

267-B-1

1999-0041

155 Riverside St.

Parking Lot

Friendly's

on spreadsheet

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

19990043
I. D. Number

Friendly's
Applicant
195 Boston Rd, Wilbraham, MA 01095
Applicant's Mailing Address
Deluca Hoffman M Przybylowicz
Consultant/Agent
775-1121
Applicant or Agent Daytime Telephone, Fax

4/9/99
Application Date
Friendly's
Project Name/Description

155 Riverside St
Address of Proposed Site
267-B-001
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) add 28 car parking
36671 .84 B4
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 \$400.00 Subdivision Engineer Review Date: 4/9/99

Planning Approval Status:

Approved Approved w/Conditions See Attached Denied Reviewer _____

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached
 OK to Issue Building Permit
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 Issued	_____		
	date		
<input type="checkbox"/> Performance Guarantee Reduced	_____	_____	_____
	date	remaining balance	signature
<input type="checkbox"/> Temporary Certificate of Occupancy	_____	<input type="checkbox"/> Conditions (See Attached)	
	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	expiration date

**Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
or Commercial Structures and Additions Thereto**

In the interest of processing your application in the quickest possible manner, please complete the information below for Site Plan Review

NOTEIf 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.**

Applicant <u>Friendly's / Michael S. Przybylowicz</u>	Application Date <u>4/8/99</u>
Applicant's Mailing Address <u>1955 Boston Rd., Wilbraham, MA 01095</u>	Project Name/Description <u>Friendly's</u>
Consultant/Agent <u>DeLuca Hoffman / Michael S. Przybylowicz</u>	Address Of Proposed Site <u>Riverside St.</u>
Applicant/Agent Daytime telephone and FAX	Assessor's Reference, Chart#, Block, Lot#
Proposed Development (Check all that apply) <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	
<input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input checked="" type="checkbox"/> Other(Specify) <u>Exit 9 Diner to convert to Friendly's + add 28 cars parking area</u>	
<u>36,671 Sq. Ft / 1 unit</u>	<u>.84 ac</u>
Proposed Building Square Footage and /or # of Units	Acreage of Site
	<u>B-4</u>
	Zoning

You must include the following with you application:

- 1) A Copy of Your Deed or Purchase and Sale Agreement
- 2) 7 sets of Site Plan packages containing the information found in the attached sample plans and checklist.

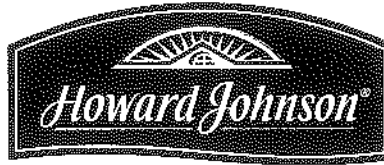
(Section 14-522 of the Zoning Ordinance outlines the process, copies are available for review at the counter, photocopies are \$ 0.25 per page)

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/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if an approval for the proposed project or use 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 approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: <u>Michael S. Przybylowicz / Friendly's</u>	Date: <u>4/8/99</u>
--	------------------------

Site Review Fee: Major \$500.00 Minor 400.00

This application is for site review ONLY, a Building Permit application and associated fees will be required prior to construction.



April 9, 1999

City of Portland
Building Inspections

Subject: Friendly's Restaurant
Site Review Pre-Application

To Whom It May Concern:

We, the owner and current lease holder of the Exit 8 Diner and surrounding property, are aware that Friendly's Corporation is submitting a Site Review Pre-Application for a Friendly's Restaurant and associated site modifications to be located in the current location of the Exit 8 Diner.

If you have any questions concerning this matter please feel free to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Heisler".

Mark A. Heisler
General Manager
Howard Johnson Hotel

A handwritten signature in black ink, appearing to read "Lewis O. Verrillo".

Lewis O. Verrillo
President, Exit 8 Diner

DRAFT

April 15, 1999

William Hoffman
Deluca Hoffman Engineers
778 Main Street
South Portland, ME 04106

Re.; Friendly's, 155 Riverside Street

Dear Mr. Hoffman

I have received the submittal for site plan receive for Friendly's at Exit 8 on Riverside St. After reviewing the plans, our planning staff feels that this project should proceed smoothly, but we do have several questions and concerns which I will list below.

Traffic: We need to see the traffic flows around the entire complex/, including the building foot prints of the additional buildings on the property and the entire boundary.

The southerly entrance on Riverside Street, closest to Exit 8, should be restricted to right turn in/right turn out only. A small island encouraging this may be worth considering.

Landscaping:

Provide vegetated buffering along the southerly boundary. An expansion of the white pines which are currently extant may be a solution. The proposed pavement at the southwesterly corner of the site should be pulled back to provide space for buffering.

Provide landscaping at the front of the building and at the islands on Riverside Street.

Provide four side fencing/screening of any exterior dumpsters.

Provide details of proposed lighting changes with fixtures and photometrics.

Drainage:

Please show flow lines on the drainage plan.

As storm water from this site enters the Capisic Brook Watershed which has both flooding and water quality problems, staff requests considering additional stormwater management of this

site, including consideration of a TSS removal structure.

Please contact me if you have any questions concerning this review. I am in the office Tuesdays, Wednesdays, and Thursdays, and my telephone number at City Hall is 874-8722.

Sincerely,

William B. Needelman, Planner

CC: Alex Jeagarman, Chief Planner

Friendly's Notes

- Buffering
Landscape
- ① Provide some relief above pavement comes to drop line @ Westerly corner
 - ② Crit trees along Southwold BNDX
 - ③ add some low profile landscaping to the front of BLDG and @ traffic islands
 - ④ Removal of Stockade fence @ core panel? 13 ft ds & dumpster area - needs 4 side screening.

Traffic ① We need to see the flow around the entire BLDG and it would help to see entire complex parcel. Include Riverside Court, as an entrance from this area is predictable to the Kenam ~~to~~ site B developed.

② @ Entrance ~~has~~ Southwold west, Right in, Right out only!

③

Friendly's ~~was~~ ~~lots~~ Court.

Drainage - Please slow flow lines

- Is there a place for a vortex unit w/in this facility.

if you do not believe this

is necessary, please provide justification.

How is storm water conveyance being managed

Lighting - ? What is proposed? Please provide alternatives. Cut off lights, or low voltage alternatives.



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O:\PLAN\DEVREV\RIVER151\BH4-15WB.WPD

6/10

Bubba - good to go

Friendly 15

6/9

\$ - Escrow

Quandy interests for improvements
who generate invoices - WBN

however ① how spent. Email WBN

WBN: ② write letter/invoice

③ request for itemized \$

④ get \$ issue receipt

⑤ give \$ to Jan Babcock

⑥ the 5 yrs they get it
Back

Storm water

work up draft of agreement

they need vortex

CITY OF PORTLAND, MAINE
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PLANNING DEPARTMENT PROCESSING FORM

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DRC Approval Status:

Approved Approved w/Conditions see attached Denied
Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached
 Condition Compliance _____ signature _____ date

Reviewer _____

Performance Guarantee Required* Not Required

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	date	signature	
<input type="checkbox"/> Defect Guarantee Submitted	_____	_____	_____
	submitted date	amount	expiration date

Infrastructure Financial Contribution Form

Obtain an Account Number from Paul Colpitts, Chief Acct. (ext. 8665) prior to the distribution of this form.

