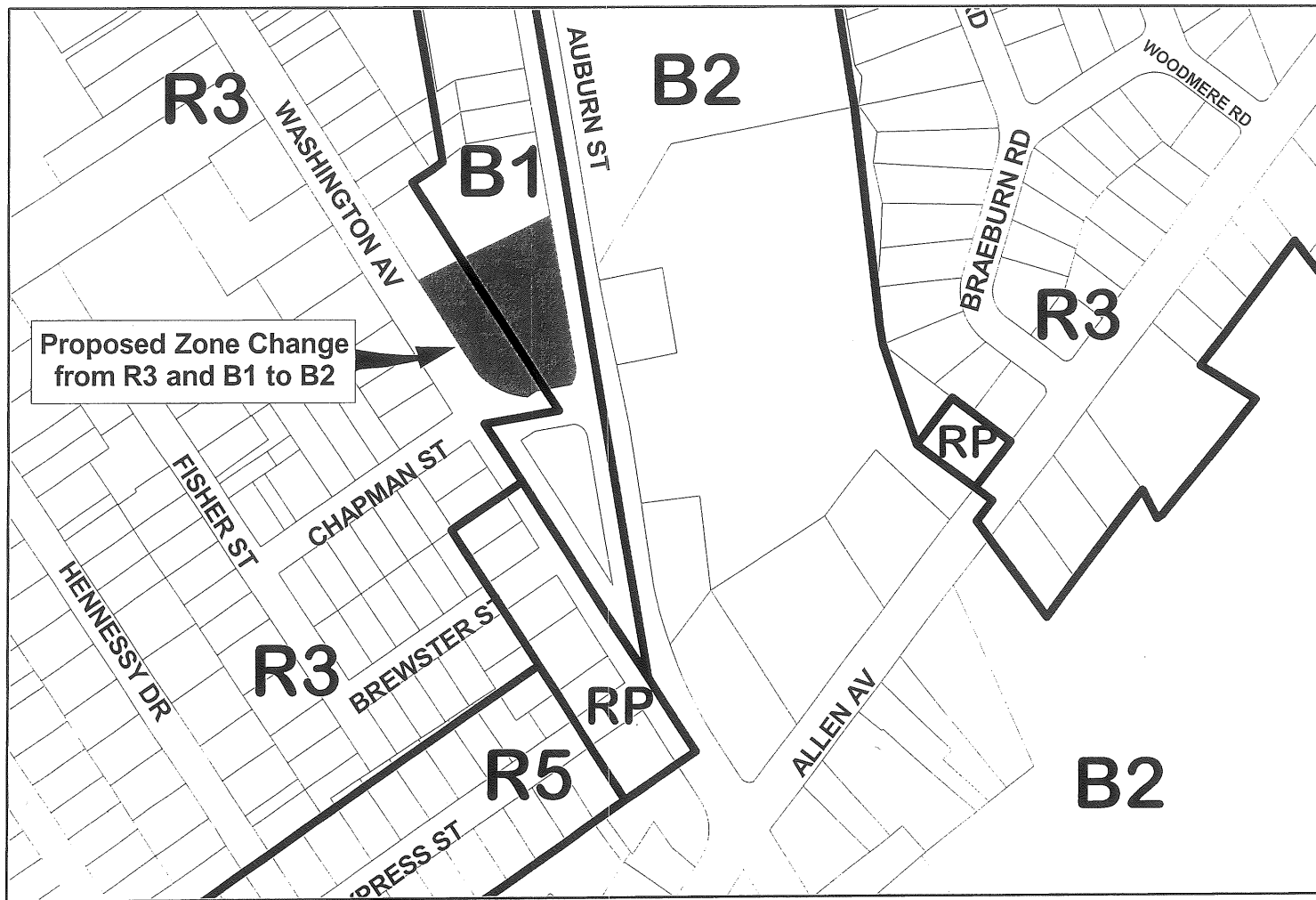
Don Peterson

Thomas Platz

Drew Anderson, Esq.

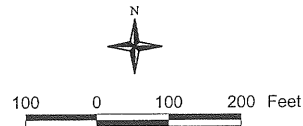
AN IMPORTANT NOTICE FROM THE CITY OF PORTLAND PLANNING OFFICE

WHAT: The Portland Planning Board will hold a public hearing to consider a proposal by Bath Savings Institution to consider a proposal for a zone change from B-1 Neighborhood Business and R-3 Residential to B-2 Community Business Zone at 40-42 Auburn Street to allow a branch bank with a drive through window and drive through ATM as shown on the map below.



Map produced by the City of Portland's Department of Planning & Urban Development & the GIS Workgroup May 2002

**Proposed Zone Change from R3 and B1 to B2
for 40 - 42 Auburn Street**



Att. 2

WHEN: Tuesday, June 11, 2002
6:30 p.m.
Room 209, 2nd Floor, City Hall

FOR MORE INFORMATION:

The proposal is available for review in the Portland Planning Department, 4th Floor, City Hall. If you wish to submit written comments, address them to Kandi Talbot, Planner, Planning Department, City Hall, 4th Floor, 389 Congress Street, Portland, Maine 04101, contact by phone at 874-8901 or e-mail at kcote@ci.portland.me.us.

**Notice of Neighborhood Meeting
Regarding Proposed Zone Change
For 40-42 Auburn Street**

**To: Property Owners In The Vicinity
of 40-42 Auburn Street, Portland, Maine**

Date: June 4, 2002

Time: 7:00 P.M.

**Place: Dering Grange #535
1408 Washington Avenue
Portland, Maine**

Bath Savings Institution has filed an Application with the City of Portland Planning Department seeking a zone change for the property at 40-42 Auburn Street, at the corner of Auburn Street and Washington Avenue, currently used as a Pizza Hut Take Out and Delivery Store, to convert the zoning from B-1 and R-3 zoning to B-2 Zoning to permit the construction of a Bath Savings Institution bank branch with a drive through window and ATM. Bath Savings Institution intends to remove the existing under block building and replace it with a new branch bank building

On June 4, 2002 at 7:00 PM, representatives of Bath Savings Institution will hold a Neighborhood Meeting at the Dering Grange No. 535, 1408 Washington Avenue to discuss the Zone Change Application and proposed development and to answer any questions that neighboring property owners may have. This Neighborhood Meeting is being held in accordance with the provisions of the City of Portland Land Use Ordinance in advance of the City Planning Board's Public Hearing on the Zone Change Application.

I. INTRODUCTION

Bath Savings Institution is requesting a zone change from R-3 Residential and B-1 Neighborhood Business to B-2 Community Business Zone at 40-42 Auburn Street. The zone change would allow Bath Savings Institution to redevelop the site with a branch bank with a drive through window and drive through ATM. The B-1 zone does not allow drive-through uses. Drive-through facilities are permitted in the B-2 zone as a conditional use.

The applicant is proposing to remove the existing cinderblock structure on the site. Current tenants of the building are Pizza Hut Delivery and Take-Out facility and a tanning salon. The site is approximately 39,548 sq. ft. and is located at the corner of Auburn Street and Washington Avenue.

154 notices were sent to area property owners. Two notices of the Public Hearing appeared in the Portland Press Herald. The notice was posted in the City Clerk's office fourteen days prior to the public hearing. The applicant held a neighborhood meeting on the zone change on June 4, 2002. Attendance sheet and minutes are included as Attachments 4 and 5.

II. FINDINGS

Current Zoning:	R-3 Residential and B-1 Neighborhood Business
Proposed Zoning:	B-2 Community Business
Land Area:	39,548 sq. ft.
Existing Use:	Pizza Hut and Tanning Salon
Proposed Use:	Branch Bank

III. SURROUNDING USES

The uses along Auburn Street consist primarily of retail uses and office business uses, such as Shaw's, Hollywood Video, Mobil Gas Station and Convenience Store, Mr. Bagel, Paris Farmer's Union, Fleet Bank and Boys Scouts of America.

The uses along Washington Avenue, from Auburn Street towards Riverside Street, are primarily single-family residential uses.

V. DEVELOPMENT PLAN

The applicant is proposing a 3,000 sq. ft. branch bank with a drive through window and drive through ATM. Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut. A branch bank with drive-through adjacent to a residential zone is allowed in the B-2 zone, however it is a conditional use and therefore reviewed by the Planning Board.

VII. ZONING POLICY ANALYSIS

The applicant is requesting this B-2 zone change to allow a drive-through. The purpose of the B-2 zone is:

(1) To provide appropriate locations for the development and operation of community centers offering a mixture of commercial uses and services serving the adjoining neighborhoods and the larger community.

(2) The variety, sites and intensity of the permitted commercial uses in the B-2 zone are intended to be greater than those permitted in the B-1 neighborhood business zone.

(3) The B-2 zone will provide a broad range of goods and services and general businesses with a mixture of large and small buildings such as grocery stores, shops and services located in major shopping centers and along arterial streets. Such establishments should be readily accessible by automobile and by pedestrians. Development in the B-2 zone should relate to the surrounding neighborhoods by design, orientation, and circulation patterns.

The current zone for the site is B-1 along the easterly portion of the site and R-3 along the westerly portion of the site. It is possible that the zone line was created this way to form a buffer for the residential neighborhood. At the neighborhood meeting, residents asked if they could keep the residential zone on a portion of the property to maintain the buffer, however, under conditional use review for a drive-through, a drive-through is not allowed within forty (40) feet of a residential zone. Given the range of uses allowed in the B-2 zone, a branch bank would have a lesser impact on the neighborhood, given that the hours are primarily 8:00 a.m. to 5:00 p.m.

Should the zone change be approved, access to the site would be an important site plan feature. Due to the residential nature of Washington Avenue, Auburn Street would be the preferable location for an entrance. Drive-throughs located near a residential zone are a conditional use in the B-2 zone and would be reviewed by the Planning Board during the site plan process.

Also, if this project were not built in the future, a zone change to B-2 could allow a higher impact use, for example a fast-food restaurant, to be located at this site.

VIII. STAFF RECOMMENDATION

Staff suggests that the Planning Board recommend the B-2 rezoning to the City Council. This site is already being used as a commercial use. Auburn Street is an arterial street, which is appropriate for a bank use, particularly in this area. Redevelopment of the site, including construction of a branch bank or any other B-2 use could also provide an opportunity to improve the layout of building and parking.

VIII. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by Bath Savings Institution, the policies of the B-2 Community Business Zone, Comprehensive Plan, the information provided in Planning Board Report #44-02, and/or other findings as follows:

- i. The Board finds that the proposed zone change (is or is not) consistent with the policies of the B-2 Community Business Zone and Comprehensive Plan of the City of Portland. The Planning Board therefore recommends or does not recommend to the City Council approval of the proposed rezoning at 40-42 Auburn Street.

Attachments:

- 1. Applicant's Submittal
- 2. Proposed Zone Change Map
- 3. Copy of Notice for Neighborhood Meeting
- 4. Attendance List for Neighborhood Meeting
- 5. Minutes of Neighborhood Meeting
- 6. Letters from Residents

Take next mtg @ 7:00

APPLICATION FOR ZONING AMENDMENT

City of Portland, Maine
 Department of Planning and Urban Development
 Portland Planning Board



Att. 1

1. Applicant Information: Subject Property: 40-42 Auburn Street
 Address: Portland, Maine 04103

Name: Bath Savings Institution
 c/o Gary D. Vogel, Esq.
 Lambert Coffin

Address: 477 Congress Street, 14th Floor
 P.O. Box 15215, Portland, ME 04112-5215

Phone: (207) 874-4000
 Fax: (207) 874-4040

Property Owner: Applicant Other

Name: Kenlike, LLC

Address: 153 Caleb Street
 Portland, Maine 04102

Phone: _____
 Fax: _____

4. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:
 Applicant is the Lessee under a Ground Lease that authorizes Applicant to redevelop the land and to obtain permits.

5. Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)
 A copy of the Memorandum of Lease is attached as Exhibit A.
 Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)
 The Vicinity Map is attached as Exhibit B. An Abutters Map and List of abutters is attached as Exhibit C.

Existing Use:

1A

Describe the existing use of the subject property: Duplex commercial building housing a

Pizza Hut take-out and a tanning salon.

7.

Current Zoning Designation(s): B-1 and R-5

8.

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

The Applicant proposes to demolish the existing cinderblock building and

construct a new branch bank building of 3000 +/- sf in the style of its

other suburban branches with a drive-up window and drive-up ATM. The site

will be landscaped and off street parking sufficient to meet the off street

parking requirements of the Ordinance will be provided. Existing curb cuts

will be reduced to one curb cut as shown on the proposed sketch plan.

9.

Sketch Plan: On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100') See attached sketch plans showing existing conditions and proposed redevelopment, attached as Exhibits D and E, respectively

10.

Proposed Zoning: Please check all that apply:

A. X Zoning Map Amendment, from B-1 & R-5 to B-2

B. Zoning Text Amendment to Section 14-

For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example), and language to be added is depicted with underline (example).

C.

 Conditional or Contract Zone

A conditional or contract rezoning may be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan and compatible with the surrounding neighborhood. (Please refer to Division 1.5, Sections 14-60 to 62)

11. Application Fee: A fee for this application for a zoning amendment must be submitted, by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Public Hearing Notice as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

	1-25 Units	26-50 Units	51-75 Units	75 & Over
Residential Zones	\$350.00	\$400.00	\$450.00	\$500.00
Nonresidential Zones	\$350.00	\$400.00	\$450.00	\$500.00
	0-15,000 sq. ft. or 0-5 acres (which-ever is less)	15,000-30,000 sq. ft. or 6-10 acres (which-ever is less)	30,000-45,000 sq. ft. or 10-15 acres (which-ever is less)	45,000-60,000 sq. ft. or 15-20 acres (which-ever is less)
Legal Advertisements (one for workshop and one for public hearing)			percent of total bill	
Notices (one for workshop and one for public hearing)			40 cents each	
Text Amendments				\$300.00

12.

Signature: The above information is true and accurate to the best of my knowledge.

Cambridge

Signature of Applicant

*Gary D. Vogel
attorney for applicant*

Date of Filing

3.25.02

Further Information:

Please contact the Planning Office for further information regarding the rezoning process. Applicants are encouraged to make an appointment to discuss their rezoning requests before filing the application. Applicants are encouraged to include a letter or narrative to accompany the rezoning application which can provide additional background or context information, and describe the proposed rezoning and reasons for the request in a manner that best suits the situation.

In the event of withdrawal of the zoning amendment application by the applicant in writing prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the City of Portland.

Portland Planning Board
Portland, Maine

Effective: July 6, 1998

Applicant shall assume payment of cost of all notices, including newspaper publication.
 (b) ~~Text change: Minimum fee of one hundred dollars (\$100.00). Applicant shall assume payment of cost of all notices, including newspaper publication.~~

Residence-zones	1-25 Units	\$350.00	0-15,000-sq-ft. or 0-5 acres (whichever is less) \$350.00	Contract and Conditional Rezoning	\$500750.00
Residence-zones	26-50 Units	\$400.00	15,000-30,000-sq-ft. or 6-10 acres (whichever is less) \$400.00	Contract and Conditional Rezoning	\$500750.00
Residence-zones	51-75 Units	\$450.00	30,000-45,000-sq-ft. or 10-15 acres (whichever is less) \$450.00	Contract and Conditional Rezoning	\$500750.00
Residence-zones	75 & Over	\$500.00	45,000-60,000-sq-ft. or 15-20 acres (whichever is less) \$500.00	Contract and Conditional Rezoning	\$500750.00

- (a) Zoning Map Changes/Amendments: \$500.00
- (b) Zoning Text Amendments: \$500.00
- (c) Contract and Conditional Rezoning: \$750.00

1. The following schedule of fees will be charged by the city for applications for changes of zone according to the following major zoning classifications and pertinent data relating to the specific zone change:

Sec. 14-54. Zone change/zone map fees.

be amended as follows:

2. That Chapter 14 of the Portland City Code (Zone change fees), §14-54

"Except as otherwise provided herein, permit fees shall be based upon estimated or actual cost of work, whichever is greater, for which the permit is required, including towers, permanent swimming pools and any other structures altered, constructed or demolished. Ten (10) percent of any fee, or ten dollars (\$10.00), whichever is greater, shall be nonrefundable to cover the administrative costs."

- R. Stormwater Quality Permit\$250.00
- Q. Traffic Movement Permit\$1,000.00

1c

For purposes of this section, the following definitions shall apply:
 New construction - any new construction (including building additions) whose building footprint exceeds 200 square feet. This shall not include replacement or reconstruction of existing or documented historic features.

- A. Certificate of Appropriateness, including sign review \$25.00
- B. Historic Preservation Committee Review \$50.00
- C. New Construction, Comprehensive Rehabilitation, Major Additions \$200.00
- D. After the Fact Review \$500.00

Any project may be subject to one or more of the following fees:

Sec. 14-677. Costs-of-notices.

as follows:

3. That Chapter 14 of the Portland City Code (Costs), §14-677 be amended

Paper Maps:	Large	\$20.00 per sheet	
	Small (11 x 17)	\$5.00 per sheet	
Digital Zone Map		\$20.00	

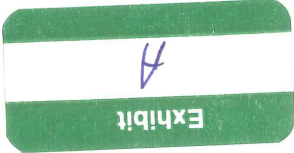
2. The following schedule of fees will be charged by the city for zone maps:

(e) *Waiver of fees:* The fee for zone change applications will be waived or reduced by the Planning Authority in the case of an application submitted by any governmental body or where an applicant can establish financial hardship.

(e) *Withdrawal of application:* If a zone change application is withdrawn by an applicant prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the city.

Administrative policy: All ordinances that would cost more than the maximum to publish should be printed in separate pamphlet form and advertised only by reference.

1D



Revised 01/31/02

IG

MEMORANDUM OF LEASE

This is a Memorandum of Lease by and between KENIKE, LLC, a Maine limited liability company ("Landlord") and BATH SAVINGS INSTITUTION, a Maine banking institution ("Tenant").

1. Date of Lease: February //, 2002.

2. Description of Leased Premises:

SEE EXHIBIT "A" ATTACHED HERETO

3. Commencement Date: The Primary Term of this Lease shall commence on the Commencement Date as defined in the Lease.

4. Term: Twenty-five (25) years.

5. Extension Options: Two (2) options of Ten (10) years each.

6. Right of First Refusal: Tenant has a right of first refusal to purchase the Leased Premises on terms set forth in the Lease.

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered as of the day and year first above written.

LANDLORD:

TENANT:

KENIKE, LLC

BATH SAVINGS INSTITUTION

By: _____

Joseph Esposito, Member

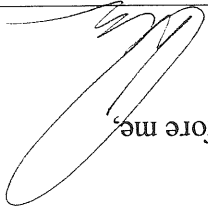
By: _____

Glenn Hutchinson, President

14

STATE OF MAINE
COUNTY OF CUMBERLAND

This instrument was acknowledged on the 17th day of Feb, 2002, by Joseph Esposito, Member of KENNIKE, LLC, a Maine limited liability company, on behalf of said LLC.

Before me,


Notary Public/Attorney at Law
Drew A. Andrus
Printed Name

STATE OF MAINE
COUNTY OF CUMBERLAND

This instrument was acknowledged on the 7th day of February, 2002, by Glenn Hutchinson, President of Bath Savings Institution, a Maine banking institution, on behalf of said Bank.

Before me,

Notary Public/Attorney at Law
Stephanie Kyrus

Printed Name
Stephanie Kyrus
Notary Public/Attorney at Law

I

EXHIBIT A

A certain tract or parcel of land with the buildings thereon, situated on the westerly sideline of Auburn Street, Portland, County of Cumberland, State of Maine, bounded and described as follows: Beginning at an iron pipe in the westerly sideline of said Auburn Street at the northeasterly corner of land now or formerly of DeRice Bros., Inc., and the southeasterly corner of the parcel herein described; thence running North 82 degrees 38' 30" West sixty-eight and eighty hundredths (68.80) feet to an iron pipe, and South 75 degrees 20' 00" West sixty-seven and thirty-one hundredths (67.31) feet, all by land of said DeRice Bros., Inc. to an iron pipe in the easterly sideline of Washington Avenue; thence turning and running North 15 degrees 36' 30" West by said Washington Avenue two hundred twenty-seven and forty hundredths (227.40) feet to an iron pipe in the westerly sideline of Auburn Street; thence turning and running South 7 degrees 21' 30" West by said Auburn Street two hundred forty-six and seventeen hundredths (246.17) feet to land of DeRice Bros., Inc. and the point of beginning. Containing 41,058 square feet.

Being the same premises conveyed to Kenike LLC by Barbara A. Esposito by Quitclaim Deed with Covenant, dated September 20, 2000, recorded in the Cumberland County Registry of Deeds in Book 15835, Page 276.

March 25, 2002

Gary D. Vogel
gvogel@lambertcoffin.com

Alex Jaegerman, Chief Planner
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Zoning Map Amendment of Bath Savings Institution for Property at
40-42 Auburn Street, Assessor's Map #375, Block A, Lot 2
Our File No. 2431-454

Dear Alex:

This office represents Bath Savings Institution. I am submitting with this letter a Zoning Map Amendment Application of Bath Savings Institution to request a zone change of the property located at 40-42 Auburn Street in Portland from R-5 and B-1 to B-2. The purpose of the zoning map change is to enable Bath Savings Institution to redevelop the site with a new attractive branch bank with a drive through window and drive through ATM. The zone change is necessary because drive through facilities are not permitted in the B-1 zone. The change of the entire site to a B-2 zone will permit the redevelopment as a branch bank. Drive through facilities are permitted in the B-2 zone as a conditional use.

We believe that this zone change makes sense from both land use and business perspectives. The Northgate Shopping Center, Zoned B-2, is located across the street from the property. The Northgate area and in particular the properties on Auburn Street may legitimately be viewed as appropriate for a community business use. The Northgate area is a destination for the entire North Deering area as well as adjoining parts of Falmouth. Retailers, offices and medical facilities serving this entire community are located in this vicinity. Accordingly, there seems to be little reason to preserve the B-1 neighborhood business zoning on the opposite side of Auburn Street from the shopping center.

The zone change to B-2 will facilitate and enable the substantial investment in the site to be made by Bath Savings Institution. The property will receive a major upgrading with the addition of a new branch bank building, following the removal of the existing cinderblock structure. The actual development of the bank will be governed by the site plan review process. The Applicant, Bath Savings Institution will present to the Planning Board and City Council at the public hearings on this Application, photographs of recent branches they have constructed as an indication of how the Auburn Street branch may appear.

The site is fairly large and gives ample room to develop the branch bank on the site. The drive through window and ATM will be located at the rear of the bank building, naturally screened from

15

Alex Jaegerman, Chief Planner
March 25, 2002
Page 2

view from Auburn Street. A large row of evergreens along the westerly property line will screen the drive through area from the neighboring properties across Washington Avenue. There is ample room to address any additional screening that could be required under the B-2 Zone Conditional Use Standards for drive-throughs.

Unlike a fast food restaurant, it is not anticipated that there would be any substantial queuing of cars waiting for the drive through. The current use as a Pizza Hut Delivery and take-out facility likely generates a substantially greater amount of traffic, especially at peak hours, than would be generated by the branch bank.

In summary, we believe that the redevelopment of this site into a North Deering branch for Bath Savings Institution will provide an opportunity to substantially enhance and upgrade the subject property, as well as the streetscape and neighborhood in particular. Bath Savings Institution appreciates the careful consideration of this zone change request by the Planning Board and staff and by the City Council.

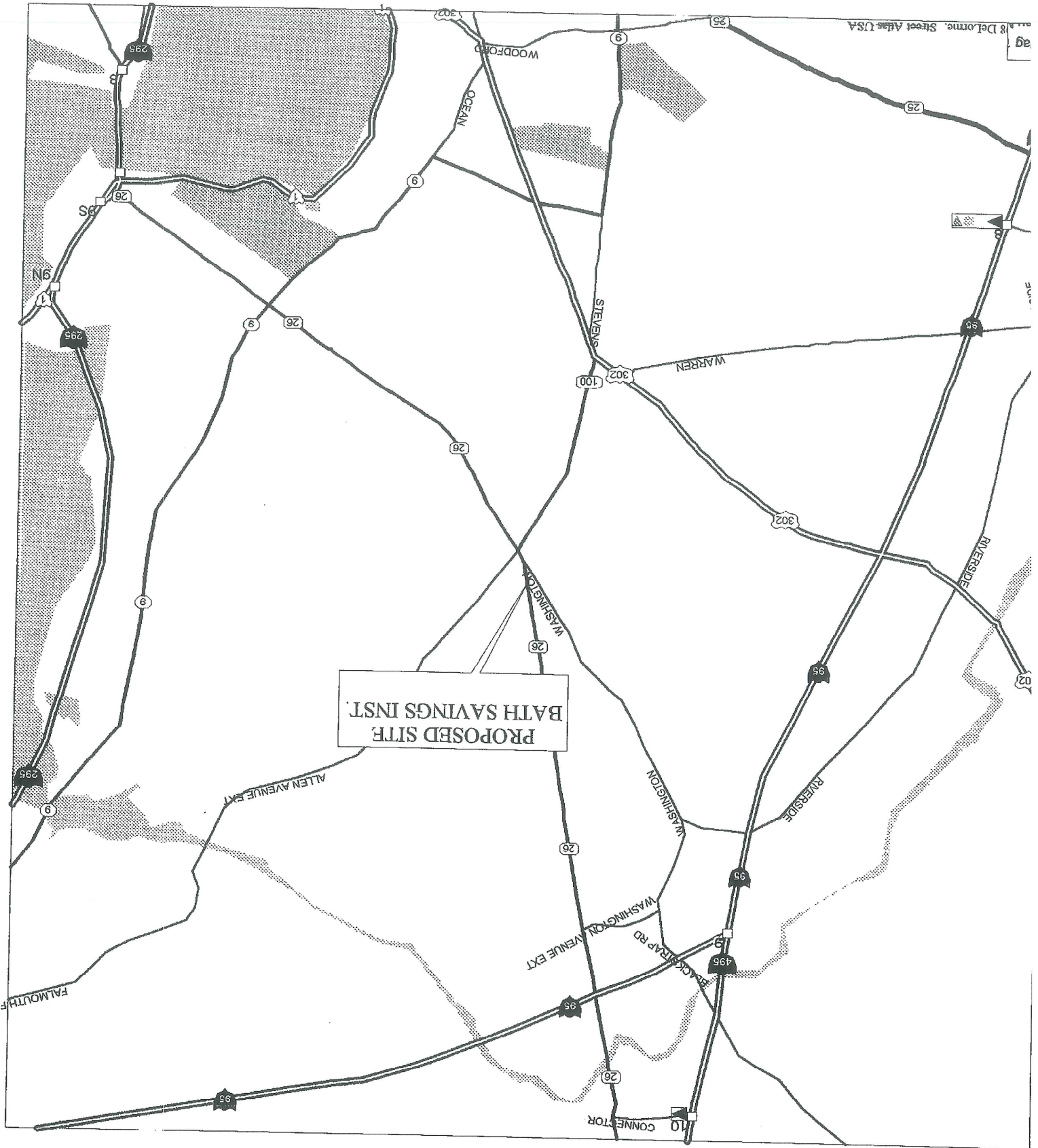
I will be present with representatives of Bath Savings Institution at the workshop and public hearing before the Planning Board and at the public hearing before the City Council to address any questions Planning Board Members, Council Members or members of the public may have. We will also be conducting the neighborhood meeting to present this Application to neighboring property owners as required by the amended Portland Ordinance.

Enclosed with this letter is the Zoning Map Amendment Application, together with the required exhibits and a check payable to the City for the \$500 filing fee. Please advise me of the additional fees due for notices and publications, which shall be promptly paid.

