

24-A-19
126 N. Boyd St.
New Bld.
Car Quest

1998-0013

on Spreadsheet

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM**

19980013

I. D. Number

Associated Design Partners

Applicant _____

71 Federal St, Portland, ME 04101

Applicant's Mailing Address _____

Jim Thibodeau

Consultant/Agent _____

871-8333

Applicant or Agent Daytime Telephone, Fax _____

2/23/98

Application Date _____

Car Quest

Project Name/Description _____

126 N Boyd St

Address of Proposed Site _____

024-A-019

Assessor's Reference: Chart-Block-Lot _____

Proposed Development (check all that apply):

- New Building
 Building Addition
 Change Of Use
 Residential
 Office
 Retail
 Manufacturing
 Warehouse/Distribution
 Parking Lot
 Other (specify) accessory retail

65' x 101'

21,994 Sq Ft

ILb

Proposed Building square Feet or # of Units _____

Acreage of Site _____

Zoning _____

Check Review Required:

- Site Plan (major/minor)
 Subdivision # of lots _____
 PAD Review
 14-403 Streets Review
 Flood Hazard
 Shoreland
 Historic Preservation
 DEP Local Certification
 Zoning Conditional Use (ZBA/PB)
 Zoning Variance
 Other _____

Fees Paid: Site Plan \$300.00 Subdivision _____ Engineer Review \$349.50 Date: 3/16/98

Planning Approval Status:

Reviewer Kandice Talbot

- Approved
 Approved w/Conditions See Attached
 Denied

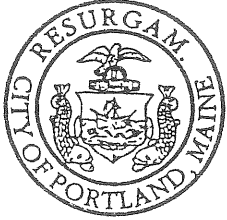
Approval Date 3/16/98 Approval Expiration 3/16/99 Extension to _____ Additional Sheets Attached

OK to Issue Building Permit Kandice Talbot 3/18/98
 signature date

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input checked="" type="checkbox"/> Performance Guarantee Accepted	<u>3/18/98</u> date	<u>\$19,285.00</u> amount	_____ expiration date
<input checked="" type="checkbox"/> Inspection Fee Paid	<u>3/16/98</u> date	<u>\$735.00</u> amount	
<input checked="" type="checkbox"/> Building Permit Issued	<u>3/25/98</u> date		
<input checked="" type="checkbox"/> Performance Guarantee Reduced	<u>2/4/99</u> date	<u>\$3,000.00</u> remaining balance	<u>Jim Wendel</u> signature
<input checked="" type="checkbox"/> Temporary Certificate of Occupancy	<u>5/8/98</u> date	<input checked="" type="checkbox"/> Conditions (See Attached)	
<input type="checkbox"/> Final Inspection	_____ date	_____ signature	
<input type="checkbox"/> Certificate Of Occupancy	_____ date		
<input type="checkbox"/> Performance Guarantee Released	_____ date	_____ signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____ submitted date	_____ amount	_____ expiration date
<input type="checkbox"/> Defect Guarantee Released	_____ date	_____ signature	



CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

TO: Duane Kline, Finance Department

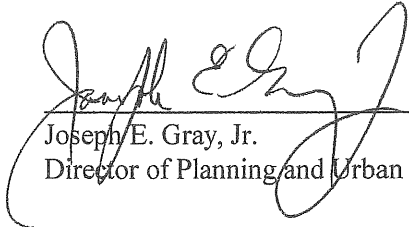
FROM: Joseph E. Gray, Jr., Director of Planning and Urban Development

DATE: June 15, 2000

SUBJECT: Carquest, 126 North Boyd Street
Release of Performance Guarantee

Please release the remaining \$3,000 of Bond No. 08114053 for the Carquest project located at 126 North Boyd Street.

Approved:



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

cc: Alexander Jaegerman, Chief Planner
Kandice Talbot, Planner
Code Enforcement
Steve Bushey, Development Review Coordinator

Finance Department



Duane G. Kline
Director

CITY OF PORTLAND

February 22, 1999

H.E. Callahan
P.O. Box 677
Auburn, ME 04212

Re: Car Quest Site Improvements, 126 North Boyd Street
Bond No. 08114053 for \$19,285.00

This is to inform you that I am authorizing the reduction of the above-named bond by the amount of \$16,285.00, which should leave a balance remaining of \$3,000.

If you require any further information, please let me know.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. Kline", written over a horizontal line.

Duane G. Kline
Finance Director



CITY OF PORTLAND

March 3, 2000

H. E. Callahan
P.O. Box 677
Auburn, ME 04212

RE: 126 North Boyd Street

Dear Lillian:

Attached please find a copy of a memo that was written by the Development Review Coordinator. The one issue that was remaining and the reason why the \$3,000 is being held by the City of Portland, is because the dumpster enclosure had not been completed.

Recently, a request was made by you for the City of Portland to release the remaining \$3,000. An inspection was done of the site and the dumpster enclosure is still not installed.

If you have any questions, please do not hesitate to contact me at 874-8901.

Sincerely,

Kandice Talbot
Planner

CITY OF PORTLAND
Planning and Urban Development Department

MEMORANDUM

Code Enforcement

FROM: Jim Wendel, Development Review Coordinator

DATE: February 4, 1999

SUBJECT: Performance Guarantee/Certificate of Occupancy
Car Quest
126 North Boyd Street

On February 1, 1999 the site was reviewed for compliance with the site plan and conditions of approval dated 3-16-98 due to a request from the applicant to reduce the performance guarantee. My comments are:

1. The dumpster enclosure has not been completed. The dumpster enclosure was required to be installed by May 15, 1998 as noted in a previous memo dated May 8, 1998 from the DRC.
2. Public Works is satisfied with the public road improvements and the required site work has been satisfactorily completed.

It is my opinion that when item 1 above is completed a permanent certificate of occupancy could be issued assuming Code Enforcement has no outstanding issues. Further, recommend that the performance guarantee be reduced to an amount of \$3,000.00. This amount is for the dumpster enclosure which has not been constructed.

CITY OF PORTLAND
Planning and Urban Development Department

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Code Enforcement

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DATE: February 4, 1999

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Car Quest
126 North Boyd Street

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It is my opinion that when item 1 above is completed a permanent certificate of occupancy could be issued assuming Code Enforcement has no outstanding issues. Further, recommend that the performance guarantee be reduced to an amount of \$3,000.00. This amount is for the dumpster enclosure which has not been constructed.

