

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

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August 13, 2015

Avesta Housing Development Corp.  
Attention: Drew Wing  
307 Cumberland Avenue  
Portland, ME 04101

Pinkham and Greer  
Attention: Tom Greer  
28 Vannah Avenue  
Portland, ME 04103

Project Name: 37-unit Apartment Building  
Project ID: 2015-078  
Address: 17 Carleton Street CBL: 055 A004001  
Applicant: Avesta Housing Development Corporation  
Planner: Shukria Wiar, Planner

Dear Mr. Wing:

On August 11, 2015, the Planning Board considered the Final Level III Site Plan Application for the proposed development project located at 17 Carleton Street. The project involves the construction of thirty-seven (37) affordable housing units with thirty-one (31) parking spaces of which eighteen (18) parking spaces serve 17 Carleton Street. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted unanimously (7-0) to approve the application with the following a waiver and conditions as presented below.

### **WAIVERS**

The Planning Board finds that the applicant has demonstrated that site constraints prevent the planting of required street trees along Carleton Street, thus the Planning Board waives Section 14-526 (b) (2) (b) (iii) Street Trees to allow for a contribution of \$6,400 to the City's Street Tree Fund to be substituted for the provision of on-site street trees.

### **SUBDIVISION REVIEW**

The Planning Board voted unanimously (7-0) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following conditions of approval:

1. The final boundary survey, subdivision plat, and site plans shall be stamped by a registered professional land surveyor and registered engineer;
2. The Subdivision Plat shall be finalized to the satisfaction of the Planning Authority, Department of Public Services and Corporation Counsel;

3. The recording plat shall be revised noting all waivers and conditions for review and approval by the Planning Authority prior to recording. All waivers shall be recorded within 90 days of the Planning Board approval.

#### **SITE PLAN REVIEW**

The Planning Board voted unanimously (7-0) that the site plan meets the parking requirements of the zoning ordinance with the provision of 18 on-site vehicle parking spaces; and

That the plan is in conformance with the site plan standards and all other applicable provisions of the land use code, and subject to the following conditions:

1. A remnant dimension of 12” for the ¾” crushed stone layer exists on C2.2 in the “Infiltration Basin Longitudinal Section” detail. This dimension is intended to be 3.4’, and shall be updated as part of final plan prior to the issuance of the building permit.
2. The applicant shall evaluate the dedicated car-share vehicle usage by the occupants of the project one year after the issuance of a certificate of occupancy and submit the findings to the Planning Authority.
3. The applicant shall provide information on the accessibility of the pedestrian walkway when a handicapped vehicle is occupying the adjacent parking space.
4. The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines. The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A maintenance agreement for the stormwater drainage system, as attached, or in substantially the same form with any changes to be approved by Corporation Counsel, shall be submitted, signed, and recorded prior to the issuance of a building permit with a copy to the Department of Public Services.
5. That all HVAC systems and external mechanical equipment shall meet the maximum allowable noise requirements of the zone; each unit shall submit documentation of dBA output to confirm compliance of both the unit and the building in respect of rated noise levels and cumulative noise levels, to the satisfaction of the Zoning Administrator prior to the issuance of a Building Permit for that unit.

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 [Insert Project ID] 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.

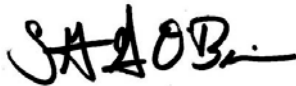
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
3. **Develop Site According 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 site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a subdivision plat for 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 Shukria Wiar at 756-8083 or via at [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Sincerely,



Stuart O'Brien, Chair  
Portland Planning Board

**Attachments:**

1. Planning Board Report
2. Sample Stormwater Maintenance Agreement
3. Performance Guarantee Packet

**Electronic Distribution:**

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Barbara Barhydt, Development Review Services Manager  
Shukria Wiar, Planner  
Philip DiPierro, Development Review Coordinator, Planning  
Ann Machado, Acting Zoning Administrator, Inspections Division  
Tammy Munson, Inspections Division Director  
Jonathan Rioux, Inspections Division Deputy Director  
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division  
Lannie Dobson, Administration, Inspections Division  
Brad Saucier, Administration, Inspections Division  
Michael Bobinsky, Public Services Director  
Katherine Earley, Engineering Services Manager, Public Services  
Bill Clark, Project Engineer, Public Services  
David Margolis-Pineo, 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  
Keith Gautreau, Fire Department  
Jennifer Thompson, Corporation Counsel  
Thomas Errico, P.E., TY Lin Associates  
David Senus, P.E., Woodard and Curran  
Rick Blackburn, Assessor's Department  
Approval Letter File

