

444-A-5

2003-0235

40 Commercial St.

Ocean Gateway - Phase 1

City of Portland

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

2003-0235
Application I. D. Number

11/7/2003
Application Date

City Of Portland
Applicant
389 Congress St, Portland, ME 04101
Applicant's Mailing Address

Ocean Gateway Phase I
Project Name/Description

Consultant/Agent
Agent Ph: _____ **Agent Fax:** _____
Applicant or Agent Daytime Telephone, Fax

40 - 40 Commercial St, Portland, Maine
Address of Proposed Site
444 A005001
Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail
 Manufacturing Warehouse/Distribution Parking Lot Other (specify) **Marine Trans. and Marine Ind**

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Zoning _____

Check Review Required:

- | | | | |
|----------------------------------------------------------------|---------------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots _____ | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | | <input type="checkbox"/> Other _____ |

Fees Paid: Site Pla \$500.00 Subdivision _____ Engineer Review _____ Date 11/7/2003

Planning Approval Status:

Reviewer _____

- Approved Approved w/Conditions
See Attached Denied

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

OK to Issue Building Permit _____
signature _____ date _____

Performance Guarantee Required* Not Required

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

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	_____
	date		expiration date
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	

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

19980121

I. D. Number

DiMillo, Antonio

Applicant

25 Long Wharf, Portland, ME 04101

Applicant's Mailing Address

Steve DiMillo

Consultant/Agent

772-2216

772-1081

Applicant or Agent Daytime Telephone, Fax

9/17/98

Application Date

DiMillo's

Project Name/Description

25 Long Wharf

Address of Proposed Site

030-H-001

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential
 Office Retail Manufacturing Warehouse/Distribution Parking Lot Other (specify) Overhang to Ticketbooth

826 Total

8

Proposed Building square Feet or # of Units

Acreage of Site

Zoning

Check Review Required:

- Site Plan (major/minor) 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 _____ Engineer Review _____ Date: 9/17/98

DRC Approval Status:

Reviewer Jim Wendel

- Approved Approved w/Conditions see attache Denied

Approval Date 9/24/98 Approval Expiration 9/24/99 Extension to _____ Additional Sheets Attached

Condition Compliance Jim Wendel 9/24/98
signature date

Performance Guarantee Required* Not Required

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

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

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

19980121
I. D. Number

DiMillo, Antonio

9/17/98

Applicant

Application Date

25 Long Wharf, Portland, ME 04101

DiMillo's

Applicant's Mailing Address

Project Name/Description

Steve DiMillo

25 Long Wharf

Consultant/Agent

Address of Proposed Site

772-2216 772-1081

030-H-001

Applicant or Agent Daytime Telephone, Fax

Assessor's Reference: Chart-Block-Lot

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential
 Office Retail Manufacturing Warehouse/Distribution Parking Lot Other (specify) **Overhang to Ticketbooth**

826 Total 8

Proposed Building square Feet or # of Units Acreage of Site Zoning

Check Review Required:

- | | | | |
|----------------------------------------------------------------|---------------------------------------------------|------------------------------------------------|--------------------------------------------------|
| <input checked="" type="checkbox"/> Site Plan
(major/minor) | <input type="checkbox"/> Subdivision
of lots | <input type="checkbox"/> PAD Review | <input type="checkbox"/> 14-403 Streets Review |
| <input type="checkbox"/> Flood Hazard | <input type="checkbox"/> Shoreland | <input type="checkbox"/> Historic Preservation | <input type="checkbox"/> DEP Local Certification |
| <input type="checkbox"/> Zoning Conditional
Use (ZBA/PB) | <input type="checkbox"/> Zoning Variance | <input type="checkbox"/> Other _____ | |

Fees Paid: Site Plan \$400.00 Subdivisio _____ Engineer Review _____ Date 9/17/98

Planning Approval Status:

Reviewer Kandice Talbot

- Approved Approved w/Conditions
See Attached Denied

Approval Date 9/24/98 Approval Expiration 9/24/99 Extension to _____ Additional Sheets Attached

OK to Issue Building Permi Kandice Talbot 9/24/98
signature date

Performance Guarantee Required* Not Required

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<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
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	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	
	date		
<input type="checkbox"/> Final Inspection	_____	_____	
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date
<input type="checkbox"/> Defect Guarantee Released	_____	_____	
	date	signature	

