

CITY OF PORTLAND, MAINE
PLANNING BOARD

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July 29, 2016

Andrew Kraus
M & A Lowcountry Investments, LLC
110 Marginal Way #154
Portland, ME 04101

Project Name: "Station 415" Subdivision and Change of Use: Co-Working Office Unit
and three (3) Apartments

Project ID: #2016-152
Address: 415 Cumberland Avenue CBL: 036 G033001
Applicant: Andrew Kraus, M & A Lowcountry Investments, LLC
Planner: Jean Fraser

Dear Mr Kraus:

On July 26, 2016, the Planning Board considered a Level III application for "Station 415", the conversion of the existing 3-4 story building at 415 Cumberland Avenue into 3 residential units (rear part of building) and one "co-working" shared business office unit (front part of building). The project includes renovations comprising partial recladding, window replacements / re-openings and roof decks.

The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance and voted 7-0 to approve the application with the following conditions as presented below:

A. SUBDIVISION REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on July 26, 2016 for application #2016-152 (415 Cumberland Avenue) relevant to the Subdivision regulations, and the testimony presented at the Planning Board hearing, the Planning Board voted 7-0 that the plan is in conformance with the Subdivision Standards of the Land Use Code, subject to the following conditions of approval:

- i.* That the Subdivision Plat shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel, and Department of Public Works, and include clarification of easement and other information along with relevant notes and conditions prior to submission for Planning Board signature; and
- ii.* That in the event the property is converted to a condominium, that the recorded condominium documents shall be copied to the Planning Authority.

B. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on July 26, 2016 for application #2016-152 (415 Cumberland Avenue) relevant to the site plan regulations; and the testimony presented at the Planning Board hearing, the Planning Board voted 7-0 that the plan is in conformance with the Site Plan standards of the Land Use Code, subject to the following conditions of approval:

- i. That the applicant shall submit detailed plans/revised site plan to show the proposals for the following, all for review and approval by the Planning Authority (including the Transportation Division for item C) and Department of Public Works prior to the issuance of a building permit:
 - A) The locations of roof drains and their discharge locations, with surface erosion protection noted as necessary (roof drains shall not discharge into the sewer);
 - B) All work in the Right of Way, including but not limited to pavement for trench patching, utility installations, sidewalk repair and handicap ramp construction, to be in conformance with all City of Portland Technical Standards;
 - C) The repair/replacement of the ADA ramp panel in the ROW at the corner of Forest Avenue and Cumberland Avenue (to meet the City's Technical Standards for any work in the ROW);
 - D) The route to the outside bike racks located within the applicant's property; and
 - E) Improved screening of the trash storage area.
- ii. That the applicant address the comments of the Historic Preservation Manager dated 7.21.2016 in respect of the tone of proposed new cladding on the Forest Avenue elevation, prior to the issuance of a building permit; and
- iii. That the tandem parking spaces be designated for the residential units only (or for low turnover use) to ensure that backing maneuvers onto Forest Avenue are minimized given vehicle and pedestrian traffic levels; and
- iv. That the Construction Management Plan shall be revised to note that existing catch basins near any disturbed areas shall be protected, and cleaned following construction as necessary, and that if the site disturbance results in the tracking of any sediment onto the surrounding streets, they will be swept as required; and
- v. That the applicant shall submit the capacity letters in respect of water supply and wastewater capacity prior to the issuance of a building permit; and
- vi. That any exterior lighting shall meet the City's Site Lighting Standards in Section 12 of the Technical Manual; the trash storage area and HVAC sound levels shall meet the B3c *External Effects* standards; - documentation of these to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit; and
- vii. That the applicant shall address the comments of the Fire Department dated 10.7.15 regarding the development of street addresses and their marking on the structure/signage prior to the issuance of a certificate of occupancy; and
- viii. That a separate "change of use" permit shall be obtained from the Permitting and Inspections Division, and that any signage would require separate permits from the Permitting and Inspections Division.

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 #2016-152 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 five (5) final sets of plans must be submitted to and approved by the Planning Division and Public Works 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 Works 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 Works 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 Jean Fraser at 874-8728.

