



PORTLAND MAINE

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Planning & Urban Development Department

Jeff Levine, AICP, Director

Planning Division

Alexander Jaegerman, FAICP, Director

February 12, 2013

Darcy Bingham
FEMA
500 C Street, SW
Washington, D.C. 20472

Denise Brown, P.E. and Mike Mullen
KBR
63 South Royal Street, Suite 200
Mobile, AL 36602

Project Name: Level 1 Site Alteration: **FEMA Equipment Installation**
ID Number: 2012 -643
Address: 236 Lane Avenue, Portland, ME 04103
(owned by Saga Communication of New England)
CBL: 302 A006001
Applicant: FEMA (Darcy Bingham)
Planner: Jean Fraser

Dear Madam/Sir:

On February 12, 2013, the Planning Authority approved with conditions a Level I: Site Alteration site plan for the installation of a transmitter module, two generators, and a 6000 gallon fuel tank immediately adjacent the existing radio transmitter building at 236 Lane Avenue. The equipment is associated with a Loan Agreement between FEMA and Saga Communication of New England to provide power for radio transmission during major emergencies.

The approval is based on the application including the May, 2012 FEMA Equipment Loan Agreement with Saga Communication of New England LLC; KBR letter dated January 24, 2013; letter from Saga Communication of New England LLC dated February 6, 2013; and plans G-001, G-101, C-101, C-102, C-103, C-301, S-502 all dated 1.16.2013 and plan S-102 dated 1.22.2013 as submitted by KBR.

SITE PLAN REVIEW

The Planning Authority found the plan is in conformance with the Site Plan Standards of the Land Use Code subject to the following conditions of approval:

1. That the applicant shall contribute \$310 to the Capisic Brook Watershed water quality treatment program to address the required mitigation of project storm water quality impacts; and
2. That in the event that the license/agreement should lapse/not be renewed, the Planning Authority must be notified and will determine whether or not additional review is necessary; and

3. That the testing of the 75-80kW generator shall take place between the hours of 9am and 4pm Monday through Friday, no more than one time per week and for a duration of up to 1 hour; and
4. That the testing of the 35kW generator shall take place between the hours of 7am and 9pm Monday through Friday, no more than one time per week and for a duration of up to 1 hour; and
5. That the sound levels of the generators during tests and normal operation shall not exceed the maximum noise allowances of the B-4 zone; and
6. That all necessary Federal, State and local permits and approvals shall be obtained prior to use/operation of the equipment, including a Maine State Fire Marshall permit for the above-ground fuel tank.

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.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

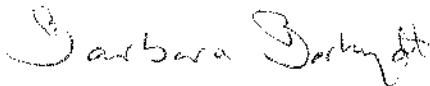
1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, 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 Department 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 site plan application for staff review and approval.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held 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 Development Review Coordinator will confirm that the contractor is working from the approved site plan. 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. **Department of Public Services Permits** 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.)
8. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator (Phil diPierro) can be reached at the Planning Division at 874-8632. 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 Jean Fraser at (207) 874- 8728.

Sincerely,



Barbara Barhydt
Acting Planning Division Director

Attachment: Performance Guarantee Packet

CC:

Jeff Levine, AICP, Director of Planning and Urban Development
Alexander Jaegerman, FAICP, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator, Planning
Marge Schmuckal, Zoning Administrator, Inspections Division
Tammy Munson, Inspection Division Director
Lannic Dobson, Administration, Inspections Division
Gayle Guertin, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services

Doug Roncarati, Stormwater Coordinator, Public Services
Greg Vining, Associate Engineer, Public Services
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Services
Rhonda Zazzara, Field Inspection Coordinator, Public Services
Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Captain Chris Pirone, Fire Department
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File