

**Listed below are key characters (in bold) for searching within this file.**

**Hold down the control key and select the "f" key. Enter either a key character from the list below or document name and select enter for a list of documents containing the search word you entered.**

**APL** – all documents behind this target sheet pertain to the original application submitted by the Applicant.

**PBM1** – all documents behind this target sheet are any Planning Board memos with attachments that went to the Board.

**PBR1** - all documents behind this target sheet are any Planning Board reports with attachments that went to the Board.

**CC1** - all documents behind this target sheet are any City Council memos/reports that went to the City Council.

**DRC1** - all documents behind this target sheet are those pertaining to the post review of the project by the Development Review Coordinator.

**MISC1** - all documents behind this target sheet are those that may not be included in any of the categories above.



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**Planning & Urban Development Department**  
Penny St. Louis Littell, Director

**Planning Division**  
Alexander Jaegerman, Director

**APRIL 16, 2010**

Tom Brigham  
Oakhurst Properties, LLC  
354 Forest Avenue  
Portland, ME 04101

**Project Name:** Forest Avenue - 326; Retail And Parking; Oakhurst Properties.  
Applicant.  
**Project ID:** 10-79900001  
**Project Address:** 326 FOREST AVENUE  
**Planner:** Shukria Wiar

Dear Applicant:

On April 15, 2010, the Portland Planning Authority approved a minor site plan for renovation of an existing building and a new parking lot at 326 Forest Avenue as submitted by the Applicant and shown on the approved plan prepared by BH2M, Inc. with a revision date of 02.08.2010 with the following conditions below.

#### **WAIVERS**

The Planning Division Authority waives the Technical Standard, Section III 2 A, which requires that a standard parking space be 9 feet wide by 19 feet long, to allow the spaces along the building in the new parking lot to be 8 feet wide by 19 feet long and allow the spaces along Durham Street to be 9 feet wide by 15 feet long (compact spaces).

#### **SITE PLAN REVIEW**

1. The applicant shall post a Performance Guarantee for the vertical granite curbing to be completed by September 30, 2013. In the interim, the applicant has agreed to reduce the opening or temporarily close all the curb cuts on Bedford Street with bituminous "Cape Cod" style curbing until the street opening moratorium expires.
2. There shall be a note added to the site plan's detail sheet stating that "All work within the City Right of Way shall meet current City standards."
3. If during demolition, the asphalt sidewalk is damaged, the replacement material for the sidewalk shall be concrete.

4. The proposed island on Durham Street shall mirror the island on Forest Avenue in that it shall be located along the sidewalk and to be lengthen it as much as possible without compromising access/egress movements from the Oakhurst truck parking spaces.
5. The landscape island along Durham Street shall also be similar to the island on the Forest Avenue side in the context of the plant species.
6. The compact spaces shall be adjusted so that the spaces are nine (9) feet wide and thus the number of spaces will be reduced by two.
7. The final design of the building canopy shall be reviewed and approved by the Planning Authority.

The approval is based on the submitted site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

#### **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 Chapter 14 of the Portland City Hall.
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. 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 Shukria Wiar at 756-8083 or shukriaw@portlandmaine.gov

Sincerely,

*Alexander Jaegerman*  
BB

Alexander Jaegerman  
Portland Planning Division Director

**Attachments:**

1. Performance Guarantee Packet

**Electronic Distribution:**

Penny St. Louis Littell, Director of Planning and Urban Development  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Shukria Wiar, Planner  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Tammy Munson, Inspections Division Director  
Gayle Guertin, Inspections Division  
Lannie Dobson, Inspections Division  
Michael Bobinsky, Public Services Director  
Kathi Earley, Public Services  
Bill Clark, Public Services  
David Margolis-Pineo, Deputy City Engineer  
Greg Vining, Public Services  
John Low, Public Services  
Jane Ward, Public Services  
Keith Gautreau, Fire  
Jeff Tarling, City Arborist  
Tom Errico, TY Lin  
Dan Goyette, Woodard & Curran  
Assessor's Office  
Approval Letter File  
**Hard Copy:** Project File



# PORTLAND MAINE

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Planning & Urban Development Department  
Penny St. Louis Littell, Director

**MAY 18, 2010**

Tom Brigham  
Oakhurst Properties, LLC  
354 Forest Avenue  
Portland, ME 04101

**Project Name:** Forest Avenue - 326; Retail And Parking; Oakhurst Properties, Applicant.  
**Project ID:** 10-79900001  
**Project Address:** 326 FOREST AVENUE  
**Planner:** Shukria Wiar

Dear Mr. Bringham:

On May 17, 2010, the Portland Planning Authority approved with conditions the proposal for the demolition of the existing rear structure of the building and the internal demolition of the ceiling, ramps and wall (as shown on Attachment #1) located at 326 Forest Avenue, the site of the former World Imports. As provided in Section 14-528, this letter serves as the written permission from the Planning Authority to commence demolition of the former World Imports site prior to posting the performance guarantee. The commencement of site work is limited to the extent of work outlined in Laura Blanchette, Project Manger with PM Construction, letter dated May 14, 2010 and listed below:

1. Demolition of the existing rear structure of the building and the internal demolition of the ceiling, ramps and wall (as shown on Attachment #1) located at 338 Forest Avenue, the site of the former World Imports.
2. A pre-demolition meeting must be held with Portland's Planning Division and the Department of Public Works. Please contact Phil DiPierro at 874-8632 to schedule the meeting.
3. Erosion control measures meeting DEP's best management practices must be installed prior to the start of demolition.

**Please be advised that you must obtain a demolition permit from the City's Inspection Division prior to commencing the demolition and obtain any permits that may be required from Public Works for the temporary closing of any sidewalks and any temporary loss of on-street parking.**

This letter is not an approval for the proposed ramp that is required by the State Fire Marshal. The City is unwilling to grant an easement or license for a ramp within the City's sidewalk due to the proposed location and the potential for other alternatives to meet the State requirements.

The approval to proceed with the building demolition is based on the submitted request of in Laura Blanchette letter dated May 14, 2010 and the approved site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval. If there are any questions, please contact the Planning Staff.

Sincerely,

Penny Littell (BB)

Penny St. Louis Littell, Director of Planning and Urban Development

**Electric Distribution:**

Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Marge Schmuckal, Zoning Administrator  
Phil DiPierro, Development Review Coordinator  
Greg Vining, Public Works  
Jeanie Bourke, Inspections  
Inspections Department  
Approval Letter File

**Attachments:**

1. Laura Blanchette, Project Manger with PM Construction, email 05.14.2010

**Shukria Wiar - RE: Oakhurst Dairy Site Plan**

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**From:** "Laura Blanchette" <lblanchette@pmconstruction.com>  
**To:** "Barbara Barhydt" <BAB@portlandmaine.gov>, "Tom Brigham" <tbrigham@oakhu...>  
**Date:** 5/14/2010 3:59 PM  
**Subject:** RE: Oakhurst Dairy Site Plan  
**CC:** "Alex Jaegerman" <AQJ@portlandmaine.gov>, "Jeanie Bourke" <JMB@portlandm...>

---

Barbara,

The work we have proposed to do is the exterior demo and the ceiling, interior ramps and wall demo only. There is a drawing detailing this that was submitted with the Demo Permit dated 2/19 D1.1. I am hoping this email can serve as the letter you are looking for.

I will have the performance guarantee together next week when I will also be submitting the building permit. I believe we may have a solution to the handicap ramp situation so this should wrap things up.

We had the pre-demo meeting on Tuesday 5/11 with Nick Adams and he had signed off as of Wednesday 5/12. When I spoke to Lannie on 5/7 she told me Planning had signed off and the Fire Department had signed off and we were just waiting on "Commercial Review", now I am being told we are back at Planning, I'm confused.

Thanks,

Laura

PS I will take Jay off, I only copied him because I hit Reply all on an email Shukria sent to Oakhurst earlier this week. Sorry Phil.

Laura J. Blanchette

Director of Business Development

(207)282-7697 phone

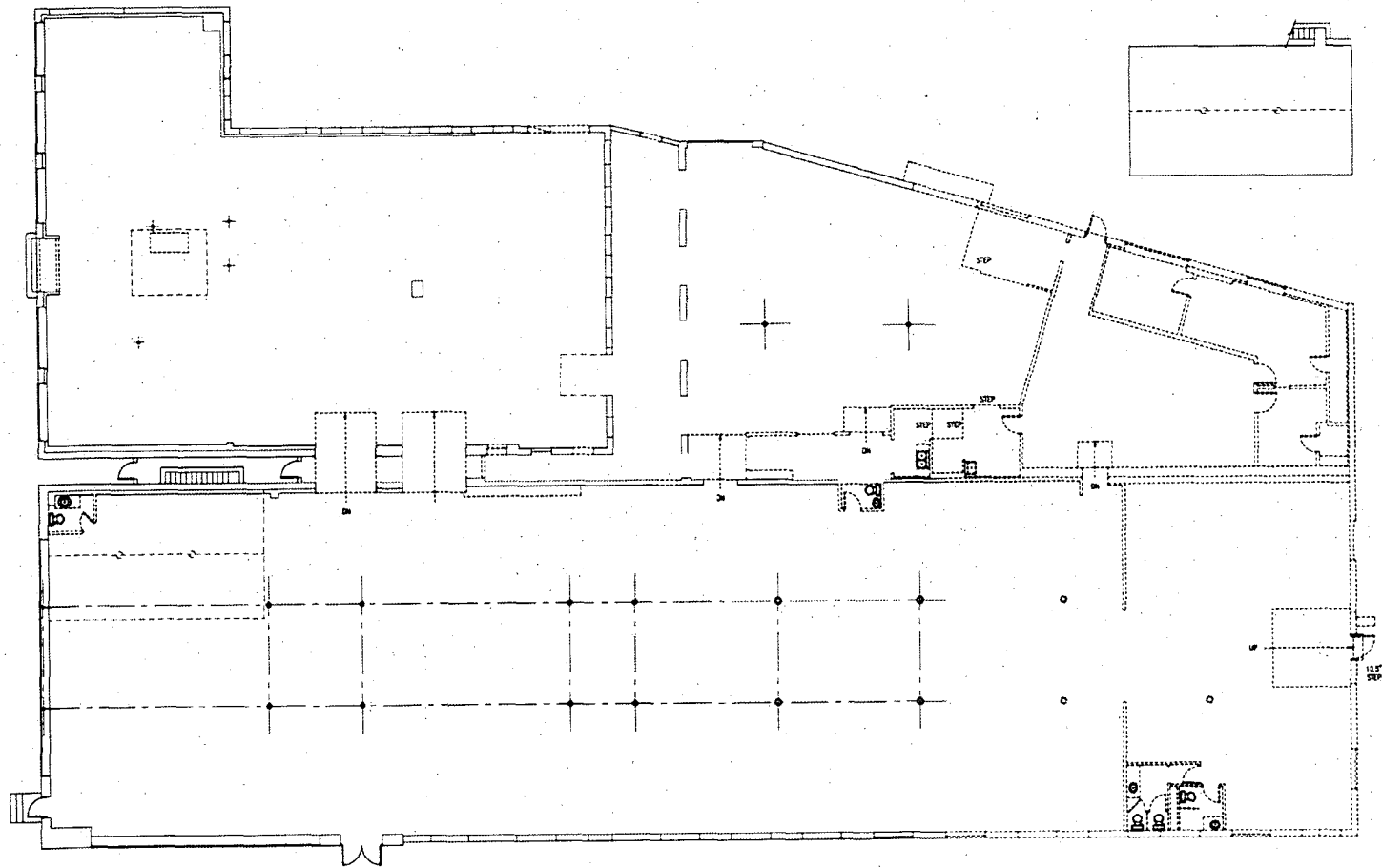
(207)283-4549 fax

(207)423-3517 cell

[www.pmconstruction.com](http://www.pmconstruction.com)

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**From:** Barbara Barhydt [mailto:BAB@portlandmaine.gov]  
**Sent:** Friday, May 14, 2010 3:31 PM  
**To:** Tom Brigham; Laura Blanchette; Shukria Wiar  
**Cc:** Alex Jaegerman; Jeanie Bourke; Philip DiPierro; Tammy Munson



**CWS**

**CWS Architects**

Architects  
Space Planning  
Voice Design

424 Commercial Street  
Portland, ME 04103  
Phone: (207)774-6641  
Fax: (207)774-6810

www.CWSarch.com

Open  
**OAKCREST DAIRY**

334 FOREST AVE  
PORTLAND, ME 04101

Construction

**334 FOREST AVE RENOVATIONS**

334 FOREST AVE  
PORTLAND, ME 04101

Project No: 09427

Drawing Date  
**DEMOLITIONS PLAN**

Scale: 1/4" = 1'-0"

Date: 9 February 2010

Revisions:

- △
- △
- △
- △
- △

Drawing Number

**D1.1**

REVIEW



# Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

326 Forest Avenue - Oakhurst

10-799 00001  
Application Number

**Project Name, Address of Project**  
(The form is to be completed by the Applicant or Designated Representative)

Check Submitted		Required Information	Section 14-525 (b,c)
Applicant	Staff		
	✓	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
	✓	Name and address of applicant and name of proposed development	a
	✓	* Scale and north points	b
	✓	* Boundaries of the site	c
	✓	* Total land area of site	d
		* Topography - existing and proposed (2 feet intervals or less)	e
		Plans based on the boundary survey including:	2
		* Existing soil conditions	a
		* Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
	NA	* Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
	✓	* Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards ( <u>example page 11 of packet</u> )	d
	✓	* Location of on-site waste receptacles	e
		* Public utilities	e
		* Water and sewer mains	e
		* Culverts, drains, existing and proposed, showing size and directions of flows	e
		* Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
	✓	* Location and dimensions of on-site pedestrian and vehicular access ways	g
	✓	* Parking areas	g
	✓	* Loading facilities	g
		* Design of ingress and egress of vehicles to and from the site onto public streets	g
		* Curb and sidewalks	g
	None provided	Landscape plan showing:	h
		* Location of existing vegetation and proposed vegetation	h
		* Type of vegetation	h
		* Quantity of plantings	h
		* Size of proposed landscaping	h
		* Existing areas to be preserved	h
		* Preservation measures to be employed	h
		* Details of planting and preservation specifications	h
	not provided	* Location and dimensions of all fencing and screening	i
		Location and intensity of outdoor lighting system	j
		Location of fire hydrants, existing and proposed ( <u>refer to Fire Department checklist - page 11</u> )	k
		Written statements to include:	c
	✓	* Description of proposed uses to be located on site	cl
	NA	* Quantity and type of residential, if any	cl
	✓	* Total land area of the site	c2
	✓	* Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
	✓	* General summary of existing and proposed easements or other burdens	c3
	more info req	* Type, quantity and method of handling solid waste disposal	c4
	✓	* Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets ( <u>refer to the wastewater capacity application - page 12</u> )	c5
		* Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

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NA 2/12/10

✓

- \* An estimate of the time period required for completion of the development 7
- \* A list of all state and federal regulatory approvals to which the development may be subject to. 8  
the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.
- \* Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.
- \* Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.
- \* A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.

A jpeg or pdf of the proposed site plan, if available.

Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study



**Development Review Application**  
**PORTLAND, MAINE**  
 Department of Planning and Urban Development,  
 Planning Division and Planning Board

**PROJECT NAME:** Retail Units

**PROPOSED DEVELOPMENT ADDRESS:**  
326, 332 - 336 Forest Avenue

**PROJECT DESCRIPTION:**  
The owner wants to tear down a portion of the retail building, add parking  
and create retail units.

**CHART/BLOCK/LOT:** Map 114A, Block F, Lots 3, 7 & 8

**CONTACT INFORMATION:**

**APPLICANT**

**Name:** Oakhurst Properties, LLC  
**Address:** Tom Brigham  
354 Forest Avenue  
**Zip Code:** 04101  
**Work #:** 207-772-7468  
**Cell #:** \_\_\_\_\_  
**Fax #:** \_\_\_\_\_  
**Home:** \_\_\_\_\_  
**E-mail:** tbrigham@oakhurstdairy.com

**PROPERTY OWNER**

**Name:** Same as applicant  
**Address:** \_\_\_\_\_  
 \_\_\_\_\_  
**Zip Code:** \_\_\_\_\_  
**Work #:** \_\_\_\_\_  
**Cell #:** \_\_\_\_\_  
**Fax #:** \_\_\_\_\_  
**Home:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**BILLING ADDRESS**

**Name:** Same as applicant  
**Address:** \_\_\_\_\_  
 \_\_\_\_\_  
**Zip:** \_\_\_\_\_  
**Work #:** \_\_\_\_\_  
**Cell #:** \_\_\_\_\_  
**Fax #:** \_\_\_\_\_  
**Home:** \_\_\_\_\_  
**E-mail:** \_\_\_\_\_

**RECEIVED**

**JAN 30 2010**

**City of Portland  
 Planning Division**

~As applicable, please include additional contact information on the next page~

# PROJECT DATA

The following information is required where applicable, in order complete the application

Total Site Area	48,890	sq. ft.
Proposed Total Disturbed Area of the Site	6,966	sq. ft.

(If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.)

**IMPERVIOUS SURFACE AREA**

Proposed Total Paved Area	26,045	sq. ft.
Existing Total Impervious Area	47,567	sq. ft.
Proposed Total Impervious Area	44,477	sq. ft.
Proposed Impervious Net Change	- 3,090	sq. ft.

**BUILDING AREA**

Existing Building Footprint	21,522	sq. ft.
Proposed Building Footprint	15,906	sq. ft.
Proposed Building Footprint Net change	- 5,616	sq. ft.
Existing Total Building Floor Area	20,370±	sq. ft.
Proposed Total Building Floor Area	14,660±	sq. ft.
Proposed Building Floor Area Net Change	- 5,710	sq. ft.
New Building	No	(yes or no)

**ZONING**

Existing	B2
Proposed, if applicable	

**LAND USE**

Existing	Retail
Proposed	Retail

**RESIDENTIAL, IF APPLICABLE**

Proposed Number of Affordable Housing Units	
Proposed Number of Residential Units to be Demolished	
Existing Number of Residential Units	
Proposed Number of Residential Units	
Subdivision, Proposed Number of Lots	

**PARKING SPACES**

Existing Number of Parking Spaces	35
Proposed Number of Parking Spaces	40
Number of Handicapped Parking Spaces	2
Proposed Total Parking Spaces	40

**BICYCLE PARKING SPACES**

Existing Number of Bicycle Parking Spaces	0
Proposed Number of Bicycle Parking Spaces	0
Total Bicycle Parking Spaces	0

**ESTIMATED COST OF PROJECT**

\$ 550,000

**Please check all reviews that apply to the proposed development**

Design Review	X	Stormwater Quality	
Flood Plain Review	_____	Traffic Movement	
Historic Preservation	_____	Zoning Variance	
Housing Replacement	_____	Historic District/Landmark	
14-403 Street Review	_____	Off Site Parking	
Shoreland	_____	Multi-Family Dwelling	X
Site Location Act Local Review	_____	B-3 Pedestrian Activity Review	
Single Family Dwelling	_____	Change of Use	
2 Family Dwelling	_____		

**APPLICATION FEE:**

Check all reviews that apply. Payment may be made in cash or check to the City of Portland.

