



CITY OF PORTLAND

December 10, 1999

020-D-031

Mr. Dan Caputo
Amato's Inc.
312 St. John Street
Portland, Maine 04102

re: Violation of Conditional Site Plan approval for new store at 73 India Street

Dear Mr. Caputo:

On November 17, 1999 the Portland Planning Authority granted conditional minor site plan approval for building foot print foundation construction for a new retail store at 73 India Street. The purpose of this conditional approval was to allow the applicant to proceed with the foundation work for this project before the onset of winter weather. All other requirements of the Site Plan Ordinance of the City Land Use Code needed to be satisfied in order for the Planning Authority to issue final approval.

On December 10, 1999, Planning Staff observed that asphalt paving had occurred on the site, violating the terms of the November 17 approval. No additional work can occur on either the site or the building until the Planning Authority issues final Site Plan approval.

Please contact the Planning Staff as soon as possible in order to resolve this situation.

Sincerely,

Joseph E. Gray, Jr.
Director of Planning and Urban Development

- cc: Alexander Jaegerman, Chief Planner
- William B. Needelman, Planner
- P. Samuel Hoffses, Building Inspector
- Marge Schmuckal, Zoning Administrator
- Tony Lombardo, Project Engineer
- Development Review Coordinator
- Charles Lane, Corporation Counsel
- Inspection Department
- Lee Urban, Director of Economic Development



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

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- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- TRAFFIC STUDIES AND MANAGEMENT
- PERMITTING
- AIRPORT ENGINEERING
- SITE PLANNING
- CONSTRUCTION ADMINISTRATION

MEMORANDUM

Tom

TO: Code Enforcement
Kandi Talbot, Planner

FROM: Chris Earle, Construction Representative
Reviewed by Steve Bushey, P.E., Acting Development Review Coordinator

DATE: January 2, 2001

RE: Certificate of Occupancy – 71-73 India Street – Amato's (CBL 020-D-031)

On January 2, 2001, the site was reviewed for compliance with the conditions of approval.

It is our opinion that a **permanent certificate of occupancy could be issued**, assuming neither Code Enforcement nor Public Works has any outstanding issues.



Inspections

Joseph E. Gray Jr.
Director

CITY OF PORTLAND

January 5, 2000

020-D-031

Mr. Dan Caputo
Amato's Inc.
312 St. John Street
Portland, Maine 04102

re: Site Plan approval for new store at 73 India Street

Dear Mr. Caputo:

On January 5, 2000 the Portland Planning Authority granted minor site plan approval for a new building at 73 India Street. Approval is subject to the following conditions:

- i. That a storm water quality treatment unit, of a type to be approved by City Public Works, be installed at the location of the existing catch basin.
- ii. That the applicant enter into a storm water treatment maintenance agreement with the City for the above required storm water quality treatment unit.
- iii. That the applicant provide a revised lighting plan for Planning Office review and approval showing reduced illumination levels at the front of the store, and photometrics for the "court yard" section of the site.
- iv. That the applicant provide a fence detail and catalog cut for the proposed fence at the intersection of India and Newbury Streets. Details need to show the dimensions, materials, mounting, and foundations for the proposed fence.

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



CITY OF PORTLAND

November 22, 1999

020-0-031

Mr. Dan Caputo
Amato's Inc.
312 St. John Street
Portland, Maine 04102

re: Conditional Site Plan approval for new store at 73 India Street

Dear Mr. Caputo:

On November 17, 1999 the Portland Planning Authority granted conditional minor site plan approval for building foot print foundation construction for a new retail store at 73 India Street. The purpose of this conditional approval is to allow the applicant to proceed with the foundation work for this project before the onset of winter weather. The applicant needs to fulfill all other requirements of the Site Plan Ordinance of the City Land Use Code before the Planning Authority will issue final approval.

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

Please note the following provisions and requirements for this conditional approval:

1. 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.
2. 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.)

If there are any questions, please contact the Planning Staff.