Very truly yours,

Gary D. Vogel

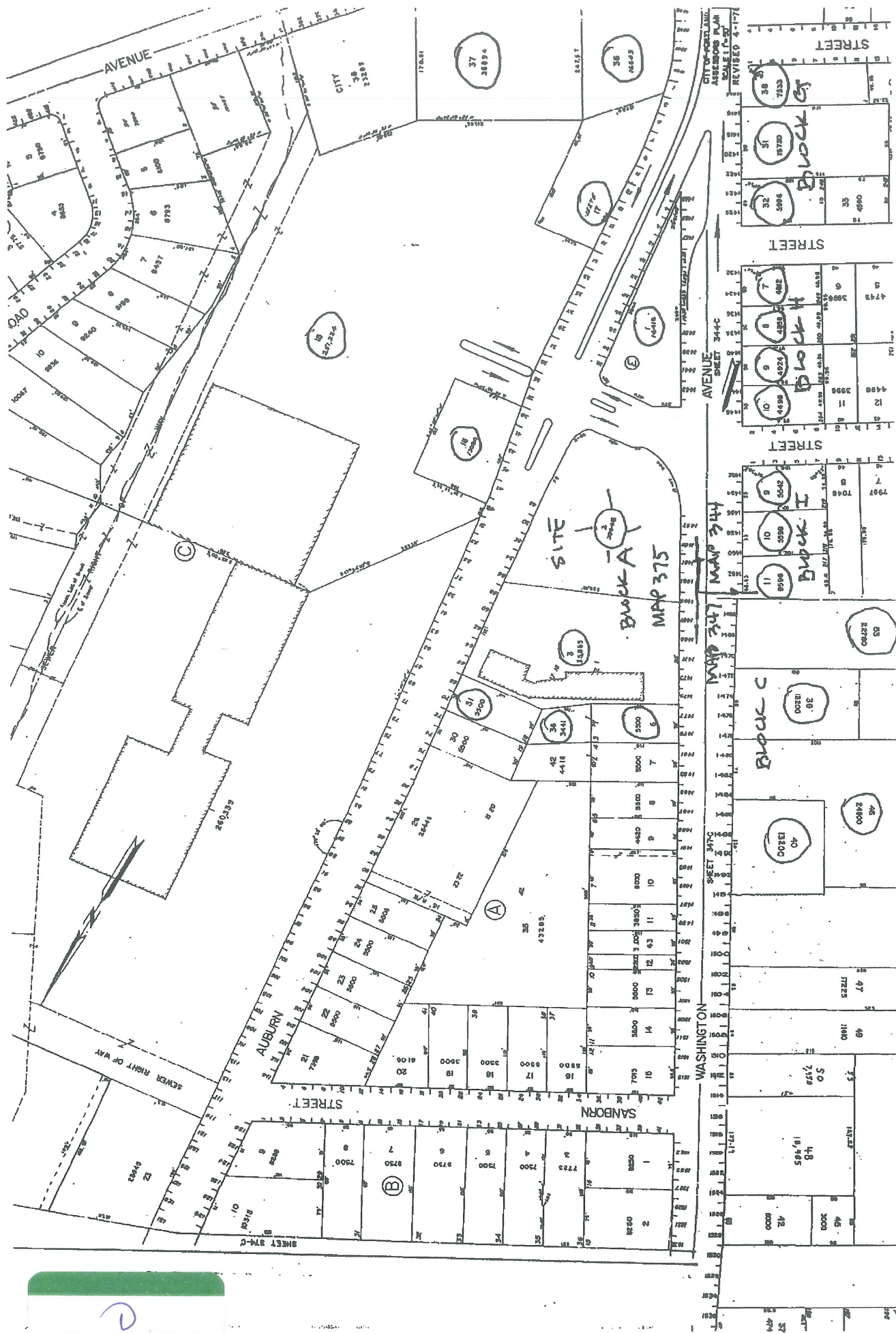
GDV/maj
cc: Glenn Hutchinson, President, Bath Savings (w/encs.)
Don Peterson (w/encs.)
Enclosures: Application for Zoning Amendment with the following Exhibits:
Exhibit A: Ground Lease to Bath Savings
Exhibit B: Vicinity Map
Exhibit C: Abutters/Map and List
Exhibit D: Existing Conditions Sketch Plan
Exhibit E: Proposed Development Sketch Plan
Check for Filing Fee



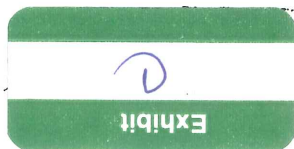
SITE LOCATION

Exhibit

B



VICINITY MAP
 BATH SINKING INSTANTION



(207) 774-010

DM Peterson

Mar 25 02 12:16p

IMMEDIATE ABUTTERS

Property of Kenike LLC
 Map 375 Block A Lot 2
 40 Auburn Street
 Portland Maine

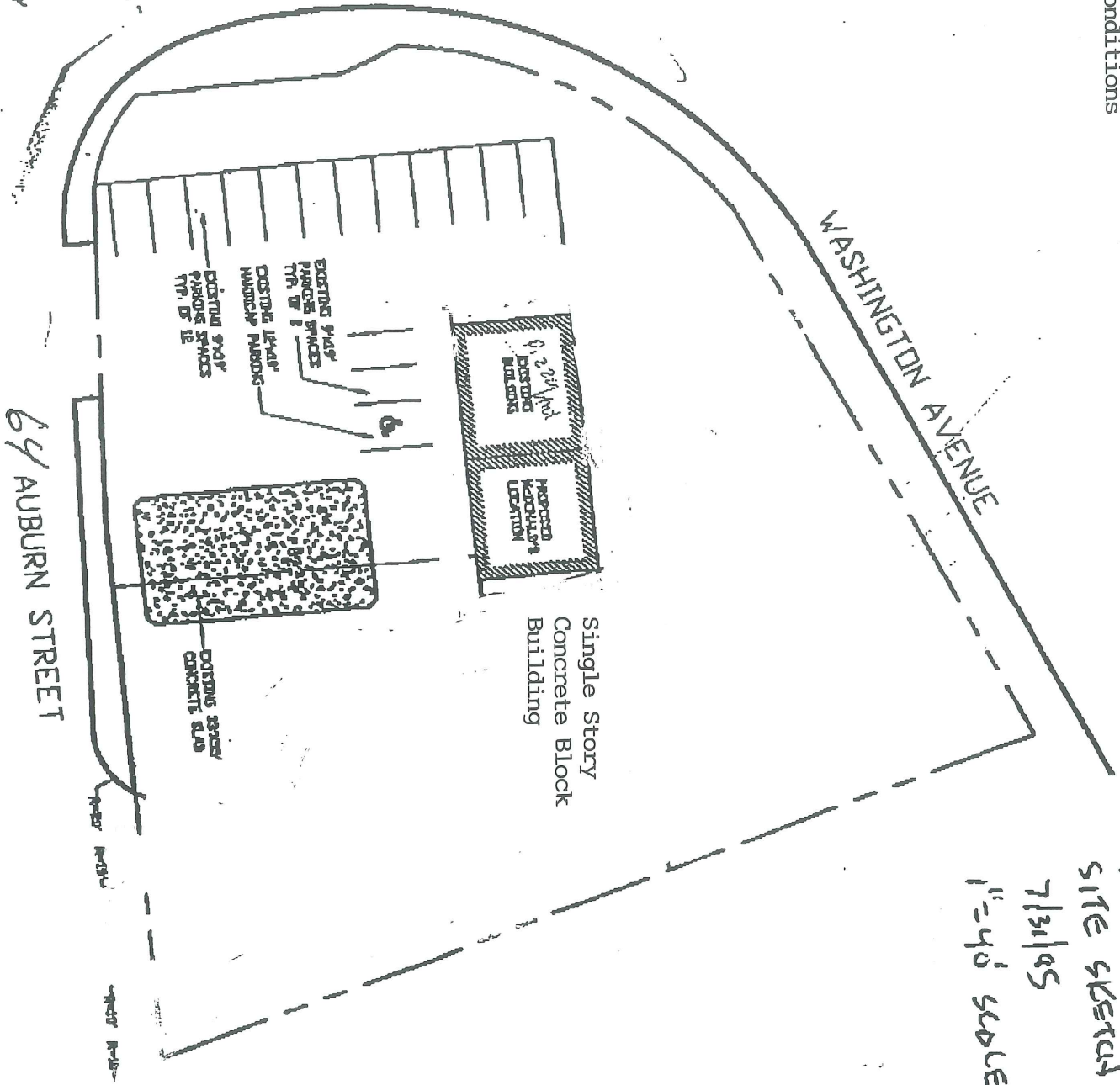
MAP BLOCK & LOT	LOT ADDRESS	OWNER	OWNER'S ADDRESS	
375	E-1	Ruth Libby	252 Virginia Street	Portland ME 04103
	A-2	Kenike LLC	153 Caleb Street	Portland ME 04102
	A-3	Christy Marions	1479 Washington Avenue	Portland ME 04103
	A-6	Christy Marions	1479 Washington Avenue	Portland ME 04103
	A-36	Christy Marions	1479 Washington Avenue	Portland ME 04103
	A-31	Phillip O'Hern Nationwide Insurance	1087 Forest Avenue	Portland ME 04103
	C-18	39 Auburn	Fleet Bank of Maine	Portland ME 04101
C-15	21 Auburn	Shaws Realty Co	E Bridgewater MA 02333	
C-17	3 Auburn	Shaws Realty Co	E Bridgewater MA 02333	
C-36	1397 Washington	Mobil Oil Corp	Houston TX 77210	
C-37	362 Allen	Citibank	S Portland ME 04106	
344	G-38 1408 Washington	Deering Grange #535	c/o Dorothy Nichols 88 Curtis Road	Portland ME 04103
G-31	1420 Washington	Ralph Thurston	1420 Washington Ave	Portland ME 04103
G-32	1424 Washington	Craig Perron	184 Foreside Road	Falmouth ME 04105
H-7	1438 Washington	Peter+Melissa Ocampo	1438 Washington Ave	Portland ME 04103
H-8	1438 Washington	Peter+Melissa Ocampo	1438 Washington Ave	Portland ME 04103
H-9	1442 Washington	Donna Schack	1442 Washington Ave	Portland ME 04103
H-10	1446 Washington	Les+Jacquelyn Cambell	1446 Washington Ave	Portland ME 04103
I-9	1454 Washington	Joan Tsotsones	55 Lambert Street Apt #2	Portland ME 04103
I-10	1458 Washington	Ethel Blanchette	1458 Washington Ave	Portland ME 04103
I-11	1462 Washington	Richard+Diann Pradetto	1462 Washington Ave	Portland ME 04103
347	C-39 1476 Washington	Dana Hurtubise+Debra Diamond	210 Coyle Street	Portland ME 04103
C-40	1492 Washington	John Fusco+Angelo Fusco	1492 Washington Ave	Portland ME 04103
C-46	1484 Washington	Dana Hurtubise+Debra Diamond	1399 Congress Street	Portland ME 04102
C-53	1468 Washington	Michael +Hillary Townsend	1468 Washington Ave	Portland ME 04103

DMP

Source: City of Portland / Assessor's Web Site

3/13/02

40-42 Auburn Street
Existing Conditions



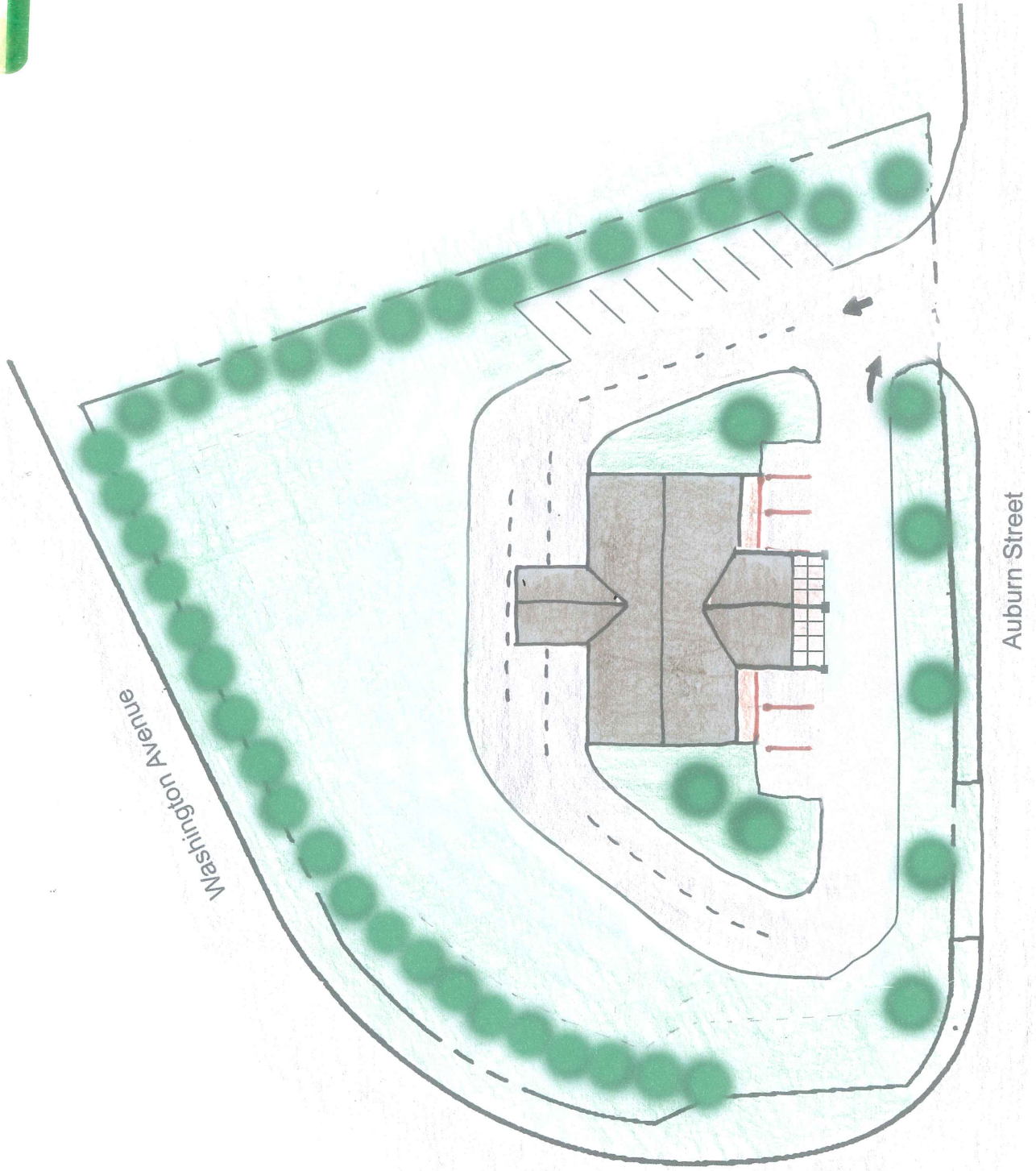
PORTLAND, ME
SITE SKETCH
7/31/85
1"=40' SCALE

Exhibit
D

M

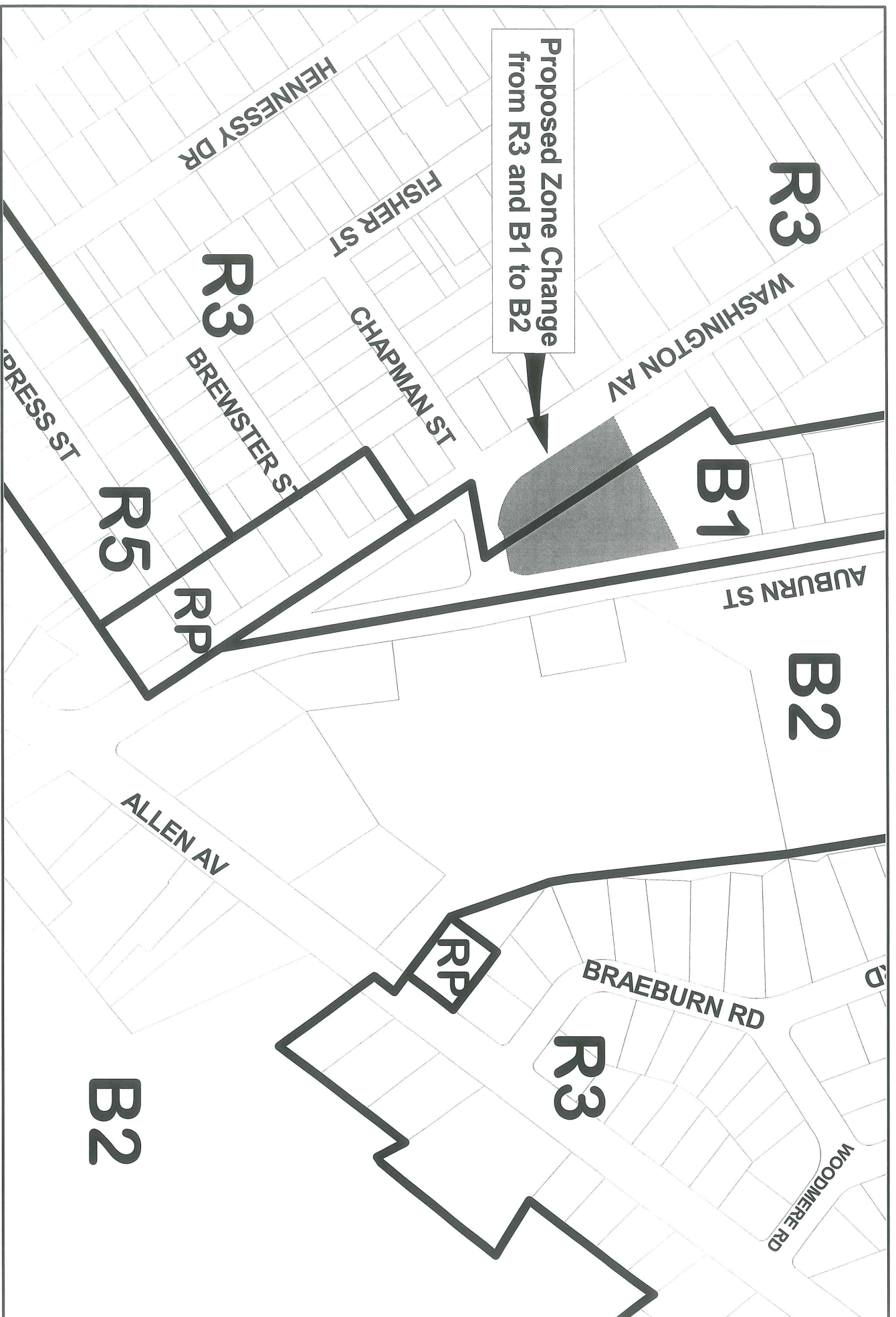


N

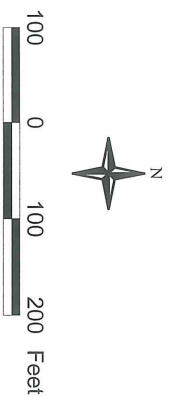


Bath Savings Bank - Proposed Site

Scale: 1" = 40'



**Proposed Zone Change from R3 and B1 to B2
for 40 - 42 Auburn Street**



Att. 2

On June 4, 2002 at 7:00 PM, representatives of Bath Savings Institution will hold a Neighborhood Meeting at the Deering Grange No. 535, 1408 Washington Avenue to discuss the Zone Change Application and proposed development and to answer any questions that neighboring property owners may have. This Neighborhood Meeting is being held in accordance with the provisions of the City of Portland Land Use Ordinance in advance of the City Planning Board's Public Hearing on the Zone Change Application.

Bath Savings Institution has filed an Application with the City of Portland Planning Department seeking a zone change for the property at 40-42 Auburn Street, at the corner of Auburn Street and Washington Avenue, currently used as a Pizza Hut Take Out and Delivery Store, to convert the zoning from B-1 and R-3 zoning to B-2 Zoning to permit the construction of a Bath Savings Institution bank branch with a drive through window and ATM. Bath Savings Institution intends to remove the existing under block building and replace it with a new branch bank building

**To: Property Owners In The Vicinity
of 40-42 Auburn Street, Portland, Maine**

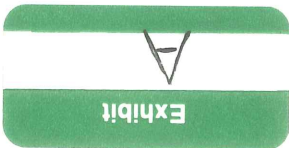
Date: June 4, 2002

Time: 7:00 P.M.

**Place: Deering Grange #535
1408 Washington Avenue
Portland, Maine**

**Notice of Neighborhood Meeting
Regarding Proposed Zone Change
For 40-42 Auburn Street**

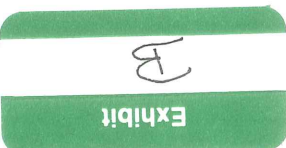
Att. 3



Name	Address
Donna Shippee	41 Cypress St.
Deborah Morton	30 Sanborn Street
Paul Benderman	154 Washington Ave.
Thelma D. Phillips	96 Brook Rd.
Anthony D. Phillips	96 Brook Rd.
Thelma D. Phillips	114 Steyark.
Thelma D. Phillips	1479 Washington Ave.
Judy Roy	26 Sanborn St.
Shannon Rafferty	13 Sanborn Street
William Townsend	1468 Washington Ave.
William Cochran	1462 Washington Ave.
Nicole Radette	1462 Washington Ave.
Kim Perry	32 Sanborn St.
Patrick Conway	32 Sanborn St.
Tony Pronger	1454 Washington St.
Alexandra Campbell	1446 Washington Ave.

BATH SAVINGS INSTITUTION
NEIGHBORHOOD MEETING
ZONE CHANGE FOR 40-42 AUBURN STREET, PORTLAND
ATTENDANCE LIST
 June 4, 2002

Att. 4



4a

BATH SAVINGS INSTITUTION

NEIGHBORHOOD MEETING
 ZONE CHANGE FOR 40-42 AUBURN STREET, PORTLAND

ATTENDANCE LIST
 June 4, 2002

Name	Address
Carm Vogel	Cawhert Coffin, 477 Congress St
Ben Peltum	276 State St Portland, OR
Barbara Graw	Bath Savings Institution
Blm & Almond	Bath Savings Institution
Tom Platz	Platz Assoc, Lewiston
Steve Meyers	Platz Assoc, Lewiston

A neighborhood meeting to present the proposed zone change for the property at 40-42 Auburn Street, Portland, Maine, was held by Bath Savings Institution in accordance with the provisions of the Portland Land Use Ordinance on June 4, 2002, at 7:00 p.m., at the Deering Grange, 1408 Washington Avenue, Portland, Maine. Notice of the meeting was mailed to property owners within five hundred feet of the site seven days in advance of the meeting. A copy of the notice is attached hereto as Exhibit A.

Present at the meeting on behalf of Bath Savings Institution were Glenn Hutchinson, President of Bath Savings Institution, Barbara Gaul of Bath Savings Institution, Gary D. Vogel, Bath Savings Institution's attorney, Donald Peterson, Real Estate Advisor, and two representatives of the architectural firm retained by Bath Savings Institution, Thomas Platz and Steven Meyers.

Approximately 20 neighboring property owners attended the meeting. Neighboring property owners were asked to sign an attendance sheet. A copy of the attendance sheet is attached hereto as Exhibit B.

The meeting was called to order at 7:00 p.m. by Glenn Hutchinson, President of Bath Savings Institution. Mr. Hutchinson made a few introductory remarks concerning the zone change application and concerning Bath Savings Institution's desire to establish a branch in the North Deering community. Glenn Hutchinson then introduced Tom Platz of Platz Associates in

**ZONE CHANGE APPLICATION
OF
BATH SAVINGS INSTITUTION
FOR
40-42 AUBURN STREET
PORTLAND, MAINE
MINUTES OF JUNE 4, 2002
NEIGHBORHOOD MEETING**

Lewiston, the project architect, who discussed the current conditions on the site, the proposed development based on the conceptual sketch plan, and the need for the zone change to accommodate the drive-thru required by the Bank in connection with its development. Mr. Platz presented large-sized plans of the existing conditions, the conceptual site plan of the proposed development, as well as some photographs of some typical Bath Savings Institution branch buildings. After Mr. Platz made his initial presentation, he opened the floor to questions from those in attendance. The questions were answered by Mr. Platz, by Donald Peterson, Glenn Hutchinson, President of the Bank, and Gary Vogel, the Bank's attorney.

A resident asked if there was any way to build the Bank without requiring the zone change. Representatives of the Bank indicated that a drive-thru was required in connection with the development of the Bank, and that the zone change was required for the drive-thru.

A resident asked what happens if the zone change is granted and the Bank does not proceed or is no longer at the location. Representatives of the Bank indicated that the zone change alone does not cause the enabling of the drive-thru. A drive-thru requires approval by the Planning Board as a conditional use. Representatives of the Bank also indicated that in connection with the approval of the drive-thru, the Planning Board could impose conditions that were intended to address traffic and site concerns.

A resident owner made a statement indicating that she lives on Sanborn Street that is used as a cut-through by motorists avoiding the intersection of Washington Avenue and Auburn Street. She is concerned that the development of the Bank will increase traffic on Sanborn Street that uses Sanborn Street as a cut-through, and stated that she does not want the Bank's customers traveling down her street.

A resident asked why an additional Bank is needed in the neighborhood, when there are already several Banks located at the Northgate Shopping Center. Glenn Hutchinson of Bath Savings Institution indicated that Bath Savings, a community Bank, was very different from Fleet Bank, KeyBank and Peoples, and believed that the residents of the North Deering area would welcome an opportunity to do business with a local community Bank.

One resident indicated that he lives on the corner of Chapman Street and Washington

Avenue. He indicated that the City promised a buffer zone in the form of a residentially zoned

strip adjoining Washington Avenue, and was concerned that the buffer zone was being lost with

the zone change from R3 to B2. He asked what would happen to the buffer zone if the project

were approved. Representatives of the Bank indicated that the plan of development for the site

tries to respect this buffer zone to the greatest degree possible, moves the building further away

from Washington Avenue and closer towards Auburn Street, and leaves the area on the back of

the site, towards Washington Avenue, largely undeveloped. Representatives of the Bank further

indicated that if the Bank were to later add any further development to this portion of the site, it

would need City approval.

One resident asked if we could move the residential zone only 10 feet away from the

business zone in order to accommodate the drive-thru. Representatives of the Bank indicated

that it was necessary to eliminate the residential zone because the zoning required that the drive-

thru could not be located closer than 40 feet to any residential zone.

One resident questioned the lighting that would be provided for the drive-thru.

Representatives of the Bank indicated that the lighting had not yet been designed. Lighting for

the drive-thru will be kept localized so that it should not create excessive spillage onto

neighboring properties.

One resident asked whether we could create access onto Washington Avenue from the property, and whether we have that right. Representatives of Bath Savings Institution indicated that we did not intend to create access onto Washington Avenue, and expressed an opinion that the Planning Board and Planning Department would likely not approve site access from Washington Avenue.

One resident asked if we could turn the building ninety degrees so that the drive-thrus would be located at the Northerly side of the building, and not within the area designated as residential. He questioned whether we would need to be here for a zone change if we moved the building in that location. Representatives of Bath Savings Institution indicated that we would, nevertheless, require the zone change since drive-thrus were not permitted in the B-1 zone, and the traffic lanes for the drive-thrus would still be located within 40 feet of a residential zone. Representatives of Bath Savings Institution further indicated that they carefully reviewed the site and felt that the location of the drive-thrus at the rear of the building presented the only feasible location in dealing with site circulation issues.

