



Alex Jaegerman, FAICP
Division Director, Planning Division

December 4, 2014

Chris Thompson
Forefront Partners I, LP
55 Lisbon Street, Suite 2400
Lewiston, Maine 04240

Bo Kennedy, P.E., C.P.E.S.C.
Fay, Spofford & Thorndike
778 Main Street, Suite 8
South Portland, ME 04106

Project Name: The Forefront at Thompson's Point Amendment Phase 1A Plan
Project ID: PEZ 2014-120
Address: 1 Thompson's Point CBL: 201 A005
Applicant: Chris Thompson, Forefront Partners I, LP
Planner: Christine Grimando

Dear Mr. Thompson:

On December 4, 2014 the Planning Authority approved with conditions an amendment (PEZ 2014-120) to a previous approval for a Level III Site Plan and Subdivision – Phase 1A, last approved on December 17, 2013. The scope of the work proposed in the application includes:

- A revised entrance road alignment.
- The addition of two easements. The first easement is from Suburban Propane to the applicant to construct an entrance road prior to the acquisition of the Suburban property. The second is an easement from the applicant to the Portland Water District to maintain a proposed public water main extension within the site.
- Earthmoving activities associated with construction of a permanent access road extending from the off-site roadway terminus to a new parking area to the south and west of Brick North.
- Permanent underground utilities including water, sewer, power, natural gas and communications will be installed.
- Construction of permanent site improvements which include parking, landscaping, lighting improvements and utility services.
- Environmental remediation inside the Brick North building in accordance with the approved VRAP plan.

- Renovation of the Brick North building to enhance the existing external façade and provide mixed use commercial space.
- A direct sidewalk from the access road directly to the Brick North Building.

The full extent of the proposed changes is detailed on the final site plan entitled *Amended Site Renovation Plans for Brick North Building (Building #1) At the Forefront at Thompson's Point*, by Bo Kennedy, P.E., of Fay, Spofford & Thorndike, with a title sheet date of July 2014, with a last revision date of December 1, 2014. The proposal was reviewed for conformance with the standards of Portland's Site Plan and Subdivision Ordinance, Article V.

SITE PLAN REVIEW

The Planning Authority found the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following condition(s) of approval:

1. Future phases of work in the vicinity of the outfall associated with "Stormwater Management Zone F" (as depicted on sheet C-5.1) shall incorporate water quality treatment measures that provide adequate treatment capacity for runoff from the untreated parking lot south of the Brick North Building in accordance with the General Standards of Section 5 of the City of Portland Technical Manual. If no future work occurs on the site, water quality treatment measures for the untreated parking lot south of Brick North are not required.
2. All conditions from prior approvals regarding the site plan in its entirety continue to apply until superseded by an approved alternative.

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.

SUBDIVISION REVIEW

The Planning Authority found the plan is in conformance with the Subdivision Standards of the Land Use Code subject to the following condition(s) of approval:

1. The sectional subdivision plat, for Planning Board signatures, shall be finalized for review.
2. The two additional easements cited above shall be included in the List of Easements section of sheet C-1.1, with their respective Cumberland County Registry of Deeds Book and Page numbers. If they are to be recorded simultaneously with the recording plat, spaces may be included for the book and page on the sectional recording, and completed upon recording of the mylar.
3. All conditions from prior approvals regarding the subdivision in its entirety continue to apply until superseded by an approved alternative.

STANDARD CONDITIONS OF APPROVAL

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

1. **Sectional Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
2. **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.
3. **Separate Building Permits Are Required** This approval does not constitute approval of any associated building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
4. **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.
5. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
6. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and four (4) 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.
7. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

8. **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.)
9. **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.
10. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

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.

If there are any questions, please contact Christine Grimando at (207) 874-8608.

Sincerely,



Alexander Jaegerman, FAICP
Planning Division Director

Attachments:

1. City Engineer Review, 8/19/2014, 9/19/2014, 10/1/2014
2. City Traffic Engineer Review, 8/15/2014, 10/3/2014, 11/26/2014
3. City Arborist Review, 8/12/2014
4. Performance Guarantee Packet
5. Phase 1A Dec 2013 Approval Letter

CC: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Christine Grimando, Senior Planner
Philip DiPierro, Development Review Coordinator, Planning
Ann Machado, Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Lannie Dobson, Administration, Inspections Division
Brad Saucier, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services

Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, 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
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirone, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Jeff Liick, Harbor Master
Approval Letter File

MEMORANDUM



TO: Christine Grimando, Planner
FROM: David Senus, P.E. & Ashley Auger, E.I.T.
DATE: August 19, 2014
RE: Forefront at Thompson's Point-Phase 1A, Amended Level III Site Plan Application

Woodard & Curran has received the Amended Level III Site Plan Application for the *Forefront at Thompson's Point* located at Thompson's Point, a peninsula of land that extends into the tidal Fore River west of I-295 and south of Congress Street in Portland, Maine. The full Master Development Plan proposes a mixed use development (offices, sports and entertainment facilities, restaurants and associated parking) on a 30 acre site, along with offsite improvements to support the project infrastructure. This amended application includes activities associated with Phase 1A, specifically renovation of the existing Brick North building and adjacent, permanent site improvements.

