

Comments Submitted 6/3/14

Comments Submitted 7/15/14 City of Portland

Development Review Application  
Planning Division Transmittal Form

Application Number: 2014-059      Application Date: 04/29/2014  
CBL: 254 A007001      Application Type: Level II Site Plan  
Applicant: OLD DOMINION FREIGHT LINE INC  
Project Name: Old Dominion Freight Line Addition  
Address: 185 RAND RD  
Project Description: 5,763 Sq Ft Addition enlarge pavement area and curb cuts off Rand Road  
Zoning: IM

5/9/2014

Truck Terminal in West

**Other Required Reviews:**

<input type="checkbox"/> Traffic Movement	<input type="checkbox"/> 14-403 Streets	<input type="checkbox"/> Housing Replacement
<input type="checkbox"/> Storm Water	# Units _____	<input type="checkbox"/> Historic Preservation
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Other:
# Lots _____	<input checked="" type="checkbox"/> Shoreland	
<input checked="" type="checkbox"/> Site Location	<input type="checkbox"/> Design Review	
# Unit _____		

**Distribution List:**

Planner	Barbara Barhydt	Parking	John Peverada
Zoning	Marge Schmuckal	Design Review	Alex Jaegerman
Traffic Engineer	Tom Errico	Corporation Counsel	Nennifer Thompson
Civil Engineer	David Senus	Sanitary Sewer	John Emerson
Fire Department	Chris Pirone	Inspections	Tammy Munson
City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
		Outside Agency	

Comments needed by 5/29/2014

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## MEMORANDUM

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**To:** FILE  
**From:** Barbara Barhydt  
**Subject:** Application ID: 2014-059  
**Date:** 7/15/2014

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**Comments Submitted by: Marge Schmuckal/Zoning on 7/15/2014**

There are revised site plans showing revisions to earlier submitted plans. It now appears that all pavement and parking is located outside of the protected 75' Stream Protection area. There is one light pole that is still within that protected 75'. I find nothing in the ordinance allowing the light pole in the protected 75' without Planning Board approvals. It appears to me that the one light pole can be shifted just a few feet to be outside of the protected area. As a note, fences are not considered a structure and can remain in the protected 75' area. We have allowed such fences previously on other site plans.

Plan C-4, the Grading, Frainage & Erosion Control Plan does show sediment barriers. 14-449(d) requires erosion and sedimentation control measures to apply to all aspects of the proposed project and shall be in operation during all stages of activity in accordance with the "Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices". Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively work with the appropriate materials. Any vegetation removed or damaged by the construction activities shall be replaced in kind and repaired.

I also refer to the previous requirement about the "trash" removal prior to any occupancy permit that is currently within the 75' Stream Protection area nearer to the railroad track side,

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**MEMORANDUM**

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**To:** FILE  
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**Subject:** Application ID: 2014-059  
**Date:** 6/3/2014

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**Comments Submitted by: Marge Schmuckal/Zoning on 6/3/2014**

The revised plans have been submitted pursuant to the site visit. The revised plans still show the proposed parking to be less than the required 75' setback for parking. I have interpreted the parking setback to be from the edge of pavement required for parking area and the other management uses for parking, such as traffic flow and maneuvering. 14-453 allows the Planning Board to approve a reduction of the setback requirement. The building addition itself for the expansion of the truck terminal and warehousing is meeting all the I-M setback requirements and other dimensional requirements such as impervious surface.

It is also noted that all the materials and "trash" dumped in the Stream Protection area of the property abutting the railroad tracks shall be removed prior to the issuance of a Certificate of Occupancy for this proposal.

Marge Schmuckal  
Zoning Administrator

Applicant: OLD Dominion Date: 5/20/14

Address: 185 Rand Rd - C-B-L: 254-A-007

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

Zone Location - I-M

Approved use of truck Terminal & warehouse sig

Interior or corner lot -

Proposed Use/Work - ADD Addition for warehouse & more TRUCKING BAYS

Sevage Disposal -

Lot Street Frontage -

Front Yard - 25'

Rear Yard - 25' ok - 50'+

Side Yard - 25' ok No change

Projections -

Width of Lot -

Height - 75' max - not close

Lot Area -

Lot Coverage/ Impervious Surface - 75% MAX Given  $125645 \div 217697 = 58\%$

Area per Family -

Change 7/10/14 - only 1 light pole in 75' protected area

Off-street Parking - Needs an appeal - 40' B under Stream Prot.

Loading Bays - ADD

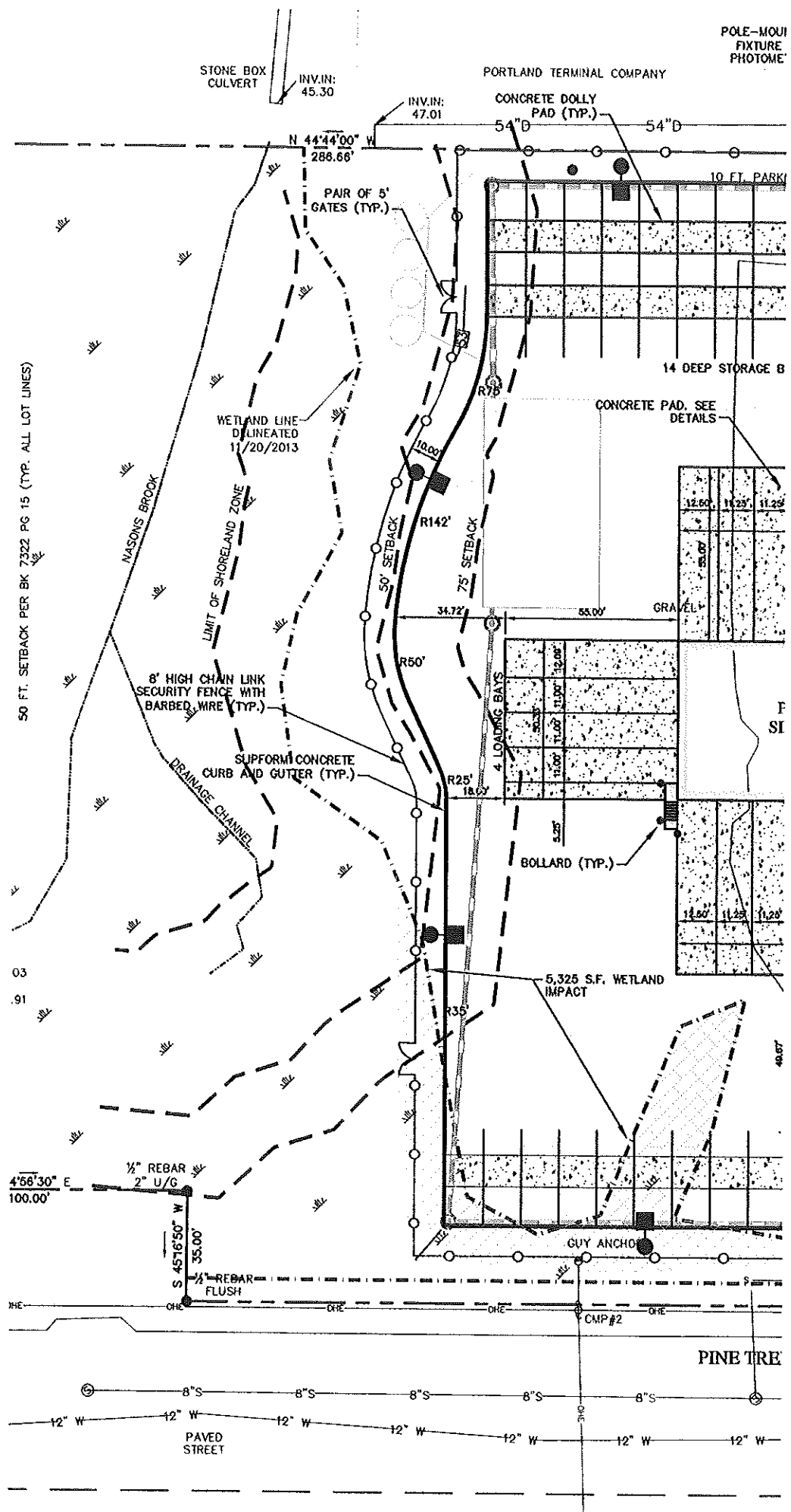
Site Plan - 2014-059

Shoreland Zoning/ Stream Protection -

within the 75'

