

Form # P04

DISPLAY THIS CARD ON PRINCIPAL FRONTAGE OF WORK

# CITY OF PORTLAND

## BUILDING INSPECTION

# PERMIT

Please Read Application And Notes, If Any, Attached

Permit Number: 060928  
**PERMIT ISSUED**  
JUL 14 2006  
CITY OF PORTLAND

This is to certify that HERITAGE REALTY I LIMITED PARTNERSHIP /Benchmark  
has permission to Commercial- Renewal of plan for Shell construction ONLY permit #05-0194  
AT 1030 BRIGHTON AVE L 263A A004001

provided that the person or persons who perform or supervise the work accepting this permit shall comply with all of the provisions of the Statutes of the State and of the Ordinances of the City of Portland regulating the construction, maintenance and use of buildings and structures, and of the application on file with this department.

Apply to Public Works for street line and grade if nature of work requires such information.

Notification of inspection must be given and when permission is procured before this building or part thereof is loaded or enclosed-in. 4 HOUR NOTICE IS REQUIRED.

A certificate of occupancy must be procured by owner before this building or part thereof is occupied.

### OTHER REQUIRED APPROVALS

Fire Dept. \_\_\_\_\_  
Health Dept. \_\_\_\_\_  
Appeal Board \_\_\_\_\_  
Other \_\_\_\_\_  
DepartmentName

*Ch. King*  
Director - Building & Inspection Services

**PENALTY FOR REMOVING THIS CARD**

**City of Portland, Maine - Building or Use Permit Application**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No:	Issue Date:	CBL:
06-0928		263A A004001

1030 BRIGHTON AVE	HERITAGE REALTY LIMITED P	131 DARTMOUTH ST 6TH FL	
Business Name:	Contractor Name:	Contractor Address:	Phone:
	Benchmark	34 Thomas Dr. Westbrook	2075917600
Tenant/Buyer's Name	Phone:	Permit Type:	Zone:
		Amendment to Commercial	B-2
Current Use:	Proposed Use:	Permit Fee:	Cost of Work:
Vacant Land Connected w/ permit #05-0194	Commercial- Renewal of plans for Shell Construction ONLY of permit #05-0194	\$30.00	\$30.00
		CEO District:	
		3	
Proposed Project Description:		FIRE DEPT:	INSPECTION:
Commercial- Renewal of plans for Shell Construction ONLY of permit #05-0194		<input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied	Use Group: TBD Type: 3B SHEED ONLY 2/14/06 Signature: [Signature]
		Signature: [Signature]	Signature: [Signature]
PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)			
Action <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied			
Permit Taken By:		Date:	
Idobson		0612312006	

<p><b>Special Zone or Reviews</b></p> <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan  Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date: 9/7/3/06	<p><b>Zoning Appeal</b></p> <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	<p><b>HISTORIC Preservation</b></p> <input checked="" type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
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**CERTIFICATION**

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK. TITLE		DATE	PHONE

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 06-0928	<b>Date Applied For:</b> 06/23/2006	<b>CBL:</b> 263A A00400 1
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<b>Location of Construction:</b> 1030 BRIGHTON AVE	<b>Owner Name:</b> HERITAGE REALTY LIMITED P	<b>Owner Address:</b> 131 DARTMOUTH ST 6TH FL	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Benchmark	<b>Contractor Address:</b> 34 Thomas Dr. Westbrook	<b>Phone</b> (207) 591-7600
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Amendment to Commercial	

<b>Proposed Use:</b> Commercial- Renewal of plans for Shell Construction ONLY of permit #05-0194	<b>Proposed Project Description:</b> commercial- Renewal of plans for Shell Construction ONLY of permit #05-0194
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**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 07/03/2006

**Note:** **Ok to Issue:**

- 1) Separate permits shall be required for any new signage.
- 2) Separate permits shall be required for individual tenant fit-ups.
- 3) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Mike Nugent      **Approval Date:** 07/14/2006

**Note:** **Ok to Issue:**

- 1) Shell ONLY, Separate submissions and permits are required for the individual tenant spaces, Plumbing, Electrical and HVAC..

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Cptn Greg Cass      **Approval Date:** 07/07/2006

**Note:** **Ok to Issue:**

- 1) All conditions of approval required by LT. McDougal shall be met. Ref. # 050194

**Comments:**

7/23/2006-ldobson: Fees connected w/ permit #05-0194



# General Building Permit Application

If you or the property owner owes real estate or personal property taxes or user charges on any property within the City, payment arrangements must be made before permits of any kind are accepted.

Total Square Footage of Proposed Structure <b>7,710sq.Ft</b>		Square Footage of Lot <b>768,310sq.ft.</b>
Tax Assessor's Chart, Block & Lot Chart# Block# Lot# <b>263A Lot4</b>	Owner: <b>Portland Pine Tree LLC</b>	Telephone: 617-965-96000
Lessee/Buyer's Name (If Applicable)	Applicant name, address & telephone: <b>Howard Mintz One Wells Avenue Newton, MA 02459</b>	Cost Of Work: <del>XXXXXX</del> Fee: <b>\$30.00</b> <i>Amend fee</i> C of O Fee:
This is a mult-Tenant retail building constructed of concrete foundation with frost walls, steel frame structure, non-loadbearing exterior wall framing with EPDM and standing seam metal roofing with EFIS, Brick and clapboard exterior finishes.		
Contractor's name, address & telephone: Who should we contact when the permit is ready: CB Brady <b>Benchmark Construction Mailing address: 34 Thomas Drive Westbrook, Maine 04092 Phone: 207- 591- 7600</b>		

Please submit all of the information outlined in the Commercial Application Checklist.

Failure to do so will result in the automatic denial of your permit.

In order to be sure the City fully understands the full scope of the project, the Planning and Development Department may request additional information prior to the issuance of a permit. For further information visit us on-line at [www.portlandmaine.gov](http://www.portlandmaine.gov), stop by the Building Inspections office, room 315 City Hall or call 874-8703.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

Signature of applicant: 	Date: <b>4/20/06</b>
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**This is not a permit; you may not commence ANY work until the permit is issued.**



65 Newbury Street, Portland, ME 04101-4218 • Voice 207 761 9000 • Fax 207 761 2010 • www.portcityarch.com

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Mike Nugent  
City Of Portland Inspection Services Division Director  
389 Congress Street  
Portland, Maine 04101

RE: 1030 Brighton Avenue Building B  
Permit 05-0194 addendum / reinstatement

Dear Mr. Nugent;

We have attached a revised construction set for the Retail B building of the Pine Tree Shopping Center at 1030 Brighton Avenue for the purposes of reinstating the permit after a 9 month lapse before construction started on this building. Additionally, the building has been reduced in size from approx. 10,000 sq.ft. to 7,700 sq.ft. and now includes a drive through canopy. The specifications will remain as original as all products, materials and processes are as originally designed therefore a specification book is not attached with this drawing set, please use the original book submitted.

The planning board has approved this revision with the provision that a "street wall" be installed along the Brighton Avenue frontage. The plan and details for this wall can be found on sheet A5.2. I have submitted this drawing to Sarah Hopkins for her review and approval as was required by the planning board.

I have attached a check in the amount of \$30.00 to reinstate the permit. Please contact me directly if you require any additional information.

Sincerely;

John Charette, AIA

Attachments:

**Permit application**  
**Accessibility certificate**  
**Building Code Certificate**  
**IBC 2003 code form**  
**Statement of Special inspections**  
**One full size drawing set**  
**One set at 11 x 17**



CITY OF PORTLAND  
BUILDING CODE CERTIFICATE  
389 Congress St., Room 315  
Portland, Maine 04101

ACCESSIBILITY CERTIFICATE

Designer: D.21 CITY ARCHITECTURE

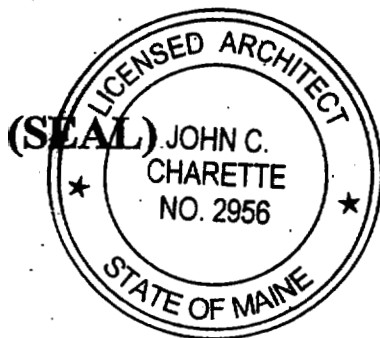
Address of Project: 103 BRIGHTON AVE

Nature of Project: 7,700 SQ FT RETAIL STRUCTURE

SHELL ONLY INCLUDING STOREFRONT

ENTRY AND REAR CANOPY

The technical submissions covering the proposed construction work as described above have been designed in compliance with applicable referenced *standards* found in the Maine Human Rights Law and Federal Americans with Disability Act.