From: "Charles Hall" <chall1@maine.rr.com>
To: Portland.CityHall(kcote)
Date: 5/5/98 4:47pm
Subject: Sidewalk Curb Waiver 126 N Boyd St

Dear planning board members: I would like to respond to the request of carquest on the waiver of sidewalk an curb at 126 Boyd St. I would like to think the city would take the recomendation of it public works dept. With the city changeing as it is [Intown, Bayside, Exit 8, few examples] We as a city need to encourage business , but also live by the rules that we establish . Sidewalks and curbs are a safety issue . With the increase of traffic an a decrease of driver attention, regardless of traffic volume. A person[child, adult] must have a secure place to travel. Allowing a business not to construct these items is wrong.

BOND NO. 08114053

KNOW ALL MEN THESE PRESENTS That we, H. E. CALLAHAN CONSTRUCTION CO. as Principal, and the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation organized under the laws of the State of Maryland and duly authorized to transact business in the State of Maine as Surety, are held and firmly bound unto

THE CITY OF PORTLAND, MAINE

as Obligee, in the sum

NINETE THOUSAND, TWO HUNDRED EIGHTY FIVE NO/100

Dollars (\$19,285.00) the payment whereof well and truly to be made, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

SIGNED, sealed, and dated this 17th day of March, 1998.

WHEREAS, said Principal has entered into a certain agreement with the Obligee for Site Improvement on 126 North Boyd Street, Portland, Maine for Construction at Car Quest project

NOW, THEREFORE, in addition of the foregoing obligation is such that if the Principal shall indemnify the Obligee for loss that the Obligee may sustain by reason of the Principal's failure to fulfill all improvements required by Section 14-499 and Article III of Chapter 25 of the City of Portland Land Use Code when this obligation shall be void; otherwise it shall remain in full force and effect.

IN NO EVENT shall they be liable for a greater sum than the penalty of this Bond or subject to any suit, action or proceeding thereon that is instituted later than one year from March 17, 1999.

IN WITNESS WHEREOF, said Principal and Surety have signed and sealed this instrument this 17th day of March,

H. E. CALLAHAN CONSTRUCTION CO.

By: [Signature] President

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

By: [Signature] Judy L. Noring, Attorney-in-Fact

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VI, Section

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day of

[Signature]

Maryland, duly
FIDELITY AND
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himself deposesh
it is the Corporate
scribed to the said

ove written.

[Signature]
Notary Public

ust 1, 1996

certify that the original
of this certificate; and
vice-Presidents specially
of the By-Laws of the

Directors of the FIDELITY

y, whether made heretofore
be valid and binding upon

aid Company, this 17th

[Signature]
Assistant Secretary



CITY OF PORTLAND

March 17, 1998

Jim Thibodeau
Associated Design Partners
71 Federal Street
Portland, ME 04101

Re: CarQuest, 126 North Boyd Street

Dear Mr. Thibodeau:

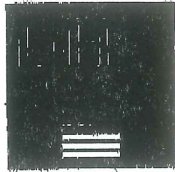
On March 16, 1998 the Portland Planning Authority granted minor site plan approval for the reuse of the existing building at 126 North Boyd Street for CarQuest.

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 to 1.7% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. 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.

O:\PLANDEVRE\WVNBOYD126\APPRVLTR.WPD



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 2
SOUTH PORTLAND, MAINE 04106
TEL. 207 773 1121
FAX 207 879 0896

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

MEMORANDUM

TO: Kandi Talbot, Planner

FROM: Jim Wendel, Development Review Coordinator

DATE: March 6, 1998

RE: Site Plan Review
Car Quest
North Boyd Street

Review of the plan with revision dated 3/5/98 has been completed. I offer the following comments:

1. The plan notes that the front parking lot is to have a 1-1/2 " pavement overlay. However comparing the existing and proposed grades indicate that some areas will have the existing pavement removed. If that is the case, then those areas need to be defined; however having said that I do not think that is their intent. The plan needs to be clear on what the intent is for the work.
2. The plan indicates that the rear parking lot will utilize the existing gravel in the pavement section by placing 3" of crushed gravel and 3" of pavement on the existing gravel; A note is needed on the plan that requires that the DRC must be contacted prior to any work being performed on this area. I want to observe the stability of the existing gravel as it is proof rolled. The applicant is proposing the same approach for the work within the right of way; Public Works may have some thoughts on this approach. The thickness of the pavement is thin for a street that is likely a commercial/industrial street.
3. The plan notes that the entrance widths are to be 30' and there are no entrance radii; the Technical and Design Standards and Guidelines requires that a two-way driveway width be 24' and could be 30' if the City's Traffic Engineer determines that the site conditions or vehicle characteristics warrant a wider access. Also the design guidelines require a minimum entrance curb radius of 20'. Suggest that you ask Larry Ash to comment on the width and radii. Recommend that whatever is agreed upon from Public Works that the entrance for the front parking lot be shifted towards the right such that the right side of the entrance lines up with the back edge of the parking lot. This will provide easier

→ radius

DeLUCA HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

circulation and an opportunity to construct the standard depressed pavement around the catch basin without creating an odd grade arrangement for traversing vehicles.

4. The caliper size for the Red Maples should be noted.
5. The width of the handicap parking space should be noted.
6. The size of the dumpster pad and fence enclosure should be noted.
7. The location of the gas line into the building should be noted.

JN1356.03/1350.10disk4/carquest.doc

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
7. LANDSCAPING (Attach ^{LOAN} breakdown of plant materials, quantities, and unit costs)	9.5 C.Y.	\$25/C.Y.	\$240	22 C.Y.	\$25/C.Y.	\$550
	5 JUNIPERS	\$150 EA.	\$750			
	8 VIBURNUM	\$150 EA.	\$1200			
	7 CEDERS	\$150 EA.	\$1050			
8. MISCELLANEOUS (COMPACTOR PAD)						\$2000
TOTAL:			\$9800			\$9085
GRAND TOTAL:						

INSPECTION FEE (to be filled out by City)

	PUBLIC	PRIVATE	TOTAL
A: 1.7% of totals:			\$4.45
or			
B: Alternative Assessment:			
Assessed by:	(name)	(name)	

4 maples
4 pine trees

\$386.00

Note on plan
contacting
Jim

490.00

1,084.50

Address: General Auto Parts, Inc., Boyd St. 3/3/98

Engineering Review

Public Works at time of application.
 of Hours Estimated: (Public Improvements)
 Public Works

Date	7671
# of pages	1
To	Kendal Tebbot
From	Tom L.
Co./Dept.	Planning
Phone #	8901
Fax #	756 - 822 8298

Field Work 1.0
 Memos/Corresp. 1.0
 Review/Analysis 1.0
 Meetings/phone calls 0.5
 Total Hours 4.5 at 35.00 per hour
 Review Fee (Public): \$ 157.50
 Public Works Engineer signature

Field Work
 Memos/Corresp.
 Review/Analysis
 Meetings/phone calls
 Total Hours at per hour
 Review Fee (Private): \$
 Development Review Coordinator signature

Site Inspection

To be filled out by DRC and Public Works at time of Performance Guarantee approval.

