

CITY OF PORTLAND, MAINE

PLANNING BOARD

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August 7, 2014

Mark Adelson, Director
Portland Housing Authority
14 Baxter Boulevard
Portland, Maine 04101

Pat Carroll
Carroll Associates
217 Commercial Street
Portland, Maine 04101

Project Name:	Bayside Anchor	Project ID:	2014-079
Address:	81 East Oxford Street	CBL:	22-I-001
Applicant:	Portland Housing Authority		
Planner:	Richard Knowland		

Dear Mr. Adelson:

On July 22, 2014, the Planning Board considered the Bayside Anchor for project which includes 45 housing units with a Head Start, community policing office and PHA offices on the first floor. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted to approve the application with the following waivers and condition(s) as presented below.

WAIVERS

The Planning Board voted 5 to 0 (Dean and Dutton absent) to waive the Technical Standard, Section 14-526 (b)(2)(b)(iii) Street Trees of the Site Plan Ordinance and the applicant shall contribute \$4,800 to Portland's Tree Fund as the proportionate cost of the 24 trees and shall coordinate with the City Arborist the planting of these trees along public ways adjacent to the PHA campus and throughout the PHA campus.

SITE PLAN REVIEW

The Planning Board voted 5 to 0 (Dean and Dundon absent) 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. That the applicant shall submit letters from Portland Water District (water), Central Maine Power (electricity) and City of Portland (sanitary waste) regarding their ability to serve the project.
2. That a revised lighting plan addressing the lights within the right-of-way shall be submitted for City staff review and approval.

3. That a revised site plan and supporting material shall be submitted for review and approval by Tom Errico (Traffic Review Consultant) reflecting the following revisions. The details of the TDM shall be modified such that the post-occupancy monitoring study be conducted after 6 months, and annually thereafter. The trigger for TDM plan adjustments should not simply be based upon the parking generation threshold noted in the plan but specific issues that are identified in the post-study.

The applicant shall confirm whether the space dimensions for the handicap parking across the street on Oxford Street meet ADA standards and provide information on the handicap space in terms of use and whether it meets City parking space dimension standards.

That a revised Construction Management Plan shall be submitted for review and approval prior to the issuance of any City permits. All detours shall be ADA compliant. Additional detail shall be required as related to street occupancy and specific traffic control.

On-street parking signage along the property frontage shall be installed as part of the project.

4. That a revised site plan shall be submitted for review and approval by David Senus (Development Review Engineer) reflecting the following revisions. The typical trench detail (sheet C-2) shall be modified to reflect the City's standard (Fig II-12 of the Technical Manual) for all pipe work within the right-of-way. The existing storm drain pipe shall be demolished to the right-of-way line and remaining portion of the existing storm drain pipe in the street shall be abandoned following the procedures outlined in Section 2.6.11 of the City's Technical Manual.
5. That the applicant prepare material for submission to the Transportation Sustainability and Energy Committee and City Council supporting a modification to the parking schedule for Boyd Street and East Oxford Street along the applicant's property frontage as well as modifications requested by the Fire Department along Boyd Street to enhance winter vehicle access.
6. That the applicant shall submit requested easement and or license agreements within the City rights-of-way for review and City Council approval.
7. A copy of the PHDC/Bayside Anchor Development Company LLC agreement with Portland Housing Authority for the long term use of parking spaces for the Bayside Anchor development and the shared use paths shall be submitted to Corporation Counsel for review and approval.
8. That the site plan shall be revised eliminating the concrete pavers shown within the Boyd Street esplanade and replaced with brick or an acceptable material unless an agreement is made between the PHA and the City for the concrete pavers.

SUBDIVISION REVIEW

The Planning Board voted 5 to 0 (Dean and Dutton absent) that the plan is in conformance with the subdivision

standards of the Land Use Code, subject to the following condition(s) of approval:

1. That the applicant shall submit requested easement and or license agreements within City rights-of-way for City Council review and approval.
2. That a revised subdivision recording plat shall be submitted for Planning Staff review and approval reflecting all property easements.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report for application 2014-079 which is attached.

STANDARD CONDITIONS OF APPROVAL

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

1. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
3. **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 the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
4. **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.
5. **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.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements as well as an 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

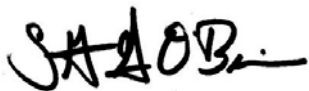
Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.

8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **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.
10. **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.)
11. **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.
12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

The Development Review Coordinator must be notified five (5) working days prior to 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 Richard Knowland at 874-8725.

Sincerely,



Stuart O'Brien, Chair
Portland Planning Board

Attachments:

1. Tom Errico and David Senus Review Memos
2. Planning Board Report
3. City Code, Chapter 32 (if applicable)
4. Sample Stormwater Maintenance Agreement [if applicable]
5. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Senior Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirone, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File