Inspections Division
Date: 05/01/14

PORTLAND MAINE

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

Planning Division
Alexander Jaegerman, Director

September 28, 2009

Robert C. Nelson
47 Alice Court
Portland ME, 04103

DEPT. OF BUILDING INSPECTION
CITY OF PORTLAND, ME
SEP 29 2009
RECEIVED

Re: 38 Morse Street (32-38 Morse Street); Addition of 2-units
Application ID: # 2008-0064

CBL: 163 A015 001 and 163A A016 001

Dear Mr. Nelson

On September 28, 2009, the Portland Planning Authority approved a minor 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 and dated 09-18-09 (Rev 6), with the following conditions:

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

ii. The second unit shall be constructed and occupied (Certificate of Occupancy) within 12 months of the issuance of the CO for the first unit, otherwise the parking will need to be reduced to 2 spaces with lawn and landscaping replacing any parking area in excess of 2 spaces prior to the release of the defect guarantee; and

iii. That in the event that one or more of these 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.

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.

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 this article. Any such parcel lawfully altered prior to the enactment date of these revisions shall not be further altered without approval as provided herein. Modification or alteration shall mean and include any deviations from the approved site plan including, but not limited to, topography, vegetation

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and impervious surfaces shown on the site plan. No action, other than an amendment approved by the planning authority or Planning Board, and field changes approved by the Public Services authority as provided herein, by any authority or department shall authorize any such modification or alteration.

2. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division through the Building Permit application process.

3. 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 seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Dept. 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. 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. 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.

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

Sincerely,

Alexander Jaegerman
Planning Division Director

Attachment: Performance Guarantee Packet

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Electronic Distribution:
Penny St. Louis Littell, Director of Planning and Urban Development
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Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File

Hard Copy: Project File