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

Planning Division
Alexander Jaegerman, Director

September 21, 2009

Jim Fisher, President
Northeast Civil Solutions, Inc
153 US Route 1
Scarborough, ME 04074

RE: Vance project, 355 Warren Avenue (Tow Lot)
Minor Site Plan (maximum of 70 vehicles to be stored)
Application ID # 2007-0138

Dear Mr. Fisher,

I understand that Mr Vance has indicated, in discussions with MDOT, that he is awaiting a Planning Division decision on the Tow Lot application. Therefore I am writing to clarify the status of this application.

Our records show that the last submission regarding the Tow Lot application was November 2008 and that staff gave engineering and landscape comments at that time which required further revisions to some of the submitted plans. No further submissions have been received since then and City staff has not progressed the review.

The staff comments on the Plans dated 11.4.2008 were sent to you in December 2008 and are summarized below:

1. Please address the attached engineering review comments dated November 13, 2008. A complete boundary survey is necessary as no waiver has been granted regarding the survey. Please see our letter dated September 15, 2008, which was confirmed at the meeting with Mr Jaegerman on September 29, 2008;
2. The plans need to specify the size and species of the planting; Jeff Tarling, City Arborist would be willing to advise on this (he can be contacted on 874 8462 or JST@portlandmaine.gov).

Also at that time we agreed that the curb cut would be 30 feet wide and centered on the existing access to the tow lot, with the area between the ROW and the tow lot improved with plantings by Mr Vance, as set out in your letter to the MDOT dated November 3, 2008 (copy attached).

Mike Farmer of the City's Public Services Department (the City's liaison engineer with the MDOT improvement contract on Warren Avenue) has recently inquired as to whether the residential building at the front of the tow lot site was included in the tow lot application. I have confirmed to him that the Tow Lot Site Plan application did not include proposals for this building. Removal of the addition and re-cladding of the exposed wall would require Site Plan approval.

Mr Vance may amend the Tow Lot application to include changes that have arisen as a result of the need to integrate with the MDOT improvement works along the Tow Lot frontage (such as the demolition of the building addition and re-cladding). I understand the MDOT are seeking an early resolution of all issues in this area as they will be completing their work in the near future; therefore I suggest that you submit the (final) revised plans by October 6, 2009, including any amendments now under consideration, so that staff may expedite this last stage of the Site Plan Review of Mr Vance's application.

Please ensure that these revised plans:

1. Satisfactorily address the 2008 review comments;
2. Reflect the agreed proposals relating to the ROW;
3. Address the question of the condition of the existing fencing, as mentioned in our letter of September 15, 2008 (see attached photograph); the improvements to the enclosure should be integrated with the final planting and sidewalk proposals; and
4. (Optional) Add in any amendment(s) that relate to the MDOT project that are located along the tow lot frontage within the site boundary eg demolition of the building addition and re-cladding.

If you have any questions, please contact me at 874 8728 or by email at jf@portlandmaine.gov.

Sincerely,



Jean Fraser
Planner

Attachments:

1. Woodard & Curran comments dated November 13, 2008 (as forwarded on 11.21.2008)
2. Your letter to MDOT dated November 3, 2009
3. Photograph of existing fencing

Cc electronic copies

Alexander Jaegerman, Director, Planning Division
 Barbara Barhydt, Development Review Services Manager
 Tom Errico, Traffic Reviewing Engineer
 David Margolis-Pineo, Deputy City Engineer
 Mike Farmer, Project Engineer, Dept. Public Services
 Marge Schmuckal, Zoning Administrator
 Legal Department
 Licensing Department
 John Vance, 383 Warren Avenue, Portland ME 04103 (applicant)

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MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE
DATE: November 13, 2008
RE: 355 Warren Avenue

Woodard & Curran has reviewed the Application for Site Plan Review for 355 Warren Avenue in Portland. Stormwater drainage improvements are proposed in the "tow yard" including two new catch basins, a new drain manhole and 158 feet of storm drain. The project includes associated grading.

Documents Reviewed

- Stormwater Summary Letter for 355 Warren Avenue, prepared by Northeast Civil Solutions on behalf of John Vance, dated November 4, 2008.
- Engineering plan sheets, for 355 Warren Avenue, prepared by Northeast Civil Solutions, on behalf of John Vance, dated November 4, 2008.

Comments

- The applicant should confirm that the survey for the project coincides with approved City standards. The applicant states that this requirement has been waived but we are not aware of any such agreement. If there is not an agreement, the survey needs to be tied to the vertical datum of NGVD 1929. Also, the project needs to be tied to the Maine State Plane Coordinate System (2-zone projection), West Zone using the NAD 1983 (HARN) Datum and the U.S. Survey Foot as the unit of measure. This should be indicated on the survey.
- Erosion Control Measures have not provided.
- The manhole detail shows only RCP while the plans show ADS N12 pipe. ADS N12 pipe is not allowed within the City Right-of-Way.

Please contact our office if you have any questions.

DRG
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2008-11-13 355 Warren Avenue MEMO.doc



Northeast Civil Solutions

INCORPORATED

November 3, 2008

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City of Portland
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Portland, ME 04101

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207.883.1001

RE: City Tow Lot (John Vance), Warren Avenue: Curb Cut Width and Granite Curbing

Dear Jean:

Pursuant to the City of Portland's request and the meeting we had with your staff and Mr. Vance on September 29, 2008, Mr. Vance understands that the entryway to the tow lot will be a maximum of 30 feet wide and centered on the existing gate location facing Warren Avenue.

The City/DOT will install granite curbing along Warren Avenue in conjunction with reconstruction of the roadway and subgrade infrastructure within the right-of-way. The 30'-wide curb cut will have tip down granite ends on both sides of the curb cut. The 30'-wide entrance to the Tow Lot will be paved from the edge of the traveled way of Warren Avenue to the edge of the right-of-way/front property line at the expense of the City/DOT. The remaining distance to the front of the Tow Lot gate will be paved and will be at Mr. Vance's expense. The uniform width of this pavement from Warren Avenue to the gate will be 30 feet. Any additional improvements within the right-of-way (i.e. sidewalk construction and subsequent maintenance thereof) will be the responsibility of the City and/or DOT).

If you have any questions or comments, please feel free to contact us. The Site Plan set will reflect all other details relative to your comment letter and to the information we got from your staff at the September 29 meeting.

Sincerely,
Northeast Civil Solutions, Inc.



Jim Fisher
President

Cc: John Vance

G:\25981&_4\Correspondence\Fisher & DOT curb cuts 11-3-08

Attachment 3