Documents Reviewed by Woodard & Curran

- Amended Level III Site Plan Application and attachments revised July 29, 2014, prepared by FST Engineers, on behalf of Forefront Partners I. LP.
- Civil Engineering Plans, Sheets C-1.0 through C-14.0, Rev. dated July 29, 2014, prepared by FST Engineers, on behalf of Forefront Partners I. LP.

Comments

1. In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. In addition, the overall project, and therefore each phase of the project, are subject to the requirements of MaineDEP Site Location of Development Act as reviewed under the City's delegated review authority. We have reviewed the project for conformance with the City's Technical Standards and the City's Delegated Review Authority for Site Law. We offer the following comments:
 - A. Basic Standards: A Plan and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in general accordance with Appendix A, B, & C of MaineDEP Chapter 500.
 - B. General Standards: The Applicant has proposed the use of Filterra units, StormTreat units, and a stone drip edge filter, and has adequately demonstrated compliance with the General Standards for the proposed work associated with Phase 1A; pending addressing the comments contained herein. The Applicant has noted that the untreated parking lot south of the Brick North Building will ultimately be conveyed to a StormTreat treatment system, but that it will not be completed as part of this phase of work due to uncertainty at this time of the exact development proposed for this portion of the Site. The Applicant has therefore provided treatment measures for an existing roof area in lieu of direct treatment of this area. Woodard & Curran recommends including a condition of approval requiring that future phases of work in the vicinity of the outfall associated with "Stormwater Management Zone F" (as depicted on sheet C-5.1) incorporate water quality treatment measures that provide adequate treatment capacity for runoff from the untreated parking lot south of the Brick North Building in accordance with the General Standards.
 - C. Flooding Standard: The Applicant has requested a waiver from the Flooding Standard, as Stormwater runoff is proposed to discharge directly to the Fore River, a tidal waterbody.



Consistent with prior approvals, we support this request for a waiver from the Flooding Standard.

2. Note 2 on Sheet C-5.1 refers to a Stormwater Management Operation and Maintenance Manual, which does not seem to have been provided at this time; the Manual should include a stormwater inspection and maintenance plan developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.
3. The Applicant should verify that this amendment is being coordinated with other regulatory authorities, such as the MaineDEP, for compliance with any other existing permits on the site.
4. The proposed work will disturb more than one acre; as such, a Maine Construction General Permit notification is required to be filed with MaineDEP. A copy of the permit notification should be forwarded to the City.
5. Per Chapter 7.5 of Volume III of the MaineDEP Stormwater BMP Manual, Filterra Systems are to be utilized in conjunction with a StormTech Isolator Row; however, it does not appear that a Stormtech Isolator row is proposed to accompany the Filterra units. The Applicant should clarify.
6. Per Chapter 7.6 of Volume III of the MaineDEP Stormwater BMP Manual:
 - A. The Applicant should provide calculations demonstrating that the proposed Water Quality Treatment Drip Edge reservoir has been properly sized; and
 - B. The underdrain bed should be wrapped with geotextile fabric if utilizing $\frac{3}{4}$ " crushed stone as underdrain bedding (as proposed) to avoid fines washing into the bed from the filter layer.
7. The Applicant should provide the following details:
 - A. Retaining Wall, Timber Guide Rail, and Fence (as called-out on C-3.0)

MEMORANDUM



TO: Christine Grimando, Planner
FROM: David Senus, P.E.
DATE: September 19, 2014
RE: Forefront at Thompson's Point-Phase 1A, Amended Level III Site Plan Application
Response to Comments

Woodard & Curran has received a response to comments submittal for the Amended Level III Site Plan Application for the *Forefront at Thompson's Point* located at Thompson's Point. The amended application includes activities associated with Phase 1A, specifically renovation of the existing Brick North building and adjacent, permanent site improvements.

Documents Reviewed by Woodard & Curran

- Response to City Comments Letter dated September 11, 2014 prepared by FST Engineers on behalf of Forefront Partners I. LP.
- Response to PWD Comments Letter dated September 11, 2014 prepared by FST Engineers on behalf of Forefront Partners I. LP.
- Civil Engineering Plans, Sheets C-3.0, C-7.0, C-8.8, Rev. dated September 10, 2014, prepared by FST Engineers, on behalf of Forefront Partners I. LP.

Comments

1. **Comment from Previous Memo:** "Woodard & Curran recommends including a condition of approval requiring that future phases of work in the vicinity of the outfall associated with "Stormwater Management Zone F" (as depicted on Sheet C-5.1) incorporate water quality treatment measures that provide adequate treatment capacity for runoff from the untreated parking lot south of the Brick North Building in accordance with the General Standards."

The Applicant has responded: "It is the intent of the applicant to meet the General Standards through all phases of this project. Treatment of the parking lot south of Brick North may be proposed if required to meet the General Standards under a future phase. The treatment proposed as part of this phase meets the General Standards as designed. For this reason, the applicant does not think a condition of approval is necessary."

We recommend continuing to include this as a condition of approval or stating it as a future requirement in the Approval letter. As noted by the Applicant in the June 30, 2014 Supplemental Stormwater Management Report "Ultimately, as part of the Master Plan Stormwater Management Strategy, the parking area to the south of Brick North will be conveyed to a StormTreat™ treatment system". The City, as the reviewing authority for Chapter 500 Stormwater compliance, requires that the parking lot area south of Brick North receive treatment in accordance with the approved Master Plan. The proposal to treat the roof water under this phase to meet the general standards is acceptable; however, long term plans should include treatment of the parking lot area.