Amount \$ 8,000

City Account Number: 710-0000-236-03-00

Project Name:

Friendly's Ice Cream

Project Job Number:
(from Site Plan Application Form)

19990041

Project Location:

155 Riverside St.

Project Description:
(attach approval letter)

Parking lot reconstruction
and site work

Applicant's Name:

Friendly's

Applicant's Address:

185 Boston Rd., Willbraham MA

01095

Expiration:

If funds are not expended or encumbered for the intended purpose by 7-16-2004, funds, or any balance of remaining funds, shall be returned to contributor within six months of said date.

Funds shall be permanently retained by the City.

Other (describe in detail) _____

Form of Contribution:

Escrow Account

Cash Contribution

Interest Disbursement:

Interest on funds to be paid to contributor only if project is not commenced.

Terms of Draw Down of Funds: The City shall periodically draw down the funds via a payment requisition from Public Works, which form shall specify use of City Account # shown above.

Date of Form:

Sept. 23, 1999

Planner:

Bill Needelman

Person Completing Form:

Jennifer Dorr

- The original form, copy of the check and any attachments shall be given to Debbie Marquis.
- The original check, copy of the form and any attachments shall be given to Jennifer Dorr.
- A copy of this form, the check and any attachments shall also be given to the following people:

Paul Colpitts
Jennifer Babcock

Alexander Jaegerman
✓ Planner

William Bray
Tony Lombardo

Applicant



CITY OF PORTLAND

June 15, 1999

Mr. John Filtch
Friendly's Corp.
185 Boston Road
Wilbraham, MA 10095

re: 155 Riverside Street, Exit 8 Friendly's

Dear Mr. Filtch,

On June 15, 1999 the Portland Planning Staff approved the site plan for the proposed site improvements at 155 Riverside Street, Application I.D. #19990041. The approval was granted for the project with the following condition(s):

- i. That the applicant provide \$8000 for off site traffic improvements.
- ii. That the applicant enter into a stormwater treatment maintenance agreement with the City for the required sub-surface stormwater treatment tank.

The approval is based on the submitted site plan and the findings related to site plan review standards as related to application I.D. #19990041.

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

1. A performance guarantee covering the site improvements as well as an inspection fee payment of 1.7% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
2. 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.
3. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

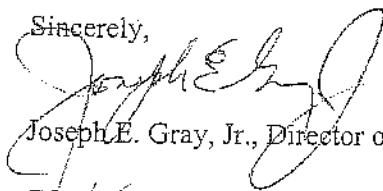
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4. Prior to construction, a preconstruction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. 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 preconstruction 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. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator (874-8721) must be notified five (5) working days prior to date required for final site inspection. 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 the Planning Staff.

Sincerely,



Joseph E. Gray, Jr., Director of Planning and Urban Development

- CC. ✓ Alexander Jaegerman, Chief Planner
William B. Needelman, Planner
P. Samuel Hoffses, Building Inspector
Marge Schmuckal, Zoning Administrator
Tony Lombardo, Project Engineer
Development Review Coordinator
William Bray, Director of Public Works
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Inspection Department
Kathleen Brown, Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

Friendly's
Great Food
& Ice Cream

Friendly Ice Cream Corp.
1852 Boston Road
Wilbraham, MA 01095

Corporate

CHECK NO:
470751

SECURE DOCUMENT
THIS DOCUMENT CONTAINS A BLUE VOID PANTOGRAPH MICRO
PRINTING, ARTIFICIAL WATERMARK AND FLOURESCENT FIBERS

DATE 07/16/99
BankBoston
BankBoston, Maine, N.A.
South Portland, ME 04106

PAY

Eight thousand and 00/100 Dollars

PAY THIS AMOUNT
*****\$8,000.00

TO THE ORDER OF

OFFICE OF THE CITY CLERK
CITY OF PORTLAND
389 CONGRESS ST
PORTLAND ME 04101

FRIENDLY ICE CREAM CORPORATION

Paul J. McDonald

NOT VALID OVER \$25,000.00 UNLESS COUNTERSIGNED

⑈470751⑈ ⑆01201539⑆ 80 052 817⑈

INVOICE NUMBER / DESCRIPTION	INVOICE DATE / P.O. NUMBER	GROSS AMOUNT	DISCOUNT AMOUNT	NET AMOUNT
070799	07/07/99	8,000.00		8,000.00
TOTAL		\$8,000.00		\$8,000.00

FORM 15450 (2/89)



Friendly Ice Cream Corp.
1855 Boston Road
Wilbraham, MA 01095

Corporate



CHECK NO.
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DATE 07/16/99

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South Portland, ME

52-153

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CITY OF PORTLAND

June 15, 1999

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185 Boston Road
Wilbraham, MA 10095

re: 155 Riverside Street, Exit 8 Friendly's

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Site Review Pre-Application
Multi-Family/Attached Single Family Dwellings/Two-Family Dwelling
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Applicant
Friendly's / Michael S. Przybylowicz

Application Date
4/8/99

Applicant's Mailing Address
1855 Boston Rd., Wilbraham, MA 01095

Project Name/Description
Friendly's

Consultant/Agent
Deluca Hoffman / Michael S. Przybylowicz

Address Of Proposed Site
155 Riverside St.

Applicant/Agent Daytime telephone and FAX

Assessor's Reference, Chart#, Block, Lot#

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B-4

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267-B-001

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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/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if an approval for the proposed project or use 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 approval at any reasonable hour to enforce the provisions of the codes applicable to this approval.

Signature of applicant: Michael S. Przybylowicz / Friendly's Date: 4/8/99

Site Review Fee: Major \$500.00 Minor 400.00

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April 9, 1999

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Building Inspections

Subject: Friendly's Restaurant
Site Review Pre-Application

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Lewis O. Verrillo
President, Exit 8 Diner



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Corporate

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CHECK NO.
477186

DATE 08/10/99

BankBoston
BankBoston Maine, N.A.
South Portland, ME

52-153

112

PAY THIS AMOUNT
*****\$908.92

PAY

\$Nine hundred eight and 92/100 Dollars

TO THE ORDER OF

OFFICE OF THE CITY CLERK
CITY OF PORTLAND
389 CONGRESS ST
PORTLAND ME 04101

Bill -
for your
file

FRIENDLY ICE CREAM CORPORATION

Paul J. McDonald

NOT VALID OVER \$25,000.00 UNLESS COUNTERSIGNED

⑈477186⑈ ⑆011201539⑆ 80 062 817⑈

DUPLICATE

GENERAL RECEIPT

CITY OF PORTLAND, MAINE

DEPARTMENT

Planning

DATE

8/10/99

RECEIVED FROM

ADDRESS

Friendly's Ice Cream
1855 Boston Rd.
Wilbraham MA 01095

UNIT

ITEM

REVENUE CODE

DOLLAR AMOUNT

Inspection Fee 908.92

for
155 Riverside St.
(yp#199900415
law planning)

CASH CHECK OTHER

TOTAL

908.92

RECEIVED BY

J. DORR

GF INFORMATION SYSTEMS Box 878, Portland, ME 04104 (207) 774-1482

2007/7-9P

Friendly's

**Great Food
& Ice Cream**

August 10, 1999

William B. Needelman
City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

Dear Bill:

I have enclosed the Performance Bond for the proposed site work for the conversion of the Exit 8 Diner at 155 Riverside Street to a Friendly's. In addition I have enclosed a \$908.92 check for the inspection fee.