One resident asked if the entire site would be zoned B-2. Representatives of Bath Savings Institution indicated that that was the request for the Planning Board and City Council. A resident of Sanborn Street stated that the traffic on Sanborn Street was problematic and that the Sanborn Street neighborhood obtained a traffic study to determine whether Sanborn Street could be made a dead-end street, a one-way street, or would allow other traffic improvements that would ease traffic concerns on Sanborn Street. Representatives of Bath Savings Institution indicated that Bath Savings Institution had commissioned Gorrill-Palmer Associates of Gray, Maine, traffic engineers, to commission a traffic study, and asked if the Bank could review the traffic study prepared for the Sanborn Street neighborhood. The resident

5c

indicated that the traffic study was on file at City Hall, and had been prepared by an individual by the name of Larry Ash. The resident asked if Sanborn Street would be included in the traffic study. Representatives of Bath Savings indicated that it was up to the traffic engineer to determine the proper scope of the inquiry, but stated that the Bank would alert the traffic engineers to the concerns of the Sanborn Street property owners.

One resident asked where was the zone line on the neighboring Paris Farmers Union property. Representatives of Bath Savings Institution indicated that the zone line continued in the same location across the Paris Farmers Union property. The resident further inquired whether our zone change would result in the rezoning of the Paris Farmers Union property. Representatives of Bath Savings Institution indicated that the proposal before the Planning Board was only related to the 40-42 Auburn Street site, and that we were not seeking a zone change on the Paris Farmers Union property.

One resident asked what were the hours of operation for the Bank. Glenn Hutchinson, President of the Bank, explained that the hours of operation were typically 7:30 to 5:00 for the drive-thru, and 8:00 to 4:00 for the remainder of the branch, with Saturday morning hours until noon.

One resident indicated that her house sits directly behind the property across Washington Avenue and was concerned about the visual impacts of the drive-thru. Representatives of the Bank indicated that they intended to maintain the extensive buffer of evergreen trees existing on the site, and would likely plant additional landscaping to enhance the buffer.

Residents inquired about the specific process for approvals of the development. Gary Vogel, attorney for the Bank, explained that a public hearing before the Planning Board would be held on June 11, 2002, at 6:30 p.m., at which time the Planning Board would make a

recommendation to the City Council for or against the zone change. Shortly thereafter, the item would appear on the City Council agenda, first for a first reading, at which no action is taken, followed by a public hearing before the Council probably two weeks thereafter, at which time the Council would approve or deny the zone change. If the zone change was approved, Mr. Vogel indicated that the Bank would thereafter complete its design of the building and the site, and file its site plan approval application with the Planning Board. Mr. Vogel indicated that the traffic study would be presented to the City as part of the site plan approval application. Thereafter, the Planning Board would likely hold a workshop meeting, and would hold a public hearing to approve the site plan, and to address the conditional use approval required for the drive-thru. Mr. Vogel indicated that an additional neighborhood meeting would be held after the site plan application were filed.

One resident asked when the project would be built if we obtained our approvals. Glenn Hutchinson, President of Bath Savings Institution, indicated that assuming all approvals are obtained, construction would likely start late in 2002, with the branch to open in 2003.

Residents inquired why Bath Savings Institution was not seeking to operate in the empty former Peoples Bank building located at the Northgate Shopping Center. Glenn Hutchinson indicated that Bath Savings Institution tried to acquire that property and had an agreement to purchase the property, but that its purchase was subject to a right of first refusal held by Shaw's Realty. Shaw's Realty exercised its right of first refusal. Bath Savings Institution had further discussion with Shaw's Realty about trying to utilize that building, and Shaw's has refused.

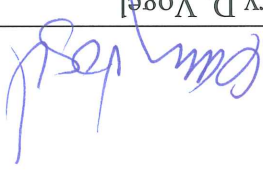
Residents inquired as to how the project came to be located on this site. Representatives of Bath Savings Institution indicated that the property was listed for sale or lease as a development parcel by Commercial Properties, Inc. The Bank was approached to determine

whether it had an interest in leasing the site for development of a branch Bank. Representatives of the Bank indicated that if the Bank did not receive its approvals, its agreement to lease the property was conditional and it that it would not proceed, and that the owners would likely put the property back on the market for lease of sale. Representatives of Bath Savings Institution indicated that they did not believe any zone change or Planning Board approval would be required if the property owner found another owner who intended to develop the property without a drive-thru and to use the existing building.

Thereafter, residents were invited to come forward and review the site plans and photographs presented by Bath Savings Institution.

The meeting adjourned at approximately 8:30 p.m.

RESPECTFULLY SUBMITTED

By:  _____
 Gary D. Vogel
 Attorney for Bath Savings Institution

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AH. 6

From: <Kevandmerly@aol.com>
To: Portland.CityHall(KCOTE)
Date: Wed, Jun 5, 2002 7:18 PM
Subject: RE: Proposed Zone Change

Dear Kandi,

My name is Merilyn Dalton and I am writing in regards to the proposed zone change in the North Deering section of Portland. My husband, son & I live on Fisher St., near where they want to build a bank and drive through. When we purchased our house we did so as it was near schools, churches and neighborhoods. The key word being "neighborhood" - now that we have a 2 year old son it is upsetting to us that the city would even consider changing a residential neighborhood to a "community business zone". We have a hard enough time walking near our house to get to the playground as the traffic has already been a problem. The speed limit is 25 mph near where the proposed bank is (the map enclosed fails to show the 4 huge crosswalks) and people already drive 50 mph up to the stop sign. Adding more traffic and business if only going to compound the problem. A lot of the people in this neighborhood are elderly and have lived here for 20-30 yrs. they probably will not speak up so I hope the planning board protects this area. It is up to them to protect the families that live and enjoy this NEIGHBORHOOD.

Sincerely,
Merilyn A. Dalton & Family

6a

From: "Gary Winship" <gwinship@maine.rr.com>
To: Portland.CityHall(KCOTE)
Date: Wed, Jun 5, 2002 1:08 PM
Subject: Proposed zone change

Kandi Talbot;

This is regards to the proposed zone change from R3 & B1 to B2 for 40-42 Auburn St. My husband & I DO NOT support the zone change. We are residents of 17 Chapman St. In this area there are already 3 banks Key, Fleet & People's. We DO NOT need nor do we want another bank. Most importantly, we DO NOT want the zone change. There is a vacant building in the Shaw's parking lot that used to be People's Bank that could be used for another bank.

Please keep us informed of this concern.
 Elizabeth & Gary Winship

ZONE CHANGE REQUEST

R-3 RESIDENTIAL/B-1 NEIGHBORHOOD BUSINESS TO B-2 COMMUNITY BUSINESS

40-42 AUBURN STREET

Submitted to:
Portland Planning Board
Portland, Maine

June 11, 2002

Submitted by:
Kandice Talbot

June 5, 2002

Gary D. Vogel
gvogel@lambertcoffin.com

Kandi Talbot, Planner
City of Portland Planning Department
389 Congress Street
Portland, ME 04101

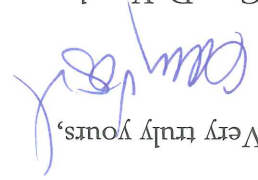
RE: Zone Change Application of Bath Savings Institution for Property at
40-42 Auburn Street, Assessor's Map #375, Block A, Lot 2
Our File No. 2431-454

Dear Kandi:

As required by the City of Portland Land Use Ordinance, I enclose minutes of the neighborhood meeting to present the zone change application to the property owners in the neighborhood, that was held on June 4, 2002, at the Deering Grange, 1408 Washington Avenue. A copy of the notice and the attendance list for the meeting are attached as exhibits to the minutes.

Please feel free to contact me if you have any questions.

Very truly yours,



Gary D. Vogel

GDV/pd

Enclosures

cc: Glenn Hutchinson, President, Bath Savings (w/encs.)
Drew A. Anderson, Esq. (w/encs.)
Donald M. Peterson (w/encs.)
Thomas Platz (w/encs.)

**CITY OF PORTLAND, MAINE
MEMORANDUM**

Chair Caron and Members of the Portland Planning Board

TO: Kandice Talbot, Planner

FROM: May 14, 2002

SUBJECT: 40-42 Auburn Street, R-3 and B-1 to B-2 Zone

Introduction

Bath Savings Institution is requesting a zone change from R-3 Residential and B-1 Neighborhood Business to B-2 Community Business Zone at 40-42 Auburn Street. The purpose of the zone change would allow Bath Savings Institution to redevelop the site with a branch bank with a drive through window and drive through ATM. The B-1 zone does not allow drive-through uses. Drive through facilities are permitted in the B-2 zone as a conditional use.

The applicant is proposing to remove the existing cinderblock structure on the site. Current tenants of the building are Pizza Hut Delivery and Take-Out facility and a tanning salon. The site is approximately 39,548 sq. ft. and is located at the corner of Auburn Street and Washington Avenue.

Development Plan

The applicant is proposing a 3,000 sq. ft. branch bank with a drive through window and drive through ATM. Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut. The Planning Board may consider requesting a traffic study during the zone change proposal to indicate whether this use would create traffic impacts within this area.

Existing Uses

The uses along Auburn Street consist primarily of retail uses and office business uses, such as Shaw's, Hollywood Video, Mobil Gas Station and Convenience Store, Mr. Bagel, Paris Farmer's Union, Fleet Bank and Boys Scouts of America. The uses along Washington Avenue, from Auburn Street towards Riverside Street, are primarily single-family residential uses.

Policy Considerations

The applicant is requesting this B-2 zone change to allow a drive-through. The current zone for the site is B-1 along the easterly portion of the site and R-3 along the westerly portion of the site. It is possible that the zone line was created this way to form a buffer for the residential neighborhood. The drive-through could have a greater traffic impact on the neighborhood. Given the range of uses allowed in the B-2 zone, a branch bank would have a lesser impact on the neighborhood, given that the hours are primarily 8:00 a.m. to 5:00 p.m.

- Attachments
1. Applicant's Submittal
 2. Proposed Zone Change Map

Advertisement

Staff will be looking for guidance for advertising purposes. The Board may wish to rezone the entire site B-2 or may consider rezoning just the B-1 portion to B-2 and retaining the R-3 zoning for buffer purposes.

Also, if this project were not built in the future, a zone change to B-2 could allow a higher impact use, for example a fast-food restaurant, to be located at this site. The site is already in commercial use, and the proposed branch bank or any other B-2 use provides an opportunity to improve the layout of buildings and parking.

Should the zone change be approved, access to the site would be an important site plan feature. Due to the residential nature of Washington Avenue, Auburn Street would be the preferable location for an entrance. Drive throughs are conditional uses in the B-2 zone and would be reviewed by the Planning Board.

Att. 1

APPLICATION FOR ZONING AMENDMENT
City of Portland, Maine
Department of Planning and Urban Development
Portland Planning Board



Subject Property: 40-42 Auburn Street
Address: Portland, Maine 04103
Map 375, Block A, Lot 2
Assessor's Reference (Chart-Block-Lot)

2.

Applicant Information:

Name: c/o Gary D. Vogel, Esq.
Lambert Coffin
Address: 477 Congress Street, 14th Floor
P.O. Box 15215, Portland, ME 04112-5215
Phone: (207) 874-4000
Fax: (207) 874-4040

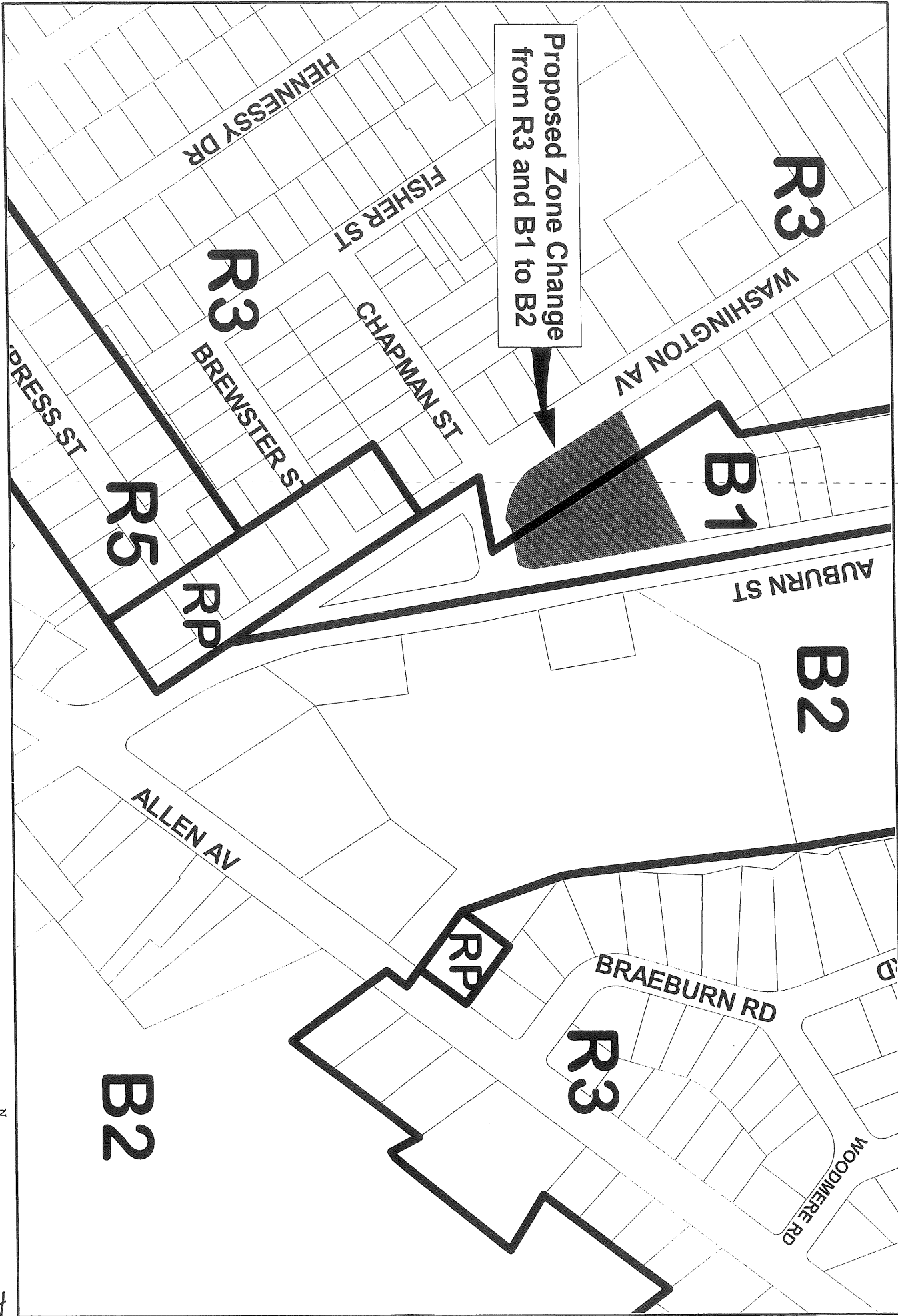
3. Property Owner: Applicant Other

Name: Kenike, LLC
Address: 153 Caleb Street
Portland, Maine 04102

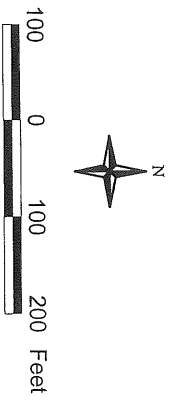
Phone _____
Fax _____

4. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property: _____
Applicant is the Lessee under a Ground Lease that authorizes Applicant to redevelop the land and to obtain permits.

5. Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)
A copy of the Memorandum of Lease is attached as Exhibit A.
Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)
The Vicinity Map is attached as Exhibit B. An Abutters Map and List of abutters is attached as Exhibit C.



**Proposed Zone Change from R3 and B1 to B2
for 40 - 42 Auburn Street**



Att. 2

**Request for Official Zoning Map Update
from the GIS Workgroup**

Date: _____

Planner: _____

Location: 40-42 Auburn St.

If the Zone Change is based on parcel lines please list the Assessor's CBLs.

Council Order Number: _____

Date passed by City Council: _____

Effective Date: _____

Zone Change from _____ to _____

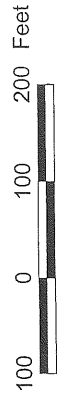
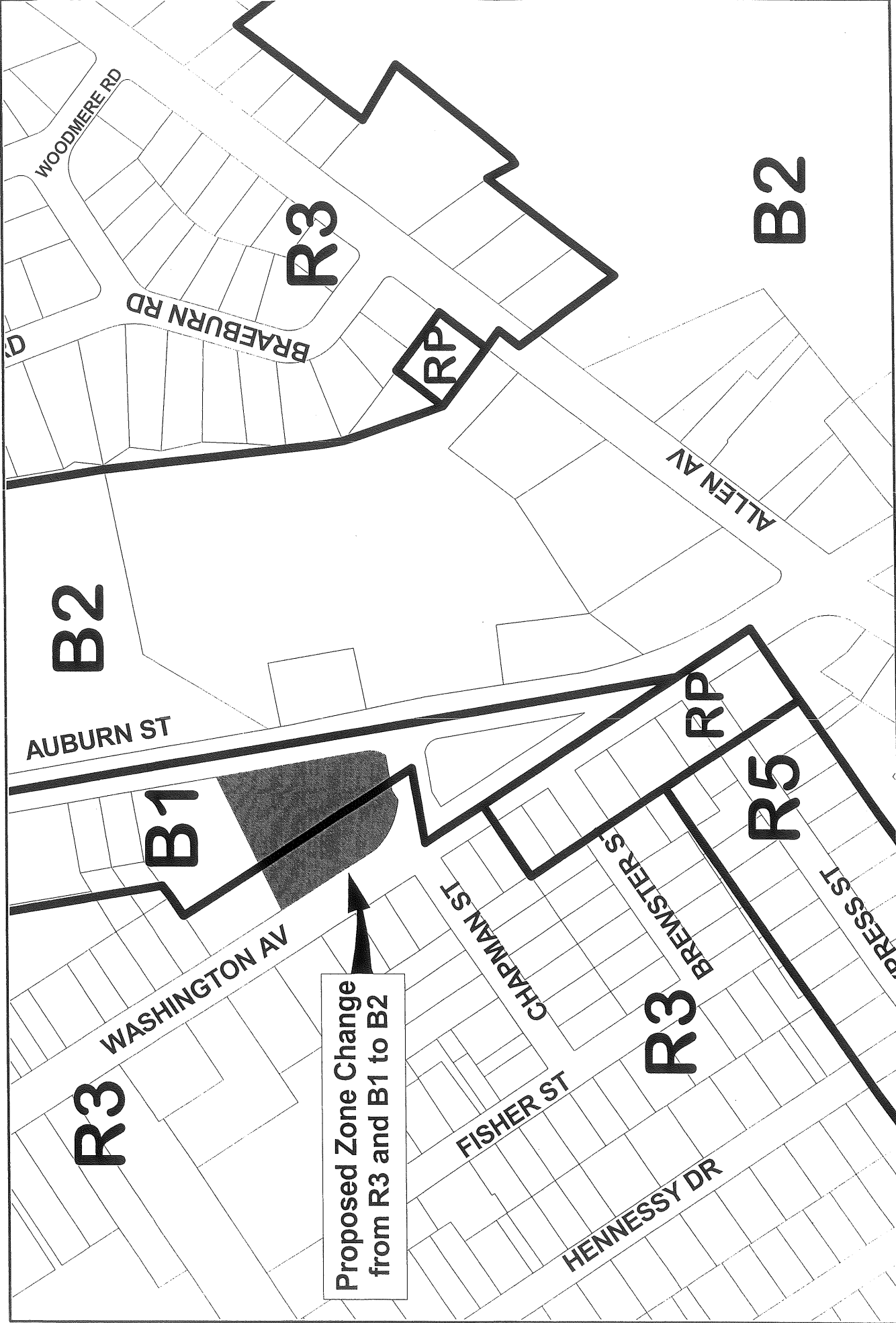
Changes made, if any, by the City Council to the advertised map: _____

Copy of Council Order attached

Copy of map accepted by City Council attached

Mandatory copy of the accepted map has been sent to Alex Wong at
DEP if this zone change is within the Shoreland Zone

Please send this request, a copy of the Council Order and the approved map to
Leslie Kaynor in Public Works as soon as the zone change is approved.
If the zone change is denied, please forward a copy of the Council Order for our records.
For questions: Call 756-8346 or email lmk@ci.portland.me.us



Proposed Zone Change from R3 and B1 to B2 for 40 - 42 Auburn Street

**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Chair Caron and Members of the Portland Planning Board

FROM: Kandice Talbot, Planner

DATE: December 10, 2002

SUBJECT: 40-42 Auburn Street Contract Zone

Introduction
Bath Savings Institution is requesting a R-3/B-1 contract zone at 40-42 Auburn Street. The purpose of the zone change would allow Bath Savings Institution to redevelop the site with a branch bank with a drive through window and drive through ATM. The B-1 zone does not allow drive-through uses.

The applicant is proposing to remove the existing cinderblock structure on the site. Current tenants of the building are Pizza Hut Delivery and Take-Out facility and a tanning salon. The site is approximately 39,548 sq. ft. and is located at the corner of Auburn Street and Washington Avenue.

History
As the Planning Board may recall, the Planning Board held a public hearing on June 11, 2002 for Bath Savings Institution's request for a zone change from R-3/B-1 to the B-2 zone. At that time, the neighbors had a number of concerns including traffic and access onto Washington Avenue, the existing hedge along Washington Avenue being removed and the possibility of other B-2 uses being allowed at this site. The applicant then withdrew their request for a B-2 zone.

Existing Uses
The uses along Auburn Street consist primarily of retail uses and office business uses, such as Shaw's, Hollywood Video, Mobil Gas Station and Convenience Store, Mr. Bagel, Paris Farmer's Union, Fleet Bank and Boy Scouts of America.

The uses along Washington Avenue, from Auburn Street towards Riverside Street, are primarily single-family residential uses.

Development Plan
The applicant is proposing a 2,882 sq. ft. branch bank with a drive through window and drive through ATM. Access to the site will be from Auburn Street. The existing curb cuts would be reduced to one curb cut.

A traffic study has been submitted and is included as Attachment 8. The proposed development is forecast to generate 192 trips ends in the PM peak hour. This level of trip generation will require a traffic permit from the Maine Department of Transportation. As the existing site currently generates traffic, Gorrill-Palmer has determined that the net trip generation for the site will be 147 trip ends. The crash data indicates that there are no high crash locations within the study area and the sight distances at the proposed driveway are acceptable. The Traffic Study states that the island fronting Shaw's should be reconfigured to allow for a short left turn lane into the site. Currently, approximately one car a minute turns left into Shaw's, which delays through traffic. The island should be removed between the Shaw's driveway and the bank driveway to use this space to stripe a short left turn lane into Shaw's. In addition, this portion of

Auburn Street should be striped to provide for two through lanes in each direction.

Conditions For Rezoning

The applicant is requesting a contract zone to limit the uses of the site as redeveloped to a branch bank use and to preclude other uses permitted in the B-2 zone such as fast food restaurants that would have a much greater impact upon residential uses in the vicinity. The conditions also address, but are not limited to, the front setback, which the proposed building does not meet for B-1 zoning; landscaping; traffic improvements and conditional standards for drive-throughs. A condition would also require that the Planning Board review the site plan. Listed below are the proposed conditions of the contract:

1. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Development, and incorporated by reference into the Zoning Ordinance by §14-49 of the Portland City Code, by adopting the map change amendment shown on Attachment 1.

2. The use of the property shall consist of a Bath Savings bank branch with incidental sales of financial and insurance products and services and will include up to two (2) drive-through teller lanes (hereinafter "Teller") and one (1) drive-up automated teller machine (hereinafter "ATM").

3. That the hours of operation of the Bank and the drive-through Teller will be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday and 7:00 a.m. to 2:00 p.m. on Saturday, with no Sunday hours of operation. The ATM shall be available for use twenty four (24) hours a day, seven (7) days a week. Nothing herein shall prohibit the after-hours use of the property for staff meetings and other banking-related meetings when the Bank is not open to the general public.

4. The Property will be developed substantially in accordance with the Site Layout Plan by Gorrill-Palmer Consulting Engineers, Inc. dated November 1, 2002 (the "Site Plan").

5. Only one (1) curb cut shall be allowed on Auburn Street side of the property and the placement of said curb cut shall conform to that shown on Attachment 2, incorporated herein by reference. The existing curb cut shall be removed by BSI prior to the issuance of a Certificate of Occupancy. No curb cut shall be permitted on the Washington Avenue or the connector between Washington Avenue and Auburn Street.

6. The existing landscaping hedge on the westerly boundary of the property, bordering Washington Avenue shall remain undisturbed and shall be maintained at least at its present height of _____ () feet by BSI and the property owner.

7. BSI or the property owner, at its expense, shall remove the existing raised island on Auburn Street at the intersection of Auburn Street connector and the entrance to Northgate Plaza, shall install an exclusive left hand turn lane into Northgate Plaza, and shall upgrade the signalization at this intersection (including but not limited to the installation of a vehicle detection loop and upgraded traffic signal) all as approved by the City Traffic Engineer.

8. The front yard setback need not comply with the setback requirements contained within the B-1 zone. Otherwise, the provisions of §14-161 through 14-167 (the B-1 Zone) of the Portland City Code shall apply to this development. In addition, the Planning Board shall review the site plan for this project and shall be satisfied that the following requirements have been met:

- a. the drive-through must be accessory to a principal use located on the same site; and
- b. the site must have adequate stacking capacity for vehicles waiting to use the drive-up service features without impeding vehicular circulation or creating hazards to vehicular

- 1. Zone Change Application
- 2. Applicant's Letter dated October 22, 2002
- 3. Proposed Zone Change Map
- 4. Proposed Contract
- 5. Applicant's Letter dated November 19, 2002
- 6. Signage Information
- 7. Letters to Utility Companies regarding Capacity
- 8. Traffic Study Narrative
- 9. Lighting Catalogue Cuts
- 10. Plans
- 11. Elevations

Attachments

Advertisement

Staff will be looking for guidance for advertising purposes.

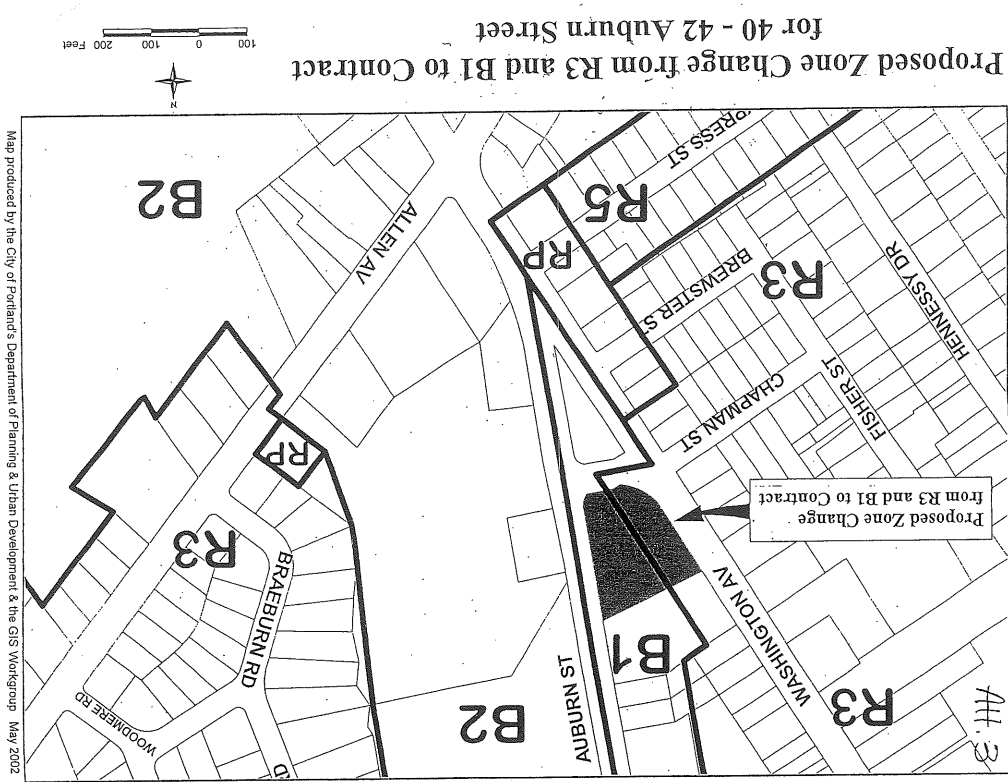
The applicant is requesting this contract zone to allow a drive-through. The current zone for the site is B-1 along the easterly portion of the site and R-3 along the westerly portion of the site. It is possible that the zone line was created this way to form a buffer for the residential neighborhood. The contract zone would allow this buffer to remain and also address other concerns by the neighbors. Traffic improvements would be required and access would be limited to Auburn Street. If the bank use were to be discontinued in the future, the property would be reverted back to the B-1 zone.