2. **Comment from Previous Memo:** The Applicant should provide the following details:
 - A. Retaining Wall, Timber Guide Rail, and Fence (as called-out on C-3.0)

No response received; we request that the applicant provide the above-listed detail.

MEMORANDUM



TO: Christine Grimando, Planner
FROM: David Senus, P.E.
DATE: October 1, 2014
RE: Forefront at Thompson's Point-Phase 1A, Amended Level III Site Plan Application
Response to Comments

Woodard & Curran has received a response to comments submittal for the Amended Level III Site Plan Application for the *Forefront at Thompson's Point* located at Thompson's Point. The amended application includes activities associated with Phase 1A, specifically renovation of the existing Brick North building and adjacent, permanent site improvements.

Documents Reviewed by Woodard & Curran

- Response to Review Comments Letter dated September 23, 2014 prepared by FST Engineers on behalf of Forefront Partners I. LP.

Comments

1. Under the current Phase 1A proposal, allowing the roof to be treated in lieu of the parking lot area (even using a treatment reduction factor of 60% as proposed) can be accepted at the City's discretion. The City could reject the current proposal to treat the roof area in lieu of the parking lot area, and require the Applicant to provide treatment for this parking lot area under the current application. However, the City considers the current proposal to be an acceptable "interim" measure (to avoid reconstructing treatment structures in the future). As previously stated, we recommend including a condition of approval requiring that future phases of work in the vicinity of the outfall associated with "Stormwater Management Zone F" (as depicted on sheet C-5.1) incorporate water quality treatment measures that provide adequate treatment capacity for runoff from the untreated parking lot south of the Brick North Building in accordance with the General Standards. This condition does not need to be contingent upon future phases of work occurring on the site; if no future work occurs on the site, the Applicant will not be held to completing this measure.
2. All previous review comments have been adequately addressed.

From: Tom Errico <thomas.errico@tylin.com>
To: Christine Grimando <CDG@portlandmaine.gov>
Date: 8/15/2014 1:51 PM
Subject: RE: 1A Amendment

Christine – Some initial observations on the plan for discussion next week. I need to review the details further.

- The sidewalk/path on the northwest side of the entry roadway has been reduced in width from the Master Plan. The master plan noted a 12-foot wide path and now it has been reduced to 8-feet.
- There is an area of esplanade that is labeled as 4-foot (but is 6-foot wide in some areas). I believe it should all be 6-foot in width.
- The painted island transitioning from three to two lanes is noted as paint. The master plan noted a red brick stamped material.
- The sidewalk connection to the North Brick building is indirect and not likely to be used.
- I'd them to specifically note the roadway cross-section (curb to curb width and what is allocated for shoulder and travel lanes).
- The roadway alignment has shifted slightly. I don't view this as an issue, but an explanation on why it shifted should be provided. Otherwise, I'm generally fine with it from a traffic perspective given that it complies with TMP trip levels.

Thanks

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
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"One Vision, One Company"

Please consider the environment before printing.

From: Tom Errico <thomas.errico@tylin.com>
To: Christine Grimando <CDG@portlandmaine.gov>
CC: Katherine Earley <KAS@portlandmaine.gov>, David Margolis-Pineo <DMP@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>
Date: 10/3/2014 10:06 AM
Subject: Thompsons Point --Amendment 1A

Christine - The following is a status update on my previous comments.

* The sidewalk/path on the northwest side of the entry roadway has been reduced in width from the Master Plan. The master plan noted a 12-foot wide path and now it has been reduced to 8-feet.

Status: Given that the width of the sidewalk path on the Thompsons Point Connector Road is 8-foot wide, I support the change to a minimum width of 8-feet. I would note that this width would not allow this facility to be designated as a shared-use path and only as a sidewalk for pedestrian use. The plans do note a 6-foot sidewalk and that section should be widened to 8-feet from a consistency perspective.

Current Status: Based upon discussions with DPS and the fact that during near-term events pedestrian demand will be significant, the sidewalk shall be a minimum of 8-feet.

* There is an area of esplanade that is labeled as 4-feet (but is 6-feet wide in some areas). I believe it should all be 6-feet in width.

Status: Jeff Tarling should provide direction on this issue.

* The painted island transitioning from three to two lanes is noted as paint. The master plan noted a red brick stamped material.

Status: Given that only a base pavement surface is being provided at this time, use of paint as a temporary treatment is acceptable. During final pavement installation, stamped material will be required.

* The sidewalk connection to the North Brick building is indirect and not likely to be used.

Status: In my professional opinion the proposed plan will not provide a reasonable pedestrian system that will be used. I suggest that the plan be revised to include a direct sidewalk system that will serve pedestrians walking to and from the Brick North Building.

Current Status: Based upon discussions with DPS, a paved sidewalk shall be provided that provides a direct connection to the building. It is suggested that this sidewalk be located along the circulation roadway adjacent to the Suburban Propane Site.

* I'd them to specifically note the roadway cross-section (curb to curb width and what is allocated for shoulder and travel lanes).

Status: As noted by the applicant, Sheet 8-8 provides the proposed roadway cross-sections for the project. The applicant should provide details on why the roadway section is narrowing from 30-foot curb-to-curb to 26-feet.

