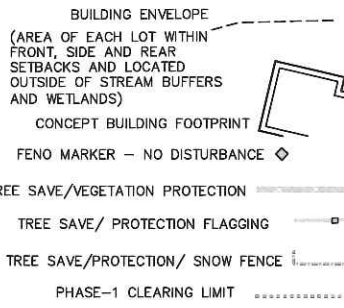


- LEGEND**
- Iron pin found
  - Utility pole
  - ⊕ Catch basin
  - ⊖ Water shut off
  - Edge of pavement
  - Fence
  - Overhead electric
  - Property line
  - Bituminous curb
  - Sanitary Sewer
  - Storm Drain
  - ▨ Existing building
  - Proposed easement
  - Wetland boundary
  - Iron pin to be set
  - Monument to be set

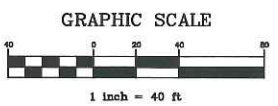
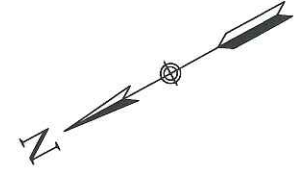


**TREE SAVE/PROTECTION AREAS**

- THE INDIVIDUAL TREE SAVES ON LOTS 1-4 SHALL BE PROTECTED AS DEPICTED ON THE LANDSCAPING AND LIGHTING PLAN, DRAWING 5, REV. 3-31-2008, AVAILABLE FROM THE CITY OF PORTLAND PLANNING DEPARTMENT.
- TREE SAVE/PROTECTION AREAS: "TREE SAVE/ PROTECTION AREAS" MEANS THOSE AREAS SHOWN AND DESCRIBED AS "TREE SAVE/ PROTECTION" ON THE PLAN, AND THE INDIVIDUAL TREE SAVES, IF ANY, SHOWN ON PLANS INCORPORATED INTO THE DEED TO EACH LOT. THE TREE SAVE/PROTECTION AREAS ARE FOREVER RESTRICTED TO THE PRESENT USE AS A WOODED AREA UNDER THE TERMS OF THE PLAN AND THIS DECLARATION. NO TREES SHALL BE CUT OR REMOVED FROM THE TREE SAVE/PROTECTION AREAS, EXCEPT THAT DEAD, DISEASED, OR DAMAGED TREES MAY BE REMOVED. NO BUILDINGS OR STRUCTURES SHALL BE LOCATED IN THE TREE SAVE/PROTECTION AREAS. NO MOTORIZED VEHICLES SHALL BE PERMITTED IN THE TREE SAVE/PROTECTION AREAS EXCEPT AS NEEDED FOR THE REMOVAL OF DEAD, DISEASED OR DAMAGED TREES.

