



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

October 14, 2008

Dan Riley, PE
Sebago Technics
1 Chabot Street
Westbrook, ME 04098-1339

Re: 3 Matthew Street, Sturdivant Driveway
CBI: 132-1-8

Dear Mr. Riley,

On October 14, 2008, the Portland Planning Authority approved a partial site plan exemption for a driveway relocation at 3 Matthew Street. The approval includes closing the Concord Street curb cut and associated landscaping along the Concord Street right of way and is based on the revised material submitted by email on October 14, 2008. The approved exemption is subject to the following condition of approval:

That the existing concrete driveway (Concord Street) be removed and re-vegetated with loam and seed according to the same specifications as shown for the esplanade area of the closed Concord Street curb cut. Parking in the area of the existing driveway is to be discontinued.

The approved plan amends the site plan previously associated with the building permit submitted for replacement of the burned two unit residence at the same address. This partial exemption is required to document the relocation of the driveway which was not shown on the previous plan. This approval does not substitute for or modify any requirements, stipulations or conditions of approval associated with the Street Opening Permit issued by the Department of Public Services.

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. If you have any questions regarding this approval, please contact me at any time.

Sincerely,


Bill Needelman, Senior Planner

CC:

Penny St. Louis Littell, Planning and Urban Development Director

Alex Jaegerman, Planning Division Director

Gary Wood, Corporation Counsel

Barbara Barhydt, Development Review Services Director

Marge Schmuckal, Zoning Administrator

Ann Machado, Assistant Zoning Administrator

Mr. Lawrence Sturdivant, Proprietor

191 State Road

Suite 3

Kittery, Maine 03904



Application for Exemption from Site Plan Review Portland, Maine

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

1. Applicant Information

Lawrence Sturdivant
 Littlefield Farms, LLC
 Applicant/Owner
 191 State Road, Suite 3
 Kittery Maine 03904
 Mailing Address
 Dan Riley, Sebago Technics
 Consultant/Agent
 Phone / Fax / Cell 207-752-0091

2. Project Information

October 8, 2008
 Application Date
 Driveway Relocation
 Project Name/Description
 3 Matthews Street
 Address of Proposed Site
 132-I-8
 Assessor's Reference (Chart-Block Lot)

Description of Proposed Development:

Driveway Relocation

(Please Attach Sketch/Plan of Proposal/Development)

Criteria for Exemptions: (See Section 14-523 (4) on page 2 of this application)

	Applicant's Assessment (Yes, No, N/A)	Planning Division Use Only
a) Within Existing Structures: No New Buildings, Demolitions or Additions	Yes, No Building Proposed	X
b) Footprint Increase Less Than 500 sq. ft.	Yes	X
c) No New Curb Cuts, Driveways, Parking Areas	Curb cut/parking Relocation	X
d) Curbs and Sidewalks in Sound Condition; Comply with ADA	Yes	X
e) No Additional Parking/No Traffic Increase	Yes	X
f) No Known Stormwater Problems	Yes	X
g) Sufficient Property Screening Exists	Yes	w/ landscaping shown
h) Adequate Utilities	N/A	X

Planning Division Use Only

Exemption Granted

Partial Exemption X

Exemption Denied

Approval conditioned that the existing concrete driveway (Concord Street) be removed and re-vegetated with loam and seed according to the same specifications as shown for the esplanade area of the closed Concord Street curb cut. Parking in the area of the existing driveway is to be discontinued.

Planner's Signature William B. Needelman, Senior Planner Date October 14, 2008

**PROVISION OF PORTLAND CITY CODE
14-523 (SITE PLAN ORDINANCE)
RE: EXEMPTIONS FROM SITE PLAN REVIEW**

Sec. 14-523. Approval required.

No person shall undertake any development without obtaining approval therefore under this article.

- (4) The Planning authority shall exempt from review under all standards in this article developments that meet all of the following requirements:
- a. The proposed development will be located within existing structures, and there will be no new buildings, demolitions, or building additions other than those permitted by subsection b of this section;
 - b. Any building addition shall have a new building footprint expansion of less than five hundred (500) square feet;
 - c. The proposed site plan does not add any new curb cuts, driveways, or parking areas; the existing site has no more than one (1) curb cut and will not disrupt the circulation flows and parking on-site; and there will be no drive-through services provided;
 - d. The curbs and sidewalks adjacent to the lot are complete and in sound condition, as determined by the public works authority, with granite curb with at least four (4) inch reveal, and sidewalks are in good repair with uniform material and level surface and meet accessibility requirements of the Americans with Disabilities Act;
 - e. The use does not require additional or reduce existing parking, either on or off the site, and the project does not significantly increase traffic generation;
 - f. There are no known stormwater impacts from the proposed use or any existing deficient conditions of stormwater management on the site;
 - g. There are no evident deficiencies in existing screening from adjoining properties; and
 - h. Existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the public right-of-way.

A developer claiming exemption under this subsection shall submit a written request for exemption stating that the proposed meets all of the provisions in standards a-h of this subsection, including an itemized statement by a qualified professional. Upon receipt of such a request, the planning authority will visit the site to verify that the exemption is applicable due to compliance with the standards. The planning authority, after consultation with the public works authority, shall render a written decision within twenty (20) working days after receipt of a written request for exemption that contains all the information required by this subsection. If a full exemption is granted, the application shall be approved without further review under this article, and no performance guarantee shall be required. The planning authority may require full site plan review of a project that meets the criteria of this subsection if it determined that there is a substantial public interest in the project.

In the event that the planning authority determines that standards a and b of this subsection and at least four (4) of the remaining standards have been met, the planning authority shall review the site plan under the review standards in section 14-526 that are affected by the standards in this subsection that have not been met. An application that receives review by the planning board shall receive a complete review under the standards of section 14-526. The planning authority shall notify an applicant in writing that full or partial site plan review is required, the reasons for the decision, and the information that will be required for site plan review.

IMPORTANT NOTICE TO APPLICANT

An Exemption from site plan review does not exempt this proposal from other approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (874-8703), to determine what other City permits, such as a building permit, will be required.