<p><b>Major Development (more than 10,000 sq. ft.)</b></p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p><b>Plan Amendments</b></p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input type="checkbox"/> Planning Board Review (\$500.00)</p> <p><b>Subdivision</b></p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + (applicable Major site plan fee)</p>
<p><b>Minor Site Plan Review</b></p> <p><input checked="" type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 plus applicable application fee)</p>	<p><b>Other Reviews</b></p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____)</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00)</p> <p><input type="checkbox"/> Storm water Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other _____</p>

**DEVELOPMENT REVIEW APPLICATION SUBMISSION**

Submissions shall include seven (7) packets with folded plans containing the following materials:

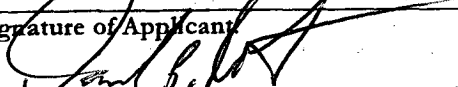
1. Seven (7) full size site plans that must be folded.
2. Application form that is completed and signed.
3. Cover letter stating the nature of the project.
4. All Written Submittals (Sec. 14-525 2. (c), including evidence of right, title and interest.
5. A stamped standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
6. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
7. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
8. One (1) set of plans reduced to 11 x 17.

Refer to the application checklist (page 9) for a detailed list of submittal requirements.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: [www.portlandmaine.gov](http://www.portlandmaine.gov) Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

**This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.**

<p>Signature of Applicant: </p>	<p>Date: 1/29/10</p>
--	----------------------

# Site Plan Checklist

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

Retail Units, 364 Forest Avenue

**Project Name, Address of Project**

**Application Number**

(The form is to be completed by the Applicant or Designated Representative)

Check Submitted		Required Information	Section 14-525 (b,c)
Applicant	Staff		
X		Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
X		Name and address of applicant and name of proposed development	a
X		* Scale and north points	b
X		* Boundaries of the site	c
X		* Total land area of site	d
X		* Topography - existing and proposed (2 feet intervals or less)	e
		Plans based on the boundary survey including:	2
N/A		* Existing soil conditions	a
N/A		* Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
X		* Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
X		* Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards ( <u>example page 11 of packet</u> )	d
None		* Location of on-site waste receptacles	e
X		* Public utilities	e
X		* Water and sewer mains	e
X		* Culverts, drains, existing and proposed, showing size and directions of flows	e
None		* Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
X		* Location and dimensions of on-site pedestrian and vehicular access ways	g
X		* Parking areas	g
None		* Loading facilities	g
X		* Design of ingress and egress of vehicles to and from the site onto public streets	g
X		* Curb and sidewalks	g
		Landscape plan showing:	h
X		* Location of existing vegetation and proposed vegetation	h
		* Type of vegetation	h
		* Quantity of plantings	h
		* Size of proposed landscaping	h
		* Existing areas to be preserved	h
		* Preservation measures to be employed	h
		* Details of planting and preservation specifications	h
		* Location and dimensions of all fencing and screening	i
		Location and intensity of outdoor lighting system	j
		Location of fire hydrants, existing and proposed ( <u>refer to Fire Department checklist - page 11</u> )	k
		Written statements to include:	c
		* Description of proposed uses to be located on site	cl
		* Quantity and type of residential, if any	cl
		* Total land area of the site	c2
		* Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
		* General summary of existing and proposed easements or other burdens	c3
		* Type, quantity and method of handling solid waste disposal	c4
		* Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets ( <u>refer to the wastewater capacity application - page 12</u> )	c5
		* Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

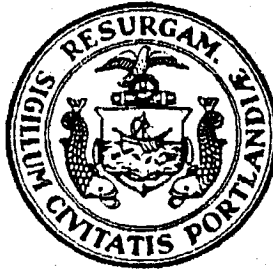
_____	_____	* An estimate of the time period required for completion of the development	7
_____	_____	* A list of all state and federal regulatory approvals to which the development may be subject to, the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
_____	_____	* Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	
_____	_____	* Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
_____	_____	* A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
_____	_____	A jpeg or pdf of the proposed site plan, if available.	
_____	_____	Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- |   |   |
|---|---|
| - drainage patterns and facilities                                  | - an environmental impact study                           |
| - erosion and sedimentation controls to be used during construction | - a sun shadow study                                      |
| - a parking and/or traffic study                                    | - a study of particulates and any other noxious emissions |
| - a wind impact analysis  | - a noise study   |

# CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,  
55 Portland Street,  
Portland, Maine 04101-2991



Mr. Frank J. Brancely,  
Senior Engineering Technician,  
Phone #: (207) 874-8832,  
Fax #: (207) 874-8852,  
E-mail: fjb@portlandmaine.gov

Date: December 17, 2009

## 1. Please, Submit Utility, Site, and Locus Plans.

Site Address: 326, 332-336 Forest Avenue  
*(Regarding addressing, please contact Leslie Kaynor, either at 756-8346, or at LMK@portlandmaine.gov)*

Chart Block Lot Number: \_\_\_\_\_

Proposed Use: Retail  
Previous Use: Retail  
Existing Sanitary Flows: 2500 (Est.) GPD  
Existing Process Flows: 2500 (Est.) GPD  
Description and location of City sewer, at proposed building sewer lateral connection:  
Existing Connection - See Plan

Site Category	Commercial	<u>X</u>
	Industrial <i>(complete part 4 below)</i>	_____
	Governmental	_____
	Residential	_____
	Other <i>(specify)</i>	_____

*Clearly, indicate the proposed connection, on the submitted plans.*

## 2. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: \_\_\_\_\_ 2500 (Est.) GPD  
Peaking Factor/ Peak Times: 2  
Specify the source of design guidelines: *(i.e. "Handbook of Subsurface Wastewater Disposal in Maine," "Plumbers and Pipe Fitters Calculation Manual," Portland Water District Records, Other (specify))*

**Note: Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet.**

## 3. Please, Submit Contact Information.

Owner/Developer Name:	<u>Oakhurst Properties, LLC</u>	Contact: <u>Tom Brigham</u>
Owner/Developer Address:	<u>354 Forest Avenue Portland, ME 04101</u>	
Phone: <u>207-772-7468</u>	Fax: _____	E-mail: <u>tbrigham@oakhurstdairy.com</u>
Engineering Consultant Name:	<u>BH2M Engineers</u>	
Engineering Consultant Address:	<u>28 State St. Gorham, ME 04038</u>	
Phone: <u>207-839-2771</u>	Fax: <u>207-839-8250</u>	E-mail: <u>lberry@bh2m.com</u>
City Planner's Name:	_____	Phone: _____

**Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review.**

## 4. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: \_\_\_\_\_ GPD  
Do you currently hold Federal or State discharge permits? Yes \_\_\_\_\_ No \_\_\_\_\_  
Is the process wastewater termed categorical under CFR 40? Yes \_\_\_\_\_ No \_\_\_\_\_  
OSHA Standard Industrial Code (SIC): \_\_\_\_\_  
*(<http://www.osha.gov/oshstats/sicser.html>)*  
Peaking Factor/Peak Process Times: \_\_\_\_\_



- **Note:** On the submitted plans, please show the locations, where the building's sanitary, and process water sewer laterals, exit the facility, where they enter the city's sewer, the location of any control manholes, wet wells, or other access points, and the locations of any filters, strainers, or grease traps.

**Notes, Comments, or Calculations:**

See Plan.

SUBJECT  
Lot 3, 7, 8

**WARRANTY DEED**  
(Maine Statutory Short Form)

**KNOW ALL PERSONS BY THESE PRESENTS THAT we, WYATT GARFIELD, JR. and RACHEL B. GARFIELD, as Trustees of the Wyatt Garfield, Jr. Living Trust dated May 24, 2001, and WYATT GARFIELD, JR. and RACHEL B. GARFIELD, as Trustees of the Rachel B. Garfield Living Trust dated May 24, 2001, grant to OAKHURST PROPERTIES LLC, a Maine limited liability company with a mailing address of 364 Forest Avenue, Portland, Maine 04101, with WARRANTY COVENANTS, the following real property together with all buildings and improvements thereon located in the City of Portland, County of Cumberland and State of Maine:**

See attached Exhibit A incorporated by reference herein.

And the grantors, in their capacity as Trustees of both (i) the Wyatt Garfield, Jr. Living Trust dated May 24, 2001, and (ii) the Rachel B. Garfield Living Trust dated May 24, 2001, do hereby covenant with the grantee, and the grantee's successors and assigns, that the grantors are the sole Trustees pursuant to each of said Trusts; that both of said Trusts are still in full force and effect; that neither of said Trusts has been amended; that the grantors have the power under each of said Trusts to convey as aforesaid; and that in making this conveyance, the grantors have, in all respects, acted pursuant to and in accordance with the authority vested and granted to the grantors under each of said Trusts.

IN WITNESS WHEREOF, Wyatt Garfield, Jr. and Rachel B. Garfield have hereunto set their hands and seals this 1<sup>st</sup> day of May 2009.

WYATT GARFIELD, JR. LIVING TRUST

[Signature]  
Witness

[Signature]  
by: Wyatt Garfield, Jr., Trustee

[Signature]  
Witness

[Signature]  
by: Rachel B. Garfield, Trustee

RACHEL B. GARFIELD LIVING TRUST

*[Signature]*  
Witness

*[Signature]*  
by: Rachel B. Garfield, Trustee

*[Signature]*  
Witness

*[Signature]*  
by: Wyatt Garfield, Jr., Trustee

STATE OF MAINE  
CUMBERLAND, ss.

May 1, 2009

Personally appeared the above named Wyatt Garfield, Jr. and Rachel B. Garfield, Trustees of the Wyatt Garfield, Jr. Living Trust, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of the Wyatt Garfield, Jr. Living Trust.

Before me,

*[Signature]*  
~~Notary Public~~/Attorney at Law

*Thomas G. Leahy*

STATE OF MAINE  
CUMBERLAND, ss.

May 1, 2009

Personally appeared the above named Wyatt Garfield, Jr. and Rachel B. Garfield, Trustees of the Rachel B. Garfield Living Trust, and acknowledged the foregoing instrument to be their free act and deed in their said capacity and the free act and deed of the Rachel B. Garfield Living Trust.

Before me,

*[Signature]*  
~~Notary Public~~/Attorney at Law

*Thomas G. Leahy*

## EXHIBIT A

Certain lots or parcels of land with any improvements thereon situated on the southwesterly side of Forest Avenue in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

**First:** Beginning on the said southwesterly side of Forest Avenue at the southeasterly corner of land conveyed by The Dartmouth Company to KJW Land Co. by deed dated December 13, 1977 and recorded in Cumberland County Registry of Deeds, Book 4147, Page 45; thence southeasterly by Forest Avenue one hundred twenty (120) feet, more or less, to the northeasterly corner of land conveyed by Maine Savings Bank to Avon Corp. by deed dated October 31, 1941, recorded in said Registry of Deeds, Book 1658, Page 128; thence southwesterly by said land formerly of Avon Corp. two hundred ten (210) feet, more or less, to the northeasterly side of Durham Street; thence northwesterly by said Durham Street one hundred twenty (120) feet, more or less, to said land conveyed by The Dartmouth Company to KJW Land Co.; thence northeasterly by said land now or formerly of KJW Land Co. two hundred ten (210) feet, more or less, to the point of beginning on the southwesterly side of Forest Ave.

**Second:** A certain lot or parcel of land with any buildings thereon situated on the westerly side of Forest Avenue in said Portland and bounded and described as follows: Beginning at a stone monument marking a small angle in the westerly line of said Forest Avenue, said monument being eighty-two and eight hundredths (82.08) feet northerly from the intersection of said westerly line of Forest Avenue with the northerly line of Bedford Street, and also being at the northeasterly corner of a lot of land heretofore conveyed by Marion D. Noyes et als to one Frank H. Van Blarcom by their deed dated July 9, 1919, and recorded in the Cumberland Registry in Book 1028, Page 101; thence running northwesterly and along said westerly line of Forest Avenue, sixty (60) feet; thence at right angles and southwesterly one hundred five (105) feet; thence at right angles and southeasterly sixty (60) feet to the northwest corner of the said Van Blarcom lot; and thence at right angles and northeasterly, and along the northerly line of said Van Blarcom lot, one hundred five (105) feet to the westerly line of said Forest Avenue at the point or place of beginning, said lot having an area of six thousand three hundred (6,300) square feet.

**Third:** A certain lot or parcel of land with any buildings thereon in said Portland and adjoining the westerly end of the lot above conveyed, and bounded and described as follows: Beginning at a point on the northerly line of Bedford Street, distant one hundred five (105) feet, from the point of its intersection with the westerly line of Forest Avenue, said point being the southwesterly corner of the lot of land heretofore conveyed to Frank H. Van Blarcom by the deed above referred to; thence running westerly, and along said northerly line of Bedford Street, one hundred nine and fourteen hundredths (109.14) feet, more or less, to its point of intersection with the easterly line of Durham Street located within the limits of the abandoned Portland & Rochester Railroad location; thence northwesterly, along the easterly line of said Durham Street and at an angle of  $105^{\circ} 51'$ , eighty-three and fifty-five hundredths (83.55) feet; thence at a right angle and northeasterly one hundred five (105) feet to the northwest corner of the lot first above

conveyed; and thence southeasterly and along the westerly line of the lot first above conveyed and the westerly line of said Van Blarcom lot, one hundred thirteen and thirty-three hundredths (113.33) feet, more or less to the westerly line of Bedford Street at the point or place of beginning, said lot having an approximate area of ten thousand three hundred thirty-six (10,336) square feet.

Also, a certain lot or parcel of land with the buildings thereon, situated on the Northwest corner of Forest Avenue and Bedford Street in said City of Portland, and bounded and described as follows:

Beginning at a stake at the intersection of the westerly sideline of Forest Avenue and the northerly sideline of Bedford Street, and thence running northwesterly along said westerly line of Forest Avenue eighty-two and eight hundredths (82.08) feet to a stone monument marking a small angle in said westerly line of Forest Avenue; thence southwesterly and at an included angle of eighty-seven degrees thirteen minutes ( $87^{\circ} 13'$ ) one hundred five (105) feet; thence southeasterly, and at an angle of ninety degrees ( $90^{\circ}$ ), fifty-three and thirty-three hundredths (53.33) feet to the said northerly line of Bedford Street; and thence easterly, and at an included angle of one hundred five degrees fifty minutes ( $105^{\circ} 50'$ ) along said northerly line of Bedford Street one hundred five (105) feet to the point or place of beginning; said lot containing an area of six thousand nine hundred ninety-seven (6,997) square feet, approximately.

Being the same premises conveyed to the Grantors herein by Deed of Wyatt Garfield, Jr. and Rachel Garfield dated April 28, 2003 and recorded in the Cumberland County Registry of Deeds in Book 20419, Page 132.

Received  
Recorded Register of Deeds  
May 01, 2009 03:16:20P  
Cumberland County  
Pamela E. Lovley

# NRG® 1100

FULL CUTOFF  
COMPACT WALLPACK

Cat #		Approvals
Job	Type	

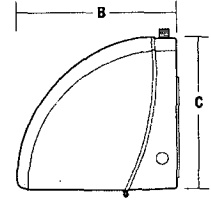
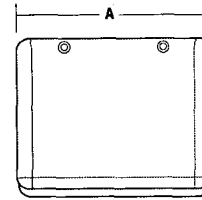
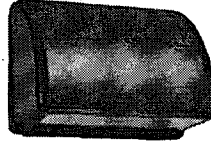


### APPLICATIONS

- Use for wall perimeter or entry at mounting heights of 8-15 feet.

### SPECIFICATIONS

- Hubbell Outdoor Lighting's newest NRG® family to be introduced late in the second quarter 2007 is packed with owner benefits. The StarView compliant optics allow no up light, saving energy and keeping the neighbors happy!
- The decorative styling is also rugged with one piece polycarbonate front, painted bronze or white on the inside; that resists rocks and other small projectiles.
- The die cast housing provides rigid mounting, conduit and photocontrol hubs, easy mount design and heat dissipation.



<b>A</b>	<b>B</b>	<b>C</b>
11 <sup>3</sup> / <sub>4</sub> "	9 <sup>1</sup> / <sub>2</sub> "	9 <sup>1</sup> / <sub>2</sub> "
298 mm	241 mm	241 mm

### LISTINGS

- CSA certified to UL1598 for use in wet locations.



StarView compliant



## ORDERING INFORMATION

Catalog Number <sup>1</sup>	Wattage/Volts	Finish	Weight	
			lbs	(kg)
<b>PULSE START METAL HALIDE</b>				
<b>NRG-1111-B</b>	100 PS 120, 277, 347	bronze	12	(5.4)
<b>NRG-1111-W</b>	100 PS 120, 277, 347	white	12	(5.4)
<b>NRG-1171-B</b>	70 PS 120, 277, 347	bronze	11	(5.0)
<b>NRG-1171-W</b>	70 PS 120, 277, 347	white	11	(5.0)
<b>NRG-1151-B</b>	50 PS 120, 277	bronze	9	(4.1)
<b>NRG-1151-W</b>	50 PS 120, 277	white	9	(4.1)
<b>HIGH PRESSURE SODIUM</b>				
<b>NRG-1112-B</b>	100 PS 120, 277, 347	bronze	10	(4.5)
<b>NRG-1112-W</b>	100 PS 120, 277, 347	white	10	(4.5)
<b>NRG-1172-B</b>	70 PS 120, 277, 347	bronze	9	(4.1)
<b>NRG-1172-W</b>	70 PS 120, 277, 347	white	9	(4.1)
<b>ELECTRONIC FLUORESCENT</b>				
<b>NRG-1143-B</b>	42 CFL 120-277 60/50hz	bronze	7	(3)
<b>NRG-1143-W</b>	42 CFL 120-277 60/50hz	white	7	(3)

<sup>1</sup> All fixtures include medium base or compact fluorescent lamps. Fluorescent units use universal socket and are capable of operating 26 or 32-watt PLT lamps if substituted in the field.

### ACCESSORIES

(order as separate part #, field installed)

Catalog Number	Description
<b>PBT-1</b>	Photocontrol, button type, 120V
<b>PBT-234</b>	Photocontrol, button type, 208, 240, 277V

Due to our continued efforts to improve our products, product specifications are subject to change without notice.



Hubbell Outdoor Lighting • 701 Millennium Boulevard • Greenville, SC 29607 • PHONE: 864-678-1000

For more information visit our web site: [www.hubbell-itg.com](http://www.hubbell-itg.com)



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February 8, 2010

Barbara Barhydt  
Development Review Services Manager  
Planning Division  
389 Congress Street, 4<sup>th</sup> Floor  
Portland, ME 04101

RE: Oakhurst Dairy

Dear Barbara,

This letter will confirm that Oakhurst Dairy has the capacity under currently approved Credit Facilities to complete the proposed construction project at 326 Forest Avenue. It is my understanding that the project is estimated to cost \$450M - \$500M.

Please let me know if you need any additional information.

Sincerely,

Laura C. Foye  
Senior Vice President  
207-253-6630



# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life* ° [www.portlandmaine.gov](http://www.portlandmaine.gov)

**Public Services Department**  
**Michael J. Boblinsky, Director**

1 April 2010

Mr. Lester S. Berry, P. E.,  
Berry, Huff, McDonald, Milligan, Inc.  
28 State Street,  
Gorham, Maine 04038

**RE: The Capacity to Handle Anticipated Wastewater Flows,  
from a Proposed Separate Mercantile Space Reuse, at 326 Forest Avenue.**

Dear Mr. Berry:

The existing thirty-inch diameter, vitrified clay, sanitary sewer pipe, located in Forest Avenue, has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat**, the total anticipated wastewater flows of **2,547 GPD**, from this proposed project.

**Anticipated Wastewater Flows from This Proposed Retail Development:**

13,070 Square Feet of Proposed Retail Space @ 0.1 GPD/Square Foot	= 1,307 GPD
3 Proposed Public Water Closets @ 400 GPD/Water Closet	= 1,200 GPD
40 Proposed Parking Spaces @ 1 GPD/Parking Space	= 40 GPD
<b>Total Proposed Wastewater Flows, for this Project</b>	<b>= 2,547 GPD</b>

If The City can be of further assistance, please call 874-8832.