Flood Plains - Panel 12 - Zone X

REMOVE TRASH in Stream Protection area



**PROJECT DATA**

$125,645 \div 217,697 = 58\%$

The following information is required where applicable, in order to complete the application.

<b>Total Area of Site</b>	217,697	sq. ft.
<b>Proposed Total Disturbed Area of the Site</b>	162,100	sq. ft.
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland		
<b>Impervious Surface Area</b>		
Impervious Area (Total Existing)	79,713	sq. ft.
Impervious Area (Total Proposed)	125,645	sq. ft.
<b>Building Ground Floor Area and Total Floor Area</b>		
Building Footprint (Total Existing)	8,953	sq. ft.
Building Footprint (Total Proposed)	5,763	sq. ft.
Building Floor Area (Total Existing)	8,953	sq. ft.
Building Floor Area (Total Proposed)	5,763	sq. ft.
<b>Zoning</b>		
Existing	Moderate Impact Industrial Zone (I-M)	
Proposed, if applicable	N/A	
<b>Land Use</b>		
Existing	Warehousing and Distribution Facility	
Proposed	Warehousing and Distribution Facility	
<b>Residential, if applicable</b>		
N/A		
# of Residential Units (Total Existing)		
# of Residential Units (Total Proposed)		
# of Lots (Total Proposed)		
# of Affordable Housing Units (Total Proposed)		
<b>Proposed Bedroom Mix</b>		
N/A		
# of Efficiency Units (Total Proposed)		
# of One-Bedroom Units (Total Proposed)		
# of Two-Bedroom Units (Total Proposed)		
# of Three-Bedroom Units (Total Proposed)		
<b>Parking Spaces</b>		
# of Parking Spaces (Total Existing)	21	
# of Parking Spaces (Total Proposed)	34	
# of Handicapped Spaces (Total Proposed)	2	
<b>Bicycle Parking Spaces</b>		
# of Bicycle Spaces (Total Existing)	0	
# of Bicycle Spaces (Total Proposed)	2	
<b>Estimated Cost of Project</b>	\$2,200,000	

City of Portland  
Code of Ordinances  
Sec. 14-450

Land Use  
Chapter 14  
Rev. 3-4-13

stricter section shall control.

(Ord. No. 660-86, 7-7-86; Ord. No. 579-87, 6-15-87; Ord. No. 156-98, 11-16-98)

**Sec. 14-450.16. Validity and severability.**

If any section or provision of this division is declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this division.

(Ord. No. 156-98, 11-16-98)

**Sec. 14-450.17. - 14-450.30. Reserved.**

DIVISION 26.7. S-P STREAM PROTECTION ZONE

**Sec. 14-451. Purposes.**

The purposes of the S-P stream protection zone are to preserve and protect significant streams as defined in 38 M.R.S.A. Section 438-A(1) by providing a buffer from land development activities in order to conserve stream channel capacity and to minimize siltation and stream bank erosion.

(Ord. No. 15-92, § 30, 6-15-92)

**Sec. 14-452. Applicability.**

The S-P stream protection zone includes all land areas within seventy-five (75) feet, horizontal distance, of the normal high water line of a stream as shown on the City of Portland Zoning Map. The regulations set forth in this division shall not apply to a stream and its associated shoreland area when they are also located in an area designated as a shoreland zone. Streams located within shoreland zones shall be subject to the provisions of division 26.

(Ord. No. 15-92, § 30, 6-15-92)

**Sec. 14-453. Development standards.**

(a) *Minimum building setback from normal high water line of stream:* Seventy-five (75) feet. Notwithstanding this requirement, when a lot is a lot of record as defined in section 14-433 or cannot otherwise meet the setback requirement of this section due to physical limitations of the site, the Planning Board may approve a reduction of the setback requirement for a principal structure to the least amount necessary to achieve a building dimension of twenty-eight (28) feet, provided that the setback is not reduced to less than forty (40) feet. Structures in existence on June 15,

1992, may be expanded once during the lifetime of the structure up to twenty-five (25) feet toward a stream or tributary stream, provided that the setback is not reduced to less than forty (40) feet and the floor area or volume is not increased by more than thirty (30) percent.

(b) *Filling of material within a stream protection zone:* Filling of material within a stream protection zone shall require site plan review in accordance with article V of this chapter.

(c) ~~Minimum parking setback from normal high water line of stream:~~ Seventy-five (75) feet. Notwithstanding this requirement, the Planning Board may reduce the parking setback where the required setback cannot be met to the least extent necessary, provided that such setback shall not be less than the setback of the principal structure from the stream.  
(Ord. No. 15-92, § 30, 6-15-92; Ord. No. 278-09/10, 7-19-10)

**Sec. 14-454. - Sec. 14-460. Reserved.**

DIVISION 27. ADMINISTRATION AND ENFORCEMENT\*

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\*Cross reference(s)—Administration, Ch.2.  
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**Sec. 14-461. Building authority to enforce article.**

