



PORTLAND MAINE

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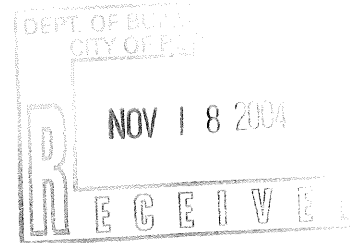
Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

November 16, 2004

Joseph and Peggy Keaney
115 Codman Street
Portland, ME 04103

RE: Hersey Street Driveway Project / 115 Codman Street
Application #2004-0194, CBL #128 J018001



Dear Mr. And Mrs. Keaney:

On November 16, 2004, the Portland Planning Authority, finding all applicable standards of the zoning code and site plan ordinance met, approved the above referenced site plan application. The approval is based on plans dated November 15, 2004 and stamp dated received on November 16, 2004.

The approval is for an approximately 65 foot driveway on the subject property accessed at Hersey Street and associated drainage, erosion control, fencing, landscaping, lighting, and curb / sidewalk improvement plans.

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

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. 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.

4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
6. 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 Department 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.

Regarding the appeals process, please be advised that, as per city code section 14-527:

(a) When the planning authority has finally approved or disapproved a site plan, any person aggrieved may appeal the decision to the Planning Board within ten (10) days of the decision being rendered. Upon the taking of such an appeal, the application shall be reviewed as if referred by the planning authority, except that the Planning Board may not decline to accept the reference.

(b) When the Planning Board has finally approved or disapproved a site plan, any person aggrieved or the city may appeal the decision of the superior court, pursuant to Rule 80B of the Maine Rules of Civil Procedure, within thirty (30) day of the decision being rendered.

If there are any questions or concerns, please contact Ethan Boxer-Macomber at 756-8083 or ebm@portlandmaine.gov.

Sincerely,



Alex Jaegerman, Planning Division Director

cc: Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Ethan Boxer-Macomber, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Eric Labelle, City Engineer
Penny Littell, Associate Corporation Counsel
Approval Letter File