Sincerely,  
CITY OF PORTLAND

Frank J Brancely, B.A., M.A.  
Senior Engineering Technician

FJB

- CC: Penny Littell, Director, Department of Planning, and Urban Development, City of Portland  
 Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland  
 Shukria Wiar, Planner, Planning Division, Department of Planning, and Urban Development, City of Portland  
 David Margolis-Pineo, Deputy City Engineer, City of Portland  
 Michael Farmer, P.E., Project Engineer, City of Portland  
 Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland  
 Stephen K. Harris, Assistant Engineer, City of Portland  
 John Emerson, Wastewater Coordinator, City of Portland  
 Jane Ward, Administrative Assistant, City of Portland  
 Desk file



**MISC1**



Berry, Huff, McDonald, Milligan Inc.  
Engineers, Surveyors

LESTER S. BERRY  
WILLIAM A. THOMPSON  
ROBERT C. LIBBY, Jr.  
WALTER E. PELKEY

January 28, 2010

Barbara A. Barhydt  
Development Review Services Manager  
City of Portland Water District  
389 Congress Street  
Portland, ME 04101-3509

RE: Retail Units  
326, 332-336 & 338 Forest Avenue

Dear Barbara:

Oakhurst Properties LLC owns a 48,890 s.f. parcel of land with an existing building and parking lot at 326, 332-336 & 338 Forest Avenue. Currently, the site is used as retail sales space with a common parking lot that is used for the retail and truck parking for Oakhurst Dairy. It is their intention to rehabilitate the site into six retail spaces.

#### Proposed Site Work

The site is currently (almost entirely) impervious surface (21,522 s.f. building and 26,045 s.f. pavement). The proposed project will include:

1. Demolishing the rear 5,616 s.f. of building.
2. Rehabilitating the remaining building.
3. Constructing a parking lot to the rear of the building (in the demolished building space).
4. Constructing landscaped areas around the new parking lot.
5. Installing knockdown bollard in the existing parking lot to separate the retail parking area from the truck parking area.

#### Solid Waste

Solid waste from the retail units will be stored inside the building and then disposed of by private hauler. No exterior dumpster.



**Corporate Office:**

19 Industrial Park Road  
P.O. Box 728  
Saco, ME 04072  
Phone (207) 282-7697  
Fax (207) 283-4549  
www.pmconstruction.com

May 26, 2010

Shukria Wiar, Planner  
City of Portland, Division of  
Planning  
389 Congress Street  
Portland, ME 04101

Re: 336 FOREST AVENUE  
Address: 336 FOREST AVENUE CBL: 114A-F008-001  
Project ID: 10-79900001  
Applicant: OAKHURST PROPERTIES, LLC

Dear Shukria:

Enclosed is the Final set of plans on a CD, in AutoCAD format  
(\* ,dwg), release AutoCAD 2005 or greater.

Please let me know if you have any questions of if you need  
additional information.

Sincerely,

A handwritten signature in cursive script that reads 'Laura J. Blanchette'.

Laura J. Blanchette  
Director of Business Development  
PM Construction



**Corporate Office:**

19 Industrial Park Road  
P.O. Box 728  
Saco, ME 04072  
Phone (207) 282-7697  
Fax (207) 283-4549  
www.pmconstruction.com

May 19, 2010

Shukria Wiar, Planner  
City of Portland, Division of  
Planning  
389 Congress Street  
Portland, ME 04101

Re: 336 FOREST AVENUE  
Address: 336 FOREST AVENUE CBL: 114A-F008-001  
Project ID: 10-79900001  
Applicant: OAKHURST PROPERTIES, LLC

Dear Shukria:

Attached are the revised seven sets of drawings per the planning department approval letter dated April 16, 2010. The revisions you have requested have been made to the plans. We have modified the site plans by adding ramps which the State Fire Marshall required to bring the building up to current ADA code. These ramps do not encroach on city property, and we would like to submit this as a diminimus change to the plans.

I have also submitted the draft of the performance guarantee to Phil DiPierro on Monday 5/17/10 as soon as he gets back to us with the final number Oakhurst will have the letter of credit drafted.

Please let me know if you have any questions of if you need additional information.

Sincerely,

A handwritten signature in black ink that reads 'Laura J. Blanchette'. The signature is written in a cursive, flowing style.

Laura J. Blanchette  
Director of Business Development  
PM Construction

## Shukria Wiar - RE: Oakhurst Properties

---

**From:** Shukria Wiar  
**To:** Barbara Barhydt; Laura Blanchette  
**Date:** 7/16/2010 4:03 PM  
**Subject:** RE: Oakhurst Properties  
**CC:** Philip DiPierro  
**Attachments:** 20100709160012602.pdf

---

Hello Laura,

The proposed change to eliminate the vestibule entrances at the rear portion of the building at 326 Forest Ave to flush entrances, as described below (see your email from July 9th) and shown on the attached drawings, has been approved by the Planning Authority.

If you have any questions, please do not hesitate to contact me.

Thank you.

Shukria

Shukria Wiar, Planner  
City of Portland, Division of Planning  
389 Congress Street, Portland, ME 04101  
Ph: 207-756-8083 Fax: 207-756-8258

>>> "Laura Blanchette" <lblanchette@pmconstruction.com> 7/12/2010 2:56 PM >>>

It will still be an aluminum storefront door as was designated.

Thanks,

Laura

Laura J. Blanchette

Director of Business Development

(207)282-7697 phone

(207)283-4549 fax

(207)423-3517 cell

[www.pmconstruction.com](http://www.pmconstruction.com)

-----Original Message-----

From: scanner@pmconstruction.com [mailto:scanner@pmconstruction.com]

Sent: Friday, July 09, 2010 4:00 PM

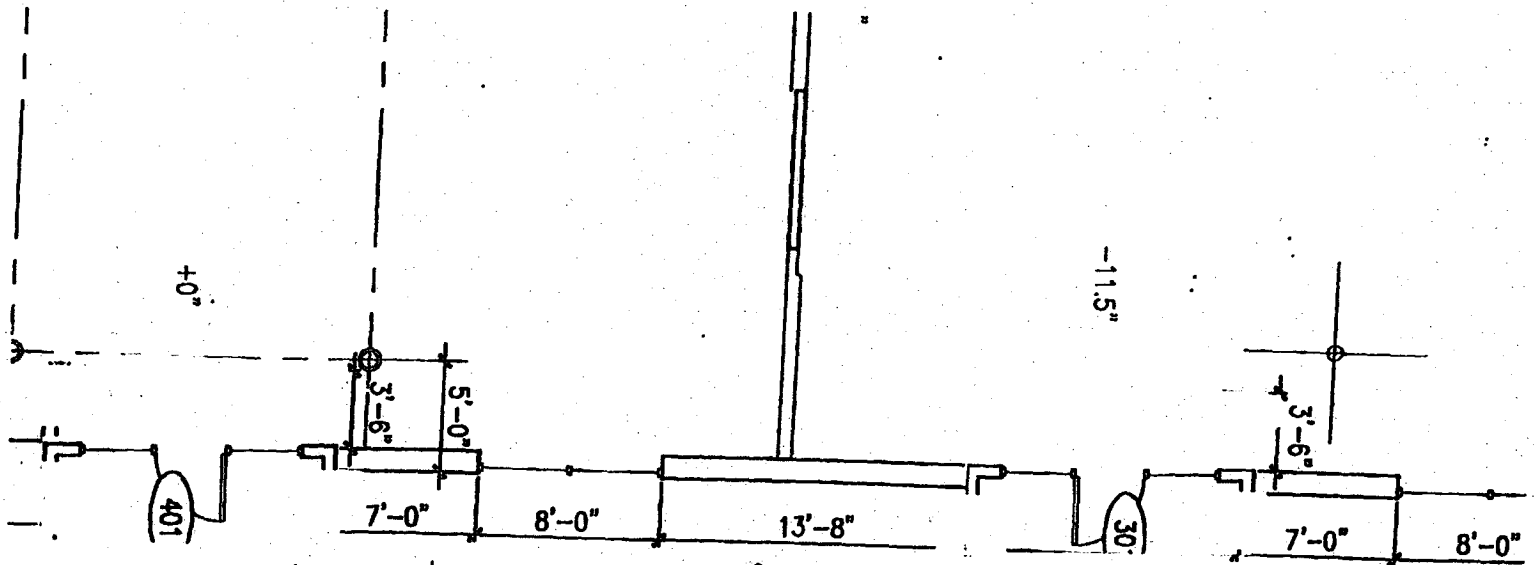
To: Laura Blanchette

Subject:

This E-mail was sent from "RNP01097B" (Aficio MP C4000).

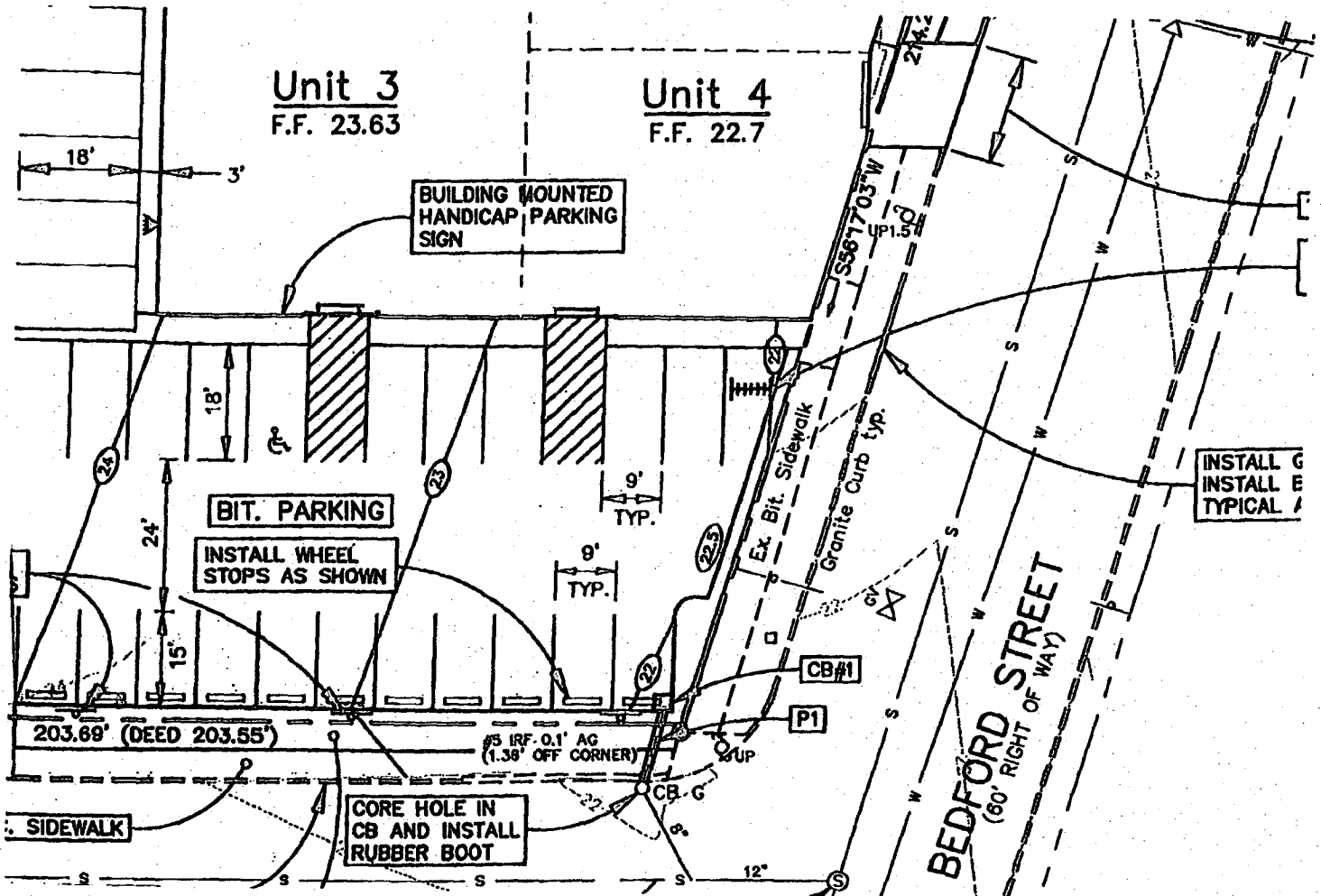
Scan Date: 07.09.2010 16:00:12 (-0400)

Queries to: scanner@pmconstruction.com



From drawing A1.1 ↑ CWS

From Sheet 1 ↓ BH2M



**City of Portland  
Development Review Application  
Planning Division Transmittal form**

**Application Number:** 10-79900001      **Application Date:** 1-30-10  
**Project Name:** RETAIL AND PARKING  
**Address:** 326 Forest Ave      **CBL:** 114A- F-008-001  
**Project Description:** Forest Avenue - 326; Retail And Parking; Oakhurst Properties, Applicant.  
**Zoning:** B2

**Other Reviews Required:**

**Review Type:** MINOR SITE PLAN

Pizzagalli Construction  
 Tim Gallagher

Portland Me 04101

**Distribution List:**

<input checked="" type="checkbox"/> Planner	Barbara Barhydt	<input checked="" type="checkbox"/> City Arborist	Jeff Tarling
<input checked="" type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input type="checkbox"/> Design Review	Alex Jaegerman
<input checked="" type="checkbox"/> Traffic	Tom Errico	<input type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input type="checkbox"/> Inspections	Tammy Munson	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input checked="" type="checkbox"/> Fire Department	Keith Gautreau	<input checked="" type="checkbox"/> Stormwater	Dan Goyette
<input type="checkbox"/> Parking	John Peverada	<input type="checkbox"/> Historic Preservation	Deb Andrews
<input checked="" type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
<input type="checkbox"/> DRC Coordinator	Phil DiPierro		



**Preliminary Comments needed by: March 24, 2010-** The applicant has submitted a cover letter that addresses the Development Review Committee comments. There is no revised site plan.

**Final Comments needed by: March 31, 2010**





**Corporate Office:**  
19 Industrial Park Road  
P.O. Box 728  
Saco, ME 04072  
Phone (207) 282-7697  
Fax (207) 283-4549  
www.pmconstruction.com

March 12, 2010

Shukria Wiar, Planner  
City of Portland, Division of Planning  
389 Congress Street  
Portland, ME 04101

Re: 336 FOREST AVENUE  
Address: 336 FOREST AVENUE  
114A-F008-001  
Project ID: 10-79900001  
Applicant: OAKHURST PROPERTIES, LLC

CBL:

Dear Shukria:

Thank you for reviewing our application for a proposed surface parking lot and building renovation for Oakhurst Properties at 326-336 Forest Avenue. Attached are our comments to the city's review and suggestions of our application materials.

A. Planning Shukria Wiar

- a. There a number of existing curb cuts on Bedford Street. One of these curb cuts is proposed to close; after reviewing the site plan, it is recommended that the curb cuts be closed off. There is an existing loading door, which is believed to be non-functioning. The plan was to close the curb cut closest to Durham Street because that will be next to the new paved area. The existing OH door is going to be used for garbage removal. Individual cans that will be stored inside and we would like to leave at least a 12' opening here so garbage trucks can access this door. The final curb cut closest to Forest Ave will be closed as requested. All of these items can't be done until July/August 2013, so a value will be placed on them to be held as a Performance Guarantee.
- b. The sidewalk material for this area is concrete. The proposed sidewalk on the site plan is bituminous; all proposed sidewalks shall be concrete. If the applicant wants to propose something that is not concrete, the waiver will need to be request from the City Council. The proposed sidewalk on Durham Street will be changed from

bituminous to concrete as requested. The sidewalk on Bedford Street will not be disturbed and is in good shape so we would prefer to leave it as is. There is a note that shows replacing one small section, we will be removing that note and leaving the concrete.

- c. **Waivers shall be submitted for the parking stalls that are not meeting the City standards of 9'x 19' dimensions.** Waivers will be requested to allow for these parking stalls.
- d. **Show the landscaping scheme for the area on Bedford Street.** Landscaping on Bedford Street is existing and is not part of this project.
- e. **It is recommended the proposed bollards be replaced with either landscaping islands or planters.** Tom Brigham from Oakhurst met with Jeff Tarling on 3/8/10, and agreed the dividing with guardrail is Ok. Several trees will be added to the plantings on Durham Street.
- f. **The survey and site plans shall be stamped by a surveyor and engineer, respectively.** OK
- g. **Remove the planning board signature block.** OK

#### **B. Zoning Preliminary Comments**

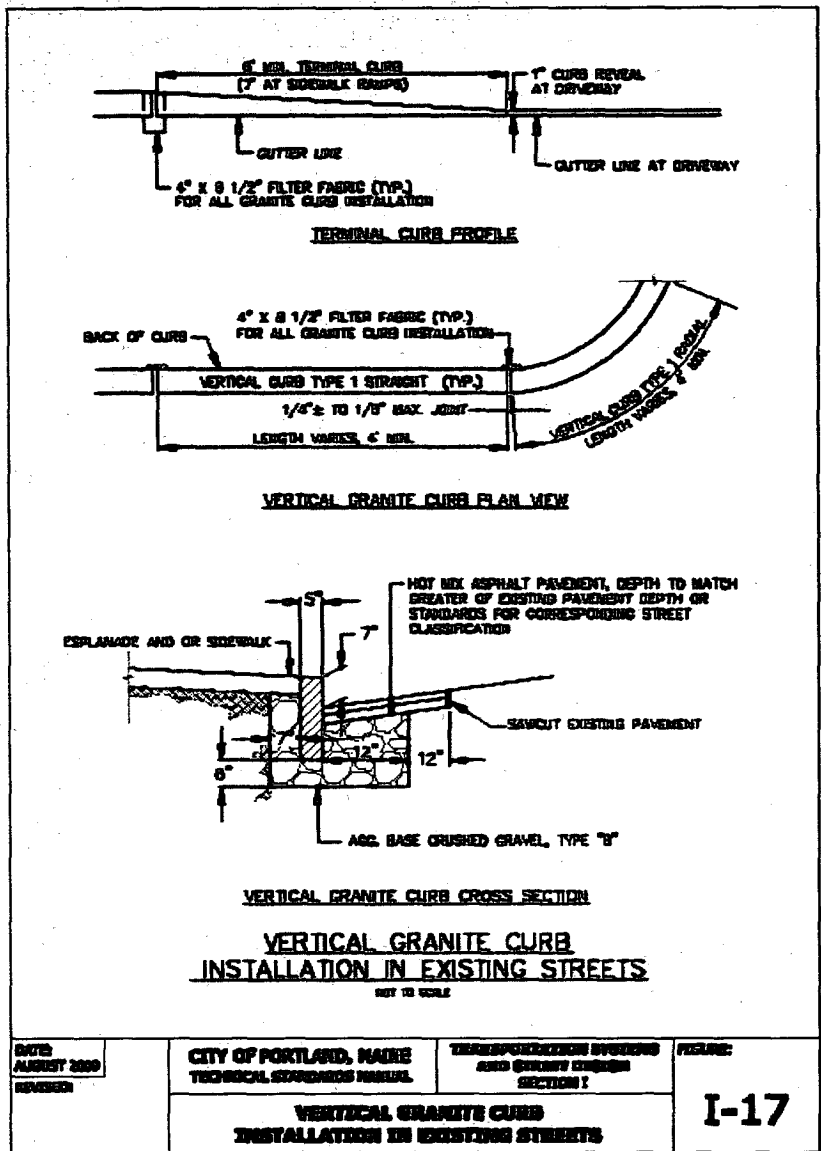
1. **This project is located in a B-2 Business Zone. The existing building was considered to be completely retail (was World Over Imports). 5,616 square feet of building located along Durham Street is proposed to be removed. That area is proposed to be turned into additional parking for the retail. This is not considered to be a change of use for the property.**
2. **Because the space will be divided up into six separate retail spaces, using the methodology for calculating first floor parking spaces, only 12 spaces are required for the retail shops. 37 parking spaces are being shown. It is noted that the new spaces abutting the end of the building are very narrow. It is recommended that several spaces be removed to get a better width of parking space. Section 14-339 requires continuous guards where vehicles are to be parked within 10 feet of any street line. There is an entire row of parking within 10 feet of Durham Street which will need to meet the requirements of 14-339. It is noted that the submitted plans show details of guard rails, but the site plan does not indicate where any guard rails will be located. The plans should indicate where such guard rails will be located. We will swap the compact parking abutting the building with that along the sidewalk. This will likely result in a loss of one space. We would like to propose the use of precast curb stops for the spaces along Durham Street due to space restrictions.**
3. **No bike racks are indicated on the plans as required. A bike rack for 6 bikes will be provided in empty the parking area up front or we can make room in the back as the City prefers. A cut sheet on the bike rack we are proposing is attached.**
4. **The B-2 Zone requires an 80% impervious surface. This is an already developed site with a predevelopment impervious surface of 97.30%. Post development impervious surfaces have been reduced**

to 91%. If any more pervious surfaces could be created, that would be encouraged. Because this is a site that has been previously developed and the majority of the principal building is remaining, the site is not required to be brought fully up to all B-2 standards. Additional impervious areas will be added per traffic engineers comments.