Public Works

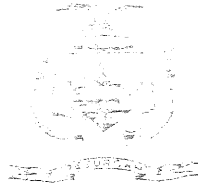
Planning

Accept 1.7% of Public Improvements P.G. (dollar amount)

Accept 1.7% of Private Improvements P.G. (dollar amount)

of Hours Estimated:
 Field Work 5.0
 Memos/Corresp. 1.0
 Review/Analysis
 Meetings/phone calls 1.0
 Total Hours 7 at 35.00 per hour
 Alternate Inspection Fee (Public): \$ 245.00
 Public Works Engineer signature

of Hours Estimated:
 Field Work
 Memos/Corresp.
 Review/Analysis
 Meetings/phone calls
 Total Hours at per hour
 Alternate Inspection Fee (Private): \$ 490.00
 Development Review Coordinator signature



CITY OF PORTLAND

April 17, 1998

Jim Thibodeau
Associated Design Partners
71 Federal Street
Portland, ME 04101

RE: 126 North Boyd Street

Dear Mr. Thibodeau:

Below is an explanation of fees that were charged for the CarQuest project located at 126 North Boyd Street.

An engineering fee was assessed in the amount of \$349.50. Below is a breakdown of this cost.

Review Engineer:	Jim Wendel	Tony Lombardo
Number of Estimated Hours:	4 hours	4.5 hours
Cost Per Hour:	\$48.00	\$35.00
Total Amount:	\$192.00	\$157.50

Total Engineering Fee: \$349.50

An inspection fee can be either 1.7% of the cost estimate for the performance guarantee or an alternate amount assessed by the Engineers. In this case the engineers determined that an alternate inspection fee amount would be needed. Below is a breakdown of this cost.

Engineer:	Jim Wendel	Tony Lombardo
Number of Estimated Hours:	10 hours	7 hours
Cost Per Hour:	\$48.00	\$35.00
Total Amount:	\$480.00	\$245.00

Total Inspection Fee: \$725.00

Total Fees Charged: \$1,074.50

As I went through this breakdown, I did realize that you were charged \$10.00 extra because of an addition error at that time.

Also as a reminder: CarQuest Curb and Sidwalk Waiver Request is scheduled for Public Hearing on April 28th at 5:30 p.m.

O:\PLAN\DEVRE\VWNBOYD126\LETTERS\THIB4-17.WPD

PUBLIC WORKS ENGINEERING
MEMORANDUM

To: Kandi Talbot, Planner

From: Anthony Lombardo, P.E., Project Engineer

Date: March 3, 1998

Subject: General Auto Parts, Inc.....Boyd St.

The following comments were generated during Public Works Engineering review of the plans dated 2/23/98 and received for this review on 2/27/98:

Applicant proposes to repave a section of existing parking lot which appears to be located within the Portland Terminal Co. right of way. This would require some type of easement from the railroad.

Sheet C1 does not clearly delineate the limits of repaving on North Boyd St. Applicant needs to specify the proposed limits of paving.

The application letter discusses future offsite improvements associated with the future proposed extension of North Boyd Street to Marginal Way. Public Works will still request construction of the proposed five (5) feet wide bituminous sidewalk and granite curbing for two (2) reasons:

- a. there is no guarantee of a future site development application and design, which will include extending Boyd St. and installing sidewalk and curb.
- b. Portland Trails has discussed obtaining the abutting Portland Terminal Co. and developing it as part of the existing network of trail throughout the City. This potential makes sidewalks on abutting streets a necessity.

On Sheet C2, the following detail appears to be labeled incorrectly: **Typical Pavement Joint @ The Into Cummins Road**. This joint detail should refer to Boyd St.

I. INTRODUCTION

CarQuest is requesting a waiver of sidewalk and granite curb from Chapter 25 of the Municipal Code for their property at 126 North Street.

The applicant recently received minor site plan approval from the Planning Authority for the reuse of the former T-Birds building at 126 North Boyd Street. Sidewalk and granite curb were required as part of the administrative review of this plan, which has been shown on the approved site plan (see Attachment 8). The request for waiver is included as Attachment 1.

Twenty-nine notices were sent to area property owners.

II. PROPOSED WAIVER REQUEST

The property has approximately 150 feet of street frontage. There is presently no granite curb or sidewalk on the site. The applicant feels that installing granite curb and sidewalk would be an unreasonable burden, since there is no sidewalk or granite curb on North Boyd Street.

A copy of Chapter 25 and the waiver criteria of sec. 14-506 are included as Attachments 2 and 3. The site totals 21,994 sq. ft., and is zoned I2b. Attachment 5 is a vicinity map.

Public Works has reviewed this request and feels that the applicant should construct a five (5) foot wide bituminous sidewalk with granite curb along North Boyd Street. There has been some discussion that Portland Trails may obtain the abutting Portland Terminal Company property and develop it as part of the existing network of trails throughout the City. This would make sidewalks on abutting streets a necessity. Attachment 4 is Public Works' memo. Also included as Attachment 6 is a concept map of the potential trail through this area.

III. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant, and on the basis of information contained in Planning Report #13-98, the Planning Board finds that:

- a. Extraordinary conditions do/do not exist (if yes, please specify those conditions); or
- b. Undue hardship will/will not result (if yes, please specify the hardship).

The Board further finds that the granting of the waiver will/will not create potentially hazardous vehicle and pedestrian conflict or that it will/will not nullify the intent and purpose of the land development plan and the City ordinances.

As a result, the Board does/does not grant the request for a waiver of the curb and sidewalk requirements.

