

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

Elizabeth Boepple, Chair  
Sean Dundon, Vice Chair  
Bill Hall  
Carol Morrisette  
Jack Soley  
Dave Eato

March 14, 2016

Matthew Murrell & Katherine Howe  
40 Quebec Street  
Portland, Maine 04101

Project Name: **Murrell/Howe Duplex** Project ID: 2015-02404  
Address: 40 Quebec Street CBL: 014 H 003001  
Applicant: Matthew Murrell & Katherine Howe  
Planner: Philip DiPierro

Dear Mr. Murrell and Ms. Howe:

On March 8, 2016, the Planning Board considered the Murrell/Howe Duplex project for the Level I Minor Residential Site Plan Review and the Curb Cut Waiver Appeal. The Planning Board reviewed the proposal for conformance with the standards of the Site Plan Ordinance. The Planning Board voted 4-0, Soley and Dundon absent, to approve the application with the following waiver(s) and condition(s) as presented below:

### WAIVERS (if applicable)

On the basis of the plans, reports, revised waiver request from the applicant, and other information submitted by the applicant, findings and recommendations contained in Planning Board Report for application #2015=02404 relevant to the Site Plan and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board voted 4-0 to waive the Technical Standard, Section 1.7.1 of the City of Portland Technical Manual as follows:

1. The Planning Bound finds that extraordinary conditions exist and that undue hardship results from strict compliance with Standard Section 1.7.1. of the City of Portland's Technical Manual that requires "...a minimum distance of twenty (20) ft. spacing between adjacent driveways" measured at the property line, and has varied the regulations, so that substantial justice may be done and the public interest secured; therefore, the Board waives two feet of the 20 foot driveway separation standard to allow for an 18 foot separation, as recommended by David Margolis-Pineo, Deputy City Engineer of the Department of Public Works. As a condition of the waiver approval, the applicant must submit a revised site plan that meets the driveway separation requirements stated by Deputy City Engineer, David Margolis-Pineo.

### SITE PLAN REVIEW

On the basis of the plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board report for application #2015-02404 relevant to the Site Plan and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board voted 4-0 to find that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following condition(s) of approval:

1. Prior to the issuance of the building permit the applicant shall revise the site plan so that it meets the partial waiver criteria outlined above for the curb cut and driveway spacing as follows; - the applicant is to close the proposed driveway cut width to 12 feet, increasing the separation distance between driveways to 18 feet, as measured at the property line.
2. Prior to planting the street trees, the applicant shall meet with the city arborist to field locate the proposed street trees,

The approval is based on the submitted plans and the findings related to site plan review standards as contained in the Planning Report for application 2015-02404 which is attached.

#### 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. **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.)

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 Philip DiPierro at (207) 874-8632.

Sincerely,



Elizabeth Boepple, Chair  
Portland Planning Board

Attachments:

1. Planning Board Report

**Electronic Distribution:**

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Stuart G. O'Brien, City Planning Director  
Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator, Planning  
Ann Machado, Zoning Administrator, Inspections Division  
Tammy Munson, Inspections Division Director  
Jonathan Rioux, Inspections Division Deputy Director  
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Brad Saucier, Administration, Inspections Division  
Katherine Earley, Engineering Services Manager, Public Services  
Bill Clark, Project Engineer, Public Services  
David Margolis-Pineo, Deputy City Engineer, Public Works  
Doug Roncarati, Stormwater Coordinator, Public Works  
Greg Vining, Associate Engineer, Public Works  
Michelle Sweeney, Associate Engineer  
John Low, Associate Engineer, Public Works  
Rhonda Zazzara, Field Inspection Coordinator, Public Works  
Mike Farmer, Project Engineer, Public Works  
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Approval Letter File