



# PORTLAND MAINE

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*Lee Urban- Director of Planning and Development*

*Michael J. Nugent- Inspections Division Director*

July 1, 2005

Gwen Pfanku  
Frothingham Court Condominium  
109 Brackett St.  
Portland, ME 04102

Ray Pelletier  
Frothingham Court Condominium  
109 Brackett St.  
Portland, ME 04102

RE: Site Plan Review Exemption/109 Brackett St.(049 F019)

Dear Ms. Pfanku and Mr. Pelletier,

In the Fall of 2003, your association contracted paving for the parking lot at the above location. After the work was completed your association applied for a Site Plan Review Exemption, which was granted after the fact, pursuant to section 14-523 (d).

Site Plan Exemptions are allowed where development that is minor in nature is done in a manner that has no impact on infrastructure or surrounding properties. The standards and limitations are set forth in section 14-523(d) 1 thru 8. In your application, you had indicated that the paving would comply with all of those standards.

Standard 6 states, "There are no known storm water impacts from the proposed use or any existing deficient conditions of storm water management on the site;"

Since this approval, City Staff have been presented with information that indicates that standard 6 compliance was not achieved, as there was an existing storm water management deficiency on the property. The paving of the parking area increased storm water impact. These conditions have been confirmed by City Staff.

Based on these facts, The City of Portland Planning and Development Department finds that the Site Plan Exemption granted in November of 2003 is invalid as the application did not accurately depict the stormwater impacts caused by the improvements.

It is required that a Minor Site Plan Review application with all required technical submissions be filed with the Planning Division by August 6, 2005. The submission must include a design that provides a satisfactory resolution of the drainage problems outlined in previous correspondence from Planning Staff. Upon receipt of an approved minor site plan, site improvements must commence within 30 days to be completed within 90 days of the date of the Minor Site Plan Review approval.

Failure to comply will result in this office referring the matter to the City of Portland Corporation Counsel for legal action and possible civil penalties, as provided for in Section 1-15 of the Code.

Yours truly,

Michael J. Nugent  
Inspections Division Director