**TREE SAVE & VEGETATION PROTECTION NOTES**

- TREE CLEARING: PHASE 1 TREE CLEARING SHALL BE LIMITED TO THE ROAD RIGHT OF WAY, DRAINAGE EASEMENT AND UTILITY RUNS (SANITARY SEWER EASEMENT). AFTER COMPLETION OF THE ROAD CONSTRUCTION, THE APPLICANT SHALL OBTAIN THE SERVICES OF A LICENSED MAINE ARBORIST TO RECOMMEND MEASURES FOR THE APPLICANT TO TAKE TO ENHANCE TREE SURVIVAL IN THE TREE SAVE/PROTECTION AREAS.
- PHASE 2 TREE CLEARING: PRIOR TO CLEARING FOR INDIVIDUAL HOUSE LOTS, THE CITY ARBORIST SHALL INSPECT THE LOTS AND IDENTIFY TREES OUTSIDE THE BUILDING ENVELOPE TO BE PRESERVED. THESE SHALL BE MARKED AND ADDED TO THE INDIVIDUAL LOT PLANS. IF TREES IDENTIFIED TO BE PRESERVED BY THE CITY ARBORIST ARE UNABLE TO BE PRESERVED, THEY SHALL BE REPLACED IN THE MONTH WITH A TREE (TWO TREES WHERE TREES LARGER THAN 12" DBH ARE LOST) WITH CREDIT GIVEN TO TREES PROPOSED WITHIN THE LOTS OTHER THAN 2 STREET TREES PER LOT, AS SHOWN ON LANDSCAPE PLAN DRAWING 5 DATED MARCH 31, 2008.
- PRIOR TO THE SALE OF ANY LOT, "FENO" MARKERS SHALL BE PLACED EVERY 50 FEET: (1) AT THE CORNERS AND ALONG THE LINE OF THE "PROPOSED 20' PRIVATE DRAINAGE AND MAINTENANCE EASEMENT" OVER LOTS 6 AND 7 WITH THE FENO MARKERS TO BEAR THE ENGRAVED WORDING "DO NOT FILL ALTER OR DISTURB BEYOND THIS POINT"; AND (2) AT THE CORNERS AND LIMITS OF TREE SAVE/VEGETATION PROTECTION AREAS IN THE REAR YARDS OF LOTS 5-10, EXCEPT FOR THOSE AREAS ALONG LOTS 8&7 WHERE FENO MARKERS SHALL BE PLACED ALONG THE LINE OF THE "20' PRIVATE DRAINAGE & MAINTENANCE EASEMENT" AS PROVIDED IN (1) ABOVE, WITH FENO MARKERS TO BEAR THE ENGRAVED WORDING "DO NOT FILL ALTER OR DISTURB BEYOND THIS POINT." A REQUIREMENT IN THE ASSOCIATION DOCUMENTS AND DEED SHALL NOTE THE FENO MARKERS SHALL NOT BE REMOVED.
- THE TREE SAVE/VEGETATION PROTECTION AREAS ON LOTS 5,6,7,8,9 AND 10 SHALL BE FURTHER RESTRICTED AS FOLLOWS: NO DISTURBANCE TO VEGETATION OR GROUND COVER SHALL TAKE PLACE WITHIN THESE AREAS, INCLUDING DISTURBANCE THROUGH TREE CUTTING, GRADING, MOWING, BAKING, GRASS CLIPPING/ LEAF BLOWING AND/OR REMOVAL OF FALLEN TREES; PROVIDED, HOWEVER, THAT HAZARDOUS TREES/ TREE LIMBS, INCLUDING BUT NOT LIMITED TO LEANING TREES THAT THREATEN STRUCTURES, ARE ALLOWED TO BE REMOVED, SUBJECT TO THE APPROVAL OF THE PORTLAND PLANNING AUTHORITY (CITY ARBORIST); AND THAT THE PROPOSED PORTLAND TRAILS PEDESTRIAN EASEMENT MAY BE CONSTRUCTED AND USED FOR ITS INTENDED PURPOSES AS SHOWN ON THE PLAN. DEPARTMENT OF ENVIRONMENTAL PROTECTION APPROVAL SHALL BE OBTAINED PRIOR TO ANY ADDITIONAL WETLAND ALTERATIONS ON THE PROJECT SITE.



**OWNER OF RECORD**

THE MORNINGSTAR REAL ESTATE TRUST  
BOOK 22645, PAGE 38

**CERTIFICATION:**

This survey conforms to the current Standards of Practice as defined by the Maine State Board of Licensure for Land Surveyors.  
Rex J. Croteau, Maine PLS #2273

**CITY OF PORTLAND APPROVED SITE PLAN**  
Subject to Dept. Conditions  
Date of Approval: 4-8-2008  
as amended 12-20-2013  
(2013-194)

