

Listed below are key characters (in bold) for searching within this file.

Hold down the control key and select the “f” key. Enter either a key character from the list below or document name and select enter for a list of documents containing the search word you entered.

APL – all documents behind this target sheet pertain to the original application submitted by the Applicant.

REVIEW – all documents behind this target sheet pertain to those documents submitted to and from staff as part of the project review.

PBM1 – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

PBR1 - all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

CC1 - all documents behind this target sheet are any City Council memos/reports that went to the City Council.

DRC1 - all documents behind this target sheet are those pertaining to the post review of the project by the Development Review Coordinator.

MISC1 - all documents behind this target sheet are those that may not be included in any of the categories above.

APL

CITY OF PORTLAND, MAINE

SITE PLAN REVIEW

Processing Form

Planning

Spencer Jones - 772-2257

Maine Savings Plaza Trust

Sept 8, 1989

Applicant

Date

c/o Finard and Co., Suite 704, Maine Savings

499-513 Congress St.

Mailing Address Plaza, Portland 04101

Address of Proposed Site

Renovation of pedestrian walkway

37-D-2

Proposed Use of Site

Site Identifier(s) from Assessors Maps

1710 / 4500 sq ft

B-3

Acreage of Site / Ground Floor Coverage

Zoning of Proposed Site

Site Location Review (DEP) Required: () Yes () No

Proposed Number of Floors n/a

Board of Appeals Action Required: () Yes () No

Total Floor Area 4500 sq ft

Planning Board Action Required: () Yes () No

Other Comments: **** MINOR SITE PLAN REVIEW **** 7 sets of plans submitted.

Date Dept. Review Due: _____

PLANNING DEPARTMENT REVIEW

(Date Received) _____

- Major Development — Requires Planning Board Approval: Review Initiated
- Minor Development — Staff Review Below

