

Comments Submitted 3/15/13

City of Portland

Development Review Application  
Planning Division Transmittal Form

3/15/13

Application Number: 2013-030

Application Date: 01/25/2013

CBL: 163 B003001

Application Type: Plan Amendment - Staff Level II

Project Name: Cumberland Farms

Address: 801 WASHINGTON AVE

Project Description: Building and Design updates to existing Store Design, enhanced landscaping, fencing.

Zoning: B1

Other Required Reviews:

- Traffic Movement
- Storm Water
- Subdivision
- Site Location
- 14-403 Streets
- # Units \_\_\_\_\_
- Flood Plain
- Shoreland
- Design Review
- Housing Replacement
- Historic Preservation
- Other:
- # Lots \_\_\_\_\_
- # Unit \_\_\_\_\_

Distribution List:

	Planner	Shukria Wiar	Parking	John Peverada
✓	Zoning	Marge Schmuckal	Design Review	Alex Jaegerman
	Traffic Engineer	Tom Errico	Corporation Counsel	Danielle West-Chuhta
	Civil Engineer	David Sensus	Sanitary Sewer	John Emerson
	Fire Department	Chris Pirone	Inspections	Tammy Munson
	City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
	Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
			Outside Agency	

Comments needed by ~~2/1/2013~~

3/20/13

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**MEMORANDUM**

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**To:** FILE

**From:**

**Subject:** Application ID: 2013-030

**Date:** 3/15/2013

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**Comments Submitted by: Marge Schmuckal/Zoning on 3/15/2013**

Zoning has no issues with the revised building elevations. All the past conditions on the original application are still in force. Separate permits are required for the construction, signs and HVAC.

Marge Schmuckal  
Zoning Administrator

*Application of Cumberland Farms, Inc. for*

*Plan Amendment*

*801 Washington Avenue @ Ocean Avenue*

*Portland, Maine*

Cumberland Farms, Inc. ("Cumberland"), is the owner of the above-referenced property used as a retail establishment combined with gasoline sales. In 2010, the subject property, more specifically, lots 3, 4, 15, 17 and a portion of lot 14, was rezoned from Neighborhood Business (B-1) to Community Business (B-2).

By Decision of the Planning Board dated May 1, 2012, Cumberland was granted a Conditional Use Permit and Site Plan Approval to construct a 1,474 s.f. addition to its existing 2400 s.f. convenience store and for other site-related improvements. A copy of the Board's Decision is attached as *Exhibit A*. A copy of the approved Site Plan, approved exterior building elevations, and photo of a similarly designed site are attached as *Exhibit B*.

Subsequent to the Planning Board's approval, a decision was made by Cumberland to revise its exterior building elevations to reflect a more colonial New England design. A summary of those changes is attached as *Exhibit C*. A revised site plan and revised building elevations are attached as *Exhibit D*.

