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Planning & Urban Development Department
Jeff Levine, AICP, Director

Planning Division
Alexander Jaegerman, FAICP, Director

November 16th, 2012

Brad Roland, PE
City of Portland
Department of Public Services
55 Portland Street
Portland, ME 04102

Craig Burgess, PE
Sebago Technics
75 John Roberts Road, Suite 1A
South Portland, ME 04106-6963

Project Name: **Baxter Boulevard and Back Cove Trail Improvements and Structures associated with City of Portland CSO Project**
Project ID: 2012-587
Address: North Baxter Boulevard and southeast corner Payson Park
CBL: 159-G-1
Applicant: City of Portland Department of Public Services
Planner: Jean Fraser

Dear Sirs:

On November 16th, 2012, the Planning Authority approved with conditions a Level I: Site Alteration site plan for realignment and widening of Back Cove Trail; construction of a precast concrete control room and other small structures; paving of the parking lot immediately adjacent Baxter Boulevard; and associated planting.

The decision is based upon the application, documents and plans as submitted by Brad Roland, PE (DPS) and prepared by Sebago Technics, including Sheets 11, 12, and 26, dated 10.31.2012. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance.

SITE PLAN REVIEW

The Planning Authority found the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval:

1. That the applicant shall obtain the approval of the Historic Preservation Board for the precast concrete control building, vents and the details of the delineation between Baxter Boulevard and the parking area intended to be paved, prior to the commencement of any work on these items; and
2. That the project shall address the tree protection, tree replacement and treatment of disturbed areas recommendations as outlined in the e-mail from the City Arborist dated 11.15.2012 (attached); and

3. That the applicant shall monitor the plantings, and the plantings shall be replaced or maintained as necessary to achieve 85% survival after one full growing season and for the life of the project (see also MDEP NRPA Permit); and
4. That the final restoration and paving of Baxter Boulevard shall include the tightening of the radii and narrowing of the street width at the two access drives into Payson Park, just to the east of the approved improvements and as shown on the attached sketch plan.

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.

The project is also subject to Army Corps Permit # NAE-2012-02263 dated 10.23.2012 and to MDEP NRPA Permits L-24096-4E-D-N; L-24096-TW-E-N; and L-24096-FS-F-N, all dated 10.26.2012.

STANDARD CONDITIONS OF APPROVAL

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

1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in 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 Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans required for the control room building, which must be reviewed and approved by the City of Portland's Inspection Division, and we will coordinate with the Inspections Division to issue a "Site Work Only" Building Permit for the site work.
3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Inspection Fees** An inspection fee payment of \$300 and seven (7) final sets of plans must be submitted to the Planning Division 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 site plan application for staff review and approval.
5. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor; Phil DiPierro, 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 Development Review Coordinator will confirm that the contractor is working from the approved site plan. 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. **Department of Public Services Permits** 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.)
7. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the 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 there are any questions, please contact Jean Fraser at (207) 874- 8728.

Sincerely,



Alexander Jaegerman, FAICP
Planning Division Director

Attachments:

1. E-mail from City Arborist, Jeff Tarling, dated 11.15.2012
2. Sketch over aerial re Payson Park access drives (from Brad Roland on 11.14.2012)

cc:

Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Deb Andrews, Historic Preservation Program Manager
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services

Bill Clark, Project Engineer, Public Services
David Margolis-Pinco, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
David Sensus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department

Approval Letter File

From: Jeff Tarling
To: Jean Fraser
CC: Bradley A. Roland; David Margolis-Pineo
Date: 11/15/2012 2:09 PM
Subject: Back Cove CSO Project

Hi Jean -

In review of the Back Cove CSO project we would request the following:

a) Tree protection standards - existing Linden trees along Baxter Boulevard should be protected with the standard tree protection measures. This would include construction fencing / protection of the tree root zone, language in the contract to include no storage of construction equipment or materials within the drip line area of existing trees. Pro-active tree pruning prior to construction activities is needed to reduce the possible damage to the trees in the project zone. This is typical of our past stormwater projects and has proven to be valuable in this regard.

The web sites below outline information on preventing tree damage:
http://treesaregood.com/treecare/resources/Avoiding_Tree%20damage.pdf

<http://www.extension.umn.edu/distribution/housingandclothing/DK6135.html>

b) Tree replacement - In the event that existing trees are lost due to construction tree replacement value of \$200 per tree to fund replacement can be contributed to the Portland Tree Trust fund for replanting. We would prefer to plant the replacement trees using 'in-house' crews.

c) Slope / shoreline stabilization - All disturbed areas with the Shoreland Zone shall be re-seeded, and planted with native shrubs. This may include: Comptonia or 'Sweetfern', Bayberry or Juniper.

In review of the tree & landscape impact - we have been working closely with the project team to outline protection measures and replanting efforts.

Thanks,

Jeff Tarling
City Arborist