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

19980121

I. D. Number

DiMillo, Antonio

Applicant

25 Long Wharf, Portland, ME 04101

Applicant's Mailing Address

Steve DiMillo

Consultant/Agent

772-2216 772-1081

Applicant or Agent Daytime Telephone, Fax

9/17/98

Application Date

DiMillo's

Project Name/Description

25 Long Wharf

Address of Proposed Site

030-H-001

Assessor's Reference: Chart-Block-Lot

DRC Conditions of Approval

Planning Conditions of Approval

- that vending machines not be placed in the front of the building

Inspections Conditions of Approval

Fire Conditions of Approval



CITY OF PORTLAND

September 24, 1998

Mr. Steve DiMillo
25 Long Wharf
Portland, ME 04101

Re: 25 Long Wharf

Dear Mr. DiMillo:

On September 24, 1998 the Portland Planning Authority granted minor site plan approval for an 826 sq. ft. ticket booth located at 25 Long Wharf with the following condition:

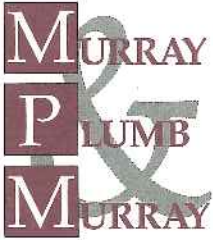
- that vending machines shall not be placed in the front of the building.

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

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

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan.
2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 1.7% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the preconstruction meeting.

O:\PLAN\DEVREV\WLONGWH25\APPRVLTR.WPD



January 6, 1998

Attorneys At Law

Ms. Marge Schmuckal
Department of Planning and
Urban Development
389 Congress Street
Portland, Maine 04101

E. Stephen Murray
Peter S. Plumb
John C. Lightbody
Linda A. Monica
Thomas C. Newman
John C. Bannon
Susan D. Thomas
Drew A. Anderson
Richard L. O'Meara
Barbara T. Schneider
Christopher B. Branson
Charles P. Piacentini, Jr.
Michael D. Traister
Rita S. Saliba

RE: DiMillo Ticket Booth

Dear Marge:

Enclosed for filing as discussed is a completed Application For Exemption with attached sketch plan, in duplicate. I trust that this will be sufficient information but should any more be desired please do not hesitate to contact me.

You might note that the Application For Exemption form incorrectly identifies the code section as Section 14-573(4) when in reality it is Section 14-523(4). At least that explains my confusion!

Thank you for your assistance and do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Peter S. Plumb', written over a printed name.

Peter S. Plumb

75 Pearl Street
Post Office Box 9785
Portland, Maine
04104-5085

Telephone:
207.773.5651

Facsimile:
207.773.8023

E-Mail:
info@mpmlaw.com

WWW:
mpmlaw.com

psp/nja
Email: psp@mpmlaw.com
encl.
cc: Mr. Steven DiMillo



September 17, 1998

To: Building Inspections
City of Portland

From: Steve DiMillo

Re: Long Wharf Building

Please accept my Site Review Application for the changes made on the building located at the head of Long Wharf.

A copy of the permit and copies of the changes are enclosed.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve DiMillo", written over a light blue horizontal line.

Steve DiMillo



my Koles

**Memorandum
Department of Planning and Development
Planning Division**



To: Chair Delogu and Members of the Portland Planning Board

From: Bill Needelman, Senior Planner

Date: March 9, 2004

Re: Ocean Gateway Marine Passenger Facility
State of Maine Department of Transportation and City of Portland,
Applicants

1. Introduction:

The State of Maine Department of Transportation and the City of Portland request a forth workshop to discuss the Ocean Gateway marine passenger terminal project.

This workshop will concentrate on resolving issues that have surfaced during the previous workshops on the project. The beginning of this memo, section 2, concentrates on directing the Board to new material provided in the project binder. Section 3 addresses specific issues raised in the previous workshops and review standards. Section 4 concludes with excerpts from the previous memo providing the project description and policy narrative.

The Board should note that where new material substitutes for previous material, the old material has been removed. Where new material is an addendum to previous material, the new material has been added with a reference tab if needed.

2. New Material:

The following material has been provided by the project team:

- Comment Response Narrative (first tab)
- Written Statement Update (second tab)
- Drawings: Reduced set attached in project binder under "New Drawings" tab. Includes:
 - New grading,
 - Utilities,

Landscaping,
Street layout, profiles, and sections

- Stormwater Updates (section 6 in project binder)
- Parking Updates (New tab in project binder)
- Shoreland Zone Narrative
- Lighting Updates

Staff suggests that the Board pay particular attention to the tab labeled Board/Public Comments at the start of the binder. This section provides a record of issues raised during the two substantive workshops on this project. The January 27th workshop addressed traffic and parking issues and the February 10th workshop addressed site design and architecture of the project.