Opposed to waiver 5-0

re 3 years 3-2

N. Boyd Street through Marginal Way
Time trail developed

Attachments:

1. Letter from Applicant
2. Chapter 25
3. Waiver Criteria for sec. 14-506
4. Public Works' Memo
5. Vicinity Map
6. Potential Trails Concept Map
7. Letter from Area Property Owner
8. Site Plan

O:\PLAN\DEV\REV\W\NB\OYD126\BR4-28.LEC

Attachment 1

February 19, 1998 98007

Ms. Kandice Talbot, Planner
Planning Department
City of Portland
Portland, ME 04101

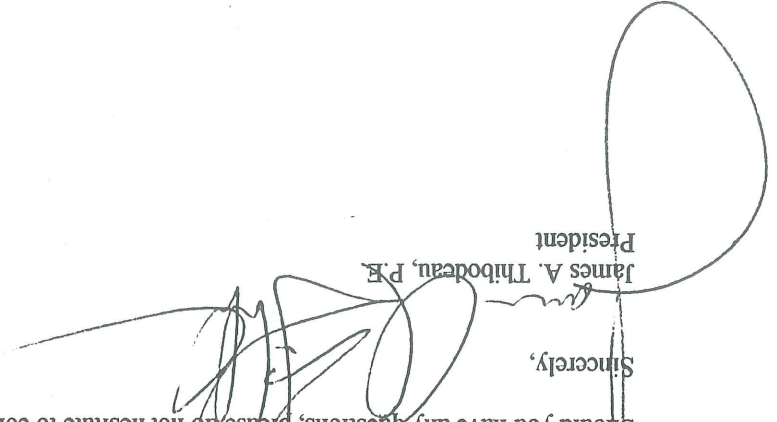
Dear Ms. Talbot:

Associated Design Partners is pleased to submit 7 copies of the attached preliminary minor site plan on behalf of H.E. Callahan Construction Co. and General Auto Parts Inc. The site formerly known as "T-Birds" will be revised with the following minor improvements:

1. The parking lot will be regraded and repaved.
2. Proposed walkway in front of building with cape cod curb.
3. Proposed dumpster on concrete pad and propane tank.
4. Loam and seed existing gravel parking area.
5. Proposed landscaping along east side of building and within new loam and seed area.
6. Minor re-paving at the discontinued dead end of North Boyd Street.
7. Proposed new sidewalk with granite curb along Boyd Street and east side of building.

The attached plan has been prepared in accordance with the requirements and recommendations as set forth in our pre-application meeting on 2/18/98. We will be submitting a follow-up supplemental site design seeking a waiver for item (7) along with future off site improvements associated with the future proposed extension of North Boyd street onto Marginal Way.
Should you have any questions, please do not hesitate to contact me.

Sincerely,


James A. Thibodeau, P.E.
President



PUBLIC WORKS ENGINEERING
MEMORANDUM

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From: Anthony Lombardo, P.E., Project Engineer
Date: March 3, 1998
Subject: General Auto Parts, Inc.....Boyd St.

