



Alex Jaegerman, FAICP
Division Director, Planning Division

October 27th, 2014

David Latulippe, Manager
Portland Property Holdings, LLC
2 Main Street
Topsham, ME 04086

Project Name: Request for approval to advance site work for the Commercial Development including gas station and convenience store with ATM
Project ID: #2013-086 and #2014-138
CBL: 237-A-012
Address: 2282 Congress Street
Applicant: C J Developers, Inc. and Portland Property Holdings, LLC
Planner: Jean Fraser

Dear David:

Thank you for your letter dated October 20th, 2014 and associated revised plan received October 27th, 2014, requesting approval to undertake advance site work prior to the receipt of a building permit.

On May 14th, 2013, the Portland Planning Board approved with conditions a proposal to construct a commercial development that includes a 3,850 sq. ft. convenience store with an ATM and fuel station (14 filling dispensers plus a future compressed natural gas pump and electric recharging stations), a small farmstand associated with the convenience store, and 26 parking spaces. An amendment application that alters the layout, landscape and stormwater system is currently under review and an approval letter is pending upon the receipt of the final Landscape Plan for review.

As provided in Section 14-532, this letter serves as the written permission from the Planning Authority to commence site work on this project prior to the issuance of a building permit. The permitted advance site work is limited to the Extent of Work listed below and does not include clearing the entire development area of the site, except for the temporary service access, and the area that needs to be filled/stabilized in the south part of the site and shown with a green boundary on the attached plan. Commencement of the work is subject to the conditions listed below and no clearing or grading shall be performed beyond what is explicitly granted by this letter:

Extent of Work

- 1) Filling of the southern portion of the site in accordance with the approved amended site plans (except to amend to incorporate winter stabilization measures as in 2) below) and the extent circled in green on the attached plan;
- 2) Installation of erosion and sedimentation controls to include winter stabilization measures as outlined in the MDEP Erosion Control BMPs, including a heavy straw mulch layer (ie applied at twice the normal rate and secured with plastic netting to avoid it blowing away); erosion control blanket on the slopes that are greater than 3:1; and an erosion control mix berm (instead of silt fence) to provide perimeter control;
- 3) Create a temporary service road to the filled area approximately as shown in the straight yellow section on the attached plan, avoiding the removal of all trees over 12" diameter and incorporating erosion control measures as necessary (the pink outline for the service access on the attached plan is subject to the treesave requirement).

Conditions

- a That the approval letter for the amendment application (#2014-138) is issued prior to any advance work starting on the site; and

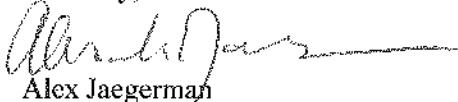
- b Receipt of evidence of RTI and the executed Conditional Rezoning Agreement prior to any advance work starting on site;
- c That a satisfactory performance guarantee is posted prior to the start of any approved advance site work;
- d That advance clearance work is limited to the Extent of Work itemized above, and would not include clearing of other areas on the site;
- e That the "limit of clearance work", temporary access route, and any treesaves in the temporary access route shall be clearly marked on the site with construction tape or snow fencing and reviewed by Phil diPierro and Jeff Tarling prior to the start of any site work including the cutting of any trees;
- f That existing trees on the site be protected from storage of vehicles or materials;
- g That an identified engineer supervise the installation of erosion control measures and monitor these until the main construction begins; and that any further stabilization measures as recommended by the identified engineer or Phil diPierro of our office shall be implemented immediately;
- h That the number and timing of trucks per day accessing the site during the period of advance site work be advised to the Planning Authority and DPS at least one week in advance, and that traffic control measures be incorporated based on their advice;
- i That a pre-construction meeting is held prior to the start of work to confirm the limits of work and that the above conditions are being met.

Please note that you must obtain any permits that may be required from Public Works for any street openings, and that building permits must be obtained from the Inspections Division prior to the commencement of any construction of any buildings, foundations or structures. Also please see attached the Citys Ordinances regarding construction activities and hours of work, and the associated Department of Public Services waiver request form re hours of work.

Prior to the start of any advance site work, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Service Department representative, City Arborist and owner to review the construction schedule, erosion and sedimentation controls, and other critical aspects of the work. Please contact Philip DiPierro, Development Review Coordinator at 874-8632 regarding the preconstruction meeting.