**DEP TIER 1 APPROVAL SPECIAL CONDITION:**

PRIOR TO THE START OF CONSTRUCTION ON INDIVIDUAL LOTS, THE STREAM BUFFERS, AS DEPICTED BY THE PROPOSED TREE LINE ON LOTS 8, 9 AND 10, AND THE WETLANDS ON LOTS 5, 6 AND 7, AS SHOWN ON DRAWING 4 OF THE PLAN REFERRED TO ABOVE, SHALL BE PERMANENTLY MARKED TO THE GROUND. IN ADDITION, THE DEEDS FOR LOTS 5 THROUGH 10 MUST HAVE ATTACHED TO THEM A PLOT PLAN FOR THE LOT DRAWN TO SCALE, THAT SPECIFIES THE LOCATION OF THE STREAM BUFFER OR WETLAND ON THAT LOT. THE WETLANDS AND STREAM BUFFERS SHALL BE CONSTRUCTED AND USED FOR ITS INTENDED PURPOSES AS SHOWN ON THE PLAN. DEPARTMENT OF ENVIRONMENTAL PROTECTION APPROVAL SHALL BE OBTAINED PRIOR TO ANY ADDITIONAL WETLAND ALTERATIONS ON THE PROJECT SITE.

THIS SUBDIVISION PLAT AMENDS THE 2013 SECOND AMENDED RECORDING PLAT AMENDED BY THE PLANNING BOARD ON AUGUST 13, 2013 AND RECORDED ON AUGUST 14, 2013 IN PLAN BOOK 213 PAGE 321, TO RELOCATE THE LIMIT OF WETLAND FILL/TREE SAVE ON LOTS 8, 9 AND 10 TO CREATE MORE USABLE BUILDING ENVELOPES.

APPROVAL-  
DIRECTOR OF PLANNING AND URBAN DEVELOPMENT  
DATE: 12-20-2013 signed  
JEFF LEVINE, AICP, DIRECTOR OF PLANNING AND URBAN DEVELOPMENT  
by Jeff Levine

**PROJECT DATA:**

- PROPERTY IS LOCATED IN THE R-2 RESIDENTIAL ZONE WHICH PERMITS MEDIUM DENSITY SINGLE FAMILY DWELLINGS ON INDIVIDUAL LOTS
- PARCEL ACRES:  
LOTS 1 TO 10: 4.79 AC  
PROPOSED ROW: 0.89 AC  
TOTAL AREA: 5.68 AC
- SPACE & BULK REGULATIONS: R-2 RESIDENTIAL ZONE - SINGLE FAMILY

	REQUIRED	PROVIDED
MIN LOT AREA	10,000 SF	10,132 SF
MIN STREET FRONTAGE	30'	25'
MIN FRONT & REAR YARD	25'	15'
MIN SIDE YARD	1.5 STORY = 12'	1.5 STORY = 12'
	2 STORY = 14'	2.5 STORY = 10'

- (REFER TO ZONING ORDINANCE FOR ACCESSORY STRUCTURES & SWIMMING POOLS)
- MAX BUILDING HEIGHT: 35'
  - MAX LOT COVERAGE: 20%
  - MIN LOT WIDTH: 60'

- References:**
- "Fieldstone, A Residential Development, Washington Ave., Summit St., Portland, Maine" made for Kasprzak Inc. by Land Plan Associates dated August 23, 1983 as recorded in Plan Book 139, Page 31.
  - "Greenfield Acres II, Lester Drive, Portland, Maine" for Kasprzak Inc. by Land Plan Associates dated February, 1985, as recorded in Plan Book 148, Page 23.
  - City of Portland Engineering Department Right of Way Plans.
  - Plan of Land on Summit Street and Lambert Street for Eugene O'Milia by Owen Heesler, Inc. dated January 3, 1989.
  - Plan of Property 514 & 526 Summit Street for Ronald J. Dorfler by Titcomb Associates dated March 19, 2001 and revised April 11, 2001.

- Notes:**
- Bearings are referenced to true north (see plan reference #4).
  - Book and Page references are to the Cumberland County Registry of Deeds.
  - All utility locations shown on this plan are approximate, based on location of visible features and information provided by others. Dig Safe and/or the appropriate utilities should be contacted prior to any construction.