Current Status: This issue is outstanding.

* The roadway alignment has shifted slightly. I don't view this as an issue, but an explanation on why it shifted should be provided.

Status: The applicant has provided a response and I have no further comment.

* I'm generally fine with the project from a traffic perspective given that it complies with TMP trip levels.

Status: I have no further comment.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
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"One Vision, One Company"

Please consider the environment before printing.

From: Tom Errico <thomas.errico@tylin.com>
To: "Grimando, Christine" <CDG@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>
Date: 11/26/2014 7:45 AM
Subject: Brick North Phase 1A - Traffic Comments

Christine - The following is a status update on previous comments.

* The sidewalk/path on the northwest side of the entry roadway has been reduced in width from the Master Plan. The master plan noted a 12-foot wide path and now it has been reduced to 8-feet.

Status: Given that the width of the sidewalk path on the Thompsons Point Connector Road is 8-foot wide, I support the change to a minimum width of 8-feet. I would note that this width would not allow this facility to be designated as a shared-use path and only as a sidewalk for pedestrian use. The plans do note a 6-foot sidewalk and that section should be widened to 8-feet from a consistency perspective.

Status Update: Based upon discussions with DPS and the fact that during near-term events pedestrian demand will be significant, the sidewalk shall be a minimum of 8-feet.

Current Status: The plans have been revised to include a 8-foot minimum width sidewalk. I have no further comment.

* There is an area of esplanade that is labeled as 4-feet (but is 6-feet wide in some areas). I believe it should all be 6-feet in width.

Status: Jeff Tarling should provide direction on this issue.

Current Status: Jeff Tarling should provide direction on this issue.

* The painted island transitioning from three to two lanes is noted as paint. The master plan noted a red brick stamped material.

Status: Given that only a base pavement surface is being provided at this time, use of paint as a temporary treatment is acceptable. During final pavement installation, stamped material will be required.

* The sidewalk connection to the North Brick building is indirect and not likely to be used.

Status: In my professional opinion the proposed plan will not provide a reasonable pedestrian system that will be used. I suggest that the plan be revised to include a direct sidewalk system that will serve pedestrians walking to and from the Brick North Building.

Status: Based upon discussions with DPS, a paved sidewalk shall be provided that provides a direct connection to the building. It is suggested that this sidewalk be located along the circulation roadway adjacent to the Suburban Propane Site.

Current Status: The plans have been revised to include the suggested sidewalk. I have no further comment.

* I'd like them to specifically note the roadway cross-section (curb to curb width and what is allocated for shoulder and travel lanes).

Status: As noted by the applicant, Sheet 8-8 provides the proposed roadway cross-sections for the project. The applicant should provide details on why the roadway section is narrowing from 30-foot curb-to-curb to 26-feet.

Status: This issue is outstanding.

Current Status: The applicant has provided information that supports the reduced roadway width and I find their response to be acceptable. I have no further comment.

* The roadway alignment has shifted slightly. I don't view this as an issue, but an explanation on why it shifted should be provided.

Status: The applicant has provided a response and I have no further comment.

* I'm generally fine with the project from a traffic perspective given that it complies with TMP trip levels.

Status: I have no further comment.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director
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From: Jeff Tarling
To: Christine Grimando
CC: Barbara Barhydt ; David Margolis-Pineo
Date: 8/12/2014 9:28 AM
Subject: Re: Thompson's Point Landscape

Hi Christine -

In review of the Thompson's Point landscape plan as shown on sheet L-1.0 I have the following comments and recommendations:

a) Street & Parking lot tree planting - the design as shown on Sheet L-1.0 offers the framework needed for the Thompson's Point project. Uniform spacing and grouping of tree types help reinforce the desired elements of shading pavement areas, directing traffic flow and beautification.

Recommendations - 26 'Princeton' American Elms <http://princetonamericanelm.blogspot.com> are proposed to be used for the entrance drive, despite being a great shade tree and 'resistant' to Dutch Elm Disease (DED) we should caution the planting of 26 down to perhaps the first 14 trees at the entrance and consider other shade / street tree options. On Portland's Eastern Promenade we have planted Princeton Elm in blocks since 1994 with good results until one recently died due to DED, thus the word of caution. Other tree options include: Swamp White Oak, Chestnut Oak, Red Maple...

b) Parking lot landscape - As mentioned above that trees are proposed for the drive and parking lot area the overall landscape should be checked to ensure it meets City parking lot standards. At this time it appears to be in need of additional landscape features - shrub planting particularly in the end of the lot nodes and between parking rows. This includes the space between the drive and the parking lot and within the parking lot where the Pin Oaks are proposed.

Recommendations - Additional shrub planting should be considered in the parking lot nodes and between the roadway and parking lot. These recommendations would be to meet the City parking lot landscape standards. As with past Thompson's Point landscape recommendations, native plants are strongly encouraged. This could include Bayberry and Comptonia.

Overall the tree selection and sizes along with the 'tree save' as shown for the existing White Birch trees are good features of the landscape plan as shown.

I would be willing to work with the project team as needed to review these recommendations.