If you have any questions, please contact Jean Fraser on 874 8728.

Sincerely,



Alex Jaegerman
Planning Division Director

Attachments:

1. Request letter from David Latulippe, dated October 20, 2014;
2. Revised sketch plan of proposed advance site work received October 27, 2014;
3. 2013 Site Plan Approval letter;
4. City Ordinance regarding Construction, and DPS Waiver request form re hours of work.

cc: Steve Bushey, FST (Engineer for applicant)

Electronic cc:

Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pinco, 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 David Petrucci, 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
Approval Letter File

Portland Property Holdings, LLC
2 Main Street
Topsham, Maine 04086
207-865-4323

October 20, 2014

Ms. Alex Jaegerman
City of Portland Planning Department
City of Portland
389 Congress Street
Portland, ME 04101

Re: Request to Site Prep the Commercial Development including gas station and convenience store with ATM 2282 Congress Street, Portland, ME – Proj. ID: 2013-086

Dear Alex:

Portland Property Holdings, LLC purchased the property located at 2282 Congress Street last month. Our intention is to commence full construction early next spring as we have missed this year's construction season.

We would like to complete the site preparation this fall. The site preparation is shown on the attached colored sketch and involves the following activities:

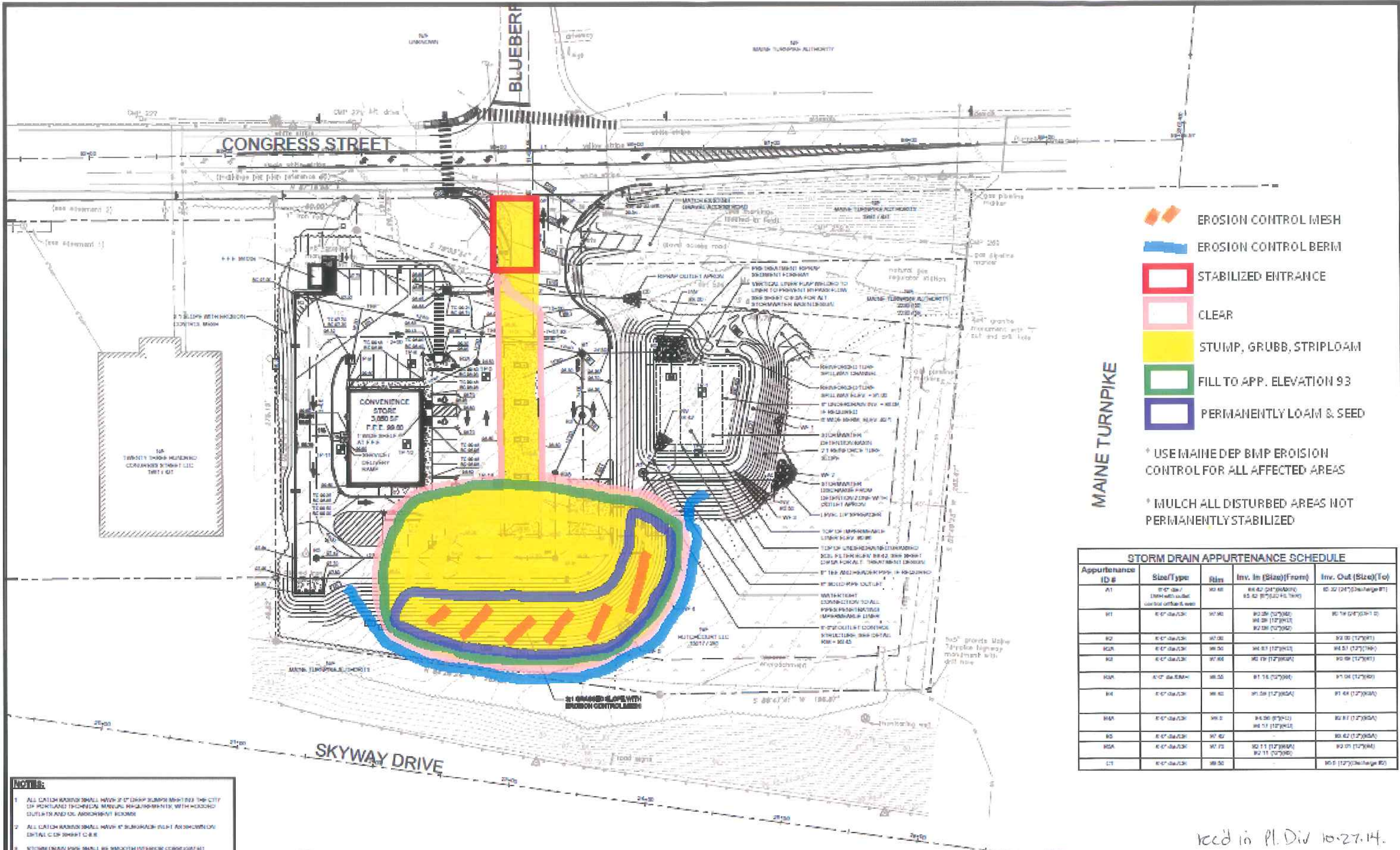
1. Clear the site
2. Install the erosion control
3. Grub, stump and strip a service road
4. Fill the southern portion of the site.
5. Permanently loam and seed the filled slope.