Upon your review, should you have any questions, please call.

Thank you.

Sincerely,



Michael S. Przybylowicz
Project Services Administrator



CITY OF PORTLAND

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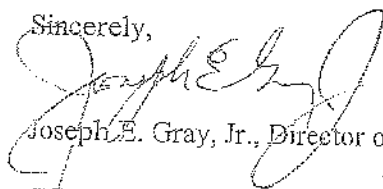
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William Bray, Director of Public Works
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Lt. Gaylen McDougall, Fire Prevention
Inspection Department
Kathleen Brown, Director of Economic Development
Susan Doughty, Assessor's Office
Approval Letter File

KEMPER

LUMBERMENS MUTUAL CASUALTY COMPANY
AMERICAN MOTORISTS INSURANCE COMPANY
AMERICAN MANUFACTURERS MUTUAL INSURANCE

BOND NO. 3SE968159-00

KNOW ALL MEN BY THESE PRESENTS: That we, Friendly Ice Cream Corporation, as principal and American Manufacturers Mutual Insurance Company, a corporation organized under the laws of the State of Illinois and duly authorized to transact business in the State of Maine, as Surety, are held and firmly bound unto

THE CITY OF PORTLAND, MAINE

as Oblige, in the sum of FIFTY SEVEN THOUSAND SEVEN HUNDRED ONE DOLLARS AND 00/100 (\$57,701.00) for the payment whereof well and truly made, the Principal and the Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, in conjunction with the development of General Site Improvements at Friendly Restaurant No. 1246, said principal shall make, and ensure the fulfillment of all, site improvements required by Section 14-499 as well as the requirements of Article III of Chapter 25 of the City or Portland Land Use Code.

NOW, THEREFORE, the condition of the foregoing obligation is such that if the Principal shall indemnify the Oblige for all loss that the Oblige may sustain by reason of the Principal's failure to fulfill all improvements as required by Section 14-499 and Article III Chapter 25 of the City of Portland Land Use Code, then this obligation shall be void, otherwise, it shall remain in full force and effect.

IN WITNESS WHEREOF, the said Principal and Surety have signed and sealed this instrument this 6th day of August, 1999.

FRIENDLY ICE CREAM CORPORATION

By: 

Allan J. Okscin, Corporate Controller

AMERICAN MANUFACTURERS MUTUAL INSURANCE
COMPANY

By: 

Jean M. Feeney, Attorney-in-fact

Home Office: Long Grove, IL 60049

POWER OF ATTORNEY

Know All Men By These Presents:

That the Lumbermens Mutual Casualty Company, the American Motorists Insurance Company, and the American Manufacturers Mutual Insurance Company, corporations organized and existing under the laws of the State of Illinois, having their principal office in Long Grove, Illinois, (hereinafter collectively referred to as the "Company") do hereby appoint

Michael J. Cusack; Kevin A. White; Jean M. Feeney; Rosella E. Bush; Susan M. Kedian and Mark P. Herendeen of Boston, Massachusetts (EACH) *****

their true and lawful agent(s) and attorney(s)-in-fact, to make, execute, seal, and deliver during the period beginning with the date of issuance of this power and ending on the date specified below, unless sooner revoked for and on its behalf as surety, and as their act and deed:

Any and all bonds and undertakings provided the amount of no one bond or undertaking exceeds TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00)*****

EXCEPTION: NO AUTHORITY is granted to make, execute, seal and deliver any bond or undertaking which guarantees the payment or collection of any promissory note, check, draft or letter of credit.

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

This appointment may be revoked at any time by the Company.

The execution of such bonds and undertakings in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal office in Long Grove, Illinois.

THIS APPOINTMENT SHALL CEASE AND TERMINATE WITHOUT NOTICE AS OF December 31, 2001

This Power of Attorney is executed by authority of resolutions adopted by the Executive Committees of the Boards of Directors of the Company on February 23, 1988 at Chicago, Illinois, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or any Vice President, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings, obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the Executive Committee of the Boards of Directors of the Company at a meeting duly called and held on the 23rd day of February, 1988:

"VOTED, That the signature of the Chairman of the Board, the President, any Vice President, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to resolution adopted by the Executive Committee of the Board of Directors on February 23, 1988 and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company."

In Testimony Whereof, the Company has caused this instrument to be signed and their corporate seals to be affixed by their authorized officers, this December 12, 1997.

Attested and Certified:

Lumbermens Mutual Casualty Company
American Motorists Insurance Company
American Manufacturers Mutual Insurance Company

Robert P. Hames

Robert P. Hames, Secretary



by

J. S. Kemper III

J. S. Kemper, III, Exec. Vice President

File
DRAFT

October 10, 1999

Mr. Michael Prysbylowicz
Friendly Ice Cream Corporation
1855 Boston Road
Wilbraham, MA 01095

Re: Exit 8 Friendly's Storm Water System Maintenance Agreement

Dear Mr. Prysbylowicz:

Enclosed is a copy of the Storm Water Drainage System Maintenance Agreement to be filled out and signed as part of your June 15, 1999 approval for parking improvements to the 155 Riverside Street store. Please sign, notarize, and return the agreement to the City of Portland Planning Office.

On a separate issue, please inform me at the Planning Office when the landscaping plan for the approved site plan has been completed so that we can release your Performance Guarantee. If you have any questions, please contact me at telephone extension 207-874-8722.

Sincerely,

William B. Needelman, Planner

CC: Alex Jaegerman, Chief Planner



**Great Food
& Ice Cream**

November 15, 1999

William B. Needelman
City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

Dear Bill:

I have enclosed the signed Storm Water Drainage System Maintenance Agreement for our recently completed conversion of the former Exit 8 Diner at 155 Riverside Street.

Upon your receipt, should you have any questions, please call.

Please note, the Defect Bond will be forwarded shortly.

Thank you.

Sincerely,

Michael S. Przybylowicz
Project Services Administrator

SECTION V - STORMWATER MANAGEMENT STANDARDS

FIGURE V-1
(Page 1 of 2)
STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT

IN CONSIDERATION OF minor site plan approval granted by the Planning Board (or Planning Authority, where applicable) of the City of Portland to a plan entitled Friendly's, Exit 8 dated June 15, 1999, and filed with the City of Portland, Department of Planning and Urban Development, 389 Congress Street, Portland, Maine," and pursuant to a condition thereof, Friendly's a Corporation with a place of business at 1855 Boston Rd., Wilbraham, MA. the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

That it will, at its own cost and expense and at all time in perpetuity, maintain in good repair and in proper working order the stormwater drainage system, as shown on said plan, including but not limited to the treatment tank(s) and the outlet(s) therefrom. Owner of the subject premises further agrees to periodically clean out said tanks in accordance with the manufacturer's specifications as included on Exhibit A, attached hereto and incorporated herein by reference (Manufacturer's name and address HIL Technology 94 Hutchins Dr., Portland, ME 04102) and to keep a log detailing: 1) the date and nature of the maintenance performed; and 2) who performed said maintenance. Such log shall be made available for inspection by the City of Portland upon reasonable notice and request. Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of said premises and abutters thereto; further, that the said City of Portland, said persons in lawful possession and said abutters, or any of them, may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice and a reasonable time to perform, the said City of Portland, by its

*Where this Agreement is a condition of subdivision rather than site plan approval, this clause should instead read "and recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____."