In addition to the material provided, the following material will need to be produced prior to public hearing:

- Flood Plain narrative
- Subdivision plats and narratives

3. Issues and Review Standards

Traffic:

The project team has amended their traffic report to include a signal warrant analysis for the Fox/Walnut/ Washington intersection. The warrant analysis is included under the offsite facilities tab #5. The report concludes that the project will not cause the intersection to require a signal, but that the City should reevaluate the intersection after the opening of the new East End elementary school.

Parking:

The Project Team has provided a revised Parking Evaluation for the Board's review. The updated evaluation provides a more detailed approach to describing where the parking is to be located and how it will be managed to achieve the stated levels of utilization. The parking evaluation is included in a new tab toward the end of the project binder.

Staff has reviewed the material and generally finds the update to be a credible approach to managing the anticipated parking demand. Parking Manager John Peverada has provided the project team with questions regarding numerical inconsistencies within the report, but these inconsistencies tend toward details more than threshold level deficiencies. Consulting traffic engineer Tome Errico has provided a review asks questions regarding previous Islander levels of parking, industrial demand post construction, and questions regarding current and

potential shuttle bus use. Mr. Errico's comments are included as attachment 1 of this memo.

The updated parking report is appended with maps showing the proposed parking areas and provides a timeline describing how the offsetting uses can result in parking efficiencies above the gross number of surface spaces provided. As presented, the project anticipates a surplus of between 140 to 150 non-project spaces to be made available to the island community.

The report acknowledges that the new uses will result in a displacement of existing uses. The report suggests that the displacement issue should either be addressed with the proposed Eastern Waterfront Garage or that a shuttle bus be provided for the interim between Ocean Gateway's opening and the construction of a garage. Mr. Errico has asked for details regarding the potential shuttle system's operation. As previously requested by the Board, staff has provided a copy of the RFP document that has generated four proposals to construct the proposed garage. Please see attachment 2.

Landscaping

Landscaping for the project has been revised and now all the improvements shown are proposed in the first phase of development. The design shows additional street trees on the Commercial Street and Hancock Street extensions, plantings along the water's edge at the eastern parking lot, and a new park area to be constructed on the VRAP containment area. Staff will provide comments from the City Arborist as available.

Stormwater

The stormwater management plan has been revised since the previous memo. The new management plan is included under tab 6 in the project binder. The plan provides more stormwater quality treatment and is anticipated to achieve a 40% total suspended sediment removal rate for the site. This level achieves the quality looked for by the State as part of the Site Location review for the project.

DRC Jim Seymour is continuing to review the stormwater design and has found that the plan is approaching an approvable level of specificity and performance. He suggests that the applicant provide better collection in areas where stormwater needs to travel significant distances to reach catch basins and he suggests that the primary queuing and circulation areas be finished with a topcoat of new pavement. Currently, the project is proposing to "cut and patch" existing pavement within the BIW site. A detailed memo will be provided.

Lighting

At the Board's suggestion, the lighting plan has been revised to show lower poles (24 feet from 30 feet) and a revised street fixture. The lighting update is provided after the parking tab in the project binder.

Shoreland Review

The project is being reviewed for conformance under the Shoreland Zoning ordinance. The applicant has provided a detailed narrative addressing the requirements of the overlay zone. This narrative is included under a new tab located before the new plans in the project binder.

The Board should note that the project is also subject to the Flood Plain ordinance. In this area the flood plain regulation may require a significant (+/-3 feet) change in elevation in the structure of the terminal building. The project team is currently evaluating approaches to address these issues and Staff anticipates a Flood Plain narrative for review prior to Public Hearing. The Board may want to discuss the potential impacts of these changes with the project team at the workshop.

The following introductory material is excerpted from previous workshop memos.

1. Introduction:

The project presented here represents a first phase of a proposed marine passenger facility build out and will be reviewed as a major site plan and as an amendment to the existing BIW subdivision plan.

The project is concurrently being reviewed by the State for Site Location of Development, Traffic Movement Permit, and NRPA; as well as at the Federal level for issues concerning pier construction, and security.

The applicant's proposal is included in a three-ring binder and includes the narrative, full-sized drawings, and the initial technical submittals for the review process. Staff requests that the Board return their binders at the end of each workshop for updating and reuse for each subsequent workshop. Reduced 11x17 drawings are attached to this memo for the Board's convenience, but given the large size of the project area, the scale of the reductions is a barrier to detailed evaluation.