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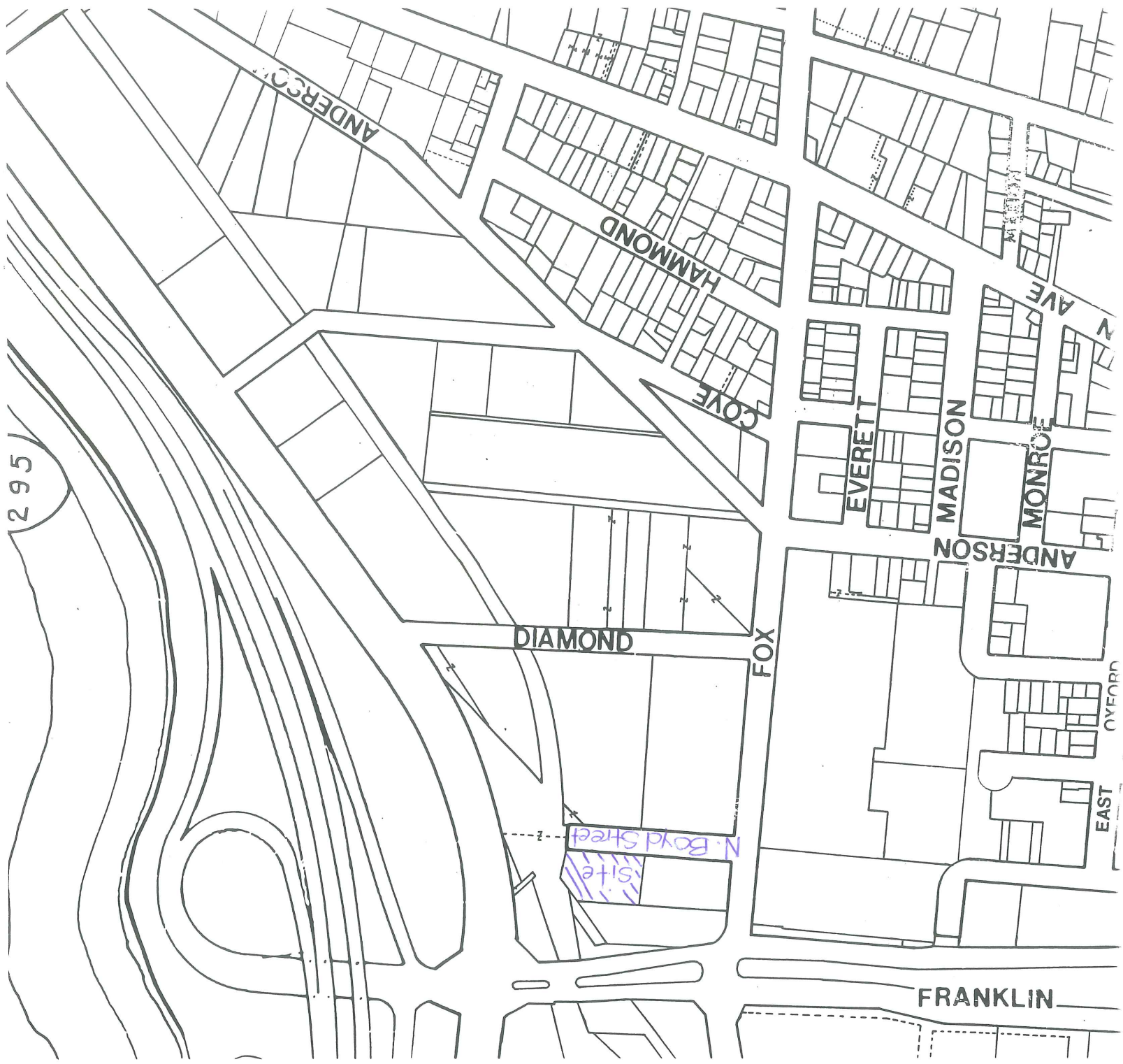
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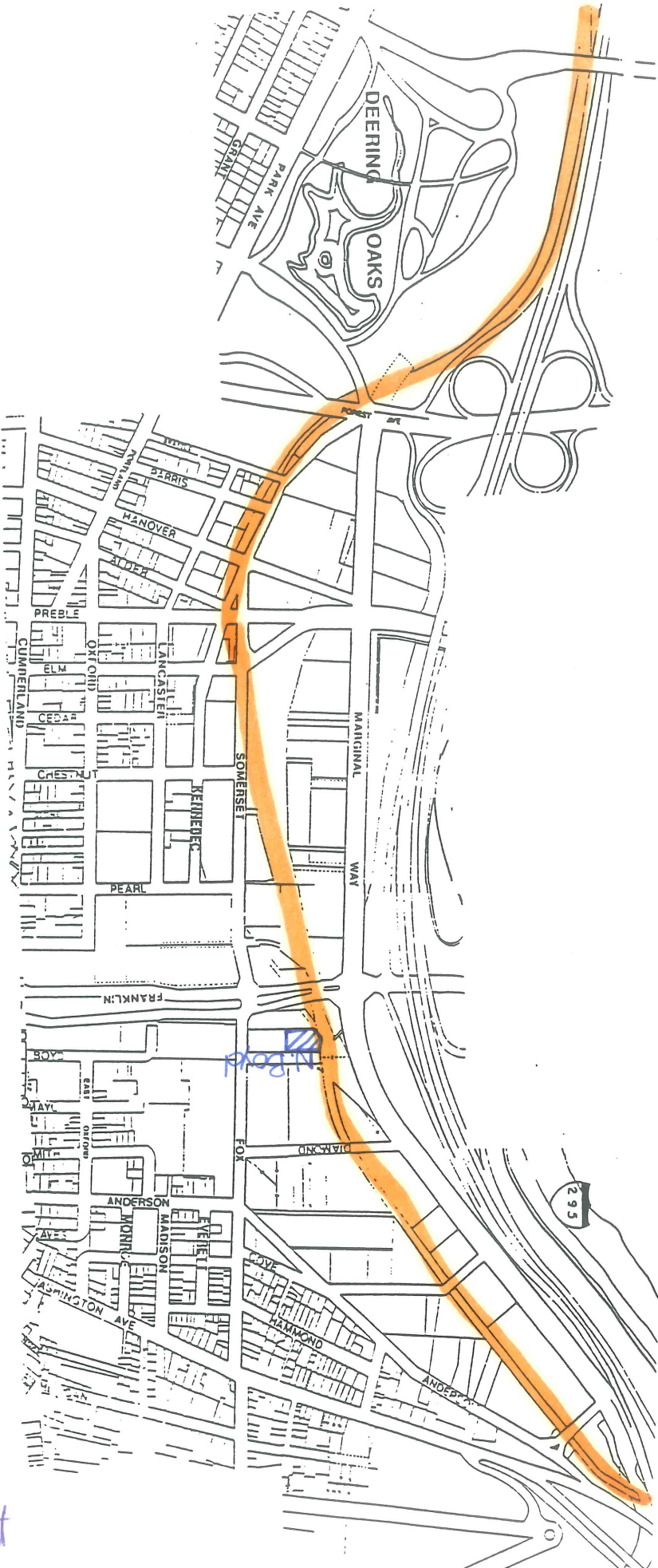
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Attachment 5

- Trail Concept Plan

Proposed Site



Attachments

Kendall

Attachment 7

March 19, 1998

Joseph E. Gray, Jr.
Director of Planning and Urban Development
City Hall
4th Floor
389 Congress Street
Portland, ME 04101

Dear Joe,

Thank you for sending us a copy of the notice regarding Car Quest's request to waive the requirement of sidewalks and granite curbs along North Boyd Street. We support Car Quest's request and urge the Planning Board to waive this requirement. Thank you for the opportunity to provide this comment.

Sincerely,
Peter W. Quesada
Peter W. Quesada

City of Portland, Maine
Planning Department

FAX TRANSMISSION COVER SHEET

City Hall
389 Congress Street, 4th Floor
Portland, Maine 04101
Fax Number: 756-8258

TO: Jim Thibodeau
COMPANY: Associated Design Partners
FAX #: 871-1480
FROM: Kandi Tavel
OF PAGES: 6
DATE: April 27, 1998
RE: North Boyd Street - PBMTg

If you do not receive all of the pages, please call 874-8721 or 874-8719.

PUBLIC HEARING AGENDA

Tuesday Evening, April 28, 1998, at 5:30 p.m. Public Hearing, Room 209, City Hall,
389 Congress Street, Portland, Maine.

1. ROLL CALL AND DECLARATION OF QUORUM

2. COMMUNICATIONS AND REPORTS

3. ANNOUNCEMENT OF DECISIONS AT THE PREVIOUS MEETING ON APRIL 14, 1998.

i. Construction of Office Building/Parking Garage: Vicinity of 883-903 Congress Street;
Maine Medical Center, Applicant.

The Portland Planning Board voted unanimously (7-0) to approve this item subject to conditions.

ii. II Industrial Zone Site Plan (Two Buildings for Warehouse Space): Vicinity of Rand Road;
Peter Holmes, Applicant.

The Portland Planning Board voted unanimously (7-0) to approve this item subject to conditions.

4. UNFINISHED BUSINESS

i. Jepport Roadway Modification: Vicinity of Westbrook Street and New Jepport Access Road;
City of Portland, Applicant.

The Portland Planning Board will consider a plan by the City of Portland to construct a new 2,800 foot long roadway at the Jepport. The roadway will run from the existing Jepport Access Road (off Johnson Road) to Westbrook Street (near the Embassy Suites Hotel).