**CITY OF PORTLAND SUBDIVISION NOTES:**

- LANDSCAPING SHALL MEET THE "ARBORCULTURAL SPECIFICATIONS AND STANDARDS OF PRACTICE AND LANDSCAPE GUIDELINES" OF THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND SPECIFICATIONS.
- THE ENTIRE SITE SHALL BE DEVELOPED AND/OR MAINTAINED AS DEPICTED ON THE SUBDIVISION PLAN. APPROVAL OF THE PLANNING AUTHORITY OR PUBLIC WORKS REPRESENTATIVE SHALL BE REQUIRED FOR ANY ALTERATION TO OR DEVIATION FROM THE APPROVED SUBDIVISION PLAN, INCLUDING, WITHOUT LIMITATION: TOPOGRAPHY; DRAINAGE; LANDSCAPING; RETENTION OF DO NOT DISTURB AREAS; AND ACCESS.
- ALL POWER LINE UTILITIES SHALL BE UNDERGROUND.
- SIDEWALKS AND CURBING SHALL BE DESIGNED AND BUILT WITH TIP DOWN RAMPS AT ALL STREET CORNERS, CROSSWALKS AND DRIVEWAYS IN CONFORMANCE WITH THE CITY OF PORTLAND TECHNICAL AND DESIGN STANDARDS AND SPECIFICATIONS.
- ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE DESIGNED IN ACCORDANCE WITH MAINE EROSION AND SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION, BEST MANAGEMENT PRACTICES PUBLISHED BY THE CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, LATEST EDITION. (NOTE: ALL SITE PLANS FOR EACH LOT SHALL SPECIFY THE EROSION CONTROL DEVICE TO BE EMPLOYED (SILT FENCE, HAY BAL, ETC.) AS WELL AS THEIR LOCATION.)
- ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO ANY SITE EXCAVATION OR GRADING.
- ALL DISTURBED AREAS ON THE SITE NOT COVERED BY BUILDINGS OR PAVED AREAS SHALL BE STABILIZED WITH LOAM AND SEED OR OTHER METHODS AS REQUIRED BY BEST MANAGEMENT PRACTICES [SEE ABOVE].
- PRIOR TO CONSTRUCTION, A PRECONSTRUCTION MEETING SHALL BE HELD AT THE PROJECT SITE WITH THE CONTRACTOR, DEVELOPMENT REVIEW COORDINATOR, PUBLIC WORKS REPRESENTATIVE AND OWNER TO REVIEW THE CONSTRUCTION SCHEDULE AND CRITICAL ASPECTS OF THE SITE WORK. AT THAT TIME, THE SITE/BUILDING CONTRACTOR SHALL PROVIDE THREE (3) COPIES OF A DETAILED CONSTRUCTION SCHEDULE TO THE ATTENDING CITY REPRESENTATIVE. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ARRANGE A MUTUALLY AGREEABLE TIME FOR THE PRECONSTRUCTION MEETING.
- EXISTING VEGETATION SHALL BE CONSERVED IN AREAS SHOWN ON THIS SITE. FENCING OR OTHER PROTECTIVE BARRIERS SHALL BE ERECTED OUTSIDE THE DRIP-LINE OF INDIVIDUAL GROUPINGS OF TREES DESIGNATED FOR PRESERVATION PRIOR TO THE ONSET OF CONSTRUCTION. REGRADING SHALL NOT TAKE PLACE WITHIN THE DRIP-LINE OF TREES DESIGNATED FOR PRESERVATION. NO STORAGE OR CONSTRUCTION MATERIALS SHALL BE PERMITTED WITHIN THE DRIP-LINE OF TREES TO BE PRESERVED.
- SUBDIVISION SHALL MEAN THE SUBDIVISION OF A LOT, TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE LOTS, INCLUDING LOTS OF FORTY (40) ACRES OR MORE, WITHIN ANY FIVE-YEAR PERIOD WHETHER ACCOMPLISHED BY SALE, LEASE, DEVELOPMENT, BUILDINGS OR OTHERWISE AND AS FURTHER DEFINED IN 30-A M.R.S.A. SECTION 4041. THE TERM SUBDIVISION SHALL ALSO INCLUDE THE DIVISION OF A NEW STRUCTURE OR STRUCTURES ON A TRACT OR PARCEL OF LAND INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD AND THE DIVISION OF AN EXISTING STRUCTURE OR STRUCTURES PREVIOUSLY USED FOR COMMERCIAL OR INDUSTRIAL USE INTO THREE (3) OR MORE DWELLING UNITS WITHIN A FIVE-YEAR PERIOD. THE AREA INCLUDED IN THE EXPANSION OF AN EXISTING STRUCTURE IS DEEMED TO BE A NEW STRUCTURE FOR THE PURPOSES OF THIS PARAGRAPH. A DWELLING UNIT SHALL INCLUDE ANY PART OF A STRUCTURE WHICH, THROUGH SALE OR LEASE, IS INTENDED FOR HUMAN HABITATION, INCLUDING SINGLE-FAMILY AND MULTIFAMILY HOUSING CONDOMINIUMS, TRAILER-SHARE UNITS AND APARTMENTS.
- ALL BUILDING ENVELOPES, CURB CUTS, FILL AND DRAINAGE FOR ANY LOT MUST BE IMPLEMENTED IN CONFORMANCE WITH THE GRADING AND DRAINAGE PLAN (DRAWING 4, REV DATED 3-31-2008), ON FILE WITH THE CITY OF PORTLAND PLANNING DEPARTMENT. THE BUILDING ENVELOPES SHOWN WITHIN THE PLAN SET REPRESENT THE MAXIMUM AREA FOR CONSTRUCTION AND ACCESSORY STRUCTURES. ANY DEVIATIONS FROM, OR CHANGES TO, THE BUILDING ENVELOPES, CURB CUTS, FILL OR DRAINAGE AND GRADING FROM THOSE DEPICTED MUST RECEIVE THE APPROVAL OF THE PORTLAND PLANNING AUTHORITY PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, AND SUCH APPROVAL, IF GRANTED, WILL BE RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS WITH A REFERENCE TO THE PLAN, BOOK AND PAGE NUMBER OF THE ORIGINALLY APPROVED LOT. NOTE THAT THE BUILDING FOOTPRINTS AS SHOWN ARE CONCEPTUAL FOR ANY LOT DESIGNATION. THE PROPOSED BUILDING SIZE AND LOCATION WITHIN ANY BUILDING ENVELOPE DEPENDS UPON COMPLIANCE WITH THE ZONING REQUIREMENTS, FINISH FLOOR ELEVATIONS, GRADING PLANS, PRESERVATION, SOIL STABILITY AND EROSION CONTROL, ETC. WHICH SHALL BE REVIEWED BY THE CITY PLANNING AUTHORITY DURING SITE PLAN REVIEW OF EACH LOT.