Signature: [Handwritten Signature]

Title: \_\_\_\_\_

Firm: PORT CITY ARCHITECTURE

Address: 605 NEWBURY ST

PORTLAND ME 04101

Phone: 207.761.9000

**NOTE: If this project is a new Multi Family Structure of 4 units or more, this project must also be designed in compliance with the Federal Fair Housing Act. On a separate submission, please explain in narrative form the method of compliance.**



CITY OF PORTLAND  
BUILDING CODE CERTIFICATE  
389 Congress St., Room 315  
Portland, Maine 04101

TO: Inspector of Buildings City of Portland, Maine  
Department of Planning & Urban Development  
Division of Housing & Community Service

FROM: PORT CITY ARCHITECTURE

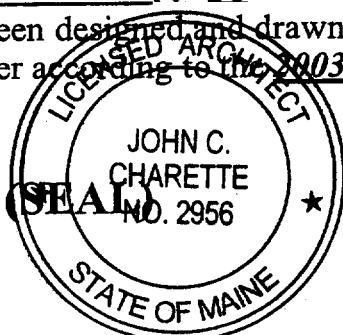
RE: Certificate of Design

DATE: 6/21/06

These plans and/ or specifications covering construction work on:

RETAIL 3 PINE TREE SHOPPING - SHELL ONLY

1030  
Have been designed and drawn up by the undersigned, a Maine registered Architect/  
Engineer according to the 2003 International Building Code and local amendments.



Signature: [Handwritten Signature]

Title: \_\_\_\_\_

Firm: PORT CITY ARCHITECTURE

Address: 605 NEWBURY ST  
PORTLAND ME 04101

**As per Maine State Law:**

\$50,000.00 or more in new construction, repair expansion, addition, or modification for Building or Structures, shall be prepared by a registered design Professional.

FROM DESIGNER: PORT CITY ARCHITECTURE JOHN GIAPETTE  
 DATE: 6/21/06  
 Job Name: PINE TREE RETAIL 3 SHELL ONLY  
 Address of construction: 1030 BRIGHTON AVE.

**2003 International Building Code**

Construction project was designed according to the building code criteria listed below:

Building Code and Year IBC 2003 Use Group Classification(s) M

Type of Construction 3B

Will the Structure have a Fire suppression system in Accordance with Section 903.3.1 of the 2003 IRC YES

Is the Structure mixed use? NA if yes, separated or non separated (see Section 302.3) IF YES NEED TO SEPARATE

Supervisory alarm system? Y Geotechnical/Soils report required? (See Section 1802.2) Y

**STRUCTURAL DESIGN CALCULATIONS**

COMPLETED Submitted for all structural members (1003.1, 1003.1.1)

**DESIGN LOADS ON CONSTRUCTION DOCUMENTS (1603)**

Uniformly distributed floor live loads (7603.11, 1607)

Floor Area Use	Loads Shown
<u>RETAIL</u>	<u>100 PSF</u>
_____	_____
_____	_____
_____	_____

**Wind loads (1603.1.4, 1609)**

ANALYTICAL Design option utilized (1609.1.7, 1609.6)

100 MPH Basic wind speed (1609.3)

1.0 Building category and wind importance factor,  $I_w$  (Table 1604.5, 1609.5)

C Wind exposure category (1609.4)

0.18 Internal pressure coefficient (ASCE 7)

AS REQ'D Component and cladding pressures (1609.1.1, 1609.6.2.2)

19.19 PSF Main force wind pressures (7603.1.7, 1609.6.2.1)

**Earthquakes design data (1603.1.5, 1614-1623)**

ANALYTICAL Design option utilized (1614.1)

1 Seismic use group ("Category") (Table 1604.5, 1616.2)

1992-302 Spectral response coefficients,  $S_{DS}$  &  $S_{D1}$  (1615.1)

C Site class (1615.1.5)

NO Live load reduction (1603.1.1, 1607.9, 1607.10)

NO Roof live loads (1603.1.2, 1607.11)

Roof snow loads (7603.7.3, 1608)

60 PSF Ground snow load,  $P_g$  (1608.2)

40 PSF If  $P_g > 10$  psf, flat-roof snow load,  $P_f$  (1608.3)

1.0 If  $P_g > 10$  psf, snow exposure factor,  $C_e$  (Table 1608.3.1)

1.0 If  $P_g > 10$  psf, snow load importance factor,  $I_s$  (Table 1604.5)

1.1 Roof thermal factor,  $C_t$  (Table 1608.3.2)

NA Sloped roof snowload,  $P_s$  (1608.4)

B&C Seismic design category (1616.3)

ORDINARY Basic seismic-force-resisting system (Table 1617.8.2)

R 5.0, 3.0 Response modification coefficient,  $R$ , and deflection amplification factor,  $C_d$  (Table 1617.8.2)

EQUIVALENT LRF FORCE Analysis procedure (1616.6, 1617.5)

115 K Design base shear (1617A, 1617.5.1)

**Flood loads (1603.1.6, 1612)**

NA Flood hazard area (1612.3)

NA Elevation of structure

**Other loads**

\_\_\_\_\_ Concentrated loads (1607.4)

\_\_\_\_\_ Partition loads (1607.5)

\_\_\_\_\_ Impact loads (1607.6)

\_\_\_\_\_ Misc. loads (Table 1607.6, 1607.6.1, 1607.7, 1607.12, 1607.13, 1610, 1611, 2404)



# Statement of Special Inspections

## Exhibit A

Project: *Pine Tree Shopping Center Retail #3 Redevelopment*

Location *Portland, Maine*

Owner *Packard Development*

Design Professional in Responsible Charge. *Port City Architecture*

This *Statement of Special Inspections* is submitted as a condition for permit issuance in accordance with the Special Inspection and Structural Testing requirements of the Building Code. It includes a schedule of Special Inspection services applicable to this project as well as the name of the Special Inspection Coordinator and the identity of other approved agencies to be retained for conducting these inspections and tests. This *Statement of Special Inspections* encompass the following disciplines

X Structural  Mechanical/Electrical/Plumbing  
X Architectural  Other \_\_\_\_\_

The Special Inspection Coordinator shall keep records of all inspections and shall furnish inspection reports to the Building Official and the Registered Design Professional in Responsible Charge. Discovered discrepancies shall be brought to the immediate attention of the Contractor for correction. If such discrepancies are not corrected, the discrepancies shall be brought to the attention of the Building Official and the Registered Design Professional in Responsible Charge. The Special Inspection program does not relieve the Contractor of his or her responsibilities.

Interim reports shall be submitted to the Building Official, Building Owner and the Registered Design Professional in Responsible Charge.

A *Final Report of Special Inspections* documenting completion of all required Special Inspections, testing and correction of any discrepancies noted in the inspections shall be submitted prior to issuance of a Certificate of Use and Occupancy.

Job site safety and means and methods of construction are solely the responsibility of the Contractor.

Interim Report Frequency: *Monthly during construction.*

or  per attached schedule

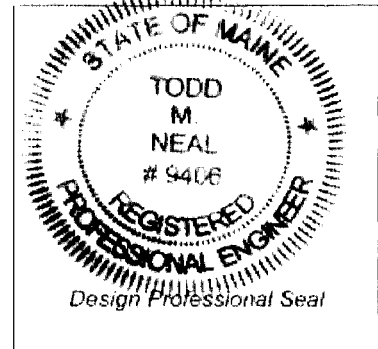
Prepared by  
*Becker Structural Engineers, Inc*  
*75 York Street*  
*Portland, Maine*

*Todd M. Neal, P.E.*  
(type or print name)



Signature

*5/10/05*  
Date



Owner's Authorization:

Building Official's Acceptance.