Sincerely,

Elizabeth Boepple, Chair
Portland Planning Board

Attachments:

1. Historic Preservation Program Manager comments 7.21.2016
2. Fire Department comments 10.7.2015
3. Planning Board Report
4. Performance Guarantee Packet

Electronic Distribution:

cc. Project Architect: Mark Sengelmann, ALPHAarchitects, 17 Chestnut Street, Portland ME 04101

cc:

Jeff Levine, AICP, Director of Planning and Urban Development
Barbara Barhydt, Development Review Works Manager
Jean Fraser, Planner
Philip DiPiero, Development Review Coordinator, Planning
Deb Andrews, Historic Preservation Program Manager
Mike Russell, Director of Permitting and Inspections
Ann Machado, Zoning Administrator, Inspections Division
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Chris Branch, Director of Public Works
Katherine Earley, Engineering Works Manager, Public Works
Bill Clark, Project Engineer, Public Works
Doug Roncarati, Stormwater Coordinator, Public Works

Greg Vining, Associate Engineer, Public Works
Michelle Sweeney, Associate Engineer, Public Works
John Low, Associate Engineer, Public Works
Rhonda Zazzara, Field Inspection Coordinator, Public Works
Jeff Tarling, City Arborist, Public Works
Jeremiah Bartlett, Public Works
Keith Gautreau, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
Lauren Swett, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File



Jean Fraser <jf@portlandmaine.gov>

415 Cumberland Avenue - Review of Final Design Proposal

1 message

Deb Andrews <dga@portlandmaine.gov>

Thu, Jul 21, 2016 at 5:40 PM

To: Jean Fraser <jf@portlandmaine.gov>

Thank you for the opportunity to review ALPHA Architect's final design proposal (dated July 20) for the renovation of 415 Cumberland. The following comments are pursuant to Sec. 14-526 (b) of the site plan ordinance which requires historic preservation staff or Board to provide comments to the Planning Board regarding the relative compatibility of the project on the abutting historic resource or district. In this particular instance, the subject building itself, while located outside the designated historic district, is an architecturally notable structure, warranting careful rehabilitation and sympathetic additions.

The 7/20 design appears to be responsive to most of the previous review comments provided by this office, as well as comments of the Planning Board and staff. The one outstanding issue that might warrant further consideration is the replacement exterior cladding proposed for the rear addition facing Forest Avenue. Although the material itself is acceptable and its running bond pattern relates to the running bond brick of the abutting historic structure, staff suggests that the scale of the individual cement panels be reduced somewhat. A reduction in scale of individual modules would likely result in a more subtle and intentional relationship between the finer grain brick of the historic structure and the contemporary exterior of the addition. Also, staff suggests that the tone of the addition be darker than what is presented to provide a more recessive appearance.

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Deb Andrews
Historic Preservation Program Manager
City of Portland
389 Congress Street
Portland, Maine 04101
(207) 874-8726

MEMORANDUM

To: FILE
From: Jean Fraser
Subject: Application ID: 2015-162
Date: 10/22/2015

Comments Submitted by: Keith Gautreau/Fire on 10/7/2015

Life Safety requirements for the change of use will be addressed in the Building Permit process.

Comments Submitted by: Keith Gautreau/Fire on 10/7/2015

Premises Identification

The main entrance of the building must be the address for the property. This should be consistent with 911, tax assessor, Inspections Division and future mailing address.

Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer.

If the building entry faces a different street, both the street name and number should be large enough to read from the street.

Address numbers must be a minimum of 4 inches high.

The number should be in Arabic numerals rather than spelled out (for example, "130" instead of "One Hundred and Thirty").

Color: Addresses should be in a color that contrasts with the background.

Whenever possible, should be illuminated.

Comments Submitted by: Keith Gautreau/Fire on 10/7/2015

There are two hydrants within 200' from the propose site which is more than adequate.

Comments Submitted by: Keith Gautreau/Fire on 10/7/2015

Access to the site is good at it sits on the corner of Forest Ave. & Cumberland Ave.