5. **Separate permits are required for any new signage.** Noted, no signs are being provided as part of this project.

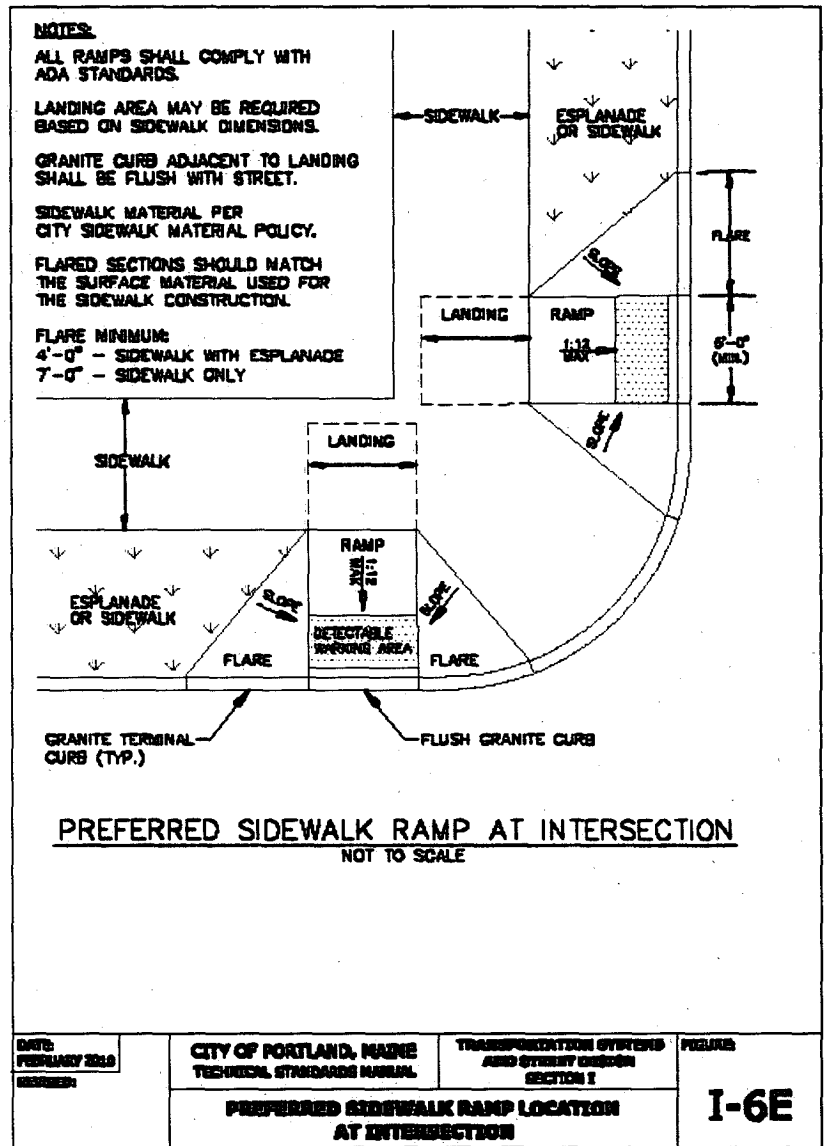
**C. Deputy City Engineer David Margolis-Pineo**

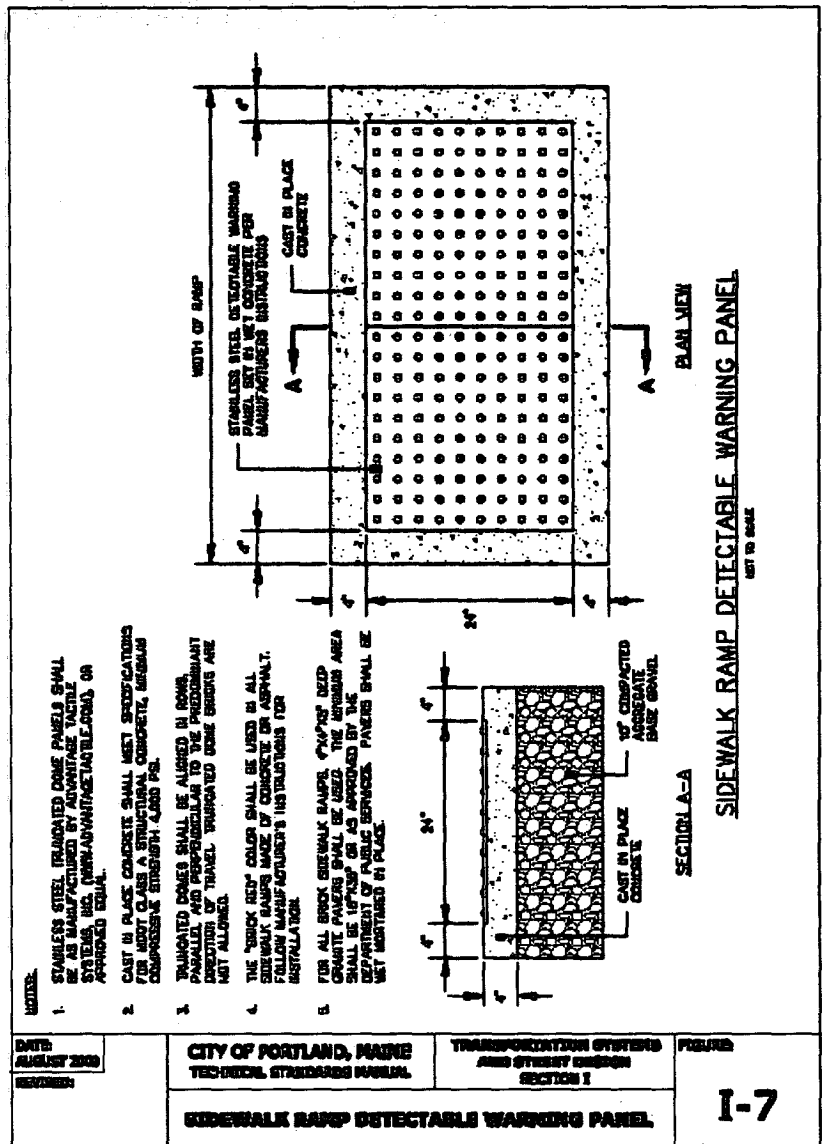
1. **Portland standards require three foot sumps for catchbasins, even on private property when they discharge to a City system. A 3' sump will be added to plans and installed.**
2. **Applicant is request to provide a bike rack. Previously addressed – bike rack will be added.**
3. **Please use the following detail for vertical granite curb installation. Granite will be installed per this detail. Detail will be added to the plans.**



4. The sidewalk material policy for this area of Portland including Bedford and Durham Street is concrete; therefore the sidewalks on both streets shall be constructed in concrete. The applicant has indicated the intent to install a proposed catchbasin (three foot sump) in the corner of the new parking lot and core drill into the City's existing catchbasin. The applicant has also indicated the intent to reinstall vertical granite curbing on Durham Street. The City request that the slope faced curbing on Durham Street is replaced with vertical curbing. The City does have some stockpiled curbing which may be used to fill this void at minimal cost. Please contact Marc Spiller (756-8162) of this department for details. As part of this work the City is requesting that the

sidewalk ramp be reconstructed as shown in the following figure with pedestrian traffic being directed perpendicular to Durham Street and not diagonally into Bedford Street.





Please note revised color for the tactile warning strip is now "Yellow" and not "Brick Red" as stated above. In addition, Bedford Street is currently under a paving moratorium until August of 2013. The City would like the applicant to close all curb cuts on Bedford Street, not just the one indicated on the plans. As stated above, the sidewalks on both Bedford and Durham Street shall be constructed with concrete. However, since Bedford Street is under a moratorium, this department is agreeable to a Performance Guarantee to complete this work after July of 2013. All granite curb to be installed with be vertical and will match. The sloped with not be reused, this note will be changed on the plans. As previously noted the sidewalk

on Durham Street will be constructed in concrete and noted on the plans as such. The sidewalk along Bedford Street is not going to be disturbed (curbs are next to an existing esplanade) and are in good shape so we would request to leave them as is. The note on replacing that small section will be removed and existing concrete in this area will remain. As far as the ramp this is outside the scope of work of this job so we would like to leave it as is.

5. The 12" SD from the applicant's proposed catchbasin to the City's existing catch basin shall be SDR-35 PVC or approved equal. N-12 is not allowed. This change will be made and noted on the plans.

**D. Traffic Engineer Tom Errico**

1. It is my suggestion that the proposed center guard rail be replaced with a raised landscaped median. The width of the median could be accomplished by reducing the aisle width on the retail land use side from 27 to 24 feet and reducing the 42 foot aisle width on the Oakhurst Dairy side. I would ask that the applicant provide an auto-turn template in determining the appropriate aisle width reduction. See previous response on this item.
2. The two curb cuts on the Durham Street side of the site should be defined with a raised landscape island similar to conditions that exist at the Forest Avenue driveways. We will add a defined landscaped area between the two curb cuts. We will need to make it work with the turning radius of the trucks, so it may not be exactly the same as the front.
3. The proposed parking lot will require a waiver from the City's Technical Standard for the use of compact parking spaces. I would suggest that the 19-foot stall depth be reduced to 18 feet and a second waiver be requested for parking stall size. I would also suggest that the compact spaces be located on the street frontage, and full size spaces be provided near the building where customer and high turnover parking activity would be expected. I would note that this is not an endorsement of provision of compact spaces and further review is necessary. We will be requesting waivers for the use of compact spaces and the drop from 19' to 18'.
4. Modifications to the curb cuts on Bedford Street are suggested and I believe that DPS will be providing specific comments. OK

**E. Consulting Engineer, Stormwater Dan Goyette**

1. The material of the pipe from the proposed catch basin CB #1 has not been provided. This pipe must be PVC or concrete, per City of Portland requirements. OK
2. The applicant has proposed to install a 12" pipe from the proposed catch basin CB #1 to the existing catch basin CB G, which connects into the City of Portland's combined sewer system on Durham Street. The existing pipe from CB G to the combined sewer is 8".

The applicant should show that the reduction in pipe size from CB #1 to CB G will not cause enough of a flow restriction to result in flooding of the property or sidewalk. Calculations have been run to show it will not flood, they will be provided. Should not since it is the same water running off to this area.

**F. Planning Division Design Review**

1. The site is located in the B-2 zone. The proposed building design is being reviewed against the B-2 design standards.
2. The building at the corner of Forest Avenue and Bedford Street was originally built in 1915 and renovated in 1922. The other building was built in 1919. I have provided historical photographs of these buildings. It is recommended that there be a façade opening at the corner building as it was in the photograph. Budget constraints restrict us from incorporating this suggestion.
3. Submit samples and specifications of the materials to be utilized in this project. Clear anodized storefront will be used; exterior wall will be replaced like the existing building in painted concrete block.
4. Submit color rendering of the buildings. OK
5. Show surface utilities structures as proposed on the architectural drawings. Utilities are determined by the utility company – we do foresee a meter bank on the back of the building
6. Define the landscaping area on the Bedford Street and the new entry will relate to this area. Landscaping is existing and not part of this scope of work. There is not an entry into this area.
7. Will the door at the corner of the second building (the building along the shared parking lot) be opened? Yes – open to the public
8. What is the proposed treatment for the gate between the buildings? It does show new, but the existing clapboard gate will remain, this will be adjusted on the plans.
9. Submit a concept for the proposed signage for this project. There is currently no concept as there are not tenants, and signage will be by tenants.

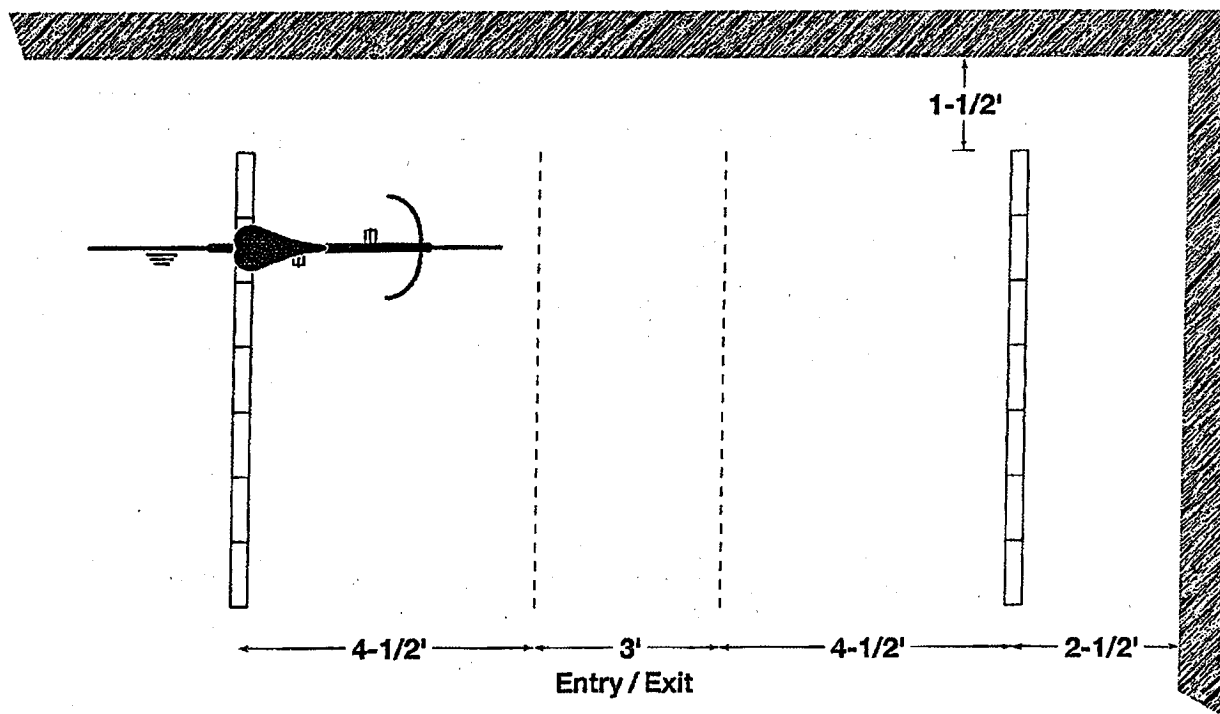
**G. City Arborist Jeff Tarling**

1. I have reviewed the proposed Site Plan for 326 Forest Avenue and offer the following comments & recommendations:
2. The proposed site plan to the existing former retail space at the corner of Forest Avenue & Bedford Street shows existing trees / landscape planting at the entranceway to the site, along Bedford Street and new landscape. At our Development Review meetings we have discussed the planting of trees within the parking lot area. I have contacted Stan Bennett of Oakhurst Dairy, who has been a major supporter of the Portland Tree Trust to discuss this option. I will be meeting with Stan on Monday to review and also consider additional trees along Forest Avenue. Tom Brigham met with Jeff Tarling 3/8/10 where he seemed to be OK w/ the proposed plan for a guard rail dividing the parking lot area and will not require the use of planters or creating planting islands in the parking lot area. Jeff



# The Original Ribbon® Rack—IDSA National Design Award Winner

## PERMANENT DESIGN COLLECTION—MUSEUM OF MODERN ART



### Ribbon® Rack Clearances

If mounting the rack parallel to a wall, be sure to leave a minimum of 2-1/2 feet from the wall and 4-1/2 feet on the other side of the rack for bicycles.

If mounting the rack perpendicular to a wall, be sure to leave a minimum of 1-1/2 feet from the wall, as the end counts as a space.

### Ribbon® Rack Placement Considerations

If racks are to be placed in parallel positions, be sure to allow 12 feet on center of spacing between the racks. This permits 4-1/2 feet clearance for bicycles on each rack, with a 3-foot common area in between for ingress and egress.

If racks are to be placed in a series, allow a minimum of 2 feet on center, end to end, to achieve maximum rack capacity. Please note: the racks can be placed 1 foot on center to achieve a "continuous" look, but this will result in a loss of one space, as the end position counts as a space.

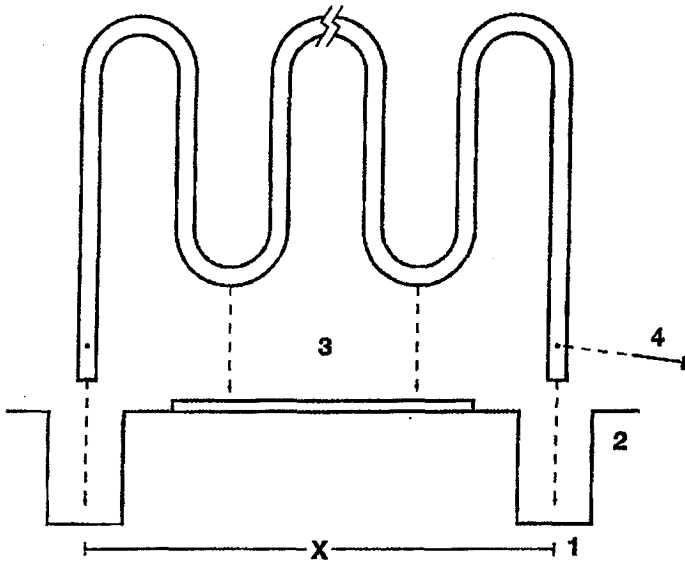
### Ribbon® Rack Painting Instructions

We recommend using an outdoor spray paint called Krylon®. It is available in a wide variety of colors and can be found in just about any hardware store.

Clean surface to be painted with vinegar, removing all dirt and grime. Rinse off, dry thoroughly and apply paint directly to galvanized surface. Using a spray paint will allow the top coat to be seamless with the previous coats. Maintain surface as needed.