Signature

Date

Signature

Date

# Schedule of Inspection and Testing Agencies

## Exhibit B

This Statement of Special Inspections / Quality Assurance Plan includes the following building systems

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Soils and Foundations     | <input type="checkbox"/> Spray Fire Resistant Material                    |
| <input checked="" type="checkbox"/> Cast-in-Place Concrete    | <input type="checkbox"/> Wood Construction                                |
| <input type="checkbox"/> Precast Concrete                     | <input checked="" type="checkbox"/> Exterior Insulation and Finish System |
| <input type="checkbox"/> Masonry                              | <input type="checkbox"/> Mechanical & Electrical Systems                  |
| <input checked="" type="checkbox"/> Structural Steel          | <input type="checkbox"/> Architectural Systems                            |
| <input checked="" type="checkbox"/> Cold-Formed Steel Framing | <input type="checkbox"/> Special Cases                                    |

Inspection	Firm	Address, Telephone, e-mail
1. Special Inspection Coordinator	<i>Becker Structural Engineers, Inc</i>	<i>75 York Street Portland, ME 04101 207-879-1838</i>
2. Inspector	<i>Todd M. Neal, P.E. Becker Structural Engineers, Inc (BSE)</i>	<i>75 York Street Portland, ME 04101 207-879-1838 todd@beckerstructural.com</i>
3. Inspector	<i>Adam White, EI Becker Structural Engineers, Inc (BSE)</i>	<i>75 York Street Portland, ME 04101 207-879-1838 adam@beckerstructural.com</i>
4. Testing Agency	<i>To Be Determined (TL)</i>	
5. Testing Agency		
6. Other	<i>John Charette Port City Architecture (PCA)</i>	<i>65 Newbury Street Portland, ME 04101 207-761-9000 john@portcityarch.com</i>

*Nota* The inspectors and testing agencies shall be engaged by the Owner or the Owner's Agent, and not by the Contractor or Subcontractor whose work is to be inspected or tested. Any conflict of interest must be disclosed to the Building Official, prior to commencing work.

# Quality Assurance Plan

## Exhibit B

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### Quality Assurance for Seismic Resistance

Seismic Design Category **B**  
 Quality Assurance Plan Required (Y/N) **yes**

Description of seismic force resisting system and designated seismic systems:

*The seismic force resisting system consists of moment frames.*

*All welds to be inspected as per AWS D1.1. All field welded moment connections shall be tested by Ultrasonic Inspection (ASTM E 164).*

*All bolted connections shall be inspected as per procedures outlined in AISC "Specifications for Structural Joints Using ASTM A325 or 490 bolts".*

### Quality Assurance for Wind Requirements

Basic Wind Speed (3 second gust) **100**  
 Wind Exposure Category **C**  
 Quality Assurance Plan Required (Y/N) **No**

Description of wind force resisting system and designated wind resisting components.

### Statement of Responsibility

Each contractor responsible for the construction or fabrication of a system or component designated above must submit a Statement of Responsibility.

# Qualifications of Inspectors and Testing Technicians

## **Exhibit B**

The qualifications of all personnel performing Special Inspection and testing activities are subject to the approval of the Building Official. The credentials of all Inspectors and testing technicians shall be provided if requested.

### Key for Minimum Qualifications of Inspection Agents:

When the Registered Design Professional in Responsible Charge deems it appropriate that the individual performing a stipulated test or inspection have a specific certification or license as indicated below, such designation shall appear below the Agency Number on the Schedule

PE/SE	Structural Engineer – a licensed <b>SE</b> or PE specializing in the design of building structures
PE/GE	Geotechnical Engineer – a licensed <b>PE</b> specializing in soil mechanics and foundations
EIT	Engineer-In-Training – a graduate engineer who has passed the Fundamentals of Engineering examination

#### American Concrete Institute (ACI) Certification

ACI-CFTT	Concrete Field Testing Technician – Grade 1
ACI-CCI	Concrete Construction Inspector
ACI-LTT	Laboratory Testing Technician – Grade 1&2
ACI-STT	Strength Testing Technician

#### American Welding Society (AWS) Certification

AWS-CWI	Certified Welding Inspector
AWS/AISC-SSI	Certified Structural <b>Steel</b> Inspector

#### American Society of Non-Destructive Testing (ASNT) Certification

ASNT	Non-Destructive Testing Technician – Level II or III
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#### International Code Council (ICC) Certification

ICC-SMSI	Structural Masonry Special Inspector
ICC-SWSI	Structural Steel and Welding Special Inspector
ICC-SFSI	Spray-Applied Fireproofing Special Inspector
ICC-PCSI	Prestressed Concrete Special Inspector
ICC-RCSI	Reinforced Concrete Special Inspector

#### National Institute for Certification in Engineering Technologies (NICET)

NICET-CT	Concrete Technician – <b>Levels</b> I, II, III & IV
NICET-ST	Soils Technician - <b>Levels</b> I, II, III & IV
NICET-GET	Geotechnical Engineering Technician - <b>Levels</b> I, II, III & IV

#### Exterior Design Institute (EDI) Certification

EDI-EIFS	EIFS Third Party Inspector
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#### Other

Item	Agency # (Qualif.)	Scope
1 Shallow Foundations	<p><i>TL</i></p> <p><i>TL</i></p> <p><i>PE GE</i></p>	<p><i>Inspect soils below footings for adequate bearing capacity and consistency with geotechnical report.</i></p> <p><i>Inspect removal of unsuitable material and preparation of subgrade prior to placement of controlled fill</i></p>
2 Controlled Structural Fill	<p><i>TL</i></p> <p><i>TL</i></p> <p><i>TL</i></p> <p><i>TL</i></p> <p><i>PE GE</i></p>	<p><i>Perform sieve tests (ASTM D422 &amp; D1140) and modified Proctor tests (ASTM D1557) of each source of fill material</i></p> <p><i>Inspect placement, lift thickness and compaction of controlled fill.</i></p> <p><i>Test density of each lift of fill by nuclear methods (ASTM D2922)</i></p> <p><i>Verify extent and slope of fill placement</i></p>

Comments:

Item	Agency # (Qualif.)	Scope
1. Mix Design	<b>BSE/ TL</b>  <i>ACI-CCI</i> <i>ICC-RCSI</i>	<i>Review concrete batch tickets and verify compliance with approved mix design. Verify that water added at the site does not exceed that allowed by the mix design.</i>
2. Material Certification	<b>BSE</b>	<i>Submitted for review with Mix Design</i>
3. Reinforcement Installation	<b>BSE</b>	<i>Inspect size, spacing, cover, positioning and grade of reinforcing steel. Verify that reinforcing bars are free of form oil or other deleterious materials. Inspect bar laps and mechanical splices. Verify that bars are adequately tied and supported on chairs or bolsters</i>
6. Anchor Rods	<b>BSE</b>	<i>Inspect size, positioning and embedment of anchor rods. Inspect concrete placement and consolidation around anchors</i>
7. Concrete Placement	<b>BSE/ TL</b>  <i>ACI-CCI</i> <i>ICC-RCSI</i>	<i>Inspect placement of concrete. Verify that concrete conveyance and depositing avoids segregation or contamination. Verify that concrete is properly consolidated.</i>
8. Sampling and Testing of Concrete	<b>TL</b>  <i>ACI-CFTT</i> <i>ACI-STT</i>	<i>Test concrete compressive strength (ASTM C31 &amp; C39), slump (ASTM C143), air-content (ASTM C231 or C173) and temperature (ASTM C1064)</i>
9. Curing and Protection	<b>BSE/ TL</b>  <i>ACI-CCI</i> <i>ICC-RCSI</i>	<i>Inspect curing, cold weather protection and hot weather protection procedures.</i>

Comments:

