CITY OF PORTLAND, MAINE
PLANNING BOARD

Reviewed for Code Compliance
Inspections Division
Approved with Conditions

Date: 01/22/14

David Silk
Elizabeth Boepple
Sean Dundon

February 12, 2013

119 Development, LLC
c/o Developers Collaborative
Attention: Jim Brady
17 Chestnut Street
Portland, ME 04101

Deluca-Hoffman Associates, Inc.
Attention: Stephen R. Bushey, PE
778 Main Street
South Portland, ME 04106

Project Name:	Hotel Conversion- Former Gannett Building	Project ID:	2012-602
Address:	119 Exchange Street	CBL:	032C001
Applicant:	119 Development, LLC		
Planner:	Shukria Wiar		

Dear Mr. Brady:

On January 22, 2013, the Planning Board considered the Level III application for the reuse of the Guy Gannett Building on Congress Street. The proposal is to convert the existing office building into a 110-room luxury boutique hotel and restaurant. The Planning Board voted 6-0 (Silk recused) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval to be met prior to the issuance of a building permit, unless stated otherwise below:

1. The applicant shall submit the proposed easements for the snow melt system and grease trap, the proposed license agreement for the planters in the right-of-way, the proposed maintenance agreement for the sidewalk material for review and approval by Corporation Counsel prior to the issuance of a Certificate of Occupancy. The proposed easement and change in sidewalk material will require the review and approval of the City Council.

2. The design of the extension of the sidewalk on Exchange Street (i.e. bump-out) shall include evenly spaced bollards that prevent its use as a drop-off location for hotel guests so that Exchange Street traffic flow is not impeded. If these structures do not work to prevent the drop off at this location, the staff will work with the owner to mitigate with provisions such as chain or other mechanisms.

3. The 'Valet Area' on the site plan shall be noted as "Hotel Drop-Off Area" on the final site plan and traffic signage.

4. The traffic conditions, specifically the travel lane alignment for westbound traffic, on Federal Street shall be monitored one year after the issuance of the certificate of occupancy. If post-improvement conditions indicate a deficiency, the applicant shall be responsible for any required pavement marking and/or signage changes to mitigate the identified deficiency.

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5. The tree planters at the main entrance on Exchange Street shall not obstruct the primary

6. Prior to the issuance of a building permit, the applicant shall submit a final landscape pla item 1 of the City Arborist memorandum dated January 16, 2013 for review and approva Arborist and Planning Authority.

7. The existing catch basin within Federal Street shall be replaced, and the new basin shall be situated along the gutter line with a standard grate and curb inlet in accordance with the City's standard details. The final site plan shall be updated to show this change. A note is to be added that all work within the street right of way with meet City of Portland Technical Standards.

8. The two ramps on Congress Street shall show the appropriate detectable warning panels as required by the City's Technical Manual. The sidewalk ramp detail shall reflect the standard for historic district. A sidewalk ramp shall be constructed on Congress Street at the existing midblock crosswalk at the southwest corner of the Market Street intersection. The final plans shall reflect these changes.

9. A construction management plan shall be submitted for review and approval prior to the issuance of a building permit.

10. Prior to the issuance of a building permit, the applicant shall obtain Certificate of Appropriateness from the Historic Preservation Board.

11. A final lighting plan, including a photometric plan and catalogue cuts for the proposed exterior lighting fixtures, and any proposed street lights meeting the City's technical standards, shall be submitted for review and approval by the Planning Authority prior to the issuance of a building permit.

12. Prior to a building permit, the applicant shall submit the noise levels for all the HVAC and mechanical equipment for review and approval by the Planning Authority.

13. The plans for the 1,500 gallon grease trap shall be submitted for review and approval by Brad Roland, Department of Public Services, and the Planning Authority prior to ordering structures and prior the issuance of a building permit. This note must appear on the site and utility plans.

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 # 2012-602, 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.

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3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless v within one (1) year of the approval or within a time period up to three (3) years from agreed upon in writing by the City and the applicant. Requests to extend approvals n the one (1) year expiration date.

4. **Performance Guarantee and Inspection Fees** A performance guarantee covering t 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 Shukria Wiar at (207) 756-8083 or via email at shukriaw@portlandmaine.gov

Sincerely,

Carol Morrissette, Chair
Portland Planning Board

Attachments:

1. City Arborist memorandum dated 01.16.2013
2. Planning Board Report
3. Portland City Code: Chapter 32
4. Performance Guarantee Packet

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Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Shukria Wiar, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
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Michael Bobinsky, Public Services Director
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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
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

Shukria Wiar - 119 Exchange Street

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Date: 01/22/14

From: Jeff Tarling
To: Shukria Wiar
Date: 1/16/2013 4:43 PM
Subject: 119 Exchange Street
CC: David Margolis-Pineo

Hi Shukria -

In review of the 119 Exchange Street project landscape comments -

a) Street-trees - The existing conditions present six 'Armstrong' Red Maple trees approximately 4" caliper in size,
three along Exchange Street and three along Market Street. All six trees are on the Congress Street end due to underground
limitations on the Federal Street end. The six trees were listed in "fair" condition in our recent survey in
September 2012 due to compaction, decline due to deicing salts. The project should include tree replacement options
if the existing trees decline during construction. Upright Pin Oak, Quercus palustris 'Green Pillar' Oak might be a more
tolerant of these urban conditions. Improving the existing tree wells or tree pits should be considered if the existing trees
survive the construction phase. Limiting damage to the existing trees is noted on the plan.

Proposed 'street-trees' for Federal Street - the plan proposes four new trees along Federal Street between Exchange
Street & Market Street in curbed tree pits. We may want to improve or enlarge the tree pits to contain greater soil
volume to help the trees survive. This could be going from 3' x 5' to (5' x 7') sized tree well. Options for the curbing can
be vertical curbing, 5" x 12" granite with thermal cut finish vs typical 'saw cut', this would be similar to ones used at the
Portland Public Library project on Congress Street. The thermal finish is a more natural, rough finish vs the smooth
street type curb; the second option would be to use the slope granite style as found in Boothby Square on Fore Street.
We have also seen larger more ornate granite used with good results - this would be an option if the project team wanted
to select. Tree type options: Ginkgo, 'Princeton' American Elm, 'Allee' Lacebark Elm, 'Musashino' Zelkova.

b) Exchange Street entrance landscape - willing to work with the project team to review options for this area.

c) Off-site parking lot - consideration should be made to improve the off site parking lot area to

meet the current
parking lot tree & landscape standard. If the use of this area is tentative for less contribution to the Planning
Tree Fund could be an option to replant trees in vicinity of the project. The City , review with the project team
possible tree planting sites near the project.

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Overall - it will be good to see the reuse of this site and the greening components improve this end of the Old Port.

Jeff Tarling
City Arborist