A A A RIBBON BIKE RACK CO.  
Division of:  
BRANDIR INTERNATIONAL, INC.  
521 Fifth Avenue, 17th Floor  
New York NY 10175-1799 USA  
Phone: 800-849-3488  
212-505-6500  
Fax: 212-505-6813  
[www.ribbonrack.com](http://www.ribbonrack.com)

The Original Ribbon® Rack—IDSA National Design Award Winner  
 PERMANENT DESIGN COLLECTION—MUSEUM OF MODERN ART



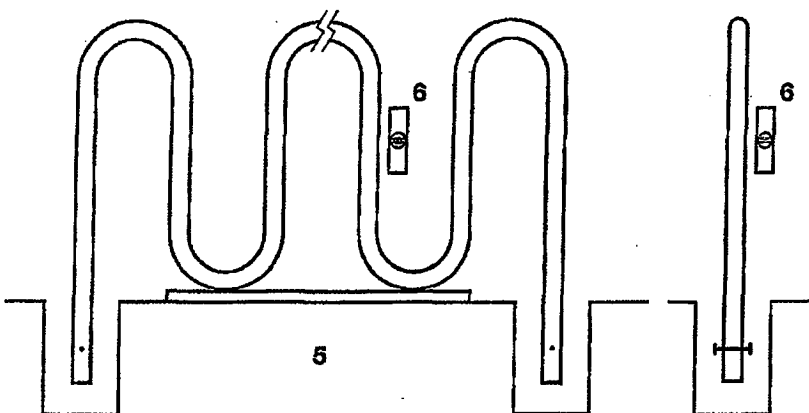
## MOUNTING INSTRUCTIONS

**Contractor-supplied materials needed:**

- 1-1/2" wood block (2 x 4)
- #3 rebar or 7/16" D bolt for anchors (2 required)
- Cement
- Level

- 1 Measure centerline of end post to centerline of end post to determine spacing for footings (holes; see chart).
- 2 Prepare footings (holes) approximately 8" wide by 12" to 48" deep, depending on expected frost conditions at installation site.
- 3 Use 1-1/2" high wood block for spacing between the lower U-bends of the rack and the ground.
- 4 Place anchoring bolts through holes near the bottom of each end of rack.

Model #	X = Approx. Spacing
RB 05	3 feet
RB 07	5 feet
RB 09	7 feet
RB 11	9 feet



- 5 Place Ribbon® Rack in prepared holes, making sure lower U-bends are resting on the 1-1/2" high wood block.
- 6 Pour in the cement and level the rack.
- 7 Support the rack until cement is dry and remove wood block.

A A A RIBBON BIKE RACK CO.  
 Division of:  
 BRANDIR INTERNATIONAL, INC.  
 521 Fifth Avenue, 17th Floor  
 New York NY 10175-1799 USA  
 Phone: 800-849-3488  
 212-505-6500  
 Fax: 212-505-6813  
[www.ribbonrack.com](http://www.ribbonrack.com)

**City of Portland**  
**Development Review Application**  
**Planning Division Transmittal form**

**Application Number:** 10-79900001      **Application Date:** 1-30-10

**Project Name:** RETAIL AND PARKING

**Address:** 326 Forest Ave      **CBL:** 114A- F-008-001

**Project Description:** Forest Avenue - 326; Retail And Parking; Oakhurst Properties, Applicant.

**Zoning:** B2

**Other Reviews Required:**

**Review Type:** MINOR SITE PLAN

Pizzagalli Construction  
 Tim Gallagher

Portland Me 04101

**Distribution List:**

<input checked="" type="checkbox"/> Planner	Barbara Barhydt	<input checked="" type="checkbox"/> City Arborist	Jeff Tarling
<input checked="" type="checkbox"/> Zoning Administrator	Marge Schmuckal	<input type="checkbox"/> Design Review	Alex Jaegerman
<input checked="" type="checkbox"/> Traffic	Tom Errico	<input type="checkbox"/> Corporation Counsel	Danielle West-Chuhta
<input type="checkbox"/> Inspections	Tammy Munson	<input type="checkbox"/> Sanitary Sewer	John Emerson
<input checked="" type="checkbox"/> Fire Department	Keith Gautreau	<input checked="" type="checkbox"/> Stormwater	Dan Goyette
<input type="checkbox"/> Parking	John Peverada	<input type="checkbox"/> Historic Preservation	Deb Andrews
<input checked="" type="checkbox"/> Engineering	David Margolis-Pineo	<input type="checkbox"/> Outside Agency	
<input type="checkbox"/> DRC Coordinator	Phil DiPierro		

**Final Comments needed by: ASAP**



**These revised site plans are supposed to be based on the City staff review of the site. Please review and forward your final comments.**

**Thank you.**



**Corporate Office:**  
19 Industrial Park Road  
P.O. Box 728  
Saco, ME 04072  
Phone (207) 282-7697  
Fax (207) 283-4549  
www.pmconstruction.com

April 6, 2010

Shukria Wiar, Planner  
City of Portland, Division of  
Planning  
389 Congress Street  
Portland, ME 04101

Re: 336 FOREST AVENUE  
Address: 336 FOREST AVENUE CBL: 114A-F008-001  
Project ID: 10-79900001  
Applicant: OAKHURST PROPERTIES, LLC

Dear Shukria:

Attached is our application for a proposed surface parking lot and building renovation for Oakhurst Properties at 326-336 Forest Avenue. We have incorporated the city comments per our letter dated 3/12/10 and meeting onsite 3/29/10.

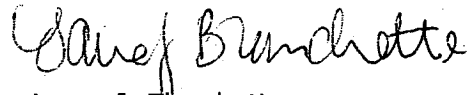
We would also like to request at this time that two waivers be issued for the parking lot spaces – one for the (10) spaces attached to the building being 8'X19' instead of 9'X19'. The second waiver is for the use of compact spaces on the Durham Street side of the lot.

As far as changes made we have closed all of the curb cuts except the one with the working OH Door. This work is to be done after the moratorium on Bedford Street but we will temporarily fill them in with bituminous curb. We have also added a bituminous curb edge to the landscaped area on Bedford Street. As far as the sidewalks we are proposing concrete for the front half of the Bedford Street and leaving the back half as is since it is in decent shape. Landscaped area has been added to the Durham Street entrance and several trees have been added to the landscaping as well. A bike rack and curb stops have also been added in the parking area. The 3' sump was added to the catch basin as was the SDR-35 PVC material requested. Also the granite curb detail has been added to the plans, and all the granite will be matching vertical.

The color rendering requested is attached as are the calculations for the catch basin with the pipe sizes as shown.

Please let me know if you have any questions or if you need additional information.

Sincerely,

A handwritten signature in black ink that reads "Laura J. Blanchette". The signature is written in a cursive style with a large initial "L".

Laura J. Blanchette  
Director of Business Development  
PM Construction



Berry, Huff, McDonald, Milligan Inc.  
Engineers, Surveyors

LESTER S. BERRY  
WILLIAM A. THOMPSON  
ROBERT C. LIBBY, Jr.  
WALTER E. PELKEY

April 1, 2010

Laura Blanchette  
PM Construction Co.  
P.O. Box 728  
Saco, ME 04072

RE: Portland Review Memo  
March 5, 2010  
Oakhurst Properties LLC

Dear Laura:

The review memo in Section E Consulting Engineers asks for evidence that the proposed and existing catchbasins will not flood due to the restriction of the existing 8" pipe. In response, we have attached the HydroCad Calculations Model with the two catchbasins and drainage areas:

- 1S = On-site Runoff to CB#1 (2P)
- 4S = Durham Street Runoff to CBG (3P)

Using a 25-year storm, both catchbasins will not flood above the rim:

CBI: Inv. = 18.72  
Rim = 21.80  
Peak = 19.29

CBG: Inv. = 18.50  
Rim = 21.64  
Peak = 19.50\*

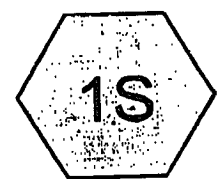
\*Slight surcharge of 8" pipe.

Please review and give me a call if you have any questions.

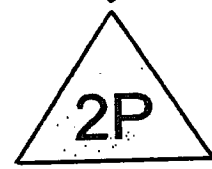
Sincerely,

Lester S. Berry, P.E.

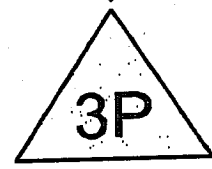
Attachment  
OakhurstPMConst



ONSITE



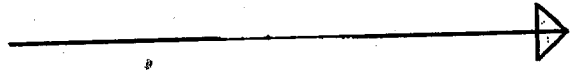
CB1



EX CB



DURHAM ST



**OAKHURST LLC**

Type III 24-hr Rainfall=5.40"

Prepared by BH2M ENGINEERS

HydroCAD® 7.10 s/n 000619 © 2005 HydroCAD Software Solutions LLC

Page 3  
3/31/2010

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
18.72	14	0	0
21.80	14	43	43

Device	Routing	Invert	Outlet Devices
#1	Primary	18.72'	12.0" x 10.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 18.62' S= 0.0100 '/' Cc= 0.900 n= 0.012

Primary OutFlow Max=0.89 cfs @ 12.02 hrs HW=19.27' (Free Discharge)  
 ↑1=Culvert (Barrel Controls 0.89 cfs @ 2.9 fps)

**Pond 3P: EX CB**

Inflow Area = 0.230 ac, Inflow Depth > 4.78"  
 Inflow = 1.30 cfs @ 12.03 hrs, Volume= 0.092 af  
 Outflow = 1.31 cfs @ 12.03 hrs, Volume= 0.092 af, Atten= 0%, Lag= 0.3 min  
 Primary = 1.31 cfs @ 12.03 hrs, Volume= 0.092 af

Routing by Stor-Ind method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs  
 Peak Elev= 19.50' @ 12.03 hrs Surf.Area= 14 sf Storage= 14 cf  
 Plug-Flow detention time=0.5 min calculated for 0.092 af (100% of inflow)  
 Center-of-Mass det. time= 0.3 min ( 732.2 - 731.8 )

Volume	Invert	Avail.Storage	Storage Description
#1	18.50'	44 cf	Custom Stage Data (Prismatic), listed below (Recalc)

Elevation (feet)	Surf.Area (sq-ft)	Inc.Store (cubic-feet)	Cum.Store (cubic-feet)
18.50	14	0	0
21.64	14	44	44

Device	Routing	Invert	Outlet Devices
#1	Primary	18.50'	8.0" x 16.0' long Culvert CPP, square edge headwall, Ke= 0.500 Outlet Invert= 18.34' S= 0.0100 '/' Cc= 0.900 n= 0.012

Primary OutFlow Max=1.26 cfs @ 12.03 hrs HW=19.46' (Free Discharge)  
 ↑1=Culvert (Barrel Controls 1.26 cfs @ 3.6 fps)





# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life* ° www.portlandmaine.gov

**Public Services Department**  
**Michael J. Bobinsky, Director**

1 April 2010

Mr. Lester S. Berry, P. E.,  
Berry, Huff, McDonald, Milligan, Inc.  
28 State Street,  
Gorham, Maine 04038

**RE: The Capacity to Handle Anticipated Wastewater Flows,  
from a Proposed Separate Mercantile Space Reuse, at 326 Forest Avenue.**

Dear Mr. Berry:

The existing thirty-inch diameter, vitrified clay, sanitary sewer pipe, located in Forest Avenue, has adequate capacity to **transport**, while The Portland Water District sewage treatment facility, located off Marginal Way, has adequate capacity to **treat**, the total anticipated wastewater flows of **2,547 GPD**, from this proposed project.

**Anticipated Wastewater Flows from This Proposed Retail Development:**

13,070 Square Feet of Proposed Retail Space @ 0.1 GPD/Square Foot	= 1,307 GPD
3 Proposed Public Water Closets @ 400 GPD/Water Closet	= 1,200 GPD
40 Proposed Parking Spaces @ 1 GPD/Parking Space	= <u>40 GPD</u>
<b>Total Proposed Wastewater Flows, for this Project</b>	<b>= 2,547 GPD</b>

If The City can be of further assistance, please call 874-8832.

Sincerely,  
CITY OF PORTLAND

Frank J Brancely, B.A., M.A.  
Senior Engineering Technician

FJB

- CC: Penny Littell, Director, Department of Planning, and Urban Development, City of Portland  
 Barbara Barhydt, Development Review Services Manager, Department of Planning, and Urban Development, City of Portland  
 Shukria Wiar, Planner, Planning Division, Department of Planning, and Urban Development, City of Portland  
 David Margolis-Pineo, Deputy City Engineer, City of Portland  
 Michael Farmer, P.E., Project Engineer, City of Portland  
 Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland  
 Stephen K. Harris, Assistant Engineer, City of Portland  
 John Emerson, Wastewater Coordinator, City of Portland  
 Jane Ward, Administrative Assistant, City of Portland  
 Desk file

# CWS Architects

Architecture • Planning • Construction Services

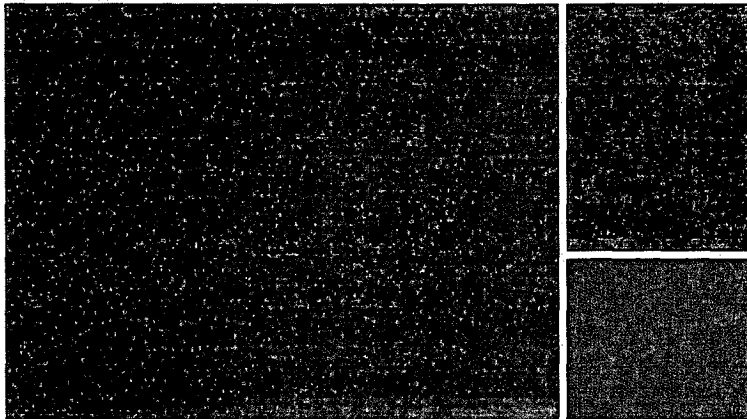
434 Cumberland Avenue Portland, Maine 04101  
www.CWSarch.com

Phone: (207) 774-4441  
Fax: (207) 774-4016

## RENOVATIONS TO 338 FOREST AVENUE EXTERIOR COLOR

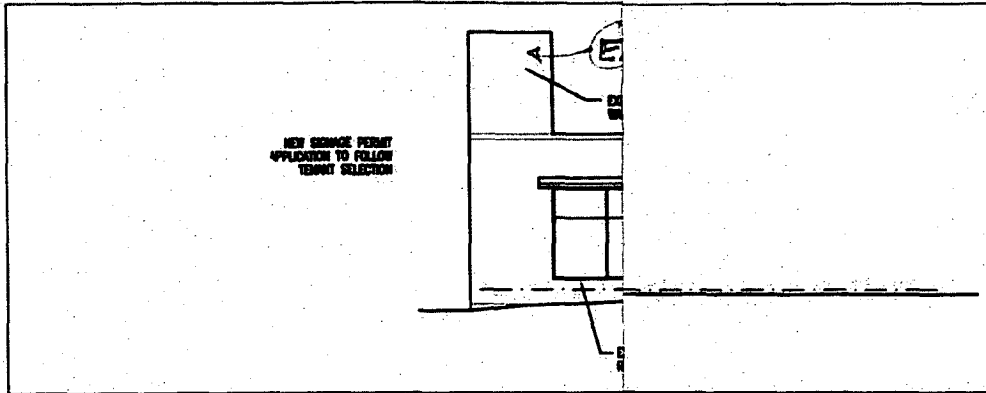
March 30, 2010

**SUMMARY:** The building was originally constructed during the 1920s, pretty much at the height of the Arts and Crafts design period. It is probable that the original paint colors were similar to the proposed scheme which were pulled from the Sherwin-Williams website's historical colors palette. SW Arts and Crafts Palette  
The Roycroft Suede would be the primary color (main field) and the Roycroft Brass would be the accent trim. The existing red brick would be a contrast similar to the Polished Mahogany, which would be used to paint solid doors. All existing naturally finished brick and stone will remain their existing natural finishes.

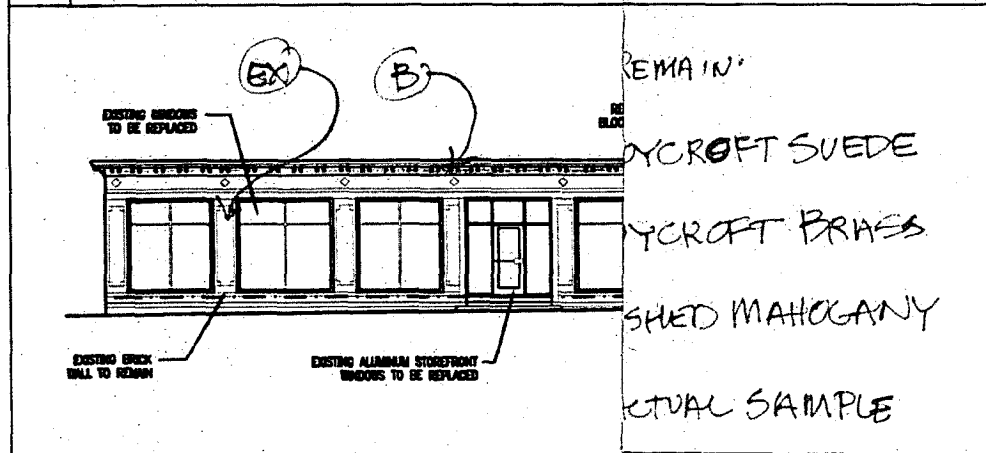


Wall - Roycroft Suede SW 2842  
Trim - Roycroft Brass SW 2843  
Accent - Polished Mahogany SW 2838

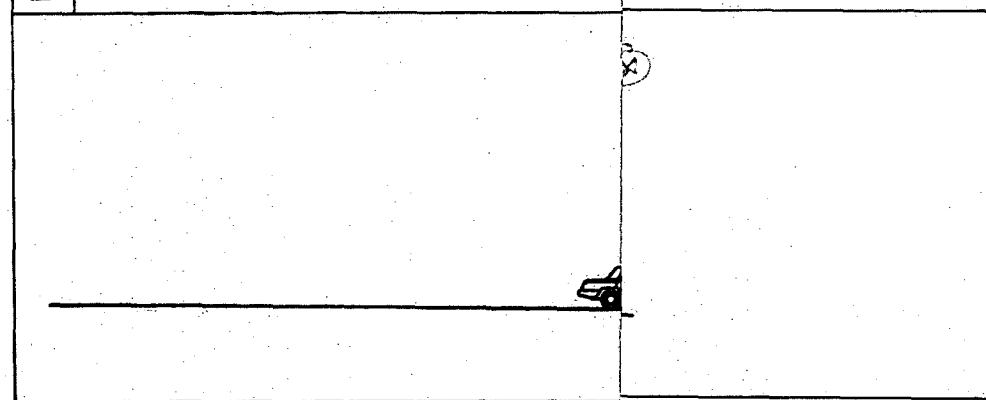
(See attached 11x17 Elevation Rendering that diagrams the location of these colors on the building.



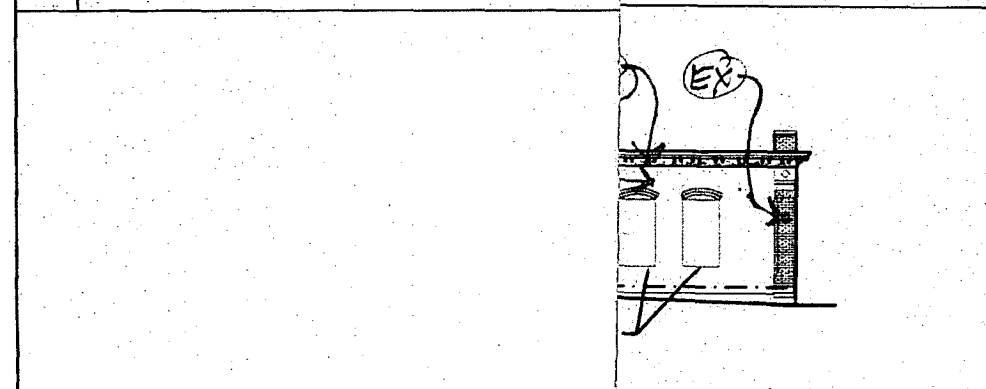
**A** PARKING LOT ELEVATION SCALE: 1/8" = 1'-0"



**B** FOREST AVE ELEVATION SCALE: 1/8" = 1'-0"



**C** BEDFORD STREET ELEVATION SCALE: 1/8" = 1'-0"



**D** DURHAM STREET ELEVATION SCALE: 1/8" = 1'-0"

**CWS Architects**

Architecture  
 Space Planning  
 Value Design

434 Cumberland Avenue  
 Portland, ME 04101  
 Phone: (207)774-4441  
 Fax: (207)774-4818  
 www.CWSarch.com

Owner  
**OAKHURST DAIRY**  
 304 FOREST AVE  
 PORTLAND, ME 04101

Contractor

**304 FOREST AVE RENOVATIONS**

304 FOREST AVE  
PORTLAND, ME 04101

Project No: 08.02

Drafting Title  
**BUILDING ELEVATIONS**

Scale: 1/8" = 1'-0"  
 Date: 28 March 2008  
 Drawings:

Drafting Number: **A1.2**

REVIEW

**NRG®1100**  
FULL CUTOFF  
COMPACT WALLPACK

Cat. #		Approvals
Job	Type	

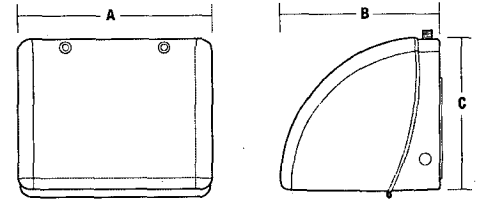
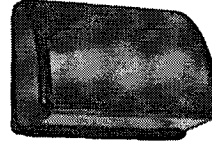


**APPLICATIONS**

- Use for wall perimeter or entry at mounting heights of 8-15 feet.