SECTION V - STORMWATER MANAGEMENT STANDARDS

CAWPPENNY\FORMS\PLANNING\STORMWAT.ACR



sample

Vortechs™ Stormwater Treatment System: Inspection & Maintenance

The Vortechs System requires minimal routine maintenance; however, it is important that the system be properly inspected and cleaned when necessary in order to function at its best. The rate at which the system collects pollutants will depend more heavily on site activities than the size of the unit, e.g., heavy winter sanding will cause the grit chamber to fill more quickly, but regular sweeping will slow accumulation.

Inspection

Inspection is the key to effective maintenance and it is easily performed. In the first year of operation, frequent inspections of the accumulated sediment volume within the grit chamber are necessary to establish an appropriate maintenance plan. Vortechs recommends quarterly (e.g. seasonal) inspections during the first year of Vortechs System operation. Inspections should be performed more often in the winter months in climates where street sanding operations may lead to rapid accumulations, or in equipment washdown areas. After the first year, the inspection schedule should be reviewed and modified according to experience. It is very useful to keep a record of each inspection. A simple form for doing so is provided.

For sediment, the Vortechs System only needs to be cleaned when inspection reveals that it is nearly full; specifically, when sediment depth has accumulated to within six inches of the dry-weather water level. This determination can be made by taking 2 measurements with a stadia rod or similar measuring device: one measurement is the distance from the manhole opening to the water surface, and the other is the distance from the manhole opening to the top of the sediment pile. If the difference between the two measurements is less than six inches, the system should be cleaned out. *Note:* to avoid underestimating the volume of sediment in the chamber, the measuring device must be lowered to the top of the sediment pile carefully. Finer, silty particles at the top of the pile typically offer less resistance to the end of the rod than larger particles toward the bottom of the pile.

In Vortechs installations where the risk of large petroleum spills is small, liquid contaminants are not likely to accumulate as quickly as sediment. For oil and grease under normal conditions, Vortechs Systems should be pumped out when an appreciable layer of oil has accumulated. Vortechs Systems can be designed to trap catastrophic spill events, providing for oil storage of up to 3 feet.

Cleaning

Cleanout of the Vortechs System with a vacuum truck is generally the most effective and convenient method. Alternate cleanout methods include the use of absorbent materials for oil removal or a "clamshell" device for sediment removal. Cleanout should not occur within 6 hours of a significant rain event, to allow for the entire collection system to drain down.

Properly maintained Vortechs Systems will only require evacuation of sediment and oil/grease from the grit chamber portion of the system, in which case it is necessary to remove only the manhole cover nearest to the system inlet to remove water and contaminants. However, all chambers should be checked to ensure the integrity of the system. In cases where a "clamshell" is being utilized, prior to removing the grit (as described above), absorbent pads or pillows can be placed in the oil chamber through the center access manhole. Once the oil has been absorbed, the absorbent materials can be taken out of the system for disposal.

In some cases, it may be necessary to pump out all Vortechs System chambers. An important maintenance feature built into Vortechs Systems is that floatables remain trapped after a cleaning, due to a waterlock maintained between the grit chamber and the outlet panel which keeps the bottom of the baffle submerged. Therefore, in the event of cleaning all chambers, it is imperative that the grit chamber be drained first. It is important that the Vortechs System be filled to the outlet pipe with clean water to re-establish the water lock.

Manhole covers should be securely seated following cleaning activities to ensure that surface runoff does not leak into the unit from above.



Ortechs™ Stormwater Treatment System Inspection & Maintenance Log

Model:			Location:		
Data	Depth from Water Surface to Sediment - Min. Depth 6"	Floetable Layer Thickness (approx)	Maintenance Performed	Maintenance Personnel	Comments

- 1. The water depth to sediment is determined by taking two measurements with a silda rod: one measurement is the distance from the manhole opening to the water surface, and the other is the distance from the manhole opening to the top of the sediment pile. If the difference between the two measurements is less than six inches, the system should be cleaned out.
- 2. The system should be cleaned out when an appreciable layer of oil and/or other floating material has accumulated.



Vortechs™ Stormwater Treatment System Inspection & Maintenance Log

Model: 5000			Location: Smith Superstores, Springfield, OH		
Date	Depth from Water Surface to Sediment (Min. Depth)	Floating Layer Thickness (approx)	Maintenance Performed	Maintenance Personnel	Comments
4/10/96	30"	0"	N/A	B. Johnson	Installed
8/15/96	26"	sheen	None	S. Riley	
11/15/96	22"	sheen	SAMPLE		
1/15/97	16"	sheen	None	B. Johnson	
2/15/97	7"	1"	Clean-out scheduled	S. Riley	3 snowstorms
2/18/97	30"	0"	System cleaned w/ Vector truck.	S. Riley	Cleaned
3/15/97	28"	Sheen		S. Riley	swept parking lot
4/15/97	27"	0.5"	Placed oil-absorbent material in system	B. Johnson	
5/16/97	23"	0"	Replaced oil-absorbent material w/new	B. Johnson	

1. The water depth to sediment is determined by taking two measurements with a stadia rod; one measurement is the distance from the manhole opening to the water surface, and the other is the distance from the manhole opening to the top of the sediment pile. If the difference between the two measurements is less than six inches the system should be cleaned out.

2. The system should be cleaned out when an appreciable layer of oil and/or other floating material has accumulated.



CITY OF PORTLAND

November 3, 1999

Mr. Michael Prysbylowicz
Friendly Ice Cream Corporation
1855 Boston Road
Wilbraham, MA 01095

Re: Exit 8 Friendly's Performance Guarantee Reduction and Defect Bond

Dear Mr. Prysbylowicz:

City Planning Staff has inspected the Exit 8 site and is satisfied that the project has been completed according to the approved site plan. Upon posting of a Defect Bond and receipt of the signed Stormwater Maintenance Agreement, we will release the Performance Guarantee. The Defect Bond can be in the form of an escrow account or an irrevocable letter of credit with the amount to be 10% of the Performance Guarantee and will be held by the City for a period of one year to cover any project defects which may appear after construction. Please find Defect Bond sample forms enclosed.

Additionally, we still need to receive a signed and notarized Stormwater Maintenance Agreement, as was required as a condition of site plan approval. If you have any questions, please contact me at telephone extension 207-874-8722.

Sincerely,

William B. Needelman, Planner

CC: Alex Jaegerman, Chief Planner

enc.



CITY OF PORTLAND

October 10, 1999

Mr. Michael Prysbylowicz
Friendly Ice Cream Corporation
1855 Boston Road
Wilbraham, MA 01095

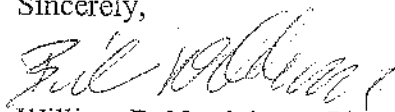
Re: Exit 8 Friendly's Storm Water System Maintenance Agreement

Dear Mr. Prysbylowicz:

Enclosed is a copy of the Storm Water Drainage System Maintenance Agreement to be filled out and signed as part of your June 15, 1999 approval for parking improvements to the 155 Riverside Street store. Please sign, notarize, and return the agreement to the City of Portland Planning Office.