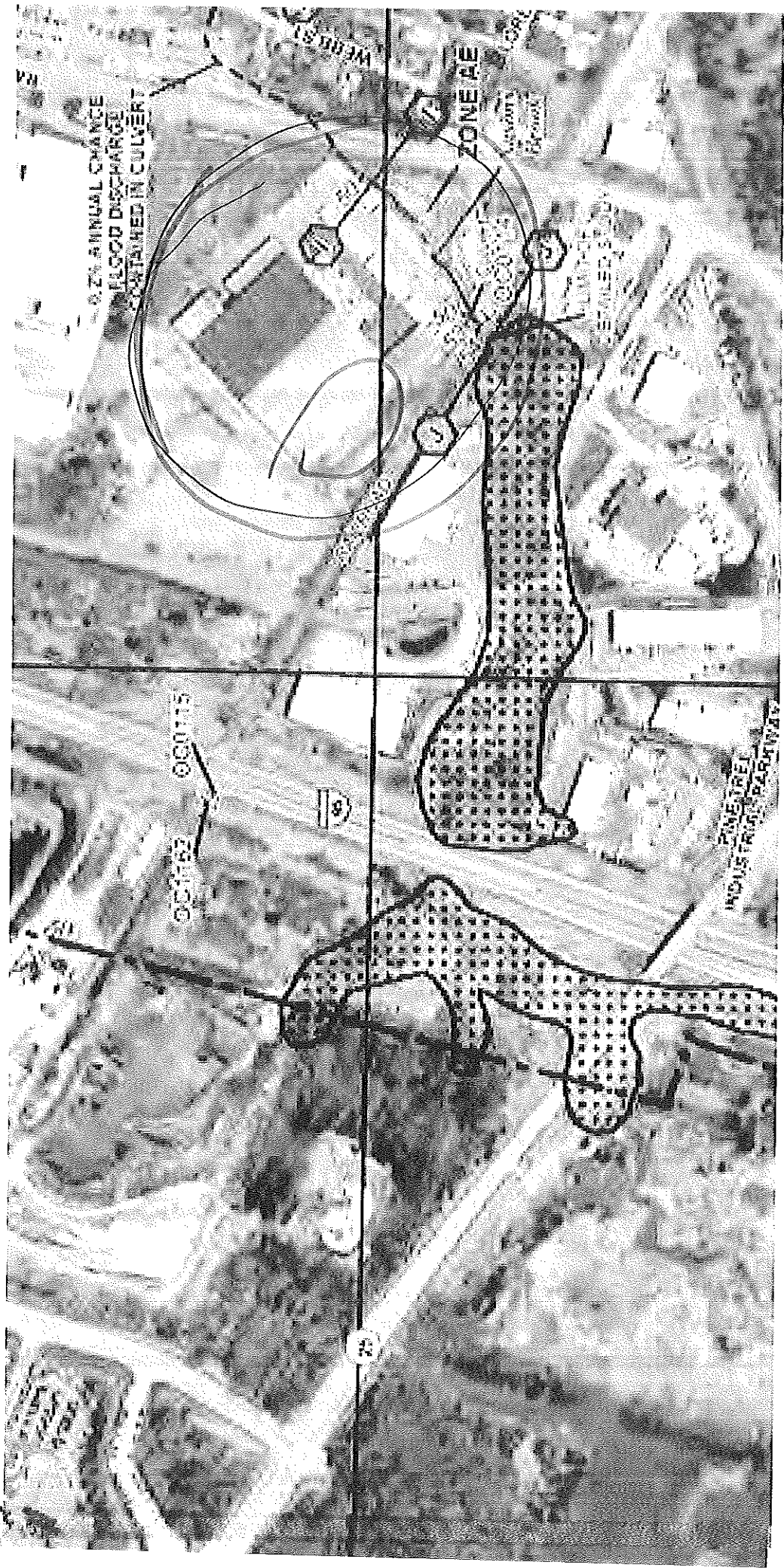
It shall be the duty of the building authority to enforce the provisions of this article. No permit or certificate of occupancy shall be issued for the construction, alteration, enlargement, moving, use or change of use of any building, structure, or part thereof, or for the use or change of use of any premises, unless the plans and intended use indicate that the building, structure or premises is to conform in all respects with the provisions of this article.

(Code 1968, § 602.22.A)

**Sec. 14-462. Change to nonconforming use.**

The use of any part of any building or structure for a one-family dwelling house, two-family dwelling house, lodging house, hotel, tenement or apartment house, dormitory, educational use, club, church, farm use, hospital, sanitarium, institution,





2014 ANNUAL CHANGE  
FLOOD DISCHARGE  
CONTAINED IN CULVERT

WEST ST

ZONE AE

INDUSTRIAL PARKWAY

051162 060115

ZONE FRI

INDUSTRIAL PARKWAY

20

Insurance agent or call the National Flood Insurance Pro



APPROXIMATE SCALE



NATIONAL FLOOD INSURANCE PROGRAM

# FIRM FLOOD INSURANCE RATE MAP

CITY OF  
PORTLAND,  
MAINE  
CUMBERLAND COUNTY

PANEL 12 OF 17  
SEE MAP PREFIX OR PANELS NOT PRINTED

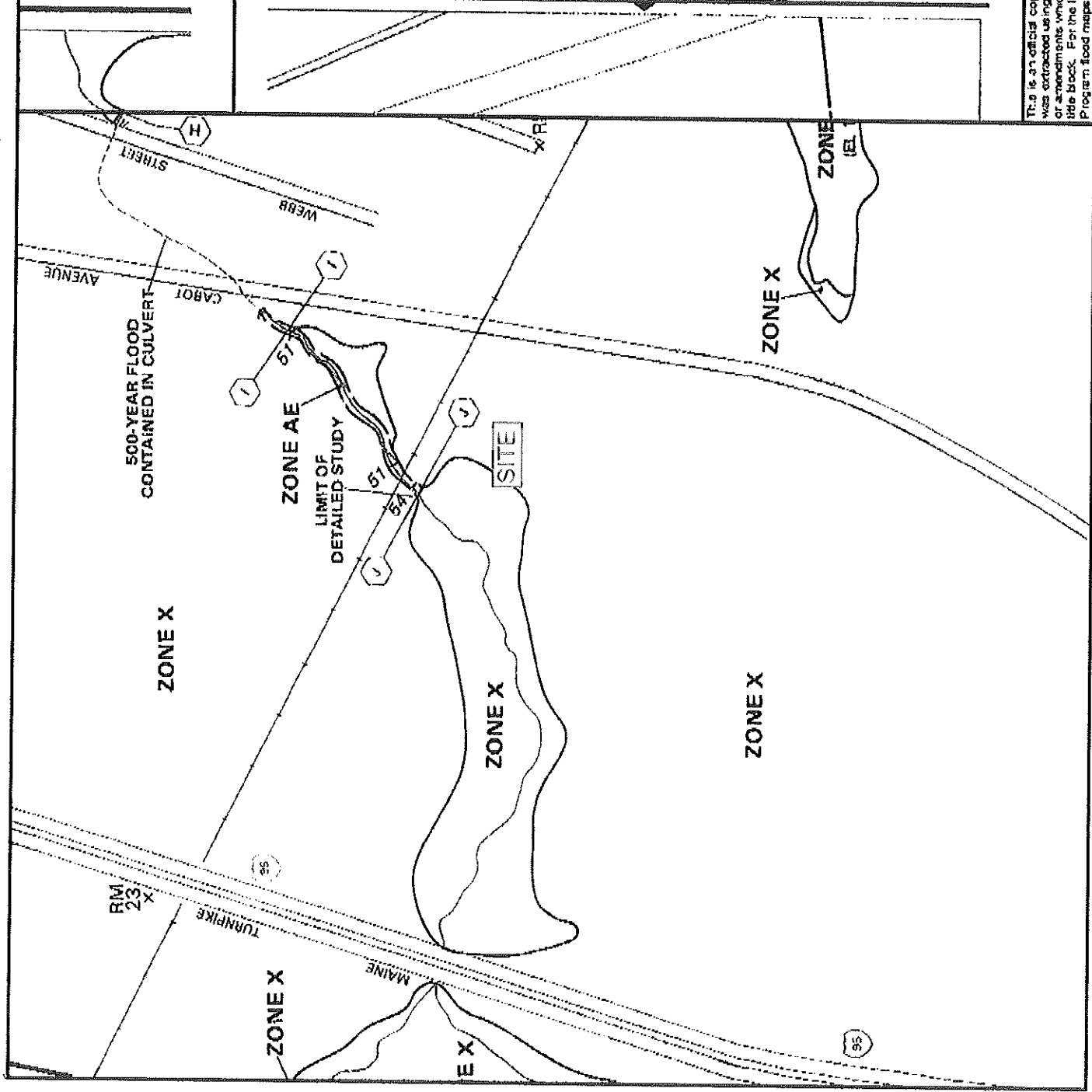
COMMUNITY-PANEL NUMBER  
230051 0012 C

MAP REVISED:  
DECEMBER 8, 1998



Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using FEMA's "Cut-Line" software. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps, check the FEMA Flood Map Store at [www.fema.gov](http://www.fema.gov)