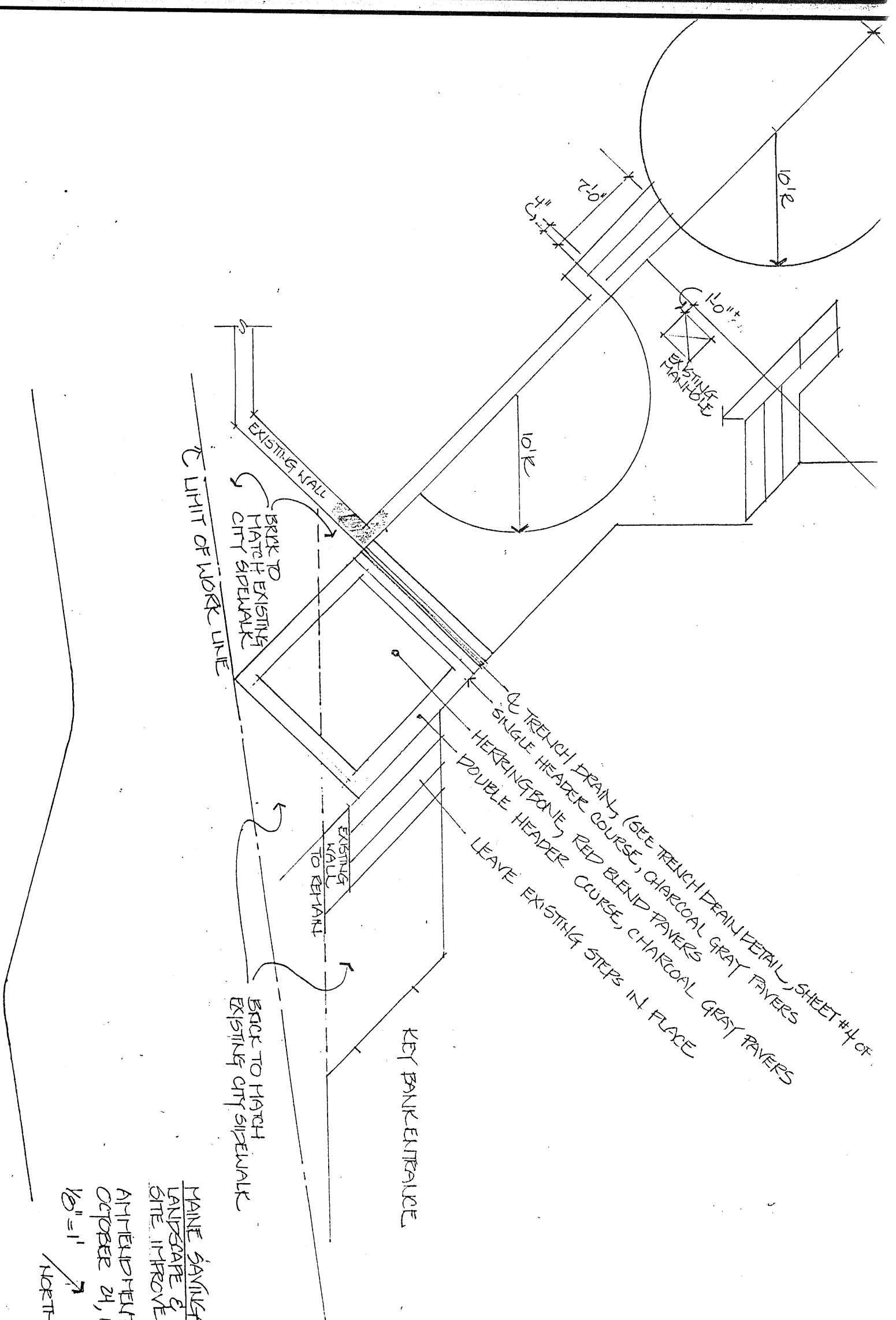
	LOADING AREA	PARKING	CIRCULATION PATTERN	ACCESS	PEDESTRIAN WALKWAYS	SCREENING	LANDSCAPING	SPACE & BULK OF STRUCTURES	LIGHTING	CONFLICT WITH CITY PROJECTS	FINANCIAL CAPACITY	CHANGE IN SITE PLAN
APPROVED	-	-	✓	✓	✓	-	✓	-	✓	✓	✓	✓
APPROVED CONDITIONALLY											✓ see below	CONDITIONS SPECIFIED BELOW
DISAPPROVED												REASONS SPECIFIED BELOW

REASONS: Approved, building permit should be issued.
The applicant will provide a performance guarantee
within two weeks.

(Attach Separate Sheet if Necessary)

Philip L. Meyer 9-27-90

SIGNATURE OF REVIEWING STAFF/DATE



EXISTING WALL

BRK TO EXISTING MATCH CITY SIDEWALK

LIMIT OF WORK LINE

EXISTING WALL TO REMAIN

BRK TO MATCH EXISTING CITY SIDEWALK

KEY BANK ENTRANCE

TRENCH DRAIN (SEE TRENCH DRAIN DETAIL, SHEET #4 OF 4)

SINGLE HEADER COURSE, CHARCOAL GRAY TILES

HERRINGBONE, RED BLEND TILES

DOUBLE HEADER COURSE, CHARCOAL GRAY TILES

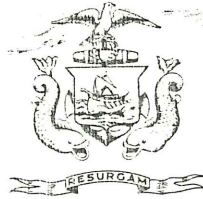
LEAVE EXISTING STEPS IN PLACE

MANE SAMILIS RAZA
 LANDSCAPE & HARDSCAPE
 SITE IMPROVEMENTS
 APPENDMENT TO PLANS
 OCTOBER 21, 1990
 1/8" = 1'
 NADETH

REVIEW

Planning & Urban Development

Joseph E. Gray Jr.
Director



CITY OF PORTLAND

November 1, 1990

Mr. J. Spencer Jones
Regional Property Manager
Finard & Company
Suite 704
Maine Savings Plaza
Portland, ME 04101

Dear Spencer:

We have reviewed your sketch of October 24, 1990 requesting an amendment to your previously approved site plan for Maine Savings Plaza. The proposed changes to the paving treatment and the retention of existing steps and wall in the vicinity of the Key Bank Entrance are acceptable.