	Agency # (Qualif.)	Scope
1. Fabricator Certification! Quality Control Procedures <input type="checkbox"/> Fabricator Exempt	<b>BSE</b>	<i>Review shop fabrication and quality control procedures</i>
2. Material Certification	<b>BSE</b>	<i>Review certified mill test reports and identification markings on wide-flange shapes, high-strength bolts, nuts and welding electrodes</i>
3. Open Web Steel Joists	<b>BSE/ TL</b>	<i>Inspect installation, field welding and bridging of joists</i>
4. Bolting	<b>BSE/ TL</b> AWS/AISC- SSI ICC-SWSI	<i>Inspect installation and tightening of high-strength bolts. Verify that splines have separated from tension control bolts. Verify proper tightening sequence. Continuous inspection of bolts in slip-critical connections.</i>
5. Welding	<b>TL</b> AWS-CWI ASNT	<i>Visually inspect all welds. Inspect pre-heat, post-heat and surface preparation between passes. Verify size and length of fillet welds  Ultrasonic testing of all full-penetration welds.</i>
6. Shear Connectors	<b>BSE/ TL</b> AWS/AISC- SSI ICC-SWSI	<i>Inspect size, number, positioning and welding of shear connectors. Inspect studs for full 360 degree flash. Ring test all shear connectors with a 3 lb hammer. Bend test all questionable studs to 15 degrees</i>
7. Structural Details	<b>BSE</b>  PE/SE	<i>Inspect steel frame for compliance with structural drawings, including bracing, member configuration and connection details</i>
8. Metal Deck	<b>BSE/ TL</b> AWS-CWI	<i>Inspect welding and side-lap fastening of metal roof and floor deck.</i>

Comments:

# Cold-Formed Steel Framing *Exhibit B*

Item	Agency # (Qualif.)	Scope
1 Member Sizes	<b>BSE</b>	<i>Field verify sampling of material</i>
2 Material Thickness	<b>BSE</b>	<i>Field verify sampling of material.</i>
3. Material Properties	<b>BSE</b>	<i>Field verify sampling of material.</i>
4. Mechanical Connections	<b>BSE</b>	<i>Field verify sampling of material</i>
5 Welding	<b>BSE/TL</b>	<i>Field verify sampling of material.</i>
6 Framing Details	<b>BSE</b>	<i>Field verify sampling of material.</i>
7. Trusses	<b>BSE</b>	<i>Field verify details conform to design</i>
8. Permanent Truss Bracing	<b>BSE</b>	<i>Field verify braces are installed as per design</i>

Comments:



# Final Report of Special Inspections

## Exhibit C

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Project: ***Pine Tree Shopping Center Retail #3 Redevelopment***  
Location: ***Portland, Maine***  
Owner: ***Packard Development***  
Owner's Address: ***One Wells Avenue***  
***Newton, Massachusetts 02459***  
Architect of Record: ***Port City Architecture***  
Structural Engineer of Record: ***Becker Structural Engineers, Inc***

To the best of my information, knowledge and belief, the Special Inspections required for this project, and itemized in the *Statement of Special Inspections* submitted for permit, have been performed and all discovered discrepancies have been reported and resolved other than the following

Comments:

*(Attach continuation sheets if required to complete the description of corrections.)*

Interim reports submitted prior to this final report form a basis for and are to be considered an integral part of this final report

Respectfully submitted,  
Special inspector

**Becker Structural Engineers, Inc**

***Todd M. Neal, P.E.***

(Type or print name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Licensed Professional Seal*

# Final Report of Special Inspections

## Exhibit C

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### Agent's Final Report

Project: *Pine Tree Shopping Center Retail Redevelopment*

Agent:

Special Inspector: *Todd M. Neal, P.E., Becker Structural Engineers, Inc*

To the **best** of my information, **knowledge** and belief, the **Special Inspections or testing** required for this project and designated for *this Agent* in the *Statement of Special Inspections* submitted for permit, **have been performed** and all discovered discrepancies **have been reported** and **resolved** other than the following'

Comments:

*(Attach continuation sheets if required to complete the description of corrections.)*

Interim reports submitted prior to **this final report** form a **basis** for **and** are to **be considered** an integral **part** of this final report

Respectfully submitted,  
Agent of the Special Inspector

\_\_\_\_\_  
(Type or print name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
*Licensed Professional Seal or  
Certification*

**City of Portland, Maine - Building or Use Permit**

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

<b>Permit No:</b> 05-0194	<b>Date Applied For:</b> 02/23/2005	<b>CBL:</b> 263A A004001
------------------------------	--	-----------------------------

<b>Location of Construction:</b> 1030 Brighton Ave	<b>Owner Name:</b> Heritage Realty Limited Partnership	<b>Owner Address:</b> 535 Boylston St	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Packard Development	<b>Contractor Address:</b> 1 Wells Drive Newton	<b>Phone:</b> (617) 965-1966
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Commercial	

Commercial Retail 1 story brick in front of lot / EFIS clad structure w/ steel frame - called bldg "B"

1 story brick / EFIS clad structure w/ steel frame

**Dept:** Zoning      **Status:** Approved with Conditions      **Reviewer:** Marge Schmuckal      **Approval Date:** 02/28/2005**Note:**      **Ok to Issue:** 

- 1) Separate permits shall be required for any new signage.
- 2) This permit is being approved on the basis of plans submitted. Any deviations shall require a separate approval before starting that work.

**Dept:** Building      **Status:** Approved with Conditions      **Reviewer:** Mike Nugent      **Approval Date:** 03/22/2005**Note:**      **Ok to Issue:** **Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Lt. MacDougal      **Approval Date:** 03/02/2005**Note:**      **Ok to Issue:** 

- 1) the sprinkler system shall be installed in accordance with NFPA 13 standard
- 2) the fire alarm system shall be installed in accordance with NFPA 72 standard
- 3) fire extinguishers shall be installed in accordance with NFPA 10 standard
- 4) the fire alarm system and sprinkler system shall be tested to the appropriate standard and the results submitted to the Portland Fire Department
- 5) contact Ben Diaz @ 874-8489 for the master box connection

**Dept:** Engineering      **Status:** Open      **Reviewer:** Tony      **Approval Date:****Note:** PUBLIC WORKS ENGINEERING REVIEW...4/26/04      **Ok to Issue:** 

I have reviewed the submittal dated 4/14/04 and offer the following comments:

1. Due to the limited content supplied and received, to date, a detail review of this project can not be accomplished.
2. The applicant's engineer should discuss modifications to the Brighton Avenue frontage with Eric Labelle, the City Engineer. He has some specific requirements as it relates to improvements along Brighton Ave.
3. The applicant needs to be aware that any roadway impacts to Rand Road will require permits and some substantial fees. The fees are large due to the fact that Rand Road is a moratorium roadway.

**Dept:** Fire      **Status:** Approved with Conditions      **Reviewer:** Lt. MacDougal      **Approval Date:** 05/05/2004**Note:**      **Ok to Issue:** 

- 1) Application requires State Fire Marshal approval.
- 2) access shall be from all sides of structure

<b>Location of Construction:</b> 1030 Brighton Ave	<b>Owner Name:</b> Heritage Realty Limited Partnership	<b>Owner Address:</b> 535 Boylston St	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Packard Development	<b>Contractor Address:</b> 1 Wells Drive Newton	<b>Phone:</b> (617) 965-1966
<b>Lessee/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Commercial	

**Dept:** DRC      **Status:** Approved with Conditions      **Reviewer:** Steve Bushey      **Approval Date:** 07/27/2004  
**Note:**      **Ok to Issue:**   
1) see planning conditions

**Dept:** Planning      **Status:** Approved with Conditions      **Reviewer:** Kandi Talbot      **Approval Date:** 07/27/2004  
**Note:**      **Ok to Issue:**   
1) 4. That revised building elevations shall be submitted for review and approval by Planning staff.

