

CITY OF PORTLAND, MAINE

PLANNING BOARD

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OCTOBER 22, 2010

Clifton P Rose & Alicia M Kershaw
95 Franklin St # 4
New York, NY 10013

Project Name: City Point Road Landscaping Restoration
Project ID: 09-79900012
CBL: 087-U-001-001
Project Address: 5 City Point Rd
Planner: Erick Giles, AICP, LEED AP

Dear Mr. Rose and Ms. Kershaw:

On October 12, 2010, the Portland Planning Board considered the 5 City Point Rd. Landscape Restoration Plan. The Planning Board reviewed the proposal for conformance with the standards of the Shoreland Zone Ordinance and Site Plan Regulations. The Planning Board voted 6-0 to approve the application with the following conditions as presented below.

SITE PLAN REVIEW AND SHORELAND ZONING

1. Prior to any restoration work the applicant shall provide a revised set of plans with the following revisions:

Site Preparation Plan

- a. The "hatched area" along the NE property line shall be shown in the Legend as "Existing Vegetation".
- b. The note, "*Existing bushes (overgrown) to be thinned and cleaned up – leave barberry. Remove dead trees and bittersweet vines.*", shall be revised to state, "*Existing vegetation (understory and shrub/scrub) to remain. Removal of vegetation required to plant new evergreen trees or to remove dead or dying trees and bittersweet vines is allowed only as approved by the City Arborist.*"

Landscape Restoration Plan

- a. The "white area" along the NE property line shall be shaded and labeled, "*Existing Vegetation*".

- b. Note 1 shall be revised to state, "*Existing vegetation (understory and shrub/scrub) to remain. Removal of vegetation required to plant new evergreen trees or to remove dead or dying trees and bittersweet vines is allowed only as approved by the City Arborist.*"
2. There shall be no vegetative clearance, cutting, weeding, mowing, or grading within the Shoreland Zone other than what has been authorized in the Landscape Restoration Plan or which is permissible under the Shoreland Zone Ordinance.
3. Prior to commencement of any work at the site, a pre-construction meeting shall be held at the project site with the contractor, Development Review Coordinator, City Arborist and owner to review the construction schedule and critical aspects of the site work including the installation or removal of any vegetation and utilities. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives.

The approval is based on the submitted plans and the findings related to site plan and Shoreland Zone review standards as contained in Planning Report for 10-79900012 which is attached.

Standard Conditions of Approval

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

1. The site shall be developed and maintained as depicted in the site plan and 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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.
2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
4. 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 Dept. prior to the release of the subdivision plat for recording at the Registry of Deeds or 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 subdivision or site plan application for staff review and approval.
5. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.

6. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
7. Prior to construction, a pre-construction meeting shall be held at the project site 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 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.
8. 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.)

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. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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 you have any questions, please contact **Erick Giles** at **207-874-8723** or **egiles@portlandmaine.gov**

Sincerely,



Bill Hall Chair
Portland Planning Board

Attachments:

1. Performance Guarantee Packet

Electronic Distribution:

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