Also, I have spoken with Philip Meyer regarding your discussions about submitting a performance guarantee for work under this site plan approval. As you are aware, our issuance of a building permit was conditioned upon receipt of a performance guarantee by October 15, 1990, a date which is now passed. This issue needs to be resolved immediately or a stop order will be placed on the construction on Monday morning. Letters of Credit are the most commonly submitted guarantee. Escrow accounts are an alternative. Given the confusion over this, we have enclosed additional copies of typical forms for these guarantees.

Please call me or Philip Meyer if you have any further questions.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Joseph E. Gray, Jr.', is written over the typed name and title.

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

JEG:dm

cc: P. Samuel Hoffses, Chief of Inspection Services
Philip L. Meyer, Urban Designer
Paul Niehoff, Materials Engineer

FINARD & COMPANY

FINARD & COMPANY, INC.
MAINE SAVINGS PLAZA
SUITE 704
PORTLAND, MAINE 04101
(207) 772-2257

November 15, 1989

Mr. Philip L. Meyer
Urban Designer
City of Portland
389 Congress Street
Portland, ME 04101

Subject: Site Plan Application

Dear Phil:

Confirming our recent discussion, actual construction of the Maine Savings Plaza site improvements outlined in our application has been delayed by the onset of winter. Our plans are to begin work as soon as possible in the spring.

We are in the process of revising our drawings to reflect the changes you and others recommended, and will have the new plans ready for your review soon. I ask that you keep our application open until you have received these revised plans.

Thanks for your help.

Sincerely,

FINARD & COMPANY



J. Spencer Jones
Maine Regional Property manager

JSJ:kaf

CITY OF PORTLAND

November 8, 1989

Mr. Spencer Jones
Finard and Co.
Suite 704
Maine Savings Plaza
Portland, ME 04101

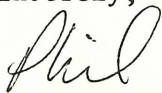
Dear Spencer:

I am writing to confirm our conversation of several weeks ago regarding your application for minor site plan review covering improvements to the Maine Savings Plaza. At that time, you informed me that your construction schedule had been postponed until the spring of 1990 and that you are in the process of revising plans to show your latest intentions.

Please confirm in writing that your plans have been delayed and that you would like to keep your file open until appropriate plans have been refiled and there has been adequate city staff review opportunity. As you are aware, no final approval has been given to date. If we do not receive such a confirmation from you in writing by December 1, we will be forced to deny your application. Such a denial then require you to make a new submission with a new submission fee.

Thanks in advance for your response. I look forward to working with you to finalize your plans and to see your proposed improvements constructed. Please feel free to contact me with any questions you may have.

Sincerely,



Philip L. Meyer
Urban Designer

COST BREAKDOWN OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Name of Project MAINE SAVINGS PLAZA DATE 09/26/90
 Address / Location MAINE SAVINGS CONGRESS ST PORTLAND
 Developer MAINE SAVINGS PLAZA TRUST
 Form of Performance Guarantee LETTER OF CREDIT
 Type of Development - Subdivision Site Plan (Major / Minor)

<u>ITEM</u>	<u>QUANTITY</u>	<u>UNIT COST</u>	<u>SUBTOTAL</u>	<u>COMPLETED</u>
1. STREET/SIDEWALK:				
Road	N/A			
Granite Curbing	25000			
Sidewalks	8000			
Esplanades	N/A			
Monuments	N/A			
Street Lighting	N/A			
Other				
2. SANITARY SEWER:				
Manholes	N/A			
Piping	N/A			
Connections	N/A			
Other				
3. STORM DRAINAGE				
Manholes	N/A			
Catch Basins	N/A			
Piping	N/A			
Detention Basin	N/A			
Other				
4. SITE LIGHTING				
	N/A			
5. EROSION CONTROL				
	N/A			
6. RECREATION AND OPEN SPACE AMENITIES				
	PIEDERS		20000	
7. LANDSCAPING (Attach breakdown of plant material's, quantities, and unit costs).				
			9,000	
	Demolition		5,000	
8. MISCELLANEOUS				
			5,000	
			RAILINGS 2,000	
			RECAPTURE 1000	

