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

**Planning Division**  
Alexander Jaegerman, Director  
May 6<sup>th</sup>, 2010

John Vance  
383 Warren Avenue  
Portland ME 04103

RE: **355 Warren Avenue (Tow Lot)**  
**Possible amendments to approved Site Plan**

Dear Mr. Vance,

It is my understanding that you recently contacted staff requesting changes to details of the approved site plan for your tow lot.

I am writing to confirm that the requirements of the Site Plan approval letter dated March 22, 2010 (copy attached) are binding and cannot be changed without an approved amendment. A formal Site Plan Amendment application with revised details for staff consideration and possible approval may be submitted, but any amendments would still need to meet Ordinance requirements and may not be approved. I have enclosed the amendment application form if you wish to apply to amend your approved Site Plan. Please note that there is an associated fee of \$250.

Discussions regarding the detailed site plan requirements for this site (as shown in the approved plans) took place with both you and your engineer over several years and are based on Zoning and Site Plan requirements set out in the City's Land Use Ordinance. The area of loaming and seeding is required to meet impervious surface requirements of the B4 zone, and the drainage details are required to reduce pollution and sedimentation from stormwater run off. Vehicle maneuvering should take place within the site, which should be possible since the approval is for a maximum of 70 vehicles to be stored at that site.

In addition, it is important to note that the condition (Condition of Approval #1 in the approval letter) requiring the work to be fully implemented by June 15, 2010 **can not be amended and would therefore remain even if revised details were approved.**

Finally, even if you choose to proceed with the approved site improvements without any further discussion or revisions, the timetable for completion is now very tight, since prior to starting on site you need to:

- Establish whether the works may require a Building Permit from the Inspections Division (874 8703); if so this is a separate Permit that relates to Code issues and includes a separate review.
- Agree and pay the amount of the Performance Guarantee, which covers all required improvements within the right-of-way, plus certain site improvements such as landscaping, paving and drainage improvements. You should have received the "performance guarantee packet" with the approval letter in March, which includes a cost estimate form, sample forms for a letter of credit/escrow account and the provisions for a 10% defect guarantee.
- Pay an inspection fee of 2% of the performance guarantee prior to the issuance of a building permit. Please contact Phil DiPierro in the Planning Division (874-8632) if you have any questions regarding the inspections fee or performance guarantee described above.

These requirements were previously set out in the Standard Conditions in the approval letter dated March 22, 2010.

If you have any questions, please contact Jean Fraser at 874-8728.

Sincerely,



Alexander Jaegerman  
Planning Division Director

**Attachments:**

1. Site Plan Application forms (for use for an amendment to approved plans)
2. Approval letter dated March 22, 2010

**Electronic Distribution:**

Penny St. Louis Littell, Director of Planning and Urban Development  
Alexander Jaegerman, Planning Division Director  
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