



Alex Jaegerman, FAICP  
Division Director, Planning Division

September 11<sup>th</sup>, 2014

Jeremy Benn, 133 York LLC  
110 Marginal Way Ste 292  
Portland, ME 04101

**Project Name:** Construction of Residential townhouse - 6 unit condominium (and demolition of existing building)  
**Project ID:** 2013-187  
**Project Address:** 133 York Street  
**CBL:** 44-1-29 & 31  
**Applicant:** 133 York, LLC, Applicant  
**Planner:** Jean Fraser

Dear Mr Benn:

Thank you for your letter received September 8<sup>th</sup>, 2014 requesting approval to undertake site work prior to the receipt of a building permit.

On January 28<sup>th</sup>, 2014 the Portland Planning Board approved with conditions a proposal to construct a 6 unit residential condominiums at 133 York Street.

As provided in Section 14-532, this letter serves as the written permission from the Planning Authority to commence site work on this project prior to the issuance of a building permit for the new construction of a 6-unit condo building. The commencement of site work is limited to the extent of work outlined in your letter received September 8<sup>th</sup>, 2014 (attached) as listed below and subject to the noted conditions and the additional general conditions listed in this letter:

#### Extent of Work Approved

- 1) Removal of the existing structure only if a) a building permit for that demolition has been formally issued by the Inspections Division and in accordance with any conditions of the building permit; and
- 2) Removal and pruning of any trees in accordance with the approved plans and any advice from the City Arborist; and
- 3) Installation of utilities only if a Street Opening Permit has been issued by DPS (which requires a Traffic Management Plan).

Excavation of the site (after demolition) in preparation for construction of the foundation (for the new condominium) is not approved as part of the advance site work as it involves structural issues being reviewed as part of the building permit for the new building and its foundation.

#### Additional General Conditions

- A) That any basement or holes etc that remain as a result of the demolition of the existing building would have to be filled within 30 days of the demolition if the construction of the new building has not started within 30 days of the demolition;
- B) That all erosion and sedimentation control measures shall be in place as per the approved plans, and to include any additional measures as advised by Phil diPierro; and

- C) That during the demolition the contractor shall ensure that construction warning signs are in place so that users of the sidewalk are aware of truck traffic, and the sidewalk should remain passable at all times. If the City determines that there are unacceptable impacts on the traffic or pedestrian use of the ROW, the contractor may be requested to take other actions such as to limit vehicle turning movements and/or use a flagger to help manage traffic. This condition would also apply to the construction of the new condominium building; and
- D) No material (including dirt and mud) from the site shall be deposited on the sidewalks or streets; and
- E) Neighbors shall be kept informed of any activities that may have adverse impacts on them and as per construction easements.

Please be advised that you must obtain any permits that may be required from Public Works for the temporary closing of any sidewalks, any street openings and any temporary loss of on-street parking. Building permits must be obtained from the Inspections Division prior to the demolition of any buildings or commencement of any construction of any buildings, foundations or structures. Also please see attached the City's Ordinances regarding construction activities and hours of work, and the associated Department of Public Services waiver request form re hours of work.

The approval to proceed with the site work is based on the submitted request received September 8<sup>th</sup>, 2014 and the approved subdivision/ site plan as referenced in the Planning Board approval letter dated February 3, 2014 (attached). If you need to make any modifications to the approved subdivision/site plan, you must submit revised plans for staff review and approval.

Please contact Philip DiPierro, Development Review Coordinator at 874-8632 with information to show compliance with the conditions outlined in this letter (both specific in items 1-3 and more general in items A) to E).

If you have any questions, please contact Jean Fraser on 874 8728.

Sincerely,



Alex Jaegerman  
Planning Division Director

Attachments:

1. Request letter from Jeremy Benn received September 8<sup>th</sup>, 2014;
2. Planning Board Subdivision and Site Plan Approval letter;
3. City Ordinance regarding Construction, and DPS Waiver request form re hours of work.

Electronic cc:

Jeff Levine, AICP, Director of Planning and Urban Development  
Alexander Jaegerman, FAICP, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Jean Fraser, Planner  
Philip DiPierro, Development Review Coordinator, Planning  
Marge Schmuckal, Zoning Administrator, Inspections Division  
Tammy Munson, Inspection Division Director  
Lannio Dobson, Administration, Inspections Division  
Gayle Guertin, Administration, Inspections Division  
Michael Bobinsky, Public Services Director  
Katherine Parley, Engineering Services Manager, Public Services  
Bill Clark, Project Engineer, Public Services  
David Margolis-Pinco, Deputy City Engineer, Public Services  
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 Pirono, Fire Department  
Danielle West-Chukta, Corporation Counsel  
Thomas Errico, P.E., TY Lin Associates  
David Senus, P.E., Woodard and Curran  
Rick Blackburn, Assessor's Department  
Approval Letter File  
Applicant (Vincent Veroneau of J B Brown & Sons)