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Planning & Urban Development Department

Penny St. Louis Littell, Director

Planning Division

Alexander Jaegerman, Director

March 22, 2010

John Vance
383 Warren Avenue
Portland ME 04103

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

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

Dear Mr. Vance and Mr. Fisher,

On March 22, 2010, the Portland Planning Authority approved a minor site plan for a storage lot for up to 70 towed or impounded vehicles at 355 Warren Avenue, as submitted by John Vance and shown on the approved plan prepared by Northeast Civil Solutions and dated (Site Plan and Construction Details Rev 5 2.23.2010) with the following conditions:

Conditions of Approval

- i. That the applicant shall implement this Site Plan approval (and any associated Building Permits) in a diligent manner so that the project is fully implemented in accordance with the approved/permitted plans prior to June 15, 2010. Failure to complete the aforementioned actions will result in the withholding of any further "towing/wrecker service licenses" for the tow lot at 355 Warren Avenue and enforcement action; and
- ii. That this Site Plan approval does not relate to the 2 family house at 345 Warren Avenue (front part of 353 Warren Avenue which has been included in the boundary of this Tow Lot Site Plan) which was issued Building Permit #09-1005 on 9.22.2009 for demolition of the side extension and front porch, and replacement of the front porch.

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:

1. The site shall be developed and maintained as depicted in the site plan and 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 the Planning Authority pursuant to the terms of Chapter 14 of the Portland City Code.

2. A Change of Use Building Permit is required for this site and is administered by the Inspections Division. Separate permits are required for any new signage.
3. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
4. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
5. A performance guarantee covering the site improvements as well as an 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 Dept. 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 subdivision or site plan application for staff review and approval.
6. 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.
7. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
8. Prior to construction, a pre-construction meeting shall be held at the project site 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 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.
9. The applicant shall comply with the following requirements regarding the approved stormwater management system:

Certification – Contracts must specify that "all work is to comply with the conditions of the Stormwater Permit." Work done by a contractor or subcontractor pursuant to this approval may not begin before the contractor and any subcontractors have been shown a copy of this approval with the conditions by the developer, and the owner and each contractor and subcontractor has certified, on a form provided by the Development Review Coordinator, that the approval and conditions have been received and read, and that the work will be carried out in accordance with the approval and conditions. Completed certification forms must be forwarded to the Department of Planning and Urban Development and the Department of Public Services Department prior to the issuance of a Building Permit.


- i. **Maintenance** – The components of the approved stormwater management system must be adequately maintained to ensure that the system operates as designed, and approved
- ii. **Recertification requirement** – The permittee shall submit annual inspection reports to the Stormwater Program Coordinator in Portland's Department of Public Services. The inspections must be conducted by a qualified third-party inspector who certifies that all components of the stormwater management system are functioning as intended or if not, what actions must be performed to restore the system to functionality. Annual

inspection reports are due by April 30 and shall be submitted on a form provided by the Department of Public Services. The stormwater inspection shall certify the following:

- (a) All areas of the project site have been inspected for areas of erosion, and appropriate steps have been taken to permanently stabilize these areas.
 - (b) All aspects of the stormwater control system have been inspected for damage, wear, and malfunction, and appropriate steps have been taken to repair or replace the facilities according to the approved stormwater management plan.
 - (c) The erosion and stormwater maintenance plan for the site is being implemented as written, or modifications to the plan have been submitted to and approved by the department, and the maintenance log is being maintained.
10. 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.) Please note that that Warren Avenue is a moratorium street until October 26, 2014 and there are likely to be additional costs and fees associated with any work in the street prior to that date.
11. The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. 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 the release of the performance guarantee. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874- 8728.

Sincerely,


Alexander Jaegerman
Planning Division Director

Attachment: Performance Guarantee Packet

Electronic Distribution:

Penny St. Louis Littell, Director of Planning and Urban Development
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Assessor's Office
Approval Letter File

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