The purpose of this workshop is to allow the applicant team to introduce the project program and design components. Technical review and analysis will follow at upcoming workshops.

2. Site Description:

The Ocean Gateway site will occupy the former BIW ship repair facility as currently operated by Cianbro for the fit up of petroleum drilling platforms. The existing site includes 18 acres of uplands, 5 acres of piers, and approximately 57 acres of submerged lands.

Piers

Two working deep-water piers are included within the site. Maine State Pier (Pier 1) is a City owned structure and contains a 100,000 square foot cargo shed along its easterly perimeter adjacent to a 1000-foot deepwater berth. The shed is currently occupied by the Cianbro project and is slated for continued use as deepwater berthing support and other marine related uses.

The Casco Bay Island Ferry Terminal is located on the westerly side of the Maine State Pier, and is leased and operated by the Casco Bay Island Transit District. The CBITD facility currently handles 900,000 passengers per year and is the primary point of entry and departure for the Casco Bay island community.

The Atlantic Pier (Pier 2) is a 600-foot finger pier that was developed to serve the BIW dry dock. Pier 2 currently provides berthing for the floating drilling platforms of the Cianbro project.

Uplands

The land between the Maine State Pier and Pier 2 and south of Commercial Street is entirely paved and has historically provided parking and circulation support for the berthing and warehousing function of the piers. Several utility buildings are scattered on the site providing warehouse and shop space for the industrial use. A two-story brick guardhouse sits at the entrance to the site at State Pier/Commercial Street intersection providing vehicle and pedestrian access control for the secure portions of the site.

There is an area of filled land east of Pier 2 extending into the harbor that poses potential environmental challenges. The "containment area" is composed of contaminated dredge spoils retained within a wooden piling structure. The containment area was capped under the "VRAP," voluntary remediation action plan, by BIW and is currently limited to pedestrian use. No changes or upgrades are proposed for the containment area as part of the Ocean Gateway fist phase plan.

North of the BIW facility and bisecting City land, the Maine Narrow Gauge Railroad and the Eastern Prom Trail traverse the site in a generally east/west orientation.

Parking

Surface parking is currently provided in three areas on site in addition to the 420-space Casco Bay Garage at the CBITD terminal.

Parking is currently found in the “un-secured” areas between State Pier and Pier 2 and serves monthly, transient, and visitor parking. The recent curb cut extending from the India Street/Commercial Street intersection serves this parking area.

East of Pier 2 and adjacent to the water, there is a strip of parking extending nearly to the boundary with the Portland Yacht Services boundary. Approximately 100 vehicles from the Cianbro project utilize this area.

North of the Trail/Train corridor, the City controls approximately 230 spaces on poorly organized and marginally maintained gravel lots. These spaces are divided between commercial tenants, islanders, and weekly seasonal renters.

3. Program and Layout:

Ocean Gateway Buildings

Three new buildings are proposed in the first phase of the Marine Passenger Terminal: a receiving and ticketing station, a terminal building, and a vehicle inspection station.

The receiving station is proposed to be a modestly sized 5500 square foot single story building sited on the uplands at the head of Pier 2. The receiving station will provide ticketing, baggage handling, and drop-off and pick-up, and visitor services for Scotia Prince and cruise ship patrons. Adjacent to and north east of the receiving station, the design shows an “intermodal” area providing pick-up and drop-off for busses, taxis, personal vehicles, trailers, and oversized RVs.

The design of the receiving station has generated discussion regarding its orientation to the downtown. The project design team continues to work with the design to provide a more welcoming and interesting view of the structure from Commercial Street and the Old Port.

The terminal building is a two-story, 15,000 square foot structure sited toward the southerly end of Pier 2. The terminal will be associated with +/- 23,000 square feet of new pier construction. The terminal will be connected to the receiving station by an elevated walkway that will bring passengers from the ground floor receiving station to the second floor of the terminal building.

The final building is a +/-500 square foot vehicle inspection station located at the westerly end of the land-bound queuing area, and adjacent to the existing guardhouse. The inspection station is connected by a roof to five customs inspection drive thru booths. Given the visibility of this structure and its proximity to the existing guardhouse, Staff has asked the project design team to explore ways to integrate the inspection station with the guardhouse into a unified architectural composition.

Ocean Gateway Berthing