City of Portland  
Development Review Application  
Planning Division Transmittal Form

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**Other Required Reviews:**

<input type="checkbox"/> Traffic Movement	<input type="checkbox"/> 14-403 Streets	<input type="checkbox"/> Housing Replacement
<input type="checkbox"/> Storm Water	# Units _____	<input type="checkbox"/> Historic Preservation
<input type="checkbox"/> Subdivision	<input type="checkbox"/> Flood Plain	<input type="checkbox"/> Other:
# Lots _____	<input checked="" type="checkbox"/> Shoreland	
<input checked="" type="checkbox"/> Site Location	<input type="checkbox"/> Design Review	
# Unit _____		

**Distribution List:**

<b>Planner</b>	Barbara Barhydt	<b>Parking</b>	John Peverada
<b>Zoning</b>	Marge Schmuckal	<b>Design Review</b>	Alex Jaegerman
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<b>City Arborist</b>	Jeff Tarling	<b>Historic Preservation</b>	Deb Andrews
<b>Engineering</b>	David Margolis-Pineo	<b>DRC Coordinator</b>	Phil DiPierro
		<b>Outside Agency</b>	

Comments needed by 5/16/2014

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**MEMORANDUM**

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**To:** FILE

**From:** Barbara Barhydt

**Subject:** Application ID: 2014-059

**Date:** 5/9/2014

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**Comments Submitted by: Marge Schmuckal/Zoning on 5/9/2014**

on 5/8/2014 Met with Joe Marden & Mike Morse of DEP - this meet was to settle where the 75' line should be measured from. - the edge of where it is very distinctive along the matted down wetland to the transitional area is where it should be measured - Expecting a new, revised site plan

Marge Schmuckal  
Zoning Administrator

ME - look up

Applicant: OLD Dominion

Date: 4/30/14

Address: 185 Rand Rd

C-B-L: 254-A-007

CHECK-LIST AGAINST ZONING ORDINANCE

Date -

Zone/Location - I-M

14-449(a)

Interior or corner lot -

Proposed Use/Work - Addition of New Parking enlargement Truck terminal

Sewage Disposal - City

Lot Street Frontage -

Front Yard -

Rear Yard -

Side Yard -

Projections -

Width of Lot -

Height -

Lot Area -

Lot Coverage Impervious Surface -

Area per Family -

PB - Off-street Parking - Section 14-449 (K) - 14-449(a) ←

Loading Bays - 2014-059

Site Plan - Level II site plan

Abuts Shoreland Zoning/ Stream Protection -

EA business 11/20/2013 -

Flood Plains -

Question on the delineation line should be measuring from edge of Wetland -

3/19/14  
12:30pm



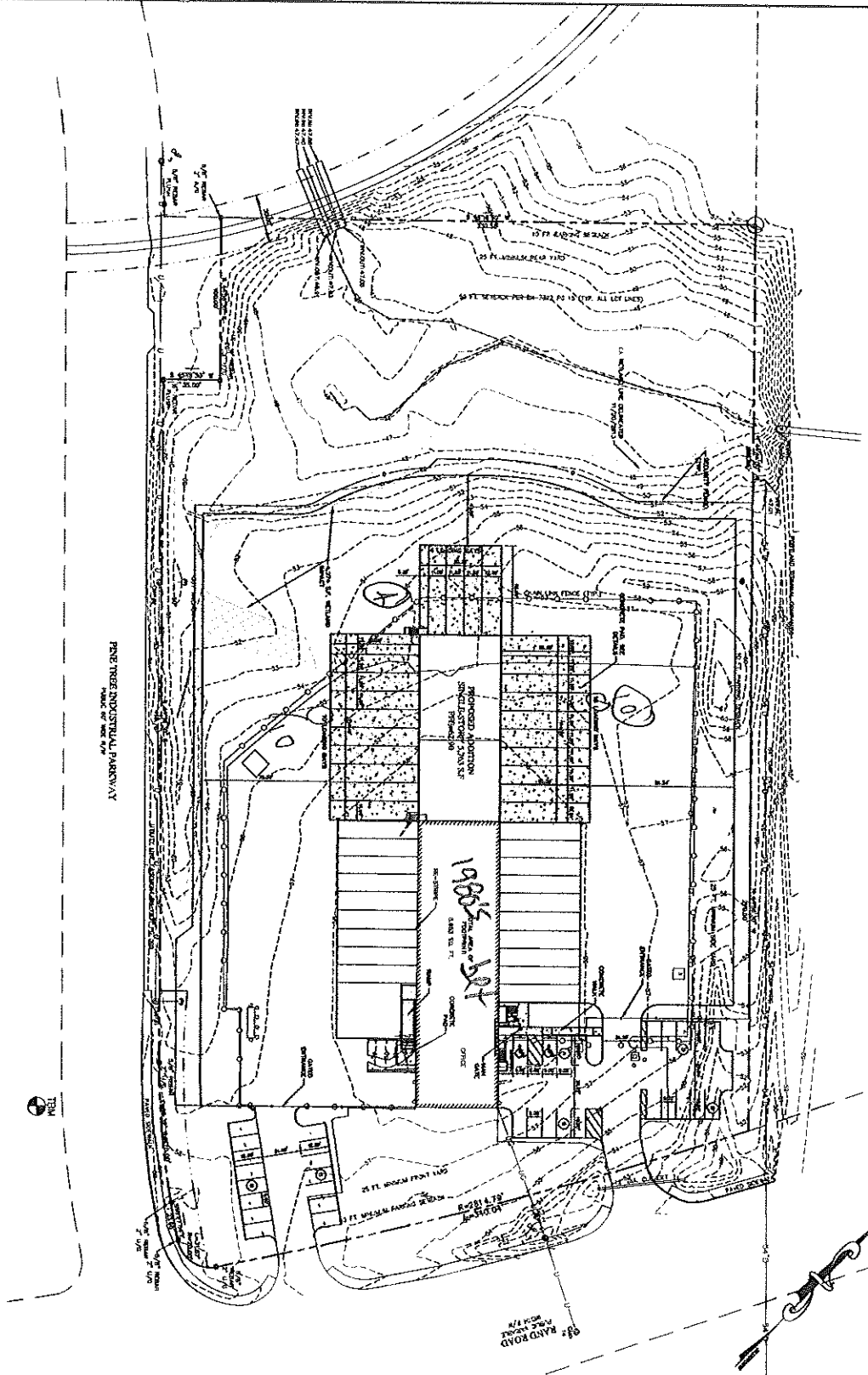
Memorandum  
Department of Planning and Urban Development  
Pre-Application Meeting Request

To request a pre-application meeting please fill out the form below with as much detail as possible. Return the form along with any electronic drawings or supporting documentation via e-mail to Desiree Kelly, [dmk@portlandmaine.gov](mailto:dmk@portlandmaine.gov). Two 30 minute meetings will be scheduled each Wednesday from 12:00-1:00 p.m. in Room 209, 2<sup>nd</sup> Floor of City Hall. These meetings are by appointment only and can be scheduled by Desiree Kelly at the e-mail address above or by telephone 207-874-8720.