5. NEW BUSINESS

i. I-M: New Construction: Vicinity of Lot #4, Waldron Way; IceBrand Seafoods: Applicant.

The Portland Planning Board will consider a plan by IceBrand Seafoods to construct a new 20,250 sq. ft. building at Lot #4, Waldron Way. The facility will house IceBrand's offices, lobster processing, warehouse, and distribution. The site is 2.95 acres and is zoned I-M.

John Carroll, Chair
Jayme Caron, Vice Chair
Kenneth M. Cole III
Cyrus Y. Haggge
Deborah Krichels
Erin Rodriguez
Mark Malone

- ii. LB: Waiver of Sidewalk and Granite Curb Requirements; Vicinity of 126 North Boyd Street; CarQuest Applicant.
 The Portland Planning Board will consider a request by CarQuest to waive the requirement of sidewalk and granite curb along North Boyd Street as required by Section 29-96 of Article VI of the Municipal Code. The applicant is proposing to redevelop the former T-Bird's building located at 126 North Boyd Street. The site is approximately .5 acres and is zoned LB.
- iii. PAD Conditional Use: Vicinity of 311 Fore Street; TGF Applicant.
 The Portland Planning Board will consider an application from Custom House LLC for a Conditional Use in a Pedestrian Activities District (PAD) Overlay Zone.
- iv. B-4 Zone: Construct Addition; Vicinity of 401 Warren Ave; Harbour Auto Body Applicant.
 The Portland Planning Board will consider a plan by Harbour Auto Body for an expansion of the existing building.

NOTE:

It is possible that the Board will not reach all of the items prior to adjournment. Any items not reached will be rescheduled to appear on the subsequent agenda with items appearing early on the agenda as unfinished business.

Portland Planning Board
Portland, Maine

Submitted to:

**SIDEWALK AND GRANITE CURB WAIVER REQUEST
VICINITY OF 126 NORTH BOYD STREET
CARQUEST, APPLICANT**

Sec. 25-83. Numbers to be affixed; renumbered.

Unless exempted by order of the city council, each owner, occupant or tenant of any building, or portion thereof, fronting on any such street or way, shall affix or inscribe on such building, or portion thereof, the number assigned thereto in accordance with the plan, and the city council may, whenever it deems it necessary, cause any such street or way to be renumbered. The city manager or his or her designated representative is authorized to enforce the requirements of this article. (Code 1968, § 709.3; Ord. No. 605-82, 5-19-82)

Secs. 25-84—25-95. Reserved.

ARTICLE VI. SIDEWALK AND CURBING CONSTRUCTION AND MAINTENANCE

Sec. 25-96. Required for nonresidential development; exceptions.

Where a nonresidential development requiring site plan approval abuts any accepted street and a sidewalk with granite curbing satisfactory to the public works authority has not already been provided, a sidewalk constructed of bituminous concrete, portland cement concrete, brick or other paving material and granite curbing shall be provided along the entire street frontage of the lot. If either a sidewalk or curbing, but not both, shall exist at such location which is satisfactory to the public works authority, only a sidewalk or curbing, as the case may be, shall be provided. In either case, such sidewalk and curbing shall be constructed in accordance with the specifications and to the satisfaction of the public works authority at no cost to the city. In conjunction with site plan review, the planning board may waive or modify the requirements contained herein upon a like finding and on the same terms and conditions as set forth in section 14-506(b) of this Code. (Code 1968, § 705.1; Ord. No. 42-84, § 1, 6-18-84)

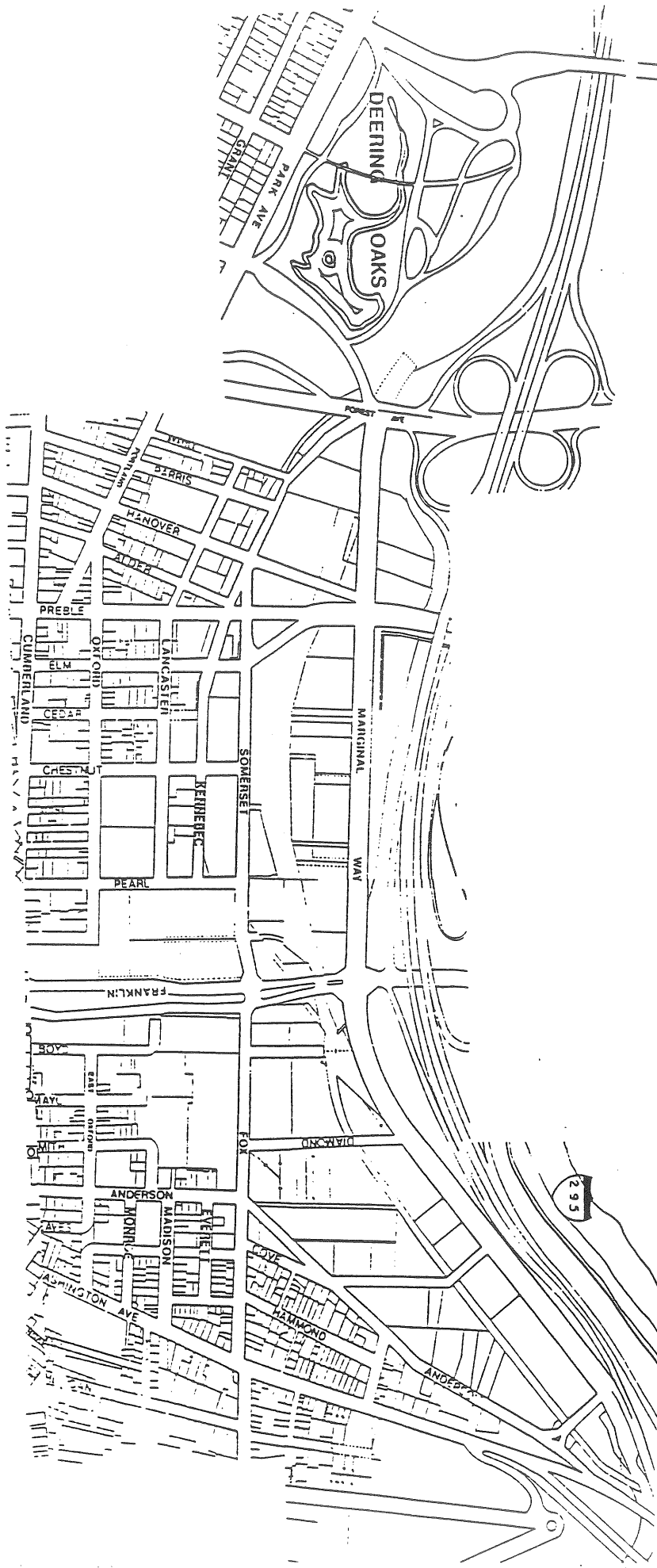
Sec. 25-97. May be required generally; apportionment of cost.