Policy Considerations

- 9. In the event the development described herein is not commenced within two (2) years from the date of this contract rezoning, this contract shall become null and void.
 - c. any speakers, intercom systems, or other audible means of communication shall not play prerecorded messages. Any speakers, intercom systems, audible signals, computer prompts, or other noises generated by the drive-through services or fixtures shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, whichever is greater; and Drive-through facilities shall be designed so that site and vehicular light sources shall not unreasonably spill over or be directed onto adjacent residential properties and shall otherwise conform to the lighting standards set forth in 14-526.
 - d. where automobiles may queue, waiting for drive-through services, their impacts must be substantially mitigated to protect adjacent residential properties from headlight glare, exhaust fumes, noise, etc. As deemed necessary by the reviewing authority, mitigation measures shall consist of installation of solid fencing with landscaping along any residential property line which is exposed to the drive-through or the enclosure of the drive-through fixtures and lanes so as to buffer abutting residential properties and to further contain all associated impacts; and
 - e. drive-through lanes shall be designed and placed to minimize crossing principal pedestrian access-ways or otherwise impeding pedestrian access.

PORTLAND PLANNING BOARD
PUBLIC NOTICE

Notice is hereby given that the Portland Planning Board will hold a public hearing on Tuesday evening, January 14, 2003 at 6:30 p.m. in Room 209, 2nd Floor, Portland, Maine to consider a proposal by Bath Savings Institute, for a contract zone for property located at 40-42 Auburn Street. The applicant proposes a contract zone in order to allow a bank use with drive-through, as delineated on the fragmented map below.



The conditions of the contract include, but are not limited to, that the use of the property shall consist of a branch bank with drive-through teller lanes and drive-up ATM machine; the hours of operation will be limited; one curb cut allowed on Auburn Street and no curb cut permitted on Washington Avenue or the connection between Washington Avenue and Auburn Street; traffic improvements on Auburn Street; front yard setback and drive-through standards; and in the event the property development is not commenced within two years, the contract will become null and void. To view the contract in its entirety, please go to the Portland Planning Office, City Hall, 4th Floor.

Further information on this development can be obtained at the Planning Department Office, City Hall, 4th Floor, or by calling 874-8901.

October 22, 2002

Gary D. Vogel
gvogel@lambertcoffin.com

City of Portland
Planning Department
Attn: Kandice Talbot
389 Congress Street
Portland, ME 04101

RE: Application for Zoning Amendment/Contract Zone for Property at 40-42 Auburn Street
Assessors Map 375, Block A, Lot 2 Our File No. 2431-454

Dear Kandice:

As you know, we submitted a Zoning Map Amendment Application on March 25, 2002, for the property at 40-42 Auburn Street that is being leased by my client, Bath Savings Institution in connection with its proposed redevelopment of the property as a branch bank. The Zoning Amendment is necessary to allow the development of the property into a branch bank with a drive-through window and drive-through ATM. The site is currently zoned B-1 and R-5. The zoning change is necessary because drive-through facilities are not permitted in the B-1 zone. Drive-through facilities are permitted in the B-2 zone as a conditional use.

A public hearing was held on June 11, 2002 before the Planning Board. At that time, the members of the Planning Board recommended that we resubmit our application as a Contract Zone Request in order to limit the uses of the site as redeveloped to a branch bank use and to preclude other uses permitted in the B-2 zone such as fast food restaurants that would have a much greater impact upon residential uses in the vicinity.

I have enclosed a revised Application for Zoning Amendment requesting a conditional or contract zone. The Application is the same Application that was filed in March of this year except that Section 10 has been changed to request a conditional or contract zone and Exhibit E, a sketch plan of the proposed redevelopment has been replaced with a new Exhibit E showing a more detailed conceptual site plan for the redevelopment of the property.

Proposed conditions for the contract zone are that the contract zone permit a use as a bank branch with drive-through teller window and drive-through ATM in accordance with the conceptual site plan to be approved by the Planning Board.

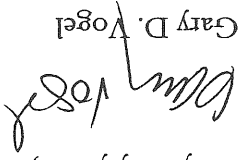
As we discussed on the telephone, Bath Savings Institution previously paid a \$500.00 filing fee for the Zoning Map Change Application that was withdrawn. I am submitting with this resubmitted Application an additional fee in the amount of \$250.00 as the zone change fees for a contract and condition rezoning are \$750.00 rather than \$500.00.

As with our Application for a Map Change, we believe that this zone change makes sense from both land use and business perspectives. The Northgate Shopping Center, Zone B-2, is located across the street from the property. The Northgate area is a destination for the entire North Decring as well as adjoining parts of Falmouth. The approval of the contract zone will facilitate and enable the substantial investment in the site to be made by Bath Savings Institution. The property will receive a major upgrading with the addition of a new branch bank building following the removal of the existing cinderblock structure. The actual development of the bank will be governed by the site plan review process. The Applicant, Bath Savings Institution, will present to the Planning Board and City Council at public hearings on this application photographs of recent branches they have constructed as an indication of how the Auburn Street branch may appear.

The site is fairly large and gives ample room to develop the branch bank on the site. The drive-through window and ATM will be located at the rear of the bank building, naturally screened from view from Auburn Street. A large row of mature evergreens along the westerly property line will screen the drive-through from the neighboring properties across Washington Avenue.

Please schedule this matter to be placed on the City Council's agenda as soon as possible. Bath Savings Institution has engaged the services of Gornill-Palmer Consulting Engineers, Inc. to assist with traffic study issues. It will be prepared to present the traffic study information to the Planning Board in connection with the Contract Zone Application.

Please notify me as soon as a schedule has been set for the initial meeting before the Planning Board.

Very truly yours,

Gary D. Vogel

GDV/jwf

Enc.

Cc: Bath Savings Institution, Attn: Glenn Hutchinson, President (w/encs.)
Donald M. Peterson (w/encs.)
VPlatz Associates, Attn: Sherri Shaw (w/encs.)
Drew Anderson, Esq. (w/encs.)

APPLICATION FOR ZONING AMENDMENT
 City of Portland, Maine
 Department of Planning and Urban Development
 Portland Planning Board



1. Applicant Information:

Bath Savings Institution
 Name c/o Gary D. Vogel, Esq.
 Lambert Coffin
 Address 477 Congress Street, 14th Floor
 P.O. Box 15215, Portland, ME 04112-5215
 (207) 874-4000
 Fax (207) 874-4040
 Phone

3. Property Owner: Applicant Other

Kenike, LLC
 Name
 153 Caleb Street
 Address
 Portland, Maine 04102
 Phone
 Fax

4. Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Applicant is the Lessee under a Ground Lease that authorizes Applicant to redevelop the land and to obtain permits.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

5. A copy of the Memorandum of Lease is attached as Exhibit A.
 Vicinity Map: Attach a map showing the subject parcel and adjoining parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)
 The Vicinity Map is attached as Exhibit B. An Abutters Map and List of abutters is attached as Exhibit C.

6. Existing Use:

Describe the existing use of the subject property: Duplex commercial building housing a Pizza Hut take-out and a tanning salon.

7. Current Zoning Designation(s): B-1 and R-5

8. Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

The Applicant proposes to demolish the existing cinderblock building and construct a new branch bank building of 3000 +/- sf in the style of its other suburban branches with a drive-up window and drive-up ATM. The site will be landscaped and off street parking sufficient to meet the off street parking requirements of the Ordinance will be provided. Existing curb cuts will be reduced to one curb cut as shown on the proposed sketch plan.

9.

Sketch Plan: On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100') See attached sketch plans showing existing conditions and proposed redevelopment, attached as Exhibits D and E, respectively

10.

Proposed Zoning: Please check all that apply:

A. _____ Zoning Map Amendment, from _____ to _____

B. _____ Zoning Text Amendment to Section 14-

For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example), and language to be added is depicted with underline (example).

C.

X _____ Conditional or Contract Zone

A conditional or contract zoning may be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan and compatible with the surrounding neighborhood. (Please refer to Division 1.5, Sections 14-60 to 62)

Effective: July 6, 1998

Portland Planning Board
Portland, Maine

Please contact the Planning Office for further information regarding the rezoning process. Applicants are encouraged to make an appointment to discuss their rezoning requests before filing the application. Applicants are encouraged to include a letter or narrative to accompany the rezoning application which can provide additional background or context information, and describe the proposed rezoning and reasons for the request in a manner that best suits the situation. In the event of withdrawal of the zoning amendment application by the applicant in writing prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the City of Portland.

Further Information:

Signature: The above information is true and accurate to the best of my knowledge.
 Date of Filing: 3.25.02
 Signature of Applicant: *Campbell*
 Date of Filing: 10.22.02 (Filed as Contract Zone)
 Signature of Applicant: *Gary D. Vogel*
attorney for applicant
Campbell 10/22/02

Amount of Fee

Zone	Area	Fee	Legal Advertisements (one for workshop and one for public hearing)	Notices (one for workshop and one for public hearing)	Text Amendments
Residential Zones	1-25 Units	\$350.00	40 cents each	40 cents each	\$300.00
Residential Zones	26-50 Units	\$400.00	40 cents each	40 cents each	\$300.00
Residential Zones	51-75 Units	\$450.00	40 cents each	40 cents each	\$300.00
Residential Zones	75 & Over	\$500.00	40 cents each	40 cents each	\$300.00
Nonresidential Zones	1-25 Units	\$350.00	40 cents each	40 cents each	\$300.00
Nonresidential Zones	26-50 Units	\$400.00	40 cents each	40 cents each	\$300.00
Nonresidential Zones	51-75 Units	\$450.00	40 cents each	40 cents each	\$300.00
Nonresidential Zones	75 & Over	\$500.00	40 cents each	40 cents each	\$300.00

Application Fee: A fee for this application for a zoning amendment must be submitted, by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Public Hearing Notice as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

O. Traffic Movement Permit\$1,000.00
 R. Stormwater Quality Permit\$250.00

"Except as otherwise provided herein, permit fees shall be based upon estimated or actual cost of work, whichever is greater, for which the permit is required, including towers, permanent swimming pools and any other structures altered, constructed or demolished. Ten (10) percent of any fee, or ten dollars (\$10.00), whichever is greater, shall be nonrefundable to cover the administrative costs."

2. That Chapter 14 of the Portland City Code (Zone change fees), §14-54 be amended as follows:

Sec. 14-54. Zone change/zone map fees.

1. The following schedule of fees will be charged by the city for applications for changes of zone according to the following major zoning classifications and pertinent data relating to the specific zone change:

- (a) Zoning Map Changes/Amendments: \$500.00
- (b) Zoning Text Amendments: \$500.00
- (c) Contract and Conditional Rezoning: \$750.00

Residential zones	Residence zones	Nonresidential zones	Contract and Conditional Rezoning
1-25 Units	\$350.00	0-15,000 sq. ft. or 0-5 acres (whichever is less) \$350.00	\$500750.00
26-50 Units	\$400.00	15,000-30,000 sq. ft. or 6-10 acres (whichever is less) \$400.00	\$500750.00
51-75 Units	\$450.00	30,000-45,000 sq. ft. or 10-15 acres (whichever is less) \$450.00	\$500750.00
75 & Over	\$500.00	45,000-60,000 sq. ft. or 15-20 acres (whichever is less) \$500.00	\$500750.00

Applicant shall assume payment of cost of all notices, including newspaper publication.

(b) ~~Text change: Minimum fee of one hundred dollars (\$100.00). Applicant shall assume payment of cost of all notices, including newspaper publication.~~

Administrative policy: All ordinances that would cost more than the maximum to publish should be printed in separate pamphlet form and advertised only by reference.

(e) *Waiver of fees:* The fee for zone change applications will be waived or reduced by the Planning Authority in the case of an application submitted by any governmental body or where an applicant can establish financial hardship.

(d) *Withdrawal of application:* If a zone change application is withdrawn by an applicant prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the city.

2. The following schedule of fees will be charged by the city for zone maps:

Paper Maps:	Large \$20.00 per sheet	Small (11 x 17) \$5.00 per sheet	
Digital Zone Map	\$20.00		

3. That Chapter 14 of the Portland City Code (Costs), §14-677 be amended as follows:

Sec. 14-677. Costs-of-notices.

Any project may be subject to one or more of the following fees:

1. Review

A. Certificate of Appropriateness, including sign review \$25.00

B. Historic Preservation Committee Review \$50.00

C. New Construction, Comprehensive Rehabilitation, Major Additions \$200.00

D. After the Fact Review \$500.00

For purposes of this section, the following definitions shall apply:

New construction - any new construction (including building additions) whose building footprint exceeds 200 square feet. This shall not include replacement or reconstruction of existing or documented historic features.

This is a Memorandum of Lease by and between KENIKE, LLC, a Maine limited liability company ("Landlord") and BATH SAVINGS INSTITUTION, a Maine banking institution ("Tenant").

1. Date of Lease: February //, 2002.

2. Description of Leased Premises:

SEE EXHIBIT "A" ATTACHED HERETO

3. Commencement Date: The Primary Term of this Lease shall commence on the Commencement Date as defined in the Lease.

4. Term: Twenty-five (25) years.

5. Extension Options: Two (2) options of Ten (10) years each.

6. Right of First Refusal: Tenant has a right of first refusal to purchase the Leased Premises on terms set forth in the Lease.

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered as of the day and year first above written.

TENANT:

LANDLORD:

BATH SAVINGS INSTITUTION

KENIKE, LLC

By: Glenn Hutchinson, President

By: Joseph Esposito, Member

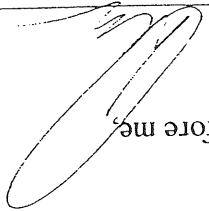
MEMORANDUM OF LEASE

Exhibit

A

STATE OF MAINE
COUNTY OF CUMBERLAND

This instrument was acknowledged on the 11th day of Feb, 2002, by Joseph Esposito, Member of KENIKE, LLC, a Maine limited liability company, on behalf of said LLC.

Before me,


Notary Public/Attorney at Law
Drew A. Andrews
Printed Name

STATE OF MAINE
COUNTY OF CUMBERLAND

This instrument was acknowledged on the 7th day of February, 2002, by Glenn Hutchinson, President of Bath Savings Institution, a Maine banking institution, on behalf of said Bank.

Before me,

Notary Public/Attorney at Law
Stephanie Kure

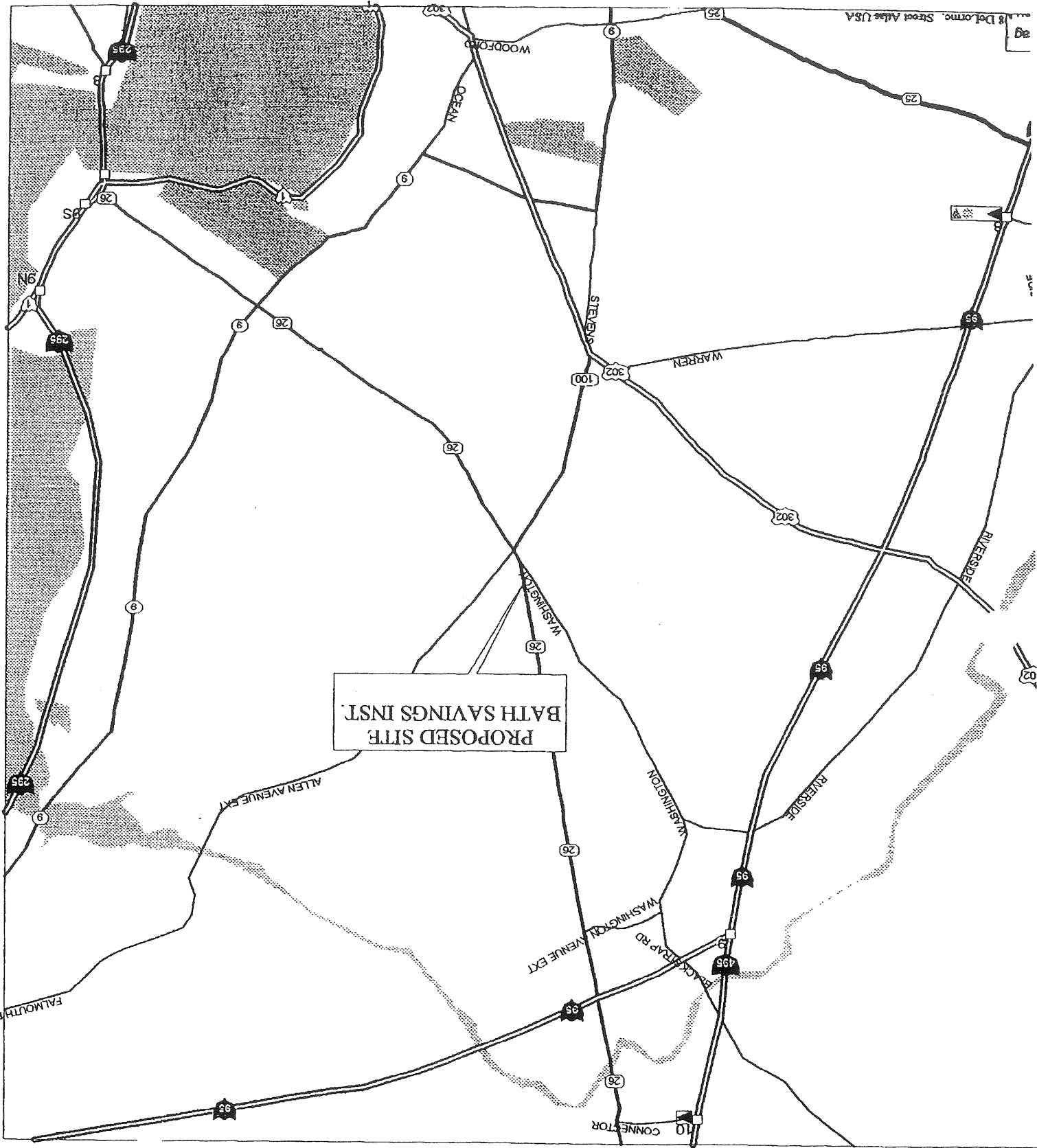
Printed Name

MAINE STATE BAR ASSOCIATION
JANUARY 20, 2003

EXHIBIT A

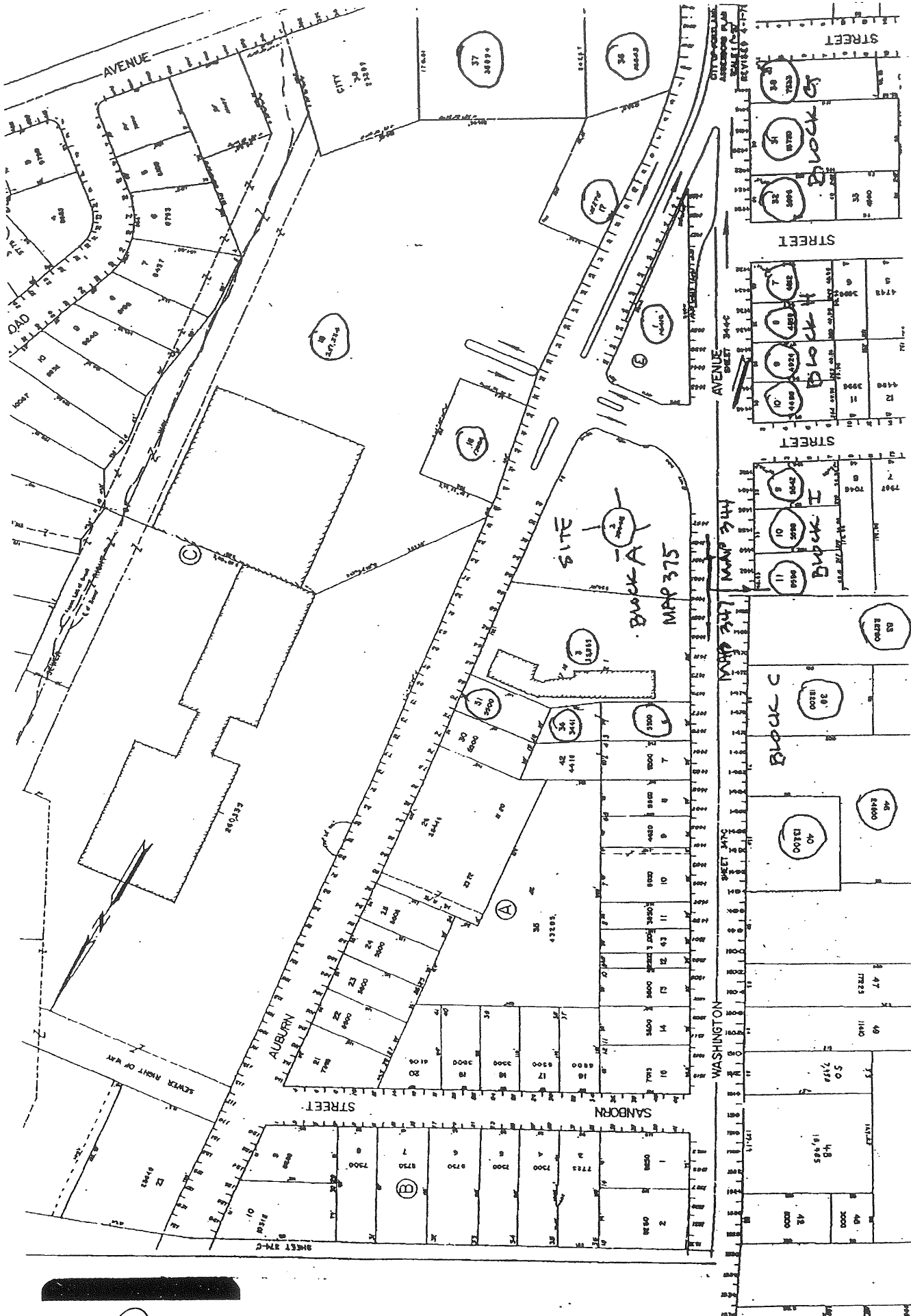
A certain tract or parcel of land with the buildings thereon, situated on the westerly sideline of Auburn Street, Portland, County of Cumberland, State of Maine, bounded and described as follows: Beginning at an iron pipe in the westerly sideline of said Auburn Street at the northeasterly corner of land now or formerly of DeRice Bros., Inc., and the southeasterly corner of the parcel herein described; thence running North 82 degrees 38' 30" West sixty-eight and eighty hundredths (68.80) feet to an iron pipe, and South 75 degrees 20' 00" West sixty-seven and thirty-one hundredths (67.31) feet, all by land of said DeRice Bros., Inc. to an iron pipe in the easterly sideline of Washington Avenue; thence turning and running North 15 degrees 36' 30" West by said Washington Avenue two hundred twenty-seven and forty hundredths (227.40) feet to an iron pipe in the westerly sideline of Auburn Street; thence turning and running South 7 degrees 21' 30" West by said Auburn Street two hundred forty-six and seventeen hundredths (246.17) feet to land of DeRice Bros., Inc. and the point of beginning. Containing 41,058 square feet.

Being the same premises conveyed to Kenike LLC by Barbara A. Esposito by Quitclaim Deed with Covenant, dated September 20, 2000, recorded in the Cumberland County Registry of Deeds in Book 15835, Page 276.



SITE LOCATION

Exhibit



MAP 375
 MAP 374
 MAP 373
 MAP 372
 MAP 371
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 MAP 6
 MAP 5
 MAP 4
 MAP 3
 MAP 2
 MAP 1

1A

Existing Use:

Describe the existing use of the subject property: Duplex commercial building housing a

Pizza Hut take-out and a tanning salon.

Current Zoning Designation(s): B-1 and R-5

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

The Applicant proposes to demolish the existing cinderblock building and

construct a new branch bank building of 3000 +/- sf in the style of its

other suburban branches with a drive-up window and drive-up ATM. The site

will be landscaped and off street parking sufficient to meet the off street

parking requirements of the Ordinance will be provided. Existing curb cuts

will be reduced to one curb cut as shown on the proposed sketch plan.

9. Sketch Plan: On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'). See attached sketch plans showing existing conditions and proposed redevelopment, attached as Exhibits D and E, respectively.

10. Proposed Zoning: Please check all that apply:

A. Zoning Map Amendment from B-1 & R-5 to B-2

B. Zoning Text Amendment to Section 14-

For Zoning Text Amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example), and language to be added is depicted with underline (example).

C. Conditional or Contract Zone

A conditional or contract zoning may be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan and compatible with the surrounding neighborhood. (Please refer to Division 1.5, Sections 14-60 to 62)

Application Fee: A fee for this application for a zoning amendment must be submitted, by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Public Hearing Notice as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

Units	Residential Zones	Nonresidential Zones	sq. ft. or 6-10 acres (which ever is less)	sq. ft. or 10-15 acres (which ever is less)	sq. ft. or 15-20 acres (which ever is less)
1-25 Units	\$350.00	\$350.00	0-15,000 sq. ft. or 0-5 acres (which ever is less)	30,000-45,000	45,000-60,000
26-50 Units	\$400.00	\$400.00	15,000-30,000	30,000-45,000	45,000-60,000
51-75 Units	\$450.00	\$450.00	30,000-45,000	30,000-45,000	45,000-60,000
75 & Over	\$500.00	\$500.00	45,000-60,000	45,000-60,000	45,000-60,000

Amount of Fee _____

Signature: The above information is true and accurate to the best of my knowledge.

Signature of Applicant
Gary D. Vogel
attorney for applicant

Date of Filing
3.25.02

Further Information:

Please contact the Planning Office for further information regarding the rezoning process. Applicants are encouraged to make an appointment to discuss their rezoning requests before filing the application.

Applicants are encouraged to include a letter or narrative to accompany the rezoning application which can provide additional background or context information, and describe the proposed rezoning and reasons for the request in a manner that best suits the situation.

In the event of withdrawal of the zoning amendment application by the applicant in writing prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the City of Portland.

Portland Planning Board
 Portland, Maine
 Effective: July 6, 1998

Applicant shall assume payment of cost of all notices, including newspaper publication.
 (b) Text change: Minimum fee of one hundred dollars (\$100.00). Applicant shall assume payment of cost of all notices, including newspaper publication.

