

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

Sean Dundon, Chair  
Brandon Mazer, Vice Chair  
David Eaton  
David Silk  
Austin Smith  
Maggie Stanley  
Lisa Whited

May 1, 2018

Sam Reiche  
415 CA, LLC.  
25 Edgehill Road  
Brookline, MA 02445

Thomas Greer  
Walsh Engineering Associates  
1 Karen Drive  
Westbrook, ME 04092

**Project Name:** Building Conversion  
**Address:** 415 Cumberland Ave.  
**Applicant:** Sam Reiche  
**Planner:** Christian Roadman

**Project ID:** 2018-011  
**CBL:** 36-G-33

Mr. Reiche,

On April 24, 2018, the Planning Board considered your proposed project at 415 Cumberland Avenue. The Planning Board reviewed the proposal for conformance with the standards of the Site Plan and Subdivision ordinances of Portland's Land Use Code. The Planning Board voted six to zero (David Eaton absent) to approve the application with the conditions presented below:

### Site Plan Review

The Planning Board voted six to zero (David Eaton absent) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

1. Proposed window specifications and the proposed metal canopy detail shall be submitted for review and approval by historic preservation staff.
2. The applicant shall submit additional information pertaining to construction management, including:
  - Pedestrian detour plan minimizing sidewalk impact; construction material delivery and truck plan minimizing sidewalk and vehicle lane impact; and, information on contractor parking such that public on-street parking is not impacted.

3. The applicant shall submit for review by the Planning Authority and the Department of Public Works data documenting the condition of the existing sidewalk and driveway, including: physical condition; elevation changes (back of sidewalk and driveway to street); and, calculated cross-slopes (including any grade-breaks for specific widths). The applicant shall document that better or full ADA-compliance is or is not feasible. The Planning Authority and Department of Public Works may grant a partial waiver of the technical manual standards, if there are detailed data documenting that better or full compliance is not feasible.
4. The applicant shall ensure ADA accessibility compliance, to be reviewed and accepted by staff in the building and permitting department. Any required modifications to the site plan shall be reviewed and approved by the Planning Authority.
5. The applicant shall pay into the City's street tree fund, at a cost of \$400 per tree, to account for each of the four trees not provided per the City's Technical Standards.
6. The applicant shall secure a license from the city for the canopy.

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 2018-011, which is attached.

### **Subdivision Review**

The Planning Board voted six to zero (David Eaton absent) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following condition of approval:

1. Confirmation of adequate wastewater capacity shall be provided to and reviewed by City staff.

The approval is based on the submitted plans and the findings related to subdivision review standards as contained in Planning Report for application 2018-011, which is attached.

### **Standard Conditions of Approval**

Please Note: The following standard conditions of approval and requirements apply to all approved site plans:

1. Subdivision Recording Plat A revised recording plat, listing all conditions of subdivision approval, must be submitted to the Planning and Urban Development Department for review. Once approved, the plat shall be signed by the Planning Board 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. The plan or notice must be recorded in the Cumberland County Registry of Deeds within two (2) years 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 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 Permitting and Inspections Department.
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 Expiration The subdivision approval is valid for up to three (3) years from the date of Planning Board approval.
7. Performance Guarantee and Inspection Fees A performance guarantee covering the site improvements, 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 and Urban Development Department and Public Works 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.
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 Works 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

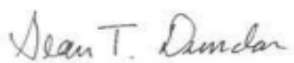
construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

10. Construction Management Plans The applicant, contractor and subcontractors are required to conform to the approved Construction Management Plan, and all conditions contained within the project's approval, for the entire duration of the project. Any amendments to the approved Construction Management Plan shall be reviewed and approved by the Department of Public Works prior to the execution. The Planning Authority and the Department of Public Works have the right to seek revisions to an approved Construction Management Plan. The applicant shall coordinate the project's construction schedule with the timing of nearby construction activities to avoid cumulative impacts on a neighborhood and prevent unsafe vehicle and pedestrian movements. Accordingly, nearby construction activities could involve a delay in the commencement of construction.
11. Department of Public Works Permits If work or obstructions will occur within the public right-of-way, such as utilities, curb, sidewalk, driveway construction, site deliveries and equipment siting, a Street Opening and/or Occupancy Permit(s) is required for your site. Please contact the Department of Public Works Permit Clerk at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
12. As-Built Final Plans Final sets of as-built plans shall be submitted digitally to the Planning and Urban Development Department, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.
13. Mylar Copies Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to Public Works prior to the issuance of a certificate of occupancy.

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 and Urban Development Department at 874-8719. 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 Christian Roadman at (207) 874-8984.

Sincerely,



Sean Dundon, Chair  
Portland Planning Board

Attachments:

1. Planning Board Report
2. Performance Guarantee Packet

**Electronic Distribution:**

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Stuart G. O'Brien, City Planning Director, Planning and Urban Development  
Barbara Barhydt, Development Review Services Manager, Planning and Urban Development  
Christian Roadman, Planner, Planning and Urban Development  
Philip DiPierro, DRC, Planning and Urban Development  
Mike Russell, Director of Permitting and Inspections  
Ann Machado, Zoning Administrator, Permitting and Inspections  
Jonathan Rioux, Deputy Director, Permitting and Inspections  
Jeanie Bourke, Plan Reviewer/CEO, Permitting and Inspections  
Chris Branch, Director of Public Works  
Keith Gray, Senior Engineer, Public Works  
Doug Roncarati, Stormwater Coordinator, Public Works  
Jane Ward, Engineering, Public Works  
Rhonda Zazzara, Construction Engineering Coordinator, Public Works  
Jeff Tarling, City Arborist, Public Works  
Jeremiah Bartlett, Transportation Systems Engineer, Public Works  
William Scott, Chief Surveyor, Public Works  
Mike Thompson, Fire  
Danielle West-Chuhta, Corporation Counsel  
Jennifer Thompson, Corporation Counsel  
Victoria Volent, Housing Program Manager, Housing and Community Development  
Thomas Errico, P.E., TY Lin Associates  
Lauren Swett, P.E., Woodard and Curran  
Christopher Huff, Assessor