**SPECIFICATIONS**

- Hubbell Outdoor Lighting's newest NRG® family to be introduced late in the second quarter 2007 is packed with owner benefits. The StarView compliant optics allow no up light, saving energy and keeping the neighbors happy!
- The decorative styling is also rugged with one piece polycarbonate front, painted bronze or white on the inside, that resists rocks and other small projectiles.
- The die cast housing provides rigid mounting, conduit and photocontrol hubs, easy mount design and heat dissipation.



<b>A</b>	<b>B</b>	<b>C</b>
1 13/4"	9 1/2"	9 1/2"
298 mm	241 mm	241 mm

**LISTINGS**

- CSA certified to UL1598 for use in wet locations.



StarView compliant



**ORDERING INFORMATION**

Catalog Number <sup>1</sup>	Wattage/Volts	Finish	Weight	
			lbs	(kg)
<b>PULSE START METAL HALIDE</b>				
<b>NRG-1111-B</b>	100 PS 120, 277, 347	bronze	12	(5.4)
<b>NRG-1111-W</b>	100 PS 120, 277, 347	white	12	(5.4)
<b>NRG-1171-B</b>	70 PS 120, 277, 347	bronze	11	(5.0)
<b>NRG-1171-W</b>	70 PS 120, 277, 347	white	11	(5.0)
<b>NRG-1151-B</b>	50 PS 120, 277	bronze	9	(4.1)
<b>NRG-1151-W</b>	50 PS 120, 277	white	9	(4.1)
<b>HIGH PRESSURE SODIUM</b>				
<b>NRG-1112-B</b>	100 PS 120, 277, 347	bronze	10	(4.5)
<b>NRG-1112-W</b>	100 PS 120, 277, 347	white	10	(4.5)
<b>NRG-1172-B</b>	70 PS 120, 277, 347	bronze	9	(4.1)
<b>NRG-1172-W</b>	70 PS 120, 277, 347	white	9	(4.1)
<b>ELECTRONIC FLUORESCENT</b>				
<b>NRG-1143-B</b>	42 CFL 120-277 60/50hz	bronze	7	(3)
<b>NRG-1143-W</b>	42 CFL 120-277 60/50hz	white	7	(3)

<sup>1</sup> All fixtures include medium base or compact fluorescent lamps. Fluorescent units use universal socket and are capable of operating 26 or 32-watt PLT lamps if substituted in the field.

**ACCESSORIES**

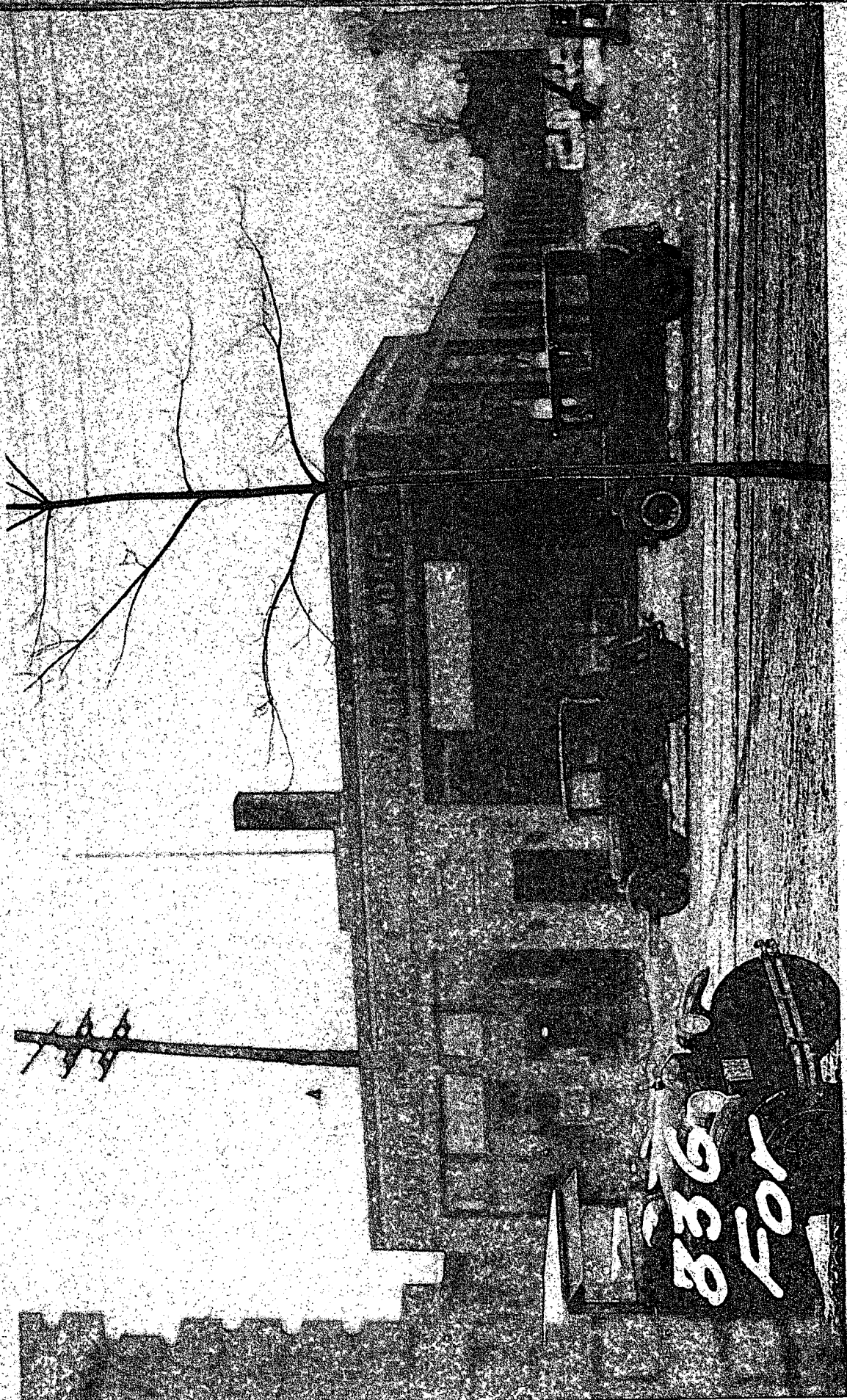
(order as separate part #, field installed)

Catalog Number	Description
<b>PBT-1</b>	Photocontrol, button type, 120V
<b>PBT-234</b>	Photocontrol, button type, 208, 240, 277V

Due to our continued efforts to improve our products, product specifications are subject to change without notice.

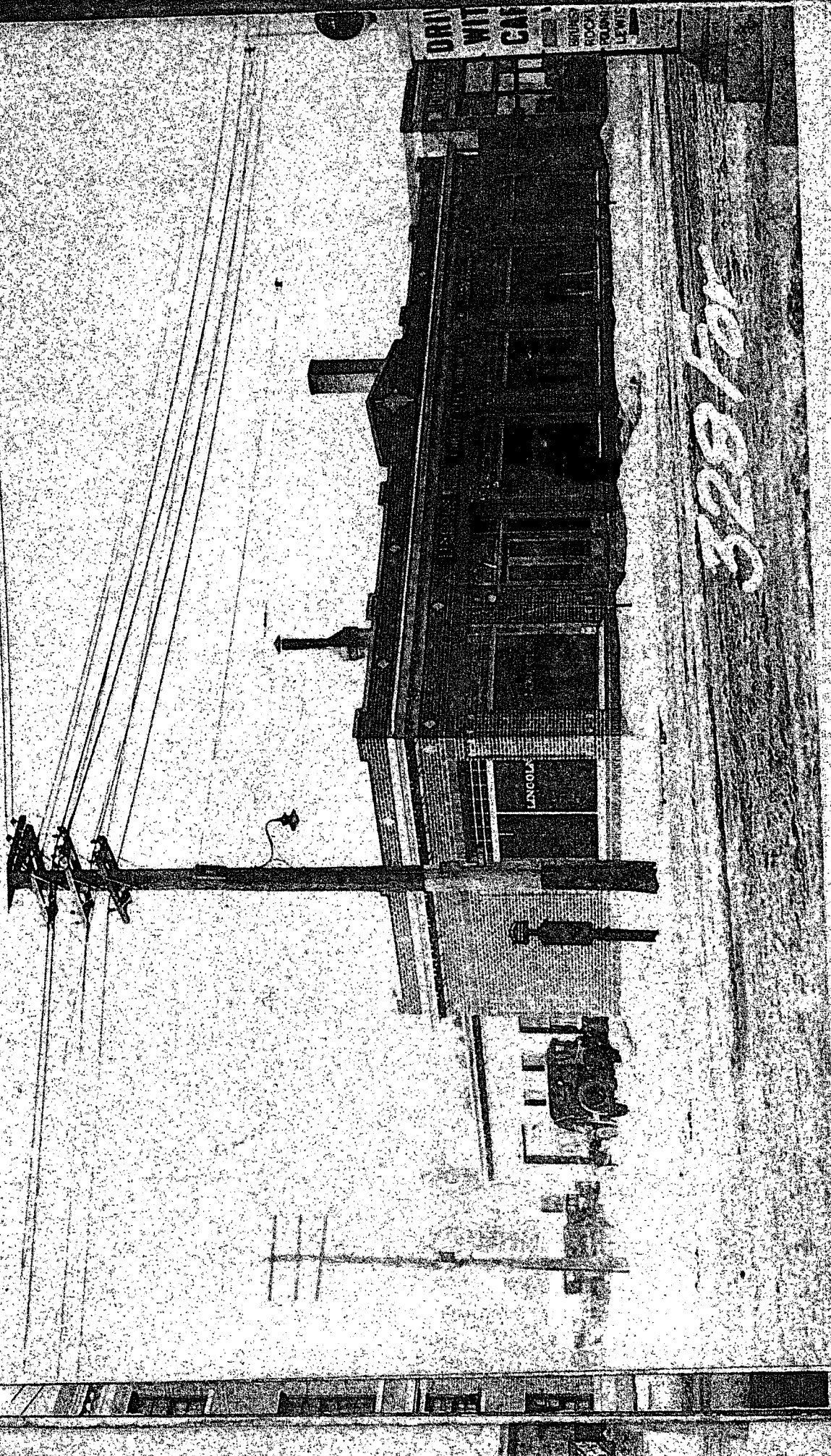


Hubbell Outdoor Lighting • 701 Millennium Boulevard • Greenville, SC 29607 • PHONE: 864-678-1000  
For more information visit our web site: [www.hubbell-ltg.com](http://www.hubbell-ltg.com)



Surveyed by .....

John B. Sibley



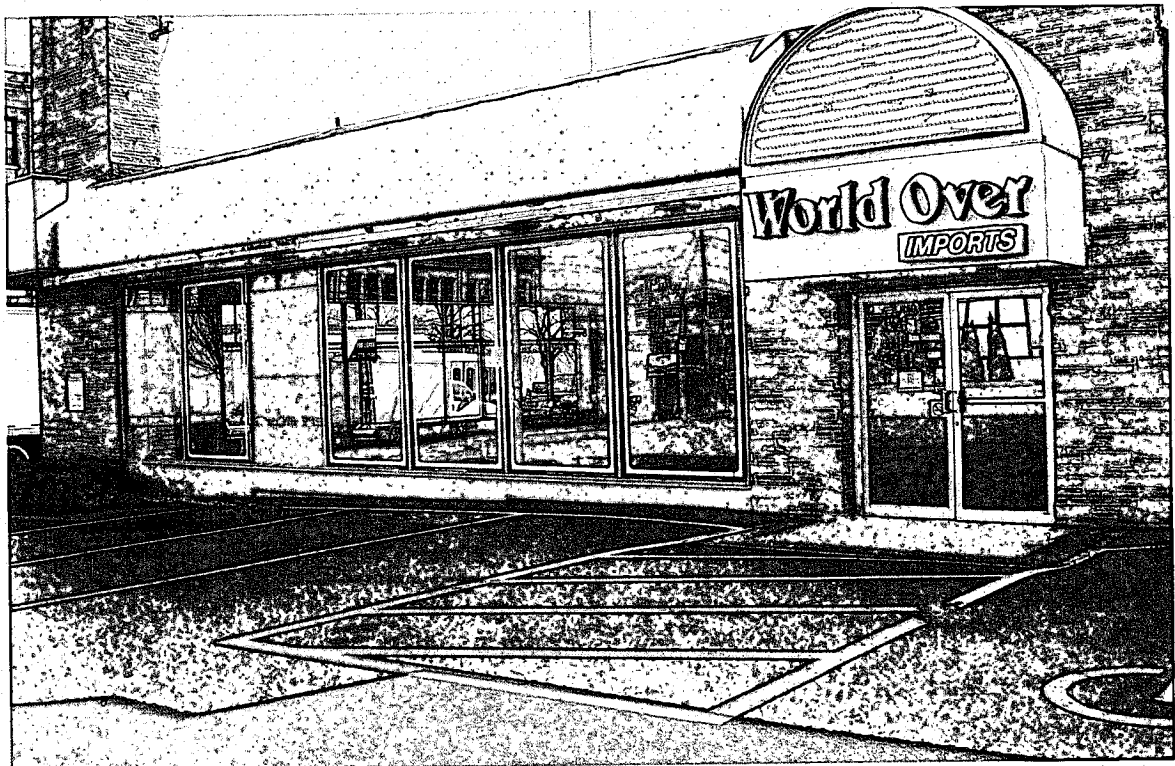
DRIVE  
WITH  
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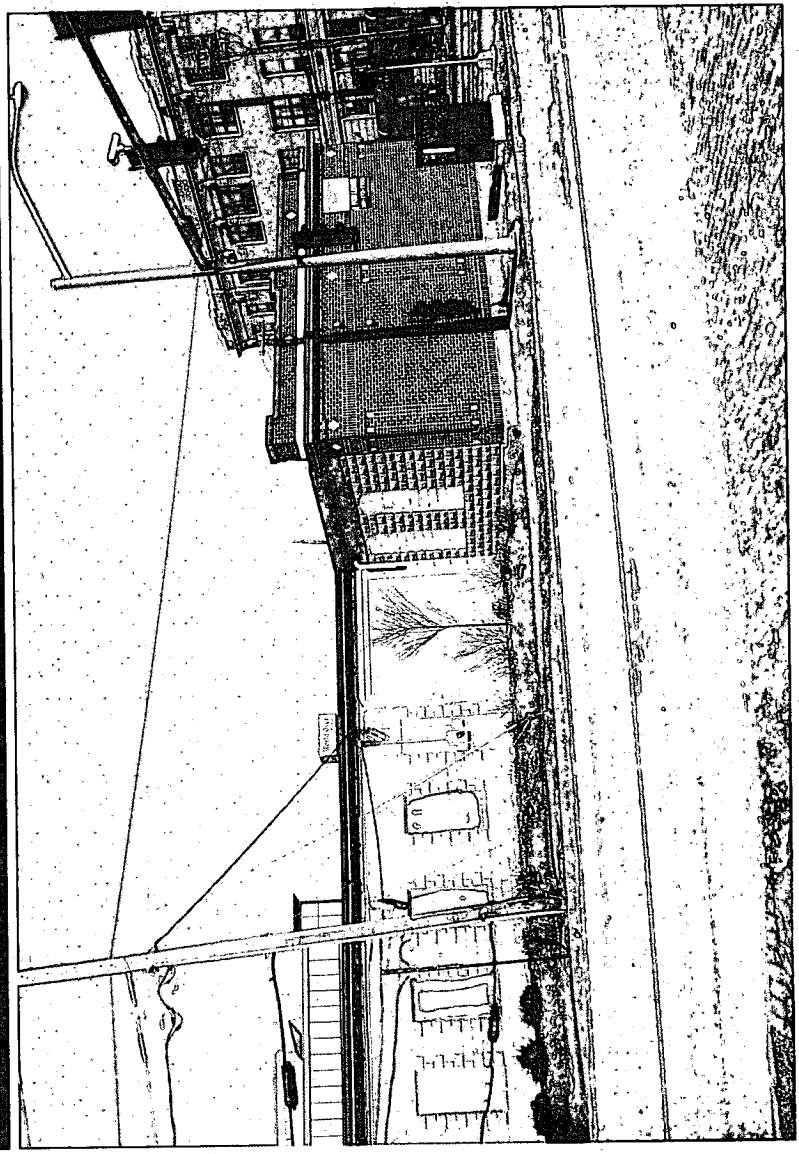
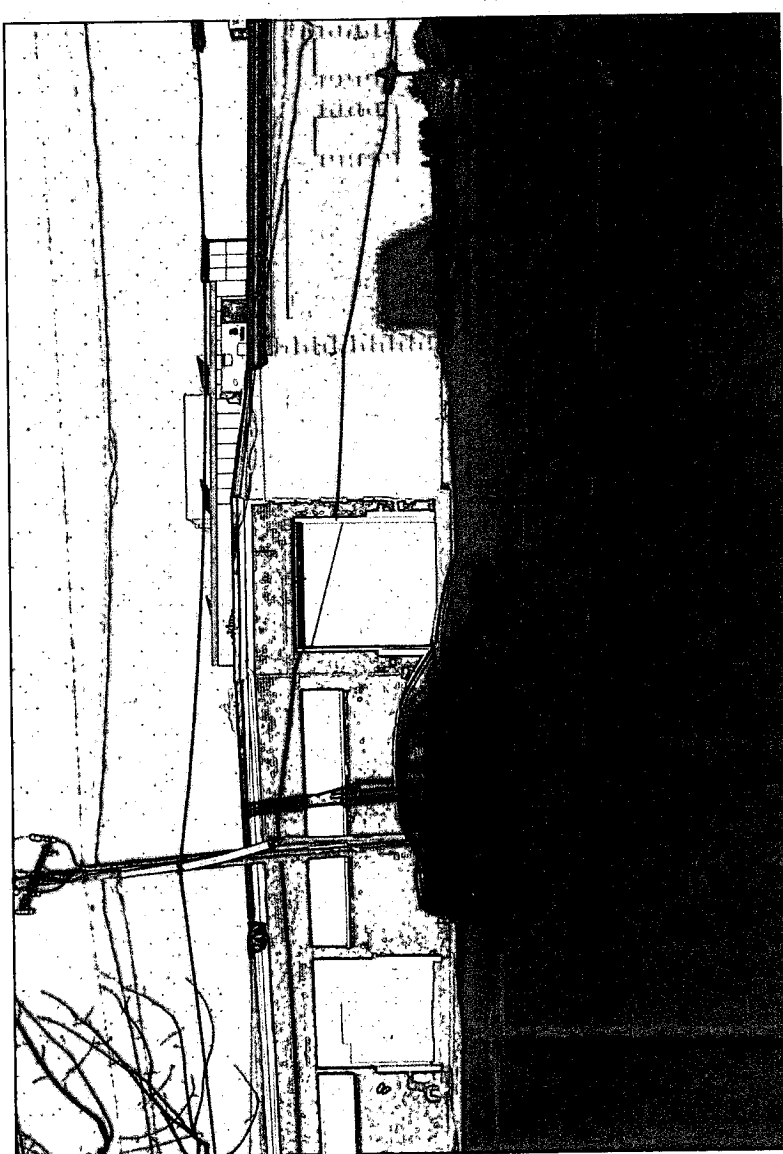
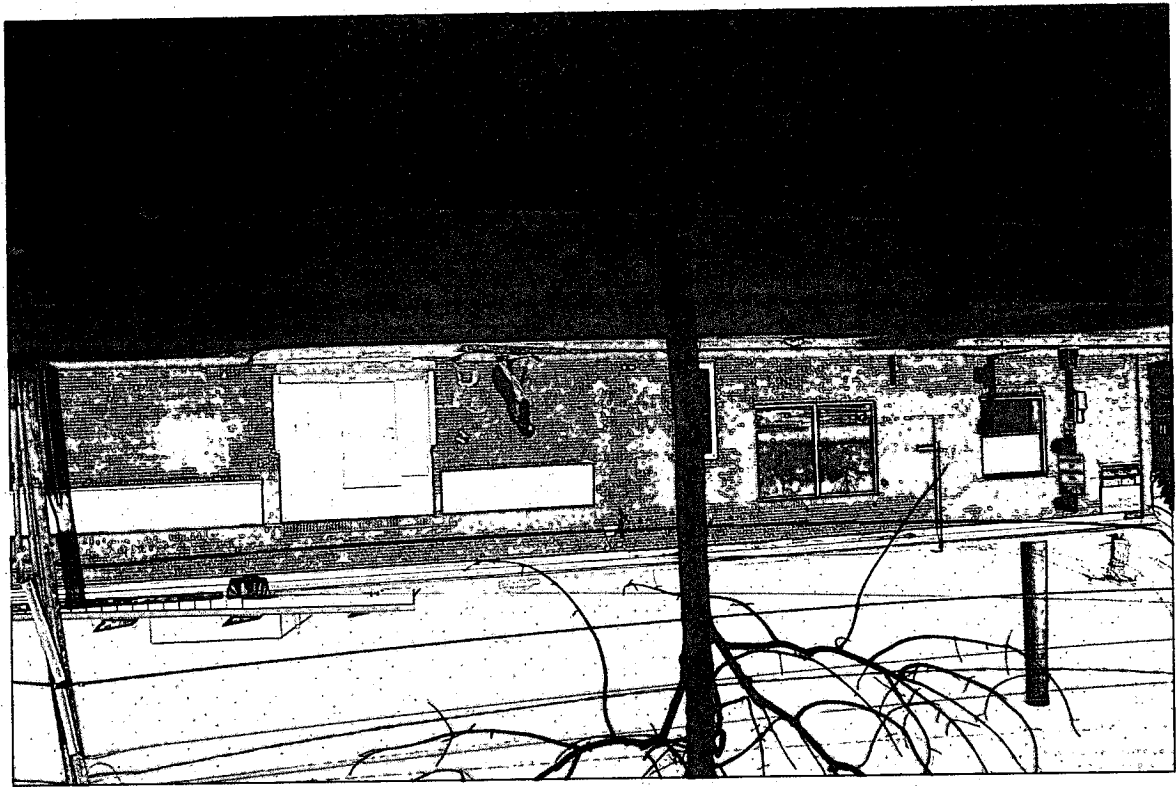
LINGOLA