Residential zones	1-25 Units	0-15,000 sq. ft. or 0-5 acres (whichever is less) \$350.00	\$500750.00	Contract and Conditional Rezoning
Residence zones	26-50 Units	15,000-30,000 sq. ft. or 6-10 acres (whichever is less) \$400.00	\$500750.00	Contract and Conditional Rezoning
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- (a) Zoning Map Changes/Amendments: \$500.00
- (b) Zoning Text Amendments: \$500.00
- (c) Contract and Conditional Rezoning: \$750.00

1. The following schedule of fees will be charged by the city for applications for changes of zone according to the following major zoning classifications and pertinent data relating to the specific zone change:

Sec. 14-54. Zone change/zone map fees.

be amended as follows:

2. That Chapter 14 of the Portland City Code (Zone change fees), §14-54

"Except as otherwise provided herein, permit fees shall be based upon estimated or actual cost of work, whichever is greater, for which the permit is required, including towers, permanent swimming pools and any other structures altered, constructed or demolished. Ten (10) percent of any fee, or ten dollars (\$10.00), whichever is greater, shall be nonrefundable to cover the administrative costs."

- O. Traffic Movement Permit\$1,000.00
- R. Stormwater Quality Permit\$250.00

Administrative policy: All ordinances that would cost more than the maximum to publish should be printed in separate pamphlet form and advertised only by reference.

(eđ) *Waiver of fees:* The fee for zone change applications will be waived or reduced by the Planning Authority in the case of an application submitted by any governmental body or where an applicant can establish financial hardship.

(de) *Withdrawal of application:* If a zone change application is withdrawn by an applicant prior to the submission of the advertisement copy to the newspaper to announce the public hearing, a refund of two-thirds of the amount of the zone change fee will be made to the applicant by the city.

2. The following schedule of fees will be charged by the city for zone maps:

Paper Maps:	Large \$20.00 per sheet	Small (11 x 17) \$5.00 per sheet	
Digital Zone Map	\$20.00		

3. That Chapter 14 of the Portland City Code (Costs), §14-677 be amended as follows:

Sec. 14-677. Costs-of-notices.

Any project may be subject to one or more of the following fees:

1. Review

A. Certificate of Appropriateness, including sign review \$25.00

B. Historic Preservation Committee Review \$50.00

C. New Construction, Comprehensive Rehabilitation, Major Additions \$200.00

D. After the Fact Review \$500.00

For purposes of this section, the following definitions shall apply:

New construction - any new construction (including building additions) whose building footprint exceeds 200 square feet. This shall not include replacement or reconstruction of existing or documented historic features.

This is a Memorandum of Lease by and between KENIKE, LLC, a Maine limited liability company ("Landlord") and BATH SAVINGS INSTITUTION, a Maine banking institution ("Tenant").

1. Date of Lease: February //, 2002.

2. Description of Leased Premises:

SEE EXHIBIT "A" ATTACHED HERETO

3. Commencement Date: The Primary Term of this Lease shall commence on the Commencement Date as defined in the Lease.

4. Term: Twenty-five (25) years.

5. Extension Options: Two (2) options of Ten (10) years each.

6. Right of First Refusal: Tenant has a right of first refusal to purchase the Leased Premises on terms set forth in the Lease.

The purpose of this Memorandum of Lease is to give record notice of the Lease and of the rights created thereby, all of which are hereby confirmed.
IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and delivered as of the day and year first above written.

TENANT:

LANDLORD:

BATH SAVINGS INSTITUTION

KENIKE, LLC

By: Glenn Hutchinson, President

By: Joseph Esposito, Member

MEMORANDUM OF LEASE

Exhibit A

My Commission Expires August 26, 2003

Printed Name STEPHANIE KIRK

Notary Public/Attorney at Law
Stephanie Kirk

Before me,

This instrument was acknowledged on the 7th day of February, 2002, by Glenn Hutchinson, President of Bath Savings Institution, a Maine banking institution, on behalf of said Bank.

STATE OF MAINE
COUNTY OF CUMBERLAND

Printed Name Drew A. Andros
Notary Public/Attorney at Law

[Signature]
Before me,

This instrument was acknowledged on the 17th day of Feb., 2002, by Joseph Esposito, Member of KENIKE, LLC, a Maine limited liability company, on behalf of said LLC.

STATE OF MAINE
COUNTY OF CUMBERLAND

EXHIBIT A

A certain tract or parcel of land with the buildings thereon, situated on the westerly sideline of Auburn Street, Portland, County of Cumberland, State of Maine, bounded and described as follows: Beginning at an iron pipe in the westerly sideline of said Auburn Street at the northeasterly corner of land now or formerly of DeRice Bros., Inc., and the southeasterly corner of the parcel herein described; thence running North 82 degrees 38' 30" West sixty-eight and eighty hundredths (68.80) feet to an iron pipe, and South 75 degrees 20' 00" West sixty-seven and thirty-one hundredths (67.31) feet, all by land of said DeRice Bros., Inc. to an iron pipe in the easterly sideline of Washington Avenue; thence turning and running North 15 degrees 36' 30" West by said Washington Avenue two hundred twenty-seven and forty hundredths (227.40) feet to an iron pipe in the westerly sideline of Auburn Street; thence turning and running South 7 degrees 21' 30" West by said Auburn Street two hundred forty-six and seventeen hundredths (246.17) feet to land of DeRice Bros., Inc. and the point of beginning. Containing 41,058 square feet.

Being the same premises conveyed to Kenike LLC by Barbara A. Esposito by Quitclaim Deed with Covenant, dated September 20, 2000, recorded in the Cumberland County Registry of Deeds in Book 15835, Page 276.

March 25, 2002

Gary D. Vogel
gvogel@lambertcoffin.com

Alex Jaegerman, Chief Planner
City of Portland
389 Congress Street
Portland, Maine 04101

RE: Zoning Map Amendment of Bath Savings Institution for Property at
40-42 Auburn Street, Assessor's Map #375, Block A, Lot 2
Our File No. 2431-454

Dear Alex:

This office represents Bath Savings Institution. I am submitting with this letter a Zoning Map Amendment Application of Bath Savings Institution to request a zone change of the property located at 40-42 Auburn Street in Portland from R-5 and B-1 to B-2. The purpose of the zoning map change is to enable Bath Savings Institution to redevelop the site with a new attractive branch bank with a drive through window and drive through ATM. The zone change is necessary because drive through facilities are not permitted in the B-1 zone. The change of the entire site to a B-2 zone will permit the redevelopment as a branch bank. Drive through facilities are permitted in the B-2 zone as a conditional use.

We believe that this zone change makes sense from both land use and business perspectives. The Northgate Shopping Center, Zoned B-2, is located across the street from the property. The Northgate area and in particular the properties on Auburn Street may legitimately be viewed as appropriate for a community business use. The Northgate area is a destination for the entire North Deering area as well as adjoining parts of Falmouth. Retailers, offices and medical facilities serving this entire community are located in this vicinity. Accordingly, there seems to be little reason to preserve the B-1 neighborhood business zoning on the opposite side of Auburn Street from the shopping center.

The zone change to B-2 will facilitate and enable the substantial investment in the site to be made by Bath Savings Institution. The property will receive a major upgrading with the addition of a new branch bank building, following the removal of the existing cinderblock structure. The actual development of the bank will be governed by the site plan review process. The Applicant, Bath Savings Institution will present to the Planning Board and City Council at the public hearings on this Application, photographs of recent branches they have constructed as an indication of how the Auburn Street branch may appear.

The site is fairly large and gives ample room to develop the branch bank on the site. The drive through window and ATM will be located at the rear of the bank building, naturally screened from

477 Congress Street, Post Office Box 15215, Portland, Maine 04112-5215

207.874.4000 (p) 207.874.4040 (f)
www.lambertcoffin.com

Alex Jaegerman, Chief Planner
March 25, 2002
Page 2

view from Auburn Street. A large row of evergreens along the westerly property line will screen the drive through area from the neighboring properties across Washington Avenue. There is ample room to address any additional screening that could be required under the B-2 Zone Conditional Use Standards for drive-throughs.

Unlike a fast food restaurant, it is not anticipated that there would be any substantial queuing of cars waiting for the drive through. The current use as a Pizza Hut Delivery and take-out facility likely generates a substantially greater amount of traffic, especially at peak hours, than would be generated by the branch bank.

In summary, we believe that the redevelopment of this site into a North Deering branch for Bath Savings Institution will provide an opportunity to substantially enhance and upgrade the subject property, as well as the streetscape and neighborhood in particular. Bath Savings Institution appreciates the careful consideration of this zone change request by the Planning Board and staff and by the City Council.

I will be present with representatives of Bath Savings Institution at the workshop and public hearing before the Planning Board and at the public hearing before the City Council to address any questions Planning Board Members, Council Members or members of the public may have. We will also be conducting the neighborhood meeting to present this Application to neighboring property owners as required by the amended Portland Ordinance.

Enclosed with this letter is the Zoning Map Amendment Application, together with the required exhibits and a check payable to the City for the \$500 filing fee. Please advise me of the additional fees due for notices and publications, which shall be promptly paid.

Very truly yours,

Gary D. Vogel

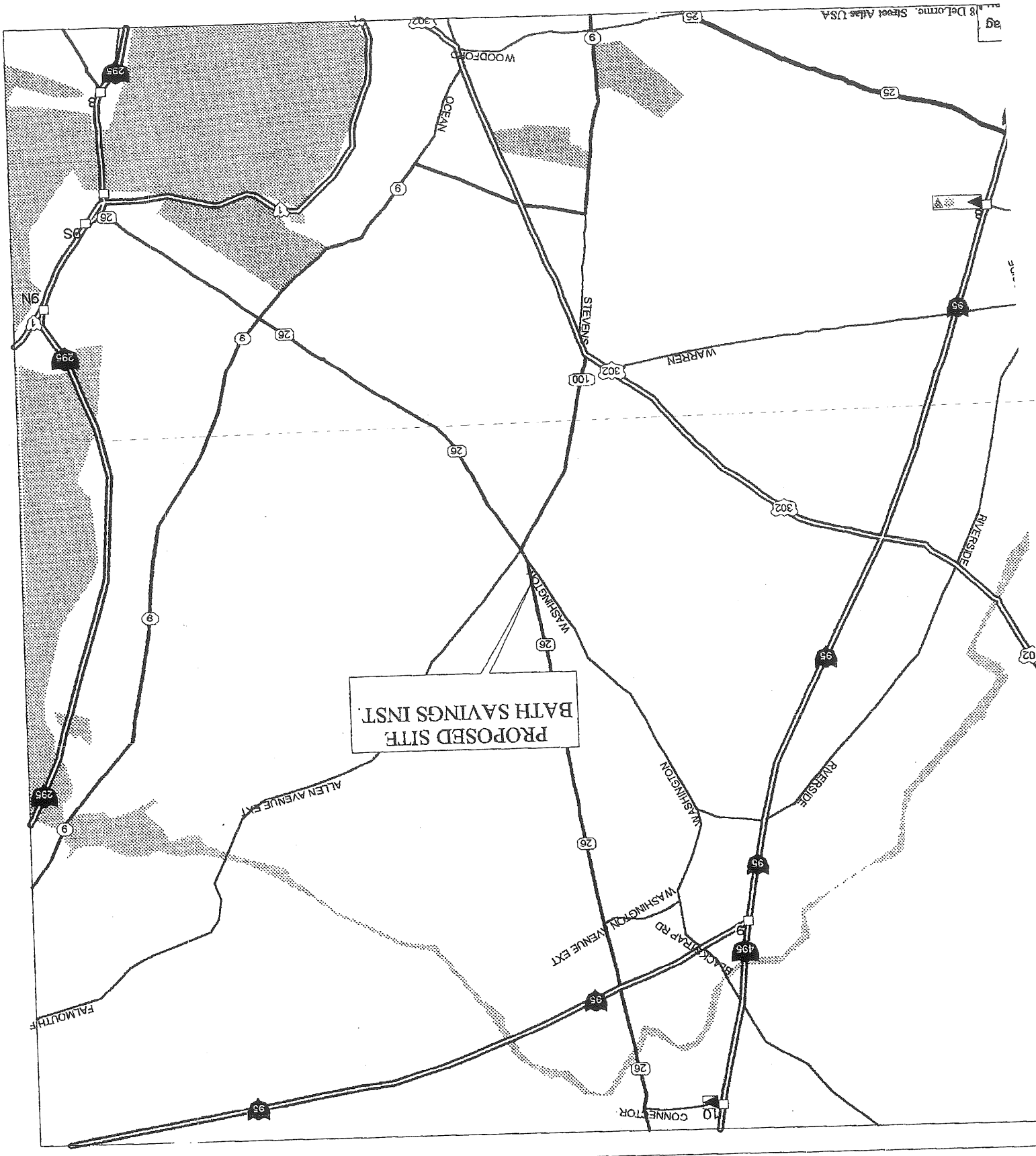
GDV/maj
cc: Glenn Hutchinson, President, Bath Savings (w/encs.)

Enclosures: Don Peterson (w/encs.)
Application for Zoning Amendment with the following Exhibits:

- Exhibit A: Ground Lease to Bath Savings
- Exhibit B: Vicinity Map
- Exhibit C: Abutters/Map and List
- Exhibit D: Existing Conditions Sketch Plan
- Exhibit E: Proposed Development Sketch Plan

Check for Filing Fee

SITE LOCATION



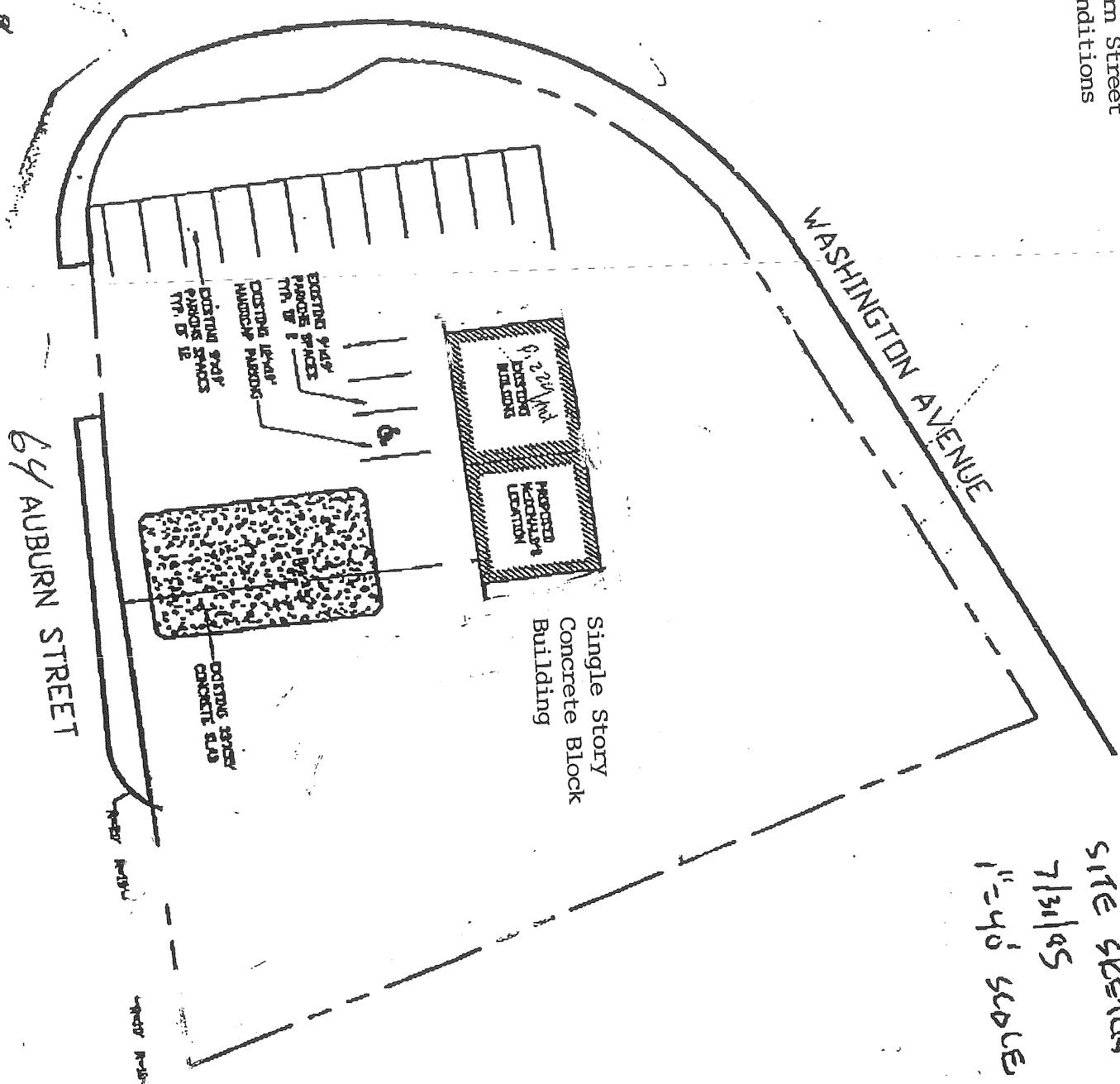
Property of Kenike LLC
 Map 375 Block A Lot 2
 40 Auburn Street
 Portland Maine

IMMEDIATE ABUTTERS

MAP BLOCK & LOT	LOT ADDRESS	OWNER	OWNER'S ADDRESS	ME ZIP
375	E-1	Ruth Libby	252 Virginia Street	ME 04103
	A-2	Kenike LLC	153 Caleb Street	ME 04102
	A-3	Christy Marions	1479 Washington Avenue	ME 04103
	A-6	Christy Marions	1479 Washington Avenue	ME 04103
	A-36	Christy Marions	1479 Washington Avenue	ME 04103
	A-31	Phillip O'Hern Nationwide Insurance	1087 Forest Avenue	ME 04103
C-18	39 Auburn	Fleet Bank of Maine	1 Maine Savings Plaza	ME 04101
	21 Auburn	Shaws Realty Co	PO Box 600	MA 02333
	3 Auburn	Shaws Realty Co	PO Box 600	MA 02333
	1397 Washington	Mobil Oil Corp	Property Tax Division PO Box 4973	TX 77210
	362 Allen	Citibank	100 Foden Road	ME 04106
				S Portland
344	1408 Washington	Deering Grange #535	c/o Dorothy Nichols	ME 04103
	1420 Washington	Ralph Thurston	88 Curtis Road	ME 04103
	1424 Washington	Craig Perron	1420 Washington Ave	ME 04105
	1438 Washington	Peter+Melissa Ocampo	184 Foreside Road	ME 04103
	1438 Washington	Peter+Melissa Ocampo	1438 Washington Ave	ME 04103
	1442 Washington	Donna Schack	1438 Washington Ave	ME 04103
	1446 Washington	Les+Jacquelyn Cambell	1442 Washington Ave	ME 04103
	1454 Washington	Joan Tsotsones	1446 Washington Ave	ME 04103
	1458 Washington	Ethel Blanchette	55 Lambert Street Apt #2	ME 04103
	1462 Washington	Richard+Diann Pradetto	1458 Washington Ave	ME 04103
				1462 Washington Ave
347	1476 Washington	Dana Hurtubise+Debra Diamond	210 Coyle Street	ME 04103
	1492 Washington	John Fusco+Angelo Fusco	1492 Washington Ave	ME 04103
	1484 Washington	Dana Hurtubise+Debra Diamond	1399 Congress Street	ME 04102
	1468 Washington	Michael +Hillary Townsend	1468 Washington Ave	ME 04103
				Portland

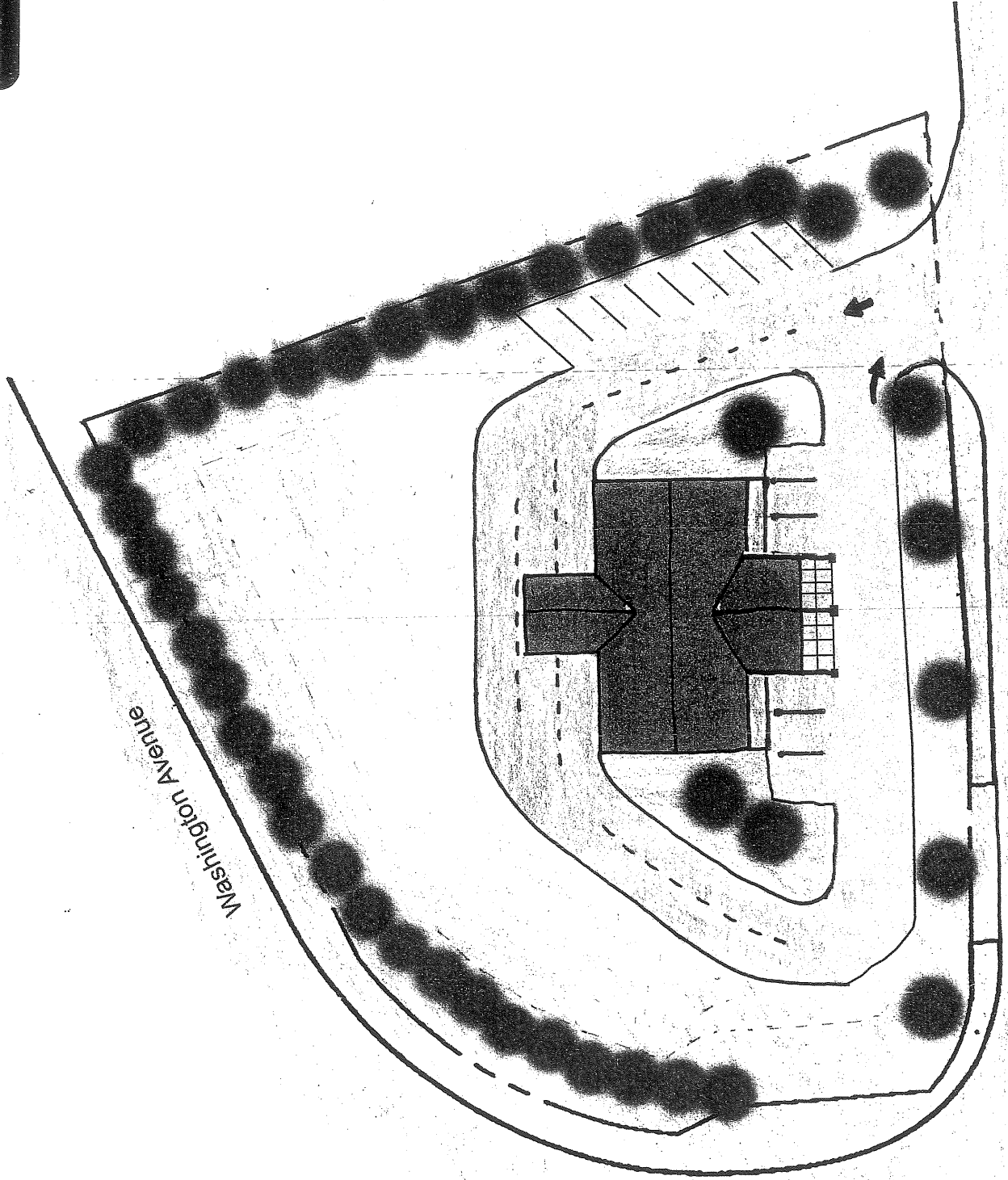
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 DMP 0407 003

40-42 Auburn Street
Existing Conditions



PORTLAND, ME
SITE SKETCH
7/31/05
1"=40' SCALE





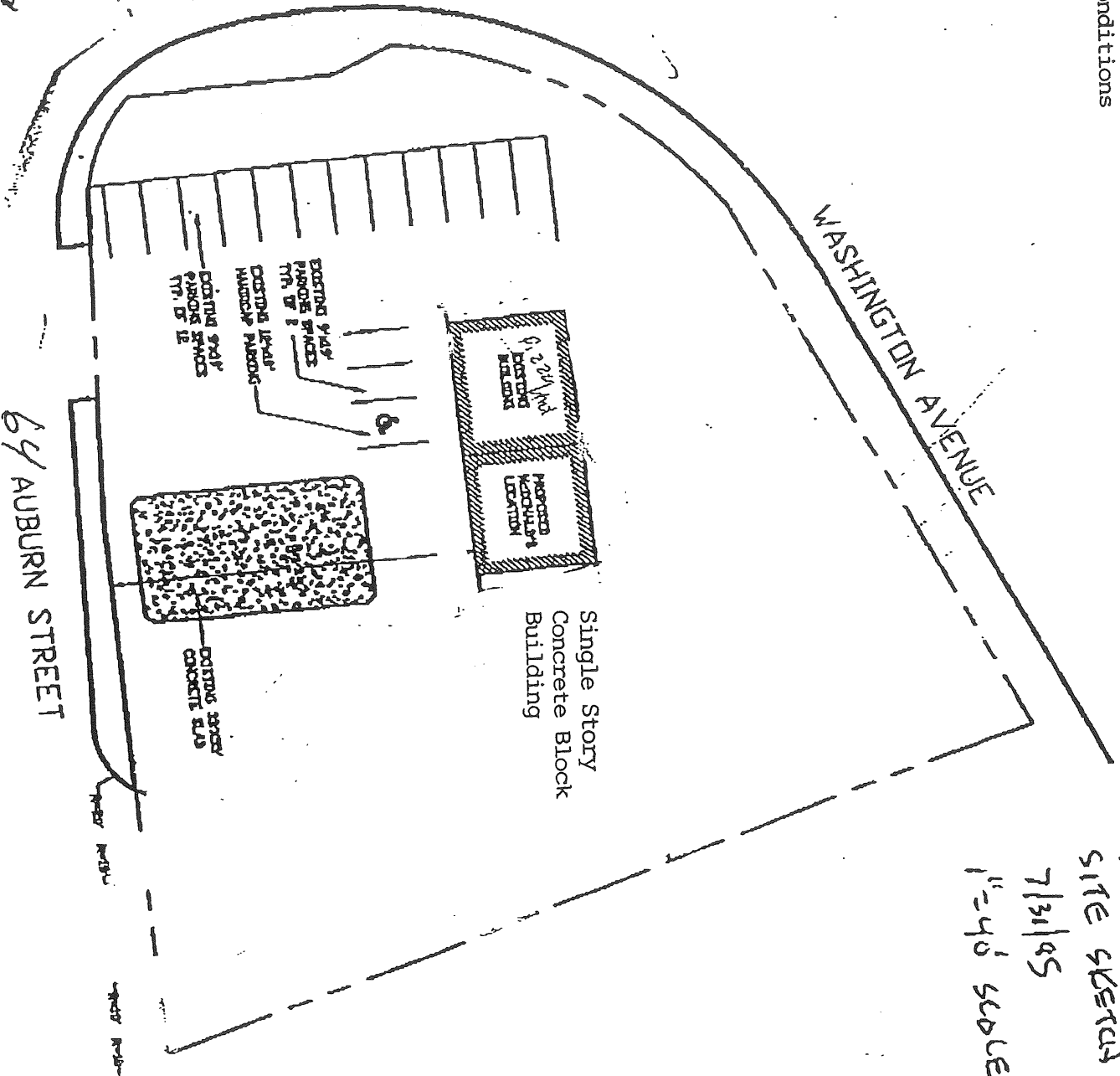
N

IMMEDIATE ABUTTERS

Property of Kenike LLC
 Map 375 Block A Lot 2
 40 Auburn Street
 Portland Maine

MAP BLOCK & LOT	LOT ADDRESS	OWNER	OWNER'S ADDRESS	
375 E-1	32 Auburn	Ruth Libby	252 Virginia Street	ME 04103
A-2	40 Auburn	Kenike LLC	153 Caleb Street	ME 04102
A-3	64 Washington	Christy Marions	1479 Washington Avenue	ME 04103
A-6	1479 Washington	Christy Marions	1479 Washington Avenue	ME 04103
A-36	1479 Washington	Christy Marions	1479 Washington Avenue	ME 04103
A-31	72 Auburn	Phillip O'Hern Nationwide Insurance	1087 Forest Avenue	ME 04103
C-18	39 Auburn	Fleet Bank of Maine	1 Maine Savings Plaza	ME 04101
C-15	21 Auburn	Shaws Realty Co	PO Box 600	MA 02333
C-17	3 Auburn	Shaws Realty Co	PO Box 600	MA 02333
C-36	1397 Washington	Mobil Oil Corp	Property Tax Division PO Box 4973	TX 77210
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G-32	1424 Washington	Craig Perron	1420 Washington Ave	ME 04103
H-7	1438 Washington	Peter+Melissa Ocampo	184 Foreside Road	ME 04105
H-8	1438 Washington	Peter+Melissa Ocampo	1438 Washington Ave	ME 04103
H-9	1442 Washington	Donna Schack	1438 Washington Ave	ME 04103
H-10	1446 Washington	Lest+Jacquelyn Cambell	1442 Washington Ave	ME 04103
I-9	1454 Washington	Joan Tsotsones	1446 Washington Ave	ME 04103
I-10	1458 Washington	Ethel Blanchette	55 Lambert Street Apt #2	ME 04103
I-11	1462 Washington	Richard+Diann Pradetto	1458 Washington Ave	ME 04103
347 C-39	1476 Washington	Dana Hurtubise+Debra Diamond	1462 Washington Ave	ME 04103
C-40	1492 Washington	John Fusco+Angelo Fusco	210 Coyle Street	ME 04103
C-46	1484 Washington	Dana Hurtubise+Debra Diamond	1492 Washington Ave	ME 04102
C-53	1468 Washington	Michael +Hillary Townsend	1399 Congress Street	ME 04103
			1468 Washington Ave	ME 04103