Thanks,

Jeff



PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Planning & Urban Development Department

Jeff Levine, AICP, Director

Planning Division

Alexander Jaegerman, FAICP, Director

Performance Guarantee and Infrastructure Financial Contribution Packet

The municipal code requires that all development falling under site plan and/or subdivision review in the City of Portland be subject to a performance guarantee for various required site improvements. The code further requires developers to pay a fee for the administrative costs associated with inspecting construction activity to ensure that it conforms with plans and specifications.

The performance guarantee covers major site improvements related to site plan and subdivision review, such as paving, roadway, utility connections, drainage, landscaping, lighting, etc. A detailed itemized cost estimate is required to be submitted, which upon review and approval by the City, determines the amount of the performance guarantee. The performance guarantee will usually be a letter of credit from a financial institution, although escrow accounts are acceptable. The form, terms, and conditions of the performance guarantee must be approved by the City through the Planning Division. The performance guarantee plus a check to the City of Portland in the amount of 2.0% of the performance guarantee or as assessed by the planning or public works engineer, must be submitted prior to the issuance of any building permit for affected development.

Administration of performance guarantee and defect bonds is through the Planning Division. Inspections for improvements within existing and proposed public right-of-ways are the responsibility of the Department of Public Services. Inspections for site improvements are the responsibility of the Development Review Coordinator in the Planning Division.

Performance Guarantees will not be released by the City until all required improvements are completed and approved by the City and a Defect Bond has been submitted to and approved by the City.

If an infrastructure financial contribution is required by the City as part of a development approval, please complete the contribution form and submit it along with the designated contribution to the Planning Division. Please make checks payable to the City of Portland.

Attachments

1. Cost Estimate of Improvements Form
2. Performance Guarantee Letter of Credit Form (with private financial institution)
3. Performance Guarantee Escrow Account Form (with private financial institution)
4. Performance Guarantee Form with the City of Portland
5. Infrastructure Financial Contribution Form with the City of Portland

SUBDIVISION/SITE DEVELOPMENT
Cost Estimate of Improvements to be covered by Performance Guarantee

Date: _____

Name of Project: _____

Address/Location: _____

Application ID #: _____

Developer: _____

Form of Performance Guarantee: _____

Type of Development: Subdivision _____ Site Plan (Level I, II or III) _____

TO BE FILLED OUT BY THE APPLICANT:

<u>Item</u>	PUBLIC			PRIVATE		
	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>
1. STREET/SIDEWALK						
Road/Parking Areas	_____	_____	_____	_____	_____	_____
Curbing	_____	_____	_____	_____	_____	_____
Sidewalks	_____	_____	_____	_____	_____	_____
Esplanades	_____	_____	_____	_____	_____	_____
Monuments	_____	_____	_____	_____	_____	_____
Street Lighting	_____	_____	_____	_____	_____	_____
Street Opening Repairs	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____
2. EARTH WORK						
Cut	_____	_____	_____	_____	_____	_____
Fill	_____	_____	_____	_____	_____	_____
3. SANITARY SEWER						
Manholes	_____	_____	_____	_____	_____	_____
Piping	_____	_____	_____	_____	_____	_____
Connections	_____	_____	_____	_____	_____	_____
Main Line Piping	_____	_____	_____	_____	_____	_____
House Sewer Service Piping	_____	_____	_____	_____	_____	_____
Pump Stations	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____
4. WATER MAINS	_____	_____	_____	_____	_____	_____
5. STORM DRAINAGE						
Manholes	_____	_____	_____	_____	_____	_____
Catchbasins	_____	_____	_____	_____	_____	_____
Piping	_____	_____	_____	_____	_____	_____
Detention Basin	_____	_____	_____	_____	_____	_____
Stormwater Quality Units	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____

6. SITE LIGHTING	_____	_____	_____	_____	_____	_____	_____
7. EROSION CONTROL							
Silt Fence	_____	_____	_____	_____	_____	_____	_____
Check Dams	_____	_____	_____	_____	_____	_____	_____
Pipe Inlet/Outlet Protection	_____	_____	_____	_____	_____	_____	_____
Level Lip Spreader	_____	_____	_____	_____	_____	_____	_____
Slope Stabilization	_____	_____	_____	_____	_____	_____	_____
Geotextile	_____	_____	_____	_____	_____	_____	_____
Hay Bale Barriers	_____	_____	_____	_____	_____	_____	_____
Catch Basin Inlet Protection	_____	_____	_____	_____	_____	_____	_____
8. RECREATION AND OPEN SPACE AMENITIES	_____	_____	_____	_____	_____	_____	_____
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	_____	_____	_____	_____	_____	_____	_____
10. MISCELLANEOUS	_____	_____	_____	_____	_____	_____	_____
TOTAL:	_____	_____	_____	_____	_____	_____	_____
GRAND TOTAL:	_____	_____	_____	_____	_____	_____	_____

INSPECTION FEE (to be filled out by the City)

	PUBLIC	PRIVATE	TOTAL
A: 2.0% of totals:	_____	_____	_____
<u>or</u>			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	_____	_____	_____
	(name)	(name)	

SAMPLE FORM

**SITE PLAN/SUBDIVISION
PERFORMANCE GUARANTEE
LETTER OF CREDIT
[ACCOUNT NUMBER]**

[Date]

Jeff Levine
Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: **[Insert: Name of Developer]**
[Insert: Address of Project, Portland, Maine]
[Insert: Application ID #]

[Insert: Name of Bank] hereby issues its Irrevocable Letter of Credit for the account of **[Insert: Name of Developer]**, (hereinafter referred to as “Developer”), held for the exclusive benefit of the City of Portland, in the aggregate amount of **[Insert: amount of original performance guarantee]**. These funds represent the estimated cost of installing site improvements as depicted on the **[Insert: subdivision and/ or site plan]**, approved on **[Insert: Date]** and as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65.