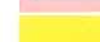


Should you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,



David Latulippe
Manager



-  EROSION CONTROL MESH
-  EROSION CONTROL BERM
-  STABILIZED ENTRANCE
-  CLEAR
-  STUMP, GRUBB, STRIPLOAM
-  FILL TO APP. ELEVATION 93
-  PERMANENTLY LOAM & SEED

* USE MAINE DEP BMP EROSION CONTROL FOR ALL AFFECTED AREAS

* MULCH ALL DISTURBED AREAS NOT PERMANENTLY STABILIZED

STORM DRAIN APPURTENANCE SCHEDULE

Appurtenance ID #	Size/Type	Rise	Inv. In (Size)(From)	Inv. Out (Size)(To)
A1	6" x 6" dia / 12" dia with outlet control outlet & well	90.00	88.42 (24") (88.00)	89.32 (24") (88.00)
B1	6" x 6" dia / 24"	90.00	89.28 (24") (88.00)	89.78 (24") (88.00)
B2	6" x 6" dia / 24"	90.00	88.81 (24") (88.00)	89.31 (24") (88.00)
B3	6" x 6" dia / 24"	90.00	89.19 (24") (88.00)	89.69 (24") (88.00)
B4	6" x 6" dia / 24"	90.00	89.75 (24") (88.00)	90.25 (24") (88.00)
B5	6" x 6" dia / 24"	90.00	89.38 (24") (88.00)	89.88 (24") (88.00)
B6	6" x 6" dia / 24"	90.00	89.11 (24") (88.00)	89.61 (24") (88.00)
C1	6" x 6" dia / 24"	90.00	89.11 (24") (88.00)	89.61 (24") (88.00)

- NOTES:**
- ALL CATCH BASINS SHALL HAVE A 2" DROP BUMPER MOUNTED TO THE CITY OF PORTLAND TECHNICAL MANUAL REQUIREMENTS, WITH HOODED OUTLETS AND 0.5% ANCHORAGE SCUMS.
 - ALL CATCH BASINS SHALL HAVE A 4" BURIED POINT ANCHORAGE ON EXTERIOR OF BASIN CURB.
 - STORM DRAIN PIPE SHALL BE SMOOTH INTERIOR CORROSION RESISTANT POLYETHYLENE PIPE (PE) WITH SELF-TIGHTENING JOINTS SPECIFICALLY ENGINEERED IN THE PROJECT EXISITANTS.

LEGEND

TEST PITS OBSERVED BY S.W. COLE ON MARCH 21, 2013. THE GEOTECHNICAL ENGINEERING SERVICES REPORT INCLUDING TEST PIT LOGS ARE AVAILABLE UPON REQUEST AND INCLUDED IN THE PROJECT CONTRACT DOCUMENTS.



NO.	DATE	DESCRIPTION	BY	APPROVED
1	07.22.14	REVISED GRADING AND DRAINAGE AND SUBMITTED AMENDED PLANS TO CITY AND WASHP		
2	08.21.13	SUBMITTED GRADING AND DRAINAGE AND SUBMITTED CITY APPROVED PLANS TO WASHP		
3	08.18.13	REVISED PER CITY STAFF COMMENTS		
4	08.08.13	SUBMITTED TO WASHP FOR APPROVAL		
5	08.08.13	SUBMITTED TO CITY OF PORTLAND		
6	08.07.14	REVISED GRADING FOR WALKWAY AND DRIVE		
7	08.07.14	REVISED GRADING FOR WALKWAY AND DRIVE		

rec'd in Pl. Div 10-27-14.