On a separate issue, please inform me at the Planning Office when the landscaping plan for the approved site plan has been completed so that we can release your Performance Guarantee. If you have any questions, please contact me at telephone extension 207-874-8722.

Sincerely,


William B. Needelman, Planner

CC: Alex Jaegerman, Chief Planner

SECTION V - STORMWATER MANAGEMENT STANDARDS

FIGURE V-1
(Page 1 of 2)
STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT

IN CONSIDERATION OF minor site plan approval granted by the Planning Board (or Planning Authority, where applicable) of the City of Portland to a plan entitled Friendly's, Exit 8 dated June 15, 1999, and filed with the City of Portland, Department of Planning and Urban Development, 389 Congress Street, Portland, Maine,* and pursuant to a condition thereof, Friendly's a Corporation with a place of business at 1855 Boston Rd., Wilbraham, MA. the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

That it will, at its own cost and expense and at all time in perpetuity, maintain in good repair and in proper working order the stormwater drainage system, as shown on said plan, including but not limited to the treatment tank(s) and the outlet(s) therefrom. Owner of the subject premises further agrees to periodically clean out said tanks in accordance with the manufacturer's specifications as included on Exhibit A, attached hereto and incorporated herein by reference (Manufacturer's name and address _____) and to keep a log detailing: 1) the date and nature of the maintenance performed; and 2) who performed said maintenance. Such log shall be made available for inspection by the City of Portland upon reasonable notice and request. Said agreement is for the benefit of the said City of Portland and all persons in lawful possession of said premises and abutters thereto; further, that the said City of Portland, said persons in lawful possession and said abutters, or any of them, may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice and a reasonable time to perform, the said City of Portland, by its

*Where this Agreement is a condition of subdivision rather than site plan approval, this clause should instead read "and recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____."

SECTION V - STORMWATER MANAGEMENT STANDARDS

authorized agents or representatives, may, but is not obligated to enter upon said premises to maintain, repair, or replace said stormwater drainage system, including but not limited to, treatment tank(s) and outlet(s) thereon in the event of any failure or neglect thereof, the cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon demand.

This Agreement shall not confer upon the City of Portland or any other person the right to utilize said stormwater drainage system for public use or for the development of any other property, and the Owner shall bear no financial responsibility by virtue of this Agreement for enlarging the capacity of said surface water drainage system for any reason whatsoever.

This Agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon its successors and assigns as their interests may from time to time appear.

Dated at Portland, Maine this _____ day of _____, 199__.

By: _____
Its: _____

STATE OF MAINE
CUMBERLAND, ss.

Date: _____, 199__

Personally appeared the above-named _____, and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity, and the free act and deed of said _____.

Before me,

Notary Public/Attorney at Law

Print Name: _____

SECTION V - STORMWATER MANAGEMENT STANDARDS

OWP PENNY FORMS PLANNING STORMWAT.AGR



sample

Vortechs™ Stormwater Treatment System: Inspection & Maintenance

The Vortechs System requires minimal routine maintenance; however, it is important that the system be properly inspected and cleaned when necessary in order to function at its best. The rate at which the system collects pollutants will depend more heavily on site activities than the size of the unit, e.g., heavy winter sanding will cause the grit chamber to fill more quickly, but regular sweeping will slow accumulation.

Inspection

Inspection is the key to effective maintenance and it is easily performed. In the first year of operation, frequent inspections of the accumulated sediment volume within the grit chamber are necessary to establish an appropriate maintenance plan. Vortechs recommends quarterly (e.g. seasonal) inspections during the first year of Vortechs System operation. Inspections should be performed more often in the winter months in climates where street sanding operations may lead to rapid accumulations, or in equipment washdown areas. After the first year, the inspection schedule should be reviewed and modified according to experience. It is very useful to keep a record of each inspection. A simple form for doing so is provided.

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Cleaning

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Properly maintained Vortechs Systems will only require evacuation of sediment and oil/grease from the grit chamber portion of the system, in which case it is necessary to remove only the manhole cover nearest to the system inlet to remove water and contaminants. However, all chambers should be checked to ensure the integrity of the system. In cases where a "clamshell" is being utilized, prior to removing the grit (as described above), absorbent pads or pillows can be placed in the oil chamber through the center access manhole. Once the oil has been absorbed, the absorbent materials can be taken out of the system for disposal.

In some cases, it may be necessary to pump out all Vortechs System chambers. An important maintenance feature built into Vortechs Systems is that floatables remain trapped after a cleaning, due to a waterlock maintained between the grit chamber and the outlet panel which keeps the bottom of the baffle submerged. Therefore, in the event of cleaning all chambers, it is imperative that the grit chamber be drained first. It is important that the Vortechs System be filled to the outlet pipe with clean water to re-establish the water lock.

Manhole covers should be securely seated following cleaning activities to ensure that surface runoff does not leak into the unit from above.



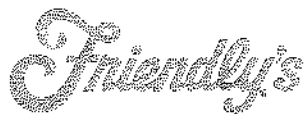
Vortechs™ Stormwater Treatment System Inspection & Maintenance Log

Model: 5000 Location: *Smith Superstores, Springfield, OH*

Date	Depth from Water Surface to Sediment (Min. Depth 5")	Floatable Layer Thickness (approx)	Maintenance Performed	Maintenance Person	Comments
4/10/96	30"	0"	N/A	B. Johnson	Installed
8/15/96	26"	sheen	None	S. Riley	
11/15/96	22"	sheen	SAMPLE		
1/15/97	16"	sheen	None	B. Johnson	
2/15/97	7"	1"	Clean-out scheduled	S. Riley	3 snowstorms
2/18/97	30"	0"	System cleaned w/ Vector truck.	S. Riley	Cleaned
3/15/97	28"	Sheen		S. Riley	swept parking lot
4/15/97	27"	0.5"	Placed oil-absorbent material in system.	B. Johnson	
5/16/97	23"	0"	Replaced oil-absorbent material w/new	B. Johnson	

1. The water depth to sediment is determined by taking two measurements with a stadia rod: one measurement is the distance from the manhole opening to the water surface, and the other is the distance from the manhole opening to the top of the sediment pile. If the difference between the two measurements is less than six inches the system should be cleaned out.

2. The system should be cleaned out when an appreciable layer of oil and/or other floating material has accumulated.



*Great Food
& Ice Cream*

December 22, 1999

William B. Needelman
City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

Dear Bill:

I have enclosed the Defect Bond for the recently completed site improvements for the conversion of the former Exit 8 Diner to a Friendly's.

Upon your approval, please return the previously submitted \$57,701.00 bond.

Thank you.