This Letter of Credit is required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §46 through 65 and is intended to satisfy the Developer’s obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development.

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on this Letter of Credit by presentation of a sight draft and the Letter of Credit and all amendments thereto, up to thirty (30) days before or sixty (60) days after its expiration, stating any one of the following:

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the **[Insert: subdivision and/ or site plan]** approval, dated **[Insert date]**; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or

3. the Developer has failed to notify the City for inspections.

In the event of the Bank's dishonor of the City of Portland's sight draft, the Bank shall inform the City of Portland in writing of the reason or reasons thereof within three (3) business days of the dishonor.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Services and Planning Division, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the [Bank], by written certification, to reduce the available amount of the escrowed money by a specified amount.

This performance guarantee will automatically expire on [Insert date between April 16 and October 30 of the following year] ("Expiration Date") or on the date when the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, whichever is later. It is a condition of this Letter of Credit that it is deemed to be automatically extended without amendment for period(s) of one year each from the current Expiration Date hereof, or any future Expiration Date, unless within thirty (30) days prior to any expiration, the Bank notifies the City by certified mail (restricted delivery to Ellen Sanborn, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that the Bank elects not to consider this Letter of Credit renewed for any such additional period.

In the event of such notice, the City, in its sole discretion, may draw hereunder by presentation of a sight draft drawn on the Bank, accompanied by this Letter of Credit and all amendments thereto, and a statement purportedly signed by the Director of Planning and Urban Development, at Bank's offices located at

_____ stating that:

this drawing results from notification that the Bank has elected not to renew its Letter of Credit No. _____.

On its Expiration Date or on the date the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, this Performance Guarantee Letter of Credit shall be reduced by the City to ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Letter of Credit. Written notice of such reduction shall be forwarded by the City to the Bank. The Defect Letter of Credit shall ensure the workmanship and durability of all materials used in the construction of the [Insert: subdivision and/ or site plan] approval, dated [Insert: Date] as required by City Code §14-501, 525 and shall automatically expire one (1) year from the date of its creation ("Termination Date").

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on the Defect Letter of Credit by presentation of a sight draft and this Letter of Credit and all amendments thereto, at Bank's offices located at _____, prior to the Termination Date, stating any one of the following:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship; or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the **[Insert: subdivision and/ or site improvements]**.

Date: _____

By: _____

[Name]

[Title]

Its Duly Authorized Agent

SAMPLE FORM

SITE PLAN/SUBDIVISION
PERFORMANCE GUARANTEE
ESCROW ACCOUNT
[ACCOUNT NUMBER]

[Date]

Jeff Levine
Director of Planning and Urban Development
City of Portland
389 Congress Street
Portland, Maine 04101

Re: **[Insert: Name of Developer]**
[Insert: Address of Project, Portland, Maine]
[Insert: Application ID #]

[Insert: Name of Bank] hereby certifies to the City of Portland that **[Bank]** will hold the sum of **[Insert: amount of original performance guarantee]** in an interest bearing account established with the Bank. These funds shall be held for the exclusive benefit of the City of Portland and shall represent the estimated cost of installing site improvements as depicted on the **[Insert: subdivision and/or site plan]**, approved on **[Insert: date]** as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65. It is intended to satisfy the Developer's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development. All costs associated with establishing, maintaining and disbursing funds from the Escrow Account shall be borne by **[Insert: Developer]**.

[Bank] will hold these funds as escrow agent for the benefit of the City subject to the following:

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw against this Escrow Account by presentation of a draft in the event that:

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the **[Insert: subdivision and/ or site plan]** approval, dated **[Insert date]**; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. the Developer has failed to notify the City for inspections.

In the event of the Bank's dishonor of the City of Portland's sight draft, the Bank shall inform the City of Portland in writing of the reason or reasons thereof within three (3) business days of the dishonor.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Services and Planning Division, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the **[Bank]**, by written certification, to reduce the available amount of the escrowed money by a specified amount.

This performance guarantee will automatically expire on **[Insert date between April 16 and October 30 of the following year]** ("Expiration Date") or on the date when the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, whichever is later. It is a condition of this agreement that it is deemed to be automatically extended without amendment for period(s) of one year each from the current Expiration Date hereof, or any future Expiration Date, unless within thirty (30) days prior to any expiration, the Bank notifies the City by certified mail (restricted delivery to Ellen Sanborn, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that the Bank elects not to consider the Escrow Account renewed for any such additional period.

In the event of such notice, the City, in its sole discretion, may draw against the Escrow Account by presentation of a sight draft drawn on the Bank and a statement purportedly signed by the Director of Planning and Urban Development, at Bank's offices located at _____ stating that:

this drawing results from notification that the Bank has elected not to renew its Letter of Credit No. _____.