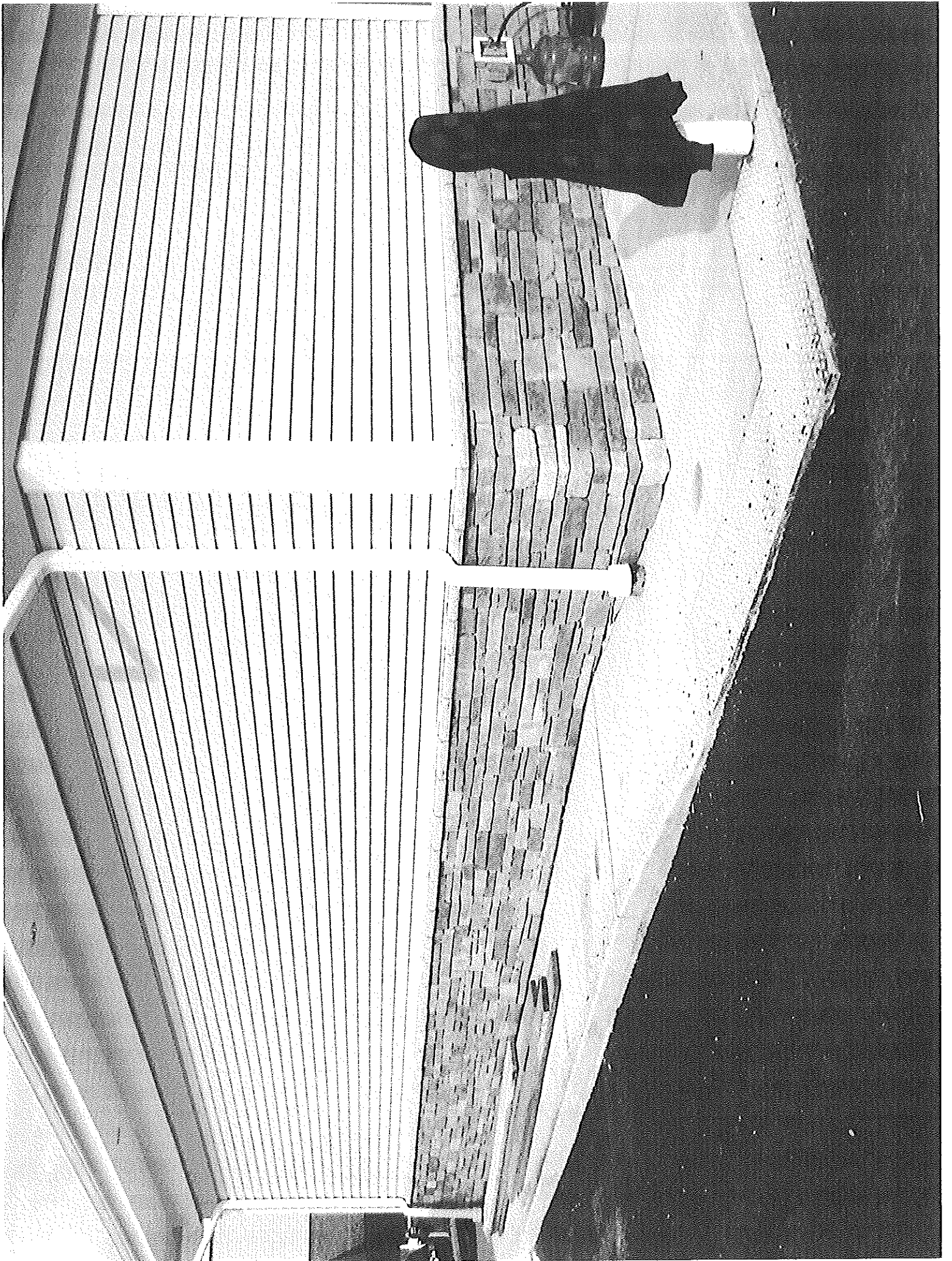
No other changes to the approved plans are proposed and all conditions of approval imposed upon the Conditional Use Permit and Site Plan Approval will be met.

Cumberland respectfully requests an administrative approval of the revised building elevations so that a building permit application may be submitted and construction commenced.