Stantec Inc. 05  
22 Free Street, Portland, ME U 04101-3900  
Tel: 207.775.4100 Fax: 207.775.4100

MORNINGSTAR LANE  
SUMMIT STREET, PORTLAND, MAINE  
PREPARED FOR:  
MORNINGSTAR REAL ESTATE TRUST  
9 CRAIGIE STREET  
PORTLAND, MAINE 04102

Designed LDM	Drawn PJP	Checked LDM	Scale 1" = 40'	Date 05-07-07	Revision	Date
					REVISED PER ENG/STAFF REVIEW COMMENTS	8-16-06
					REV. PER 8/21/06 STAFF REVIEW COMMENTS	9-22-06
					PRELIMINARY REVIEW - CITY OF PORTLAND	10-25-07
					REVISED PER ENG/STAFF REVIEW COMMENTS	11-15-07
					REVISED PER ENG/STAFF REVIEW COMMENTS	12-07-07
					REVISED PER ENG/STAFF REVIEW COMMENTS	02-15-08
					REVISED PER ENG/STAFF REVIEW COMMENTS	03-21-08
					REVISED PER ENG/STAFF REVIEW COMMENTS	03-31-08

**THIRD AMENDED RECORDING PLAT**

Job No. 210800008  
Drawing

1 of 1

*In Spectator's*  
*pdf in #2013-194*  
*no signature nor*  
*recording info*  
*4/6/14*

Recorded Dec 2013  
Book 213  
Page 466  
Morningstar Lane - off Summit