PROJECT: MULTI-USE DEVELOPMENT
2282 CONGRESS ST., PORTLAND, ME

CLIENT: FST GROUP, INC.
25 FRENCHMAN LANE, FRENCHMAN, ME 04850

DATE: 07/22/14

SCALE: 1" = 30'

PROJECT NO.: 2014-001

DATE: 07/22/14

PROJECT: C-3.0

FST **Fox, Swenson & Thompson**
ENGINEERS - PLANNERS - SCIENTISTS
275 W. 4TH ST., SUITE 500, PORTLAND, ME 04101

STATE OF MAINE
REGISTERED PROFESSIONAL ENGINEER
NO. 10000
DATE: 07/22/14

CITY OF PORTLAND, MAINE

PLANNING BOARD

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

May 20th, 2013

David Latulippe
C J Developers, Inc.
35 Primrose Lane
Freeport, ME 04032

Portland Property Holdings, LLC
2 Main Street
Topsham, ME 04086

Project Name: **Commercial Development including gas station and convenience store with ATM**
Project ID: 2013-086 CBL: 237-A-012
Address: 2282 Congress Street, Portland
Joint Applicants: C J Developers, Inc. and Portland Property Holdings, LLC
Planner: Jean Fraser

Dear Mr Latulippe:

On May 14th, 2013, the Planning Board considered the Level III Site Plan and Traffic Movement Permit application for the commercial development at 2282 Congress Street to construct a commercial development that includes a 3,850 sq. ft. convenience store with an ATM and fuel station (14 filling dispensers plus a future compressed natural gas pump and electric recharging stations), a small farmstand associated with the convenience store, and 26 parking spaces. The Planning Board reviewed the proposal for conformance with the Conditional Rezoning Agreement as approved by the City Council on March 4th, 2013 and with standards of the Site Plan, Traffic Movement Permit, and Stormwater Permit.

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Report # 24 -13 for the commercial development at 2282 Congress Street relevant to the Site Plan, Traffic Movement Permit and Stormwater Permit reviews and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board voted 4-0 (Morrisette, O'Brien and Hall absent) to approve the application with the following waivers and conditions as presented below:

WAIVERS

1. *Driveway Design:*

The Planning Board voted 4-0 (Morrisette, O'Brien and Hall absent) to waive Technical Standard, Section 1.7.1.4, which specifies a maximum of 36 feet wide for a major commercial driveway, to allow a 38 ft wide driveway that accommodates the large vehicles anticipated to require regular access to the site.

2. *Parking Aisle:*

The Planning Board voted 4-0 (Morrisette, O'Brien and Hall absent) to waive Technical Standard, Section 1.14, Figures I-28 to I-32 which require a 24 foot wide drive aisle, to allow wider aisles as shown in the approved site layout plan ([Plan 5](#) as attached to this Report).

TRAFFIC MOVEMENT PERMIT

Based upon the City of Portland's Delegated Review Authority, the Planning Board voted 4-0 (Morrissette, O'Brien and Hall absent) that the proposed plan is in conformance with 23 MRSA 704-A and Chapter 305 Rules and Regulations pertaining to Traffic Movement Permits, with the following conditions of approval:

- i. That the applicant shall contribute \$5000 to an account maintained by the City that will be used to fund traffic improvements to the intersection at Congress Street/Hutchins Drive/Skyway Drive; and
- ii. That a post-occupancy signal warrant study shall be conducted one year after opening. If a traffic signal is warranted or the queuing lanes prove inadequate, the applicant shall be responsible for all costs associated with design and implementation of the traffic signal or improvements to such queuing lanes; and
- iii. That the operation of the right turn into the site from Congress Street shall be monitored for one year following opening. If the crash data suggests a problem exists, the applicant shall be responsible for installing a right-turn lane.