- 2) 5. That a sewer capacity letter from the Portland Sewer Division is submitted to staff prior to issuance of a building permit.
- 3) 2. That the developer revise the plans in accordance with the Traffic Engineer's memo dated July 20, 2004, to be reviewed and approved by the City's Traffic Engineer and that the developer shall reconfigure the Pine Tree Shopping Center Driveway approach to Brighton Avenue, opposite Taft Avenue, to provide an exclusive right turn lane and a shared left/through/right turn lane. The plans shall be revised to include additional low dense landscaping and/or berm, within the landscaped island on Brighton Avenue in front of the developer's leased area to deter mid block crossing on Brighton Avenue and the plan shall be amended to remove reference to the fence. Landscaping and/or berm for the island shall be reviewed and approved by the City Arborist.
- 4) 8. That as part of this development, the developer shall complete the Brighton Avenue streetscape from where the project was completed up to the Brighton Avenue Bridge. In lieu of completing the Brighton Avenue streetscape, the developer shall make a contribution of \$3000,000 to the City, prior to issuance of a building permit, for the City to complete the Brighton Avenue streetscape project. The developer will also utilize best efforts to secure, from Heritage Realty, additional Brighton Avenue right of way in fee or easement as required by the City for up to 15 feet on the southerly side of Brighton Avenue, plus the elimination of the property line "bulge", westerly of the entry drive to Pine Tree Shopping Center, or, if not able to secure such right of way prior to issuance of a building permit, the developer shall deposit up to \$100,000 in escrow to be used by the City to defray acquisition costs of such right of way if acquired by the City through an eminent domain proceeding, plus necessary structures to maintain the functionality of the existing development.
- 5) 9. any revisions that shall occur, such as landscaping or parking changes, based on the securing of additional right of way, shall be reviewed and approved by the Planning Authority.
- 6) 3. That the developer shall provide a pedestrian access easement for the sidewalk along Brighton Avenue, between Rand Road and Applebee's Restaurant, which is located out of the City's right of way. The pedestrian access easment shall be submitted prior to issuance of a building permit, and shall be reviewed and approved by Corporation Counsel.
- 7) 7. That the required fire hydrants be added to the site plan for review and approval by the Fire Department.
- 8) 6. That the plans be revised in accordance with the Development Review Coordinator's (DRC) memo dated July 19, 2004 and shall be reviewed and approved by the DRC. Any minor revisions during the DEP Site Location review shall be reviewed and approved by the DRC. To the extent that City requirements on the proposed changes are more stringent than DEP requirements, the City standards shall apply.
- 9) 1. That within the first year after completion of the project, the Rand Road/Pine Tree/Forest City Driveway be monitored to determine whether the intersection meets signal warrants. Documentation shall be submitted to the City's Traffic Engineer. After monitoring, if it determined that the intersection warrants a traffic signal, the developer shall be responsible for installation of the traffic signal. The developer shall also provide a performance guarantee, prior to issuance of a building permit, in the amount of \$75,000 to be held until that time that it is determined whether a traffic signal is warranted at this driveway and shall be held for up to 18 months. Monitoring data shall occur during one year after completion and traffic warrant shall be determined within 6 months of the monitoring.
- 10) 10. That the applicant shall place in escrow \$12,000 to extend the landscaping island within Rand Road, prior to issuance of a building permit. The funds will be placed in escrow until Rand Road is no longer a moratorium street, which will occur in 2008, at which time the improvements to Rand Road shall be completed.

**Comments:**  
3/3/2005-mjn: 1) I faxed a new page 3 certification form, the top part was not completed.

<b>Location of Construction:</b> 1030 Brighton Ave	<b>Owner Name:</b> Heritage Realty Limited Partnership	<b>Owner Address:</b> 535 Boylston St	<b>Phone:</b>
<b>Business Name:</b>	<b>Contractor Name:</b> Packard Development	<b>Contractor Address:</b> 1 Wells Drive Newton	<b>Phone</b> (617) 965-1966
<b>Tenant/Buyer's Name</b>	<b>Phone:</b>	<b>Permit Type:</b> Commercial	

Applicant: Heritage Realty LTD <sup>Refined</sup> Date: 1/12/06

Address: 1030 Brighton Ave C-B-L: 263A -A-004

CHECK-LIST AGAINST ZONING ORDINANCE

Date - Existing Development #06-0928

Zone Location - B-2

Interior or corner lot - The entire lot is on a corner

Proposed Use/Work - Revising lower approved site plan to allow PB

Sewage Disposal - A Drive-Thru Bank → <sup>NOT A conditional use to PB</sup>  
Brighton Ave is over 100' wide  
for survey info given to me from  
Jim Robbins in PWD

Lot Street Frontage - 50' min - well exceeds 50'

Front Yard - None except shall not exceed the average depth of the front yards of  
the closest developed lots on either side of the lot.

Rear Yard - 10' to rear property line - well over

Side Yard - None req.

Projections -

Width of Lot - None req.

Height - 45' max height

Lot Area - 13.65 Acres for lower based on 15.23 <sup>rest of</sup> lot = 20.88 Acres total

Lot Coverage/ Impervious Surface - No change? 80%

Area per Family - N/A

Off-street Parking - Determined previously by the PB

Loading Bays - N/A

Site Plan - # 2006-0012 <sup>2006/0062</sup>

Shoreland Zoning/ Stream Protection -

Flood Plains -

No front yard plg - None shown

**CITY OF PORTLAND, MAINE  
DEVELOPMENT REVIEW APPLICATION  
PLANNING DEPARTMENT PROCESSING FORM  
Planning Copy**

**2006-0062**  
Application ID Number

**03/23/2006**  
Application Date

Heritage Realty Limited Partnership 2  
Applicant  
131 Dartmouth Street, 6th Floor, Boston, MA 02116  
Applicant's Mailing Address

**Amendment to Plan - Pinetree**  
Project Name/Description

\_\_\_\_\_  
Consultant/Agent  
**1030- 1030 Brighton Ave, Portland, Maine**  
Address of Proposed Site  
**263A A004001**  
Assessor's Reference Chart-Block-Lot

Proposed Development (check all that apply),  New Building  Building Addition  Change Of Use  Residential  Office  Retail  
 Manufacturing  Warehouse/Distribution  Parking Lot  Other (specify) **Amendment to plan**

**7,720 s.f.** \_\_\_\_\_ **B2** \_\_\_\_\_  
Proposed Building square Feet or # of Units \_\_\_\_\_ Acreage of Site \_\_\_\_\_ Zoning \_\_\_\_\_

**Check Review Required:**

- Site Plan (major/minor)  Subdivision # of lots  PAD Review  14-403 Streets Review
- Flood Hazard  Shoreland  Historic Preservation  DEP Local Certification
- Zoning Conditional Use (ZBA/PB)  Zoning Variance  Other

Fees Paid. Site Plan \$500.00 Subdivision \_\_\_\_\_ Engineer Review \_\_\_\_\_ Date **03/27/2006**

**Planning Approval Status:**

Reviewer Sarah Hopkins

- Approved**  **Approved w/Conditions** See Attached  **Denied**

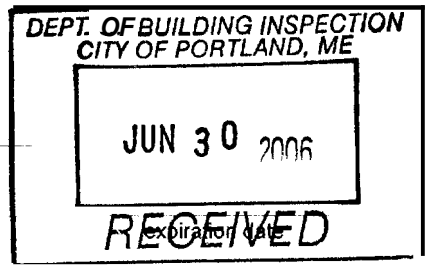
Approval Date **06/13/2006** Approval Expiration **06/13/2007** Extension to \_\_\_\_\_  Additional Sheets Attached

~~ON to Issue Building Permit~~ Sarah Hopkins **06/30/2006**  
signature date

**Performance Guarantee**  **Required\***  **Not Required**

\* No building permit may be issued until a performance guarantee has been submitted as indicated below

<input type="checkbox"/> Performance Guarantee Accepted	_____	_____	_____
	date	amount	expiration date
<input type="checkbox"/> Inspection Fee Paid	_____	_____	
	date	amount	
<input type="checkbox"/> Building Permit Issue	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	_____	_____
	date	Conditions (See Attached)	expiration date
<input type="checkbox"/> Final Inspection	_____	_____	_____
	date	signature	
<input type="checkbox"/> Certificate Of Occupancy	_____		
	date		
<input type="checkbox"/> Performance Guarantee Released	_____	_____	_____
	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	
<input type="checkbox"/> Defect Guarantee Released	_____	_____	_____
	date	signature	



**From:** Marge Schmuckal  
**To:** Sarah Hopkins  
**Date:** 6/12/2006 12:34:34 PM  
**Subject:** Lowe's amendment for a drive-thru bank

Sarah,

I have reviewed the most current plans and cover letter from Sebago Technics dated June 6, 2006. This is a request to change the second front retail building that was approved under the original site plan application to allow a drive-thru bank.