40-42 Auburn Street
Existing Conditions



PORTLAND, ME
SITE SKETCH
7/31/95
1"-40' SCALE

Exhibit

D

WATER DEMAND & SEWER FLOWS

OF EMPLOYEES = 7
 NO SHOWERS

UNIT FLOW = 15 GPD / EMPLOYEE

$Q_{D1} = 7 \times 15 = 105 \text{ GPD}$ MAINE SSWDR IHA CAR 241

WATER USE RECORDS

239 US RTE 1 - FALMOUTH, ME
 BSI BIRKBECK BANK
 MONTH DATA
 5 YRS OF RECORDS

HIGHEST MONTHLY FLOW = 431 GPD

$Q_{D2} = 431 \times 1.5 = 647 \text{ GPD}$

USE $Q_{D2} = 647 \text{ GPD} = 0.45 \text{ GPM}$

Domestic W service: 3/4" TYPE K COPPER
 Gravity Sewer: 6" PVC

R E A D I N G S D E T A I L

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
10/19/02	C	2	10/11/02	34900	T	2	2
09/20/02	C	2	09/09/02	34700	T	2	2
08/16/02	C	2	08/06/02	34500	T	3	20
07/20/02	C	2	07/09/02	34200	T	20	2
06/22/02	C	2	06/13/02	32200	T	2	2
05/18/02	C	2	05/07/02	32000	T	1	1
04/20/02	C	2	04/11/02	31900	T	3	3
03/23/02	C	2	03/08/02	31600	T	2	2
02/17/02	C	2	02/11/02	31400	T	2	2
01/19/02	C	2	01/11/02	31200	T	2	2
12/22/01	C	2	12/12/01	31000	T	3	3
11/24/01	C	2	11/14/01	30700	T	3	3
10/20/01	C	2	10/16/01	30400	T	5	5
09/21/01	C	2	09/18/01	29900	T	2	2

- 'ViewAll' displays readings from all meters at this service.
 - 'ViewOne' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

READINGS DETAIL

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
08/25/01	C	2	08/14/01	29700	T	3	3
07/21/01	C	2	07/11/01	29400	T	2	2
06/16/01	C	2	06/08/01	29200	T	3	3
05/19/01	C	2	05/10/01	28900	T	2	2
04/22/01	C	2	04/11/01	28700	T	2	2
03/24/01	C	2	02/10/01	28500	E	2	2
02/17/01	C	2	02/09/01	28300	T	2	2
01/20/01	C	2	01/11/01	28100	T	2	2
12/23/00	C	2	12/11/00	27900	T	2	2
11/17/00	C	2	11/09/00	27700	T	1	1
10/20/00	C	2	10/11/00	27600	T	2	2
09/26/00	C	2	09/13/00	27400	T	3	3
08/19/00	C	2	08/11/00	27100	T	2	2
07/22/00	C	2	07/12/00	26900	T	3	3

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Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

R E A D I N G S D E T A I L

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1 Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
06/23/00	C	2	06/07/00	26600	T	5	5
05/20/00	C	2	05/08/00	26100	T	3	3
04/22/00	C	2	04/10/00	25800	T	2	2
03/25/00	C	2	03/09/00	25600	T	1	1
02/19/00	C	2	02/09/00	25500	T	2	2
01/22/00	C	2	01/10/00	25300	T	2	2
12/18/99	C	2	12/10/99	25100	T	1	1
11/20/99	C	2	11/08/99	25000	T	2	2
10/23/99	C	2	10/15/99	24800	T	2	2
09/25/99	C	2	09/15/99	24600	T	4	4
08/20/99	C	2	08/11/99	24200	E	2	2
07/24/99	C	2	07/13/99	24000	T	2	2
06/26/99	C	2	06/14/99	23800	T	2	2
05/21/99	C	2	05/11/99	23600	T	2	2

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 - 'ViewOne' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
04/16/99	C	2	04/06/99	23400	T	1	1
03/19/99	C	2	03/10/99	23300	E	2	2
02/19/99	C	2	02/18/99	23100	T	1	1
01/22/99	C	2	01/21/99	23000	T	2	2
12/24/98	C	2	12/18/98	22800	T	2	2
11/20/98	C	2	11/12/98	22600	T	2	2
10/23/98	C	2	10/20/98	22400	T	1	1
09/25/98	C	2	09/16/98	22300	T	2	2
08/21/98	C	2	08/21/98	22100	T	3	3
07/24/98	C	2	07/21/98	21800	T	2	2
06/19/98	C	2	06/16/98	21600	T	3	3
05/22/98	C	2	05/18/98	21300	T	2	2
04/17/98	C	2	04/13/98	21100	T	2	2
03/20/98	C	2	03/13/98	20900	T	2	2

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C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1 Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
02/21/98	C	2	02/17/98	20700	T	3	3
01/24/98	C	2	01/22/98	20400	T	2	2
12/19/97	C	2	12/16/97	20200	T	3	3
11/14/97	C	2	11/12/97	19900	T	2	2
10/17/97	C	2	10/14/97	19700	T	3	3
09/22/97	C	2	09/15/97	19400	T	2	2
08/25/97	C	2	08/14/97	19200	T	4	4
07/22/97	C	2	07/14/97	18800	T	3	3
06/23/97	C	2	06/12/97	18500	T	4	4
05/22/97	C	2	05/12/97	18100	T	2	2
04/23/97	C	2	04/11/97	17900	T	3	3
03/25/97	C	2	03/17/97	17600	T	3	3
02/24/97	C	2	02/14/97	17300	T	3	3
01/31/97	C	2	01/13/97	17000	T	2	2

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 -'ViewOne' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
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B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

READINGS DETAIL

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
12/19/96	C	2	12/13/96	16800	T	2	2
11/25/96	C	2	11/12/96	16600	T	3	3
10/22/96	C	2	10/11/96	16300	T	2	2
09/23/96	C	2	09/12/96	16100	T	8	8
08/26/96	C	2	08/13/96	15300	T	5	5
07/24/96	C	2	07/16/96	14800	T	16	16
06/20/96	C	2	06/11/96	13200	T	3	3
05/22/96	C	2	05/13/96	12900	T	3	3
04/23/96	C	2	04/11/96	12600	T	2	2
03/21/96	C	2	03/16/96	12400	T	3	3
02/26/96	C	2	02/13/96	12100	T	3	3
01/25/96	C	2	01/16/96	11800	T	2	2
01/17/96	C	2	01/17/96	11600	A	-4	-4
12/21/95	C	2	12/15/95	12000	E	6	2

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R E A D I N G S D E T A I L

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

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11/27/95	C	2	11/21/95	11400	T	8	8
10/24/95	C	2	10/16/95	10600	T	4	4
09/25/95	C	2	09/18/95	10200	T	14	14
08/23/95	C	2	08/16/95	8800	T	19	19
07/25/95	C	2	07/12/95	6900	T	8	8
06/22/95	C	2	06/12/95	6100	T	2	2
05/23/95	C	2	05/16/95	5900	T	3	3
04/24/95	C	2	04/13/95	5600	T	1	1
03/22/95	C	2	03/15/95	5500	T	8	8
02/22/95	C	2	02/14/95	4700	T	3	3
01/24/95	C	2	01/16/95	4400	T	4	4
12/21/94	C	2	12/12/94	4000	T	2	2
11/22/94	C	2	11/14/94	3800	T	4	4
10/24/94	C	2	10/12/94	3400	T	2	2

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

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USE $Q_{DZ} = 647 \text{ GPD} = 0.45 \text{ GPM}$

Domestic W service: 3/4" TYPE K COPPER
 Gravity Sewer: 6" PVC

Bath Savings Institution		239 US Route 1, Falmouth, ME		Water Use Records		Mater Read Date No. of Days Water Usage		GPD (100 cF) Gal	
10/11/2002	32	2	1496	47	1496	2	1496	47	1496
9/9/2002	32	2	1496	47	1496	2	1496	47	1496
8/6/2002	34	3	2244	68	2244	3	2244	68	2244
7/9/2002	28	2	1496	53	1496	2	1496	53	1496
6/13/2002	26	2	1496	58	1496	2	1496	58	1496
5/7/2002	37	1	748	20	748	1	748	20	748
4/11/2002	26	3	2244	86	2244	3	2244	86	2244
3/8/2002	34	3	2244	44	2244	3	2244	44	2244
2/11/2002	25	2	1496	60	1496	2	1496	60	1496
1/11/2002	31	2	1496	48	1496	2	1496	48	1496
12/12/2001	30	3	3740	80	3740	3	3740	80	3740
11/14/2001	28	3	2244	75	2244	3	2244	75	2244
10/16/2001	29	5	3740	129	3740	5	3740	129	3740
9/18/2001	28	2	1496	53	1496	2	1496	53	1496
8/14/2001	35	3	2244	64	2244	3	2244	64	2244
7/11/2001	34	3	2244	44	2244	3	2244	44	2244
6/8/2001	33	3	2244	68	2244	3	2244	68	2244
5/10/2001	29	2	1496	52	1496	2	1496	52	1496
4/11/2001	29	2	1496	52	1496	2	1496	52	1496
2/9/2001	61	2	1496	25	1496	2	1496	25	1496
1/11/2001	29	2	1496	52	1496	2	1496	52	1496
12/11/2000	31	2	1496	48	1496	2	1496	48	1496
11/9/2000	32	1	748	23	748	1	748	23	748
10/11/2000	29	2	1496	52	1496	2	1496	52	1496
9/13/2000	28	3	2244	80	2244	3	2244	80	2244
8/11/2000	33	2	1496	43	1496	2	1496	43	1496
7/12/2000	30	3	3740	107	3740	3	3740	107	3740
6/7/2000	35	5	3740	129	3740	5	3740	129	3740
5/8/2000	30	3	2244	75	2244	3	2244	75	2244
4/10/2000	28	2	1496	53	1496	2	1496	53	1496
3/9/2000	32	2	1496	23	1496	2	1496	23	1496
2/9/2000	29	2	1496	52	1496	2	1496	52	1496
1/10/2000	30	2	1496	50	1496	2	1496	50	1496
12/10/1999	31	1	748	24	748	1	748	24	748
11/8/1999	32	2	1496	47	1496	2	1496	47	1496
10/15/1999	24	2	1496	62	1496	2	1496	62	1496
9/15/1999	30	2	1496	50	1496	2	1496	50	1496
8/11/1999	35	2	1496	43	1496	2	1496	43	1496
7/13/1999	64	2	1496	23	1496	2	1496	23	1496
6/4/1999	29	2	1496	52	1496	2	1496	52	1496
5/11/1999	34	2	1496	41	1496	2	1496	41	1496
4/6/1999	35	1	748	55	748	1	748	55	748
3/10/1999	27	2	1496	37	1496	2	1496	37	1496
2/18/1999	20	1	748	27	748	1	748	27	748
1/21/1999	28	2	1496	53	1496	2	1496	53	1496
12/18/1998	34	2	1496	44	1496	2	1496	44	1496
11/12/1998	36	2	1496	42	1496	2	1496	42	1496
10/20/1998	23	1	748	33	748	1	748	33	748
9/16/1998	34	2	1496	44	1496	2	1496	44	1496
8/21/1998	26	3	2244	96	2244	3	2244	96	2244
7/21/1998	26	2	1496	48	1496	2	1496	48	1496
6/16/1998	35	2	1496	64	1496	2	1496	64	1496
5/18/1998	29	2	1496	52	1496	2	1496	52	1496
4/13/1998	35	2	1496	64	1496	2	1496	64	1496
3/13/1998	31	2	1496	48	1496	2	1496	48	1496
2/17/1998	24	3	3740	94	3740	3	3740	94	3740
1/22/1998	26	2	1496	58	1496	2	1496	58	1496
12/16/1997	37	3	2244	81	2244	3	2244	81	2244
11/12/1997	34	2	1496	44	1496	2	1496	44	1496
10/14/1997	29	3	3740	77	3740	3	3740	77	3740
9/15/1997	29	2	1496	52	1496	2	1496	52	1496
8/14/1997	32	4	2992	94	2992	4	2992	94	2992
7/14/1997	31	3	2244	72	2244	3	2244	72	2244
6/12/1997	32	4	2992	94	2992	4	2992	94	2992
5/12/1997	31	2	1496	48	1496	2	1496	48	1496
4/11/1997	31	3	2244	72	2244	3	2244	72	2244
3/17/1997	25	3	2244	90	2244	3	2244	90	2244
2/14/1997	31	3	2244	72	2244	3	2244	72	2244
1/13/1997	32	2	1496	47	1496	2	1496	47	1496
12/13/1996	31	3	2244	48	2244	3	2244	48	2244
11/12/1996	31	3	2244	72	2244	3	2244	72	2244
10/11/1996	32	2	1496	47	1496	2	1496	47	1496
9/12/1996	29	8	5984	206	5984	8	5984	206	5984
8/13/1996	30	5	3740	125	3740	5	3740	125	3740
7/16/1996	28	16	11968	427	11968	16	11968	427	11968
6/11/1996	35	3	2244	64	2244	3	2244	64	2244
5/13/1996	29	3	2244	77	2244	3	2244	77	2244
4/11/1996	32	2	1496	47	1496	2	1496	47	1496
3/16/1996	26	3	2244	86	2244	3	2244	86	2244
2/13/1996	32	3	2244	70	2244	3	2244	70	2244
1/16/1996	28	2	1496	53	1496	2	1496	53	1496
12/15/1995	32	2	1496	47	1496	2	1496	47	1496
11/21/1995	24	6	5984	249	5984	6	5984	249	5984
10/7/1995	36	6	5984	249	5984	6	5984	249	5984
9/18/1995	28	14	10472	374	10472	14	10472	374	10472
8/16/1995	33	19	14212	431	14212	19	14212	431	14212
7/12/1995	35	8	5984	171	5984	8	5984	171	5984
6/12/1995	30	2	1496	50	1496	2	1496	50	1496
5/16/1995	27	3	2244	83	2244	3	2244	83	2244
4/13/1995	33	1	748	23	748	1	748	23	748
3/15/1995	29	3	2244	206	2244	3	2244	206	2244
2/14/1995	29	8	5984	206	5984	8	5984	206	5984
1/16/1995	29	4	2992	103	2992	4	2992	103	2992
12/12/1994	35	2	1496	43	1496	2	1496	43	1496
11/14/1994	28	4	2992	107	2992	4	2992	107	2992
10/12/1994	33	2	1496	45	1496	2	1496	45	1496
Maximum			14212	431	14212		14212	431	14212
Average			2299	76	2299		2299	76	2299

R E A D I N G S D E T A I L

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
10/19/02	C	2	10/11/02	34900	T	2	2
09/16/02	C	2	09/09/02	34700	T	2	2
08/16/02	C	2	08/06/02	34500	T	3	3
07/20/02	C	2	07/09/02	34200	T	20	20
06/22/02	C	2	06/13/02	32200	T	2	2
05/18/02	C	2	05/07/02	32000	T	1	1
04/20/02	C	2	04/11/02	31900	T	3	3
03/23/02	C	2	03/08/02	31600	T	2	2
02/17/02	C	2	02/11/02	31400	T	2	2
01/19/02	C	2	01/11/02	31200	T	2	2
12/22/01	C	2	12/12/01	31000	T	3	3
11/24/01	C	2	11/14/01	30700	T	3	3
10/20/01	C	2	10/16/01	30400	T	5	5
09/21/01	C	2	09/18/01	29900	T	2	2

- 'ViewALL' displays readings from all meters at this service.
 - 'ViewOne' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewALL(F11) ViewOne(F12) Top(K) Bottom(J) >

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

- 'VIEWALL' displays readings from all meters at this service. - 'VIEWONE' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
08/25/01	C	2	08/14/01	29700	T	3	3
07/21/01	C	2	07/11/01	29400	T	2	2
06/16/01	C	2	06/08/01	29200	T	3	3
05/19/01	C	2	05/10/01	28900	T	2	2
04/22/01	C	2	04/11/01	28700	T	2	2
03/24/01	C	2	02/10/01	28500	E	2	2
02/17/01	C	2	02/09/01	28300	T	2	2
01/20/01	C	2	01/11/01	28100	T	2	2
12/23/00	C	2	12/11/00	27900	T	2	2
11/17/00	C	2	11/09/00	27700	T	1	1
10/20/00	C	2	10/11/00	27600	T	2	2
09/26/00	C	2	09/13/00	27400	T	3	3
08/19/00	C	2	08/11/00	27100	T	2	2
07/22/00	C	2	07/12/00	26900	T	3	3

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) VIEWALL(F11) VIEWONE(F12) Top(K) Bottom(J) >

READINGS DETAIL

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
06/23/00	C	2	06/07/00	26600	T	5	5
05/20/00	C	2	05/08/00	26100	T	3	3
04/22/00	C	2	04/10/00	25800	T	2	2
03/25/00	C	2	03/09/00	25600	T	1	1
02/19/00	C	2	02/09/00	25500	T	2	2
01/22/00	C	2	01/10/00	25300	T	2	2
12/18/99	C	2	12/10/99	25100	T	1	1
11/20/99	C	2	11/08/99	25000	T	2	2
10/23/99	C	2	10/15/99	24800	T	2	2
09/25/99	C	2	09/15/99	24600	T	4	4
08/20/99	C	2	08/11/99	24200	E	2	2
07/24/99	C	2	07/13/99	24000	T	2	2
06/26/99	C	2	06/14/99	23800	T	2	2
05/21/99	C	2	05/11/99	23600	T	2	2

-'VIEWALL' displays readings from all meters at this service. -'VIEWONE' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
04/16/99	C	2	04/06/99	23400	T	1	1
03/19/99	C	2	03/10/99	23300	E	2	2
02/19/99	C	2	02/18/99	23100	T	1	1
01/22/99	C	2	01/21/99	23000	T	2	2
12/24/98	C	2	12/18/98	22800	T	2	2
11/20/98	C	2	11/12/98	22600	T	2	2
10/23/98	C	2	10/20/98	22400	T	1	1
09/25/98	C	2	09/16/98	22300	T	2	2
08/21/98	C	2	08/21/98	22100	T	3	3
07/24/98	C	2	07/21/98	21800	T	2	2
06/19/98	C	2	06/16/98	21600	T	3	3
05/22/98	C	2	05/18/98	21300	T	2	2
04/17/98	C	2	04/13/98	21100	T	2	2
03/20/98	C	2	03/13/98	20900	T	2	2

- 'ViewAll' displays readings from all meters at this service. 'ViewOne' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

READINGS DETAIL

Ver 6

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
02/21/98	C	2	02/17/98	20700	T	3	3
01/24/98	C	2	01/22/98	20400	T	2	2
12/19/97	C	2	12/16/97	20200	T	3	3
11/14/97	C	2	11/12/97	19900	T	2	2
10/17/97	C	2	10/14/97	19700	T	3	3
09/22/97	C	2	09/15/97	19400	T	2	2
08/25/97	C	2	08/14/97	19200	T	4	4
07/22/97	C	2	07/14/97	18800	T	3	3
06/23/97	C	2	06/12/97	18500	T	4	4
05/22/97	C	2	05/12/97	18100	T	2	2
04/23/97	C	2	04/11/97	17900	T	3	3
03/25/97	C	2	03/17/97	17600	T	3	3
02/24/97	C	2	02/14/97	17300	T	3	3
01/31/97	C	2	01/13/97	17000	T	2	2

- 'VIEWALL' displays readings from all meters at this service. - 'VIEWONE' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) VIEWALL(F11) VIEWONE(F12) Top(K) Bottom(J) >

R E A D I N G S D E T A I L

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

-'VIEWALL' displays readings from all meters at this service. -'VIEWONE' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
12/19/96	C	2	12/13/96	16800	T	2	2
11/25/96	C	2	11/12/96	16600	T	3	3
10/22/96	C	2	10/11/96	16300	T	2	2
09/23/96	C	2	09/12/96	16100	T	8	8
08/26/96	C	2	08/13/96	15300	T	5	5
07/24/96	C	2	07/16/96	14800	T	16	16
06/20/96	C	2	06/11/96	13200	T	3	3
05/22/96	C	2	05/13/96	12900	T	3	3
04/23/96	C	2	04/11/96	12600	T	2	2
03/21/96	C	2	03/16/96	12400	T	3	3
02/26/96	C	2	02/13/96	12100	T	3	3
01/25/96	C	2	01/16/96	11800	T	2	2
01/17/96	C	2	01/17/96	11600	A	-4	-4
12/21/95	C	2	12/15/95	12000	E	6	2

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Meters(F17) VIEWALL(F11) VIEWONE(F12) Top(K) Bottom(J) >

R E A D I N G S D E T A I L

Munic: F Reg #: F822 Prop Address: 239 US ROUTE 1

Book: 10

- 'VIEWALL' displays readings from all meters at this service. - 'ViewOne' displays readings from one meter. Put cursor on row, below, of meter you want to view.

Mtr	Stat	Type	Size
C	A	P	5/8
A	I	P	5/8
B	I	P	5/8

Bill Date	Mtr	Cust	Read Date	Reading	Src	Usage	Adj U
11/27/95	C	2	11/21/95	11400	T	8	8
10/24/95	C	2	10/16/95	10600	T	4	4
09/25/95	C	2	09/18/95	10200	T	14	14
08/23/95	C	2	08/16/95	8800	T	19	19
07/25/95	C	2	07/12/95	6900	T	8	8
06/22/95	C	2	06/12/95	6100	T	2	2
05/23/95	C	2	05/16/95	5900	T	3	3
04/24/95	C	2	04/13/95	5600	T	1	1
03/22/95	C	2	03/15/95	5500	T	8	8
02/22/95	C	2	02/14/95	4700	T	3	3
01/24/95	C	2	01/16/95	4400	T	4	4
12/21/94	C	2	12/12/94	4000	T	2	2
11/22/94	C	2	11/14/94	3800	T	4	4
10/24/94	C	2	10/12/94	3400	T	2	2

Meters(F17) ViewAll(F11) ViewOne(F12) Top(K) Bottom(J) >

Appendix A
Site Location Diagram
Turning Movement Diagrams

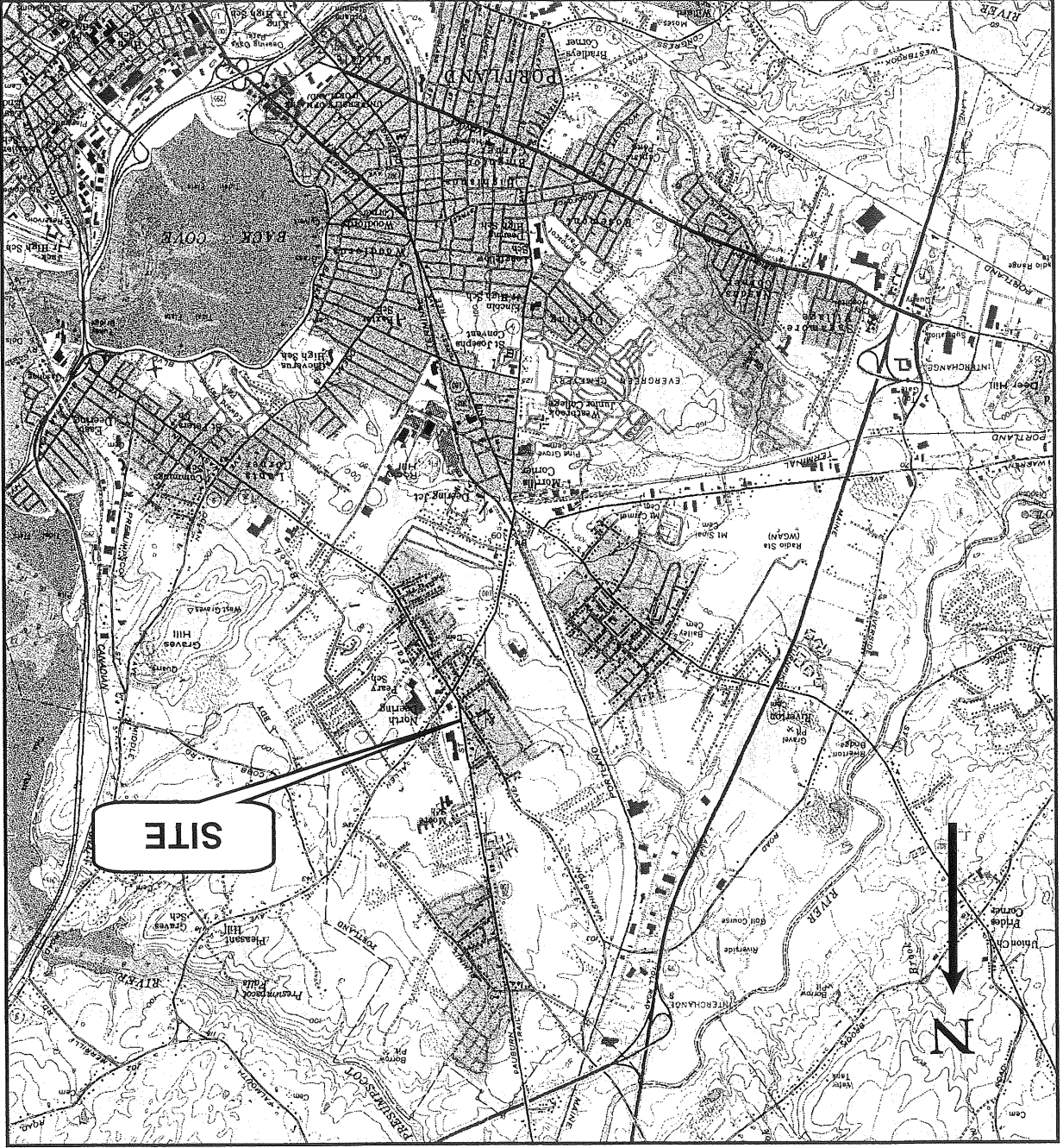
Checked TLG	Job No. 587
Design JJB	Date 09/02
Drawn JJB	Scale NTS

Traffic and Civil Engineering Services
 PO Box 1237
 26 Main Street
 Gray, ME 0403
 Fax : (207) 657-6912
 E-mail: gpec@maine.rr.com


Figure 1

GP
 Gorrell-Palmer Consulting Engineers, Inc.

