



**CITY OF PORTLAND**

**Division Directors**  
Mark B. Adelson  
Housing & Neighborhood Services

Alexander Q. Jaegerman, AICP  
Planning

John N. Lufkin  
Economic Development

June 17, 2003

Mr. Austin Smith  
Scott Simons Architects  
15 Franklin Street  
Portland, ME 04101

RE: Amendment to Breakwater Site Plan first approved by Planning Board on 12/11/01  
Vicinity of 856 Brighton Avenue  
(ID # 2003-0081, CBL #259 D001001)

Dear Mr. Smith:

On June 17, 2003, the Portland Planning Authority granted minor site plan approval for Breakwater Schools Amended Plan for Phase 3A and 3B the Multi-Purpose Building at 856 Brighton Avenue, as shown on the approved plan as noted below\*. The amended site plan meets all the conditions of approval from the Planning Board's decision on December 11, 2001. The approval of the amended site plan is granted with the following conditions:

1. A four foot strip of sidewalk be maintained along Brighton Avenue during construction;
2. The banners do not constitute a sign unless they are used for advertising. Please submit the design concepts for the banners to Marge Schmuckal, Zoning Administrator for review and approval; and
3. The applicant must obtain a building permit and begin construction on Phase 3B, as shown in the amended documents and the Planning Board approved site plan, within one year of receiving a Certificate of Occupancy for Phase 3A.

Please note the following provisions and requirements for all site plan approvals:

1. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. A one year extension may be granted by this department if requested by the applicant in writing prior to the expiration date of the site plan. Please refer to Condition #2 regarding the approval time frame for Phase 3B.

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\* Phase Three Civil Site Plan (C1), rev 5, 5/23/03; Site Plan Layout & Materials (L-1.1), 5/16/03; Site Demolition (L-1.0), rev. 1, 5/13/03, 5/16/03; Site Planting Plan rev. 1,2,and 3 (L-1.2), 5/16/03 Exterior Elevations with Landscape Material (A-3.1), 5/19/03; Exterior Elevations (A-3.1), 5/19/03; Site Lighting Revisions, June 9,2003, memo from Austin Smith to Barbara Barhydt, Senior Planner, Site Plan Layout and Materials Phase 3B (L-1.1), 6/13/03, Floor Plans Phase 3B (A.1.1), 6/13/03; Exterior Elevations 3B (A-2.1) 6/13/03, and the Planning Board submission of 2001.

2. A performance guarantee in a form acceptable to the City of Portland and an inspection fee equal to 2.0% of the performance guarantee will have to be posted before beginning any site construction or issuance of a building permit. The City is currently reviewing the cost estimates and performance guarantee, which were submitted on behalf of Breakwater School.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
4. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, 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.
5. 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. 8822. (Only excavators licensed by the City of Portland are eligible.)
6. The approval is based on the submitted site plan. If modifications to the approved site plan are needed, then a revised site plan shall be submitted for staff review and approval.
7. Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files with seven sets of final plans.

The Development Review Coordinator (DRC) must be notified five (5) working days prior to date required for final site inspection and the DRC can be reached at the Planning Division at 874-8632. Please note that no Certificates of Occupancy will be issued until all site improvements have been completed and inspected in the field by the Development Review Coordinator. If there are any questions, please contact Sarah Hopkins at 874-8720.

Sincerely,



Alexander Jaegerman  
Planning Division Director

cc: Lee D. Urban, Planning and Development Department Director  
 Sarah Hopkins, Development Review Program Manager  
 Barbara Barhydt, Senior Planner  
 Jay Reynolds, Development Review Coordinator  
 Marge Schmuckal, Zoning Administrator  
 Michael Bobinsky, Public Works Director  
 — Karen Dunfey, Inspections  
 Larry Ash, Traffic Engineer  
 Tony Lombardo, Project Engineer  
 Eric Labelle, City Engineer  
 Jeff Tarling, City Arborist  
 Penny Littell, Associate Corporation Counsel  
 Lt. Gaylen McDougall, Fire Prevention

Don Hall, Appraiser, Assessor's Office  
Approval Letter File  
Correspondence File