



PORTLAND MAINE

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Planning & Urban Development Department
Penny St. Louis Littell, Director

September 24, 2008

William C. Haskell, PE
Gorrill- Palmer Consulting Engineers, Inc
P.O Box 1237
15 Shaker Road
Gray, Maine 04039

Marc Rochon
Mastoran Corporation
822 Lexington Street
2nd Floor
Waltham, MA 02452

RE: Burger King, 132 Riverside Street
Application ID #: 2008-0053
CBL: 267 A007001

Dear Mr. Haskell and Mr. Rochon

On September 24, 2008 the Portland Planning Authority approved a minor site plan for construction of a Burger King Restaurant with drive-through service at 132 Riverside Street at the corner of Riverside Street and Larabee Road, submitted by Mastoran Corporation and shown on the approved plan prepared by Gorrill-Palmer Consulting Engineers and dated September 23, 2008 with the following condition:

- *The two red maple trees planted on Larabee Road within the street right of way shall be protected during construction in accordance with Section VI, Arboricultural Specifications and Standards of Practice and Landscape Design of the City Technical and Design Standards.*

According to the Portland City Arborist, these two red maples were a component of the landscape / site plan from the last project at this site. The trees are growing, add landscape value to the general area and should be maintained.

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.

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

1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.

2. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
3. A performance guarantee covering the site improvements as well as an 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 Dept. prior to the release of the subdivision plat for recording at the Registry of Deeds or 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 subdivision or site plan application for staff review and approval.
4. 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. Requests to extend approvals must be received before the expiration date.
5. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. Prior to construction, a pre-construction meeting shall be held at the project site 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 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. 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.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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 Molly Casto, Senior Planner at 874- 8901 or by email at MPC@portlandmaine.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Alexander Jaegerman", with a long horizontal flourish extending to the right.

Alexander Jaegerman
Planning Division Director

Attachments:

1. Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Molly Casto, Senior Planner
Philip DiPierro, Development Review Coordinator
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Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File