

CITY OF PORTLAND, MAINE

PLANNING BOARD

Carol Morrisette, Chair
Stuart O'Brien, Vice Chair
Elizabeth Boepple
Timothy Dean
Sean Dundon
Bill Hall
Jack Soley

July 29, 2013

HEGA Realty Trust
Attention: Peter Skapinsky
One City Center, 4th Floor
Portland, ME 04101

Archetype
Attention: Berry Yudaken
48 Union Wharf
Portland, ME 04101

Project Name:	Conversion of 3 rd , 4 th Floor into Condominiums	Project ID:	2013-098
Address:	531-537 Congress Street	CBL:	037-C-014
Applicant:	HEGA Realty Trust		
Planner:	Shukria Wiar		

Dear Mr. Skapinsky:

On July 23, 2013, the Planning Board approved with one waiver the conversion of the third and fourth floor of building into twelve (12) residential condominiums with the intent to lease the units at 531-537 Congress Street. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 6-0 (Boepple absent) to approve the application with the following waiver.

WAIVERS

The Planning Board voted to waive the Technical Standard, Section 14-526 (b) (2) (b) (iii) Street Trees, where the applicant shall contribute \$2,400 to the City of Portland Tree Fund for the cost of required street trees.

DEVELOPMENT 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 #33-13 for application 2013-098 relevant to the Subdivision, Site Plan and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds the plan is in conformance with the Subdivision and Site Plan standards of the land use code with no conditions of approval.

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 2013-098 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. **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.
9. **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 Services 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 Shukria Wiar at 756-8083 or via shukriaw@portlandmaine.gov

Sincerely,



Carol Morrissette, 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
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
Gayle Guertin, Administration, Inspections Division