

CITY OF PORTLAND, MAINE

PLANNING BOARD

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February 17, 2004

Ms. Julia Wilcox
Volunteers of America
14 Maine Street
Brunswick, ME 04011

Re: Senior Housing Facility and Health Center, Vicinity of 94 Herman Avenue
(Application #2002-0190, CBL 87-P-8001)

Dear Ms. Wilcox:

On February 10, 2004, the Planning Board voted unanimously (6-0; Caron absent) that the proposed Volunteers of America development is in conformance with the Subdivision Ordinance of the Land Use Code with the no conditions. The Board also found that the proposal meets the following two criteria for the granting of a sidewalk waiver:

- There is no sidewalk in existence or expected within 1000 feet and the construction of sidewalks does not contribute to the development of a pedestrian oriented infrastructure; and
- The street has been constructed or reconstructed without sidewalks within the last 24 months.

The Planning board also determined hat the proposal meets the following criteria for the granting of a curb waiver:

- The street has been rehabilitated without curbing in the last 60 months.
- Strict adherence to the curb requirement would result in the loss of significant site features related to landscaping or topography that are deemed to be of a greater public value.
- Runoff from the development site or within the street does not require curbing for stormwater management.

The Planning Board also voted unanimously (6-0; Caron absent) that the proposed development is in conformance with the Site Plan Ordinance of the Land Use Code with no conditions.

That the applicant submit for the City Arborist's review and approval an amended landscaping plan indicating additional planting along the Kamp property line.

That the applicant submit revised plans meeting the requirements of Jim Seymour's memo dated February 3, 2004; and

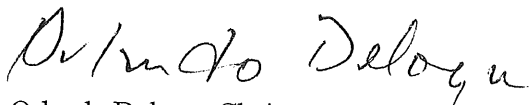
That granite tipdown curb be used in the City Right of Way on Central Avenue for all driveway openings.

Please note the following provisions and requirements for all site plan approvals:

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
2. 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.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work'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 preconstruction meeting.
5. 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.)
6. The Development Review Coordinator (874-8300 ext. 8722) must be notified five (5) working days prior to date required for final site inspection. 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.

The approval is based on the submitted application, site plan, and stated conditions. If there are any questions, please contact the planning staff.

Sincerely,



Orlando Delogu, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Program Manager
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Karen Dunfey, Inspections
Michael Bobinsky, Director of Public Works
Luci Cote, Traffic Division
Tony Lombardo, Project Engineer
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Don Hall, Appraiser, Assessor's Office
Approval Letter File
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