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## CHARTER REALTY & DEVELOPMENT CORP.

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800 Westchester Avenue • Suite S-632  
Rye Brook, NY 10573  
914 701-4002 • Fax 914 701-4003  
[www.chartweb.com](http://www.chartweb.com)

March 31, 2014

Barbara Barhydt  
Development Review Services Manager  
Department of Planning and Development  
Portland City Hall  
389 Congress Street  
Portland, ME 04101

RE: Westgate Plaza – 1354-1422 Congress Street

Dear Barbara:

We are pleased to submit the applications for amending the Conditional Use, Site Plan and Traffic Movement Permit for the proposed re-tenanting of the former Tim Horton's ("Application"). As discussed during our meeting on March 13, 2014 in your office, we are not proposing any site changes just a change in tenancy. Approvals were granted on May 27, 2008 for a comprehensive redevelopment of Westgate Shopping Plaza and specifically included a Conditional Use Permit, Traffic Movement Permit, Site Plan and Subdivision (Application #2008-0027). The Conditional Use Permit for the proposed restaurant required final site plan review once a tenant was identified. Conditional Use and Site Plan Approval for Tim Horton's was issued on August 12, 2008 and subsequent improvements to the site and restaurant were made in accordance with the approval (Application # 2008-0113). Tim Horton's operated a restaurant with drive-through in this location until November 12, 2014 when they informed us they were closing the restaurant.

We are pleased that Dunkin' Donuts is interested in the former Tim Horton's as they are essentially the same use. As discussed during our meeting, we wanted to illustrate compliance with Section 14-183. Conditional uses 6. Drive-throughs in the B-2 zone. Maine Traffic Resources prepared a Summary Memorandum dated March 24, 2014 to evaluate the Trip Generation and Traffic Analysis for Proposed Dunkin' Donuts at Westgate Plaza. As part of this analysis, they also conducted queue observations for the on-site analysis to determine appropriate queue lengths. Maine Traffic Resources determined that storage for eleven vehicles is adequate to support the expected queues. Tighe & Bond prepared a Drive-thru Exhibit to illustrate compliance with the Conditional Use Standards, both the Summary memorandum and Drive-thru exhibit are part of the application materials. As part of the new tenancy, certain exterior changes to signage and branding are proposed to reflect Dunkin' Donuts.

*Other offices in:*

183 Main Street • Westport, CT 06880 • 203 227-2922 • Fax 203 227-8388  
1666 Massachusetts Avenue • Suite 4 • Lexington, MA 02420 • 617 623-4333 • Fax 617 623-1333

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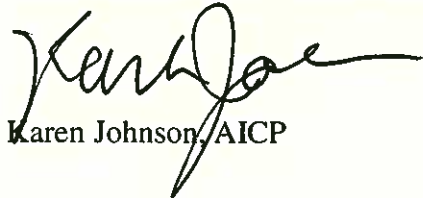
In addition to the above referenced items, the following are submitted with this cover letter:

1. **Application forms:** Level III –Preliminary and Final Site Plans and Conditional Use Development Review Applications as well as the Application for Traffic Movement Permit Modification
2. **Site Plans:** a set of full size and 11”by 17” site plans for prepared by Tighe & Bond dated March 28, 2014.
3. **Architectural Plans:** Schematic Elevations prepared by Aharonian & Associates, Architects dated March 29, 2014.
4. **Development Review Fee:** \$500 to City of Portland for Site Plan Review Amendment, \$100 to City of Portland for Conditional Use Permit Amendment, \$500 to City of Portland for Traffic Movement Permit Modification.
5. **Evidence of Right, Title or Interest:** Deed attached.
6. **Electronic Submittal** – a CD containing all the above referenced plans and documents.

We are excited about the improvements to Westgate Plaza and hope you agree that this represents a tremendous enhancement to a valued neighborhood shopping center. The Westgate Plaza improvements will attract new tenants to better serve the surrounding area. We look forward to presenting these plans to the City of Portland and to the neighborhood over the coming month.

Sincerely,

CHARTER REALTY & DEVELOPMENT CORP.



Karen Johnson, AICP