Sincerely,

Michael S. Przybylowicz
Project Services Administrator

DEFECT BOND

KNOW ALL MEN BY THESE PRESENTS,

That we, FRIENDLY ICE CREAM CORP
1855 Boston Road
Wilbraham MA 01950 as Principal, and the AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY, of the City of Long Grove,

a corporation duly organized under the laws of the State of IL, and duly licensed to transact business in the State of IL, as Surety, are held and firmly bound unto

CITY OF PORTLAND - PLANNING & URBAN DEVELOPMENT

(hereinafter called the "Obligee"), in the sum of _____
Five Thousand Seven Hundred Seventy and 10/100 Dollars (\$ 5,770.10),

for the payment of which sum well and truly to be made, we, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Sealed with our seals and dated this 15th day of

December A.D. Nineteen hundred and Ninety Nine

WHEREAS, the said Principal has heretofore entered into a contract with said Obligee dated December 15 1999, for

Redesigned Parking Area to include Curb Work and Dumpster Area - Restaurant \$1246

and;

WHEREAS, the said Principal is required to guarantee the

Redesigned Parking Area to include Curb Work and Dumpster Area - Restaurant \$1246

installed under said contract, against defects in materials or workmanship which may develop during the period 12/15/99-12/15/2000

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Principal shall faithfully carry out and perform the said guarantee, and shall, on due notice, repair and make good at its own expense any and all defects in materials or workmanship in the said work which may develop during the period 12/15/99-12/15/2000 or shall pay over, make good and reimburse to the said Obligee all loss and damage which said Obligee may sustain by reason of failure or default of said Principal so to do, then this obligation shall be null and void; otherwise shall remain in full force and effect.

FRIENDLY ICE CREAM CORP
Principal

AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY
Surety

Susan M. Kedan
Susan M. Kedan
Attorney-in-fact

Home Office: Long Grove, IL 60049

POWER OF ATTORNEY

Know All Men By These Presents:

That the Lumbermens Mutual Casualty Company, the American Motorists Insurance Company, and the American Manufacturers Mutual Insurance Company, corporations organized and existing under the laws of the State of Illinois, having their principal office in Long Grove, Illinois, (hereinafter collectively referred to as the "Company") do hereby appoint

Michael J. Cusack; Kevin A. White; Jean M. Feeney; Susan M. Kedian; Mark P. Herendeen and Jean Brooker of Boston, Massachusetts (EACH) *****

their true and lawful agent(s) and attorney(s)-in-fact, to make, execute, seal, and deliver during the period beginning with the date of issuance of this power and ending on the date specified below, unless sooner revoked for and on its behalf as surety, and as their act and deed:

Any and all bonds and undertakings provided the amount of no one bond or undertaking exceeds TWO HUNDRED FIFTY THOUSAND DOLLARS (\$250,000.00)*****

EXCEPTION: NO AUTHORITY is granted to make, execute, seal and deliver any bond or undertaking which guarantees the payment or collection of any promissory note, check, draft or letter of credit.

This authority does not permit the same obligation to be split into two or more bonds in order to bring each such bond within the dollar limit of authority as set forth herein.

This appointment may be revoked at any time by the Company.

The execution of such bonds and undertakings in pursuance of these presents shall be as binding upon the said Company as fully and amply to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal office in Long Grove, Illinois.

THIS APPOINTMENT SHALL CEASE AND TERMINATE WITHOUT NOTICE AS OF December 31, 2001

This Power of Attorney is executed by authority of resolutions adopted by the Executive Committees of the Boards of Directors of the Company on February 23, 1988 at Chicago, Illinois, true and accurate copies of which are hereinafter set forth and are hereby certified to by the undersigned Secretary as being in full force and effect:

"VOTED, That the Chairman of the Board, the President, or any Vice President, or their appointees designated in writing and filed with the Secretary, or the Secretary shall have the power and authority to appoint agents and attorneys-in-fact, and to authorize them to execute on behalf of the Company, and attach the seal of the Company thereto, bonds and undertakings, recognizances, contracts of indemnity and other writings, obligatory in the nature thereof, and any such officers of the Company may appoint agents for acceptance of process."

This Power of Attorney is signed, sealed and certified by facsimile under and by authority of the following resolution adopted by the Executive Committee of the Boards of Directors of the Company at a meeting duly called and held on the 23rd day of February, 1988:

"VOTED, That the signature of the Chairman of the Board, the President, any Vice President, or their appointees designated in writing and filed with the Secretary, and the signature of the Secretary, the seal of the Company, and certifications by the Secretary, may be affixed by facsimile on any power of attorney or bond executed pursuant to resolution adopted by the Executive Committee of the Board of Directors on February 23, 1988 and any such power so executed, sealed and certified with respect to any bond or undertaking to which it is attached, shall continue to be valid and binding upon the Company."

In Testimony Whereof, the Company has caused this instrument to be signed and their corporate seals to be affixed by their authorized officers, this June 8, 1998.

Attested and Certified:

Lumbermens Mutual Casualty Company
American Motorists Insurance Company
American Manufacturers Mutual Insurance Company



Robert P. Hames, Secretary

by

J. S. Kemper, III, Exec. Vice President



**Great Food
& Ice Cream**

January 4, 2001

William Needelman
City of Portland
Planning Department
389 Congress Street
Portland, ME 04101

Dear Bill:

Shortly, the Defect Bond for our site improvements for our restaurant (#1246) located at 139 Riverside Street will become due after its one year existence. Therefore, I would like to request an inspection of these improvements for the release of the above bond.

It is my understanding that inspections are not performed during the winter months. Thus, it would be appreciated if an inspection can be performed on April 15, 2001, or earlier should weather permit.

Upon your inspection, please call with your findings.

Thank you.

Sincerely,

Michael S. Przybylowicz
Project Services Administrator

\$ 5,770.10 → Loc #
38E97921200

C: Lynne Cournoyer

Finance Department



Duane G. Kline
Director

CITY OF PORTLAND

January 3, 2000

Michael S. Przybylowicz
Project Services Administrator
1855 Boston Road
Wilbraham, MA 01095

Re: Friendly's, Exit 8
Bond No. 3SE968159-00

As the City of Portland has received a defect bond for the above-named project, I am hereby returning to you the original bond, dated August 6, 1999.

If you require any further information, please let me know.

Sincerely,

Duane G. Kline
Finance Director

DGK,jlb

pc: ✓ Joseph Gray, Director of Planning & Urban Development
William Needelman, Planner

Draft

TO: Duane Kline, Finance Department
FROM: Joseph E. Gray, Jr., Director of Planning and Urban Development
DATE: December 27, 1999
SUBJECT: Exit 8 Friendly's, 155 Riverside Street
Release of Performance Guarantee

The \$57,701 performance guarantee for the Exit 8 Friendly's at 155 Riverside Street can be released.

Approved: _____
Joseph E. Gray, Jr.
Director of Planning and Urban Development

cc: Alexander Jaegerman, Chief Planner
William B. Needelamn, Planner
Code Enforcement
Steve Bushey, Development Review Coordinator

FRIENDLY'S PORTLAND, ME

Cost Estimate For Expansion of Parking Area

Demolition	\$5,800.00
Saw-cut Parking Area	\$575.00
Sidewalks	\$4,300.00
Curbing	\$3,150.00
Dumpster Pad	\$5,200.00
Storm Manholes	\$8,910.00
Site Drainage Piping	\$4,718.00
Paving	\$13,490.00
Dumpster Fence & Yard Shed	\$3,500.00
Bollards	\$443.00
Landscaping	\$2,623.00
Site Lighting	\$3,200.00
Traffic Signage	\$1,225.00
Parking Lot Striping	\$567.00
Total	\$57,701.00

INVOICE NUMBER / DESCRIPTION	INVOICE DATE / P.O. NUMBER	GROSS AMOUNT	DISCOUNT AMOUNT	NET AMOUNT
070799	07/07/99	8,000.00		8,000.00
TOTAL		\$8,000.00		\$8,000.00

FOLD

4111 P 1 5303

FORM 15400 (3/99)



Friendly Ice Cream Corp.
1855 Boston Road
Wilbraham, MA 01095

Corporate



CHECK NO.
470751

DATE 07/16/99

BankBoston
BankBoston Maine, N.A.
South Portland, ME

52-153
112

PAY
\$Eight thousand and 00/100 Dollars

PAY THIS AMOUNT
*****\$8,000.00

TO THE ORDER OF

OFFICE OF THE CITY CLERK
CITY OF PORTLAND
389 CONGRESS ST
PORTLAND ME 04101

FRIENDLY ICE CREAM CORPORATION

Paul J. McDonald

NOT VALID OVER \$25,000.00 UNLESS COUNTERSIGNED

⑈470751⑈ ⑆011201539⑆ 80 062 817⑈

Friendly's

4/27/99

Comments, ?