This property is located within a **B-2** Zone which allows such a use. Because Brighton Avenue is over 100 feet in width (based upon a plan I received from Jim Robbins of the Public Works division), this use is over 100 feet from any residential use and therefore can be reviewed without a conditional use appeal to the Planning Board.

All zoning requirements are being met. Section **14-185(c)1** .a states that there is no minimum front yard requirement, except that the front yard setback shall not exceed the average depth of the front yards of the closest developed lots on either side of the lot. This requirement for a maximum setback is on the *lot*. The lots on either side (the cash checking building toward Westbrook and the old Forest City Chevrolet toward Portland) are setback significantly more than this proposal. Therefore the front setback requirement is being met. All the other dimensional requirements are being met.

I did not review parking. Parking was originally determined for the Lowe's project by the Planning Board. Any changes to the parking, either additional or less parking, shall also be reviewed by the Planning Authority.

I have also made an assumption that the impervious surface ratio is not impacted by this requested amendment. The applicant should confirm that the proposed impervious surface ratio will not exceed the maximum 80% required under the **B 2** Zone.

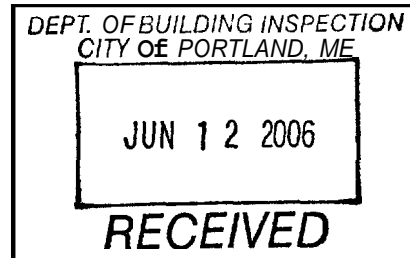
Marge Schmuckal  
Zoning Administrator





June 6, 2006  
04005

Ms. Sarah Hopkins  
Planning and Development Department  
City of Portland  
389 Congress Street  
Portland, ME 04101



**Resubmission of the Amended Site Plan Application, Portland Pinetree, LLC  
Retail Building 3 at the Pine Tree Shopping Center, Portland, Maine**

Dear Sarah:

On behalf of Portland Pinetree, LLC, we are pleased to submit revised plans and supporting information for the Amended Site Plan application for Retail Building 3 at the Pine Tree Shopping Center. We have organized this letter to respond to the specific Site Plan requirements and Technical Design Standards as they apply to this project.

**Site Plan Standards, Chapter 14 Land Use Code, Section 14-526(a):**

1. Vehicle and pedestrian circulation, including traffic impacts

The proposed bank/retail use of Building 3 provides for safe and convenient access for vehicles and pedestrians. The proposed plan is similar to the approved Site Plan in that parking is provided off internal access drives, and a continuous pedestrian walkway has been provided from the City sidewalk to Building 3 and on through the development to the Lowe's store and existing shopping center.

In addition, the project's traffic engineer, Tom Gorrill with Gorrill-Palmer Consulting Engineers, has reviewed the proposed uses to evaluate the potential traffic impact. His analysis revealed that the change in use will not result in a significant increase in trips and will not trigger an MDOT Traffic Movement Permit. Therefore, we do not anticipate the proposed bank/retail use will create an adverse traffic condition within the site or on adjacent streets.

2. Parking for buildings in excess of 50,000 square feet

Since the development is a shopping center with building footprints in excess of 50,000 square feet, the parking needs are determined by the Planning Board (rather than by Ordinance requirements). Based on the original approval, the entire shopping center (for all uses) has parking for 1,142 cars. This equates to approximately 4.18 spaces per 1,000 square feet of retail area. This was slightly less than the City's Ordinance requirements (approximately 5% less), but more than the Lowe's store minimum requirements (approximately 7% more).

Our revised plan provides for a smaller building footprint (reduced from 9,200 square feet to **7,720** square feet) as well as reduced parking. In the parking lot between Buildings 2 and 3 (on the north side of the internal access road through the site), we originally planned for 75 spaces. In the revised plan, we have proposed 62 spaces. This reduces the shopping center total to 1,129 spaces, or **4.16** spaces per 1,000 square feet of retail area. While this is a slight reduction, we feel confident the parking needs of the shopping center will continue to be met.

13 net  
loss.

3. Bulk, location and height of structures - health and safety

The proposed changes to the bulk and location of Building 3 will have no detrimental effects on the health and safety of the surrounding area due to reductions in light and air and/or impacts of wind and snow. The smaller building and slight set back from the sidewalk will, in fact, allow more light to fall on the public space and will eliminate any possible snow slides onto the sidewalks.

4. Bulk, location and height of structures - impact on values

The proposed changes to the bulk and location of Building 3 will not cause a diminution of either the value or the utility of neighboring structures and will, in fact, increase the value and utility of these structures by renovating an old and tired landscape into an attractive, well-landscaped retail center. The neighboring tire store and retail centers will certainly benefit from the improvements to the overall site. There are no changes proposed to the height of Building 3.

5. Sewer, water and storm drains

No significant change from approved plans. The surrounding water main, sanitary sewer, and storm drain systems have already been installed on the site. New services will be extended from the surrounding infrastructure to the proposed building and parking lot.

There will be no increase in water usage or sewer and storm flows discharging to these systems as a result of the proposed bank/retail uses.

6. Landscaping (buffering)

No significant change from approved plans. We have provided extensive landscaping along the access drive and Brighton Avenue frontage. The landscaping includes a mixture of small flowering trees, shrubs, and perennials.

7. Disturbance of vegetation

No change from approved plans.

8. Soil, drainage and erosion control

No change from approved plans. Since the surrounding areas have been constructed and stabilized, there will be minimal site disturbance. We have proposed erosion control measures in accordance with the Maine DEP Best Management Practices guidelines.

9. Exterior lighting

The only revision to the exterior lighting will be the removal of one parking lot light pole. The pole will be replaced by building-mounted light fixtures. This change will have a negligible impact on the overall lighting of the site.

Building mounted light fixtures will be consistent with the previously approved fixtures, as currently installed on Retail Building 2.

10. Fire or safety hazards

The proposed development will not create fire or safety hazards. The parking lot access drives will provide emergency vehicle access to the building.

11. Off-premises infrastructure

No change from approved plans.

12. Industrial development

Not applicable.

13. R-P Development

Not applicable.

14. PRUD Development

Not applicable.

15. Two-Family, SNILU, etc.

Not applicable.

16. B-3 Development

Not applicable.

17. Applicant has submitted all information required and the development complies with all applicable provisions of the Code.

Refer to other responses and attached information.

18. Historic standard

Not applicable (no district or landmark within 100 feet).

19. View corridors

Not applicable (not in an area on view corridors map).

20. No adverse impact on existing natural resources; stormwater treatment

No change from approved plans. The stormwater from the site will continue to be collected by a storm drain system that will discharge to an underground storage and treatment facility.

21. No discharge to aquifer

No change from approved plans.

22. Signs

No change from the approved plans.

23. Minor site plan review of signs

Not applicable.

24. Major or minor businesses.

a. Signs - No changes

b. Circulation - No changes

c. Drive-up features: This standard has been met. The drive-through lane is located on the west side of the building, over 25 feet from the street line as required. The drive-through lane is also buffered from the adjacent access road by a 15-foot wide landscape strip with significant plantings.

The drive-through lanes have been designed to accommodate the bank's needs with regard to number of lanes, lane widths, and stacking capacity.

d. Car washes - Not applicable

25. Industrial development

Not applicable,

26. B-5 development

Not applicable.

**27. B-1, B-2 development**

The following guidelines are encouraged but not required:

*a. Urban street wall*

In the B-2 zone, applicants are encouraged to locate buildings in a manner that creates or preserves an “urban street wall.” Section 14-181 of the Ordinance describes the **B-2** zone as a mixture of large and small buildings in major shopping centers located along arterial streets serving the larger community. The buildings should be readily accessible by automobiles and also by pedestrians. Bank drive-throughs are specifically permitted in the **B-2** zone.

This amended site plan seeks to provide the best “street wall” design possible while still accommodating the permitted drive-through and meeting the required landscape and setback standards in Section 14-185(c)(1).

*b. Mixed uses*

The amended plan provides for a greater mix of uses than the original plan by adding a bank. The proposed building has not changed from the original one-story structure.

*c. Building entrances (entrance off public sidewalk)*

This guideline encourages building entrances to be oriented toward sidewalks. The City recognizes in the purpose section of the **B-2** Zone (Section 14-181) that businesses in that district are primarily accessed by automobile. The building entrances for this project are still oriented perpendicular to Brighton Avenue, which best allows for both auto access and pedestrian access from the adjoining public sidewalk.