328701

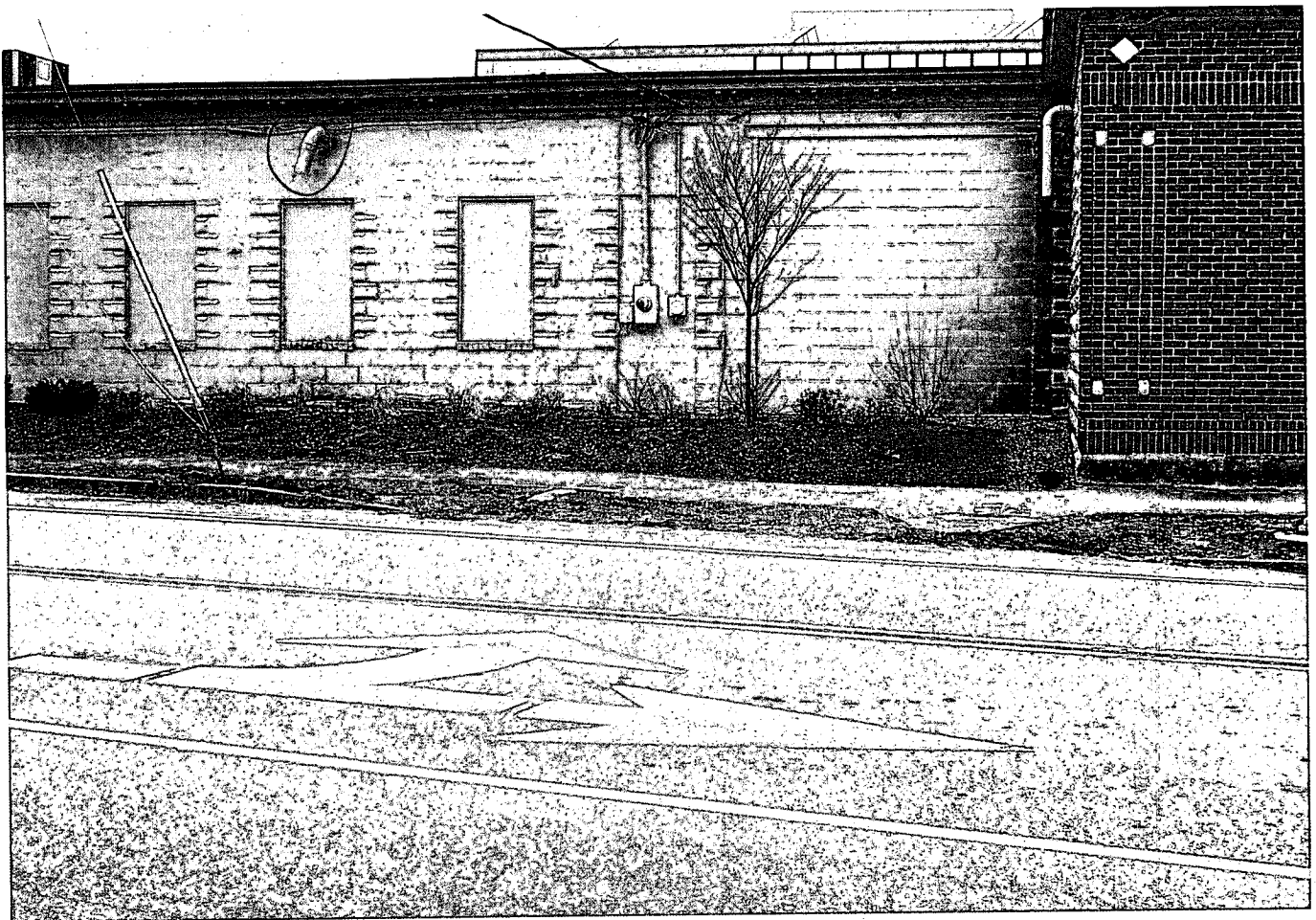
*Handwritten notes on the right margin, including a signature and some illegible text.*

R. L. ...

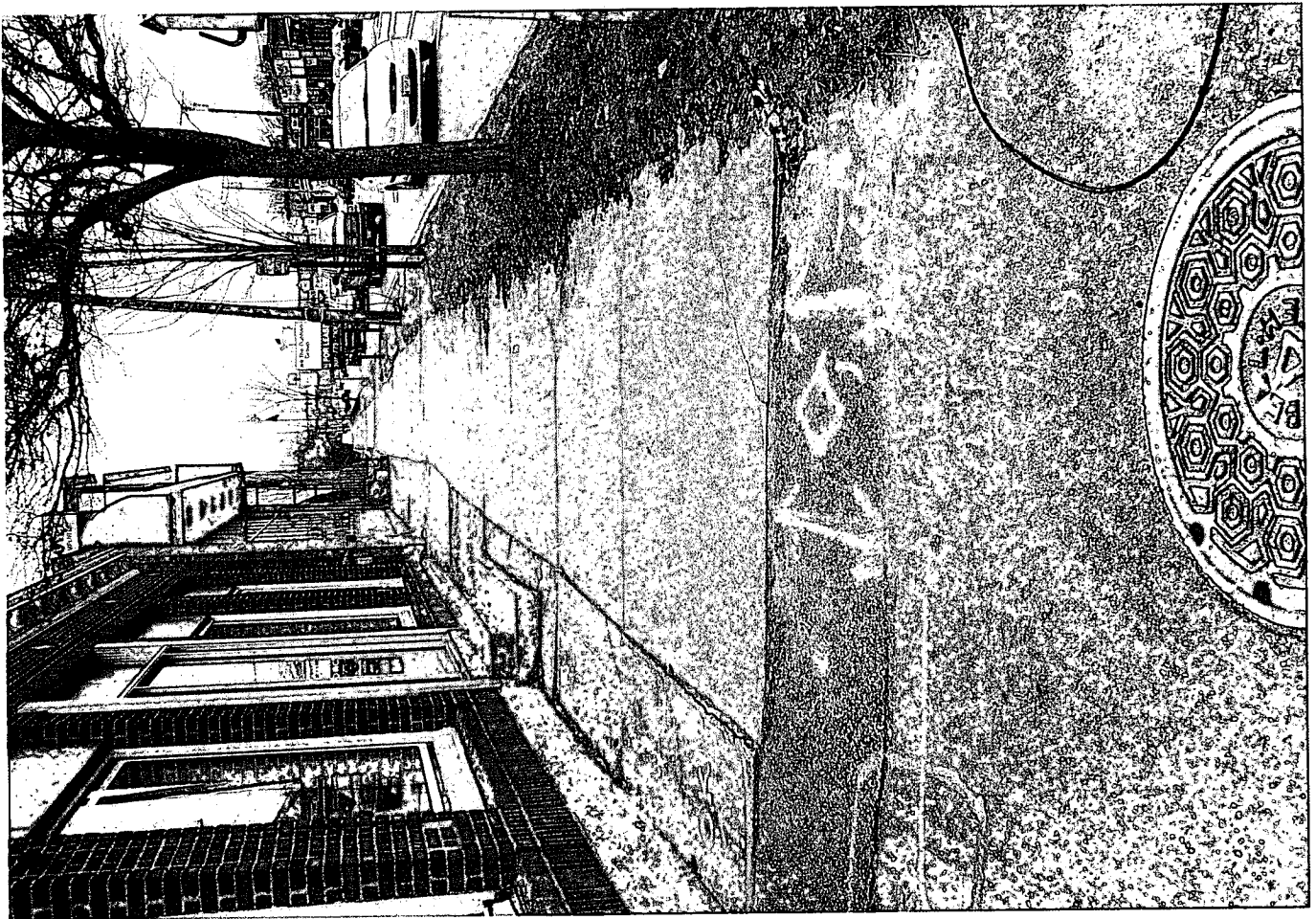
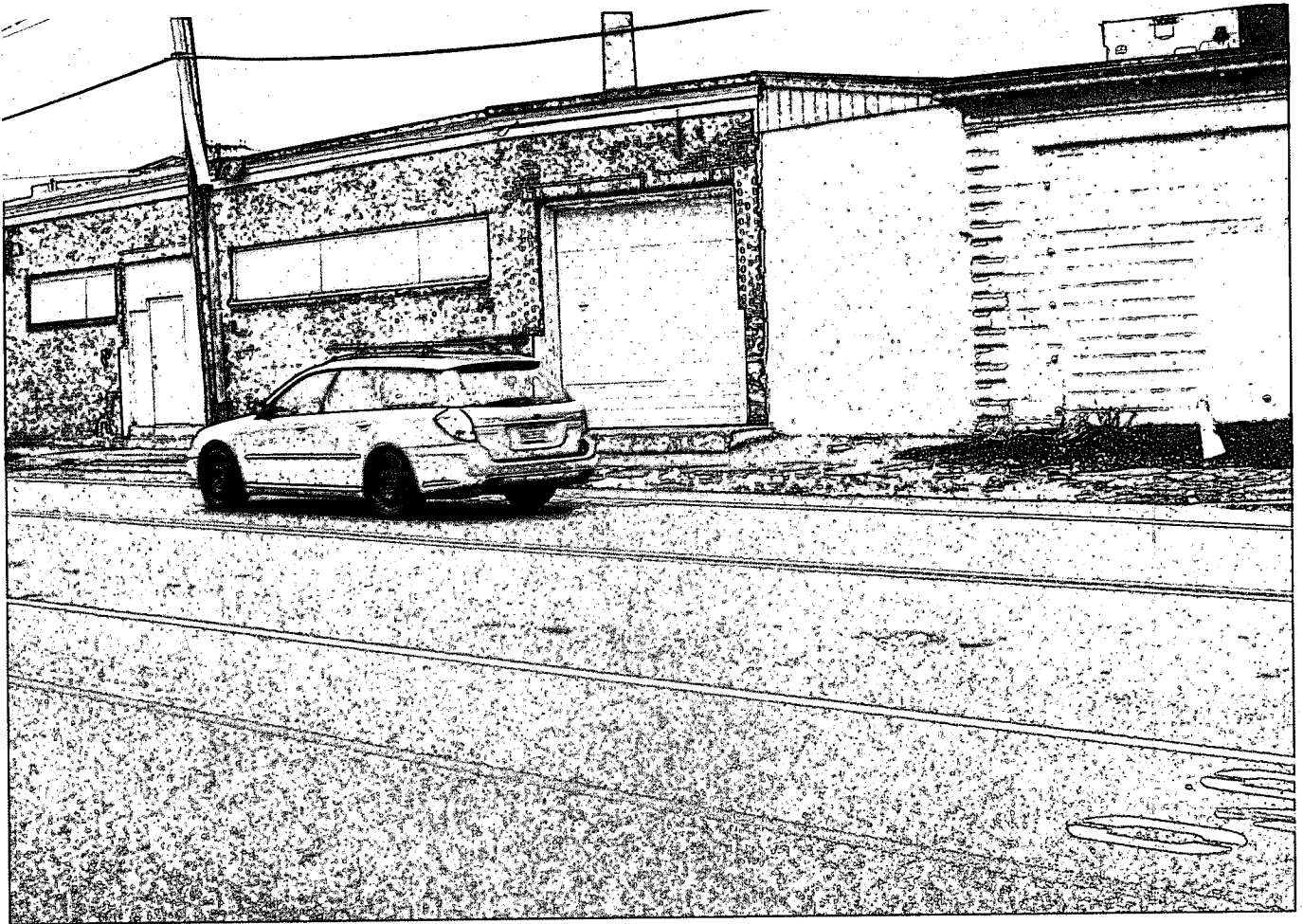












**Shukria Wiar - 326, 332-336 & 338 Forest Avenue**

---

**From:** Thomas Errico <Thomas.Errico@tylin.com>  
**To:** Shukria Wiar <SHUKRIAW@portlandmaine.gov>  
**Date:** 2/24/2010 4:46 PM  
**Subject:** 326, 332-336 & 338 Forest Avenue  
**CC:** David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@port...>  
**Attachments:** image001.jpg

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Shukria –

I have reviewed the February 8, 2010 site plan prepared by BH2M Engineers and Surveyors and offer the following preliminary comments.

- It is my suggestion that the proposed center guard rail be replaced with a raised landscaped median. The width of the median could be accomplished by reducing the aisle width on the retail land use side from 27 to 24 feet and reducing the 42 foot aisle width on the Oakhurst Dairy side. I would ask that the applicant provide an auto-turn template in determining the appropriate aisle width reduction.
- The two curb cuts on the Durham Street side of the site should be defined with a raised landscape island similar to conditions that exist at the Forest Avenue driveways.
- The proposed parking lot will require a waiver from the City's Technical Standard for the use of compact parking spaces. I would suggest that the 19-foot stall depth be reduced to 18 feet and a second waiver be requested for parking stall size. I would also suggest that the compact spaces be located on the street frontage, and full size spaces be provided near the building where customer and high turnover parking activity would be expected. I would note that this is not an endorsement of provision of compact spaces and further review is necessary.
- Modification to the curb cuts on Bedford Street are suggested and I believe that DPS will be providing specific comments.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, P.E.  
**TYLIN** INTERNATIONAL

12 Northbrook Drive  
Building A, Suite One  
Falmouth, ME 04105

207.347.4354 (Direct)  
207.781.4721 (Main)  
207.781.4753 (Fax)  
207.400.0719 (Mobile)

February 26, 2010  
April 15, 2010

To: Shukria Wiar  
Barbara Barhydt  
From: David Margolis-Pineo  
Re: Review Comments – Public Services  
326, 332-336 & 338 Forest Avenue  
Oakhurst Dairy

The Department of Public Services has the following comments.

1. Portland standards require three foot sumps for catchbasins, even on private property when they discharge to a City system.  
**This item has been addressed.**
2. Applicant is request to provide a bike rack.  
**This item has been addressed.**
3. Please use the following detail for vertical granite curb installation.

sidewalk ramp be reconstructed as shown in the following figure with pedestrian traffic being directed perpendicular to Durham Street and not diagonally into Bedford Street.

Please note revised color for the tactile warning strip is now "Yellow" and not "Brick Red" as stated above. In addition, Bedford Street is currently under a paving moratorium until August of 2013. The City would like the applicant to close all curb cuts on Bedford Street, not just the one indicated on the plans. As stated above, the sidewalks on both Bedford and Durham Street shall be constructed with concrete. However, since Bedford Street is under a moratorium, this department is agreeable to a Performance Guarantee to complete this work after July of 2013.

**The applicant does not intent to disturb the sidewalk ramp so several of the above statements do not apply.**

5. The 12" SD from the applicant's proposed catchbasin to the City's existing catch basin shall be SDR-35 PVC or approved equal. N-12 is not allowed. **This item has been addressed.**
6. **The applicant has agreed to reduce the opening or temporarily close all the curb cuts on Bedford Street with bituminous "Cape Cod" style curbing until the street opening moratorium expires (July of 2013) at which time the applicant will replace the bituminous curb with raised vertical granite curbing. The applicant shall post a Performance Guaranty to assure this will be completed by September 30, 2013.**
7. **Several of the plan details do not accuracy depict the City's current standards. Please add a general note to the plan's detail sheet stating that, "All work with the City Right of Way will meet current City standards."**
8. **The applicant has agreed to replace a portion of the sidewalk on Bedford Street with concrete and leave the remainder as asphalt. This is agreeable to the City. However, if during demolishing, the asphalt sidewalk is damaged requiring replacement, the replacement shall be concrete.**

This Department has no further comments at this time.

## Shukria Wiar - 326 Forest Avenue

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**From:** Jeff Tarling  
**To:** Shukria Wiar  
**Date:** 4/15/2010 4:36 PM  
**Subject:** 326 Forest Avenue

---

Hi Shukria -

In review of the landscape plan for the 326 Forest Avenue the landscape plan is acceptable as shown, the only landscape condition would be that the landscape island on the Durham Street side match or be similar to the island on the Forest Avenue side. Understanding that there are turning requirements and integrating comments from the Traffic review. The Forest Avenue landscape island is a good example of trees & shrub planting and seems to work well.

