



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

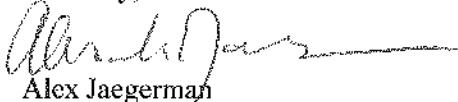
- b Receipt of evidence of RTI and the executed Conditional Rezoning Agreement prior to any advance work starting on site;
- c That a satisfactory performance guarantee is posted prior to the start of any approved advance site work;
- d That advance clearance work is limited to the Extent of Work itemized 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