STORMWATER MANAGEMENT PERMIT

That based upon the City of Portland's Delegated Review Authority, the Portland Planning Board voted 4-0 (Morrissette, O'Brien and Hall absent) that the plan is in conformance with the standards for a Storm Water Permit application for the commercial development at 2282 Congress Street and grants a permit subject to the following condition:

- i. That the applicant and all assigns, must comply with the conditions of Chapter 32 Storm Water including Article III. Post-Construction Storm Water Management, which specifies the annual inspections and reporting requirements. The developer/contractor/subcontractor must comply with conditions of the construction storm water management plan and sediment & erosion control plan as included Attachment G.1-3 of this Report, and as based on the Long Creek Watershed District standards/requirements and state permits and guidelines.

SITE PLAN REVIEW

The Planning Board voted 4-0 (Morrissette, O'Brien and Hall absent) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following condition(s) of approval:

- i. That this site plan approval is subject to the Conditional Zone Agreement as approved by the City Council on March 4, 2013, and that C J Developers Inc. shall sign and record the aforementioned Conditional Zoning Agreement prior to the issuance of a building permit, and if the CZA is assigned, C J Developers Inc. shall provide notification of the assignment to the City; and
- ii. That the signed and recorded access easement from Maine Turnpike Authority for the area of the proposed access from Congress Street shall be submitted to the Planning Authority prior to the issuance of a building permit; and
- iii. That a copy of the MDEP Stormwater Discharge approval shall be submitted to the Planning Authority prior to the issuance of a building permit. If there are significant modifications to the stormwater system as a result of the MDEP review, then an amended site plan would be required for approval by the Planning Authority prior to the issuance of a building permit; and
- iv. That the applicant shall submit a revised off-site improvements plan that addresses Tom Errico's memorandum dated 05.09.2013 regarding the left turn accommodations, crosswalk design with ADA landing, and painted crosswalk on Blueberry, for review and approval by the Planning Authority prior to the issuance of a building permit; and

- v. That the applicant shall submit a revised Landscaping Plan (with notes), for review and approval by the Planning Authority and City Arborist prior to the issuance of a building permit, that meets the recommendations set out in Jeff Tarling's e-mail dated 5.10.2013; and
- vi. That all necessary permits and licenses shall be obtained from the Federal, State (including MDEP) or local authorities in respect to the fuel storage, compressed natural gas installation and electric charging stations; and
- vii. That commercial signage shall be subject to separate sign reviews and permits, and that the project shall meet the I-M noise requirements; and
- viii. That a plan showing the signage and pavement markings that support the on-site circulation shall be reviewed and approved by the Planning Authority prior to installation, with installation to be completed prior to the issuance of a Certificate of Occupancy.

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 Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **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.
3. **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.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, 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 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.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **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.
7. **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.)
8. **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 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. Please schedule any property closing with these requirements in mind.

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

Sincerely,



Carol Morrissette, Chair
Portland Planning Board

Attachments:

1. Traffic Engineering Review comments, e-mail from Tom Errico dated 5.9.2013
2. City Arborist comments, e-mail from Jeff Tarling dated 5.10. 2013
3. Planning Board Report #24-13
4. City Code, Chapter 32
5. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannie Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
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Katherine Earley, Engineering Services Manager, Public Services
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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
Approval Letter File

From: Tom Errico <thomas.errico@tylin.com>
To: Jean Fraser <JF@portlandmaine.gov>
CC: David Margolis-Pineo <DMP@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>
Date: 5/9/2013 11:23 AM
Subject: 2282 Congress Street - Final Traffic Comments

Jean – The following represents my final comments and also presents a status update on my April 18, 2013 preliminary comments.

