

CITY OF PORTLAND, MAINE
PLANNING BOARD

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May 16, 2016

Mr. Joel Kittredge
Maine Department of Transportation
16 State House Station
Augusta, Maine 04333-0016

Mr. Matt Doughty
Unitil (Northern Utilities, Inc)
376 Riverside Industrial Parkway
Portland, Maine 04103

Project Name: Unitil Gas Facility Relocation Project ID: 2016-085
Address: 74 West Commercial Street CBL: 59-A-1-3-4-7-8-11; 59-A-2-5-6-9-10
Applicant: Maine Department of Transportation and Unitil (Northern Utilities, Inc)
Planner: Richard Knowland, Senior Planner

Dear Mr. Kittredge and Mr. Doughty:

On May 10, 2016, the Planning Board considered the Unitil Gas Relocation Project on Maine Department of Transportation property in the vicinity of 40 West Commercial Street. This proposal represents an amendment to the Maine Department of Transportation site plan for the IMT facility approved by the Planning Board in 2014. The Planning Board reviewed the proposal for conformance with the standards of the Conditional Use Review, Shoreland Zoning Regulations and Site Plan Ordinance. The Planning Board approved the application with the following condition(s) as presented below.

CONDITIONAL USE

The Planning Board voted 5 to 0 (Dundon and Morrissette absent) that the plan is in conformance with the Conditional Use Standards of the Waterfront Port Development Zone of the Land Use Code for a utility substation, and section 14-474 of the Land Use Code.

SITE PLAN REVIEW

The Planning Board voted 5 to 0 (Dundon and Morrissette absent) 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. That the final site plan of the amended portion of the previously approved site plan shall be re-submitted bearing the stamp of a professional engineer, before the issuance of a building permit.

2. That the site plan shall be revised for City Arborist review and approval reflecting the planting of 5 additional Red Cedar trees (5' to 6' high) along the Commercial Street side of the fence (east of the main driveway) to improve the screening of the site. The final location of the trees shall consider the presence of utilities.
3. That the final site plan shall be updated for Planning Authority review and approval reflecting the location of new exterior lighting.

SHORELAND REGULATIONS REVIEW

The Planning Board voted 5 to 0 (Dundon and Morrissette absent) that the plan is in conformance with the Shoreland 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 #2016-085 which is attached.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **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 Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **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.
3. **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.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, 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 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.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **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

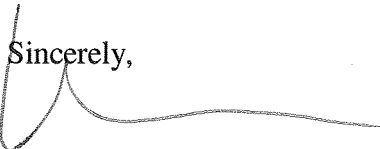
schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting. (If applicable)

7. **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.)
8. **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.

The Development Review Coordinator must be notified five (5) working days prior to the 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 Richard Knowland at (207) 874-8725.

Sincerely,



Elizabeth Boepple
Chair
Portland Planning Board

Attachments:

1. Staff memos
2. Planning Board Report
3. City Code: Chapter 32
4. Sample Stormwater Maintenance Agreement [if applicable]
5. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Stuart G. O'Brien, City Planning Director
Barbara Barhydt, Development Review Services Manager
Richard Knowland, Planner/Senior Planner
Philip DiPierro, Development Review Coordinator, Planning
Ann Machado, Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Brad Saucier, Administration, Inspections Division
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
Peggy McGehee, Perkins-Thompson, 1 Canal Plaza, Portland, ME. 04112