(a) Notwithstanding the provisions of section 25-96, the city council may at any time direct the construction of a sidewalk of bituminous concrete, Portland cement concrete, brick or other paving material or granite curbing, or both, along any accepted street in the city. Such sidewalk or curbing shall be constructed by the city and the cost thereof shall be borne by the city.

(b) Such improvements may be ordered by the council upon petition of an abutting landowner, and one-half of the cost thereof shall be assessed to such abutting landowner and shall be collected by the city in the manner provided in sections 25-102 and 25-103. (Code 1968, § 705.2; Ord. No. 30-75, § 1, 1-6-75)

Sec. 25-98. Reconstruction; apportionment of cost.

(a) The city council may at any time direct the reconstruction of any sidewalk or curbing which has been constructed along any accepted street by other than the city and which has not



**CITY OF PORTLAND, MAINE
MEMORANDUM**

TO: Chair Carroll and Members of the Portland Planning Board

FROM: Kandice Talbot, Planner

DATE: March 24, 1998

SUBJECT: Sidewalk and Granite Curb Waiver; Vicinity of 126 North Boyd Street

CarQuest is requesting a sidewalk and granite curb waiver from Chapter 25 of the Municipal Code. Recently the applicant received minor site plan approval from the Planning Authority for the reuse of the former T-Birds building at 126 North Boyd Street. The applicant did show sidewalk and granite curb on the approved site plan. The property has approximately 150 feet of street frontage. This plan is included as Attachment 5.

Currently, North Boyd Street does not have granite curb and sidewalk on either side of the street. Public Works has reviewed this request and feels that the applicant should construct a five (5) foot wide bituminous sidewalk and granite curb along North Boyd Street. There has been some discussion that Portland Trails may obtain the abutting Portland Terminal Co. property and develop it as part of the existing network of trail throughout the City. This would make sidewalks on abutting streets a necessity. Attachment 2 is Public Works' memo.

A copy of Chapter 25 and the waiver criteria of Sec. 14-506 are shown on Attachments 3 and 4.

Attachments:

1. Letter from Applicant
2. Public Works' Memo
3. Chapter 25
4. Sec. 14-506
5. Site Plan

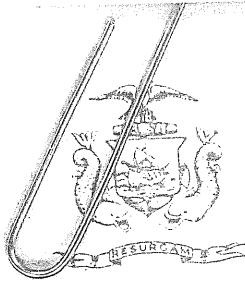
MARGINAL

WAY

SOMERSET

KENNEBEC

Finance Department



Duane G. Kline
Director

CITY OF PORTLAND

July 5, 2000

H.E. Callahan
P.O. Box 677
Auburn, ME 04212

Re: Car Quest Site Improvements, 126 North Boyd Street
Bond No. 08114053

This is to inform you that I am authorizing the release and return of the above-named bond. If you require any further information, please let me know.

Sincerely,

Ellen Sanborn
Assistant Finance Director

ELS.jlb

cc: Kandi Talbot



71 Federal Street • Portland, Maine 04101

Office: 207 • 871 • 8333
Fax: 207 • 871 • 1480

February 19, 1998

98007

Ms. Kandice Talbot, Planner
Planning Department
City of Portland
Portland, ME 04101

Dear Ms. Talbot:

Associated Design Partners is pleased to submit 7 copies of the attached preliminary minor site plan on behalf of H.E. Callahan Construction Co. and General Auto Parts Inc. The site formerly known as "T-Birds" will be revised with the following minor improvements:

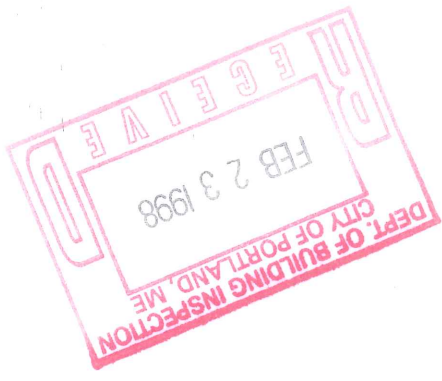
1. The parking lot will be regraded and repaved.
2. Proposed walkway in front of building with cape cod curb.
3. Proposed dumpster on concrete pad and propane tank.
4. Loam and seed existing gravel parking area.
5. Proposed landscaping along east side of building and within new loam and seed area.
6. Minor re-paving at the discontinued dead end of North Boyd Street.
7. Proposed new sidewalk with granite curb along Boyd Street and east side of building.

The attached plan has been prepared in accordance with the requirements and recommendations as set forth in our pre-application meeting on 2/18/98. We will be submitting a follow-up supplemental site design seeking a waiver for item (7) along with future off site improvements associated with the future proposed extension of North Boyd Street onto Marginal Way.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

James A. Thibodeau, P.E.
President



71 Federal Street • Portland, Maine 04101

March 5, 1998

98007

Ms. Kandice Talbot, Planner
Planning Department
City of Portland
Portland, ME. 04101

Dear Ms. Talbot:

Associated Design Partners is pleased to re-submit 7 copies of the attached final minor site plan on behalf of H.E. Callahan Construction Co. and General Auto Parts Inc. The plan has been revised to address the review comments of Ms. Kandice Talbot, City Planner.

1. Eliminated all work within Portland Terminal Property.
2. Delineated on the plan proposed repavement on N. Boyd Street. Also contacted Gretal Varney at Public Works regarding any future paving of N. Boyd Street. There is no future paving planned at this time.
3. Applicant is still planning to request a waiver for sidewalk and granite curb.
4. Trees were added to area abutting Portland Terminal Property.
5. Typo corrected on Typical Pavement Joint Detail.