U.S.G.S. Location Map
 Proposed Bath Savings Bank – Portland, Maine
 U.S.G.S. Portland West - 7.5 Minute Series (Topographic)

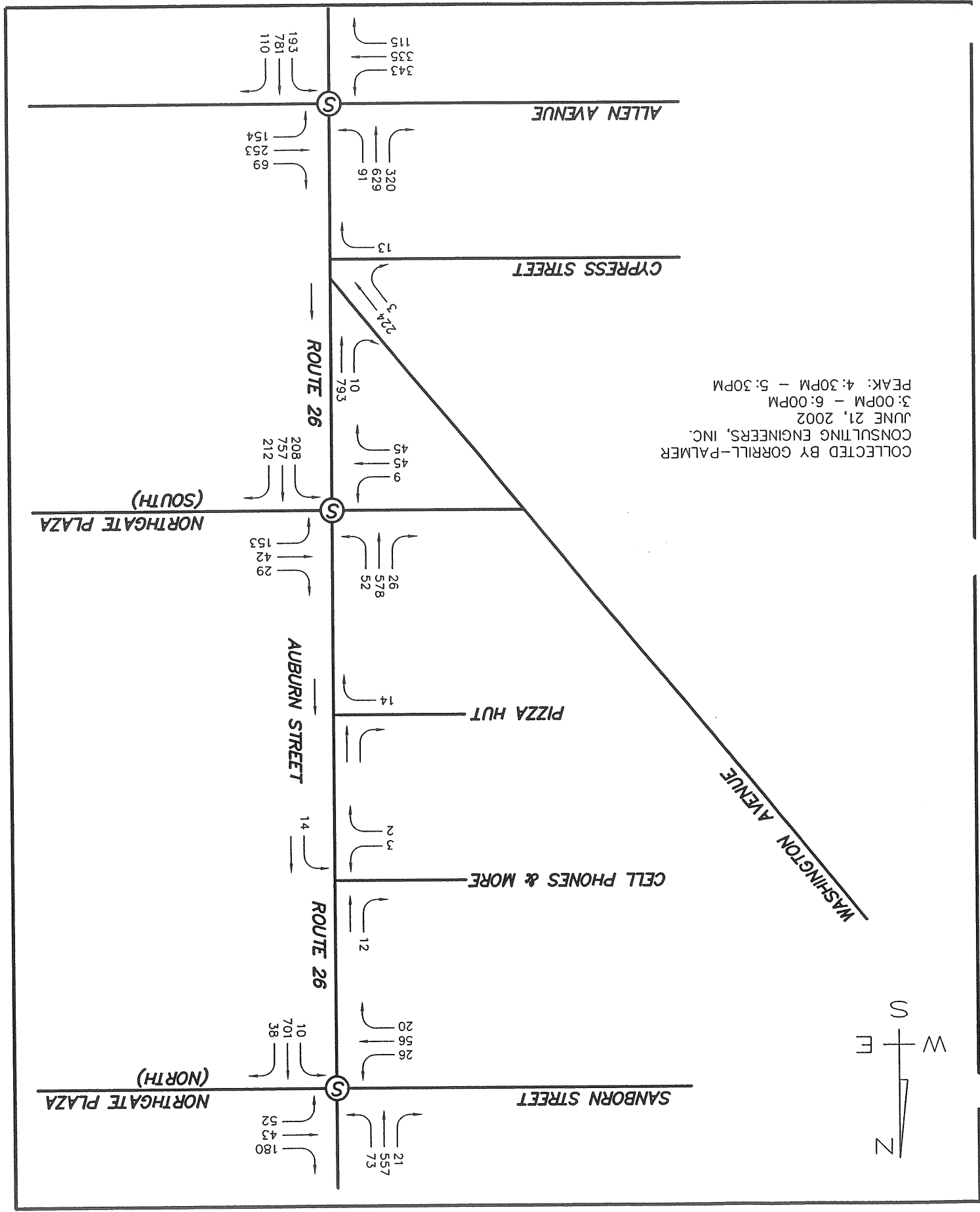


Design:	JUB	Date:	JUNE 2002
Draft:	RDC	Job No.:	587
Checked:	RLB	Scale:	NTS
File Name: 587-TRAF.DWG			


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 Gray, ME 04039
 207-657-6910

Drawing Name: **Raw Data - PM Peak Hour**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **2**

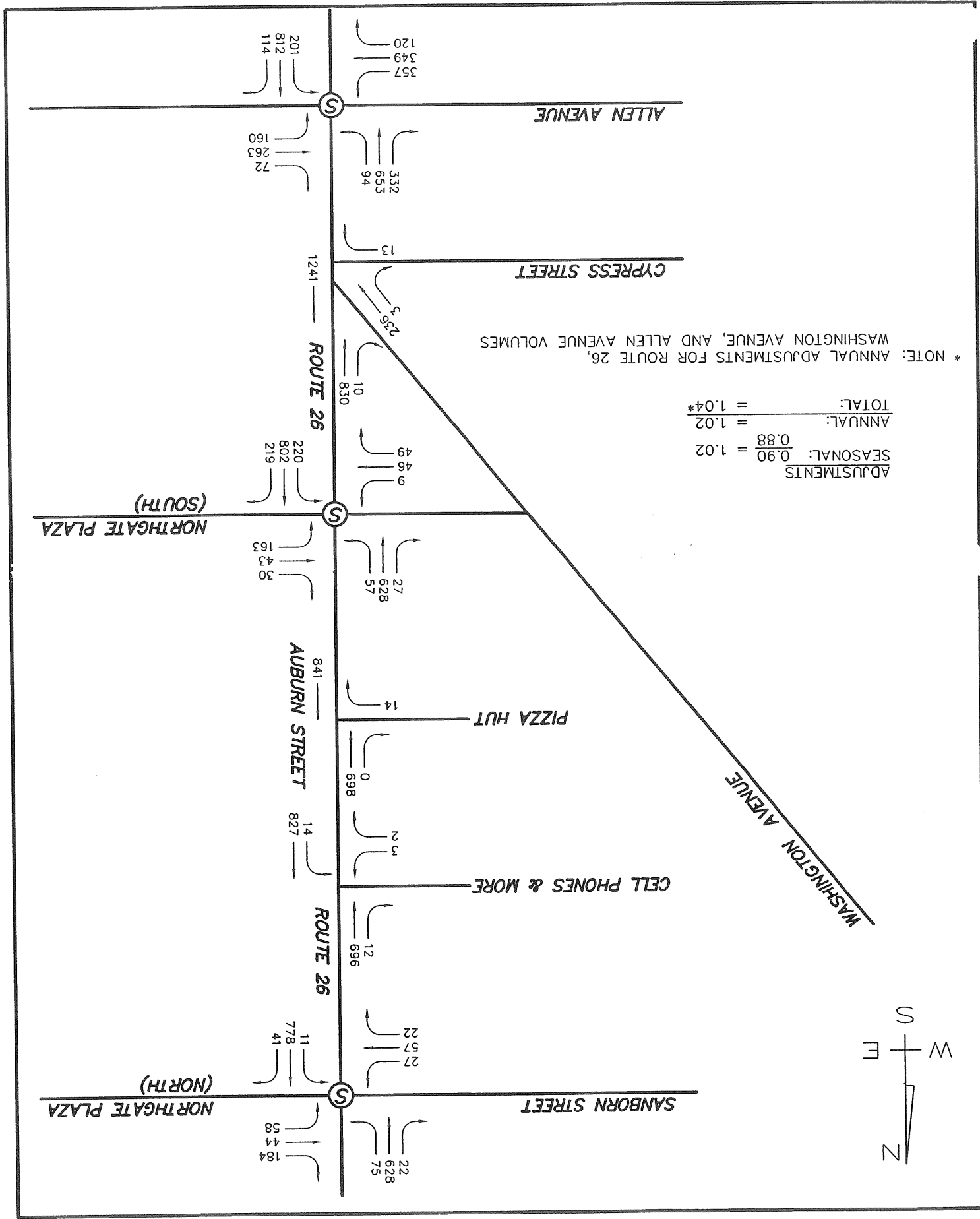


Design:	JUB	Date:	JUNE 2002
Draft:	RDC	Job No.:	587
Checked:	RLB	Scale:	MTS
File Name: 587-TRAF.DWG			

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 207-657-6910

Drawing Name: 2003 Adjusted and Balanced Volumes
 Project: Bath Savings Bank, Portland, Me.

Figure No. 3

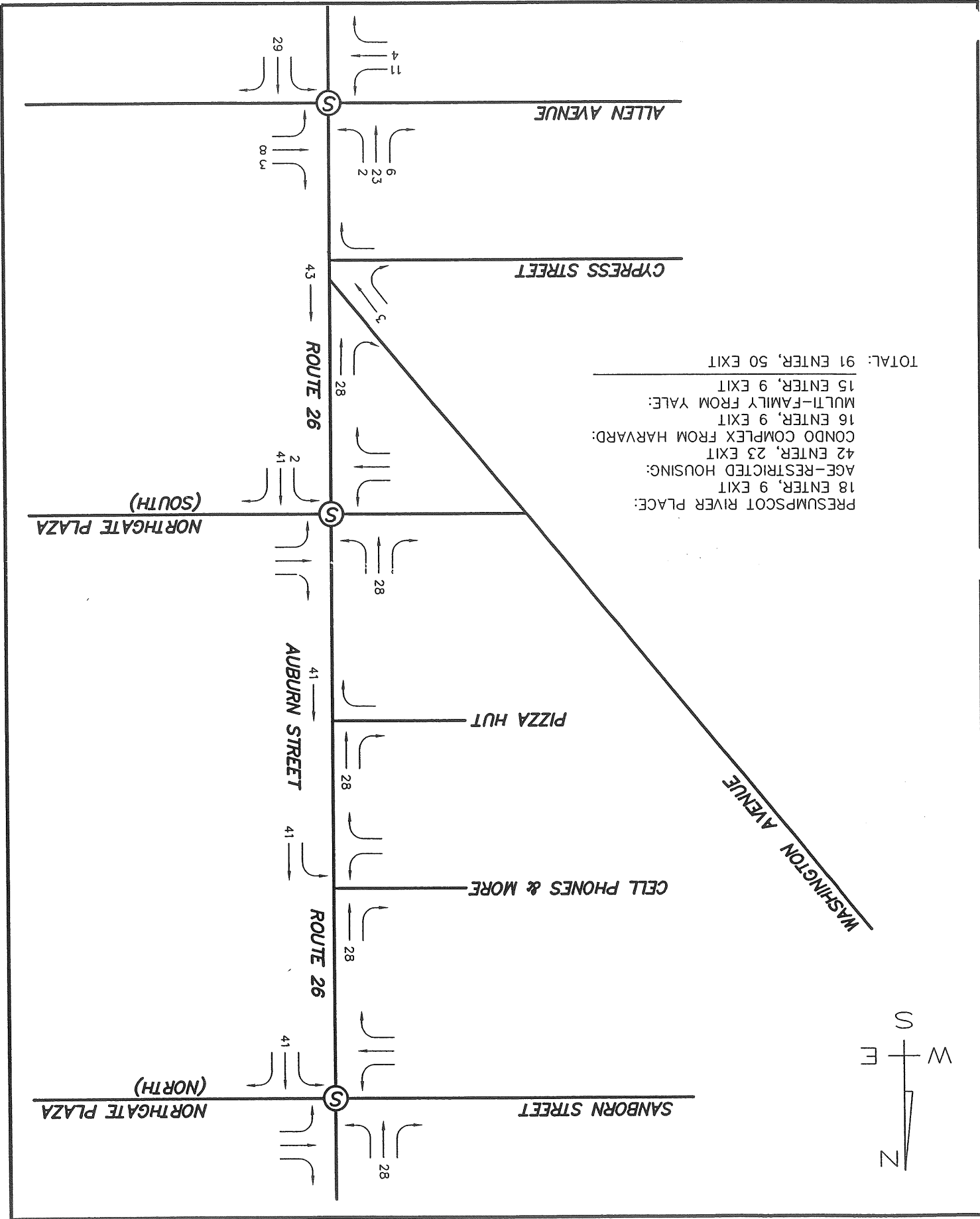


File Name: 587-TRAF.DWG
Checked: RLB
Scale: NTS
Job No.: 587
Date: JUNE 2002
Design: JUB
Draft: RDC


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 Traffic and Civil Engineering Services
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 Gray, ME 04039
 207-657-6910

Drawing Name: **Other Development**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **4**

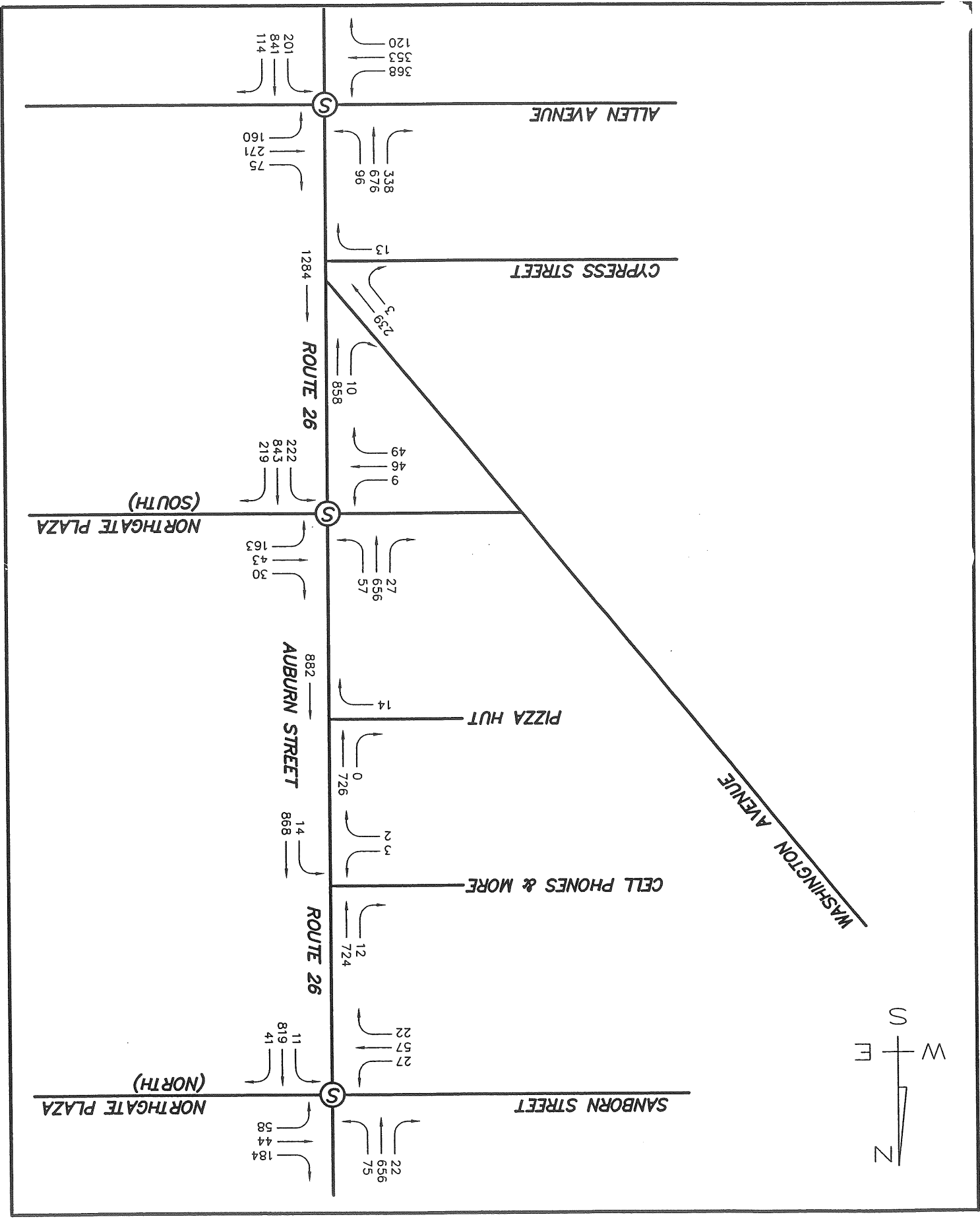


File Name: 587-TRAF.DWG
Checked: RLB
Scale: NTS
Draft: RDC
Job No.: 587
Design: JUB
Date: JUNE 2002


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 207-657-6910

Drawing Name: **2003 Redevelopment Volumes**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **5**



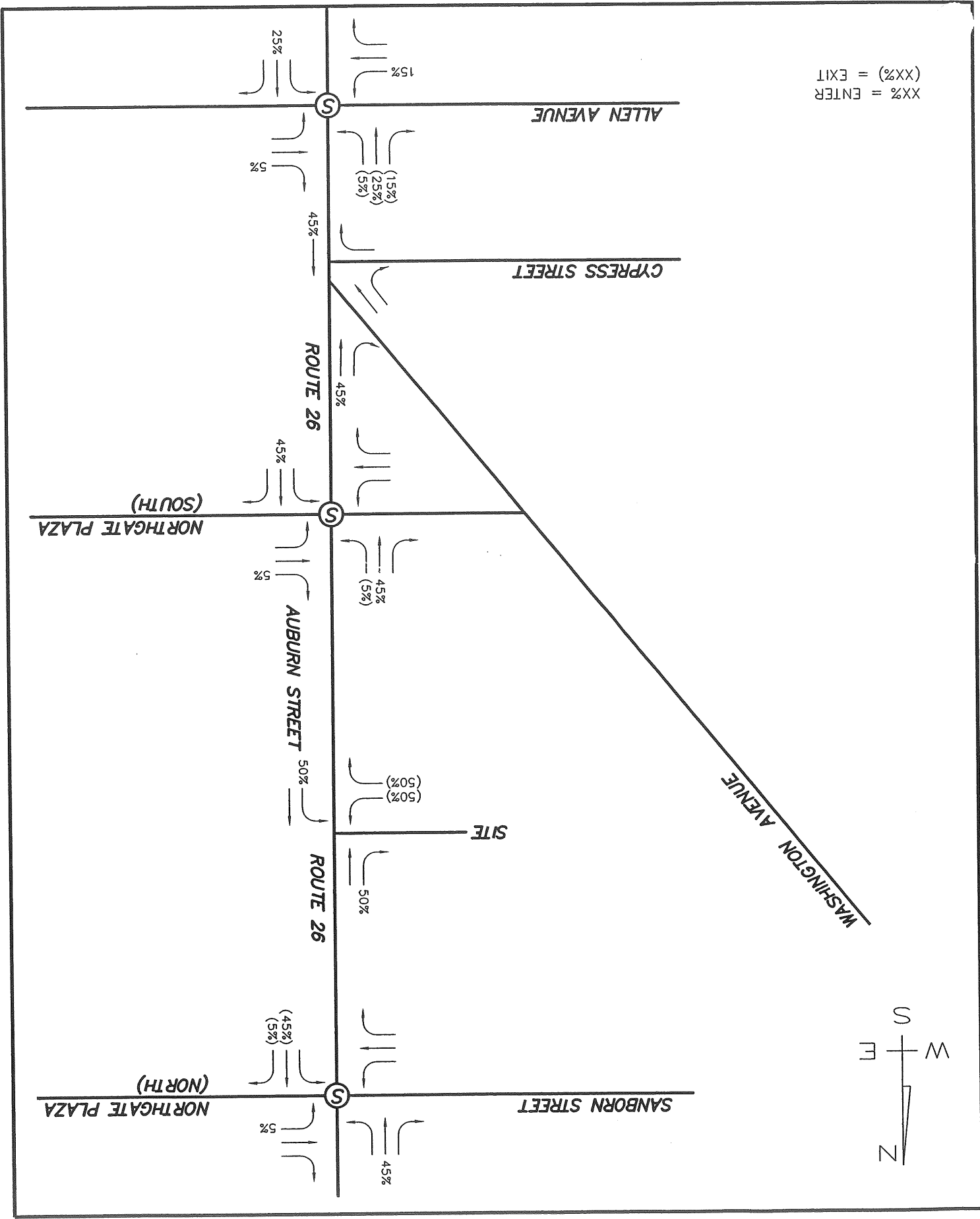
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Checked: RLB
Scale: MTS
Draft: RDC
Job No.: 587
Design: JUB
Date: JUNE 2002

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 207-657-6910

Drawing Name: Trip Distribution
 Project: Bath Savings Bank, Portland, Me.

Figure No. 6

XX% = ENTER
 (XX%) = EXIT



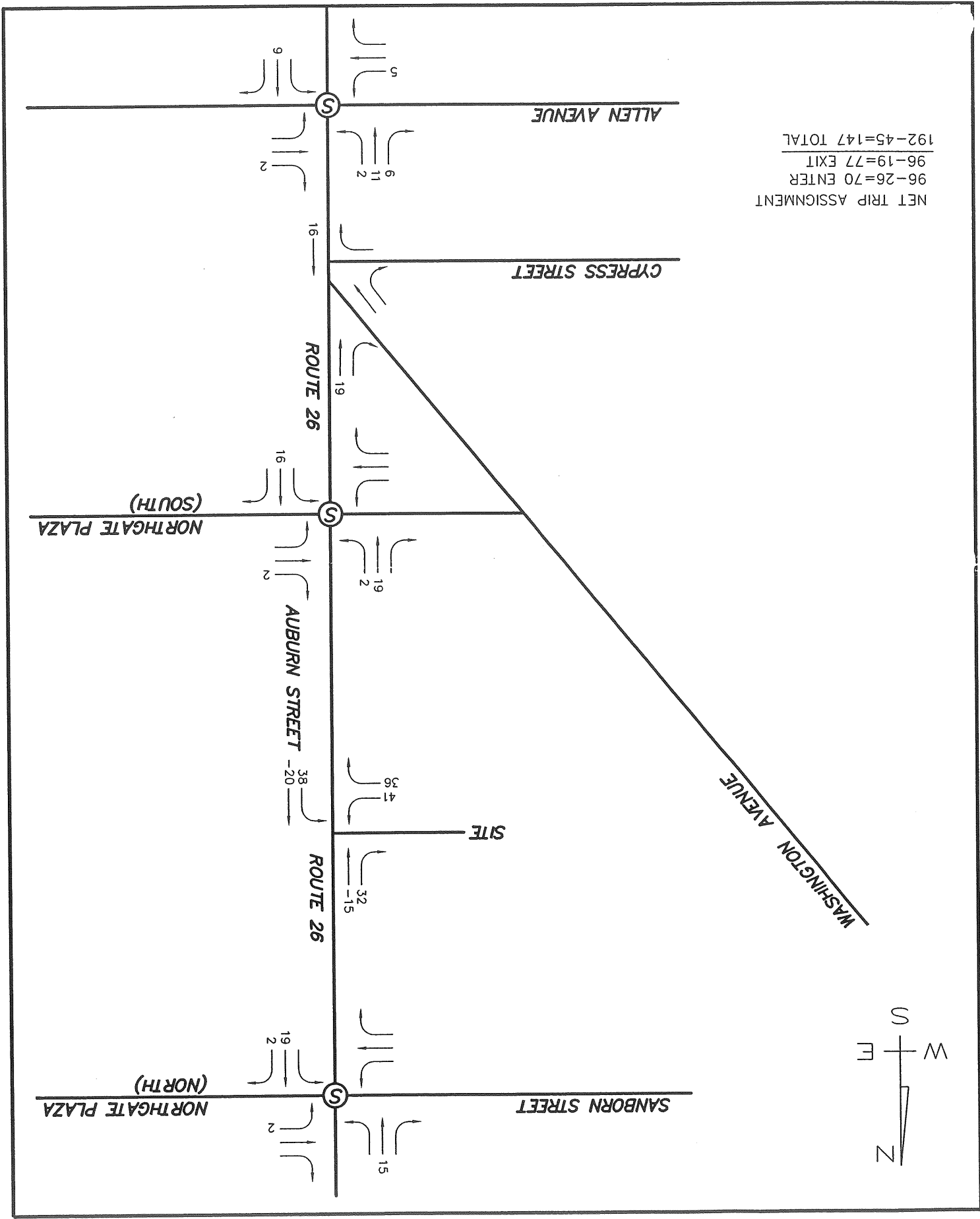
Design:	JUB	Date:	JUNE 2002
Draft:	RDC	Job No.:	587
Checked:	RLB	Scale:	NTS
File Name: 587-TRAF.DWG			

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 207-657-6910

Drawing Name: Trip Assignment
 Project: Bath Savings Bank, Portland, Me.