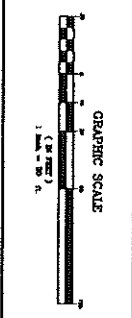
Contact Information	
Name:	Joseph J. Marden, P.E.
E-Mail Address:	<a href="mailto:jmarden@sitelinespa.com">jmarden@sitelinespa.com</a> - I-M Zone -
Phone:	207-725-1200 ex.12
Proposed Project Information	
Chart, Block, Lot (s)	254 A007001 & 255-B-002
Address	185 Rand Road
Current Use	Warehouse and Storage <i>week from today</i>
Proposed Use	Warehouse and Storage <i>8:30 → 9:30</i>
Lot Size	5.00 ac <i>DEP: Lisa Vickers NRPA</i>
New Building or Addition Sq. Ft.	5,763 s.f. Addition <i>Chapter 500</i>
New impervious surface area	48,850 s.f. (128,563 s.f. total) <i>NO → Marge Atkiding</i>
Brief description of proposed project: Refer to Cover Letter <i>legal use - Truck Terminal - ie. warehouse &amp; distribution</i>	
<i>impaired NASON'S Brook</i>	
<i>imperious - 75% max</i>	
<i>75' setback</i>	

*height 75' max*  
*1' for each 1' of build height*  
*setback 10'*  
*parking*  
*stormwater utility tax fee*

extra  
 how many trucks per hour -  
 157163  
 8953  
 12716



CALL DURING OFFICE HOURS  
 1-888-344-7233  
 OFFICE OF ENGINEERING AND SURVEYING  
 1000 W. 10TH AVENUE, SUITE 100  
 DENVER, CO 80202



**SITELINES, PA**  
 ENGINEERS-PLANNERS-ARCHITECTS  
 1000 W. 10TH AVENUE, SUITE 100  
 DENVER, CO 80202

**PROJECT:** PROPOSED BUILDING EXPANSION  
 162 RAND ROAD, PORTLAND, ME 04102

**DATE:** 02/24/04

**SCALE:** 1" = 20'

**DATE:** 02/24/04

**FILE:** 03

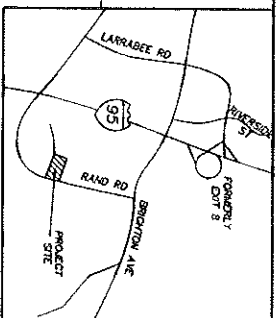
**TITLE:** SITE LAYOUT PLAN

**GENERAL NOTES:**

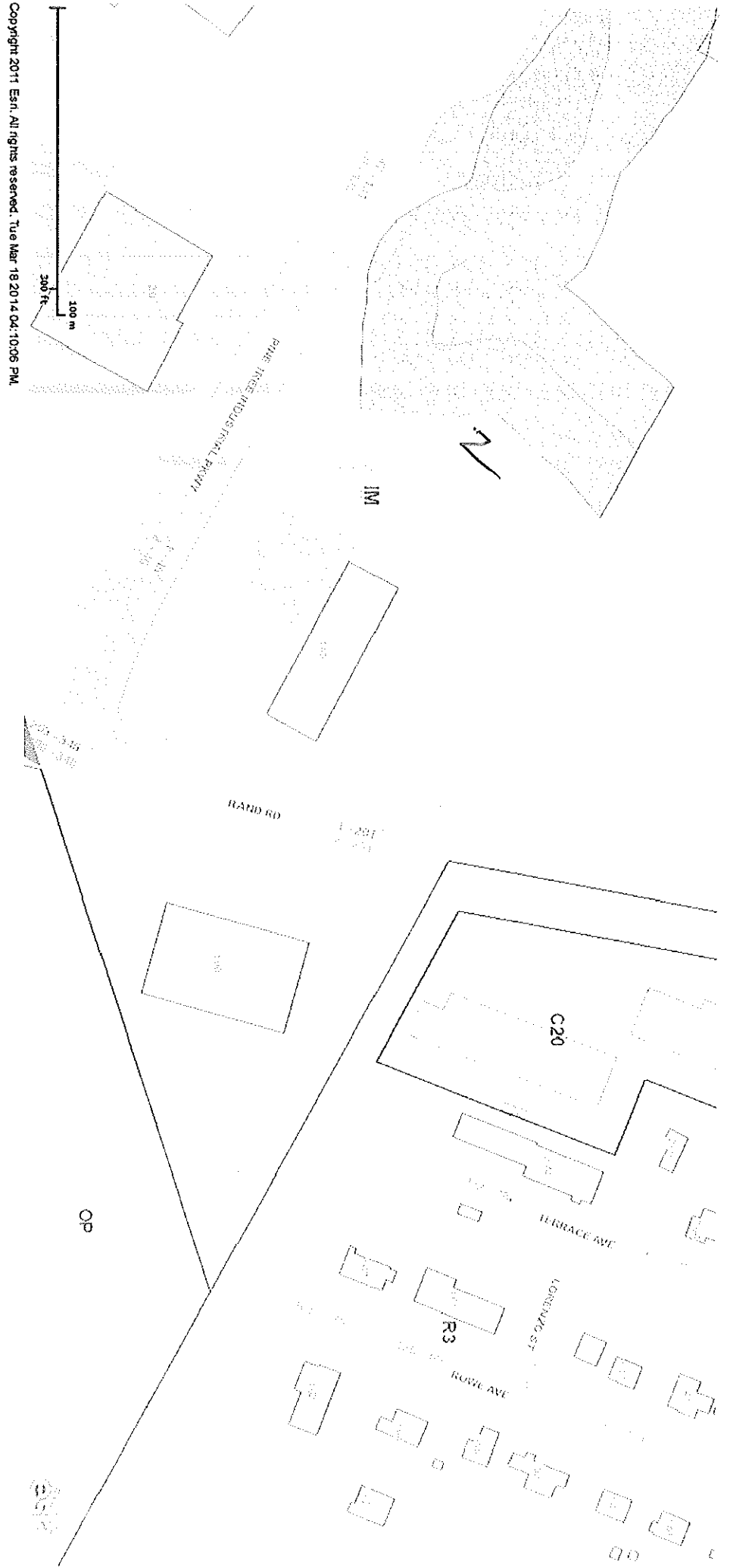
1. REFER TO SHEET 01 FOR SITE.
2. ALL DIMENSIONS ARE IN FEET.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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**EXPLANATIONS:**

