

Department of Planning & Development
Lee D. Urban, Director



CITY OF PORTLAND

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Planning

John N. Lufkin
Economic Development

July 20, 2004

Arthur P. Girard
Delta Realty Co., Inc.
120 Exchange Street
Portland, Maine 04101

RE: Proposed Warehouse Facility, 380 Warren Avenue
ID #2004-0037, CBL #303 H001001

Dear Mr. Girard:

On July 20, 2004 the Portland Planning Authority approved the proposed Delta Realty Warehouse Building and associated site plan as presented in revised plans prepared by Aquarion Engineering dated June 17, 2004. This approval is based on the findings and subject to the provisions, requirements and conditions contained in this letter.

Findings

1. The project, as presented, is in conformance with the dimensional standards of the B-4 zone.
2. The project, as presented, is in conformance with the Site Plan Ordinance.

Provisions and Requirements

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic CADD.DXF files with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. 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.

4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work'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.
6. 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.)

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 Department 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 issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

Conditions

1. The applicant shall enter into a contractual drainage and maintenance agreement with the City of Portland for the drainage swale located on the east edge of the site prior to issuance of a building permit. The drainage and maintenance agreement shall be subject to the final review and approval of the City of Portland's Corporation Counsel.

Appeal

Where the Planning Authority has finally disapproved a site plan, any person aggrieved may appeal the decision to the Planning Board within ten (10) days of the decision being rendered. Upon the taking of such appeal, the application shall be reviewed as if referred by the Planning Authority, except that the Planning Board may not decline to accept the reference.

If you have any questions regarding this approval, please contact me at 756-8083 or ebm@portlandmaine.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Boxer-Macomber', with a long horizontal flourish extending to the right.

Ethan Boxer-Macomber, Planner

Cc: Alexander Jaegerman, Planning Division Director
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Eric Labelle, City Engineer
Correspondence File