Inspections Division
Date: 05/01/14

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
MAR 18 2010
RECEIVED

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

Planning Division
Alexander Jaegerman, Director

March 18, 2010

Robert C. Nelson
47 Alice Court
Portland ME, 04103

Robert C. Nelson
38 Morse Street
Portland ME, 04103

Michael F Hays
Project Architect, Grant Hays Associates
PO Box 6179
Falmouth, ME 04105

Re: **38 Morse Street (32-38 Morse Street); Addition of 2-units**
AMENDMENT

Re: Application ID: # 2008-0064
Original Site Plan Approval dated September 28, 2009
CBL: 163 A015 001 and 163A A016 001

Dear Mr. Nelson:

On March 18, 2010, the Portland Planning Authority approved the amended site plan for the proposal to add 2 units (to create a multiplex) at 32-38 Morse Street, as shown in the approved plans prepared by Owen Haskell, Inc (Site Plan 02.16.2010 and Site Details Rev 6.09.18.09) and by Michael F. Hays Architect (Building Plans A1-A7 all dated 02.15.2010) with the following conditions:

i. That the applicant shall use the details provided in the Public Services Memorandum dated March 3, 2010 (attached) for utility bedding and street repair when excavating within the Morse Street right of way; and

ii. The applicant shall install a three foot sump in the proposed catchbasin; and

iii. That if the construction of the project is phased, the first new unit shall meet all site plan requirements (landscaping, fencing, and drainage/infrastructure) prior to the issuance of a Certificate of Occupancy (CO); and

iv. The second new unit shall be constructed and occupied (Certificate of Occupancy) within 12 months of the issuance of the CO for the first new unit, otherwise the parking will need to be reduced to 3 spaces with lawn and landscaping replacing any parking area in excess of 3 spaces prior to the release of the defect guarantee, and

v. That in the event that one or more of these three units are intended to be sold off as condominiums, please note that any conversion shall meet the City's Ordinance (currently 14-565 to 14-571), and that condominium documents (clarifying responsibilities for maintenance of common areas) shall be submitted for review and approval by the Planning Authority prior to the sale of the first unit.

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

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 Code.

2. This approval does not constitute approval for building plans, which must be reviewed and approved the City of Portland's Inspection Division.

3. Where submission drawings are available in electronic form, 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 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 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.

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 there are any questions, please contact Jean Fraser at 874- 8728.

Sincerely,

Alexander Jaegerman
Planning Division Director

Inspections Division

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Attachments

1 Public Services Memo March 3, 2010

2 Performance Guarantee Packet

Electronic Distribution

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