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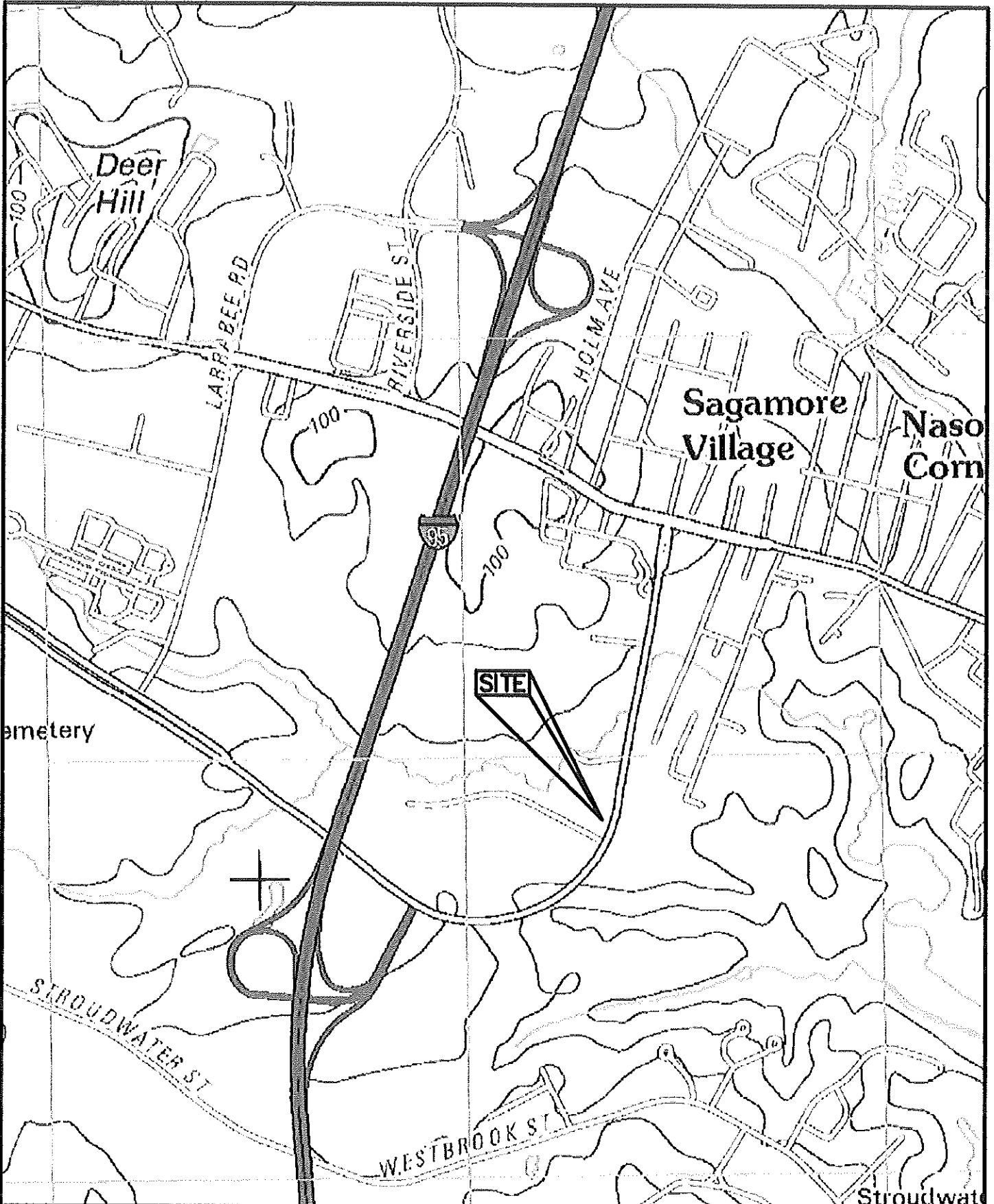


# 185 Rand RD

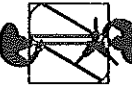


Copyright 2011 Esri. All rights reserved. Tue Mar 18 2014 04:10:06 PM.





SHEET: 1 OF 1

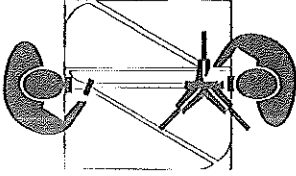


**SITELINES**  
ENGINEERS PLANNERS

8 CUMBERLAND ST. BRUNSWICK, ME 04011  
(207) 725-1200 FAX 725-1114

**USGS LOCATION MAP**  
 PROPOSED BUILDING EXPANSION  
 OLD DOMINION FREIGHT LINE, INC  
 185 RAND ROAD, PORTLAND, ME

DATE: 1/27/2014
SCALE: 1"=1000'
JOB: 2454
FILE: 2454-USGS



2454-7

March 5, 2014

Ms. Desiree Kelly  
Senior Executive Assistant  
City of Portland  
<via email>

**Re: Pre-Application**  
**PROPOSED BUILDING EXPANSION**  
**185 RAND ROAD, PORTLAND, MAINE**  
**CBL 254 A007001**

Dear Ms. Kelly:

Enclosed please find a copy of a Pre-Application Meeting Request and supporting materials for the expansion of a commercial trucking facility, with associated parking, infrastructure and landscaping to be located along Rand Road. D.F. Chase, Inc. proposes to expand the existing commercial building and parking areas located on the site. The proposed building expansion will be a single-story building consisting of loading dock platforms. This letter is intended to summarize the project in order to facilitate the review process.

#### **PROPERTY**

Old Dominion Freight Line, Inc owns the parcel of land located at 185 Rand Road. The parcel contains 5.00± acres and has frontage on Rand Road and Pine Tree Industrial Parkway. The proposed site has previously been developed, and is currently occupied by a single-story 8,953 s.f. footprint commercial building and associated infrastructure. The building is used as a commercial trucking facility in which materials are stored and transferred to trucks for local delivery. The existing improvements result in approximately 79,713 s.f. (1.83 ac) of impervious area. The property is located in the Moderate Impact Industrial Zone (I-M), in which warehousing and distribution facilities are a Permitted Use.

#### **SITE DESIGN**

As part of the proposed development, the existing 8,953 s.f. commercial building will be expanded by 5,763 s.f., for a total building area of 14,716 s.f. The existing parking lot will be reconstructed and enlarged in order to accommodate the proposed building addition. The current design represents approximately 128,563 s.f. (2.95 acres) of impervious surface, or an increase of 48,850 s.f. (1.12 acres). The development provides a total of 34 parking spaces, including two (2) ADA compliant spaces, along the frontage of the site. The remainder of the pavement area surrounding the building will be used for maneuvering and parking of the semi-trailers while not in use and while being loaded or unloaded. The site will be accessed via two (2) existing driveway curb cuts from Rand Road.

A portion of the existing site drains to the rear of the property and ultimately discharges to Nasons Brook, which is classified by the Maine Department of Environmental Protection (MDEP) as an Urban Impaired Stream (UIS). As proposed, stormwater runoff would be collected on-site by catch basins and redirected to a 54-inch stormdrain, installed in 2000, running parallel

## **SITELINES, PA**

ENGINEERS ■ PLANNERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS

8 Cumberland Street ■ Brunswick, ME 04011 ■ TEL 207-725-1200 ■ FAX 207-725-1114 ■ [www.sitelinespa.com](http://www.sitelinespa.com)

to the nearby railroad that discharges to an unnamed tributary to the Fore River. This would remove the impervious area from the watershed of the urban impaired stream and alleviate potential flooding problems associated with the Pine Tree Industrial Park.

The property is part of a Site Location of Development Act (SLODA) permit (#L-16187-39-A-N) that was previously issued for the industrial park in 1990. The development will require an amendment to the approved SLODA permit and will require stormwater treatment of the new impervious area. It is understood that the City of Portland has delegated authority to review SLODA development. We would ask that the project be reviewed simultaneously by the City for a Site Plan Approval and an amendment to the SLODA permit.

Based on the Preliminary FEMA Flood Maps, the rear of the property is located within the 500-year floodplain. More analysis is needed to determine the elevation of the 100-year floodplain and what affect the 54-inch stormdrain, identified earlier, has on the mapped floodplains. At this time, we do not feel that the FEMA maps correctly model the floodplain at the rear of the property.