The following are required:

*d. Windows (along streetfrontage)*

No changes to the building fenestration along the street are proposed for this amendment. The building provides maximum fenestration along the street faqade.

*e. Facade character (activepresence or visual interest along sidewalk)*

No changes are proposed to the faqade design along the street.

*f. Building design (compatibility with neighboring buildings)*

The only change to the approved building design proposed in the amended plan is the addition of a pitched roof canopy over the drive-through lane. This element provides more interest to the rear of the building, resulting in visual interest on all sides of the building.

g. *Building materials (compatibility with neighboring buildings)*

No changes are proposed to the approved building materials. The brick and cementitious clapboard siding relate to both the adjacent commercial restaurant and to the residential buildings in the vicinity. The new 42 inch high masonry wall along the sidewalk brings building elements and materials directly to the Brighton Avenue sidewalk.

h. *Building scale - Not applicable*

i. *Landscaping and buffers*

The proposed landscaping plan provides an improved buffer from the originally approved application. This plan proposes a buffer along Brighton Avenue consisting of low shrubbery and street trees set in front of a 42 inch high masonry wall along the arterial façade. A landscaped buffer is also proposed along the project entrance drive, mirroring and balancing the plantings on the opposite side of the drive.

28. Small lot development

Not applicable.

**Technical and Design Standards and Guidelines for B-2 development:**

In its true sense, the urban wall concept is intended to create a desirable street environment for pedestrians. It assumes that the primary entrance to all buildings is from that street environment. Access by automobile is envisioned through on-street parking or through small parking lots accessed from the main street. Every guideline in Section XVI describes and defines this type of pedestrian oriented environment. Item one defines the preferred building height to street width ratio for a pedestrian environment. Item three recommends that all doorways and entrances be located on the public street. Item four recommends that windows be located all along the public street. While these characteristics are all desirable, they are not all compatible with a community shopping center that is not served by on-street parking. This is why the City allows more flexibility in its adoption of the design guidelines, rather than design standards, for the B-2 zone.

As noted in the site plan review standard 14-526(a)(27)(a) above, although it is not mandatory to meet the standards, applicants are encouraged to locate buildings in the B-2 zone in a fashion to create or preserve an "urban street wall." The City uses the term "encourage" in the B-2 zone because it acknowledges that the B-2 zone is more regional in scale and more automobile oriented than the B-1 or B-2b zones. Section 14-181 describes the B-2 zone as "a mixture of large and small buildings in major shopping centers located along arterial streets serving the larger community." The buildings should be readily accessible by automobiles and also by pedestrians.

This proposed amended site plan is completely consistent with the recommendations for a B-2 zone style street wall. The building is very near the street and contributes to the creation of a street wall. This street wall has been enhanced by the addition of a 42 inch high masonry wall all along the street façade. It is constructed out of the same materials as the building behind it and serves to extend the building façade close to the edge of the sidewalk. Item seven of the design guidelines specifically allows for this type of a treatment to “form a cohesive wall of enclosure along a street.” A gateway in this wall will be used to direct the pedestrian to the walkway in front of the various retail tenants. The drive-through has been necked down at this connection with a raised crosswalk of masonry to comply with item eight of the guidelines, and trees and shrubs have been planted to the street side of the masonry wall also in compliance with guideline eight. Transit connections are unchanged from the original application and comply with item nine of the guidelines.

This amended site plan fully complies with the intent and with all of the specific features noted in the City’s design guidelines for the B-2 zone. It applies the guidelines in an appropriate manner and goes well beyond the requirements for site plan approval by voluntarily applying many design features that are only encouraged by the Ordinance.

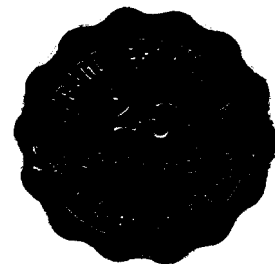
We look forward to presenting our project at the next available meeting with the Planning Board. If you have any questions or comments in the meantime, please call me.

Sincerely,

SEBAGO TECHNICS, INC.

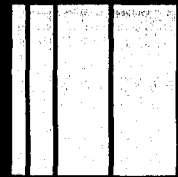


Danielle D. Betts, P.E.  
Sr. Project Manager



DDB:jc  
Enc.

cc: Paul Cincotta, Portland Pinetree, LLC  
Natalie Burns, JBGH  
John Charrette, Port City Architecture



March 23, 2006  
04005

Sarah Hopkins  
Planning and Development Dept.  
Portland City Hall  
389 Congress Street  
Portland, ME 04101

sebagotechnics.com  
One Chabot Street  
P.O. Box 1339  
Westbrook, Maine  
04098-1339  
Ph. 207-856-0277  
Fax 856-2206

**Amended Site Plan Application, Portland Pmetree, LLC**  
**Retail Building 3 at the Pine Tree Shopping Center, Portland, Maine**

Dear Sarah:

On behalf of Portland Pinetree, LLC, we are pleased to submit this Amended Site Plan application for the Pine Tree Shopping Center. The revisions are limited to the architectural and site design elements related to Retail Building 3. As part of this application, we have included a brief overview of the history of the project, a description of the proposed revisions, a Site Plan application, and the review fee. We have also enclosed copies of the original and revised site plans and architectural elevation drawings.

**Overview of Project History**

The Pine Tree Shopping Center parcel is located at the southwest corner of the intersection of Brighton Avenue and Rand Road. The overall site area is approximately 29 acres. The zoning is Community Business (B2) zone.

The parcel is owned by Heritage SPE, LLC. In 2004, Portland Pinetree entered into a Master Lease Agreement with Heritage SPE in order to develop a portion of the subject property. The lease area is identified as the "Developer Parcel" on the approved Site Plan and constitutes 17.7 acres of land. A copy of the originally approved Site Plan is attached. A copy of the Master Lease Agreement was submitted with the initial project application.

In July 2004, the Planning Board approved the Site Plan for the Pine Tree Shopping Center that included a new Lowe's store and two new separate retail buildings (Retail 2 and Retail 3), all located within the Developer Parcel. The plan also provided for parking lot, utility and lighting improvements for the portions of the existing shopping center on the owner's parcel (includes west side of center, Applebee's restaurant, and Century Tire).

Construction began in December 2004 and is currently nearing completion. The Lowe's store has been occupied and is open for business and the Retail 2 building is under construction and expected to be open in June of this year. Construction of Retail 3 has not yet been started. The parking lot, utility and landscaping improvements for the entire site have been completed (with the exception of the landscape areas immediately adjacent to Retail 3).

**Proposed Amendment to Site Plan**

The scope of this amendment request is limited to Retail Building 3 and the adjacent parking lot. The developer has recently contracted with a bank as a tenant for a portion of the Retail 3



building. As shown on the attached plan, we have developed a concept plan that provides for a 7,720 sq. ft. building with 4,714 sq. ft. of retail and a 3,006 sq. ft. bank. The concept plan also incorporates a drive-thru lane around the north and west sides of the building. The drive-thru provides access to 2 service lanes and 1 pass-by lane on the west side of the building.

The following is a summary of the design elements affected by the proposed change and how these changes relate to the original approval:

### Parking

Since the development is a shopping center with building footprints in excess of 50,000 sq. ft., the parking needs are determined by the Planning Board (rather than by Ordinance requirements). Based on the original approval, the entire shopping center (for all uses) has parking for 1,142 cars. This equates to approximately 4.18 spaces per 1,000 sq. ft. of retail area. This was slightly less than the City's Ordinance requirements (approximately 5% less), but more than the Lowe's store minimum requirements (approximately 7% more).

Our revised plan provides for a smaller footprint (reduced from 9,200 sq. ft. to 7,720 sq. ft.) as well as reduced parking. In the parking lot between Retail Buildings 2 and 3 (on the north side of the internal access road through the site), we originally planned for 75 spaces. In the revised plan, we have proposed 62 spaces. This reduces the shopping center total to 1,129 spaces, or 4.16 spaces per 1,000 sq. ft. of retail area.