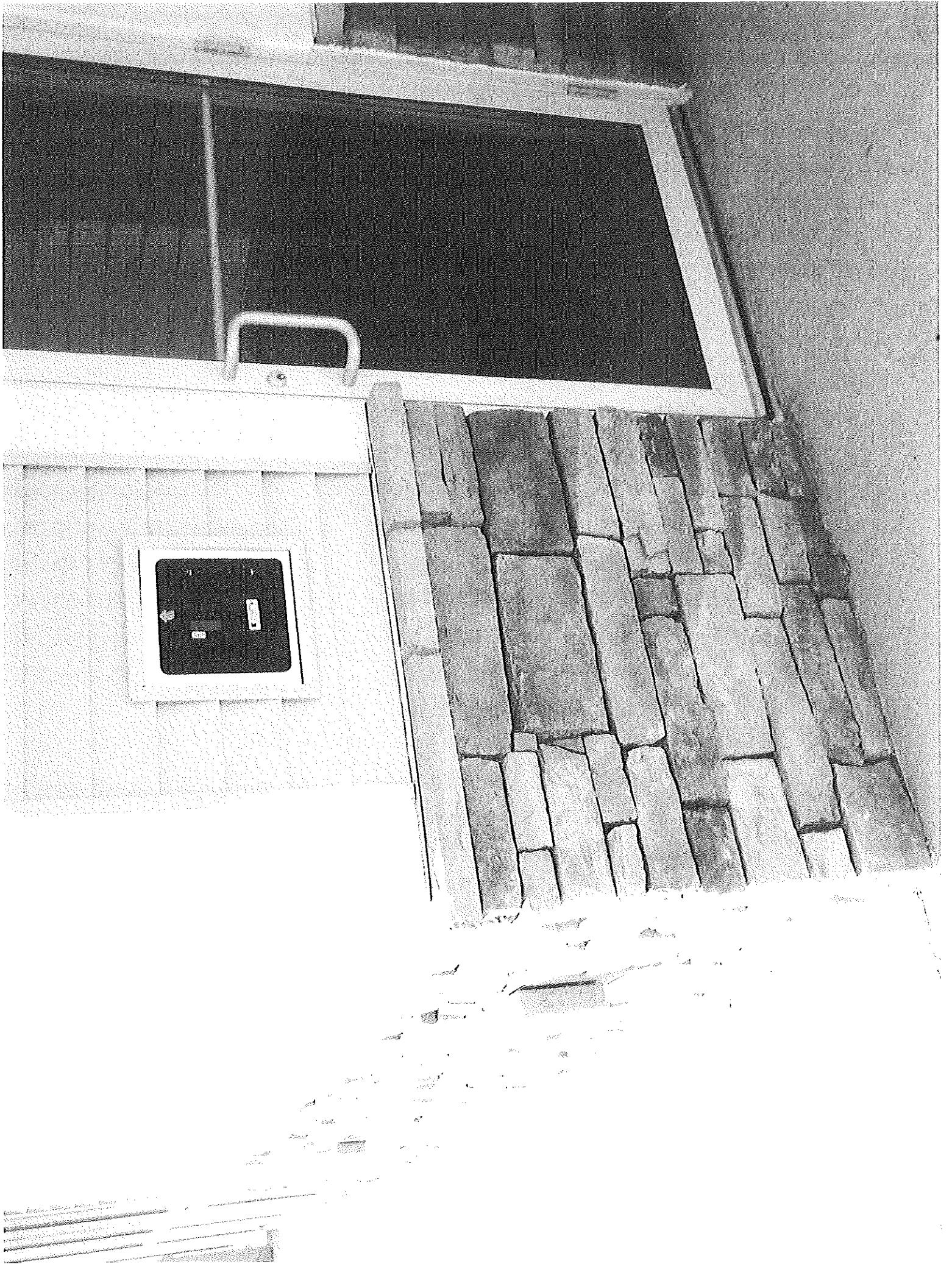
## PROJECT DATA

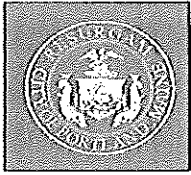
The following information is required where applicable, in order complete the application

