



# Application for Exemption from Site Plan Review

Portland, Maine

Department of Planning and Urban Development, Planning Division and Planning Board

PROJECT NAME: 1000 500 gallon horizontal propane filling station - Aubuchon Hardware

PROJECT ADDRESS: 832 Stevens Ave

PROJECT DESCRIPTION: (Please Attach Sketch/Plan of Proposal/Development)

to install a chain link fence around a 1000' area which will be then surrounded by bollards to house a 1000 500 gallon propane tank and related pumping equipment.

RECEIVED

CHART/BLOCK/LOT: 293 DO/2001 attached to permit

CONTACT INFORMATION: # 09 1171

NOV 17 2009

OWNER/APPLICANT

Name: W.E. Aubuchon Co Inc  
Address: 95 Aubuchon Dr  
Westminster MA  
Zip Code: 01473  
Work #: 978-874-6575  
Home #: \_\_\_\_\_  
Fax #: 978-874-6678  
E-mail: Pam@aubuchon.com

CONSULTANT/AGENT

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Zip Code: \_\_\_\_\_  
Work #: \_\_\_\_\_  
Home #: \_\_\_\_\_  
Fax #: \_\_\_\_\_  
E-mail: \_\_\_\_\_

Dept. of Building Inspections  
City of Portland Maine

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OCT 26 2009

City of Portland  
Planning Division

Criteria for Exemptions:

(See Section 14-523 (4) on page 2 of this application)

- a) Is the proposal within existing structures? N
- b) Are there any new buildings, additions, or demolitions? N
- c) Is the footprint increase less than 500 sq. ft.? Y
- d) Are there any new curb cuts, driveways or parking areas? N
- e) Are the curbs and sidewalks in sound condition? N/A
- f) Do the curbs and sidewalks comply with ADA? N/A
- g) Is there any additional parking? N
- h) Is there an increase in traffic? N
- i) Are there any known stormwater problems? N
- j) Does sufficient property screening exist? Y
- k) Are there adequate utilities? Y

Applicant's Assessment  
Y(yes), N(no), N/A

Planning Division  
Use Only

Applicant's Assessment	Planning Division Use Only
<u>N</u>	<u>No</u>
<u>N</u>	<u>No</u>
<u>Y</u>	<u>yes - propane tank</u>
<u>N</u>	<u>no</u>
<u>N/A</u>	<u>yes</u>
<u>N/A</u>	<u>yes</u>
<u>N</u>	<u>no</u>
<u>N</u>	<u>no</u>
<u>N</u>	<u>no</u>
<u>Y</u>	<u>yes</u>
<u>Y</u>	<u>yes</u>

Planning Division Use Only

Exemption Granted  Partial Exemption  Exemption Denied

The applicant shall obtain all required building permits from the Inspection Division

Planner's Signature Barbara Barndt

Date Nov. 12, 2009

**PROVISION OF PORTLAND CITY CODE  
14-523 (SITE PLAN ORDINANCE)  
RE: EXEMPTIONS FROM SITE PLAN REVIEW**

**Sec. 14-523. Approval required.**

No person shall undertake any development without obtaining approval therefore under this article.

- (4) The Planning authority shall exempt from review under all standards in this article developments that meet all of the following requirements:
- a. The proposed development will be located within existing structures, and there will be no new buildings, demolitions, or building additions other than those permitted by subsection b of this section;
  - b. Any building addition shall have a new building footprint expansion of less than five hundred (500) square feet;
  - c. The proposed site plan does not add any new curb cuts, driveways, or parking areas; the existing site has no more than one (1) curb cut and will not disrupt the circulation flows and parking on-site; and there will be no drive-through services provided;
  - d. The curbs and sidewalks adjacent to the lot are complete and in sound condition, as determined by the public works authority, with granite curb with at least four (4) inch reveal, and sidewalks are in good repair with uniform material and level surface and meet accessibility requirements of the Americans with Disabilities Act;
  - e. The use does not require additional or reduce existing parking, either on or off the site, and the project does not significantly increase traffic generation;
  - f. There are no known stormwater impacts from the proposed use or any existing deficient conditions of stormwater management on the site;
  - g. There are no evident deficiencies in existing screening from adjoining properties; and
  - h. Existing utility connections are adequate to serve the proposed development and there will be no disturbance to or improvements within the public right-of-way.

A developer claiming exemption under this subsection shall submit a written request for exemption stating that the proposed meets all of the provisions in standards a-h of this subsection, including an itemized statement by a qualified professional. Upon receipt of such a request, the planning authority will visit the site to verify that the exemption is applicable due to compliance with the standards. The planning authority, after consultation with the public works authority, shall render a written decision within twenty (20) working days after receipt of a written request for exemption that contains all the information required by this subsection. If a full exemption is granted, the application shall be approved without further review under this article, and no performance guarantee shall be required. The planning authority may require full site plan review of a project that meets the criteria of this subsection if it determined that there is a substantial public interest in the project.

In the event that the planning authority determines that standards a and b of this subsection and at least four (4) of the remaining standards have been met, the planning authority shall review the site plan under the review standards in section 14-526 that are affected by the standards in this subsection that have not been met. An application that receives review by the planning board shall receive a complete review under the standards of section 14-526. The planning authority shall notify an applicant in writing that full or partial site plan review is required, the reasons for the decision, and the information that will be required for site plan review.

**IMPORTANT NOTICE TO APPLICANT**

**An Exemption from site plan review does not exempt this proposal from other approvals or permits, nor is it an authorization for construction. You should first check with the Building Inspections Office, Room 315, City Hall (874-8703), to determine what other City permits, such as a building permit, will be required.**

**Planning Barbara Barhydt**

11/12/09

**\*\* THIS EXEMPTION IS NOT A BUILDING PERMIT – PLEASE CHECK WITH  
BUILDING INSPECTIONS PRIOR TO ANY WORK BEING DONE \*\***