TOTAL AMOUNT OF PERFORMANCE GUARANTEE 70,000
 X 1.7% = INSPECTION FEE 1,190
 TOTAL 71,190

Approved: [Signature]
 Approved: 9/26/90
 REV: 7/15/87

N/A = Not Applicable

PBR1

CITY OF PORTLAND, MAINE

389 CONGRESS STREET
PORTLAND, MAINE 04101
(207) 874-8300



DEPARTMENT OF PLANNING & URBAN DEVELOPMENT

October 1, 1990

P. SAMUEL HOFFSES, CHIEF
INSPECTION SERVICES DIVISION

Maine Savings Plaza Trust
c/o Finard and Co., Suite 704
Maine Savings Plaza
Portland, ME 04101

RE: 499-513 Congress Street

Dear Sir:

Your application to renovate pedestrian walkway has been reviewed and a permit is herewith issued subject to the following requirement(s).

No certificate of occupancy can be issued until all requirements of this letter are met.

Site Plan Review Requirements

Inspection Services - Approved - W. Giroux
Fire Department - Approved - Lt. Garroway
Planning Division - Approved - P. Meyer
Public Works - Approved - S. Hartris

Building Code Requirements

1. Protection during construction shall be in accordance with sections 30120.0 and 3007.0 of the building code.
2. All guards and handrails shall be in accordance with section 827.0 (guards) and section 828.0 (handrails) of the building code.

If you have any questions regarding these requirement(s), please do not hesitate to contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Samuel Hoffses', is written over the typed name and title.

P. Samuel Hoffses
Chief of Inspection Services

cc: P. Niehoff - Public Works
S. Harris - Public Works
W. Giroux - Inspections
P. Meyer - Planning

PSH/ljh



CITY OF PORTLAND

JOSEPH E. GRAY, JR.
DIRECTOR OF PLANNING
AND URBAN DEVELOPMENT

September 14, 1987

Notice to Developers, Architects, and Engineers

A recent amendment to the municipal code requires that all development falling under site plan and/or subdivision review in the City of Portland be subject to a performance guarantee for various required improvements. Previously only subdivisions were required to provide a performance guarantee. The amendment further requires developers to pay a new fee for the administrative costs associated with inspecting construction activity to ensure that it conforms with plans and specifications.

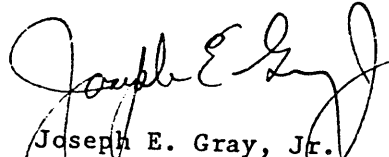
The site plan and subdivision inspections function is the responsibility to the Department of Parks and Public Works, with inspection staff under the supervision of William Boothby, Principal Engineer. Developers will be responsible for the actual cost for inspection activities, requiring an initial deposit of 1.7% of the performance guarantee. Upon project completion a refund of unused deposit or bill for excess costs will be tendered by the City to the developer.

The performance guarantee covers major site improvements related to site plan and subdivision review, such as paving, roadway, utility connections, drainage, landscaping, lighting, etc. A detailed itemized cost estimate is required to be submitted, which upon review and approval by the City, determines the amount of the performance guarantee. The performance guarantee will usually be a letter of credit from a financial institution, although bonds or escrow accounts are acceptable. The form, terms, and conditions of the performance guarantee must be approved by the City through this office. The performance guarantee plus a check to the City of Portland in the amount of 1.7% of the performance guarantee must be submitted prior to the issuance of any building permits for affected development.

Notice to Developers, Architects, and Engineers
September 4, 1987
Page 2

After the project is satisfactorily completed, the performance guarantee will be released and the inspection fee account will be settled. There is also an opportunity to release the guarantee for the underground portion of the required improvements when those are complete. Certain subdivisions require a 10% defect guarantee upon completion. That requirement is unchanged by the new regulations. Please contact this office or the Department of Parks and Public Works if you require any further information on these new regulations governing land development.