Figure No. 2

NET TRIP ASSIGNMENT
 96-26=70 ENTER
 96-19=77 EXIT
 192-45=147 TOTAL



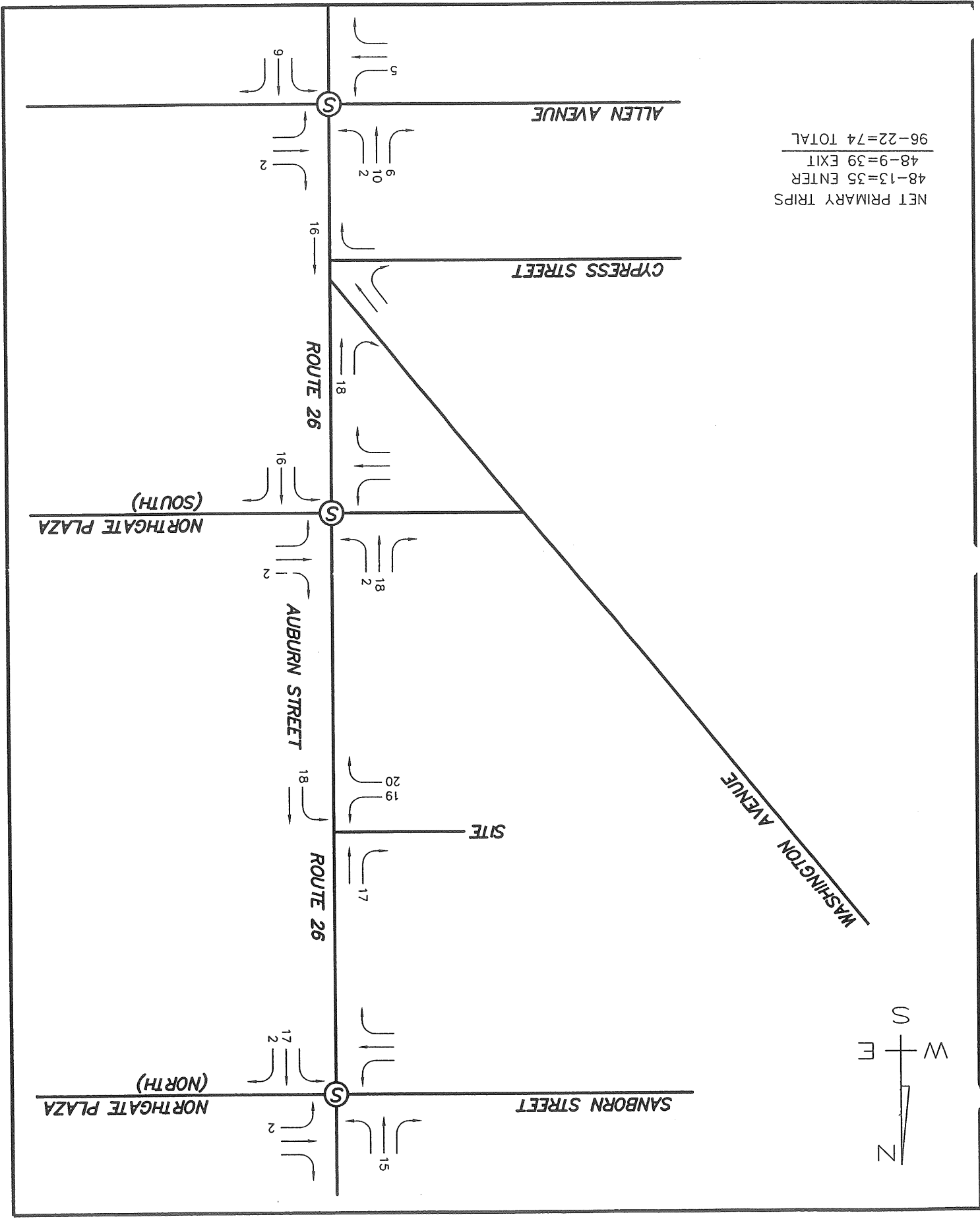
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Checked: RLB	Scale: NTS
Draft: RDC	Job No.: 587
Design: JJB	Date: JUNE 2002

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 207-657-6910


Drawing Name: **Primary Trips**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **7A**

NET PRIMARY TRIPS
 48-13=35 ENTER
 48-9=39 EXIT
 96-22=74 TOTAL

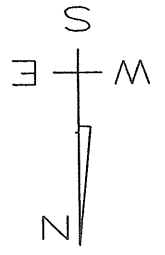
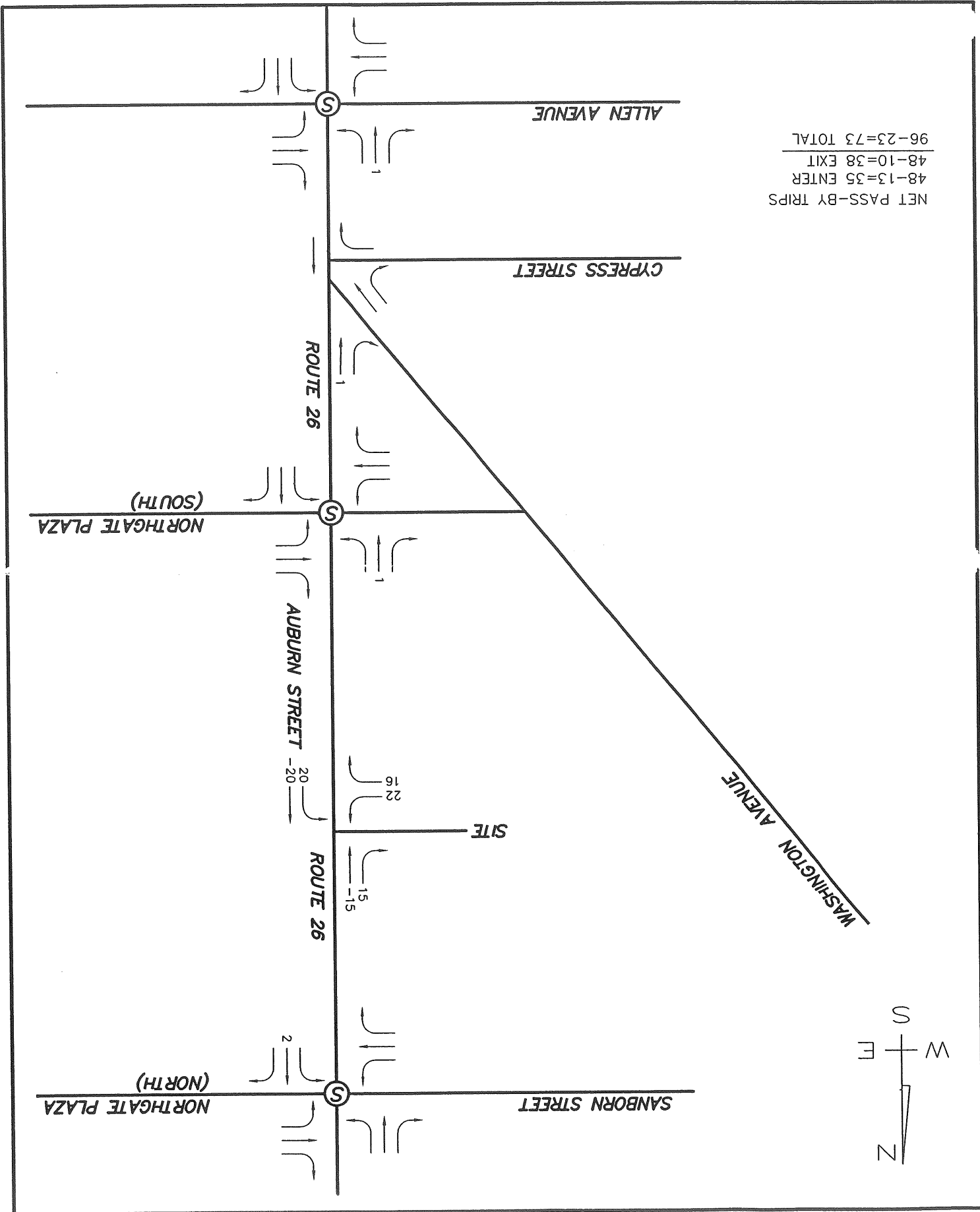


File Name: 587-TRAF.DWG
Checked: RLB
Scale: NTS
Draft: RDC
Job No.: 587
Design: JUB
Date: JUNE 2002


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 207-657-6910

Drawing Name: **Pass-By Trips**
 Project: **Bath Savings Bank, Portland, Me.**

Figure No. **7B**

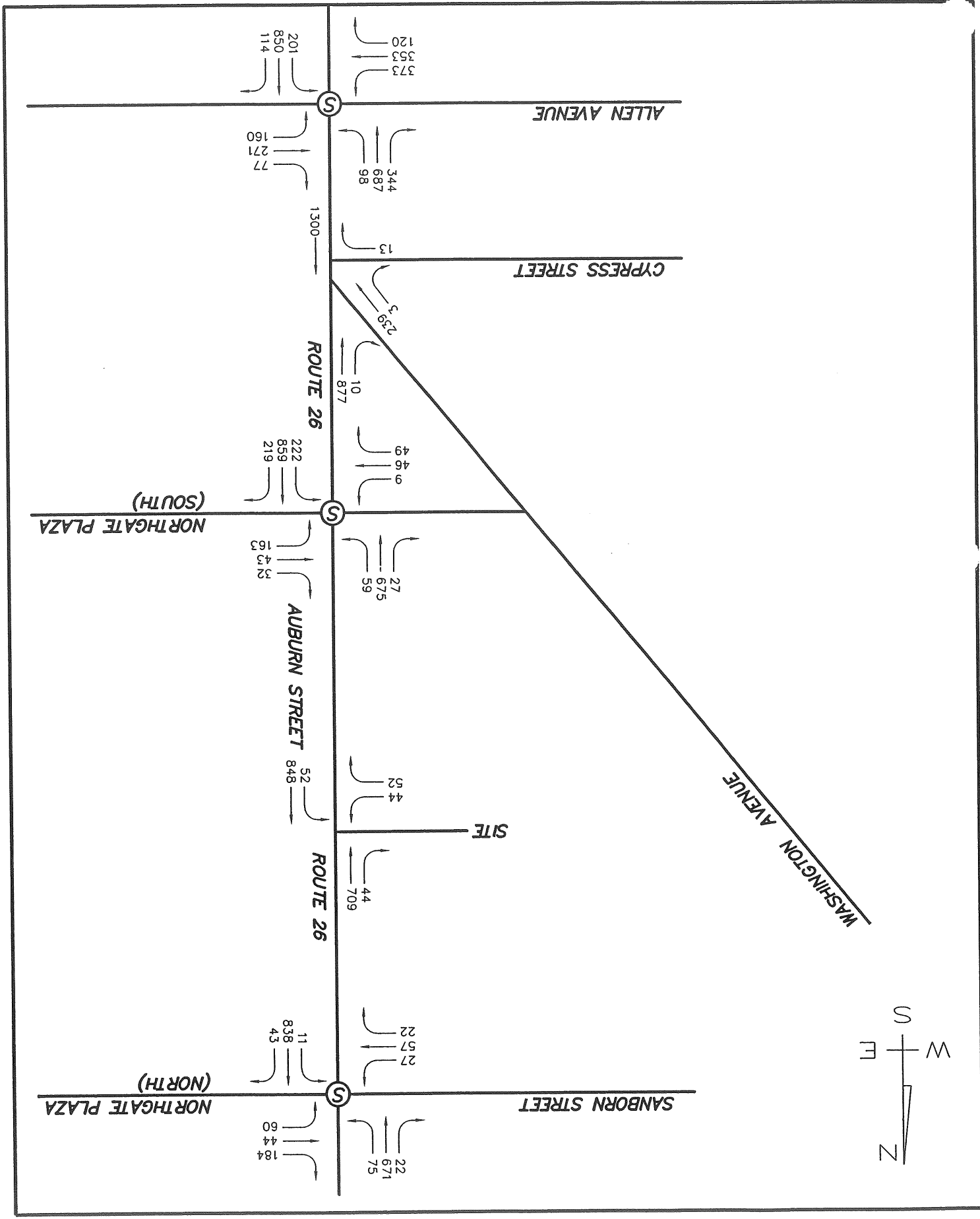


File Name: 587-TRAF.DWG
Checked: RLB
Scale: NTS
Draft: RDC
Job No.: 587
Design: JJB
Date: JUNE 2002

GP
 Gorill-Palmer Consulting Engineers, Inc.
 Traffic and Civil Engineering Services
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 207-657-6910

Drawing Name: 2003 Postdevelopment Volumes
 Project: Bath Savings Bank, Portland, Me.

Figure No. 8



Capacity Analysis

Appendix B



Lane Group: EBL EBT EBR WBL WBT WBR NBL NBT NBR SBL SBT SBR

Lane Configurations: 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0

Satd. Flow (prot): 0 1848 1583 0 1792 1583 1770 3430 0 0 3507 0

Flt Permitted: 0.947 0.731 0.950

Satd. Flow (perm): 0 1764 1583 0 1362 1583 1770 3430 0 0 2613 0

Satd. Flow (RTOR): 53 53 33 33 83

Volume (vph): 9 46 49 163 43 30 222 843 219 57 656 27

Lane Group Flow (vph): 0 60 53 0 224 33 241 1154 0 0 804 0

Turn Type: Perm Perm Perm Perm Perm Perm

Protected Phases: 4 4 8 8 2 6

Permitted Phases: 4 4 8 8 0.0 36.0 36.0 0.0

Total Split (s): 24.0 24.0 24.0 24.0 24.0 24.0 20.0 56.0 0.0

Act Effct Green (s): 16.8 16.8 16.8 16.8 16.0 55.3

Actuated g/C Ratio: 0.21 0.21 0.21 0.21 0.20 0.69

v/c Ratio: 0.16 0.14 0.79 0.09 0.68 0.48

Uniform Delay, d1: 25.9 0.0 30.0 0.0 29.6 5.2

Delay: 24.5 7.5 31.0 8.8 20.7 2.7

LOS: C A C A C A

Approach Delay: 16.5 28.1 5.8

Approach LOS: B C A

Queue Length 50th (ft): 24 0 104 0 76 2

Queue Length 95th (ft): 53 25 #188 19 m105 m95

Internal Link Dist (ft): 1191 1073 520

50th Up Block Time (%): 3%

95th Up Block Time (%): 11%

Turn Bay Length (ft): 155

50th Bay Block Time %: 238

95th Bay Block Time %: 160

Queuing Penalty (veh): 44

Intersection Summary

Cycle Length: 80

Actuated Cycle Length: 80

Offset: 52 (65%), Referenced to phase 2:NBT and 6:SRTL, Start of Green

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.79

Intersection Signal Delay: 12.0

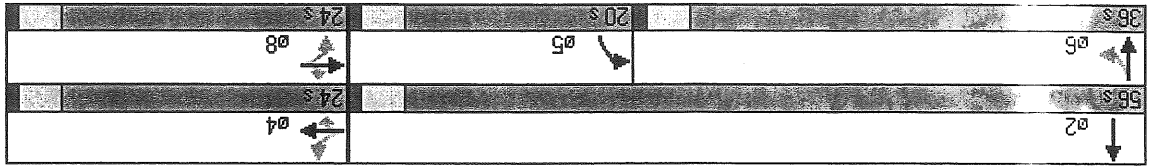
Intersection Capacity Utilization 84.3%

ICU Level of Service D

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

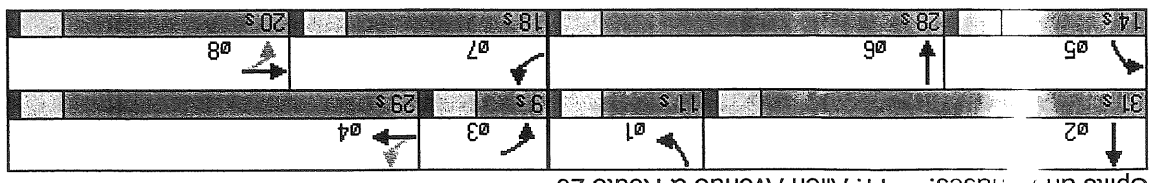
m Volume for 95th percentile queue is metered by upstream signal.



Splits and Phases: 8: Route 26 &



Lane Group	EBL	EBS	EBR	WBL	WBS	WBR	NBL	NBS	NBR	SBL	SBT	SBR
Lane Configurations	↙	↘	↙	↘	↘	↙	↘	↘	↙	↘	↘	↙
Total Lost Time (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Satd. Flow (prot)	1770	1792	0	1770	1801	0	1770	3476	0	1770	3362	0
Fit Permitted	0.200		0.250		0.950		0.950		0.950			
Satd. Flow (perm)	373	1792	0	466	1801	0	1770	3476	0	1770	3362	0
Satd. Flow (RTOR)	22		16		20		20		111			
Volume (veh)	368	353	120	160	271	75	201	841	114	96	676	338
Lane Group Flow (vph)	400	514	0	174	377	0	218	1038	0	104	1102	0
Turn Type	pm+pt		pm+pt		Prot		Prot		Prot			
Protected Phases	7	4	3	8	5	2	1	6				
Permitted Phases	4		8									
Total Split (s)	18.0	29.0	0.0	9.0	20.0	0.0	14.0	31.0	0.0	11.0	28.0	0.0
Act Effct Green (s)	34.0	25.0	21.0	16.0	10.0	29.2	7.0	24.0	0.09	0.30		
Actuated V/C Ratio	0.43	0.31	0.26	0.20	0.13	0.37	0.09	0.30	0.67	1.01		
Uniform Delay, dt1	18.3	25.0	16.4	30.6	34.9	23.1	36.7	25.1	31.6	45.0		
Delay	56.1	37.2	43.4	72.9	83.0	27.3	31.6	45.0				
LOS	D	E	D	E	F	C	D					
Approach Delay	45.4		63.6		36.9		43.9					
Approach LOS	D		E		C		D					
Queue Length 50th (ft)	149	233	54	~186	111	248	44	~113				
Queue Length 95th (ft)	#330	#418	#143	#362	#245	#365	m#87	#245				
Internal Link Dist (ft)	1176		1104		986		254					
50th Up Eack Time (%)												
95th Up Eack Time (%)												
Turn Bay Length (ft)												
50th Bay Lock Time %												
95th Bay Lock Time %												
Queueing Length (veh)												
Intersection Summary												
Cycle Length: 80												
Activated Cycle Length: 80												
Offset: 72 (90%), Referenced to phase 2:NBT and 6:SBT, Start of Green												
Control Type: Actuated-Coordinated												
Maximum V/C Ratio: 1.01												
Intersection Signal Delay: 44.8												
Intersection Capacity Utilization 100.1%												
Intersection LOS: D												
ICU Level of Service F												
Volume exceeds capacity, queue is theoretically infinite.												
Queue shown is maximum after two cycles.												
# 95th percentile volume exceeds capacity, queue may be longer.												
Queue shown is maximum after two cycles.												
Volume for 95th percentile queue is metered by upstream signal.												



Splits and Phases: 11: Allen Avenue & Route 26



Volume (vph)	Satd. Flow (perm)	Fit Permitted	Satd. Flow (prot)	Free	Free	Free	Stop
0	5085	0	5085	3532	0	0	1611
0	1284	0	1284	858	10	0	242
0	1396	0	1396	944	0	0	263

Intersection Summary
 Control Type: Unsignalized
 Intersection Capacity Utilization 49.1%
 ICU Level of Service A

Intersection Capacity Utilization 61.0%	ICU Level of Service B	
Control Type: Unsignalized		
Intersection Summary		
Sign Control	Stop	Free Free
Lane Group Flow (vph)	105	0 979 819 0
Volume (vph)	44	52 848 709 44
Satd Flow (perm)	1689	0 3293 3274 0
Flt Permitted	0.978	0.997
Satd Flow (prot)	1689	0 3293 3274 0
Lane Configurations	↕	↕↕
Lane Group	EBL EBR NBL	SBT SBR
	↙ ↘ ↕ ↙ ↘ ↕	



Lane Group EBL EBT EBR WBL WBT WBR NBL NBT NBR SBL SBT SBR

Lane Configurations 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0 4.0

Satd. Flow (prot) 0 1848 1583 0 1792 1583 1770 3433 0 0 3507 0

Fit Permitted 0.947 0.731 0.950 0.950 0.771

Satd. Flow (perm) 0 1764 1583 0 1362 1583 1770 3433 0 0 2715 0

Satd. Flow (RTOR) 53 53 35 81

Volume (vph) 9 46 49 163 43 32 222 859 219 59 675 27

Lane Group Flow (vph) 0 60 53 0 224 35 241 1172 0 0 827 0

Turn Type Perm Perm Perm Perm Perm

Protected Phases 4 4 8 8 6

Permitted Phases 4 4 8 8 6

Total Split (s) 24.0 24.0 24.0 24.0 24.0 24.0 20.0 56.0 0.0 36.0 36.0 0.0

Act Effct Green (s) 16.8 16.8 16.8 16.8 13.8 55.3

Actuated g/C Ratio 0.21 0.21 0.21 0.21 0.17 0.69

v/c Ratio 0.16 0.14 0.79 0.10 0.79 0.49

Uniform Delay: d1 25.9 0.0 30.0 0.0 31.7 5.3

Delay 24.5 7.5 31.0 8.7 26.6 3.5

LOS C A C A C A

Approach Delay 16.5 28.0 7.4

Approach LOS B C A

Queue Length 50th (ft) 24 0 104 0 79 0

Queue Length 95th (ft) 53 26 #183 21 m103 m87

Internal Link Dist (ft) 1191 1073 520

50th Up Block Time (%) 95th Up Block Time (%) 7%

Turn Bay Length (ft) 50th Bay Block Time % 95th Bay Block Time %

Queuing Penalty (veh) 28

Intersection Summary

Cycle Length: 80

Actuated Cycle Length: 80

Offset: 40 (50%), Referenced to phase 2:NBT and 6:SBTL, Start of Green

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 0.79

Intersection Signal Delay: 12.3

Intersection LOS: B

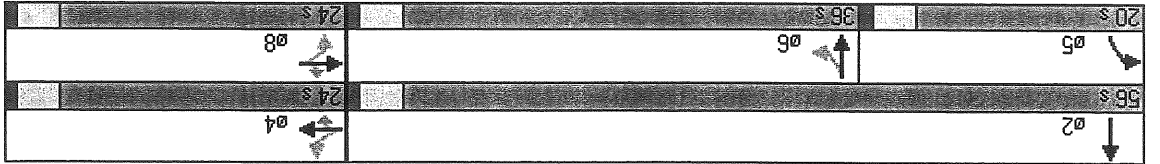
Intersection Capacity Utilization 85.4%

ICU Level of Service D

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

m Volume for 95th percentile queue is metered by upstream signal.



Splits and Phases: 8: Route 26 &



Lane Group

EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

Lane Configurations

Total Lost Time (s)

Satd. Flow (prot)

Fit Permitted

Satd. Flow (perm)

Satd. Flow (RTOR)

Volume (vph)

Lane Group Flow (vph)

Turn Type

Protected Phases

Permitted Phases

Total Split (s)

Act Effct Green (s)

Actuated g/C Ratio

v/c Ratio

Uniform Delay, d1

Delay

LOS

Approach Delay

Approach LOS

Queue Length 50th (ft)

Queue Length 95th (ft)

Internal Link Dist (ft)

50th Up Block Time (%)

95th Up Block Time (%)

Turn Bay Length (ft)

50th Bay Block Time %

95th Bay Block Time %

Queuing Penalty (veh)

Intersection Summary

Cycle Length: 80

Actuated Cycle Length: 80

Offset: 72 (90%), Referenced to phase 2:NBT and 6:SBT, Start of Green

Control Type: Actuated-Coordinated

Maximum v/c Ratio: 1.03

Intersection Signal Delay: 47.4

Intersection LOS: D

Intersection Capacity Utilization 101.0%

ICU Level of Service F

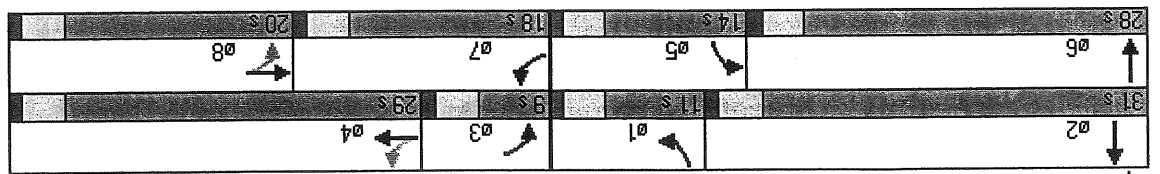
Volume exceeds capacity, queue is theoretically infinite.

Queue shown is maximum after two cycles.

95th percentile volume exceeds capacity, queue may be longer.

Queue shown is maximum after two cycles.

Volume for 95th percentile queue is metered by upstream signal.



Splits and Phases: 11: Allen Avenue & Route 26

TWO-WAY STOP CONTROL SUMMARY

General Information			
Analyst	Tom Gorrill	Intersection	Bank Drive & Route 26
Agency/Co.	Gorrill-Palmer	Jurisdiction	
Date Performed	09/10/2002	Analysis Year	2003-Predevelopment
Analysis Time Period	5:00 pm	Project ID	JN 587

EastWest Street: Proposed Bank DM		North/South Street: Auburn Street	
Intersection Orientation: North-South		Study Period (hrs): 1.00	

Vehicle Volumes and Adjustments						
Major Street			Minor Street			
Movement	Volume	Peak-Hour Factor, PHF	Hourly Flow Rate, HFR	Percent Heavy Vehicles	Median Type	RT Channelized
1	14	0.92	15	2	Undivided	0
2	868	0.92	943	--		0
3	0	1.00	0	0		0
4	0	1.00	0	0		0
5	724	0.92	786	--		0
6	12	0.92	13	--		0
L	1	1.00	15	2		0
T	14	0.92	943	--		0
R	868	0.92	15	2		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
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8	0	1.00	0	0		0
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12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
L	0	1.00	0	0		0
T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0
12	0	1.00	0	0		0
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T	0	1.00	0	0		0
R	0	1.00	0	0		0
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10	0	1.00	0	0		0
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T	0	1.00	0	0		0
R	0	1.00	0	0		0
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T	0	1.00	0	0		0
R	0	1.00	0	0		0
7	0	1.00	0	0		0
8	0	1.00	0	0		0
9	0	1.00	0	0		0
10	0	1.00	0	0		0
11	0	1.00	0	0		0

TWO-WAY STOP CONTROL SUMMARY

General Information

Analyst	Tom Gorrill
Agency/Co.	Gorrill-Palmer
Date Performed	09/10/2002
Analysis Time Period	5:00 pm
Project ID	
Analysis Year	2003 Post Development
Jurisdiction	
Intersection	Bank Drive & Route 26

East/West Street: Proposed Bank/DW	North/South Street: Auburn Street
Intersection Orientation: North-South	Study Period (hrs): 1.00

Vehicle Volumes and Adjustments

Major Street		Northbound		Southbound	
Movement	1	2	3	4	5
	L	T	R	L	T
Volume	52	848	0	0	709
Peak-Hour Factor, PHF	0.92	0.92	1.00	1.00	0.92
Hourly Flow Rate, HFR	56	921	0	0	770
Percent Heavy Vehicles	2	--	--	0	--
Median Type	Undivided				
RT Channelized	0	0	0	0	0
Lanes	0	2	0	0	2
Configuration	LT	T			T
Upstream Signal		1			1

Minor Street		Westbound		Eastbound	
Movement	7	8	9	10	11
	L	T	R	L	T
Volume	0	0	0	44	0
Peak-Hour Factor, PHF	1.00	1.00	1.00	0.92	1.00
Hourly Flow Rate, HFR	0	0	0	47	0
Percent Heavy Vehicles	0	0	0	2	0
Percent Grade (%)	0		0		
Flared Approach	N				N
Storage	0				0
RT Channelized			0		0
Lanes	0	0	0	0	0
Configuration					LR

Delay, Queue Length, and Level of Service						
Approach	NB	SB	Westbound			Eastbound
Movement	1	4	7	8	9	10
	LT					LR
Lane Configuration	56					103
v (vph)	963					335
C (m) (vph)	0.06					0.31
v/c	0.19					1.32
95% queue length	9.0					20.5
Control Delay	A					C
Approach Delay	--	--				20.5
Approach LOS	--	--				C

Trip Generation Calculations

Appendix C

Weekday
 $T = 174,529(3.5) + 385,789 \Rightarrow T = 997$ trips
 AM Peak Hour (of Adjacent Street Traffic)
 $T = 12.63(3.5) \Rightarrow T = 44$ trips
 50% in, 50% out

Saturday
 $T = 54,77(3.5) \Rightarrow T = 192$ trips
 50% in, 50% out

Saturday Peak Hour (of Generator)
 $T = 90,621(3.5) - 107,195 \Rightarrow T = 210$ trips

$T = 42,18(3.5) \Rightarrow T = 148$ trips
 50% in, 50% out

Trip Generation for
 Proposed Bath Savings
 LUC 912 - Based on 3,500 s.f.

JOB 587-Bath Savings Bank
 SHEET NO. 1 OF 1
 CALCULATED BY J. Barlett DATE 6/29/02
 CHECKED BY _____ DATE _____
 SCALE _____

GORRILL-PALMER
 CONSULTING ENGINEERS, INC.
 P.O. Box 1237
 GRAY, MAINE 04039
 (207) 657-6910
 FAX (207) 657-6912

Trip Gen for Other Projects
Bath Savings Bank

Presumpscot River Place - 36 Units

LUC 270 (PRUD) $\Rightarrow \ln(T) = 0.896 \ln(30) + 0.265 \Rightarrow T = 27$ trips
18 in, 9 out \Rightarrow say 60% go to S.A. \Rightarrow 11 NB, 5 SB

Age-Restricted Housing - 79 Units

LUC 270 (PRUD) $\Rightarrow \ln(T) = 0.896 \ln(79) + 0.265 \Rightarrow T = 65$ trips
42 in, 23 out \Rightarrow say 60% go to S.A. \Rightarrow 25 NB, 14 SB

Condo complex off of Harvard - 33 Units

LUC 230 (Resid. Cond./T.H.) $\Rightarrow \ln(T) = 0.827 \ln(33) + 0.309 \Rightarrow T = 25$ trips
16 in, 9 out \Rightarrow say 40% go to S.A. \Rightarrow 4 NB, 6 SB

Multifamily off of Berry/Chester/Harvard - est 25 units

LUC 270 (PRUD) $\Rightarrow \ln(T) = 0.896 \ln(25) + 0.265 \Rightarrow T = 23$ trips
15 in, 8 out \Rightarrow say 40% go to S.A. \Rightarrow 3 NB, 6 SB

JOB 587
SHEET NO. _____ OF _____
CALCULATED BY J. Barthelt DATE _____
CHECKED BY _____ DATE _____
SCALE _____

GORRILL-PALMER
CONSULTING ENGINEERS, INC.
P.O. Box 1237
GRAY, MAINE 04039
(207) 657-6910
FAX (207) 657-6912