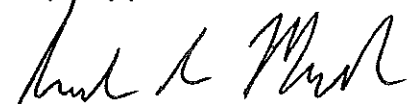
As part of the proposed development, wetlands located to the rear of the property will be impacted. We are currently working with the MDEP to determine if these wetlands are of special significance and what permitting requirements are required for the proposed impact. Based on our discussion with MDEP, it is anticipated that a Tier 1 Natural Resources Protection Act (NRPA) permit will be required from the MDEP.

**SUMMARY**

We trust that this information satisfactorily addresses the requirements for A Pre-Application Meeting and we look forward to meeting with you and the Planning Staff at their earliest convenience.

We appreciate your assistance with this project. Should you have any questions, please call or contact me via [jmarden@sitelinespa.com](mailto:jmarden@sitelinespa.com).

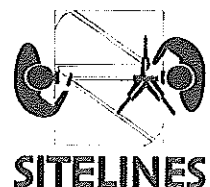
Very truly yours,



Joseph J. Marden, P.E.  
Project Engineer

Enclosures

cc: Scott Freeman, D.F. Chase, Inc.



or driveway.

- d. Ditch relief culverts shall be sufficiently sized and properly installed in order to allow for effective functioning, and their inlet and outlet ends shall be stabilized with appropriate materials.
8. Ditches, culverts, bridges, dips, water turnouts and other storm water runoff control installations associated with roads and driveways shall be maintained on a regular basis to assure effective functioning.
- (k) *Parking areas:* Parking areas shall be set back a minimum of seventy-five (75) feet from the normal high-water or upland edge of a coastal wetland, freshwater wetland, river or tributary stream within a shoreland zone except:
1. In the EWP, WC, WPD WSU, B-3, B-5, B-5b, I-L and I-M zones, parking setbacks shall be as established for structures in those zones; as specified in Sec. 14-449(a)1.
  2. Parking setbacks in the S-P (stream protection) zones are as established in Division 26.7.
  3. Where the Planning Board finds that no other reasonable alternative exists further from the shoreline or tributary stream, the board may reduce the parking setback requirement to no less than fifty (50) feet in the R-OS, and I-B zones to the least amount necessary for construction, provided that the applicant proves by a preponderance of the evidence that appropriate techniques will be used to prevent sedimentation of the water body.
- (l) *Septic waste disposal:*

All subsurface sewage disposal system shall be installed in conformance with the State of Maine Subsurface Wastewater Disposal Rules and the following:

- a. Clearing or removal of woody vegetation necessary to site a new system and any associated fill

*Earth moving activity* means any removal or placement, excavation, filling, stockpiling or grading of soil, earth, loam, sand, gravel, rock and other mineral deposits.

*Emergency operations:* Emergency operations shall include operations conducted for the public health, safety or general welfare, such as protection of resources from immediate destruction or loss, law enforcement, and operations to rescue human beings and livestock from the threat of destruction or injury.

*Emergency shelter:* A facility providing temporary overnight shelter to homeless individuals in a dormitory-style or per-bed arrangement.

*Essential services:* The construction, alteration or maintenance of gas, electrical or communication facilities; steam, fuel, electric power or water transmission or distribution lines, towers and related equipment; telephone cables or lines, poles and related equipment; gas, oil, water, slurry or other similar pipelines; municipal sewage lines, collection or supply systems; and associated storage tanks. Such systems may include towers, poles, wires, mains, drains, pipes, conduits, cables, fire alarms and police call boxes, traffic signals, hydrants and similar accessories, but shall not include service drops or buildings which are necessary for the furnishing of such services.

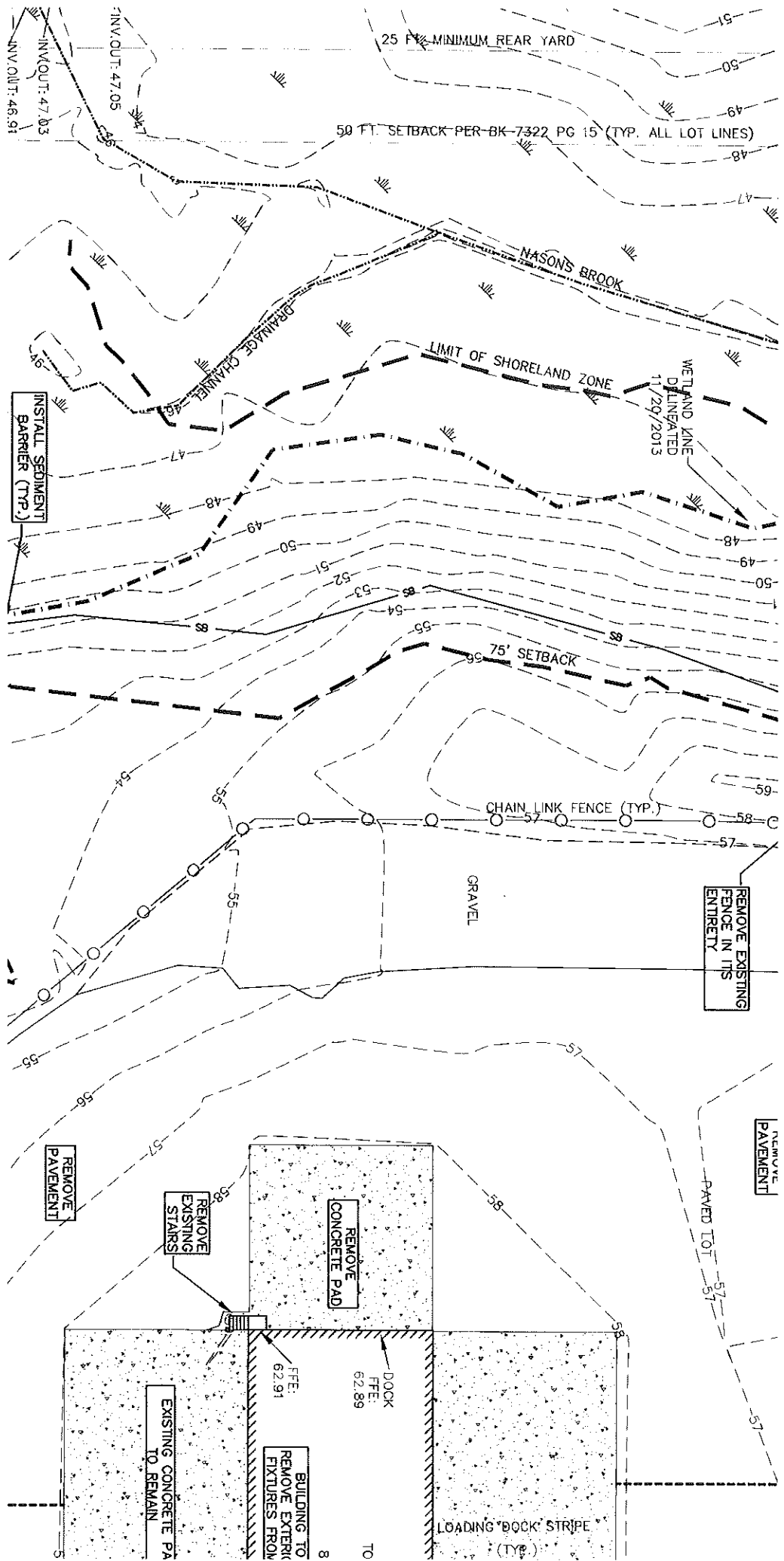
*Fabrication:* Manufacturing, excluding the refining or other initial processing of basic raw materials such as metal ores, lumber or rubber. Fabrication relates to stamping, cutting, or otherwise shaping the processed materials into useful objects.

