



DeLUCA-HOFFMAN ASSOCIATES, INC.  
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- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION

February 15, 2013

Mr. William Needelman, AICP  
Senior Planner  
Planning and Development Department  
City of Portland, Maine  
389 Congress Street  
Portland, Maine 04101-3509

**Subject: Canal Landing New Yard – Phase 1**  
**40 West Commercial Street**  
**Applicant: New Yard, LLC**  
**Condition Compliance Letter #1**

Dear Mr. Needelman:

On behalf of New Yard, LLC, we are pleased to provide evidence of compliance with the City of Portland Planning Board's Conditions of Approval #4, 6 and 8 regarding the Final Site Plan Application for Canal Landing project in Portland. For ease of review, conditions of approval are repeated below (*in italics*) followed by our compliance.

Condition of Approval #4:

*Other Agency Reviews: That any modifications to City approved plans to meet outside agency requirements must be identified and submitted to the Planning Authority for final review prior to issuance of a building permit. Outside agency permits include, NRPA wetland alternation permits, Maine DEP VRAP approvals, and Portland Harbor Commission approvals.*

Compliance:

To satisfy the Portland Harbor Commission (approved January 10, 2013), the service float layout was revised. The attached Site Plan C-2.1 shows the revised float layout. Any plan changes associated with NRPA and VRAP approvals will be submitted to the City for review. The NRPA application is currently under review by the MeDEP and ACOE and it is anticipated that their finding and approvals will be forthcoming towards the end of February.

Condition of Approval #6:

*Flood Plain Management: That prior to issuance of a building permit, the final site plan is revised to include a note requiring that structures on lots in the development be constructed in accordance with Portland City Code, section 14-450.8, Flood Plain Management.*

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Compliance:

This note has been added to the Phase 1 Site Layout Plan (C-2.1).

Condition of Approval #8:

*Fire Safety and Emergency Access: That prior to issuance of a building permit, the applicant submit a revised site plan for review and approval in compliance with the December 12, 2012 fire code analysis memo from Fire Risk Management, Inc. (Attachment U of Planning Report #53-12). The revised site plan will show emergency access routes to be kept clear of stored and trailered vessels, vehicle parking and snow storage.*

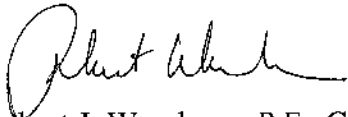
Compliance:

Plan C-11.0 – Fire Protection Plan has been added to the plan set. This plan shows fire truck circulation around the site and shows additional hydrants and the coverage radii as recommended by Fire Risk Management, Inc. A copy of this plan accompanies this letter.

If you have any questions or require any additional information, please contact our office.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.



Robert J. Woodman, P.E., C.P.E.S.C.  
Project Engineer

RJW/smk

Enclosures: C-2.1 – Phase 1 Site Layout Plan  
C-11.0 – Fire Protection Plan

c: Phin Sprague, New Yard LLC  
Bob Flight, New Yard LLC