Reviewed for Code Compliance
Inspections Division
Approved with Conditions

CITY OF PORTLAND, MAINE
PLANNING BOARD

Date: 06/11/13

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MAY 23 2013
Dept. of Building Inspections
City of Portland Maine

May 22, 2013

Kevin Butterfield
46 Cushman Street, #1, Portland, ME 04102

David Lloyd, Architect
48 Union Wharf, Portland, ME 04101

Project Name: **Conversion of Convalescent Center into Ten Apartments**

Address: 91 State Street
Applicant: Kevin Butterfield
Planner: Caitlin Cameron, Urban Designer

Project ID: #2013-091
CBL: 045-B023/024-001

Dear Mr. Kevin Butterfield:

On Tuesday, May 14, 2013, the Planning Board considered 91 State Street for Level III Site Plan and Subdivision Review. The Planning Board found the proposal in conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted unanimously (4-0) to approve the application with the following waivers and condition(s) as presented below.

WAIVERS
The Planning Board voted 4-0 to waive the Technical Standard, Section 4.6.1 Street Trees for Residential Development:

1. A total of 10 trees are required. There are two existing trees, but one is in poor condition and needs to be replaced. The staff recommends replacement of the one tree in front of the site by the applicant and a monetary contribution to the street tree fund for eight (8) trees of $1,600.

SITE PLAN REVIEW
The Planning Board voted 4-0 that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following condition(s) of approval:

1. Prior to the release of the certificate of occupancy, the applicant shall provide evidence

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that off-street parking will be available for up to five (5) vehicles for evenin and snow parking bans for a period of four (4) years.

SUBDIVISION REVIEW

The Planning Board voted 4-0 that the plan is in conformance with the subdivision standards of the Land Use Code.

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 #2013-091 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

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site improvements as well as an inspection fee payment of 2.0% of the guar
and seven (7) final sets of plans must be submitted to and approved by the I
Division and Public Services Department prior to the release of a subdivisic
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 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.)

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 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 Caitlin Cameron at 874-8901.

Sincerely,

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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
Caitlin Cameron, Urban Designer
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
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Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
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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 Pirone, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File