

SCAM

CITY OF PORTLAND, MAINE
PLANNING BOARD

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December 3, 2013

Kevin Bunker
Developers Collaborative
17 Chestnut Street
Portland, Maine 04101

Steve Bushey, PE, FST Inc.
778 Maine Street, Suite 8
South Portland, Maine 04106

Project Name: **Nathan Clifford School Reuse**
Project ID: #2013-229
Address: 172 Falmouth Street CBL: CBL 066A A001001
Applicant: Developer's Collaborative, Kevin Bunker
Planner: Bill Needelman, Senior Planner

Dear Mr. Bunker,

On November 26, 2013 the Planning Board considered a proposal to redevelop the Nathan Clifford School into 22 residential units with associated parking and open space. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 6-0 (O'Brien absent) to approve the application with the following waivers and condition(s) as presented below. Unless otherwise noted, all conditions of approval shall be satisfied prior to issuance of a building permit

WAIVERS

The Planning Board voted 6-0 (O'Brien absent) to waive the Technical Standard, Section 1.14 *Parking Lot and Parking Space Design* to allow three compact spaces at 9' x 16' and five spaces at 8' x 18'; and,

The Planning Board voted 6-0 (O'Brien absent) to waive the Technical Standard, Section 12.2.6. *Luminaire Types* to allow installation of non-cutoff bollard site lighting of a fixture type of the applicant's choosing.

SITE PLAN REVIEW

The Planning Board voted 6-0 (O'Brien absent) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

- i. That the applicant shall submit revised plans and specifications showing the following for review and approval by the Department of Public Services:
 1. Cross walk markings shall be block style per city standards;
 2. New concrete sidewalks and ADA ramps along the entire Falmouth St right of way, including is a new private concrete walk to the door on Falmouth St.;
 3. Granite curbing filling the four voids in the curbing on Falmouth St.; and,
 5. A closed curb cut on Deane Street, removing the concrete apron and with a new concrete walkway from the sidewalk to the doorway steps; and,
- iii. That, pending review of the latest submitted stormwater material, that the applicant submit for review and approval material satisfying the review comments by Stormwater Review Engineer, Dave Senus, as provided in Section VII, Page 6 of Planning Board Report #56-13, which is attached.

SUBDIVISION REVIEW

The Planning Board voted 6-0 (O'Brien absent) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following condition(s) of approval:

- i. That the Subdivision Plat shall be finalized to the satisfaction of the Planning Authority, Corporation Counsel, and Department of Public Services and include detailed references to easements, and relevant conditions;
- ii. That the applicant and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post-Construction Storm Water Management, which specifies the annual inspections and reporting requirements. The developer /contractor /subcontractor must comply with conditions of the construction stormwater management plan and sediment & erosion control plan based on City standards and state guidelines. A maintenance agreement for the stormwater drainage system as described in Attachment R of Planning Board Report #56-13 (attached) shall be approved by Corporation Counsel and Department of Public Services, and submitted and signed prior to the issuance of a Certificate of Occupancy with a copy to the Department of Public Services;
- iii. That the applicant shall contribute toward and/or install, in coordination with the City Arborist, two street trees in the vicinity of the subject property; and,
- iv. That the applicant shall provide evidence of sewer capacity and details for sewer system design for the review of the Department of Public Services.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report #56-13 for application #2013-229 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 [Insert Planner's Name] at 874-

Sincerely,



Carol Morrissette, Chair
Portland Planning Board

Attachments:

1. Planning Board Report #56-13
2. Performance Guarantee Packet