Sincerely,



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

JG/jf

cc: Planning Staff
Inspection Staff
George Flaherty, Director of Parks and Public Works
Bill Boothby, Principal Engineer
Nancy Knauber, Engineering Technician III
Robert Roy, Planning Engineer
Bill Bray, Traffic Engineer
David Lourie, Corporation Counsel
Jim Katsiaticas, Special Corporation Counsel
Gerry Concannon, Principal Administrative Officer

DRC1

LETTER OF CREDIT FORM

SITE PLAN/SUBDIVISIONS
PERFORMANCE GUARANTEE:
LETTER OF CREDIT

12/20/99

DATE

Joseph E. Gray, Jr., Director
Planning and Urban Development
City of Portland
Portland, Maine 04101

RE: [Project name and address]

Dear Mr. Gray:

[The Bank] hereby issues its Irrevocable Letter of Credit for the account of [Name of Developer/Company] as developer, hereinafter referred to as the Developer, in the name of the City of Portland in the aggregate amount of [\$].

The City may draw on the Letter of Credit by presentation of a sight draft at [The Bank's] offices located at [Address of the appropriate local office of the Bank] (or in the case of an issuing bank which is not located within the City of Portland at [Name of local confirming bank's] offices located at [Address of the appropriate local confirming bank's office]) in the event that the Developer fails to complete by [Date: within 2 years] or by the expiration date of any temporary certificate of occupancy issued, whichever date comes first, at the Developer's expense, the work on the roads and other public improvements as set forth in the attached Schedule of Costs of Public Improvements or in the event the Developer fails to post the ten percent (10%) Defect Bond or Guarantee referenced below. Said sight draft shall be accompanied by an affidavit executed by the City's Director of Parks and Public Works or Director of Planning and Urban Development stating that said ten percent (10%) Defect Bond or Guarantee has not been filed with the City or stating that the Developer has failed to complete such work and shall specify the line items which have not been completed on said Schedule of Costs of Public Improvements.

In the event of [The Bank's or local confirming bank's] dishonor of the City of Portland's sight draft and accompanying affidavit, [The Bank or local confirming bank] shall inform the City of Portland in writing of the reason or reasons therefor within three (3) working days of the dishonor.

The Developer will notify the City of Portland for inspections.

Page 3

to Section 14-501(a) and/or Section 14-525(j) of the Portland City Code.

Dated: _____

By: _____
Joseph E. Gray, Jr.
Its Duly Authorized
Director of Planning and
Urban Development. _____

Seen and Agreed to: Company

By: _____
Its President

_____ Date

Reviewed pursuant to Section 14-501(a) and/or Section 14-525(j),
Portland City Code

By: _____
Director of Finance

_____ Date

By: _____
Corporation Counsel

_____ Date

ESCROW ACCOUNT FORM

[Account #]

date

Alexander Jaegerman, Chief Planner
City of Portland
389 Congress Street
Portland, ME 04101

RE: Application of [applicant] for [development] Site
Improvements at [address], Portland, Maine.

Dear Mr. Jaegerman:

This will certify to you that [Bank] will hold the sum of [amount of performance guarantee] in an interest-bearing escrow account in the name of the City of Portland established with the Bank. We will hold these funds as escrow agent for the benefit of the City of Portland on the following conditions:

1. These funds represent the estimated cost of installing site improvements as depicted on the site plan and estimated on Attachment 1. [Attachment 1 is the approved estimated form.]
2. The City of Portland may draw against this escrow account by presentation of a draft in the event that [applicant] fails to complete within one year of this date the work as stipulated in Paragraph 1. Said draft shall be accompanied by a written statement from the Director of Parks and Public Works or the Director of Planning and Urban Development that [applicant] has failed to complete such work, with a listing of improvements still to be completed, and the estimated cost of completing said improvements still to be completed as determined by the Department of Public Works.
3. The City of Portland may draw against this escrow for a period not to exceed 90 days after the expiration of this one year commitment; provided that [applicant] will give the City written notice of the deadline of this escrow at least 90 days prior thereto; otherwise drafts must be submitted no later than 90 days following written notice whenever given thereafter.
4. After all work in the public right of way has been completed and inspected to the satisfaction of the Department of Public