Standards

- 1) Traffic - Trucks is adequate
- 2) Trucks @ narrowest part - 24' will trucks be able to make the turn from Riverside to Rev. of Prospekt
- 3) Bulk of trucks in unloading
- 4) "
- 5) Sewer Capacity ?

Storm Water ? of site impacts - vortex

- 6) Landscaping - Buffering adequate ?
 Replace landscaping @ base of building ?
 Dumpster Buffer - Chainlink w/ Poly skirts

7) Off site impact / soil A

8) soil - adequate

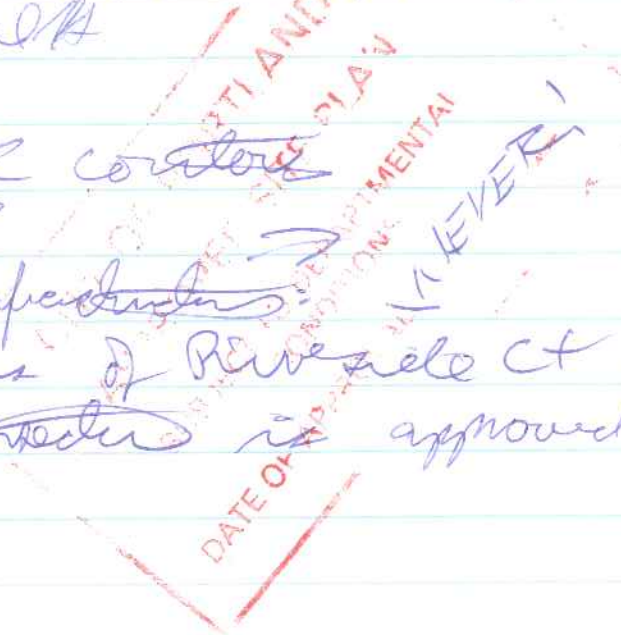
9) Lighting - 2 FL corners

10) Food Safety ?

11) - Off premises impacts ?
 Require access of Riverside Ct if Sanitized interceptor is approved.

12) - NA

13) NA



Planning & Urban Development



Joseph E. Gray Jr.
Director

CITY OF PORTLAND



CITY OF PORTLAND

June 15, 1999

Mr. John Filtch
Friendly's Corp.
185 Boston Road
Wilbraham, MA 10095

re: INVOICE for traffic improvement contributions, 155 Riverside Street Exit 8 Friendly's

Dear Mr. Filtch,

On June 15, 1999 the Portland Planning Staff approved the site plan for the proposed site improvements at 155 Riverside Street, Application I.D. #19990041. As a condition of approval for this project, Public Works requires a contribution of \$8000 for traffic improvements associated with the reconstruction of the Exit 8 intersection. A check made payable to the City of Portland can be delivered to this office.

This contribution is in addition to and separate from the performance guarantee which covers site improvements to be performed by the applicant. A Public Works engineering work up itemizing how the funds are to be used will be provided upon completion, as requested.

If there are any questions, please contact me at any time. Tel. Ex. 207-874-8722.

Sincerely,

William B. Needelman, Planner

CC. Joseph E. Gray, Jr., Director of Planning and Urban Development
✓ Alexander Jaegerman, Chief Planner
William Bray, Director of Public Works
Penny Littell, Associate Corporation Counsel
Kathleen Brown, Director of Economic Development

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CITY OF PORTLAND

June 15, 1999

Mr. John Filtch
Friendly's Corp.
185 Boston Road
Wilbraham, MA 10095

re: INVOICE for traffic improvement contributions, 155 Riverside Street Exit 8 Friendly's

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If there are any questions, please contact me at any time. Tel. Ex. 207-874-8722.

Sincerely,

A handwritten signature in cursive script, appearing to read "William B. Needelman".

William B. Needelman, Planner

CC. Joseph E. Gray, Jr., Director of Planning and Urban Development
Alexander Jaegerman, Chief Planner
William Bray, Director of Public Works
Penny Littell, Associate Corporation Counsel
Kathleen Brown, Director of Economic Development

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City of Portland Planning Department

389 Congress Street, 4th Floor
Portland, ME 04101
207-874-8721 or 207-874-8719
Fax: 207-756-8258

FAX TRANSMISSION COVER SHEET

Date: 5/5/99
To: Dwight Anderson
From: Bill Needelman
Fax: 8790896
Re: Exit 8 Friendlies

YOU SHOULD RECEIVE 4 PAGE(S),
INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES,
PLEASE CALL 207-874-8721 or 207-874-8719.



CITY OF PORTLAND

April 15, 1999

Dwight D. Anderson
Deluca Hoffman Engineers
778 Main Street
South Portland, ME 04106

Re.; Friendly's, 155 Riverside Street

Dear Mr. Anderson,

Planning staff has had opportunity to review your additional submittals for the Friendly's Ice Cream at Exit 8 in Portland. While many of our previous concerns have been addressed with the newest drawings, there are still some issues which are listed below.

Traffic:

The southerly entrance on Riverside Street, closest to Exit 8, should be restricted to right turn in/right turn out only. City Traffic requires a triangular island to control flow in this manner.

Lighting:

Lighting additions to the site plan show spill over to the Turnpike property. Provide additional shading to eliminate light trespass. Additionally, show illumination levels at the right of way line of Riverside Street.

Drainage:

As storm water from this site enters the Capisic Brook Watershed which has both flooding and water quality problems, Public Works engineering requires additional treatment of stormwater. See attached Public works memo.

Please contact me if you have any questions concerning this review. I am in the office Tuesdays, Wednesdays, and Thursdays, and my telephone number at City Hall is 874-8722.

Sincerely,

William B. Needelman, Planner

CC: Alex Jaegerman, Chief Planner

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Engineer Review and Site Inspection Fee Invoice Worksheet

Address: Friendly's Restaurant....Riverside St....DATE:4/27/99

Engineering Review

To be filled out by Development Review Coordinator and Public Works at time of application.

Planning

of Hours Estimated: (Private Improvements)

Field Work _____
Memos/Corresp. _____

Review/Analysis _____

Meetings/phone calls _____

Total Hours _____ at _____ per hour

Review Fee (Private): \$ _____

Development Review Coordinator Signature

Public Works

of Hours Estimated: (Public Improvements)

Field Work 1.0
Memos/Corresp. 20

Review/Analysis 20

Meetings/phone calls 1.0

Total Hours 6.0 at \$35 per hour

Review Fee (Public): \$ \$210

Public Works Engineer Signature

Site Inspection

To be filled out by DRC and Public Works at time of Performance Guarantee approval.

