

Portland, Maine



Yes. Life's good here.

Alex Jaegerman, FAICP
Division Director, Planning Division

July 18, 2014

Sherwood Hamill
Angela Adams Studio
273 Congress Street
Portland, ME 04101

Ryan Senatore, Architect
585 Congress Street, Suite 304
Portland, ME 04101

Project Name:	170 Anderson Street	Project ID:	2014-075
Address:	170 Anderson Street	CBL:	010 E002
Applicant:	Sherwood Hamill		
Planner:	Barbara Barhydt, Development Review Services Manager		

Dear Mr. Sherwood and Mr. Senatore:

On July 18, 2014, the Planning Authority approved with conditions a Level II site plan for the building ramps and site work for at 170 Anderson Street. The decision is based upon the application, documents and plans as submitted for the application and prepared by Ryan Senatore. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance.

WAIVERS

1. The Planning Authority with the support of the Department of Public Services waives the Technical Standard, Section 1.8 Sidewalks and Driveway Aprons for the frontage along Cove Street due to the narrow width of the right-of-way and the applicant's agreement to provide an alternative walking route with an easement for a trail connection to the Bayside Trail, subject to the following condition:
 - a. That the applicant shall submit an agreement or easement for the trail connection over the subject property be submitted for review, approval, and signing by the City prior to the issuance of a certificate of occupancy.

SITE PLAN REVIEW

The Planning Authority found the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval and the standard conditions of approval:

1. Prior to the curb cut modification proposed on Cove Street, a Street Opening Permit shall be required and a pre-construction meeting held to define the scope of work.
2. The applicant is allowed two drive cuts for this property. The maximum width allow for an industrial drive is 30'. When Anderson Street is reconstructed in the summer 2015, the City will work with the applicant to locate one 30' wide cut on Fox St. Until then no modifications to curb cuts on Fox St are required.
3. Applicant is requested to bicycle parking to accommodate two bikes.
4. The applicant shall submit an agreement or easement for the trail connection over the subject property be submitted for review, approval, and signing by the City prior to the issuance of a certificate of occupancy.

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.

STANDARD CONDITIONS OF APPROVAL

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

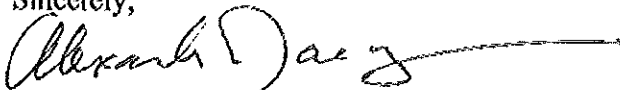
1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require 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.
2. **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.
3. **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.
4. **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.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

6. **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.
7. **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.)
8. **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 Barbara Barhydt, Development Review Services Manager at (207) 874- 8699

Sincerely,



Alexander Jaegerman, FAICP
Planning Division Director

Attachments:

1. David Margolis-Pinco's Memo, dated July 11, 2014
2. Performance Guarantee Packet

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CFO, Inspections Division
Liamie Dobson, Administration, Inspections Division
Brad Sauzier, Administration, Inspections Division
Michael Robinsky, Public Services Director

Marge Schmuckal - Re: FW: 409 Cumberland Ave - permit app # 2014-00246 - 036-H-019

From: Marge Schmuckal
To: Tony Stevens
Date: 7/21/2014 3:50 PM
Subject: Re: FW: 409 Cumberland Ave - permit app # 2014-00246 - 036-H-019
CC: Bob Landry; Corinne Hutchinson; Craig Hill; Jeff Charette

Hi Tony,

What you sent me asks more questions and does not answer my original question on sound. I will repeat the final question from Jeff Charette. Did the mechanical engineer do an acoustical analysis for the units that I could have so I can check it for compliance?

Thank you, Marge

>>> Tony Stevens <tony@ranormech.com> 7/21/2014 3:18 PM >>>

Good Afternoon Marge.

I apologize on the delayed responds. This email is for the permit at 409 Cumberland ave. Please see Jeff's email below and let me know if you have any questions

Thanks

Tony

From: Charette, Jeff [mailto:JJCHARETTE@TRANE.COM]
Sent: Thursday, March 06, 2014 10:39 AM
To: Corinne Hutchinson; Tony Stevens
Subject: RE: 409 Cumberland Ave - permit app # 2014-00246 - 036-H-019

Corinne,

The sound rating that was provided was the outdoor sound power at the unit. Sound power is the acoustical energy emitted by the sound source and is unaffected by the environment. Sound pressure is what city should be concerned with as this is the pressure disturbance in the atmosphere and is affected by the strength of the source, surroundings, and distance from the source to the receiver. To determine whether or not the unit will meet the noise ordinance at specified hours an acoustical analysis needs to be done to determine what the sound pressure is. What is the distance from the source to the receiver (ie. lot line), is there an elevation difference, are there obstructions, etc. For example if the source is 50 feet away from the receiver, the corrected sound pressure would then be 62dBA. Also, the majority of the noise generated is from the compressors and condenser fans and more than likely these would not be running in the middle of the night. Finally, this would have been no different than with the packaged Greenheck units that were originally