On its Expiration Date or on the date the City determines that all improvements guaranteed by this Escrow Account are satisfactorily completed, this Performance Guarantee shall be reduced by the City to ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Guarantee. Written notice of such reduction shall be forwarded by the City to the Bank. The Defect Guarantee shall ensure the workmanship and durability of all materials used in the construction of the **[Insert: subdivision and/ or site plan]** approval, dated **[Insert: Date]** as required by City Code §14-501, 525 and shall automatically expire one (1) year from the date of its creation ("Termination Date").

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on the Defect Guarantee by presentation of a sight draft at Bank's offices located at _____, prior to the Termination Date, stating any one of the following:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship; or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the **[Insert: subdivision and/ or site improvements]**.

Date: _____

By: _____

[Name]

[Title]

Its Duly Authorized Agent

Seen and Agreed to: **[Applicant]**

By: _____

**PERFORMANCE GUARANTEE
with the City of Portland**

Developer's Tax Identification Number: _____

Developer's Name and Mailing Address: _____

City Account Number: _____

Application ID #: _____

Application of _____ [Applicant] for _____ [Insert street/Project Name] at _____ [Address], Portland, Maine.

The City of Portland (hereinafter the "City") will hold the sum of \$_____ [amount of performance guarantee] on behalf of _____ [Applicant] in a non-interest bearing account established with the City. This account shall represent the estimated cost of installing _____ [insert: subdivision and/ or site improvements (as applicable)] as depicted on the subdivision/site plan, approved on _____ [date] as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §§46 through 65. It is intended to satisfy the Applicant's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development.

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw against this Escrow Account in the event that:

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the _____ [insert: subdivision and/ or site improvements (as applicable)] approval, dated _____ [insert date]; or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. the Developer has failed to notify the City for inspections in conjunction with the installation of improvements noted in paragraph one.

The Director of Planning and Urban Development may draw on this Guarantee, at his/her option,

either thirty days prior to the expiration date contained herein, or s/he may draw against this escrow for a period not to exceed sixty (60) days after the expiration of this commitment; provided that the Applicant, or its representative, will give the City written notice, by certified mail (restricted delivery to Ellen Sanborn, Director of Finance, City of Portland, 389 Congress Street, Room 110, Portland, Maine) of the expiration of this escrow within sixty (60) days prior thereto.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Works and Planning, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Urban Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize the City to reduce the available amount of the escrowed money by a specified amount.

This Guarantee will automatically expire on **[Insert date between April 16 and October 30 of the following year]** (“Expiration Date”) or on the date when the City determines that all improvements guaranteed by this Performance Guarantee are satisfactorily completed, whichever is later. At such time, this Guarantee shall be reduced by the City to ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Guarantee. Written notice of such reduction and conversion shall be forwarded by the City to **[the applicant]**. The Defect Guarantee shall expire one (1) year from the date of its creation and shall ensure the workmanship and durability of all materials used in the construction of the **[Insert: Subdivision and/ or site plan]** approval, dated **[Insert: Date]** as required by City Code §14-501, 525.

The City, through its Director of Planning and Urban Development and in his/her sole discretion, may draw on the Defect Guarantee should any one of the following occur:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship;
or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the **[Insert: subdivision and/ or site improvements]**.

Seen and Agreed to:

By: _____
[Applicant]

Date: _____

By: _____
****Planning Division Director

Date: _____

By: _____
Development Review Coordinator

Date: _____

Attach **Letter of Approval and Estimated Cost of Improvements** to this form.

Distribution

1. This information will be completed by Planning Staff.
2. The account number can be obtained by calling Cathy Ricker, ext. 8665.
3. The Agreement will be executed with one original signed by the Developer.
4. The original signed Agreement will be scanned by the Planning Staff then forwarded to the Finance Office, together with a copy of the Cash Receipts Set.
5. ****Signature required if over \$50,000.00.

**Infrastructure Financial Contribution Form
Planning and Urban Development Department
Planning Division**

Amount \$ _____

City Account Number: 710-0000-236-98-00

Project Code: _____

(This number can be obtained by calling Cathy Ricker, x8665)

Project Name: _____

Application ID #: _____

Project Location: _____

Project Description: _____

Funds intended for: _____

Applicant's Name: _____

Applicant's Address: _____

Expiration:

If funds are not expended or encumbered for the intended purpose by _____, funds, or any balance of remaining funds, shall be returned to contributor within six months of said date.

Funds shall be permanently retained by the City.

Other (describe in detail) _____

Form of Contribution:

Escrow Account

Cash Contribution

Interest Disbursement: Interest on funds to be paid to contributor only if project is not commenced.

Terms of Draw Down of Funds: The City shall periodically draw down the funds via a payment requisition from Public Works, which form shall specify use of City Account # shown above.

Date of Form: _____

Planner: _____

Person Completing Form: _____

-
- Attach the approval letter, condition of approval or other documentation of the required contribution.
 - One copy sent to the Applicant.

Electronic Distribution to: Peggy Axelsen, Michael Bobinsky, Michael Farmer, Kathi Earley, Betsy Beety, David Margolis-Pineo, Jeff Tarling, Alex Jaegerman, Barbara Barhydt, Phil DiPierro, Deb Marquis and Planner for project.