Overall - the proposed landscape treatment improves the site.

Jeff Tarling  
City Arborist

## MEMORANDUM



**TO:** Barbara Barhydt  
**FROM:** Dan Goyette, PE & Lauren Swett EI  
**DATE:** February 23, 2010  
**RE:** 326 Forest Ave Retail and Parking

---

Woodard & Curran has reviewed the Minor Site Plan Application for 326 Forest Ave. The project involves the demolition of a portion of an existing building, the rehabilitation of the remaining building, and the construction of parking and landscaping.

### Documents Reviewed

- Minor Site Plan Application and attachments dated January 28, 2010 prepared by BH2M, on behalf of Oakhurst Properties, LLC.
- Engineering Plans, Sheets 1-3, A1.1, A1.2, and Site Lighting Plan, last revised 2/8/10, prepared by BHDM on behalf of Oakhurst Properties, LLC.

### Comments

- The material of the pipe from the proposed catch basin CB #1 has not been provided. This pipe must be PVC or concrete, per City of Portland requirements.
- The applicant has proposed to install a 12" pipe from the proposed catch basin CB #1 to the existing catch basin CB G, which connects into the City of Portland's combined sewer system on Durham Street. The existing pipe from CB G to the combined sewer is 8". The applicant should show that the reduction in pipe size from CB #1 to CB G will not cause enough of a flow restriction to result in flooding of the property or sidewalk.

Please contact our office if you have any questions.

LJS  
203939



**Fire Prevention Captain Keith Gautreau**

MM/DD/YY INSERT COMMENTS HERE

02/24/10 I spoke with Ben Walter (architect) on the phone and he will be checking into whether we will be classifying this as a mall building or separate mercantile spaces. This will have a bearing on whether they need full fire protection and fire alarm system. He will be getting back to me. Access to the building and the parking lot clearances look OK for apparatus. Water supply is readily available within 500' from structure. If we go with fire protection I will need some fire flows from the hydrants from the Portland Water District.

Keith

**From:** Jeff Tarling  
**To:** Shukria Wiar  
**Date:** 3/4/2010 9:07 AM  
**Subject:** 326 Forest Avenue

Hi Shukria -

I have reviewed the proposed Site Plan for 326 Forest Avenue and offer the following comments & recommendations:

The proposed site plan to the existing former retail space at the corner of Forest Avenue & Bedford Street shows existing trees / landscape planting at the entranceway to the site, along Bedford Street and new landscape. At our Development Review meetings we have discussed the planting of trees within the parking lot area. I have contacted Stan Bennett of Oakhurst Dairy, who has been a major supporter of the Portland Tree Trust to discuss this option. I will be meeting with Stan on Monday to review and also consider additional trees along Forest Avenue.

Jeff Tarling  
City Arborist

*City of Portland*  
*Technical Standards and Design Guidelines*

**Development in the B-1, B-1b, B-2, B-2b shall meet the following guidelines in order to meet the Site Plan Standards**

**1. Building Location and Form**

Buildings shall be located near the street so as to create an urban street wall.

An urban street wall is created by a pattern of buildings which line the street in a consistent manner, thereby establishing a desirable spatial relationship between the building in the commercial district and the major object. Location is one of several related factors defining the street environment.

Building Form, including height, bulk, and massing, contribute to the development of a street wall.

The desired condition is to have the building frame and enclose the street, which is achieved by providing building height that is proportionate to the width of the adjoining major street. A ratio of building height to street width of one-to-two creates a strong "room-like" street, while a one-to-three ratio provides good street definition and proportion. Shorter buildings of one story facing broad streets will not achieve the desired relationship.

In the B-2b zone, buildings adjacent to streets should approach 1:2 height to street width, with a minimum of 1:3.

For a fifty-foot street right-of-way, therefore, a minimum height of 15' is required, with 25' height preferred. An eighty-foot right-of-way requires about 27' to achieve the 1:3 proportion., with 40'-height preferred. Obviously, buildings located as close as possible to the street right-of-way will provide better definition and proportion than buildings set further back.

**2. Building Function**

An urban street and business district requires a substantial intensity and variety of uses.

It is beneficial to have mixed uses within portions of buildings situated near the street. For example, a retail first floor might have office or residential on the second or third floors. This provides both the scale of building height desired, as well as the economic vitality of the business district.

**3. Orientation of Buildings and their Entrances to the Street**

Major building entries shall be designed and located to provide the primary building access oriented to the public street and sidewalk.

Doorways should be prominent and obvious in appearance, so as to attract the users toward the entry. Major entry features should primarily address the street, with entry courts, display windows, signage, lights, walkways, and vestibules, as appropriate. Major entries should be adjacent to, or very close to, the street and public sidewalk.

Crosswalks shall be provided within parking lots and across entrance driveways, directing pedestrians to building entrances.

Street trees shall be planted along property street frontage 25ft. on center.

**9. Transit Connections**

Development proposed along established transit corridors must design uninterrupted access from the proposed development to the transit stop.

An easement to place a transit shelter may be requested for development located along a transit corridor.

**Filename:** B1, B1b, B2, B2b Tech Standards and Design Guidelines  
**Directory:** C:\Documents and Settings\mpc\My Documents  
**Template:** C:\Documents and Settings\mpc\Application  
Data\Microsoft\Templates\Normal.dotm  
**Title:** City of Portland  
**Subject:**  
**Author:** jmy  
**Keywords:**  
**Comments:**  
**Creation Date:** 8/28/2008 10:45:00 AM  
**Change Number:** 2  
**Last Saved On:** 8/28/2008 10:50:00 AM  
**Last Saved By:** jmy  
**Total Editing Time:** 7 Minutes  
**Last Printed On:** 8/13/2009 2:23:00 PM  
**As of Last Complete Printing**  
Number of Pages: 3  
Number of Words: 874 (approx.)  
Number of Characters: 4,982 (approx.)

**DRC1**

DEVELOPMENT REVIEW COORDINATOR  
POST APPROVAL PROJECT CHECKLIST

Date: 6/2/09

Project Name: St. Patrick's School Condo's

Project Address: 1251 Congress Str.

Site Plan ID Number: 2009-0034

Planning Board/Authority Approval Date: 4/28/09

Site Plan Approval Date: 4/28/09

Performance Guarantee Accepted: 6/25/09

Inspection Fee Paid: 6/30/09

Infrastructure Contributions Paid: - Tree Fund 6/25/09

Amount of Disturbed Area in SF or Acres: 30,000 +/- SF

MCGP/Chapter 500 Stormwater PBR: N/A

Plans/CADD Drawings Submitted: 6/25/09 S.W. sent to Leslie

Pre-Construction Meeting: 6/30/09

Conditions of Approval Met: 11/30/09

As-Builts Submitted: 12/7/09

Public Services Sign Off: 11/30/09

Certificate of Occupancy Memo Processed:  
(Temporary or Permanent) 11/30/09

Performance Guarantee to Defect Guarantee: 11/30/09

Defect Guarantee Released: 10/22/10



# PORTLAND, MAINE

*Strengthening a Remarkable City, Building a Community for Life*  
[www.portlandmaine.gov](http://www.portlandmaine.gov)

**Planning and Urban Development**  
Penny St. Louis Littell, Director

**Planning Division**  
Alexander Jaegerman, Director

**TO:** Ellen Sanborn, Finance Department  
**FROM:** Alexander Jaegerman, Planning Division Director  
**DATE:** October 22, 2010  
**SUBJECT:** Request for Release of Defect Guarantee  
St. Patrick's School Condos, 1251 Congress Street  
(ID# 2009-0034      Lead CBL#186 A 002001)

Please release the Defect Guarantee, Letter of Credit for the Westbrook Development Corporation's St. Patrick's School Condos Project at 1251 Congress Street.

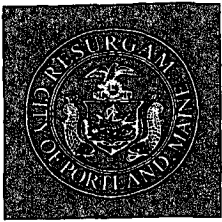
Remaining Balance      \$7,500.00

**Approved:**

  
Alexander Jaegerman  
Planning Division Director

**cc:** Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator  
File: Urban Insight





# PORTLAND MAINE

*Strengthening a Remarkable City. Building a Community for Life* [www.portlandmaine.gov](http://www.portlandmaine.gov)

**Planning & Urban Development Department**  
Penny St. Louis Littell, Director

**TO:** Ellen Sanborn, Finance Department  
**FROM:** Alexander Jaegerman, Planning Division Director  
**DATE:** November 30, 2009  
**SUBJECT:** Request for Reduction of Performance Guarantee to Defect Guarantee  
St. Patrick's School Condos, 1251 Congress Street  
(ID# 2009-0034      Lead CBL#186 A 002001)

Please reduce the Performance Guarantee, Letter of Credit for the Westbrook Development Corporation's St. Patrick's School Condos Project at 1251 Congress Street, to the Defect Guarantee.


Original Amount      \$75,000.00

**This Reduction**      **\$67,500.00**

Remaining Balance      \$ 7,500.00

This is the first reduction for the project.

**Approved:**

  
Alexander Jaegerman  
Planning Division Director

cc: Barbara Barhydt, Development Review Services Manager  
Philip DiPierro, Development Review Coordinator  
File: Urban Insight

TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: November 30, 2009

RE: C. of O. for # 1251 Congress Street, St. Patrick's School Condos.  
(Id#2009-0034) (CBL 186 A 002001)

---

After visiting the site, I have the following comments:

Site work complete

**At this time, I recommend issuing a permanent Certificate of Occupancy.**

Cc: Barbara Barhydt, Development Review Services Manager  
Tammy Munson, Director of Inspection Services  
File: Urban Insight

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

David Silk, Chair  
Shalom Odokara, Vice Chair  
Bill Hall  
Joe Lewis  
Lee Lowry, III  
Janice Tevastian  
Michael J. Patterson

April 30, 2009

Westbrook Development Corporation  
C/o Guy Gagnon  
30 Liza Harmon Drive  
Westbrook, ME 04092

RE: St. Patrick's School Condominiums

CBL: 2009-0034  
Application ID: 186 A002001

Dear Mr. Gagnon,

On April 28, 2009, the Portland Planning Board considered St. Patrick's School Condominium, to convert the existing building to a fifteen (15) residential units. The Planning Board reviewed the proposal for conformance with the standards of the Conditional Use Review, Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 4-0 (Silk, Odokara and Lewis absent) to approve the application with the following motion(s), waiver, and condition(s) as presented below.

### CONDITIONAL USE

The Planning Board voted 4-0 (Silk, Odokara and Lewis absent) that the proposed plans are in conformance with the Section 14-118, 3 a through f of the Land Use Code.

### WAIVERS

The Planning Board voted 4-0 (Silk, Odokara and Lewis absent) to waive the Technical Standard, Section III(2)(A)(a) which requires that any site with driveway access to a street shall have a minimum width of twenty-four (24) feet for two-way ingress and egress and a minimum of twenty (20) foot wide driveway for one-way, to allow the driveways on Frances Street to be reduced to twenty-one point five (21.5') feet and on Whitney Avenue to be reduced to twelve (12) feet for a one-way access way, as shown on the plan (Attachment C-6). This is based on the signage recommendation per Tom Errico, Traffic Engineer and Captain Keith Gautreau's memo dated 04.28.2009.

### SITE PLAN REVIEW

The Planning Board voted 4-0 (Silk, Odokara and Lewis 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:

- dwp  
6/25/09
- a. A "DO NOT ENTER" sign that meets specifications contained in the Manual on Uniform Traffic Control Devices shall be installed at the egress driveway location at Whitney Avenue and shown

done 6/25/09  
on the final site plan before the issuance of a building permit.

- done 6/25/09
- b. The applicant shall be responsible for all costs associated with parking signage changes on Whitney Avenue and Frances Street, including but not limited to Drop-off/Pick-Up Zone, Handicapped Drop-Off and 10 Minute Parking Zone signs. The City Staff shall coordinate with applicant on appropriate future parking regulations in the vicinity of the project. These parking regulations shall be shown on the final site plan before the issuance of a building permit.

Call Jeff  
done 6/25/09

c. As required by the Conditional Rezoning Agreement, the Applicant shall screen with plant material and/or fencing the parking lot and service driveways located on the property to appropriately buffer their visibility from the adjacent residential properties and roadways. The applicant shall coordinate with the City Arborist to address the comments in his memo dated 04.24.2009 before the issuance of a building permit. In addition, the applicant will explore with Jeff Tarling the planting of street trees along Frances Street.

- done 6/25/09
- d. The applicant shall coordinate with Captain Keith Gautreau to address the comments in his memo dated 04.28.2009 before the issuance of a building permit.

- done 11/5/09
- e. The applicant shall permanently close the existing curb cut along Congress Street prior to the issuance of a certificate of occupancy.

- done 11/5/09
- f. The applicant shall remove the existing chain-link fence on the property prior to the issuance of a certificate of occupancy.

- done 11/24/09
- g. The applicant shall remove the two (2) school speed limit signs on Congress Street (including, but not limited to, removing the flashing lights, mast arms, poles, and concrete anchor and/or bolt bases associated with the signs) and shall remove the wooden sign post located on Frances Street and sidewalks shall be repaired as needed prior to the issuance of a certificate of occupancy.

#### SUBDIVISION REVIEW

The Planning Board voted 4-0 (Silk, Odokara and Lewis absent) that the plan is in conformance with the subdivision standards of the Land Use Code, subject to the following condition(s) of approval:

- done 6/25/09
- a. The final site plan and recording plat shall include the single family house directly abutting the site on Whitney Avenue, reference the access easement and depict the driveway for the house before the issuance of a building permit.

- done 6/25/09
- b. The applicant shall submit a sewer capacity letter before the issuance of the building permit.

- done 6/25/09
- c. The applicant shall meet all of the affordability controls contained within paragraph 5 of the Conditional Rezoning Agreement and a reference to these controls, as well as the Conditional Rezone Agreement and Declaration of Affordable Covenants (and their recording information) shall be noted on the recording plat.

- done 6/19/09
- d. The applicant shall contribute \$4,800 to the City of Portland's Street Tree Fund to meet paragraph 9 of the Conditional Rezoning Agreement.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report 18-09 which is attached.

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

1. 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.
2. 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.
3. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
4. Pursuant to 30-A MRSA section 4406, notice of any waiver(s) must be recorded in the Cumberland County Registry of Deeds within 90 days of the granting of said waiver(s).
5. 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 a building permit, street opening permit or certificate of occupancy for site plans.
6. 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.
7. The subdivision approval is valid for three (3) years.
8. 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.
9. Mylar copies and a digital version (or a CD or DVD in AutoCAD format (\*.dwg), released 2005 or greater) 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.
10. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
11. 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

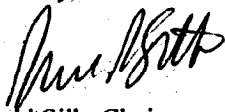
the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

12. 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.)

Philip DiPierro, 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 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 there are any questions, please contact Shukria Wiar at 756-8083 or [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov).

Sincerely,



David Silk, Chair  
Portland Planning Board

**Attachments:**

1. Memorandum, Jeff Tarling, 04.24.2009
2. Memorandum, Keith Gautreau, 04.23.2009
3. Planning Board Report
4. Performance Guarantee Packet

**Electronic Distribution:**

Penny St. Louis Littell, Director of Planning and Urban Development  
Alexander Jaegerman, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Shukria Wiar, Planner  
Philip DiPierro, Development Review Coordinator  
Marge Schmuckal, Zoning Administrator  
Tammy Munson, Inspections Division Director  
Lisa Danforth, Administrative Assistant  
Michael Bobinsky, Public Services Director  
Kathi Earley, Public Services  
Bill Clark, Public Services  
David Margolis-Pineo, Deputy City Engineer  
Jane Ward, Public Services  
Keith Gautreau, Fire  
Jeff Tarling, City Arborist  
Tom Errico, Wilbur Smith Consulting Engineers  
Dan Goyette, Woodard & Curran  
Assessor's Office  
Approval Letter File  
Hard Copy: Project File

**From:** Jeff Taring  
**To:** Shukria Wiar  
**Date:** 4/24/2009 9:28:07 AM  
**Subject:** St. Patrick's School Condominiums

Hi Shukria -

I have reviewed the proposed St. Patrick's School landscaping and offer the following recommendations:

a) Buffer planting along Congress Street & adjacent residential property - the proposed landscape treatment along Congress Street need to be increased to effectively screen the proposed parking area.

1a) Increase screening along Congress Street, recommendations - Plant - Arborvitae 5-6' H, spacing 7' +/- OC or European Hornbeam 2-2.5" caliper, spacing 10', or combination of trees & shrubs, fencing to increase buffer.

1b) Buffering along residential property lines - due to the closeness of the parking to neighboring property - the available planting space is only about 4', a solid wooden fence should be installed along the property line in addition to the proposed planting of the 'Arctic Fire' Dogwood.

The plant list proposes to use 'Columnar' Norway Maples, recommendation would change this to 'Columnar' Red Maple such as 'Armstrong' Red Maple. (Efforts are being made to reduce the overuse of invasive Norway Maple.)

Overall, the plan does save existing shade trees and adds landscape planting to help transition this former school building to a more 'residential' feel.

I would be glad to discuss these recommendations and / or meet with the project team to review.

Thanks,

Jeff Taring  
City Arborist

**MEMORANDUM**

**To:** FILE

**From:** Keith Gautreau

**Dept:** Fire

**Subject** Application ID: 2009-0034

**Date:** 4/28/2009

I've looked at the plans with Shukria and there will be adequate access from Frances Street. I would like to see some No Parking Fire Lane markings on the turn from the access from Frances coming into





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**Planning & Urban Development Department**  
Penny St. Louis Littell, Director

**Planning Division**  
Alexander Jaegerman, Director

May 22, 2009

Westbrook Development Corporation  
Guy Gagnon, Development Director  
30 Liza Harmon Drive  
Westbrook, ME 04092

RE: 1251 Congress Street, St. Patrick's School Condominium  
Project #2009-0034, CBL 186 A002001

Dear Mr. Gagnon:

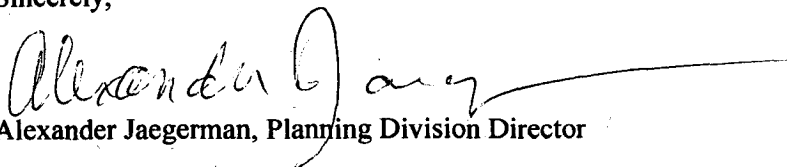
On, April 28, 2009 the Portland Planning Board approved with conditions the proposal for St. Patrick's School to be converted to a fifteen (15) residential units at 1251 Congress Street. As provided in Section 14-528, this letter serves as the written permission from the Planning Authority to commence minor interior demolition prior to posting the performance guarantee. The commencement of site work is limited to the extent of work outlined in your letter dated May 21, 2009 and listed below:

1. Internal demolition of suspended ceiling, non-bearing partitions, and removal of carpeting.

Please be advised that you must obtain a demolition permit from the City's Inspection Division prior to commencing the demolition and obtain any permits that may be required from Public Works for the temporary closing of any sidewalks and any temporary loss of on-street parking.

The approval to proceed with the demolition and site work is based on the submitted request of (cite attached letter of request) and the approved site plan. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval. If there are any questions, please contact the Planning Staff.

Sincerely,



Alexander Jaegerman, Planning Division Director

cc: Tammy Munson, Inspections Division Director  
Barbara Barhydt, Development Review Services Manager  
Marge Schmuckal, Zoning Administrator  
Phil DiPierro, Development Review Coordinator  
Penny Littell, Corporation Counsel  
Todd Merkle, Public Works  
Approval Letter File