April 18, 2013 Comments Status

- It is suggested that the pedestrian facility between Congress Street and the proposed convenience store building be as direct as possible. This may require the loss of some of the 9 parking spaces located along the front of the property.
Status: The applicant has revised the site plan to improve the crosswalk alignment and given constraints with Maine Turnpike Authority property, I find the proposed condition to be acceptable.
- Parking supply seems excessive for the type and scale of the proposed land use. Supporting documentation on the parking needs shall be provided.
Status: The applicant has revised the site plan and is now proposing to construct 26 parking spaces with an option for future expansion of the parking supply if deemed necessary. I find the proposed condition to be acceptable.
- Auto-turn analyses shall be provided that supports on-site circulation aisle widths and the width of the driveway entrance on Congress Street. The applicant should also provide information on the number of large trucks anticipated to enter and exit the site.
Status: The site plan has been revised based upon discussions with the applicant and I find the proposed plan to be acceptable. I would note that the applicant did add a raised concrete apron at the driveway entrance and I find this condition to be acceptable. A waiver for driveway width is required and given large truck turning requirements, I support a waiver from City standards.
- It is unclear whether there are vehicle circulation restrictions on site (e.g. one-way vs. two-way). Signage and pavements markings shall clearly support proposed circulation restrictions.
Status: It is my understanding that the revised site plan accounts for a one-way circulation around the back side of the convenience store. Signage and pavement markings should be provided.
- Many aisle widths exceed City standards and waivers from our technical standards may be necessary. As noted above, supporting information will be required before I render any decision on waivers.
Status: Given the specific needs of on-site vehicle circulation and accessibility to fueling areas, I find the proposed layout to be acceptable and support waivers from City standards.

Traffic Study/New Comments

- I find the methods used in the traffic study to be acceptable.
- The analysis indicated the Congress Street/Site Drive/Blueberry Road intersection will operate at acceptable levels of service following build-out of the project. I concur with this conclusion.
- A signal warrant analysis was conducted at the Congress Street/Site Drive/Blueberry Road intersection. According to the applicant a traffic signal is not warranted. I concur with this conclusion, but suggest that a post-occupancy signal warrant study be conducted one year after opening. If a traffic signal is warranted, the applicant shall be responsible for all costs associated with design and implementation of the traffic signal.

- According to a warrant analysis for a right-turn lane entering the site from Congress Street, a right-turn lane is warranted. At this time I concur with the applicant that provision of a right-turn lane entering the site is not preferred given that it will increase the crosswalk length. I would suggest that conditions be monitored one year following opening and if crash data suggests a problem exists, the applicant shall be responsible for installing a right-turn lane.
- The Congress Street/Skyway Drive/Hutchins Drive intersection is projected to have movements that will operate at an unacceptable level of service following the construction of the project. In addition, while not a High Crash Location per MaineDOT criteria, the intersection does display a pattern of rear-end collisions. The City has been collecting funds from developments in the area for the implementation of improvements to mitigate congestion and safety deficiencies. Based upon prior contribution methods, the applicant shall contribute \$5,000.00 towards improvements at the subject intersection.
- The applicant has developed an improvement plan for Congress Street such that left-turn accommodations are provided. I support the general concept of the plan provided in the application. Final design plans shall be submitted to the City for review and approval (It should be noted that adjustments to the design may be required during this review process).
- A pedestrian crosswalk is being proposed on Congress Street between the project site and Blueberry Road. Through the contract rezone process the crosswalk was to include a refuge median island in addition to a flashing sign warning system. Given vehicle turning needs, a refuge island is not feasible at this location. In lieu of the refuge island the applicant shall construction an ADA accessible landing on the northwest radius of Blueberry Road. In addition, the crosswalk pavement marking shall consist of durable paint. Final design elements shall be reviewed and approved by the City.
- Per City standards the applicant is required to construct a sidewalk along their property frontage (60 feet of frontage). The project does not meet sidewalk waiver requirements. In lieu of constructing the required sidewalk, the applicant shall install a painted crosswalk on the Blueberry Road approach to Congress Street.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

TYLIN INTERNATIONAL

12 Northbrook Drive
Falmouth, ME 04105
207.347.4354 direct
207.400.0719 mobile
207.781.4753 fax

thomas.errico@tylin.com

Visit us online at www.tylin.com

"One Vision, One Company"

Please consider the environment before printing.

From: Jeff Tarling
To: Jean Fraser
CC: David Margolis-Pineo
Date: 5/10/2013 11:06 AM
Subject: 2282 Congress Street Project

Hi Jean -

I reviewed the recent landscape plan submission for the 2282 Congress Street project and offer the following comments, conditions:

a) Tree Save - the 'tree-save', tree thinning area along Congress Street is improved and meets our recommendations. Additional 'tree-save' areas along the Western property line and towards Skyview Drive will need to be marked prior to site work and as approved by the City Arborist. There may be trees to be thinned or removed due to poor condition or risk. (Thinning trees for views is not recommended - thinning trees for safety and condition is.) Standard tree protection measures shall be used during construction, these include protection of tree root zones, identifying trees to protected, construction fencing or tagging where needed. No storage of equipment or construction materials in tree protection root zone areas. The area around the Shagbark Hickory is one of the tree protection zones.

b) Trees in parking lot - In the area shown as snow storage, and addition one to two trees could be set back away from the edge of pavement to still allow snow clearing and meet the parking lot tree / shrub standards.

