

# CITY OF PORTLAND, MAINE

## PLANNING BOARD

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April 16, 2014

Doug Roncarati, Stormwater Program Coordinator,  
City of Portland Department of Public Services  
55 Portland Street  
Portland, ME 04101

**Project Name:** Capisic Pond Enhancement; Level III Site Plan  
**Project ID:** #2013-268  
**Project Address:** Vicinity of Capisic Street  
**CBL:** 224 C 001; 192 C001; 224 A X001  
**Applicant:** Doug Roncarati, Stormwater Program Coordinator,  
City of Portland, Department of Public Services  
**Planner:** Jean Fraser

Dear Doug:

On March 25<sup>th</sup>, 2014 the Portland Planning Board approved a Level III Final Site Plan for the enhancement project to the Capisic Pond within the Capisic Pond Park in the vicinity of Capisic Street. The proposals include the removal of cattails and sediments from historically open waters and replanting with a diverse range of vegetation that will support a greater diversity of habitat and help maintain the open water area. The area of disturbance is approximately 8 acres.

The Planning Board reviewed the proposal for conformance with the standards of the Site Plan Ordinance and voted 5-0 (Dundon and O'Brien absent) to approve the application with the following conditions as presented below.

On the basis of the Level III site plan application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on March 25, 2014 for application #2013-268 Capisic Pond Enhancement, relevant to the Site Plan standards and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

- i. That a copy of the NRPA, Army Corps and MDEP permits shall be submitted to the Planning Authority prior to the issuance of a building permit. If there are significant modifications to the proposals as a result of these reviews, then an amended site plan would be required for approval by the Planning Authority prior to the issuance of a building permit; and
- ii. That the applicant shall obtain easements or temporary construction agreements for all work outside the boundaries of the site, to be reviewed and approved by Corporation Counsel and the recorded copies shall be provided to the Planning Authority prior to the issuance of a building permit; and
- iii. That the applicant and contractors and all associated truck operators shall follow the submitted routing program (including Notes on Plan 2 G-001) and avoid the peak drop off and pick up times at Breakwater School, and that Breakwater School shall be formally advised, 3 weeks prior to the start of any associated truck traffic, of the times of truck traffic so that they may advise parents of the arrangements; and
- iv. That the best management practices and timeframes listed and required in the City of Portland Ordinances for the Shoreland Zone shall be followed during the construction work; and
- v. That this approval is valid for 3 years from the date of Planning Board approval.

The approval is based on the submitted plans and the findings related to site plan review standards as contained in the Planning Board Report for the public hearing on March 25<sup>th</sup>, 2014 for application #2013-268 (Capisic Pond Enhancement), which is attached. The standard conditions of approval are listed below.

#### STANDARD CONDITIONS OF APPROVAL

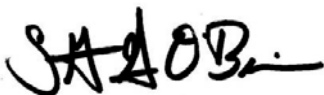
Please note the following standard conditions of approval and requirements for all approved site plans:

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 the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** A "Site Work Only" Building Permit for the site work is required; please coordinate with the Inspections Division to arrange for this building permit.
3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within three (3) years of the approval, as per condition v. above. This expiry date may not be extended.
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, 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 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 you have any questions, please contact Jean Fraser at 874 8728 or jf@portlandmaine.gov.

Sincerely,



Stuart O'Brien, Chair  
Portland Planning Board

**Attachment:** P. B. Hearing Report for the public hearing on March 25<sup>th</sup>, 2014 re #2013-268 (Capisic Pond Enhancement)

3.

**Electronic Distribution:**

Jeff Levine, AICP, Director of Planning and Urban Development  
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Jean Fraser, Planner  
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Approval Letter File