

# CITY OF PORTLAND, MAINE

## PLANNING BOARD

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December 3, 2003

Mr. Robert Cain  
PROP  
510 Cumberland Avenue  
Portland, ME 04101

RE: PROP Multi-Use Building and Residential Building, Grant and Mellen Street  
ID #2003-0144, CBL #048-B-011

Dear Mr. Lee:

On November 25, 2003, the Portland Planning Board voted unanimously (7-0) to approve your application for community center and 16 residential units located at the corner of Grant Street and Mellen Street. The Board found that the application met the standards of the Subdivision and Site Plan ordinance of the Land Use Code.

The approval was granted for the project with the following conditions:

### Subdivision

- i. that the applicant address the concerns raised in the DRC's memo dated November 19, 2003 and in the Public Works' memo dated September 15, 2003, to be reviewed and approved by the DRC and Public Works.
- ii. that prior to issuance of a building permit, the applicant shall secure from the City, an executed license for placement of footings and stairs on City property and a temporary construction easement. The applicant shall also submit an easement from Burnham Properties for the construction and ongoing maintenance to take place on that property.
- iii. that the applicant get renewal/approval of conditional use for the proposed community center from the Zoning Board of Appeals.
- iv. that the sewer capacity letter from the Portland Sewer Division be revised to reflect current number of units.
- v. that the financial capacity letter be revised.

## Site Plan

- i. that the City Arborist review and approve the landscaping plan.
- ii. that a photometric plan be submitted to planning staff for review and approval in accordance with the lighting standards.
- iii. that the applicant erect fence along Mellen Street below Mellen Street curb cut similar to fence on rear property line.

The Planning Board also voted unanimously (7-0) that the landscaping requirement of two (2) trees per residential unit could be waived per Section 14-506 provided that the applicant substitute the seventeen (17) 2 ½" caliper trees proposed with seventeen (17) 3 ½" caliper trees.

The approval is based on the submitted site plan and the findings related to subdivision and site plan review standards as contained in Planning Report #56-03, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
2. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, 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 preconstruction meeting.
5. 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.)

6. The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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 the Planning Staff.

Sincerely,



Jaimey Caron, Chair  
Portland Planning Board

CC: Lee D. Urban, Planning and Development Department Director  
Alexander Jaegerman, Planning Division Director  
Sarah Hopkins, Development Review Services Manager  
Kandice Talbot, Planner  
Jay Reynolds, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Karen Dunfey, Inspections  
Michael Bobinsky, Public Works Director  
Traffic Division  
Tony Lombardo, Project Engineer  
Eric Labelle, City Engineer  
Jeff Tarling, City Arborist  
Penny Littell, Associate Corporation Counsel  
Lt. Gaylen McDougall, Fire Prevention  
Don Hall, Appraiser, Assessor's Office  
Approval Letter File