

CITY OF PORTLAND, MAINE

PLANNING BOARD

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Erin Rodriguez
Mark Malone

July 13, 1999

The Waterford Group
Attn: John F. O'Brien
Piper Philips Building, Suite 204
227 West Fayette Street
Syracuse, New York 13202

re: Portland Commons Shopping Center

191 Riverside St
268-A-002

Dear Mr O'Brien:

On May 25, 1999 the Portland Planning Board voted 5 to 0 (Malone and Rodriguez absent) to approve your the site plan for the Portland Commons Shopping Center. The Board found that the application met the standards of the Site Plan ordinance of the Land Use code.

The approval was granted for the project with the following condition(s):

- i. That the developer conduct the design, engineering, Right of Way acquisition, and construction of off-site traffic improvements as described in the traffic section of Planning Board Report #21-99. The preliminary engineering plans shall be reviewed for approval by City Public Works. The Developer's contribution for the road construction is \$50,000, and the developer shall be responsible for all overages.
- ii. That the developer's storm water management plan be acceptable to the Development Review Coordinator and City Public Works engineering.
- iii. That a revised lighting plan be submitted with reduced light spill over on to adjacent properties for review and approval by Planning staff.
- iv. That Signage Plans, details and elevations be submitted for review and approval by Planning staff and City Zoning.
- v. That the applicant receive Maine Department of Environmental Protection permits for Wetlands filling and traffic impacts.
- vi. The applicant shall submit letters of adequate capacity for utilities servicing the site for Planning staff review and approval.

- vii. that the applicant submit heavy truck turning movements to the Planning staff for review and approval.
- viii. That the applicant revise the southerly landscape buffer for review and approval by the Planning staff.

The approval is based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report # 21-99, which is attached.

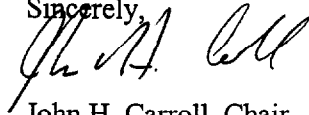
Please note the following provisions and requirements for all site plan approvals:

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.
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 (874-8300 ext. 8722) 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,



John H. Carroll, Chair
Portland Planning Board

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