*Family:* Not more than sixteen (16) individuals living together in a dwelling unit as a single nonprofit housekeeping unit. A group occupying a hotel, fraternity house or sorority house shall not be considered as a family. The family may include necessary servants.

*Family amusement centers:* Any structure, open to the public, which may contain coin-operated games and similar entertainment and amusement devices.

*Fill.* Soil, earth, loam, sand, gravel, rock and other mineral deposits.

*Filling.* The placement of soil, earth, loam, sand, gravel, rock and other mineral deposits. Filling shall include stockpiling



*Existing conditions C-2 updated 7/15/14*

from the normal high water line of any other water body, tributary stream, or the upland edge of a wetland, except to allow for the development of permitted uses. Tree removal in conjunction with the development of permitted uses shall be included in the forty (40) percent calculation. For the purposes of these standards, volume may be considered to be equivalent to basal area. In no event shall cleared openings for any purpose, including but not limited to, principal and accessory structures, driveways, lawns and sewage disposal areas, exceed in the aggregate twenty-five (25%) percent of the lot area within the shoreland zone, including land previously cleared.

3. Legally existing nonconforming cleared openings may be maintained but shall not be enlarged, except as allowed by this division.
4. Fields and other cleared openings which have reverted to primarily shrubs, trees, or other woody vegetation shall be regulated under the provisions of this section.

(d) *Erosion and sedimentation control:*

1. All activities which involve filling, grading, excavation or other similar activities which result in unstabilized soil conditions and which require a permit shall require a written soil erosion and sedimentation control plan in accordance with Maine Erosion and Sediment Control Handbook for Construction: Best Management Practices, published by the Cumberland County Soil and Water Conservation District and the Maine Department of Environmental Protection and the City of Portland Technical Manual. The plan shall be submitted to the permitting authority for approval and shall include, where applicable, provisions for:
  - a. Mulching and revegetation of disturbed soil.
  - b. Temporary runoff control features such as hay bales, silt fencing or diversion ditches.

- c. Permanent stabilization structures such as retaining walls or riprap.
2. In order to create the least potential for erosion, development shall be designed to fit with the topography and soils of the site. Areas of steep slopes where high cuts and fills may be required shall be avoided wherever possible, and natural contours shall be followed as closely as possible.

3. Erosion and sedimentation control measures shall apply to all aspects of the proposed project involving land disturbance, and shall be in operation during all stages of the activity. ~~The amount of exposed ground area at every phase of construction shall be minimized to reduce the potential for erosion.~~

14-449 (A)

Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked, by use of riprap, sod, seed, and mulch, or other effective measures. In all cases, permanent stabilization shall occur within nine (9) months of initial exposure. The following standards shall also be met:

- a. Where mulch is used, it shall be applied at a rate of at least one (1) bale per five hundred (500) square feet and shall be maintained until a catch of vegetation is established.
- b. Anchoring the mulch with netting, peg and twine or other suitable method may be required to maintain the mulch cover.
- c. Additional measures shall be taken where necessary in order to avoid siltation into the water. Such measures may include the use of staked hay bales and/or silt fences.
5. Natural and man-made drainage ways and drainage outlets shall be protected from erosion from water flowing through them. Drainage ways shall be designed and constructed in accordance with the City of Portland Technical Manual.







Portland, Maine



Yes. Life's good here.

Alex Jaegerman, FAICP  
Division Director, Planning Division

Planning & Urban Development Department  
Jeffery Levine, Director

Planning Division  
Alexander Jaegerman, Director

received  
7/20/14  
July 18, 2014  
Revised on July 25, 2014

Old Dominion Freight Line, Inc.  
500 Old Dominion Way  
Thomasville, N.C. 27360

Joseph J. Marden  
Sitelines, PA  
8 Cumberland St.  
Brunswick, ME 04011

Project Name: Old Dominion Freight  
Address: 185 Rand Road, Portland  
Applicant: Old Dominion Freight Lines/Sitelines PA  
Project ID: # 2014-059

254-A-7  
255-B-2

Dear Mr. Marden,

On July 15, 2014, the Planning Authority approved with conditions a Level II site plan Old Dominion Freight Line, Inc. for the expansion of an existing building and parking lot located at 185 Rand Road. The decision is based upon the application, documents and plans as submitted by Old Dominion Freight Lines and prepared by Joseph J. Marden, P.E. and dated July 17, 2014. The proposal was reviewed for conformance with the standards of Portland's site plan ordinance.

#### WAIVERS

The Planning Authority waives the requirement of Technical Manual, Section 5 (III) (4) (F) Flooding Standard. The Applicant has revised the stormwater management approach for the site. The project will result in reduced peak flow rates to the downstream culvert on Nason's Brook. The project will slightly increase peak flow rates to the 54" City drain pipe that crosses under Rand Road; however the overall discharge rate from the site (Nasons Brook & 54" culvert) will be reduced.

#### SITE PLAN REVIEW AND AMENDMENT TO THE SITE LOCATION OF DEVELOPMENT PERMIT

The Planning Authority found the plan and the amendment to the Site Location of Development Permit are in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval:

1. Storm Water Management Condition of Approval

The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines.

The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements.

A maintenance agreement for the stormwater drainage system, as attached, or in substantially the same form with any changes to be approved by Corporation Counsel, shall be submitted and signed prior to the issuance of a building permit with a copy to the Department of Public Services.

2. The applicant shall pay the Urban Impaired Stream in-lieu fee payment of \$420 to the City of Portland to compensate for the improved project area that will drain to Nason's Brook, prior to the issuance of a building permit.
3. A sidewalk will be constructed from the existing sidewalk located along Rand Road, and extending along Pine Tree Industrial as shown on the approved plans, in accordance with Section 14-498 and 14-499 of the City Code and the specifications of Section 1 of the city's Technical Standards.
4. Any exposed ground area shall be temporarily or permanently stabilized within one (1) week from the time it was last actively worked on with the appropriate materials. Any vegetation removed or damaged by the construction activities shall be replaced in kind and repaired prior to the issuance of the certificate of occupancy.
5. Litter/debris that is currently within the 75' Stream Protection area (nearer to the railroad track side), shall be removed prior to the issuance of the certificate of occupancy.

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.

#### 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 Shukria Wiar at (207) 756-8080 or via email at [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Sincerely,

*Alexander Jaegerman*  
 Alexander Jaegerman, FAICP (33)  
 Planning Division Director

**Attachments:**

1. Stormwater Maintenance Agreement
2. Performance Guarantee Packet

**cc:**

Jeff Levine, AICP, Director of Planning and Urban Development  
 Alexander Jaegerman, FAICP, Planning Division Director  
 Barbara Barlydt, Development Review Services Manager  
 Shukria Wiar, 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-Chulita, Corporation Counsel  
 Thomas Enrico, P.E., TY Lin Associates  
 David Senus, P.E., Woodard and Curran  
 Rick Blackburn, Assessor's Department  
 Approval Letter File