CITY OF PORTLAND, MAINE
PLANNING BOARD

Carol Morrisette, Chair
Stuart O'Brien, Vice Chair
Timothy Dean
Bill Hall
Jack Soley
Sean Dundon
Elizabeth Boepple

January 6, 2013

Chris Thompson
Forefront Partners I, LP
55 Lisbon Street
Lewiston, ME 04240

Steve Bushey
FST
778 Main Street, Suite 8
S. Portland, ME 04106

Project Name: Level III Site Plan & Subdivision Amendments – Phase IA, Forefront at
Thompson's Point

Project ID: 2013-249

CBL: 201-A-5

Applicant: Forefront Partners I, LP

Planner: Nell Donaldson

Dear Mr. Thompson:

On December 17, 2013, the Planning Board considered your amendments to the approved subdivision and Level III site plans for Phase IA of the Forefront at Thompson's Point. The Planning Board reviewed the proposal for conformance with the subdivision and site plan standards of the city's land use code and voted to approve the application with conditions presented below.

SUBDIVISION

The Planning Board voted (4-0, Hall, Soley, and Dean absent) that the proposed plans are in conformance with the subdivision standards of the city's land use code, subject to the following conditions of approval, which must be met prior to the release of recording plat, unless otherwise stated:

1. The sectional subdivision plat, for Planning Board signatures, shall be finalized for review and approval by the Planning Authority, Department of Public Services, and Corporation Counsel. The plat shall reflect the amended Phase IA site plan and work to be completed as part of the required off-site improvements, and shall include:
 - a. All relevant easements, including delineation of the turnaround for city use;
 - b. Proposed public rights-of-way;
 - c. Notes pertaining to conditions of public access to the site; and
 - d. Notes regarding work to be completed under future phases as conditions of prior subdivision approval;

2. Prior to the issuance of certificates of occupancy, the applicant shall provide a revised Declaration of Easements, Covenants and Restrictions document for review and approval by Corporation Counsel;
3. Prior to the issuance of certificates of occupancy, the applicant shall provide evidence of easements for or rights to:
 - a. The turn-around to be used by Department of Public Services vehicles for access and snow removal when maintaining the Sewell Street extension, as conditioned in prior approvals
 - b. Portions of the access road north of the Brick North building which lie on the adjacent property;
4. The amended plans do not address stormwater management provisions of the Site Location of Development Law. In accordance with the city's temporary parking lot provision, following a period of one year after Phase IA certificate of occupancy, the applicant shall either provide stormwater quality treatment in accordance with the existing site law permit in conjunction with the development of the stand alone plans; proceed with plans for an approved alternative, modifying the existing SLOD permit as required; or request a removal of the project from site law; and
5. All conditions from prior approvals regarding the subdivision in its entirety continue to apply until superseded by an approved alternative.

SITE PLAN REVIEW

The Planning Board voted (4-0, Soley, Hall, and Dean absent) that the plan is in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide evidence of coordination with regulatory authorities regarding compliance with other existing permits on the site for review and approval by the Planning Authority;
2. The applicant shall provide floor plans showing uses and floor areas for review and approval by the zoning administrator;
3. The applicant shall provide confirmation that the interim Phase IA plan meets ADA accessibility requirements for review and approval by the Department of Public Services;
4. The applicant shall revise the interim and stand alone plans to include:
 - a. A crosswalk in the specified location under the stand alone condition;
 - b. Bicycle parking in quantities as required by the site plan ordinance in both the interim and stand alone condition;

- c. Trash and recycling facilities including screening, as required, in both the interim and stand alone condition; and
 - d. Stamps by a licensed professional engineer for review and approval by the Department of Public Services and the Planning Authority;
5. The applicant shall provide evidence of fire safety compliance as required by the city's Fire Prevention Bureau for review and approval by that department;
 6. The applicant shall revise wastewater flow projections, coordinate with the Department of Public Services and Planning Authority to determine the necessity and status of the PWD pump station upgrades, and provide a contribution to facilitate improvements as required;
 7. Per the city's site plan standards, the temporary parking lot shown in the interim condition is permitted for a period of one year only, following which the applicant shall either proceed with the stand alone plans approved under this amendment, to be completed within three months of that time, or alternate plans as approved through the Master Development Plan and Level III development review;
 8. Prior to the issuance of a certificate of occupancy, the applicant shall provide a photometric plan in conformance with the city's Technical Manual for review and approval by the Planning Authority; and
 9. All relevant prior conditions relating to the approved site plan for the remainder of Phase I of the Forefront at Thompson's Point remain in effect until superseded by an approved alternative.

The approval is based on the submitted plans and findings related to subdivision and site plan review standards as contained in the Planning Board Report for application 2013-249, which is attached.

STANDARD CONDITIONS OF APPROVAL

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

1. **Sectional Subdivision Recording Plat** A revised sectional recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be

specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).

3. **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.
4. **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.
5. **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.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements for Phase IA, an inspection fee payment of 2.0% of the guarantee amount, and seven (7) final sets of plans plus one final digital copy must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and 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.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **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.

10. **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.)
11. **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.
12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

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.

If there are any questions, please contact Nell Donaldson at (207) 874-8723.

Sincerely,



Carol Morissette, Chair
Portland Planning Board

Attachments:

1. Planning Board Report

Electronic Distribution:

cc: Jeff Levine, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Jonathan Rioux, Inspections Division
Jeanie Bourke, Inspections Division
Lannie Dobson, Administration, Inspections Division
Brad Saucier, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services

David Margolis-Pineo, 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 Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File