Total Site Area	31,972 sq. ft.
Proposed Total Disturbed Area of the Site	sq. ft.
<b>(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)</b>	
<b>IMPERVIOUS SURFACE AREA</b>	
• Proposed Total Paved Area	25,578 sq. ft.
• Existing Total Impervious Area	25,303 sq. ft.
• Proposed Total Impervious Area	25,303 sq. ft.
• Proposed Impervious Net Change	275 sq. ft.
<b>BUILDING AREA</b>	
• Proposed Building Footprint	3,882 sq. ft.
• Proposed Building Footprint Net change	1,482 sq. ft.
• Existing Total Building Floor Area	2,400 sq. ft.
• Proposed Total Building Floor Area	3,882 sq. ft.
• Proposed Building Floor Area Net Change	1,482 sq. ft.
• New Building	(addition) (yes or no)
<b>ZONING</b>	
• Existing	B-2
• Proposed, if applicable	n/a
<b>LAND USE</b>	
• Existing	Retail store with gasoline sales
• Proposed	same
<b>RESIDENTIAL, IF APPLICABLE</b>	
• Proposed Number of Affordable Housing Units	n/a
• Proposed Number of Residential Units to be Demolished	
• Existing Number of Residential Units	
• Proposed Number of Residential Units	
• Subdivision, Proposed Number of Lots	
<b>PARKING SPACES</b>	
• Existing Number of Parking Spaces	22 (including 8 at pumps)
• Proposed Number of Parking Spaces	29 (including 8 at pumps)
• Number of Handicapped Parking Spaces	2
• Proposed Total Parking Spaces	29
<b>BICYCLE PARKING SPACES</b>	
• Existing Number of Bicycle Parking Spaces	0
• Existing Number of Bicycle Parking Spaces	0
• Proposed Number of Bicycle Parking Spaces	10
• Total Bicycle Parking Spaces	10
<b>ESTIMATED COST OF PROJECT</b>	<b>\$1,200,000</b>









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**Planning & Urban Development Department**  
Jeff Levine, AICP, Director

RECEIVED

MAR 19 2013

**Planning Division**  
Alexander Jaegerman, FAICP, Director

Dept. of Building Inspections  
City of Portland Maine

March 19, 2013

Cumberland Farms, Inc.  
Attention: Kathleen A, Sousa  
100 Crossing Blvd  
Framingham, MA 01702

Petrucci Martin & Haddow, LLP  
Attention: Jisel Lopez  
50 Monument Square  
Portland, ME 04112

Project Name:	Building Addition	Project ID:	2013-030
Address:	801 Washington Avenue	CBL:	163-B-003
Applicant:	Cumberland Farms, Inc.		
Planner:	Shukria Wiar		

Dear Ms. Sousa:

On March 15, 2013, the Planning Authority considered an amendment to revise the façade of the approved building addition and site improvements located at 801 Washington Avenue. Any waivers, conditions, and standard conditions of approval included in the original approval remain valid for the amended site plan, unless stated otherwise. The Planning Authority reviewed the amended plan for conformance with the standards of the Site Plan Ordinance and the B2 Commercial Business Design Standards and the amended plan as shown on the plan dated 11.19.2012 is approved with the following conditions:

1. The applicant shall maintain 50% visibility through the windows.
2. The applicant shall add additional landscaping at the existing landscaped islands. Additional street trees will add vertical height and create a cohesive wall of enclosure along Washington and Ocean Avenues.

The approval is based on the submitted amended site plan dated 11.19.2012. If you need to make any modifications to the approved site plan, you must submit an amended site plan for staff review and approval. Please note that the

#### **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, which must be reviewed and approved by the City of Portland's Inspection Division.
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. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, 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 Department 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. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **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, 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. (If applicable)
7. **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.)
8. **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 Shukria Wiar at (207) 756-8083 or via [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Sincerely,



Barbara Barhydt  
Interim Planning Division Director

**Electronic Distribution:**

Greg Mitchell, Interim 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, Planning  
Marge Schmuckal, Zoning Administrator, Inspections Division  
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Lannie Dobson, Administration, Inspections Division  
Gayle Guertin, Administration, Inspections Division  
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Katherine Barley, 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  
Matt Doughty, Field Inspection Coordinator, Public Services  
Mike Farmer, Project Engineer, Public Services  
Jane Ward, Administration, Public Services  
Jeff Tarling, City Arborist, Public Services  
Captain Chris Pirone, Fire Department  
Thomas Erriso, P.E., TY Lin Associates  
David Senus, P.E., Woodard and Curran  
Rick Blackburn, Assessor's Department  
Approval Letter File