DEFECT BOND FORM

(Form for defect bond)
IRREVOCABLE LETTER OF CREDIT

(Date)

Joseph E. Gray, Jr.
Director of Planning and Urban Development
City Hall, Room 213
389 Congress Street
Portland, ME 04101

RE: (Name and address of project)

Dear Mr. Gray:

(Name of Bank) hereby issues its Irrevocable Letter of Credit for the account of (Name and Address of Developer) as developer, hereinafter referred to as "The Developer", in favor of the City of Portland in the aggregate amount of (amount). The City of Portland may draw on the Letter of Credit by presentation of a sight draft in the event that the Developer, at the Developer's expense, fails to correct defects in the workmanship and the durability of all materials used in the construction of the public improvements as set forth in the Schedule of Costs of Public Improvements for the (Name and Address of Project).

Drafts drawn upon this credit must be for this particular development and to correct any defect as outlined above which was not corrected by the Developer on or before (Insert Expiration Date - 1 Year from Date of Issuance). Drafts must be accompanied by a written statement that the Developer has failed to correct such defect and shall be accompanied by itemized statements showing cost of work to be completed and must be submitted to (Name and Address of Bank) no later than (Expiration Date).

We engage with you that drafts drawn under and in compliance with the terms of this credit will be duly honored. However, other than the payment of monies as authorized hereunder, (Name of Bank) shall not guarantee the performance of the Developer to the City of Portland.

Very truly yours,

FINARD &
COMPANY

Natalie
Can we Discuss
Joe

FINARD & COMPANY, INC.
MAINE SAVINGS PLAZA
SUITE 704
PORTLAND, MAINE 04101
(207) 772-2257

November 2, 1990

Mr. Joseph E. Gray, Jr., Director
Department of Planning and Urban Development
City of Portland
389 Congress Street
Portland, ME 04101

RECEIVED

NOV 05 1990

PORTLAND PLANNING OFFICE

SUBJECT: Performance Guarantee
Maine Savings Plaza Renovation

Dear Joe,

On Thursday, November 1, you and I discussed possible ways to correct our apparent failure to provide the \$70,000 performance guarantee for the work being done at the Maine Savings Plaza. Because the project is well under way with completion, except for about half the landscaping, anticipated by mid-November, you suggested that we focus on the defect bond. You thought it might be appropriate to have a one year bond in the amount of \$11-12,000 which would be 10% of the entire project plus the \$4-5,000 balance of the landscaping. To that end, you hoped to discuss the issue with Natalie Burns and advise me if that plan was satisfactory.

I received your letter of November 1 on this topic, but I don't know if it was written before or after our discussion outlined above. I have been unable to reach you, Phil Meyer, or Natalie Burns, so I don't know the status of the problem. David Lourie suggested I outline my efforts to resolve this issue in a letter, as I have, and plan to discuss the next step with you on Monday, November 5.

Regards;

FINARD & COMPANY

J. Spencer Jones
J. Spencer Jones
Maine Regional Property Manager

DOC: GRAY.DOC

FINARD & COMPANY

FINARD & COMPANY, INC.
MAINE SAVINGS PLAZA
SUITE 704
PORTLAND, MAINE 04101
(207) 772-2257

December 13, 1991

Mr. Joseph E. Gray, Jr.
Director of Planning and Urban Development
City of Portland
City Hall, Room 213
389 Congress Street
Portland, ME 04101

RECEIVED

DEC 16 1991

PORTLAND PLANNING OFFICE

SUBJECT: Maine Savings Plaza Renovation Defect Bond


Dear Joe,

In accordance with an agreement reached in November, 1990, Maine Savings Plaza Trust established a \$10,000 account at the Maine Savings Bank (Acct. #226 9912-713) as a combination escrow and defect bond covering the plaza renovation project at the Maine Savings Plaza. \$3,000 of the total was a performance bond ensuring completion of the project and for which we have received a check. \$7,000 is the defect bond covering the year following completion.

