



December 19, 2013

Eileen Simko-Minte
130 Eastern Promenade LLC
110 Marginal Way #212
Portland, ME 04101

Patrick Carroll
Carroll Associates
217 Commercial Street #200
Portland, ME 04101

Project Name: 130 Eastern Promenade Plan Amendments
Address: 130 Eastern Promenade
Applicant: Eileen Simko-Minte
Planner: Nell Donaldson

Project ID: 2013-236
CBL: 003 C001001

Dear Ms. Simko-Minte:

On December 19, 2013, the Planning Authority approved with conditions the proposed amendments to the approved Level II site plan for renovation and conversion of the existing three-story residential structure at 130 Eastern Promenade. This decision is based upon the plans as submitted by Carroll Associates on December 4, 2013 and dated November 20, 2013. For reference, the original approval letter, dated June 30, 2011, is attached. The amendments have been reviewed subject to the Site Plan Ordinance, Article V of the Land Use Code.

SITE PLAN REVIEW

The Planning Authority found that the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval, which must be met prior to the issuance of a building permit:

1. The applicant shall provide specifications relating to noise generated from condensing units and rooftop mechanicals for review and approval by the zoning administrator, and
2. The applicant shall set all property corner pins for review and approval by the Department of Public Services.

The approval is based on the plans submitted December 4, 2013. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Stormwater Management** The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines. The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater

Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage system shall be submitted and signed prior to the issuance of a building permit with a copy to the Department of Public Services.

2. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
3. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
4. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
5. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
6. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.



Planning & Urban Development Department

8. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
9. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,


Alexander Jaegerman, FAICP
Planning Division Director

Attachments

1. 130 Eastern Promenade Approval Letter to Fish House Realty, June 30, 2011

Electronic Distribution

Alexander Jaegerman, Planning Division Director
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