While this is a slight reduction, we feel confident the parking needs of the shopping center will continue to be met. As is evidenced at the Applebee's site, patrons frequently park on the south side of the internal access road when the spaces immediately adjacent to the restaurant are full. We expect this pattern to continue with the two new retail buildings, as well as Century Tire. As in most parking lots with large retail uses, the remote spaces at the end of the rows are frequently vacant. This is one advantage of grouping uses in a shopping center with shared parking facilities. The proposed number of parking spaces will continue to exceed the Lowe's store minimum requirements.

### Architectural

Please refer to the attached architectural elevation drawings of Retail 3, as prepared by Port City Architecture. We have included copies of an "as-approved" elevation as well as the proposed building elevations.

As shown on these drawings, the proposed building will continue to relate in material color and scale to Retail 2. The overall length of the building has been reduced by approximately 30'-0" to make space for the drive-thru access lane on the north side. This change provided an opportunity to further enhance the building form by introducing new or otherwise revising details in the following ways:

- We propose to move the utilities off the corner of the entry drive and Brighton. This allows for the opportunity of screening the utility area at the rear of the building.
- All brick pilasters, materials, glazing areas and elements remain as per the originally permitted elevations.

- The gentle façade curve remains and we have added one segment to the curve as well as an additional glazed opening along the Brighton façade.
- Reducing the length of the building removes one raised cornice area on the front (parking) elevation of the building and the corresponding rear window. The overall effect lends to a more compact scaled building form.
- We propose a covered drive-thru canopy that relates to the building, bus stop and surrounding development in scale and material. The canopy will help screen ‘back of house’ utility areas from Brighton Avenue and provide for a more unified appearance.
- Pulling the building back from the corner does allow more space at the corner of the entry drive, allowing a more comfortable distance from Brighton Avenue and the face of the building. This will also provide an opportunity to enhance the landscaping and provide a vegetated buffer between the main access road and the drive-thru lane.

We do not anticipate any further impacts to the site, utilities or other elements of the approved design as a result of the proposed revisions. There will be minor modifications to the underground utilities in the immediate vicinity of the building; however, the major infrastructure for the shopping center is already in place **and** will not be disturbed. The proposed plan continues to provide for safe and convenient pedestrian access through the site, from the sidewalk along Brighton Avenue to the front of the Lowe’s store, and from there to the existing shopping center. The landscaping around the building will be similar in nature to the original plan but with a greater opportunity to provide visual screening from the adjacent roadways and sidewalks. Overall, we believe the proposed revisions will be an improvement by offering more architectural variety and enhanced corner aesthetics, while at the same time allowing the developer to broaden the tenant offerings on the site.

I hope that this letter provides adequate information for your initial review. We look forward to presenting an introduction to our project at the next available workshop meeting with the Planning Board. If you have any questions or comments in the meantime, please call me.

Sincerely,

SEBAGO TECHNICS, INC.



Danielle D. Betts, P.E.  
Sr. Project Manager



DDB:jc/kn  
Enc.

cc: Paul Cincotta, Portland Pinetree, LLC  
Natalie Burns, JBGH  
John Charrette, Port City Architecture

# City of Portland Site Plan Application

If you or the property owner owe real estate taxes, personal property taxes or user charges on any property within the City of Portland, payment arrangements must be made before permit applications can be received by the Inspections Division.

Address of Proposed Development: <b>1030 BRIGHTON AVENUE</b> Zone: <b>B2</b>		
Total Square Footage of Proposed Structure: <b>7,720 sq. ft.</b>		Square Footage of lot: <b>29 Ac (17.7 Ac Developer Parcel)</b>
Tax Assessor's Chart, Block & Lot:  Chart#      Block#      Lot# <b>263A-A-004</b>	Property owner's mailing address: <b>Heritage SPE, LLC 131 Dartmouth St., 6th Floor Boston, MA 02116</b>	Telephone #: <b>617/247-2200</b> Attn: <b>Lawrence Pope</b>
Consultant/Agent, mailing address, phone # & contact person:  Sebago Technics, Inc. P.O. Box 1339 Westbrook, Maine 04098-1339	Applicant's name, mailing address, telephone #/Fax#/Pager#: <b>Paul Cincotta Portland Pinetree, LLC One Wells Avenue Newton, MA 02459 Tel: 617/965-1966</b>	Project name: <b>Pine Tree Shopping Center, Retail 3</b>
<p>Proposed Development (check all that apply)</p> <p><input type="checkbox"/> New Building    <input type="checkbox"/> Building Addition    <input type="checkbox"/> Change of Use    <input type="checkbox"/> Residential    <input type="checkbox"/> Office    <input type="checkbox"/> Retail</p> <p><input type="checkbox"/> Manufacturing    <input type="checkbox"/> Warehouse/Distribution    <input type="checkbox"/> Parking lot</p> <p><input type="checkbox"/> Subdivision (\$500.00) + amount of lots — (\$25.00 per lot) \$ _____</p> <p><input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____ )</p> <p><input type="checkbox"/> Traffic Movement (\$1,000.00)    <input type="checkbox"/> Stormwater Quality (\$250.00)</p> <p><input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot)</p> <p><input type="checkbox"/> Other    Minor site amendments to lighting, signage and circulation. See attached plan.</p> <p>Major Development (more than <b>10,000</b> sq. ft.)</p> <p><input type="checkbox"/> Under 50,000 sq. ft. (\$500.00)</p> <p><input type="checkbox"/> 50,000 - 100,000 sq. ft. (\$1,000.00)</p> <p><input type="checkbox"/> Parking Lots over 100 spaces (\$1,000.00)</p> <p><input type="checkbox"/> 100,000 - 200,000 sq. ft. (\$2,000.00)</p> <p><input type="checkbox"/> 200,000 - 300,000 sq. ft. (\$3,000.00)</p> <p><input type="checkbox"/> Over 300,000 sq. ft. (\$5,000.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)</p> <p>Minor Site Plan Review</p> <p><input type="checkbox"/> Less than 10,000 sq. ft. (\$400.00)</p> <p><input type="checkbox"/> After-the-fact Review (\$1,000.00 + applicable application fee)</p> <p>Plan Amendments (of Job ID <b>2004-0070</b> *)</p> <p><input type="checkbox"/> Planning Staff Review (\$250.00)</p> <p><input checked="" type="checkbox"/> Planning Board Review (\$500.00)</p>		
- Please see next page -		

Who billing will be sent to: (Company, Contact Person, Address, Phone #)

~ Same as applicant ~

Submittals shall include (9) separate folded packets of the following:

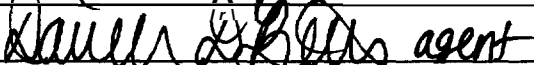
- a. copy of application
- b. cover letter stating the nature of the project
- c. site plan containing the information found in the attached sample plans check list

Amendment to Plans: Amendment applications should include 6 separate packets of the above (a, b, & c)

**ALL PLANS MUST BE FOLDED NEATLY AND IN PACKET FORM**

**Section 14-522 of the Zoning Ordinance outlines the process, copies are available at the counter at .50 per page (8.5 x 11) you may also visit the web site: [ci.portland.me.us/charster14](http://ci.portland.me.us/charster14)**

*I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Code Official's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.*

Signature of applicant		Date:	3.23.06
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**This application is for site review ONLY, a building Permit application and associated fees will be required prior to construction.**

**PACKARD**  
DEVELOPMENT

March 22, 2006

Danielle D. Betts, P.E.  
Sebago Technics, Inc.  
P.O. Box 1339  
Westbrook, Maine 04098

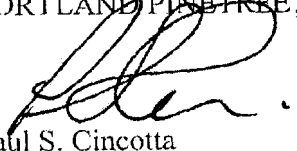
**RE: Agent Authorization for Local, State and Federal Permitting  
Pine Tree Shopping Center, Portland, Maine**

Dear Danielle:

I hereby authorize Sebago Technics, Inc. to act on behalf of Portland Pinetree, LLC as agent in the processing of any required local, State or Federal permit applications and to furnish, upon request, supplemental information in support of these applications.

Sincerely,

PORTLAND PINETREE, LLC



Paul S. Cincotta  
Project Manager

cc: Natalie Burns