Planning

____ Accept 1.7% of Private Improvements P.G.
\$ _____ (dollar amount)

of Hours Estimated:

Field Work _____

Memos/Corresp. _____

Review/Analysis _____

Meetings/phone calls _____

Total Hours _____ at _____ per hour

Alternate Inspection Fee (Private): \$ _____

Development Review Coordinator Signature

Public Works

____ Accept 1.7% of Private Improvements P.G.
\$ _____ (dollar amount)

of Hours Estimated:

Field Work 6.0

Memos/Corresp. 1.0

Review/Analysis _____

Meetings/phone calls 1.0

Total Hours 8.0 at \$35 per hour

Alternate Inspection Fee (Public): \$ \$280

Public Works Engineer Signature

PUBLIC WORKS ENGINEERING
MEMORANDUM

To: Alex Jaegerman, Chief Planner

From: Anthony Lombardo, P.E., Project Engineer

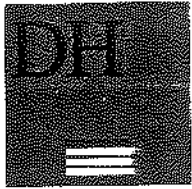
Date: April 27, 1999

Subject: Conversion of Exit 8 Diner to FRIENDLY'S...Riverside St.

The following comments were generated during Public Works Engineering review of proposed development on Riverside Street. The plans and application were dated April 9, 1999.

Sheet 2, Grading & Drainage Plan, specifies some proposed grading southerly on the abutting Maine Turnpike Authority property. This plan must, therefore, specify a grading easement granted to the developer by the MTA.

The paved surface of this development is entirely reconstructed. The runoff collected into the site drainage system discharges into the Riverside St. system and eventually enters the City's Capisic Brook. The City requires stormwater treatment of runoff generated on new development sites which discharge into the Capisic Brook Watershed. The applicant needs to specify some stormwater treatment prior to connection of the proposed storm drain to the Riverside St. system.



DELUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL.: 207 775 1121
FAX 207 879 0896

- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- TRAFFIC STUDIES AND MANAGEMENT
- PERMITTING
- AIRPORT ENGINEERING
- SITE PLANNING
- CONSTRUCTION ADMINISTRATION

April 27, 1999

Mr. William B. Needelman, Planner
City of Portland
389 Congress Street
Portland, Maine 04101

**Subject: Proposed Friendly's -- Exit 8 Portland
Site Plan Application
Response to Portland Planning Department Comment Letter dated April 15, 1999**

Dear Mr. Needelman:

Our office has received your review comments for the proposed Friendly's at Exit 8 on Riverside Street. The review comments and our responses are as follows:

A. Traffic:

Comment 1:

We need to see the traffic flows around the entire complex, including the building foot prints of the additional buildings on the property and the entire boundary.

Response 1:

Attached, are three (3) copies of Owen Haskell's land title survey drawing dated April 10, 1997, showing existing paved drives, building footprints and property lines of the entire complex.

Comment 2:

The southerly entrance on Riverside Street, closest to Exit 8, should be restricted to right turn in/right turn out only. A small island encouraging this may be worth considering.

Response 2:

Signs on each side of the southerly entrance to Riverside Street and pavement markings in the right hand lane, indicating right turn only for vehicles exiting the proposed Friendly's parking area, have been included on the site plans.

Mr. William B. Needelman
April 27, 1999
Page 2

B. Landscaping:

Comment 1:

Provide vegetated buffering along the southerly boundary. An expansion of the white pines, which are currently extant, may be a solution. The proposed pavement at the southwesterly corner of the site should be pulled back to provide the space for buffering.

Response 1:

Six (6), two inch caliper white pine plantings have been added to the site plans along the southerly boundary of the site and one parking space has been eliminated at the southwesterly corner of the site to allow room for a portion of these plantings.

Comment 2:

Provide landscaping at the front of the building and at the islands on Riverside Street.

Response 2:

Areas for annual plantings have been added on each side of the southerly entrance to Riverside Street.

Comment 3:

Provide four-side fencing/screening of any exterior dumpsters.

Response 3:

Sheet 5, including dumpster enclosure details has been added to the site plans.

Comment 4:

Provide details of proposed lighting changes with fixtures and photometrics.

Response 4:

Three (3) double fixture lights have been added to the site plans. The 2 footcandle contour from each of these lights is included on the Layout Sheet, sheet 2.

Mr. William B. Needelman
April 27, 1999
Page 3

C. Drainage:

Comment 1:

Please show flow lines on the drainage plan.

Response 1:

Flow lines have been added to the drainage plan.

Comment 2:

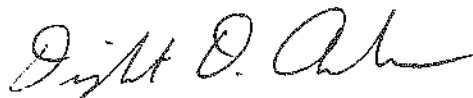
As storm water from this sit enters the Capisic Brook Watershed which has both flooding and water quality problems, staff requests considering additional stormwater management of this site, including consideration of a TSS removal structure.

Response 2:

Catch basin traps have been added to the outlet pipes of the proposed catch basins associated with the revised parking area to increase the level of containment of sediment and pollutants in the sumps of these catch basins.

Three (3) sets of the revised site plans and other attachments mentioned above are included with this response. The intent of this response is to address all of the issues raised in your April 15, 1999 comment letter. If any responses are inadequate, please notify our office at your earliest convenience.

Sincerely,
DeLUCA-HOFFMAN ASSOCIATES, INC.



Dwight D. Anderson
Design Engineer

DDA/jct/JN1824/needel4-27

Attachments

C: Mark Allen, Friendly's Ice Cream Corporation

Mr. William B. Needelman
May 11, 1999
Page 2

C. Drainage:

Comment 1:

Sheet 2, Grading & Drainage Plan, specifies some proposed grading southerly on the abutting Maine Turnpike Authority property. This plan must, therefore, specify grading easement granted to the developer by the MTA.

Response 1:

Adequate room for grading has been provided on the site plans to avoid grading encroachment onto MTA property. A note has also been added to the site plan to indicate that grading shall not extend onto MTA property.

Comment 2:

The paved surface of this development is entirely reconstructed. The runoff collected into the site drainage system discharges into the Riverside Street system and eventually enters the City's Capisic Brook. The City requires stormwater treatment of runoff generated on new development sites, which discharge into the Capisic Brook Watershed. The applicant needs to specify some stormwater treatment prior to connection of the proposed storm drain to the Riverside Street system.

Response 2:

A 4 foot diameter water quality unit to remove sediment, floatables and free oil from stormwater runoff has been included on the site plans.

Three (3) sets of the revised site plans and other attachments mentioned above are included with this response. The intent of this response is to address all of the issues raised in your May 5, 1999 comment letter. If any responses are inadequate, please notify our office at your earliest convenience.

Sincerely,
DeLUCA-HOFFMAN ASSOCIATES, INC.



Dwight D. Anderson
Design Engineer

DDA/jct/JN1824/nccdcl4-27

Attachments

C: Mark Allen, Friendly's Ice Cream Corporation



Produced by: CPCOG 1991
Cartographic Division

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