We will be submitting a follow-up supplemental site design seeking a waiver for sidewalk and granite curb along with future off site improvements associated with the future proposed extension of North Boyd street onto Marginal Way.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



James A. Thibodeau, P.E.
President



CITY OF PORTLAND

March 4, 1998

Jim Thibodeau
Associated Design Partners
71 Federal Street
Portland, ME 04101

RE: 126 North Boyd Street

Dear Mr. Thibodeau:

After review of the site plan for the Car Quest project located at 126 N. Boyd Street, the following comments have been generated:

- The plan shows some encroachment of the parking lot and the loam and seed areas onto the Portland Terminal property. The applicant should document that Portland Terminal has given permission for use of this area or revise the plans to change the limit of work.
- The plan should delineate the exact area that is proposed to be repaved on N. Boyd Street. It is unclear at this time how much will be repaved. The applicant should also contact Gretal Varney at Public Works regarding the proposal to repave a portion of N. Boyd Street in regards to whether the street is scheduled for repavement and what specifications will be required to repave this area.
- The applicant has requested a waiver of sidewalk and granite curb. It has been tentatively scheduled for a Planning Board workshop meeting on March 24, 1998 and a public hearing on April 28, 1998. The applicant should submit a written request for sidewalk and curb waiver request and the reasons for the request.
- Some trees should be added to the area abutting the Portland Terminal property, where there will be loam and seed.
- On Sheet C2, the following detail appears to be labeled incorrectly: Typical Pavement Joint @ Tie Into Cummins Road. This joint detail should refer to Boyd Street.
- Attached please find a copy of the Engineering Review Form. An engineering fee has been assessed in the amount of \$349.50. The Engineering Fee must be submitted before a building permit may be issued.

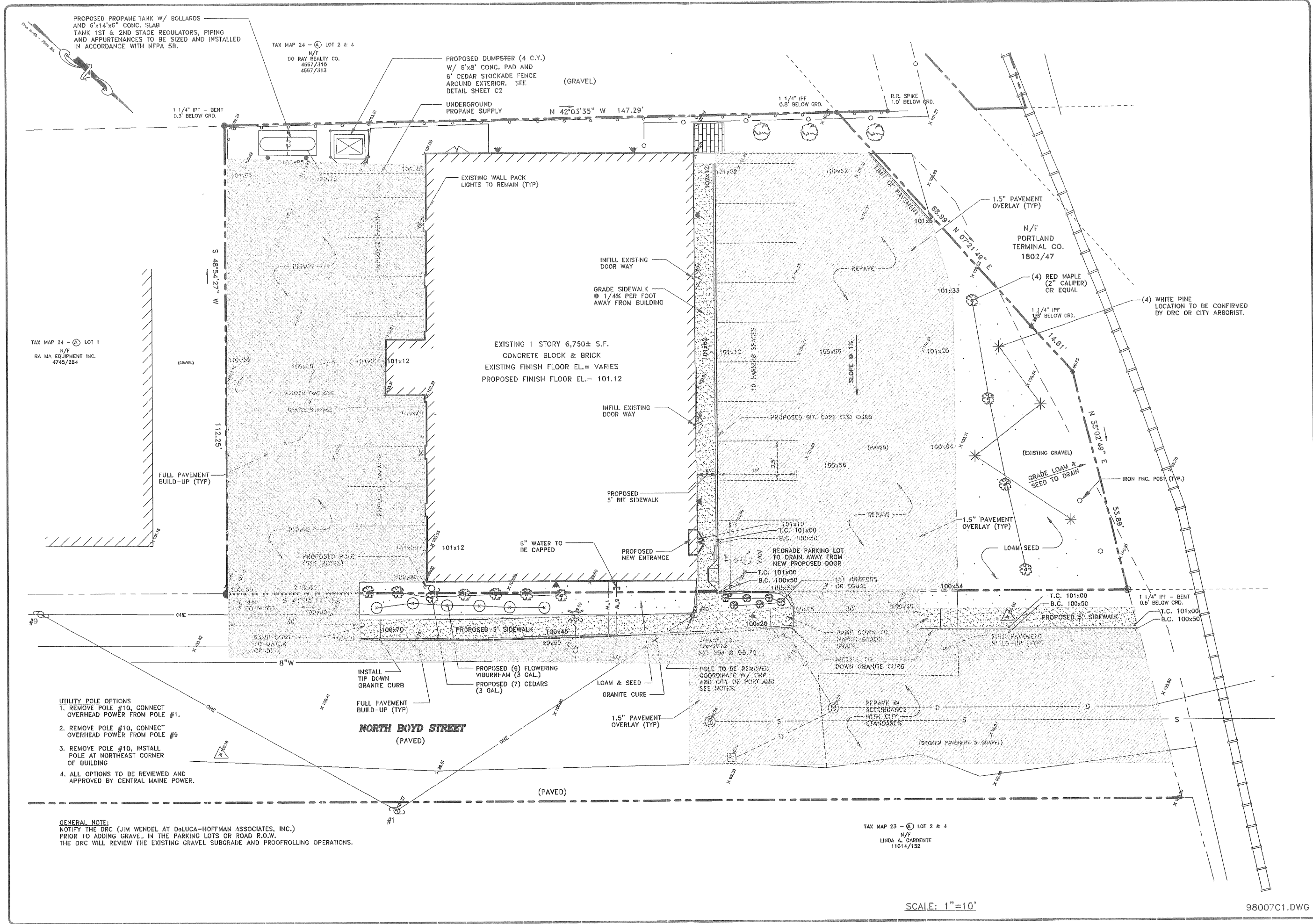
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If you have any questions, please do not hesitate to contact me at 874-8719.

Sincerely,

Kandice Talbot

Kandice Talbot
Planner



DES BY: JAT ISSUED

MINOR SITE PLAN

PROJECT:
GENERAL PARTS INC.
126 NORTH BOYD STREET
PORTLAND, MAINE

FOR:
ASSOCIATED DESIGN PARTNERS INC.
71 FEDERAL STREET; PORTLAND, ME. 04101 (1-207-871-8333)
H.E. CALLAHAN CONSTRUCTION CO.
P.O. BOX 577
AUBURN, MAINE 04212-0677
(207) 784-6927

REVISIONS	
3/5/98	REVISED GRADING & ADDED PAVING LIMITS
3/10/98	REVISED PLAN PER CITY COMMENTS
3/16/98	FINAL APPROVAL REVISIONS.

DATE : 2/16/98
SCALE : 1"=10'
DRAWN : ENW
FILE: 98007
SHEET: C1

98007C1.DWG