Overall the landscape plan is acceptable as shown with the recent improvement and suggested conditions.

Thanks,

Jeff Tarling
City Arborist



Alex Jaegerman, FAICP
Division Director, Planning Division

April 10th, 2014

4 Amend appl. #2014-138
received 7.23.2014.

David Latulippe, Manager
Portland Property Holdings, LLC
2 Main Street
Topsham, Maine 04086

RE: Request for Extension of the Level III Site Plan Approval granted on May 14, 2013
Project Name: Commercial Development including gas station and convenience store with ATM
Project ID: 2013-086 CBL: 237-A-012
Address: 2282 Congress Street, Portland
Joint Applicants: C J Developers, Inc. and Portland Property Holdings, LLC
Planner: Jean Fraser

Dear David:

Thank you for your letter dated April 8th, 2014 requesting a one-year extension of the May 14th, 2013 Level III (Site Plan and Traffic Movement Permit) approval for a commercial development including gas station and convenience store with ATM at 2282 Congress Street. I understand that your request is based on the fact that the process of finalizing the agreements with a tenant was delayed and that construction is now scheduled to start this summer.

In my capacity as Planning Division Director for the City of Portland and under the provision of Section 14-532 (c) Expiration of site plan approval, I am granting your request to extend your approval to May 14th, 2015. If you have any questions, please contact Jean Fraser at (207) 874 8728.

Sincerely,

Alexander Jaegerman, FAICP
Planning Division Director

CC.

Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, 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
Approval Letter File

Sec. 17-18 Construction activities.

(a) No person shall engage in construction activities between the hours of 7:00 p.m. and 7:00 a.m., of the following day within five hundred (500) feet of any building used for residential, hospital or nursing home purposes.

(b) Construction activities shall include, but not be limited to, the following:

(1) The use or operation of power or heavy equipment in connection with road, street, or bridge construction, reconstruction or repair;

(2) The use or operation of power or heavy equipment in connection with the installation or repair of utility lines, pipes, wires or cables;

(3) The use or operation of power or heavy equipment in connection with the construction of buildings, including specifically excavation for foundations or landscaping work of any kind;

(4) The renovation, repair, remodeling or demolition of any existing building or structure.

(c) This section shall not apply in the following situations:

(1) Emergency repair work on any utility line, pipe, wire or cable required to restore normal utility service;

(2) Situations where the public works authority determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representatives gives notice of the time and scope of such proposed activity, the notice to be given in a manner approved by the public works authority (Code 1968, ξ 703.3A; Ord. No. 403-71, 8-16-71).

CITY OF PORTLAND, MAINE
DEPARTMENT OF PUBLIC SERVICES
TIME WAIVER REQUEST

DATE:

TO: Director of Public Works
55 Portland Street
Portland, ME 04101

REGARDING: Request for Waiver of Established Work Hours for
Construction Activities - - Section 17-18 of the
Municipal Code

Dear Sir:

My firm of _____
(NAME OF FIRM) (ADDRESS) (TELEPHONE) (FAX) (CONTACT PERSON)
requests a waiver of the City of Portland from its Municipal Code, Section 17-18 (see
back of waiver request form) prohibiting construction activities between the hours of
7:00 p.m. and 7:00 a.m. of the following morning.

We are doing _____ type of construction activity at
_____ in Portland, Maine, and request permission to
(ADDRESS)
begin work at _____ a.m., and end work by _____ p.m. for _____
day (s). Work will begin on _____ and cease on _____.

I understand and agree that if this waiver is approved, work will be of a non-reoccurring
nature as noted in the ordinance and is acceptable only for the above listed company,
location, single-construction activity and time.

SIGNED: _____
(SIGNATURE OF APPLICANT)

(COMPANY)

(DATE)

APPROVED: _____
(DIRECTOR OF PUBLIC SERVICES)

(DATE)