

From: David Latulippe <ddlatulip@aol.com>
To: <JF@portlandmaine.gov>
CC: <AQJ@portlandmaine.gov>, <BAB@portlandmaine.gov>, <jhoward@priorityreale...>
Date: 10/22/2014 9:09 AM
Subject: Re: 2282 Congress St - Request To Commence Site Prep

Jean,

We purchased the property last month, so we will give you a copy of the deed to confirm right, title and interest. The MTA has signed the easement and is being held in escrow. We will provide a copy of the email from MTA.

We will get you the revised landscape plan by the end of the week. I'll check on the status of the Off-site improvement plan and revised photometric plan.

We will be requesting a reduced performance guarantee since the site prep work is quite limited to clearing the site and filling one area. The site prep work will only improve the site and upon completion will leave the site in a condition that will not require any further site improvements to stabilize the site.

Hope this answers the majority of your questions.

Thanks

David

-----Original Message-----

From: Jean Fraser <JF@portlandmaine.gov>
To: David Latulippe <ddlatulip@aol.com>
Cc: Alex Jaegerman <AQJ@portlandmaine.gov>; Barbara Barhydt <BAB@portlandmaine.gov>; jhoward <jhoward@priorityrealestategroup.com>; wthames <wthames@priorityrealestategroup.com>
Sent: Tue, Oct 21, 2014 10:23 am
Subject: Re: 2282 Congress St - Request To Commence Site Prep

David

Thank you for the letter and I will discuss with Alex as soon as possible.

The ordinance that applies to this request is [see 14-532 (e) 2]:

No alterations shall be made to a site with a pending or approved site plan application until:

- a. The performance guarantee has been posted and final site plans have been submitted to the Planning Authority.
- b. Written permission has been received from the Director of Planning and Urban Development or his/her designee. Such permission shall be granted only after submission of a written request describing the proposed scope of work to be conducted on the site and the planning authority concludes that the request is reasonable, time is imperative and the work will not compromise any aspect of the ensuing review process. All such work shall be done in compliance with information provided with the site plan application including, but not limited to, an erosion control plan. Such written permission shall not be required if the only work proposed is the digging of test pits.

So this raises several questions:

The Amendment Application is still under review as we are waiting for the final Landscape, Off-Site Improvements and Construction Plans (?photometric). Since clearing of the site is proposed as part of the advance work, I think we at least need to see the final Landscape Plan (which would confirm treesaves) as I understood that final Landscape Plan is being revised and could change considerably to address Jeff Tarling's most recent comments (attached); and

The ordinance (above) specifies that the Performance Guarantee (assumed to be in full) be posted, so if you want to request a reduced Performance Guarantee regarding the advance work, could you confirm that is part of the request?

I don't believe we have seen final right, title and interest documents (as per the 2013 approval) which include the MTA easement and (I will check with my attorney re this) I think we also need to see the executed Conditional Rezoning Agreement. I recall that you said you had these in hand.

If you wish to add to your letter it would be helpful if you could get back to me by the end of today, as I will be discussing your request with my colleagues at our regular internal review meeting tomorrow morning. I hope to get a reply out to you later tomorrow, subject to Alex's schedule.

thank you
Jean

Jean Fraser, Planner
City of Portland
874 8728
>>> David Latulippe <ddlatulip@aol.com> 10/21/2014 6:15 AM >>>

Alex,

Attached is the letter and sketch describing the scope of site preparation that we would like to commence this fall.

should you have any questions or need any additional information, please do not hesitate to contact me.

Thanks

David Latulippe

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested. ??