The entire project was nominally complete on November 30, 1990, and I ask that the account balance of \$7,000 plus interest be released.

Regards:

MAINE SAVINGS PLAZA TRUST


J. Spencer Jones
Agent

DOC: GRAY.183

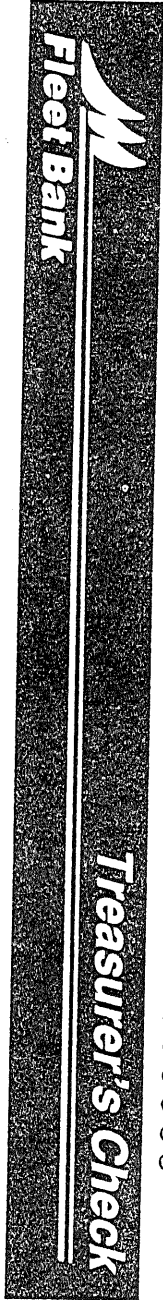
JSJ/ik

MEMO

DATE June 25, 1991

No. 589086

52-36
112



Pay

FLEET BANK \$ 3,000.00

Amount

To the order of
Maine Savings Plaza Trust

RE: J. S. Jones

J. S. Jones
Authorized Signature

Two Signatures Required If \$10,000 or Over

⑈589086⑈ ⑆011200365⑆ 000? 250 008⑈



ONE
Maine Savings Bank

November 21, 1990

Joseph E. Gray, Jr.
Director of Planning and Urban Development
City Hall, Room 213
389 Congress St.
Portland, Maine 04101

Re: Maine Savings Plaza Renovation Defect Bond

Dear Mr. Gray:

This will certify to you that Maine Savings Plaza Trust has established an interest bearing escrow account (Acct #2269912-713) in the amount of \$10,000.00 at Maine Savings Bank with Maine Savings Bank acting as Trustee for the City of Portland. This account has been established as a defect bond and escrow account for the plaza renovations being done at the Maine Savings Plaza. The bank will hold these funds as escrow agent for the benefit of the City of Portland on the following conditions:

1. \$3,000.00 in the account represents the value of the landscaping portion of the project which will not be installed until the spring of 1991. When that work is complete and inspected to the satisfaction of Portland's Department of Public Works, the escrow account may be reduced by \$3,000.00 which will be returned to Maine Savings Plaza Trust, the project developer.
2. The remaining \$7,000.00 represents 10% of the total value of the project as outlined in attached Exhibit A. This amount will be held in escrow, unless otherwise drawn down for reasons outlined below, until November 30, 1991 when any remaining balance in the account will be returned to Maine Savings Plaza Trust.

From now until November 30, 1991 the City of Portland may draw on this escrow account to the extent of \$3,000 for the landscaping and \$7,000 for the entire project by presentation of a sight draft in the event that Maine Savings Plaza Trust, at its expense, fails to correct defects in the workmanship and durability of all materials used in the construction of the public improvements as set forth in the Schedule of Costs of Public Improvements for the Maine Savings Plaza Renovations.

Maine Savings Bank

Drafts must be accompanied by a written statement that Maine Savings Plaza Trust has failed to correct such defect and must be accompanied by itemized statements showing cost of work to be completed. Drafts must be submitted to the attention of the Commercial Lending Department, Maine Savings Bank, Portland, Maine no later than November 30, 1991.

We engage with you that drafts drawn under and in compliance with the terms of this account will be duly honored. However, other than the payment of monies as authorized hereunder, Maine Savings Bank shall have no obligation with respect to the performance of Maine Savings Plaza Trust to the City of Portland.

Dated at Portland, Maine this 21st day of November, 1990.

Very truly yours,

Maine Savings Bank

By: Kenneth O. Casey, Jr.
Vice President

Date 11-21-90

Seen and Agreed to:

By: J. Spruill, Agent
Maine Savings Plaza Trust

Date 11-21-90

Approved pursuant to S14-501(a) of the Portland City Code:

By: _____
Director of Planning and
Urban Development

Date _____

By: _____
Corporation Counsel

Date _____

By: _____
Finance Director

Date _____